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Edict No 14 of 1984 - The Bauchi State - An Edict on Registration of Occupations and Business Premises Edict, 1984

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AN EDICT ON REGISTRATION OF OCCUPATIONS AND BUSINESS PREMISES

(DATE OF COMMENCEMENT)



BAUCHI STATE OF NIGERIA
Edict, No. 14 of 1984.

The Military Governor of Bauchi State of Nigeria hereby makes the following Edict- Eactment.

1. This Edict may be cited as the Registration of Occupation and Business Premises Edict, 1984 shall come into force on the 5th day of July, 1984.

Short title and commencement.

2. In this Edict, unless the context otherwise requires -
"Business" includes any trade, industry or profession, but not include farming;
"Business premises" means the premises on which any business is carried on whether within or without a building or other structure, and whether the premises are fenced or unfenced; "Commissioner" means the Commissioner responsible for trade and industries; "existing" means existing immediately before the date of coming into force of this Law;
"Governor" means the Military Governor of Bauchi State "occupation" includes any trade of calling by which an individual ordinarily seeks directly or indirectly to derive an earning or profit, but does not include farming;
"Permanent Secretary" means the Permanent Secretary of the Ministry of Trade and Industries;
"Personal representative" includes an executor and administrator of a deceased person; "prescribed" means prescribed by anspecified in the Third Schedule to, this Edict or by regulations made thereunder; "Registrar" the Registrar of Occupations and Business Premises designated under section 4 of this Edict; "Register" means the register of occupation and business premises kept under this Edict,

Interpretation.

3. (1) Subject to this Edict a person shall register in the prescribed manner -
(a) his occupation in the State, whether such occupation is carried on any business premises or otherwise;
(b) the business premises on which he carried on any business in the state.
(2) The fees for the registration of occupation and business premises under this Edict shall be as prescribed in the Third schedule to this Edict.
(3) Where a person changes his occupation or business premises after they have been registered under this Edict he shall give notice in writing of the change to the Registrar and the Registrar shall correct the register accordingly.

Occupations and business premises to be registered.

4. (1) The Military Governor may designate an officer in the Ministry of Commerce and Industries to be Registrar of Occupation and Business Premises.

Registrar of occupation

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5. (1) Registration under this Edict shall not be required where the business is carried on by a trustee in bankruptcy or by a receiver or manager appointed by any court or by the Administrator-General or Public Trustee by virtue of any powers conferred on him by any Edict. and business premises.
Exception

(2) The Governor may by notice signed by him and published in the State Gazette exempt from registration under this Edict any occupation carried on in the State, or any class or classes of business premises situated in the State.

6 (1) A person whose occupation or business premises are required to be registered under this Edict shall furnish to the Registrar - Manner and Particulars of registration

(a) in the case of occupation, particulars specified in form 1 in the First Schedule to this Edict; and Forms 1 and 2 in First Schedule.

(b) in the case of business premises particulars specified in the Form 2 of the said Schedule.

(2) Such particulars shall be signed -

(a) in the case of a company, by the Secretary Thereof;

(b) in the case of a firm, by any of the particulars; and

(c) in any other cases by the person carrying on occupation or by the owner of the business, as the case may be, or his agent.

(3) Where a business is carried on two or more different premises in the State each premises on which the business is carried on shall be registered in accordance with this Edict.

7. An application for registration of occupation or business premises of a person under this Edict shall be made - Time for registration.

(a) in the case of any existing occupation or business premises within twenty-eight days from the date of coming into force of this Law is made, whichever occurs later; and

(b) in any other case, within twenty-one days of the commencement of the occupation or of carrying on business on the premises, respectively, or on the day this Edict is made, whichever occurs later.

8. The Registrar may on application made to him in that behalf extend the time for registration if is satisfied that there are grounds in the application to justify such extension. Extension of time for registration.

9. Whenever a change is made or occurs in any of the particulars furnished under section 6 of this Edict in respect of any occupation or business premises registered under this Edict, the person whose occupation or business are so registered shall within fourteen days after the making or occurrence of such change notify the Registrar of such change by sending by post or delivery to the Registrar a statement in writing as in Form 3 of the First Schedule to this Edict specifying the nature and date of the change. Change in furnished particulars.
Form 3 of First Schedule.

