

THE TERRITORIAL WATERS (AMENDMENT) DECREE 1971



Decree No. 38

[26th August 1971]

Commencement.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:—

1.—(1) As from the commencement of this Decree, the territorial waters of Nigeria shall for all purposes extend to thirty nautical miles of the coast of Nigeria (measured from low water mark) or of the seaward limits of inland waters.

Extension of the limits of territorial waters of Nigeria to 30 nautical miles.

(2) Accordingly, for any reference to the area or extent of the territorial waters of Nigeria in—

(a) the Territorial Waters Decree 1967;

1967 No. 5.

(b) the Interpretation Act 1964, in so far as section 18 thereof deals with the definition of territorial waters; and

1964 No. 1.

(c) any other enactment,

there shall be substituted “thirty nautical miles” instead of “twelve nautical miles”.

2. The sundry amendments of the provisions of the Territorial Waters Decree 1967 set out in the Schedule hereto shall apply to the extent mentioned thereto.

Sundry consequential amendment.

3. Nothing in this Decree shall be construed as affecting the extent of or the area covered by any lease, licence, right or permit granted before the commencement of this Decree under any enactment of Federal application and such enactment shall with any necessary modifications be construed subject to this Decree.

Saving.

4. This Decree may be cited as the Territorial Waters (Amendment) Decree 1971 and shall apply throughout the Federation.

Citation and extent.

SCHEDULE

Section 2

Section 1 of the Territorial Waters Decree 1967 shall be amended in the manner set out below, that is—

<i>Provision</i>	<i>Extent</i>
1. In subsection (1),	for the words "twelve nautical miles" substitute the words "thirty nautical miles";
2. In subsection (2),	the words "of the Military Governor of a State" shall be omitted;
3. In subsection (3)—	
(a) in paragraph (a) thereto,	for the references to "three nautical miles" and "twelve nautical miles" substitute the references to "twelve nautical miles" and "thirty nautical miles", respectively;
(b) in paragraph (b) thereto,	for the words "Sea Fisheries (Lagos) Act 1961" substitute the words "Sea Fisheries Decree 1971" and in the marginal note for the year "1961" substitute the year "1971";
(c) in the said paragraph (b),	in the definition of "existing Federal enactment", immediately after the words "before the commencement of this Decree" wherever those words occur insert "or of the Territorial Waters (Amendment) Decree 1971";
4. In subsection (4),	from the words "the area" to the end substitute the words "the extent of or the area covered by any lease, licence, right or permit granted under any enactment or instrument before the commencement of this Decree or of the Territorial Waters (Amendment) Decree 1971".

MADE at Lagos this 26th day of August 1971.

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 purport)

This Decree extends the territorial waters of Nigeria to 30 nautical miles of the coast of Nigeria, and consequentially amends the Territorial Waters Decree 1967.



Decree No. 39

[26th August 1971]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. For section 3 of the Trade Unions Act (which excludes the application of that Act to any combination of persons employed in certain establishments) there shall be substituted the following section, that is—

Amendment
of section 3
of Cap. 200.

“3. This Act shall not apply to any combination of persons in the following bodies or establishments, that is—

- (a) the Nigeria Police Force ;
- (b) the Prisons Department of Nigeria ;
- (c) the Customs Preventive Service ;
- (d) the Security Control (Physical) Section and the Security Control (Materials) Section of the Nigerian Security Printing and Minting Company Limited ; and
- (e) any other service of the Federal or State Government authorised to bear arms ;

and it shall be unlawful for any such person to become, or after the expiration of one month from the date on which this section comes into operation to be, a member of any trade union.”

2. This Decree may be cited as the Trade Unions (Amendment) Decree 1971 and shall apply throughout the Federation.

Citation and
extent.

MADE at Lagos this 26th day of August 1971.

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 purpose)

The Decree adds the Security Control (Physical) and the Security Control (Materials) Sections of the Nigerian Security Printing and Minting Company Limited to the list of bodies and establishments a combination of workers employed in which are excluded from the provisions of the Trade Unions Act. Any person coming within the scope of the Decree who is a member of any trade union is to cease to be such a member within one month from the commencement of the Decree.

THE MIDWIVES (AMENDMENT) DECREE 1971



Decree No. 40

[26th August 1971]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. The Midwives Decree 1966 is hereby amended as follows :—

(a) in section 1 (2) for the words "Federal Executive Council" there shall be substituted the word "Commissioner" ;

(b) in section 2—

(i) in subsection (1) for the words "Federal Executive Council" there shall be substituted the word "Commissioner",

(ii) in subsection (2) for the words "Federal Executive Council" there shall be substituted the words "Federal Commissioner for Finance",

(iii) for subsection (3) there shall be substituted the following new subsections—

"(3) The Commissioner may out of moneys provided by the Federal Military Government make to the board either by way of grant or by way of loan payments of such amounts as the Federal Military Government may from time to time determine." ;

(c) in section 3—

(i) in subsection (1) for the words "Federal Executive Council through the Federal Ministry of Health" there shall be substituted the word "Commissioner",

(ii) in subsection (2) for the words "Ministry" and "Permanent Secretary" there shall be substituted the word "Commissioner" ;

(d) in section 4—

(i) in subsection (1) for the words "Federal Executive Council" there shall be substituted the words "Public Service Commission of the Federation", and

(ii) in subsection (4) for the words "Federal Executive Council" there shall be substituted the word "Commissioner" ;

(e) in section 6—

(i) in subsection (1) for the words "Federal Executive Council" there shall be substituted the word "Commissioner", and

(ii) in subsection (5) (b) for the words "Permanent Secretary" there shall be substituted the word "Commissioner" ;

Sundry
amend-
ments to the
Midwives
Decree 1966,
1966 No. 79.

(f) in section 9 (1) for the words "Federal Executive Council" there shall be substituted the words "Federal Commissioner for Finance";

(g) in section 16 for the words "Federal Executive Council" wherever they occur in the section, there shall be substituted the word "Commissioner";

(h) in section 18 for the words "Federal Executive Council" wherever they occur in the section, there shall be substituted the word "Commissioner";

(i) in section 23 (1) for the words "Federal Executive Council" there shall be substituted the word "Commissioner";

(j) in section 25 (1)—

(i) immediately below the expression "the board" there shall be inserted the following—

' "The Commissioner" means the Federal Commissioner for Health' and

(ii) the words from "the Ministry" to "the like meaning" shall be omitted.

Citation and
extent.

2. This Decree may be cited as the Midwives (Amendment) Decree 1971 and shall apply throughout the Federation.

MADE at Lagos this 26th day of August 1971.

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 purpose)*

The Decree amends the Midwives Decree 1966 to vest in the Federal Commissioner for Health certain functions which formerly vested in the Federal Executive Council but which are normally exercised by a Commissioner in relation to similar professions.