

NATIONAL COMMISSION FOR REHABILITATION DECREE 1969



Decree No. 41

[8th October 1969]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) There is hereby established a body to be known as the National Commission for Rehabilitation.

The Com-
mission.

(2) The Commission shall be a body corporate with perpetual succession and a common seal.

2.—(1) The functions of the Commission shall be—

Functions.

(a) the supply of food, clothing, drugs and other essentials to needy persons in areas affected by the war and its aftermath,

(b) the determination of priority for all emergency relief operations and rehabilitation work in all parts of the Federation,

(c) the co-ordination of the activities of all voluntary agencies engaged in emergency relief operations and rehabilitation work and the facilitation of the field operations of those agencies in all parts of the Federation,

(d) the co-ordination of the activities of the States in the administration of properties abandoned by displaced persons in the Federation,

(e) the collection and distribution of emergency relief supplies of food, drugs and other humanitarian gifts from foreign governments and from international and non-governmental agencies, and

(f) the receipt of financial and technical aid through the appropriate Federal Ministries (that is to say, the Federal Ministry of Finance in the case of grants and loans and the Federal Ministry of Economic Development in the case of technical assistance).

(2) The appropriate authority may make regulations (which shall be published in the Federal Gazette) regulating the exercise of the functions of the Commission.

(3) Subject to any regulations made under subsection (2) above, the Commission may delegate the exercise of any of its functions to the Nigerian Red Cross Society or to any other body or person approved by the appropriate authority.

(4) The Commission may in the exercise of its functions give general directives to any relief agency if it is satisfied that it is in the national interest to do so; and the agency and its servants or agents shall comply with any such directives.

Composition.

3. The Commission shall consist of the Federal Commissioner for Rehabilitation, who shall be the Chairman, and—

- (a) one member to represent each State,
- (b) one member to represent each of the Federal Ministries of—
 - (i) Finance,
 - (ii) Economic Development,
 - (iii) Health, and
 - (iv) Labour, and
- (c) not more than six other members.

Appointment of members.

4.—(1) Subject to this section, members of the Commission other than the Chairman shall be appointed by the appropriate authority.

(2) Before appointing a member of the Commission to represent a State, the appropriate authority shall consult the Military Governor of the State.

(3) Any person may be appointed a member of the Commission pursuant to section 3 (c) of this Decree, so long as he is not a public officer and is in the opinion of the appropriate authority suitable for membership.

Proceedings.

5.—(1) Subject to this Decree and any regulations made thereunder, the Commission may regulate its own proceedings.

(2) The validity of any proceedings of the Commission shall not be affected—

- (a) by any vacancy in the membership of the Commission, or
- (b) by any defect in the appointment of any member, or
- (c) by reason of the fact that a person not entitled to do so took part in the proceedings.

Financial administration.

6.—(1) The Commission shall establish and maintain a fund from which shall be defrayed all the expenses of the Commission.

(2) There shall be paid or credited to the fund—

- (a) such sums of money as may be provided for the Commission by the Federal Military Government, and
- (b) all other moneys received by the Commission.

(3) The fund shall be managed in accordance with directions given by the appropriate authority; and, without prejudice to the generality of the power to give directions conferred by this subsection, the directions shall in particular contain provision—

- (a) specifying the manner in which the assets of the fund are to be held and regulating the making of payments to and from the fund,
- (b) requiring the keeping of proper accounts and records for the purposes of the fund in such form as may be specified by the directions,
- (c) securing that the accounts are audited periodically by the Director of Audit of the Federation, and
- (d) requiring copies of the accounts and of the report of the said Director of Audit on the accounts to be furnished to the appropriate authority as soon as may be after the end of the period to which the accounts relate.

7.—(1) The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman or any other member of the Commission authorized in that behalf.

Common
seal, etc.

(2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not require to be under seal may be made or executed on behalf of the Commission by any person generally or specially authorized by the Commission to act for that purpose.

(3) The seal of the Commission shall be judicially noticed and any document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and, unless the contrary is proved, be presumed to have been so executed.

