

CHAPTER 187.**WEST AFRICAN INSTITUTE FOR OIL PALM
RESEARCH (SIERRA LEONE STATUS).****ARRANGEMENT OF SECTIONS.**

SECTION.

1. Short title.
2. Status and functions of the Institute.
3. Status and functions of the Committee.
4. Modification in relation to Sierra Leone of certain provisions of the Nigerian Ordinance.

SCHEDULE.

**THE WEST AFRICAN INSTITUTE FOR OIL PALM RESEARCH ORDINANCE, 1951
(NIGERIAN ORDINANCE NO. 20 OF 1951).**

CHAPTER 187.**WEST AFRICAN INSTITUTE FOR OIL PALM
RESEARCH (SIERRA LEONE STATUS).**

3 of 1957.

An Ordinance to provide for the status and functions, including the powers and duties within Sierra Leone of the West African Institute for Oil Palm Research and the West African Institute for Oil Palm Research Managing Committee which were established in Nigeria by the West African Institute for Oil Palm Research Ordinance, 1951, of Nigeria, and for purposes connected therewith.

[27TH SEPTEMBER, 1951.]

Preamble.

WHEREAS there were established in Nigeria by the West African Institute for Oil Palm Research Ordinance, 1951, (Nigerian Ordinance No. 20 of 1951), the provisions of which are set out in the Schedule to this Ordinance and which is hereinafter referred to as "the Nigerian Ordinance", the West African Institute for Oil Palm Research (hereinafter referred to as "the Institute") and the West African Institute for Oil Palm Research Managing Committee (hereinafter referred to as "the Committee"):

AND WHEREAS the Institute was so established for the purposes of undertaking research into and investigation of problems and matters relating to the oil palm and its products and for the provision of information and advice relating to the oil palm:

AND WHEREAS the Committee was established as a body corporate to manage the affairs of the Institute:

AND WHEREAS one member of the Committee is nominated by the Officer Administering the Government of Sierra Leone:

AND WHEREAS it would be to the benefit and well-being of the people of Sierra Leone were the Institute and the Committee to be given status and functions, including powers and duties, within Sierra Leone:

1. This Ordinance may be cited as the West African Institute for Oil Palm Research (Sierra Leone Status) Ordinance. It shall be deemed to have had effect as from the 27th day of September, 1951 (being the date upon which the Nigerian Ordinance came into operation).

Short title and commencement.

2. Subject to the provisions of section 4 of this Ordinance, the Institute established by section 2 of the Nigerian Ordinance (which shall be known in Sierra Leone as the West African Institute for Oil Palm Research) shall have within Sierra Leone the like functions (which expression shall include powers and duties) as it has within Nigeria under the provisions of the Nigerian Ordinance.

Status and functions of the Institute.

3. The Committee established by section 3 of the Nigerian Ordinance and incorporated by section 6 of that Ordinance (which shall be known in Sierra Leone as the West African Institute for Oil Palm Research Managing Committee) shall also be within Sierra Leone a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name; and, subject to the provisions of section 4 of this Ordinance, the Committee shall have within Sierra Leone the like functions (which expression shall include powers and duties) as it has within Nigeria under the provisions of the Nigerian Ordinance.

Status and functions of the Committee.

Modification
in relation to
Sierra Leone
of certain
provisions of
the Nigerian
Ordinance.

4. (1) The powers of the Committee under sub-section (3) of section 7 of the Nigerian Ordinance shall apply in relation to the employment of servants in Sierra Leone as though they were employed in Nigeria.

(2) The provisions of section 14 of the Nigerian Ordinance shall apply in relation to any activities of the Institute and the Committee in Sierra Leone, save that the accounts may be made up and audited in Nigeria.

(3) The provisions of section 15 of the Nigerian Ordinance shall not apply in relation to the functions of the Committee in Sierra Leone.

(4) The provisions of section 16 of the Nigerian Ordinance shall apply in relation to the discipline of servants of the Institute or the Committee employed in Sierra Leone as though they were employed in Nigeria.