10. (1) The Registrar may on application in For 4 of the First Schedule to this Edict and upon the payment of the prescribed fees correct any error in any particulars registered by him under this Edict. Correction of errors.
Form 4 of First Schedule.

(2) Any person aggrieved by the refusal of the Registrar to correct any error may within fourteen days from the receipt of the notification of such refusal, appeal to the Permanent Secretary against the refusal and the Permanent Secretary's decision on the matter shall be final.

11. (1) On receiving particulars furnished under section 6 of this Edict in relation to any occupation or business premises and on payment by the applicant of the appropriate fee prescribed in the Third Schedule, the Registrar shall file the said particulars and shall send by post, or delivery to the person furnishing such particulars a certificate of registration of the occupation or of these premises, respectively, duly signed by him.

Filing of
statements and
certificates
of registration.
Third Schedule.

(2) Certificates of registration of occupations and of business premises shall be in Forms 1 and 2, respectively, in the second Schedule to this Edict.

(3) A duplicate or counterpart of a certificate issued under subsection (1) of this section shall be preserved in the office of the Registrar.

(4) The registrar may upon the request in writing of any person and upon payment of the prescribed fee, issue to the person —

(a) a certified copy of a certificate of registration original of which has been issued to such person; or

(b) a certified copy of any application for registration of occupation or business premises made by such person.

(5) A certificate of registration of business premises issued under subsection (1) of this section or a certified copy thereof shall be kept displayed in a conspicuous position at the business premises of the person.

12. A Certificate issued in accordance with section 11 of this Law shall be prima facie evidence that the occupation or business premises to which it relates are duly registered under this Edict.

Certificate as
evidence of
registration.

13. (1) The Registrar shall keep a register of all occupation and business premises registered under this Edict.

Register of
occupations and
business premises

(1) The register shall contain —

(a) the date of registration of each occupation and business premises;

(b) in the case of occupation, the name and address of the individual and name or description of his occupation; and

(c) in the case of business premises, the description and address of the business premises; and

(d) the name and address of the person carrying on business on the premises

14. (1) If any person whose business premises been registered under this Edict

(a) ceases to carry on business, or

(b) ceases to carry on business on the registered premise,

Cessation of
business and
cancellation of
registration.

it shall be the duty of the person or, if he is dead, his personal representative, within three months after the business has ceased to be carried on or has ceased to be carried on the registered premises, as the case may be to send by post or deliver to the

Form 5 in First
Schedule.

Registrar notice as in Form 5 in the First Schedule of the cessation of business or of the cessation of business on the registered premises, as the case may be, and the address of the new business premises, if any.

Area (1) c may

- (2) Where the Registrar is satisfied that a person -
- (a) has ceased to carry on business; or
- (d) has ceased to carry on business on registered business premises;

unde from

he shall, in the case of paragraph (a) above, cancel the registration; and in the case of paragraph (b) above, substitute the new business premises for the registered premises.

seco the

- 15. (1) Any person may, at all reasonable times and upon payment of fees prescribed in the Third Schedule inspect the register or documents filed by the Registrar.
- (2) The Registrar shall give a certified copy of any entry in the register, or of any filed document, other than a certificate, to any person applying thereof and paying the fee prescribed in the Third Schedule.

Inspection of register and copies of entries in register.

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- 16. The Registrar may require any person to furnish him with such particulars as appear to him necessary for the purpose of ascertaining whether any occupation or business premises Registrable under this Law are registered and if he is satisfied from such enquiries that any registrable occupation or business premises have not been registered, he shall demand payment of the fee prescribed under this Law and proceed to register the occupation or premises in the manner provided by this Edict.

Duty to furnish particulars.

2 sion or a whic

- 17. (1) The Permanent Secretary may designate any person in the Ministry of Commerce and Industry to be Inspector, for the purposes of this Edict.
- (2) To visit every registered business premises to ensure that the provisions of this Edict are complied with and to contravention or disregard thereof;
- (3) It shall be the duty of an Inspector, within his area or operation.
- (4) It shall be the duty of an Inspector, within his area or operation,
 - (a) To visit every registered business premises to ensure that the provisions of this Edict are complied with and to contravention or disregard thereof;
 - (b) to ascertain whether any occupation or business premises registrable under this Law are not registered and to report to the Registrar such absence of registration;
 - (c) to carry out such other duties as the Registrar or the Permanent Secretary may assign to him.

