

CHAPTER 155.

WEST AFRICAN COUNCIL FOR MEDICAL RESEARCH (SIERRA LEONE STATUS).

ARRANGEMENT OF SECTIONS.

SECTION.

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

THE WEST AFRICAN COUNCIL FOR MEDICAL RESEARCH
ORDINANCE, 1954, OF NIGERIA.

CHAPTER 155.

WEST AFRICAN COUNCIL FOR MEDICAL RESEARCH (SIERRA LEONE STATUS).

An Ordinance to provide for the status and functions, within Sierra Leone, of the West African Council for Medical Research which was established in Nigeria by the West African Council for Medical Research Ordinance, 1954, of Nigeria, and for purposes connected therewith. 3 of 1955.

[7TH AUGUST, 1954.]

WHEREAS there was established in Nigeria by the West African Council for Medical Research Ordinance, 1954, (Nigerian Ordinance No. 18 of 1954) the provisions of which are set out in the Schedule to this Ordinance (hereinafter referred to as "the Nigerian Ordinance") the West African Council for Medical Research (hereinafter referred to as "the Council"):

AND WHEREAS the Council was so established for the purpose of arranging for the conduct and furtherance of medical research in the West African Territories and the provision of information and advice relating thereto:

AND WHEREAS the Council was established as a body corporate:

AND WHEREAS such persons, not exceeding three in number, as may be nominated by the Officer Administering the Government of Sierra Leone, are members of the Council:

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

Short title
and com-
mencement.

1. This Ordinance may be cited as the West African Council for Medical Research (Sierra Leone Status) Ordinance, and shall be deemed to have come into force on the seventh day of August, 1954.

Status and
functions
of the
Council.

2. Subject to the provisions of section 3 of this Ordinance, the Council established by section 2 and incorporated in Nigeria by section 6 of the Nigerian Ordinance (which Council shall be known in Sierra Leone as the West African Council for Medical Research) 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 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.

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

3. (1) The powers of the Council under section 19 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 15 of the Nigerian Ordinance shall apply in relation to activities of the Council in Sierra Leone, save that the accounts may be made up and audited in Nigeria.

(3) The provisions of section 17 of the Nigerian Ordinance shall not apply in relation to the functions of the Council in Sierra Leone.

(4) The provisions of section 21 of the Nigerian Ordinance shall apply in relation to the discipline of servants of the Council employed in Sierra Leone as though they were employed in Nigeria.

(5) The powers to dissolve the Council and all other powers conferred by section 22 of the Nigerian Ordinance shall, in so far as the Council 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.

4. The office of member of the Council shall not be a public office for all or any of the purposes of the Sierra Leone (Constitution) Order in Council, 1958.

Membership of Council not a public office.

P.N. 68 of 1958.

SCHEDULE.

An Ordinance to provide for the establishment of a Council for the conduct and furtherance of medical research in the West African territories and for purposes connected therewith.

Title.

(BY NOTICE)*

Date of commencement.

BE IT ENACTED by the Legislature of Nigeria, as follows—

Enactment.

1. This Ordinance may be cited as the West African Council for Medical Research Ordinance, 1954, and shall come into operation on a date* to be appointed by the Governor by notice in the *Gazette*.

Short title and commencement.

2. In this Ordinance, unless the context otherwise requires—
“the Council” means the West African Council for Medical Research established by section 3 of this Ordinance; “the West African Territories” means the Gambia, the Gold Coast, Nigeria and Sierra Leone.

Interpretation.

PART I.—ESTABLISHMENT AND CONSTITUTION OF THE COUNCIL.

3. For the purpose of arranging for the conduct and furtherance of medical research in the West African Territories and the provision of information and advice relating thereto, there is hereby established a Council, to be called the West African Council for Medical Research.

Establishment of the Council.

4. (1) The Council shall consist of the following members—

Constitution of the Council.

(a) the Chairman, to be nominated by the Secretary of State after consultation with the Governments of the West African Territories;

(b) three members to be nominated by the Governor, one of whom shall be a representative of the Council of the University College, Ibadan;

(c) three members to be nominated by the Officer Administering the Government of the Gold Coast;

* 7th August, 1954, under Government Notice No. 1375 of 1954 (of Nigeria).

(d) such members, not exceeding three in number, as may be nominated by the Officer Administering the Government of Sierra Leone;

(e) such members, not exceeding two in number, as may be nominated by the Officer Administering the Government of the Gambia;

(f) two members to be nominated by the Secretary of State;

(g) the Secretary to the Council.

(2) A member nominated under the provisions of paragraphs (a) to (f) inclusive of sub-section (1) of this section shall retain his membership of the Council during the pleasure of the person who nominated him as a member of the Council.

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

(4) If any member of the Council who has been nominated as such by virtue of his office is for any good cause unable to attend a meeting of the Council, such member may, by notice in writing to the Chairman, nominate a person to attend such meeting in his place, and every such person shall have all the powers conferred by this Ordinance on such member and may exercise such powers until such member notifies the Chairman that he proposes to resume his attendance at meetings of the Council or until the term of office of such member shall have terminated, whichever shall occur first.

(5) If any member of the Council who has been nominated by name as such is for any good cause temporarily incapacitated from performing his functions as a member or from attending a meeting of the Council, a person may be nominated temporarily in the place of such member in the same manner as and in accordance with the same procedure under which such incapacitated member was nominated, and every such person shall have all the powers of such member and may exercise such powers until such member informs the Chairman in writing that he is again able to perform his functions as a member or until the term of office of such member shall have sooner determined.

(6) The validity of any proceedings of the Council shall not be affected by any vacancy among the members thereof, or by any defect in the appointment of a member thereof, or by reason that some person who was not entitled to do so took part therein.

5. The Secretary to the Council shall be such person as the Secretary of State after consultation with the Governments of the West African Territories shall appoint. Appointment of Secretary.

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

(2) The common seal of the Council 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 Council and recorded in the minutes of such meeting.

PART II.—POWERS, DUTIES AND PROCEDURE OF COUNCIL.

7. Subject to any directions, specific or general, of the Secretary of State, the Council may— Powers of Council

(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, subject also to the provisions of section 18, alienate, mortgage, charge, demise or otherwise deal with such property;

(c) borrow at interest, on the security of any corporate land or funds of the Council, such moneys as the Council 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 Council in such manner and to such extent as the Council may think necessary or expedient;

(e) appoint and fix the salaries and terms of appointment of and dismiss servants of the Council:

Provided that no person shall be appointed to an office declared to be a pensionable office under the provisions of sub-section (1) of section 20 of this Ordinance on terms which are inconsistent with the provisions of section 20 of this Ordinance;

(f) delegate to the Secretary all or any part of the powers conferred upon the Council by that portion of paragraph (e) of this section which relates to the appointment of servants of the Council:

Provided that nothing in this paragraph shall authorise the delegation to the Secretary of the power to appoint any person as a servant of the Council to a post of which the annual