8. The Commission shall furnish to the appropriate authority as soon as may be after the end of each financial year a report on the activities of the Commission during that year, and shall furnish such interim or other reports as the appropriate authority may call for.

Annual
report, etc.

9. Subject to any regulations made under section 2 (2) of this Decree, the Commission may in connection with the exercise of its functions—

Additional
powers.

(a) acquire, build, equip or maintain offices or other premises, and for that purpose buy or take on lease any land, and

(b) sell or lease any land, offices or premises held by it pursuant to paragraph (a) above.

10. Any person who—

Offences.

(a) fails to comply with any directive with which he is bound to comply by virtue of section 2 (4) of this Decree, or

(b) otherwise obstructs or interferes with the Commission or any of its servants or agents in the exercise of its functions,

shall be guilty of an offence and on conviction shall be liable to a fine not exceeding £500 or to imprisonment for a period not exceeding five years, or to both.

11. In this Decree, unless the context otherwise requires—

“the appropriate authority” means the Head of the Federal Military Government;

Interpreta-
tion.

“the Chairman” means the Chairman of the Commission;

“the Commission” means the National Commission for Rehabilitation as established by this Decree;

“State” means a State of the Federation.

12. This Decree may be cited as the National Commission for Rehabilitation Decree 1969, and shall apply throughout the Federation.

Citation
and extent.

MADE at Lagos this 8th day of October 1969.

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

**CONSTITUTION (SUSPENSION AND MODIFICATION)
DECREE 1969**



Decree No. 42

[26th September 1969]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. Section 8 (2) of the Constitution (Suspension and Modification) Decree 1966 (which provides for the membership of the Supreme Military Council) is hereby amended by repealing paragraphs (g) to (j) and substituting therefor the following paragraphs—

Amendment
of section
8 (2) of
Decree
1966 No. 1.

“(g) the Military Governors of all the States ;

(h) the Inspector-General and the Deputy Inspector-General of the Nigeria Police ; and

(i) such other members as the Head of the Federal Military Government may from time to time appoint.”

2. This Decree may be cited as the Constitution (Suspension and Modification) Decree 1969 and shall apply throughout the Federation.

Citation and
extent.

MADE at Lagos this 26th day of September 1969.

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

EXPLANATORY NOTE

*(This note does not form part of the above Decree but is intended to
explain its purposes)*

This Decree revokes the appointment by name of Lieutenant-Colonel (now Brigadier) Hassan Usman Katsina as a member of the Supreme Military Council, since he is now a member of the Council by virtue of his appointment as Chief of Staff of the Nigerian Army. The Decree also removes the references to the Director of Training and Planning, who is no longer a member of the Supreme Military Council, and adds a general provision authorizing the appointment of other members of the Council by the Head of the Federal Military Government.

REQUISITION AND OTHER POWERS (AMENDMENT) DECREE 1969



Decree No. 43

Commence-
ment.

[8th October 1969, but see s. 1 (3)]

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

Amendment
of ss. 2 and 22
of the
Requisition
and Other
Powers
Decree 1967.

1967 No. 39.

1.—(1) Section 2 of the Requisition and Other Powers Decree 1967 (which relates to power of an authority to requisition land or certain means of transport) is hereby amended by the substitution for subsection (2) thereof of the following subsection, that is to say :—

“(2) Where any person having in his possession, custody or control any land, vehicle, vessel or article relating to a vehicle or vessel, fails to comply with any requisition lawfully made in accordance with the provisions of this Decree, the authority may seize, take possession of and appropriate the land, vehicle, vessel or article, as the case may be.”

(2) In section 22 of the said Decree of 1967, in the definition of the expression “owner”, for the words “the vehicle,” where they twice occur there shall be substituted the words “the land, vehicle,”.

(3) Subsections (1) and (2) of this section shall be deemed to have come into operation on 9th July 1967, being the date of commencement of the said Decree.

Citation and
extent.

2. This Decree may be cited as the Requisition and Other Powers (Amendment) Decree 1969 and shall apply throughout the Federation.

MADE at Lagos this 8th day of October 1969.

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