Inspector.

- 18. An Inspector may at all reasonable times during the hours or 7 o'clock in the morning and 6 o'clock in the evening enter any premises in the course of the performances of his duties under this Edict.

- 19. (1) An Inspector shall at all times in the course of his duties carry his certificate of identity which shall be in the form prescribed in the Fourth Schedule to this Law and shall be signed by the Permanent Secretary.
- (2) The production by the Inspector of his certificate of identity shall for all purposes be sufficient evidence of the authority of the Inspector.

Identity of Inspectors.

- 20. (1) The Registrar may with the approval of Commissioner open an office or offices in any headquarters of an Local Government Area and such other terms in the State as the Registrar may consider necessary.

Offices in L.G.A. Head Qarters and other towns.

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(2) Upon opening of an office in the headquarters of a Local Government Area or such other towns in the State in accordance with the provisions of subsection (1) of this section, the Registrar may post to such office such number of staff as he may require to assist him in the exercise of his functions under this Edict.

21. (1) A certificate of registration of occupation or of business premises issued under this Edict shall be valid for one year from the date such certificate is issued.

Renewal of certificate of registration.

(2) Any such certificate shall be renewed annually within twenty-one days from the date such certificate, or a renewal thereof, ceases to be valid.

(3) Application for the renewal of any such certificate shall in Form 3 in the second Schedule and such application shall be accompanied by the fee prescribed in the Third Schedule to this Edict.

Form 3 in Second Schedule.

22. A person who fails to comply with any provision of this Edict is guilty of an offence and shall on conviction be liable to a fine of upto three hundred naira or six months imprisonment or both.

Offices.

23. Notwithstanding other provisions of this Edict to the contrary, the Commissioner may make regulations prescribing all matters which by this Edict are required or authorised to be prescribed including fees for registration under this Edict or which are necessary or convenient for giving effect to the provisions of this Edict.

Regulations.

FIRST SCHEDULE
(Section 6)

Form I

(For use by an individual registering an occupation) Particulars required to be furnished to the Registrar -

- (1) The full name of the individual
- (2) The name or general nature of the occupation
- (3) The residential address of the individual
- (4) The date of the commencement of the occupation

Date this day of 19

.....
(Section 6)

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Form 2

For Use by Companies

Particulars required to be furnished to the Registrar -

- (a) the Registered name of the company
- (b) the General nature of business
- (c) the principal place of business
- (d) other places (if any) in the State at
which the business is carried on
giving the address(not postal) of
the premises and the town and Local
government area of each such place)
- (e) the date of commencement of the business
- (f) the name and address of secretary

.....
.....

- (g) the name and address of every director

.....
.....
.....

DECLARATION

I/We hereby certify that the foregoing particulars are, to the best of my/our know-
ledge, information and belief correct, and I/We undertake to notify the Registrar
of Business Premises whenever any change is made or occurs in any of them.

Dated at this day of 19

.....) Signature (s)

.....) of person (s)

.....) required to
.....) sign under
section 6 of
the Edict.

*If prior to the commencement of the Law, it is sufficient so to state.

(Section 6)

Form 2

For Use by Firms

Particulars required to be furnished to the Registrar -

- (a) the business name of the firm
- (b) the general nature of the business
- (c) the principal place of business
- (d) other places (if any) in the State
- at which the business is carried
on (giving the address (not postal)
- of the premises and the town and
Local Government name of each company)
- (f) the date of commencement of business

DECLARATION

I/We hereby certify that the foregoing particulars are to the best of my/our know-
ledge, information and belief are correct, and I/We undertake to notify the Registrar
of Business Premises whenever any change is made or occurs in any of them.

Dated at this day of 19 ...

..... signature (s) of person (s)
required
to sign under section 6 of the
Edict.

*If prior to the commencement of the Law, it is sufficient so to state.

