

# LAGOS PORT OPERATIONS (SPECIAL PROVISIONS) ACT

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## ARRANGEMENT OF SECTIONS

### SECTION

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## LAGOS PORT OPERATIONS (SPECIAL PROVISIONS) ACT

### **An Act to provide for the establishment of the Lagos Port Operations Committee to supervise and co-ordinate all operations at Lagos Port.**

[1971 No. 15]

[23rd January, 1971]

[ Commencement.]

#### 1. **Lagos Port Operations Committee**

There is hereby established for the purposes of this Act, a body to be known as the Lagos Port Operations Committee (in this Act referred to as "the Committee") which shall be constituted in accordance with and shall have such functions as are conferred by, or by virtue of, the following provisions of this Act.

#### **2. Composition of the Committee**

(1) The Committee shall consist of the following members-

(a) the person appointed to be the Port Manager for Lagos Port Operations (in this Act referred to as "the Port Manager"), as chairman;

(b) one representative of each of the following bodies or organisations-

(i) the Nigerian Ports Authority;

(ii) the Nigerian Railway Corporation;

(iii) the Nigerian Customs Service Board;

(iv) the Department of Immigration;

(v) the Nigerian Produce Marketing Company;

(vi) the Nigerian Chamber of Commerce;

(vii) Shipping companies and shipping agencies in Nigeria;

- (viii) The Association of Forwarding and Clearing Agencies in Nigeria;
- (ix) the Federal Ministry of Transport; and
- (x) the Nigerian Army.

(2) The members of the Committee shall be appointed by the Minister.

### **3. Functions of the Committee**

Subject to this Act, the Committee shall have the functions of-

- (a) co-ordinating all operations at Lagos Port;
- (b) securing in accordance with the provisions of this Act the efficient discharge of functions by any person carrying on operations at Lagos Port;
- (c) performing the other functions conferred on the Committee by this Act.

### **4. Proceedings of the Committee**

- (1) Subject to this Act, the Committee shall have power to regulate its own proceedings.
- (2) The proceedings of the Committee shall not be affected by any vacancy in the membership of the Committee, or by any defect in the appointment of a member of the Committee, or by reason that a person not entitled to do so took part in the proceedings.

#### **1. Power of the Port Manager**

- (1) The Port Manager shall be responsible for the discharge of the functions of the Committee and the transaction of its day-to-day business.
- (2) In the discharge of the functions under subsection (1) of this section, the Port Manager shall have power-
  - (a) to supervise the work of persons carrying on operations at Lagos Port;
  - (b) after consultation with the Committee, to direct persons carrying on operations at Lagos Port to acquire, construct, maintain, repair or do anything as appears to the Port Manager advantageous, necessary or convenient for the efficient discharge of the functions conferred on the Committee by this Act;
  - (c) to expel from Lagos Port any person whose presence thereat is not conducive to the performance of the functions of the Committee.
- (3) It shall be the duty of persons carrying on operations at Lagos Port to whom any directives are given under this section to comply with the directives within the time specified therein or, if no time is so specified, within a reasonable time after the directives are given.

#### **2. Disciplinary control**

- (1) The Port Manager shall have power to suspend from duty, with or without pay, any person to whom this section applies.
- (2) So soon as possible after a person has been suspended from duty in exercise of the powers conferred by subsection (1) of this section, the Port Manager shall report the facts thereof and the reasons for the suspension to the Federal Civil Service Commission and that Commission may dismiss or exercise any disciplinary control over that person,

or take any other action thereon, as it considers appropriate having regard to the facts of the case.

(3) This section applies to persons carrying on operations at Lagos Port, being-

(a) persons holding or acting in any offices in the public service of the Federation;

(b) persons holding or acting in any offices in any statutory corporation or company.

### 3. **Supply of equipment, etc., to the Committee**

The Nigerian Ports Authority shall, whenever required to do so by notice in writing given to it by the Port Manager, make available to the Committee expeditiously such plant, equipment, vehicle or other thing as the Committee may require for the efficient discharge of its functions under this Act.

### 8. **Offences**

Any person who at Lagos Port obstructs or interferes with the Committee or any of its members in the discharge of its functions or fails to comply with the requirements of any directive given under section 5 of this Act shall be guilty of an offence under this Act and on conviction shall be liable to a fine not exceeding one thousand naira or to imprisonment for a term not exceeding five years or to both.

### 9. **Interpretation**

(1) In this Act, except where the context otherwise requires-

**"the Committee"** has the meaning assigned to it in section 1 of this Act;

**"function"** includes powers and duties;

**"Lagos Port"** means the area of the port of Lagos (including Apapa) as described in the Schedule to the Customs Ports (Amendment) Order;

**"Minister"** means the Minister of Transport;

**"operations at Lagos Port"** means any activities which are carried on at Lagos Port by any person whether in pursuance of functions conferred under the Nigerian Ports Authority Act, this Act or otherwise;

[L.N. 18 of 1967. Cap. N126.]

**"Port Manager"** has the meaning assigned to it in section 2 of this Act.

(2) References in this Act to a person carrying on operations at Lagos Port include references to any officer, servant or agent of that person.

### 10. **Short title**

This Act may be cited as the Lagos Port Operations (Special Provisions) Act.

LAGOS PORT OPERATIONS (SPECIAL PROVISIONS) ACT

### **SUBSIDIARY LEGISLATION**

*No Subsidiary Legislation*