

CHAPTER R3 - REVISED EDITION (LAWS OF KWARA STATE OF NIGERIA) LAW

ARRANGEMENT OF SECTIONS

SECTION

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REVISED EDITION (LAWS OF KWARA STATE OF NIGERIA) LAW

A Law to provide for the Preparation Printing and Publication of a Revised Edition of the Laws of the Kwara State of Nigeria and for connected purposes.

[Date of commencement: 10th July, 2006]

1. Establishment of Law Revision Committee, etc.

(1) There is hereby established a Law Revision Committee (hereinafter in this Law referred to as "the Committee") which shall consist of the following members—

- (a) Yusuf Olaolu Ali (SAN), as Chairman;
- (b) R. A. Lawal-Rabana;
- (c) Adebayo Oba Adelodun;
- (d) Wahab Egbewole;
- (e) Iyabo Funke Banire (Mrs.);
- (f) Musa Idris;
- (g) Hammed Aliyu Gegele;
- (h) Hajia Salmat Iyabode Mohammed.

(2) The quorum of the Committee shall be four.

(3) The Committee shall have the function of preparing a revised edition of the laws of Kwara State of Nigeria.

(4) If for any cause a member of the Committee is unable fully to discharge his duties as such member before the revised edition has been completed, the Governor may appoint another person in his stead.

2. Contents of the Revised Edition, etc.

(1) Subject to the provisions of this section and section 3 of this Law, the revised edition shall contain—

- (a) all laws of Kwara State of Nigeria in force on the appointed day and all subsidiary legislation made thereunder and in force on the appointed day, except such of those laws as the Committee has powers to omit under section 3;
- (b) all laws of Kwara State of Nigeria which have been enacted or passed but not yet brought into operation on the appointed day, and all subsidiary legislation made thereunder; and
- (c) a table of contents, a chronological table of enactments and an index.

(2) The Committee may in its discretion retain as if it were part of the laws of Kwara State any portion of any enactment which is included in the revised edition, if in its opinion such portion cannot conveniently be omitted from the revised edition or if in its opinion, the retention of such portion would be of utility to the State notwithstanding that, the portion of the enactment does not have effect as a State enactment.

(3) The Committee shall, in the preparation of the revised edition, take no account of the earlier revised edition of the laws of Kwara State of Nigeria but the Committee shall proceed as if no such edition had ever been prepared.

3. Power of the Attorney-General to authorise omission of certain laws

(369) The Attorney-General may by order specify a Schedule of Laws which it shall not be necessary for the Committee to include in the revised edition upon the grounds that such laws are—

- (a) obsolescent;
- (b) of a temporary nature;
- (c) under revision with a view to replacement; or
- (d) of restricted or personal application.

(2) Laws omitted in accordance with subsection (1) shall for the time being have the same force of law and validity as if they had not been omitted in the revised edition.

4. Powers of the Committee

(1) Subject to this section, the Committee shall have in the preparation of the revised edition the powers set out in the Schedule so however that it shall have no power to make any alteration or amendment in substance of a law of Kwara State of Nigeria.

[Schedule.]

(2) Where, in the preparation of the revised edition, the Committee considers it desirable that additions, omissions or other amendments should be made in respect of the

laws of Kwara State of Nigeria, other than those authorised in pursuance of subsection (1), such additions, omissions, or other amendments shall first be submitted in the form of one or more amending Bills to the House of Assembly.

(3) The Committee may, in the preparation of the revised edition, take into account—

- (a) all amending laws enacted as a result of a submission under subsection (2);
- (b) all modifications, adaptations, qualifications, exceptions and other amendments effected by or in pursuance of the Constitution;
- (c) any law of Kwara State of Nigeria expressly required by its terms to be taken into account notwithstanding that it is to come into operation after the appointed date.

(4) The Committee may incorporate into the revised edition any Act, Decree or subsidiary legislation (or part thereof) that applies in the State.

5. Subsidiary Legislation

In the preparation of any subsidiary legislation included in the revised edition, the Committee has the same powers to do all things relating to form and method as are conferred upon it by this Law in respect of the laws of Kwara State of Nigeria.

6. Validity and operation of the revised edition

(1) The revised edition when brought into force in accordance with section 7 of this Law shall be and be taken by all courts and for all purposes whatsoever to be the sole authentic edition of—

- (a) the laws of Kwara State of Nigeria in effect on the appointed day; and
- (b) the subsidiary legislation included in the revised edition.

(2) Where in an enactment or document of any kind reference is made to an enactment repealed or otherwise affected by the operation of the Law, that reference shall, where necessary and practicable, be construed as applying to the corresponding enactment contained in the revised edition.