(5) The powers to dissolve the Institute and the Committee and all other powers conferred by section 17 of the Nigerian Ordinance shall, in so far as the Institute and the Committee have assets in Sierra Leone, devolve upon the Governor of Sierra Leone and shall be exercised by him subject to the approval of the Secretary of State.

SCHEDULE.

THE WEST AFRICAN INSTITUTE FOR OIL PALM RESEARCH ORDINANCE, 1951
(NIGERIAN ORDINANCE NO. 20 OF 1951).

An Ordinance for the Establishment of an Institute to Undertake Research into Matters relating to the Oil Palm, for the Incorporation of a Committee to Manage the Institute and for other purposes connected therewith.

Date of commencement.

[27TH SEPTEMBER, 1951.]

Enactment.

BE IT ENACTED by the Governor of Nigeria, with the advice and consent of the Legislative Council thereof, as follows—

Short title.

1. This Ordinance may be cited as the West African Institute for Oil Palm Research Ordinance, 1951.

PART I.—ESTABLISHMENT OF INSTITUTE AND COMMITTEE.

Establishment of Institute.

2. For the purposes of undertaking research into and investigation of problems and matters relating to the oil palm and its products, and for the provision of information and advice relating to the oil palm, there is hereby established an Institute to be called the West African Institute for Oil Palm Research (hereinafter referred to as the Institute).

3. There shall be established a Committee to be called the West African Institute for Oil Palm Research Managing Committee (hereinafter referred to as the Committee), with powers, duties, and procedure as detailed in sections 7 to 14 of this Ordinance. Establishment of Committee.

4. (1) The Director of the Institute (hereinafter referred to as the Director) shall be such person as the Secretary of State may appoint, and he shall hold office during the pleasure of the Secretary of State. Appointment of Director.

(2) When the Director is through absence, illness or other good cause unable to discharge the duties of his office, the Secretary of State may appoint a person temporarily to discharge such duties.

5. (1) The Committee shall be constituted of the following members— Constitution of Committee.

(a) the Chairman, to be nominated by the Secretary of State;

(b) not more than four members, to be nominated by the Governor;

(c) two members, to be nominated by the Nigeria Oil Palm Produce Marketing Board established under the provisions of the Nigeria Oil Palm Produce Marketing Ordinance, 1949; No. 12 of 1949.

(d) one member, to be nominated by the Officer Administering the Government of the Gold Coast;

(e) one member, to be nominated by the Officer Administering the Government of Sierra Leone; and

(f) the Director.

(2) Members may be nominated either personally or by virtue of their office.

(3) The Chairman and the Director shall retain their membership of the Committee during the pleasure of the Secretary of State.

(4) The members nominated by the Governor and by the Officers Administering the Governments of the Gold Coast and Sierra Leone shall retain their membership of the Committee during the pleasure of the Governor and the Officers Administering the Governments of the Gold Coast and Sierra Leone respectively. The members nominated by the Nigeria Oil Palm Produce Marketing Board shall retain their membership of the Committee during the pleasure of the Nigeria Oil Palm Produce Marketing Board.

6. (1) The Committee shall be a body corporate having perpetual succession and a common seal, and may sue and be sued in its corporate name. Incorporation of Committee.

(2) The common seal of the Committee shall not be used or affixed to any document save in pursuance of a resolution in that behalf passed at a duly constituted meeting of the Committee and recorded in the minutes.

PART II.—POWERS, DUTIES AND PROCEDURE OF THE COMMITTEE.

7. (1) Subject to any directions, specific or general, of the Secretary of State, the Committee may— Powers of Committee.

(a) enter into contracts and do all things necessary for, or incidental to, the purposes of this Ordinance;

(b) acquire and hold moveable or immoveable property and sell, mortgage, lease, transfer or otherwise deal with such property;

(c) borrow at interest, on the security of any corporate land or funds of the Committee, such moneys as the Committee may from time to time think necessary or expedient for carrying into effect the provisions of this Ordinance;

(d) from time to time invest the funds of the Committee in such manner and to such extent as the Committee may think necessary or expedient;

(e) delegate to the Director all or any part of the duties imposed upon the Committee by that portion of paragraph (e) of section 8 of this Ordinance which relates to the appointment of servants of the Institute;

(f) appoint a sub-committee or sub-committees for the purpose of inquiring into and reporting to the Committee on any matter concerned with the functions of the Committee.

