WEST AFRICA

ADMINISTRATION GENERALLY

1957 No. 1363

The Nigeria (Constitution) (Amendment) Order in Council, 1957

Made - - - -	31*st July*, 1957
Laid before Parliament	7*th August*, 1957
Coming into Operation	8*th August*, 1957

At the Court at Goodwood House, the 31st day of July, 1957

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890(a), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, construction and commencement

1.—(1) This Order may be cited as the Nigeria (Constitution) (Amendment) Order in Council, 1957, and shall be construed as one with the Nigeria (Constitution) Orders in Council, 1954 to 1956(b).

(2) This Order shall come into operation on the eighth day of August, 1957.

Amendment of Order of 1954

2. Section 108 of the Nigeria (Constitution) Order in Council, 1954 (hereinafter called "the principal Order") is hereby amended by the deletion of paragraph (*a*).

3. Section 110 of the principal Order is hereby amended by the deletion of paragraph (*a*).

4. Section 115 of the principal Order is hereby revoked and the following section is substituted:—

"Presiding in Executive Councils of Regions.

115.—(1) There shall preside at meetings of the Executive Council of the Northern Region—

(*a*) the Governor;

(*b*) in the absence of the Governor, the Premier; and

(*c*) in the absence of the Governor and the Premier, such other member of the Council as the Governor, acting in his discretion, may appoint.

(2) There shall preside at meetings of the Executive Council of the Western Region or the Eastern Region—

(*a*) the Premier; or

(*b*) in the absence of the Premier, such other Regional Minister as the Premier may appoint."

(a) 53 & 54 Vict. c. 37.
(b) S.I. 1954/1146, 1955/432, 1956/836 (1954 II, p. 2829; 1955 II, p. 3163; 1956 II, p. 2953).

5. Section 117 of the principal Order is hereby revoked and the following section is substituted:—

"Summoning Executive Councils of Regions and quorum therein.

117.—(1) (*a*) The Executive Council of the Northern Region shall not be summoned except by the authority of the Governor, acting in his discretion:

Provided that the Governor shall summon the Council if the Premier requests him in writing so to do.

(*b*) No business shall be transacted in the Executive Council of the Northern Region if objection is taken by any member present that, in addition to the Governor or other member presiding, there are present less than eight members.

(2) (*a*) The Executive Council of the Western Region or the Eastern Region shall not be summoned except by the authority of the Premier of the Region.

(*b*) No business shall be transacted in the Executive Council of the Western Region or the Eastern Region if objection is taken by any member present that, in addition to the Premier or other member presiding, there are present less than six members."

6. Section 118 of the principal Order is hereby amended by the deletion of subsection (2) and the substitution of the following subsection:—

"(2) (*a*) The Governor of the Northern Region may, when presiding in the Executive Council of the Region, give a casting vote if on any question the votes are equally divided, but shall not have an original vote.

(*b*) A member of the Executive Council of a Region other than the Governor of the Northern Region shall have an original vote in the Council, and may, when presiding in the Council, also give a casting vote if on any question the votes are equally divided."

7. The principal Order is hereby amended by the insertion after section 123 of the following section:—

"Governor of Western and Eastern Regions to be kept informed concerning administration of government.

123A.—(1) The Premier of the Western Region or the Eastern Region shall—

(*a*) cause to be transmitted to the Governor copies of all papers submitted for consideration by the Executive Council of the Region at the same time as those papers are transmitted to the members of the Council;

(*b*) cause the Governor to be informed of the summoning of any meeting of the Council and of the matters to be discussed at that meeting at the same time as members of the Council are so informed; and

(*c*) cause the Governor to be furnished, immediately after each meeting of the Council, with a copy of the record of the proceedings at that meeting, showing the matters discussed and the conclusions reached by the Council at that meeting.

(2) The Premier of the Western Region or the Eastern Region shall keep the Governor fully informed concerning the general conduct of the government of the Region, and

shall furnish the Governor with such information as he may request with respect to any particular matter relating to the government of the Region."

W. G. Agnew.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the provisions of the Nigeria (Constitution) Order in Council, 1954, relating to the Executive Councils of the Regions.

1957 No. 1530

The Nigeria (Constitution) (Amendment No. 2) Order in Council, 1957

Made - - - -	23*rd August*, 1957
Laid before Parliament	29*th August*, 1957
Coming into Operation	30*th August*, 1957

At the Court at Balmoral, the 23rd day of August, 1957

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890(a), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, construction and commencement

1.—(1) This Order may be cited as the Nigeria (Constitution) (Amendment No. 2) Order in Council, 1957, and shall be construed as one with the Nigeria (Constitution) Orders in Council, 1954 to 1956(b).

(2) The Nigeria (Constitution) Orders in Council, 1954 to 1956, the Nigeria (Constitution) (Amendment) Order in Council, 1957(c), and this Order may be cited together as the Nigeria (Constitution) Orders in Council, 1954 to 1957.

(3) This Order shall come into operation on the thirtieth day of August, 1957.

Amendment of Order of 1954

2. Section 2 of the Nigeria (Constitution) Order in Council, 1954, (hereinafter called "the principal Order") is hereby amended—

(*a*) by the insertion in subsection (2) after paragraph (*c*) of the following paragraph:—

"(*d*) any reference to defence shall, without prejudice to its generality, be construed as including the organization, discipline, control and use of the armed forces of the Crown

(a) 53 & 54 Vict. c. 37.
(b) S.I. 1954/1146, 1955/432, 1956/836 (1954 II, p. 2829; 1955 II, p. 3163; 1956 II, p. 2953).
(c) S.I. 1957/1363 (p. 3028 above).