

CHAPTER 53 - EX-TRADITIONAL OFFICE HOLDERS REMOVAL

A LAW TO PROVIDE FOR THE REMOVAL OF CERTAIN TRADITIONAL OFFICE HOLDERS WHO HAVE CEASED TO HOLD OFFICE FROM THE AREAS FOR OR IN WHICH THEY APPOINTED AND FOR THE RESTRICTION OF THEIR MOVEMENT

[1 April 1934]

1. This Law may be cited as the Ex-Traditional Office Holders Removal Law.

2. —(1) Where a person has been appointed a District Village or Ward Head under any written law for the time being in force or who has been appointed a chief or head chief under or whose appointment as a chief or head chief has been approved under the Chiefs (Appointment and Deposition) Law, has ceased to hold office or exercise authority by reason of the termination of his appointment, resignation or otherwise, and the Governor is satisfied that it is necessary for the re-establishment or maintenance of peace, order and good government in the area for or in which he was so appointed or exercised authority that such person should leave such area, the Governor may by any order under his hand direct that such person shall leave such area and such other part of the State adjacent thereto as may be specified in the order within such time as the order may direct, and that he shall not thereafter return to such area or part without the consent of the Governor.

If such person should already have left such area or part he shall comply with the remaining terms of the order.

(2) In an order made under subsection (1) the other part of the State adjacent to such area which may be specified in the order shall not comprise more than the following, namely, the local government area containing such area and the adjoining local government areas.

(3) If such person shall fail to comply with or contravene any of the provisions of the order he shall be liable to imprisonment for six months, and the Governor may by writing under his hand order him to be removed, either forthwith or on the expiration of any term or imprisonment to which he may have been sentenced as aforesaid, to such part of the State as the Governor may by such order direct.

(4) An order of removal under subsection (3) may be expressed to be in force for a time to be limited therein or for an unlimited time, and shall have the same force and effect as an order of deportation made by the President under the Criminal Procedure Act and, subject to the provisions of this Law, the provisions of the Criminal Procedure Act with regard to orders of deportation and to offences in relation to such orders shall apply save that any functions of the President in relation to such order and such offences shall be exercisable solely by the Governor.

3. A person served with an order of removal under section 2 may, within thirty days of the service of the order upon him, appeal against the order to a court presided over by a magistrate and may put in issue the question whether the order was necessary for the re-establishment or maintenance of peace, order and good government in the area from which he is excluded: Provided that no such appeal may be made unless prior to making the appeal such person has complied with the terms of the order and continues to comply therewith during the pendency of the appeal or any further appeal.

4.—(1) The Governor may by order under his hand vary or rescind any order made under subsection (1) of section 2 or any order of removal made under subsection (3) of the said section, or, without varying or rescinding any such order, may grant permission in writing to the person

who is the subject of the order:-

(a) in the case of an order made under subsection (1) of section 2, to return for a temporary purpose to the area and any other part of the State adjacent thereto specified in the order or to proceed to any portion of such area or part; and

(b) in the case of an order made under subsection (3) of section 2, to leave for a temporary purpose the part of the State within which he is by the order required to remain for some other part named in such permission.

(2) Such permission may be granted subject to such conditions as to the Governor may seem proper, and if such person shall fail to comply with any of the conditions he shall be deemed to have contravened the order made under subsection (1) of section 2 or the order of removal made under subsection (3) of the said section, as the case may be.

5. The Secretary to the Council of Chiefs may by a certificate under his hand state that the provisions of section 2 or 4 have been complied with in the case of a particular person who has ceased to hold office as a chief or head chief after having been appointed as such under or whose appointment as such had been approved under the Chiefs (Appointment and Deposition) Law.

CHAPTER 54 FATAL ACCIDENTS ARRANGEMENT OF SECTIONS

SECTION

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