(2) The Committee or a sub-committee may at any time appoint and terminate the appointment of any person to assist in the deliberations of the Committee or sub-committee but no such person shall be or be deemed to be, a member of the Committee or sub-committee, as the case may be.

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(3) (a) The Committee at any time, with the approval of the Governor, may require to contribute to the scheme established by the Widows' and Orphans' Pension Ordinance any servant of the Institute or of the Committee, being a person who if he were in the service of the Government of Nigeria would be deemed to be a "European Officer" within the meaning of such Ordinance.

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(b) Where the Committee requires any person to contribute in accordance with paragraph (a) of this sub-section, the provisions of the Widows' and Orphans' Pension Ordinance shall apply to such person in the same manner and to the same extent as if such person were in the service of the Government of Nigeria, and every such person so contributing shall be deemed a "European Officer" within the meaning of such Ordinance.

(c) "Servant of the Institute" means a person engaged by the Director in the exercise of his delegated powers for work in or in connection with the Institute.

Duties of
Committee.

8. It shall be the duty of the Committee—

(a) (i) to review and consider annually a general programme of the research to be conducted by the Institute as prepared by the Director and to approve such programme;

(ii) before approving any programme to consider any modifications which may be requested by the Governor and the Officers Administering the Governments of the Gold Coast and Sierra Leone and to include in such programme any of such modifications as the Committee may think fit;

(b) to arrange for the preparation annually by the Director of a statement of the expenditure necessary to carry out the approved programme;

(c) to receive annual and other reports from the Director of the progress of the work of the Institute and the expenditure and liabilities incurred, to make such observations thereon as they may think fit and to arrange for the transmission of such reports and observations, if any, to the Secretary of State, the Governor and the Officers Administering the Governments of the Gold Coast and Sierra Leone;

(d) to advise the Director as occasion may require;

(e) subject to any direction of the Secretary of State of a general character to appoint, and to fix the salaries and terms of appointment of, and to dismiss servants of the Institute and any servant the Committee may think fit to employ;

(f) to consider the provision of information and advice relating to the oil palm.

9. (1) The Committee shall ordinarily meet for the despatch of business at such times and places as the Committee may from time to time appoint, but not less than once a year. Meetings of
Committee.

(2) The Chairman may, and on the request in writing of two members of the Committee shall, call a special meeting of the Committee at such time and place as he may appoint.

(3) At every such meeting of the Committee the Chairman, if present, shall preside, but in his absence the Committee shall appoint one of the members to preside.

(4) Every question which comes before the Committee at any meeting shall be decided by a majority of the votes of the members present.

(5) Seven members shall form a quorum at any meeting.

(6) The member presiding at any meeting shall have a vote and, in the case of an equality of votes, a second or casting vote.

(7) The Committee shall ensure that prior notification of their intention to meet, together with particulars of items for discussion at every such meeting, shall be forwarded, within such time as the Governor may specify, to the Governor and to the Officers Administering the Governments of the Gold Coast and Sierra Leone.

10. Minutes of the proceedings of every meeting of the Committee shall be regularly entered in a book to be kept for that purpose, and minutes of proceedings shall, after approval, be signed at the next ensuing meeting by the member presiding thereat. Minutes of
the
Committee.

11. (1) The Committee may from time to time make, amend or revoke Standing Orders not inconsistent with the provisions of this Ordinance, to ensure due notice being given to members of the meeting of the Committee and to regulate the proceedings of the Committee or any sub-committee appointed under paragraph (f) of sub-section (1) of section 7 of this Ordinance. Standing
Orders.

(2) The Standing Orders for the time being in force shall be followed and observed and shall be binding upon the Committee and any sub-committee.

PART III.—FINANCE.

