

**FORFEITURE OF PROPERTY**  
**(8 OKOTIE-BOH STREET, SOUTH-WEST IKOYI)**  
**DECREE 1976**



**Decree No. 18**

[See section 5 (2)]

Commence-  
ment.

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

Forfeiture  
of property.

1.—(1) The immovable property known as No. 8 Okotie-Eboh Street, South-West Ikoyi in the Lagos State, and registered as No. LO 5128 at the Land Registry at Lagos is hereby forfeited to the Federal Military Government.

(2) Accordingly, the said property (and all rights and interests pertaining thereto), together with all fixtures and furniture contained in any building or structure erected on the said property or left or lying elsewhere on the property, shall, as from the commencement of this Decree and without further assurance apart from this Decree, vest in the Federal Military Government absolutely and free from all encumbrances.

2.—(1) Any person in possession of the property to which this Decree applies, or any portion of such property, shall within 14 days of the making of this Decree, deliver up vacant possession of such property to the Chief Federal Lands Officer or any person authorised in that behalf by the Chief Federal Lands Officer to take possession of the said property.

Delivery of  
possession of  
premises,  
etc. and  
penalty.

(2) Any person who contravenes or fails to comply with the provisions of subsection (1) of this section shall be guilty of an offence and liable on conviction—

(a) in the case of an individual, to imprisonment for 5 years without the option of a fine ; and

(b) in the case of a body corporate, to a fine of not less than ₦5,000.00 ; and in the case of a continuing offence by a body corporate, to a fine of not less than ₦500.00 for each day on which the offence continues to be committed.

3. The Registrar of Titles in the Land Registry at Lagos shall, on the production to him of this Decree, and without the payment of any fee, register the title to the said property in the name of the Federal Military Government, and ensure that the registration is effected free of all encumbrances as provided in this Decree.

Registration  
of property  
to which  
Decree  
applies.

Supplemen-  
tary  
provisions.

4.—(1) No civil proceeding shall lie or be instituted in any court for or on account of or in respect of any act, matter or thing done or purported to be done by any person for and on behalf of the Federal Military Government under this Decree ; and if any such proceeding has been or is instituted before or after the commencement of this Decree, the proceeding shall abate, be discharged and made void.

1963 No. 20.

(2) Chapter III of the Constitution of the Federation is hereby suspended for the purposes of this Decree and the question whether any provision thereof has been or is being or would be contravened by anything done or purported to be done in pursuance of this Decree shall not be inquired into in any court of law.

Citation and  
commence-  
ment.

5.—(1) This Decree may be cited as the Forfeiture of Property (No. 8 Okotie-Eboh Street, South-West Ikoyi) Decree 1976.

(2) This Decree shall be deemed to have come into force on 29th September, 1975.

MADE at Lagos this 3rd day of May 1976.

LT.-GENERAL O. OBASANJO,  
*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 effect)*

The Decree provides for the forfeiture of the property known as No. 8 Okotie-Eboh Street, South-West Ikoyi and for punishment against any person adjudged guilty of an offence under the Decree.

## NEWS AGENCY OF NIGERIA DECREE 1976



## ARRANGEMENT OF SECTIONS

## Section

- |   |  |
|---|--|
| 1. Establishment of News Agency of Nigeria.         | 12. Accounts, audit, etc.  |
| 2. Objects, etc. of the Agency.                     | 13. Power to hold land, etc.                                       |
| 3. Board of Directors.                              | 14. Seal of the Agency   |
| 4. Directions by the Commissioner.                  | 15. Offices of the Agency.   |
| 5. General Manager.                                 | 16. Guarantee of full service.                                     |
| 6. Secretary and other staff.                       | 17. Exemption from stamp duty.                                     |
| 7. Delegation by the Board.                         | 18. Protection against personal liability by members of the Board. |
| 8. Establishment and duties of Council of Trustees. | 19. Vesting of certain assets in the Board.                        |
| 9. Membership of the Council.                       | 20. Interpretation.  |
| 10. Inquiries by the Council.                       | 21. Citation.  |
| 11. Financial provisions.                           |  |

## SCHEDULES

## Decree No. 19

[10th May 1976]

Commencement.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) There is hereby established a body to be known as the News Agency of Nigeria (hereafter in this Decree referred to as “the Agency”).

(2) The Agency shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

Establishment of News Agency of Nigeria.

2.—(1) The objects of the Agency shall be—

(a) to seek, obtain and otherwise receive through subscription, payment, exchange or other means, international, regional, local and other news, news material and news features;

Objects, etc. of the Agency.

