

Changes to legislation: There are currently no known outstanding effects for the Nigeria Independence Act 1960. (See end of Document for details)

SCHEDULES

FIRST SCHEDULE

Section 1.

LEGISLATIVE POWERS IN NIGERIA

- 1 The ^{M1}Colonial Laws Validity Act 1865 shall not apply to any law made on or after the appointed day by any legislature established for Nigeria or any part thereof.

Marginal Citations

M1 1865 c. 63.

- 2 No law and no provision of any law made on or after the appointed day by any such legislature as aforesaid shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any Act of the Parliament of the United Kingdom, including this Act, or to any order, rule or regulation made under any such Act, and, subject to paragraph 6 of this Schedule, the powers of any such legislature shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of Nigeria or any part thereof and in so far as it relates to matters within the legislative powers of that legislature.

- 3 Any such legislature as aforesaid shall have full power to make laws having extra-territorial operation, so far as those laws relate to matters within the legislative powers of that legislature.

^{F14}

Textual Amendments

F1 Sch. 1 para. 4 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), Sch. 12 (with ss. 312(1), Sch. 14 para. 1)

- 5 Without prejudice to the generality of the foregoing provisions of this Schedule, section four of the ^{M2}Colonial Courts of Admiralty Act 1890 (which requires certain laws to be reserved for the signification of Her Majesty's pleasure or to contain a suspending clause) and so much of section seven of that Act as requires the approval of Her Majesty in Council to any rules of court for regulating the practice and procedure of a Colonial Court of Admiralty shall cease to have effect in Nigeria.

Marginal Citations

M2 1890 c. 27.

- 6 Nothing in this Act shall confer on any such legislature as aforesaid any power to repeal, amend or modify the constitutional provisions otherwise than in such manner as may be provided for in those provisions.

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In this paragraph, the expression “the constitutional provisions” means this Act, any Order in Council made before the appointed day which revokes the Nigeria (Constitution) Orders in Council, 1954 to 1960, and any law, or instrument made under a law, of any such legislature as aforesaid made on or after that day which amends, modifies, re-enacts with or without amendment or modification, or makes different provision in lieu of, any of the provisions of this Act, that Order in Council or any such law or instrument previously made.

SECOND SCHEDULE

Section 3.

AMENDMENTS NOT AFFECTING LAW OF NIGERIA

Diplomatic immunities

1 F2

Textual Amendments

F2 Sch. 2 para. 1 repealed by Finance Act 1969 (c. 32), Sch. 21 Pt. IX

2 In subsection (6) of section one of the ^{M3}Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act, 1952, immediately before the word “and” in the last place where it occurs there shall be inserted the word “Nigeria”.

Modifications etc. (not altering text)

C1 The text of s. 3(2)(b),sch. 2 paras. 2, 3, 6(a), 7, 8, 15 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M3 1952 c. 18

Financial

3 In section two of the ^{M4}Import Duties Act, 1958, in subsection (4), after the words “New Zealand” there shall be inserted the word “Nigeria”.

Modifications etc. (not altering text)

C2 The text of s. 3(2)(b),sch. 2 paras. 2, 3, 6(a), 7, 8, 15 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M4 1958 c. 6

4 F3

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Textual Amendments

F3 Sch. 2 para. 4 repealed by [Trustee Investments Act 1961 \(c. 62\)](#), **Sch. 5**

Visiting forces

- 5 In the ^{M5}Visiting Forces (British Commonwealth) Act 1933 section four (which deals with attachment and mutual powers of command) and the definition of “visiting force” for the purposes of that Act which is contained in section eight thereof shall apply in relation to forces raised in Nigeria as they apply in relation to forces raised in Dominions within the meaning of the ^{M6}Statute of Westminster 1931.

Marginal Citations

M5 1933 c. 6.

M6 1931 c. 4 (22 & 23 Geo. 5).

- 6 In the ^{M7}Visiting Forces Act 1952—
- (a) in paragraph (a) of subsection (1) of section one (which specifies the countries to which that Act applies) the word “or” in the first place where it occurs shall be omitted, and at the end there shall be added the words “Nigeria or”;
 - (b) in paragraph (a) of subsection (1) of section ten the expression “colony” shall not include Nigeria or any part thereof;
- and, until express provision with respect to Nigeria is made by an Order in Council under section eight of that Act (which relates to the application to visiting forces of law relating to homes forces), any such Order for the time being in force shall be deemed to apply to visiting forces of Nigeria.

Modifications etc. (not altering text)

C3 The text of s. 3(2)(b),sch. 2 paras. 2, 3, 6(a), 7, 8, 15 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M7 1952 c. 67.

Ships and aircraft

F47

Textual Amendments

F4 Sch. 2 para. 7 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch. 12** (with ss. 312(1), Sch. 14 para. 1)

F58

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Textual Amendments

F5 Sch. 2 para. 8 repealed (1.1.1996) by 1995 c. 21, ss. 314(1), 316(2), **Sch. 12** (with ss. 312(1), Sch. 14 para. 1)

9 **F6**

Textual Amendments

F6 Sch. 2 para.9 repealed by Emergency Laws (Re-enactments and Repeals) Act 1964 (c. 60), **Sch. 2**

10 **F7**

Textual Amendments

F7 Sch. 2 para.10 repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. XV**

11 In the ^{M8}Whaling Industry (Regulation) Act 1934, the expression “British ship to which this Act applies” shall not include a British ship registered in Nigeria.

Marginal Citations

M8 1934 c. 49.

Copyright

12, 13. **F8**

Textual Amendments

F8 Sch. 2 paras. 12, 13 repealed by Copyright, Designs and Patents Act 1988 (c. 48, SIF 67A), s. 303(2), **Sch. 8**

14 **F9**

Textual Amendments

F9 Sch. 2 para 14 repealed by Family Law Act 1986 (c. 55, SIF 49:3), s. 68(2), **Sch. 2**

Commonwealth Institute

^{F10}15

Textual Amendments

F10 Sch. 2 para. 15 repealed (7.1.2003) by 2002 c. 39, ss. 3, 4(2), **Sch. 3**

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