

CHAPTER 149

VEGETABLE OIL REFINING (LICENSING AND CONTROL) LAW

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CHAPTER 149

VEGETABLE OIL REFINING (LICENSING AND CONTROL) LAW

A Law for the Licensing and Control of Vegetable Oil Refining and for Matters connected therewith.

[1st November, 1957]

Short title.

1. This Law may be cited as the Vegetable Oil Refining (Licensing and Control) Law.

Interpretation

2. In this Law:
 - "Inspector" means an Inspector, other officer or employee each of whom has been appointed under section 8;
 - "the Commissioner" means the Commissioner for the time being charged with responsibility for the Commerce, Industry and Mineral Development;
 - "oil" means vegetable oil;
 - "oil refining" with its grammatical variations refers to any chemical treatment or process in which all or part of the free fatty acid is neutralized with the result that the oil has finally a reduced free fatty acid content or in which all or part of the natural glycerides of the oil are hydrolysed.

Licensing of oil refining; offence and penalty.

3.
 - (1) Save as is hereafter provided, no person shall refine any oil unless he holds a licence granted by the Commissioner.
 - (2) Any person engaged in or carrying on the trade or business of the refining of oil at the date of the commencement of this Law shall before the expiry of one month from such commencement, and every other person shall before commencing to refine any oil, apply in writing under this section to the Commissioner for a licence in respect of such oil refining.
 - (3) Any person who refines any oil without being licensed in accordance with this section shall be guilty of an offence and shall be liable to a fine not exceeding One Hundred and Twenty Five Thousand Naira or imprisonment for a term not exceeding two years.

4. Any licence granted under the provisions of section 3 shall contain a condition that the person to whom such licence is granted shall ensure that any oil refined by him shall be totally hydrolysed or saponified and that no residual oil remains after such refining for disposal:
Provided that the Commissioner may grant a special licence without such condition where it appears proper for them to do so.
5. Any person to whom a license has been granted under section 3 who fails to comply with any condition contained in such licence shall be guilty of an offence and shall be liable to a fine not exceeding One Hundred and Twenty Five Thousand Naira or to imprisonment for a term not exceeding two years.
6. (1) Subject to the provisions of subsection (2), a licence issued under section 3 shall remain in force for one year.
(2) An application for a licence may be made at any time, and any subsequent application for a licence shall be made in the month of January.
7. The Commissioner may, in his discretion, cancel any licence granted under section 3 where it appears to him that the processing of any oil in respect of which such licence has been issued is not being conducted in accordance with the conditions of a licence granted under the provisions of section 3, with the provisions of this Law or of any regulations made thereunder.
8. For the purpose of this Law, the Civil Service Commission may appoint such inspectors and such other officers as may be considered necessary.
9. (1) For the purposes of this Law, an Inspector may at all reasonable times, by day and night, and without giving previous notice but so as not to interrupt the refining of any oil
(a) inspect the refining of any oil;
(b) examine and take samples of any oil, by-products or waste products of any oil, or any substances used in connection with the refining of oil; and

Condition attached to licence.

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- (c) apply any tests and make any experiments and generally make all such enquiries as seem to him to be necessary.
- (2) The person refining oil and his agent shall render to every Inspector all necessary facilities for inspection, examination, the taking of samples, any testing and the making of experiments in pursuance of this Law.
- (3) Every person refining oil who does not afford to an Inspector facilities as required by this Law, or who obstructs an Inspector or his agents in the execution of his powers under this Law, shall be guilty of an offence and liable to a fine not exceeding Twenty Thousand Naira or to imprisonment for six months.

Regulations.

10. The Commissioner may make regulations:
- (a) prohibiting or regulating the sale or possession of any refined oil or the by-products or waste products of oil;
 - (b) empowering any Inspector to seize and detain any oil or by-products or waste products of oil or substance or any receptacle, container or article used in connection with the refining of oil;
 - (c) requiring a person to whom a license has been given under the provisions of section 3 to keep such record books and accounts as the Commissioner considers to be adequate for the purposes of this Law and providing for the form in which such record books and accounts shall be kept and for the inspection thereof;
 - (d) praying a Magistrate's Court or the High Court, upon conviction of an offence under the provisions of this Law, to order the destruction of any oil, by-product, waste product, or any substance seized and detained by an Inspector acting under and in accordance with the provisions of this Law;
 - (e) prescribing the conditions (subject to the provisions of section 4) of any licence issued under the provisions of this Law; and
 - (f) generally for giving effect to the objects of this Law and, in particular, prescribing penalties for any contravention of the regulations.