

**REQUISITION AND OTHER POWERS (AMENDMENT)  
DECREE 1968**



**Decree No. 22**

[See section 2 (2)]

**Commence-  
ment.**

**THE FEDERAL MILITARY GOVERNMENT** hereby decrees as follows :—

1.—(1) The power to requisition land under the Requisition and Other Powers Decree 1967 (in this Decree hereafter referred to as “the principal Decree”) shall be deemed at all times to have included the power to give effect to any relevant notice relating to requisition or of acquisition of ownership by substituted service ; and accordingly for the avoidance of doubt the principal Decree shall, as from the commencement of this Decree, have effect as amended as hereinafter provided.

Power to  
give notice  
etc. of  
requisition  
by substituted  
service  
1967 No. 39.

(2) Section 3 of the principal Decree (which provides for service of notice relating to requisition of land) is amended by adding a new subsection (3) as follows—

“(3) If the authority is satisfied that personal service cannot for any reason be effected it shall be sufficient service under this section if notice in writing is affixed in some prominent part of the land or on any building thereon.”

(3) Section 5 of the principal Decree (which confers ownership of land, etc., following service of notice after requisition) is accordingly amended by adding a new subsection (3) as follows—

“(3) In the application of this section, and whether or not notice of requisition or of intention to requisition, as the case may be, has heretofore been duly served under this Decree, if the authority is satisfied that service of a notice affecting land under this section cannot by reason of absence or for other good and sufficient reason be effected personally on the owner or, as the case may be, upon the occupier or other person in apparent control, he may direct publication of the notice in the Gazette and, if he thinks fit, in newspapers published in Nigeria and circulating in the locality where service of the notice is to be effected. Production at any time thereafter of a copy of the Gazette containing the notice shall be accepted as sufficient proof of service ; and no court or person shall be concerned to inquire whether circumstances justified substituted service, or whether the direction was, in fact, given.”

Citation,  
application  
and com-  
mencement.

2.—(1) This Decree may be cited as the Requisition and Other Powers (Amendment) Decree 1968 and shall apply throughout the Federation.

(2) This Decree shall be deemed to have come into operation on 9th July 1967 (being the date of commencement of the principal Decree).

MADE at Lagos this 3rd day of May 1968.

MAJOR-GENERAL Y. GOWON,  
*Head of the Federal Military Government,  
Commander-in-Chief of the Armed Forces,  
Federal Republic of Nigeria*

# THE MIDWIVES (AMENDMENT) DECREE 1968



## Decree No. 23

[3rd April 1968]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. Section 1 of the Midwives Decree 1966 (which establishes the Midwives Board of Nigeria) shall be amended to provide for wider representation in the profession of midwifery in Nigeria and accordingly there shall be substituted for paragraphs (a) and (b) of subsection (2) of that section the following new paragraphs—

Amendment  
of member-  
ship of the  
Midwives  
Board.  
1966 No.79.

“(a) as Chairman, the chief medical adviser for the time being to the Federal Military Government or, if he is absent or unable for any reason to act as chairman the person for the time being discharging the function of the medical adviser aforesaid and if there is no such person the deputy chief medical adviser shall act as chairman ;

(b) as members, the following persons, namely, —

- (i) the deputy chief medical adviser,
- (ii) persons of either sex holding office as chief nursing officer or its equivalent office in the Federal Ministry of Health and its counterpart in each of the states of the Federation,
- (iii) two fit persons being tutors in midwifery schools in Nigeria appointed by the Commissioner for Health,
- (iv) one fit person representing the armed forces,
- (v) two fit persons as representatives of missionary midwifery training schools in Nigeria,
- (vi) one fit person in the Federal Ministry of Education who as representative on the board is concerned with secondary education of girls.”

2.—(1) This Decree may be cited as the Midwives (Amendment) Decree 1968 and shall be read as one with the Midwives Decree 1966 and apply throughout the Federation.

Citation,  
extent  
and  
commence-  
ment.

(2) This Decree shall be deemed to have come into operation on 3rd April 1968.

MADE at Lagos this 3rd day of May 1968.

MAJOR-GENERAL Y. GOWON,  
*Head of the Federal Military Government,  
Commander-in-Chief of the Armed Forces,  
Federal Republic of Nigeria*

## PUBLIC MONEYS (IMPOUNDING) DECREE 1968



## Decree No. 24

[27th March 1968]

Commence-  
ment.

WHEREAS the Federal Military Government is satisfied that the sum of £12,000 or thereabouts held as hereinafter appears, represents part of the proceeds of the theft of public moneys in respect of which one Gambo Miko with others was prosecuted and duly convicted, and that the sum aforesaid is held by or on behalf of the said Gambo Miko (in this Decree hereafter referred to as "the person concerned") in a branch of Barclays Bank (D.C.O.) Limited (in this Decree hereafter referred to as "the bank") in Nigeria :

AND WHEREAS it is in the public interest that the proceeds of the theft aforesaid be impounded where held and thereafter paid as public moneys into the Consolidated Revenue Fund (in this Decree hereafter referred to as "the Fund") but for divers reasons it is impracticable to produce the degree of proof essential for the recovery of those moneys by the institution of proceedings :

THE FEDERAL MILITARY GOVERNMENT therefore hereby decrees as follows :—

1. It shall be lawful for a bank examiner to serve personally upon the general manager of the bank a copy of this Decree together with a requisition in writing by the Secretary to the Federal Military Government requiring payment into the Fund of moneys standing to the credit of the person concerned or held in trust on his behalf in any branch of the bank, and if the requisition purports to be signed by the Secretary to the Federal Military Government, it shall be acted upon as genuine without proof of signature.

Power to  
requisition  
moneys held  
for credit of  
Gambo  
Miko.

2.—(1) The general manager shall after service upon him of a requisition under section 1 above, do or cause to be done all things necessary on his or the bank's part to secure compliance with the requisition ; and if payment is duly made thereafter by the head office or any branch as required, the bank, the general manager, and other persons making the payment from the bank into the Fund shall stand indemnified in respect of the payment.

Effect of  
service of  
notice of  
requisition.

(2) Accordingly, no suit, prosecution or other legal proceedings shall lie at the instigation of any person aggrieved for anything done in good faith in intended pursuance of this Decree ; but the failure to comply with the

requirements of a requisition under this Decree as to payment where moneys are found to be held by or on behalf of the person concerned, shall be an offence punishable on conviction by a fine of not less than twelve thousand pounds.

1963 No. 20.

(3) The question whether any provision of this Decree contravenes Part III of the Constitution of the Federation shall not be inquired into by any court or person, and this Decree shall have effect, any rule of law or other enactment to the contrary notwithstanding; and no appeal shall lie against a conviction under this subsection in respect of the penalty imposed.

Citation,  
application,  
etc.

3.—(1) This Decree may be cited as the Public Moneys (Impounding) Decree 1968 and shall apply throughout the Federation.

(2) This Decree shall be deemed to have come into operation on 27th March 1968.

(3) In this Decree,—

Cap. 19.

“bank examiner” means a person duly appointed by the Central Bank of Nigeria under and for the purposes of section 11 of the Banking Act and includes an assistant banking examiner;

“branch” in relation to the bank includes any office or agency other than the head office itself in Nigeria;

“general manager” means in respect of the head office of the bank the official in control and includes any assistant manager thereof, and in respect of a branch includes the official in control of that branch.

MADE at Lagos this 3rd day of May 1968.

MAJOR-GENERAL Y. GOWON,  
*Head of the Federal Military Government,  
Commander-in-Chief of the Armed Forces,  
Federal Republic of Nigeria*