(b) to distribute such news, news material and news features to subscribers against payment either in the form of fees or news exchange or on such other terms as may be agreed ;

(c) to present complete, objective and impartial information, news or news material or features on any matter of public or national interest within and outside the Federation ; and

(d) to report truthfully and fairly, without prejudice to public and national interest, the views of all sections of the population of the Federation.

(2) Without prejudice to subsection (1) of this section, the Agency shall have the monopoly of collecting news in Nigeria for sale to foreign news agencies.

Board of  
Directors.

3.—(1) Subject to the provisions of this Decree, the management of the Agency and responsibility for carrying out the objects of the Agency shall be vested in a Board of Directors (hereinafter referred to as "the Board") consisting of—

(a) a chairman who shall be appointed by the Federal Executive Council on the recommendation of the Commissioner ;

(b) seven persons to be appointed by the Commissioner of whom at least three but not more than four shall be persons employed by the Ministry under his control, one shall be a person employed by the Ministry of Communications and the others shall be appointed by the Commissioner from amongst other interests in the field of journalism and public relations which in the opinion of the Commissioner ought to be adequately represented ;

(c) one representative of the broadcasting organizations in Nigeria ; and

(d) the person appointed General Manager under section 5 (1) of this Decree.

(2) The provisions of Schedule 1 to this Decree shall have effect with respect to the qualifications and tenure of office of members of the Board, powers and procedure of the Board and the other matters mentioned in that Schedule.

Directions  
by the Com-  
missioner.

4.—(1) The Commissioner may give to the Board directions of a general character or relating to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its functions, and it shall be the duty of the Board to comply with the directions.

(2) Before giving a direction under subsection (1) of this section, the Commissioner shall serve a copy of the proposed direction on the Board and shall afford the Board an opportunity of making representations to him with respect to the direction ; and after considering any representations made to him in pursuance of this subsection, the Commissioner may give the direction either without modification, or with such modifications as appear to him to be appropriate having regard to the representations.

General  
Manager.

5.—(1) There shall be a General Manager who shall be appointed by the Federal Executive Council on the recommendation of the Commissioner and shall be the chief executive officer and responsible for the execution of the Board's policies and the administration of its day to day business.

(2) The General Manager shall hold and vacate office in accordance with the terms of the instrument by which he is appointed and shall—

- (a) receive such remuneration and allowances, and
  - (b) be eligible to receive such pension, gratuity or other retiring allowances (if any),
- as may be determined by the Board with the approval of the Commissioner.

6.—(1) The Board shall appoint a Secretary, who shall be an officer but not a member of the Board and who shall keep the Board's records, conduct its correspondence and perform such other duties of a clerical and secretarial nature as the Board or the General Manager may from time to time direct and require.

Secretary and other staff.

(2) The Board may appoint such other employees and agents as it thinks fit.

(3) The terms and conditions of service (including terms and conditions as to remuneration, allowances and retiring and medical benefits) of the Secretary and other employees and agents of the Board shall be such as may be determined by the Board with the approval of the Commissioner.

7.—(1) The Board may by an instrument in writing under its common seal delegate to any person or body such of its duties as may be necessary to be performed in or outside the Federation:

Delegation by the Board.

Provided that any such person or body shall have no control over the money of the Agency and shall act in all respects in accordance with the direction of the Board.

(2) The Board may, from time to time, form committees to consider special questions as may be referred to them by the Board; and any such committee shall perform its functions according to directions given to it by the Board.

8. There shall be established a Council of Trustees (hereinafter referred to as "the Council") whose duties shall be—

Establishment and duties of Council of Trustees.

- (a) to ensure that the Board carries out its functions in accordance with the provisions of this Decree;
- (b) to consider any complaint from any subscriber to the Agency or any user of services provided by the Agency; and
- (c) to consider any matter referred to it by the Board or by the Commissioner.

9.—(1) The members of the Council shall be appointed by the Federal Executive Council on the recommendation of the Commissioner and shall consist of—

Membership of the Council.

- (a) the Chief Trustee and Chairman;
- (b) a representative each of the following, that is to say—
  - (i) the Nigerian Bar Association,
  - (ii) the Newspaper Proprietors Association,

- (iii) the Nigerian Union of Journalists,
- (iv) the Nigerian Guild of Editors ; and
- (c) three other persons.

(2) The provisions of Schedule 2 of this Decree shall apply in respect of the tenure of office of members of the Council and the other matters therein contained.

Inquiries by  
the Council.

10.—(1) The Council shall inquire into any complaint received by it under section 8 (b) of this Decree, or into any matter referred to it by the Board or the Commissioner.

(2) For the purposes of subsection (1) of this section, the Council may receive oral or written evidence and may require any person to give such information as may in its opinion be necessary for the purpose of the inquiry.