(Section 6)

Form 2

For Use by an Individual

Particulars required to be furnished to the Registrar -

- (a) the business name of the individual
- (b) the general nature of the business
- (c) the principal place of business
- (d) other place (if any) in the State
at which the business is carried on
(giving the business (not postal)
of the Premises, and the town and
Local Government Area of each such
placed)
- (e) the date of commencement of business

DECLARATION

I hereby certify that the foregoing particulars are to the best of my knowledge,
information and Belief are correct, and I undertake to notify the Registrar of
Business Premises whenever any change is made or occurs in any of them.

Dated at this day of 19

.....) Signature of person required to sign
) Under section 5 of the Edict.
)

* If prior to the commencement of the Law, it is sufficient so to state.

(Section 9)

Form 3

Notification of Change in Registered Particulars

To the Registrar of Business Premises:

Pursuant to section 9 of Registration of occupations and Business Premises Law, I/we hereby notify you of the following change (s) in the registered particulars of

..... (give the business name of company, firm or individual).

Particulars of change (s) and date thereof

.....
.....
.....

.....) Signature (s) of person(s) authorised to

.....) sign under section 6 of the Edict

.....)

(Section 10)

Form 4

Application for Correction of Errors in the Register

To the Registrar of Business Premises:

I/We hereby apply that the following error(s) be corrected in the register of Occupation or Business Premises in connection with the occupation of or business premises at

.....

(Here state the error (s))

Business name of the company, firm or individual

.....

.....) Signature (s) of person(s)
authorised to sign under
.....) section 6 of the Edict.

.....)

.....)

SECOND SCHEDULE

(Section 11)

Form 1

Certificate of Registration of Occupation

I Hereby Certify that the occupation of
..... of

which he carried on under the name of
has this day been registered in accordance with the Registration of Occupations and
Business Premises Law. The nature (or description) of the occupation is

.....
Registrar of Business Premises.

(Section 11)

Form 2

.....
(Here state business name of company, firm, or individual)

CERTIFICATE OF REGISTRATION

I Hereby Certify that the business Premises situate
..... in Local Government ...

Area on which (state the business name of the company,
firm, or individual) is carrying on business has this day been registered in accordance with
the Registration of Occupations and Business Premises Law.

The nature of the Business carried on the
..... premises is

DATED at..... this day of, 19

.....
Registrar of Business Premises.

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An Edict on registrations of Occupations and Business Premises
Edict, 1984.

Edict, No. 14 of 1984.

(section 21)

Form 3

Form of Application for the Renewal of Certificate of Registration of Occupation or of
Business Premises:

1. Name and residential address of application (s)
2. Name or description of the occupation, or the description and address of the business
Premises, as the case may be
3. Name of present holder of the Certificate
4. If the certificate is held by a company or firm, whether there has been any, and if so
what, change in the constitution of the company or any new member of the firm, and
if so the nationality of such member.

DATED this day of 19

Fee paid: N

.....) Signature (s) of person (s) au-
) thorised to sign under section
) of the Edict.
)

FORTH SCHEDULE

(Section 19)

Certificate of Identity

Thereby certify that the person whose image is shown above is Mr/Miss/Mrs _____

who has been appointed Inspector of Business Premises in accordance with the Registration
of Occupations and Business Premises Edict.

.....
Permanent Secretary.
Ministry of Trade and Industries.

Explanatory Note

(This note does not form part of this Law and has no legal effect.)

This Edict provides for the registration of the occupation carried on by an individual in the State (except such occupations or individuals as may be exempted by the Governor by a notice published in the State Gazette), for the registration of every business premises (except such business premises as may be exempt by the Governor by a notice published in the State Gazette) and for the annual renewal of certificate or registration of such occupation and Premises.

MADE at Bauchi this day of 1984

BRIGADIER MOHAMMED SANI SAMI
MILITARY GOVERNOR OF BAUCHI STATE OF
NIGERIA

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An Edict, on registration of Occupations and Business Premises
Edict, 1984

Edict, No. 14 of 1984.

(Section 14)

Form 5

Notice of Cessation of Business

To Registrar of Occupations and Business Premises:

Pursuant to section 14 of the Registration of Occupations and Business Premises
Law, I/we hereby notify you that the undermentioned company/firm/individual has ceased
to carry on business/has ceased to carry on business at

..... with effect from 19

Dated at this day of 19

.....) Signature (s) of person (s) authorised

.....) to sign under section 6 of the Edict

.....)

Deleted whichever is inapplicable: