

**CENTRAL-EASTERN STATE (ADMINISTRATION)
DECREE 1969**



Decree No. 46

[15th October 1969]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) Subject to this Decree and the Constitution of the Federation, the Administrator shall have power to make laws for the peace, order and good government of the Central-Eastern State.

Power of
Admini-
strator to
make laws.

(2) The Administrator—

(a) Shall not have power to make laws with respect to any matter included in the Exclusive Legislative List, and

(b) except with the prior consent of the Federal Military Government, shall not make any law with respect to any matter included in the Concurrent Legislative List.

(3) Nothing in subsection (2) above shall—

(a) preclude the Administrator from making provision for grants or loans from or the imposition of charges upon any of the public funds of the State or the imposition of charges upon the revenues and assets of the State for any purpose, notwithstanding that it relates to a matter included in the Exclusive Legislative List, or

(b) require the Administrator to obtain the consent of the Federal Military Government to his making such provision as aforesaid for any purpose, notwithstanding that it relates to a matter included in the Concurrent Legislative List.

(4) The question whether a law made by the Administrator with respect to a matter included in the Concurrent Legislative List was made with the consent required by subsection (2) (b) above shall not be enquired into in any court of law.

2.—(1) The power of the Administrator to make laws shall be exercised by means of Edicts signed by him.

Mode of
exercising
legislative
power.

(2) The references to "Edict" in sections 4 (3) and (5), 5, 6 and 16 of the Constitution (Suspension and Modification) Decree 1966 shall be deemed to include references to an Edict made pursuant to this Decree.

1966 No. 1.

Executive
authority
of the
Admini-
strator.

3. All executive functions which immediately before 16th January 1966 were vested in or exercisable by the Governor or any officer or authority of the Eastern Region of Nigeria by virtue of section 86 or 99 of the Constitution of the Federation shall be treated, as respects the State, as having been delegated under section 7 (3) of the Constitution (Suspension and Modification) Decree 1966 to the Administrator by the Head of the Federal Military Government as from the Commencement of this Decree; and accordingly—

(a) the said section 7 (3) shall be deemed to include, as respects the State, power to make such a delegation, and

(b) section 7 (5) and (6) of that Decree shall apply to the delegation which by virtue of this section is to be treated as having been effected under the said section 7 (3), and to the functions thereby delegated.

Delegation
of Admini-
strator's
functions.

4.—(1) The Administrator may, subject to such conditions (if any) as he may think fit, delegate any function conferred on him by any law in force in the State (including the Constitution of the Federation and the constitution of the State) to any member of the public service of the State:

Provided that this subsection shall not apply to the function of making and signing Edicts.

(2) Sections 9 (5) and 17 (3) of the Constitution (Suspension and Modification) Decree 1966 shall apply in relation to the functions mentioned in subsection (1) above as they apply in relation to the functions mentioned in the said section 9 (5).

Modifica-
tion of
existing
Law.
1966 No. 1.

5.—(1) Any function which is conferred by any existing law (within the meaning of the Constitution (Suspension and Modification) Decree 1966) on the Governor of the former Eastern Region, on the Premier or any other Minister of the Government of that Region or on the Executive Council, the House of Assembly or the House of Chiefs of that Region shall, as regards the State, vest in the Administrator until other provision in respect of that function is made by an authority having power to do so; and the operation of section 12 (4) of that Decree shall be modified accordingly.

1967 No. 27.

(2) For the avoidance of doubt, it is hereby declared that nothing in subsection (1) above shall be construed as applying section 2 of the Constitution (Miscellaneous Provisions) (No. 2) Decree 1967 to any function referred to in that subsection, or as authorizing the Administrator to delegate his functions otherwise than in accordance with section 4 of this Decree.

Public
Service.
1967 No. 26.

6.—(1) Section 3 of the Interim Administration Councils (Amendment) Decree 1967 (which confers sundry powers relative to appointments to the public service) shall on the commencement of this Decree and during its currency be suspended as regards the State, and the powers of the interim council relative to the State shall vest and be exercisable as hereinafter provided.

1967 No. 14.

(2) In the application of this section, the Constitution of the former Eastern Region of Nigeria as affected by section 1 (15) of the States (Creation and Transitional Provisions) Decree 1967 (which provides for existing law to have effect with necessary modifications to bring it into conformity with the said section) shall revive as regards the State in so far as it relates to the establishment, powers and tenure of office of members of the Public Service Commission and to any necessary extent, and accordingly and in conformity with section 1 (5) of the Decree aforesaid there shall be a Public Service Commission for the State.

7. The Administration of Justice (Eastern States) Decree 1967 is hereby repealed. Repeal.
1967 No. 48.

8.—(1) In this Decree, unless the context otherwise requires— Interpretation
“the Administrator” means the Administrator for Enugu and other
liberated areas of the Central-Eastern State ;

“the Concurrent Legislative List” and “the Exclusive Legislative List”
have the same meanings as in the Constitution of the Federation ;

“functions” includes powers and duties ;

“the State” means the Central-Eastern State.

9. This Decree may be cited as the Central-Eastern State (Administra- Citation
tion) Decree 1969 and shall apply throughout the Federation. and extent.

MADE at Lagos this 15th 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*

THE SUPPLEMENTARY APPROPRIATION (1968-69)

(No. 2) DECREE 1969



Decree No. 47

[3rd September 1969]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) The aggregate of the amounts mentioned in section 1 of the Appropriation Decree 1968 and section 1 of the Supplementary Appropriation (1968-69) Decree 1969 (which enactments together provide for the issue out of the Consolidated Revenue Fund of the Federation in respect of the financial year ending on 31st March 1968, of sums not exceeding in aggregate £65,390,180) shall be increased by two hundred and twenty thousand pounds ; and this additional amount shall be appropriated to the head of expenditure specified in the Schedule to this Decree.

Issue and Appropria-
tion of
£220,000
from the
Consoli-
dated
Revenue
Fund for
Contingencies
Fund.

(2) Subsection (1) of this section shall have effect notwithstanding the provisions of section 1 (3) of the Appropriation Decree 1968 (which provides for the lapse of balances outstanding at the end of the financial year).

1968 No. 27.
1969 No. 13.

2.—(1) This Decree may be cited as the Supplementary Appropriation (1968-69) (No. 2) Decree 1969, and shall apply throughout the Federation.

Citation and
commence-
ment.

(2) This Decree shall be deemed to have come into force on 3rd September 1969.

SCHEDULE

Head	Amount £
101 Reimbursement to the Contingencies Fund ..	220,000

MADE at Lagos this 17th 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*