

## NPAN/APCON advert rift: Court rules case to continue



L - R: Business Head, Hand Held Products, Mr. Emmanouil Revmatas; Operator Account Manager, Ms. Lolade Shonubi, Managing Director, Mr. Bravo Kim; all of Samsung Electronics West Africa and Samsung Brand Ambassador, Mr. Olubankole Wellington (Banky W), at the unveiling of Samsung's new Galaxy Note II Smartphone at Westown Hotel in Ikeja, Lagos.

BY BARTHOLOMEW MADUKWE

**T**HE disagreement between Registered Trustees of the Newspaper Proprietors Association of Nigeria (NPAN) and Advertising Practitioners Council of Nigeria (APCON) over placement of adverts on newspapers would soon be laid to rest as a Federal High Court in Lagos yesterday ruled that the matter be continued.

In a ruling, Justice Musa Kurya held that justice cannot be slaughtered in one hand and ordered that cost be paid to the 1<sup>st</sup> defendant (APCON) before the next

adjourned day, saying "on November 21, they came to court to argue the issue of cost. On the other hand, the learned counsel cannot say cost would not be paid."

At the resumed hearing, Counsel for NPAN, Mr. Tayo Oyetibo (SAN), opposed APCON's motion challenging the locus standi of his client saying "the summary of the plaintiff is that Articles 21 and 137(a) of the Nigerian Code of Advertising Practice and Sales Promotion are ultra vires (beyond the powers) of APCON, which adversely affects the right and interest of Media House Owners, who are members of the plaintiff's association (Registered Trustees of the Newspaper Proprietors Association of Nigeria)."

Urging the court to hold that the plaintiff has locus standi, Oyetibo said the plaintiff claim is not as to the harassment of its employer by the defendants, adding that the peak and substance of plaintiff case is the Constitutionality of Article 21 and 137(a) of the advertising code.

"Under the administrative law, a person who had been, has been or is likely to be affected by a particular statutory provision can go to court to complain. Article 21 and 137(a), which the plaintiff is complaining against did not mention employers but media

houses" he added.

Oyetibo submitted that APCON has no power to control the right of Media House Owners by asking them to present their adverts to APCON before any publication, adding that Articles 21 and 137(a) of APCON's Code expressly measures media houses as target and the plaintiff is an association of media house owners, comprising of more than 20s media houses.

"There is no separate interest of the plaintiff with that of media houses. The plaintiff has no other business but to protect the interest of media houses. This is why the plaintiff has standi to come to the court to complain" he said.

In an objection, APCON's lead counsel, Mr. A. Idigbe (SAN), told the court that the plaintiff does not have the standi to initiate the action, looking at what is filed by the plaintiff originating summon.

Idigbe said that in paragraph 12, 13, 14, 15, 16 and 17 of the affidavit in support, the plaintiff has admitted that the complained and regulatory action was against named staff and employees of NPAN members, noting that the named staff and employees are not members of the plaintiff.

He told the court that owners of newspapers coming out to fight APCON for inviting its staff to the police and their statements taken is simply "busy-body", adding that they do not have any business in the matter but the staff that have business in the matter.

## 20 mini-skirt ladies slaughtered in Maiduguri

BY Ndahi Marama, Maiduguri, Ishola Balogun & Aliyu Adekunle with agency report

**B**ARELY 24 hours after over ten people were slaughtered in Maiduguri, twenty ladies in mini skirts and trousers were yesterday slaughtered in their separate homes in the metropolis by yet to be identified terrorists.

This ugly development is one of its kind, as many believed that most of the daily killings in Borno are only targeted at men and security agencies.

The slaughtering of about twenty different ladies, our correspondent gathered, took place in the early hours of yesterday precisely at about 1 to 2am when most of residents were still asleep in their houses due to the curfew imposed on the state in the past five months.

A source told our correspondent that the most hit areas were Mary wards, few meters away from the University of Maiduguri, one of the places accommodating students of the institution living off-Campus due to accommodation shortage.

Also affected according to investigation, were ladies living close to the black spots areas of Gwange, London Chiki, Abbagaram, Kaleri areas where series of killings and bomb blasts had oc-

curred in the past, killing JTF officers.

When contacted on phone, both the JTF spokesman, Lieutenant Colonel Sagir Musa and the Police Commissioner, Mr. Yuguda Abdullahi said that they are not in Maiduguri, the state capital to confirm the incident.

But a top JTF Commander said, he had directed his men to the affected areas yesterday morning to evacuate the remains of over twenty girls slaughtered within the Maiduguri metropolis.

Meanwhile, the Joint Task Force, Operation 'Restore Order', Maid-

uguri, have declared the suspected terrorists wanted and placed a reward on each of them. They are wanted in connection with terrorist activities particularly in the region that led to the killings, bombings and assassinations of some civilians, religious leaders, traditional rulers, businessmen, politicians, civil servants and security personnel amongst others. They are also wanted for arson and destruction of properties worth several millions of Naira.

A statement listed 19 alleged senior members of the extremist group blamed for hundreds of

deaths in connection with its insurgency in northern and central Nigeria as suspects.

The rewards ranged from N50million for the suspected leader of the group, Abubakar Shekau, to N10 million for various Boko Haram "commanders".

Lieutenant Colonel Sagir Musa, who issued the statement on behalf of the Military Task Force operating in the region did not respond to phone calls. Violence linked to Boko Haram's insurgency is believed to have left over 3,000 people dead since 2009, including killings of security forces.

## Constitutional review: Amaechi pushes for two federating units

**R**IVERS State Governor, Rt. Hon. Chibuike Rotimi Amaechi has urged the National Assembly to put forward a structure of two federating units only, between the states and the federal government at the centre in the ongoing constitutional review.

He spoke when members of the House of Representatives Committee on Youth and Social Development led by Hon. Kamil Akinlabi Mudashiru visited him in Government House, Port Harcourt, yesterday.

The Rivers State Governor said, "there are only two federating units in most countries in the

world. In Germany, there are two federating units. In America, there are local governments but there are only two federating units - the states and the federal government. The local counties (or what we call councils) are not part of the federating units. So I want to urge the National Assembly to disregard this talk of autonomy for Local Government Councils that would make the Councils one of the federating units. We will not support it. Governors will not support."

On financial autonomy for the state legislature, Amaechi, who is also the Chairman of Nigerian Governors Forum (NGF)

said governors and the legislature should meet and discuss how much money the States get and how much both the legis-

## Four die, 10 injure in Ogun auto crash

By DAUD OLATUNJI, Abeokuta

**F**OUR people yesterday were reportedly killed while 10 sustained various degrees of injury in an auto crash that occurred on Abeokuta-Lagos road in Onihale village in Ifo local government area of Ogun State.

According to an eyewitness, the accident involved a Lagos-bound bus with registration

number Lagos XY178 LSR which skidded off the road and summersaulted while coming from Abeokuta.

The source however said that, the driver and the conductor of the ill-fated bus and two others died on the spot, while others sustained various degrees of injury and have been taken to a nearby hospital.

Confirming the incident, the Ifo Sector Commander of Federal Road Safety Corps, FRSC,

Mr. Fatai Bakare said the bus carried 14 passengers before the accident. He said that out of the 14 passengers, four have been confirmed dead while the remaining 10 sustained injury.

According to Bakare, the bus was coming from Abeokuta but later veered off the road and then summersaulted. Four passengers who were all male died in the accident and the others have been taken to Ota general hospital.