12. (1) The funds of the Committee shall include—

(a) all moneys raised for the general purposes of the institute;

(b) all moneys accruing to the Committee from His Majesty's Government in the United Kingdom or from any Government either by way of grant-in-aid or endowment or otherwise;

(c) all charges, dues or amounts recovered by the Committee;

(d) all interest on moneys invested by the Committee;

Funds of the
Committee.

(e) all donations accruing to the Committee or the Institute in the course of the operations of the Committee or Institute.

(2) The funds of the Committee shall, subject to the approval, general or specific, of the Secretary of State, be applied by the Committee to the accomplishment of the purposes of this Ordinance.

(3) Subject to such approval as aforesaid the Committee may from time to time out of its funds reimburse to the members or any class of members of the Committee their reasonable expenses incurred by them in the execution of their duties under this Ordinance.

Payment into bank.

13. All sums of money received on account of the Committee may be paid into such bank or banks as may be approved by the Committee for the credit of the Committee's general, current or deposit account.

Accounts and audit.

14. (1) The Committee shall cause to be prepared not later than the 30th day of June in each year or as soon as possible thereafter and in any case not later than the 28th day of September the following statements—

(a) Income and Expenditure Account for the year ending 31st March immediately preceding;

(b) Statement of Assets and Liabilities as at 31st March immediately preceding.

(2) Such statements shall be audited and published in such manner as the Committee, subject to any direction which may from time to time be given by the Secretary of State, may direct.

PART IV.—MISCELLANEOUS.

Acquisition of land.

15. (1) When there is any hindrance to the acquisition by purchase or lease of any land or building required for carrying into effect any of the provisions of this Ordinance, the Governor, upon the application of the Committee and after such enquiry as he may think fit, may declare that the land or building is required for the service of the Committee; and he may direct that proceedings be taken under the provisions of the Public Lands Acquisition Ordinance for acquiring the land or building for the Government of Nigeria and for determining the compensation to be paid to the parties interested; and upon the making of such declaration, the land to which it relates shall be deemed to be land required for a public purpose within the meaning of the said Ordinance.

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(2) When the land or building has been acquired under the provisions of the Public Lands Acquisition Ordinance, the Governor may vest such land or building in the Committee by means of a certificate under the hand and seal of the Commissioner of Lands to the effect that the land or building has been made over to the Committee.

(3) The compensation, if any, for such acquisition shall in the first instance be paid by the Government of Nigeria, but the Committee shall refund to such Government any compensation so paid and all expenses incidental to such acquisition incurred by such Government.

Discipline.

16. (1) (a) Every servant of the Institute or of the Committee, who is in receipt of an annual salary of not less than eighty four pounds, shall be subject to the authority of the Director or of the Committee, as the case may be, and to the provisions of the Colonial Regulations and, unless otherwise

specified by the Director or the Committee, to the General Orders of the Government of Nigeria.

(b) For the purpose of discipline, the provisions of the Colonial Regulations shall apply to every such servant when invoked by the Governor at the request of the Secretary of State, or a servant may be dealt with disciplinarily in such other manner as the Secretary of State, either specifically or generally, may determine or, in the case of a minor offence by a servant, he may be dealt with disciplinarily by the Director, if a servant of the Institute, or by the Committee, if a servant of the Committee, in such manner as the Director or the Committee, as the case may be, may either generally or specifically determine.

(2) Every servant of the Institute or the Committee who is in receipt of an annual salary of less than eighty-four pounds or is paid a salary other than an annual salary, shall be subject to the authority of the Director or the Committee, as the case may be, and for the purpose of discipline, including dismissal, to such directions as the Director or the Committee, as the case may be, may either generally or specifically issue.

17. The Governor, upon the direction of the Secretary of State, may by order declare that the Committee and Institute, as established by this Ordinance, shall be dissolved and cease to exist as from a date to be specified in the order, and thereupon any balance of the funds of the Committee, including the capital assets, remaining at such date shall be disposed of and applied as may be directed by the Secretary of State.

Power to
dissolve
Institute and
Committee.