7. Bringing Revised edition into force

(1) As soon as practicable after the completion of the revised edition, the Committee shall transmit a copy thereof to the Attorney-General who shall submit the copy to the Governor.

(2) The Governor may by order bring the revised edition into force on the date specified by him in the order.

8. Copies to be signed and deposited

Two copies of each volume of the revised edition shall be dated and signed by the members of the Committee and shall be sealed with the public seal of the State and a copy each shall be transmitted to the Chief Judge of the State and the Grand Khadi of the State who shall deposit such among the records of the High Court and the Shariah Court of Appeal.

9. Distribution of copies

(1) Copies of the revised edition shall be distributed among such persons, officers, authorities, ministries, departments and institutions as the Attorney-General may direct.

(2) There shall be offered for sale to the general public such number of copies of the revised edition at such price as the Attorney-General may direct.

10. Law to be reprinted as an introduction to the revised edition

This Law shall be reprinted as an introduction to the revised edition.

11. Interpretation

In this Law, unless the context otherwise requires—

"appointed day" means such date as the Attorney-General may on the approval of the Governor by notice in the State Gazette appoint;

"Attorney-General" means the Attorney-General of the State;

"Committee" means the Law Revision Committee established under section 1 of this Law;

"Enactment" means any provision of an Act, Decree, Law, Edict or subsidiary legislation made under such Act, Decree, Law or Edict;

"House of Assembly" means Kwara State House of Assembly;

"Law of Kwara State of Nigeria" means any Law which is, or has effect as if it were a Law enacted by the House of Assembly of the State or by the Governor or Administrator as the case may be with respect to any matter within their competence;

"Revised Edition" means the revised edition of the Laws of the Kwara State of Nigeria to be prepared under the authority of this Law;

"State" means Kwara State of Nigeria;

"Subsidiary legislation" means proclamations, orders, orders in council, rules, regulations, rules of court, bye-laws, notices and other instruments having effect of law made or issued under a law of the State or by an authority in the State under an enactment made or issued elsewhere.

12. Citation

This Law may be cited as the Revised Edition (Laws of Kwara State of Nigeria) Law, 2006.

SCHEDULE

[Section 4.]

Powers of the Committee

1. To omit—

(a) all enactments which have been expressly and specifically repealed or which have expired, or have become spent or have had their full effect;

(b) all repealing enactments contained in Acts, Decrees, Laws or Edicts and also all tables and lists of repealed enactments, whether contained in Schedule or otherwise;

(c) all preambles to Acts, Decrees, Laws or Edicts where such omissions can, in the opinion of the Committee, conveniently be made;

(d) all enacting clauses;

(e) all enactments prescribing the date when an Act, Decree, Law or Edict is to come into operation, where such omission can in the opinion of the Committee, conveniently be made; and

(f) all amending enactments or parts thereof where the amendments effected thereby have been embodied by the Committee in the Act, Decree, Law or Edict to which they relate.

2. To consolidate into one enactment any two or more enactments in parimaterial making the alteration thereby rendered necessary and affixing such date thereto as may seem most convenient.

3. To alter the order of any section of any enactment in all cases where it may appear to be necessary to re-number any section.

4. To alter the form or arrangement of any section of any enactment by transferring words, by combining any such section in whole or in part with another section or other sections or by dividing it into two or more subsections.

5. To divide enactments, whether consolidated or not into Parts or Divisions.

6. To transfer any provision contained in an enactment from that enactment to any other enactment to which the Committee considers that it more properly belongs.

7. To arrange the enactments, whether consolidated or not, in any sequence or group that may be convenient.

8. To add a title or short title to any enactment which may require it and to alter the title or short title of any enactment.

9. To supply or alter marginal notes.

10. To supply or alter tables of contents.

11. To correct cross-references.

12. To shorten and simplify the phraseology of any enactments.

13. To correct grammatical and typographical errors in any enactment and for that purpose to make verbal additions, omissions or alterations not affecting the meaning of any enactment.

14. To make such formal alteration as to names, localities, offices and otherwise as may be necessary to bring any enactment into conformity with the circumstances of any part of the Federation.

15. To make such adaptations of or amendments to any enactments as may appear to be necessary or proper as a consequence of any change in the Constitution of the Federal Republic of Nigeria, 1999.

16. To retitle—

- (a) all Edicts as Laws; and
 - (b) Military Governor, Military Administrator as Governor.
17. To retitle (re-designate) any Decree or part thereof having effect as a Law made by the House of Assembly of the State as Laws.
18. To do all things relating to form and method which to the Committee appears necessary for perfecting the revised edition.

CHAPTER R3
REVISED EDITION (LAWS OF KWARA STATE OF NIGERIA) LAW
SUBSIDIARY LEGISLATION

No Subsidiary Legislation