(3) As soon as may be after the conclusion of an inquiry, the Council shall in writing deliver its findings and make such recommendations thereon as it may deem fit to the Board or, as the case may be, the Commissioner, who shall take such action thereon as may be deemed appropriate.

(4) The findings and recommendations of the Council shall if so directed by the Commissioner be published in full by the Board.

Financial  
provisions.

11.—(1) The Agency shall establish and maintain a fund (in this section referred to as "the fund") from which shall be defrayed all expenditure incurred by the Agency.

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

(a) such moneys as may from time to time be granted to the Agency by the Federal Military Government ; and

(b) all other moneys which may from time to time accrue to the Agency.

(3) The fund shall be applied towards the promotion of the objects of the Agency under this Decree and the payment of remuneration (including provision for pension, gratuity, superannuation or other retirement benefits) to or in respect of any employee or agent of the Agency.

(4) The Board may, with the approval of the Federal Executive Council, borrow money in connection with the operations of the Agency, and invest part of the fund in such securities as the Commissioner may from time to time approve.

Accounts,  
audit, etc.

12.—(1) The Board shall prepare and submit to the Commissioner not later than 31st December each year an estimate of its expenditure and income during the next succeeding financial year.

(2) The Board shall keep proper accounts in respect of each financial year, and proper records in relation to those accounts and shall cause the accounts to be audited as soon as may be after the end of the financial year to which the accounts relate by a firm of auditors approved as respects that year by the Commissioner.

(3) The Board shall prepare and submit to the Commissioner not later than 30th June in each financial year a report in such form as the Commissioner may direct on the activities of the Agency during the last financial year, and shall include in the report a copy of the audited accounts of the Agency for that last financial year and of the auditor's report on those accounts.



(4) The Commissioner shall cause a copy of each report made to him under this section to be laid before the Federal Executive Council.

13. The Agency shall have power—

- (a) to acquire and hold property whether movable or immovable ; and
- (b) to enter into contracts.

Power to hold land, etc.

14. The seal of the Agency may from time to time be broken, changed, altered or made anew as seems fit :

Seal of the Agency.

Provided that until a seal is provided under this section a stamp bearing the inscription "News Agency of Nigeria" may be used as the common seal.

15. The Agency shall have a principal office in the Federation and may establish such other office or offices at such place or places in or outside the Federation as the Board with the approval of the Commissioner may from time to time determine.

Offices of the Agency.

16.—(1) Notwithstanding any arrangements which the Agency may enter into or make for the reception and distribution of international news, subscribers to the Agency may, on request and on terms in regard to payment to be decided by the Board, receive through the Agency the full service supplied to the Agency by any international news agency.

Guarantee of full service.

(2) Arrangements for news collection and distribution made by the Agency shall be without prejudice to the right of Nigerian newspaper and radio subscribers to make their own independent arrangements for news coverage by their own correspondents.

(3) The term "correspondents" in subsection (2) of this section, shall include the editorial staff of a newspaper or any person who writes or supplies news for a fee either as a part-time or whole-time occupation.

17. The Agency shall be exempt from all stamp duties payable under any law for the time being in force in Nigeria.

Exemption from stamp duty.

18. No member of the Board shall incur any personal liability for any loss or damage caused by any act or omission in the management or conduct of the affairs of the Agency unless such loss or damage was occasioned by an intentionally wrongful act or omission on his part.

Protection against personal liability by members of Board.

19. Upon the commencement of this Decree, all moneys or other assets, if any, in the custody, or control of any person by virtue of any authority whatsoever given to or received by such person for or on behalf of the Agency in anticipation of the commencement of this Decree together with interest, if any, accruing thereon shall be deemed to form part of the income of the Agency and shall be transferred to and be vested in the Board.

Vesting of certain assets in the Board.

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

"the Agency" means the News Agency of Nigeria established under section 1 (1) of this Decree ;

"the Board" means the Board of Directors referred to in section 3 (1) of this Decree ;

"the Commissioner" means the Federal Commissioner charged with responsibility for Information ;

"principal office" means any office of the Agency in Nigeria so designated by the Agency.

Interpretation.

Citation.

21. This Decree may be cited as the News Agency of Nigeria Decree 1976.

## SCHEDULES

### SCHEDULE 1

*Section 3*

#### SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

- 1.—(1) A person shall not be appointed a member of the Board unless—
- (a) he is a citizen of Nigeria ;
  - (b) has not been convicted of any offence involving dishonesty or fraud ; and
  - (c) if he has, he has in each case been granted a pardon.

(2) Subject to the provisions of this paragraph, a member shall hold office for a period not exceeding three years beginning with the date of his appointment :

Provided that a member shall not hold office, for a term of less than two years unless the Commissioner after consultation with the Board otherwise directs.

- (3) Any member may, by notice to the Board, resign his office.
- (4) A person who has ceased to be a member of the Board shall be eligible for re-appointment for not more than one further term of three years.
- (5) Sub-paragraphs (2) to (4) of this paragraph shall not apply in respect of a member of the Board who is holder of an office in the public service of the Federation.

2.—(1) Subject to the following sub-paragraph and to any direction of the Commissioner under this Decree, the Board shall have power to do anything which in its opinion is calculated to facilitate the promotion of the objects of the Agency.

(2) Members of the Board who are not public officers shall be paid out of the fund of the Agency such travelling and subsistence allowances in respect of any period spent on the business of the Agency as the Commissioner may determine, but no other remuneration shall be paid to any member of the Board.

#### *Proceedings of the Board*

3. Subject to the provisions of this Decree and of section 26 of the Interpretation Act 1964 (which provides for decisions of a body to be taken by a majority of the members of the body and for the chairman to have a second or casting vote) the Board may make standing orders regulating the proceedings of the Board or of any committee thereof.

4. The quorum of the Board shall be five and the quorum of any committee of the Board shall be determined by the Board.



5.—(1) The Commissioner shall appoint one of the members of the Board to be the Deputy Chairman of the Board for such period as the Commissioner may determine, so however that a Deputy Chairman who ceases to be a member shall also cease to be Deputy Chairman.

(2) At any time while the office of the Chairman is vacant or the Chairman is, in the opinion of the Board, permanently or temporarily unable to perform the functions of his office, the Deputy Chairman shall perform those functions, and references in this Schedule to the Chairman shall be construed accordingly.

6.—(1) Subject to the provision of any standing orders of the Board, the Board shall meet whenever it is summoned by the Chairman ; and if the Chairman is required so to do by notice given to him by not less than six other members he shall summon a meeting of the Board to be held within seven days from the date on which the notice is given.

(2) At any meeting of the Board, the Chairman or in his absence the Deputy Chairman shall preside, but if both are absent, the members present at the meeting shall appoint one of their number to preside at that meeting.

(3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it thinks fit ; but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Board shall be summoned by the Commissioner who may give such directions as he thinks fit as to the member who shall preside and as to the procedure which shall be followed at the meeting.

#### *Committees*

7.—(1) The Board may appoint one or more committees to carry out, on behalf of the Board, such of its functions as the Board may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Board, and not more than one-third of those persons may be persons who are not members of the Board ; and a person other than a member of the Board shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.

(3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

#### *Supplemental*

8.—(1) The fixing of the seal of the Board shall be authenticated by the signature of the Chairman or of some other member authorised generally or specially to act for that purpose by the Board.

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

(3) Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

9. The validity of any proceedings of the Board or of a committee thereof shall not be affected by any vacancy in the membership of the Board or committee, or by any defect in the appointment of a member of the Board or of a person to serve on the committee, or by a reason that a person not entitled to do so took part in the proceedings.

10. Any member of the Board, and any person holding office on a committee of the Board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or a committee thereof shall forthwith disclose his interest to the Board and shall not vote on any question relating to the contract or arrangement.

11. A person shall not, by reason only of his membership of the Board, be treated as holding an office in the public service of the Federation or of any State thereof.

## SCHEDULE 2

## Section 9

### SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL OF TRUSTEES

1. The term of office of members of the Council (including the Chief Trustee and Chairman) shall be four years and members shall be eligible for re-appointment.

2. The term of office of a new member appointed to fill a vacancy shall be the remainder of the term of office of the other members.

3. Three members shall constitute a quorum for a meeting of the Council.

4. The Council shall meet within one month of its appointment and shall appoint a Secretary.

5. All expenses of the Council shall be met out of the funds of the Agency.

6. A meeting of the Council shall be convened within one month of any matter being formally referred to it by the Board or on receipt of any complaint from a newspaper, radio or television subscriber to the Agency.

7. The office of a member of the Council other than a member appointed by virtue of office shall be vacated—

(a) if he dies ;

(b) if he ceases to be qualified ;

(c) if he becomes bankrupt, lunatic or of unsound mind ;

(d) if he absents himself from three consecutive meetings without leave of the Council, and the Council passes a resolution declaring his office vacant ;

- (e) in the event of his resignation being accepted by the Commissioner ;  
or  
(f) on the occasion of his seventieth birthday.

MADE at Lagos this 10th day of May 1976.

LT.-GENERAL O. OBASANJO,  
*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 establishes the News Agency of Nigeria and charges it, among other things, with responsibility for obtaining news from all sources, both within and outside Nigeria, and supplying at a fee the news obtained to the Agency's subscribers. The affairs of the Agency are to be managed by a Board of Directors the composition of which is set out in the Decree.