

## PENSION RIGHTS OF JUDGES DECREE 1985



## Decree No. 5

[1st January 1985]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. Notwithstanding anything to the contrary contained in any law, including the Constitution of the Federal Republic of Nigeria 1979, a person holding the office of the Chief Justice of Nigeria shall, if he retires in pensionable circumstances, whether or not, has held office as a judicial officer for not less than 15 years, be entitled to pension for life at a rate equivalent to his last annual salary in addition to any other retirement benefits to which he may be entitled.

Pension  
rights of the  
Chief Justice  
of Nigeria.

2.—(1) A person other than the Chief Justice of Nigeria, who has held office as a judicial officer for a period of not less than 15 years shall, if he retires at the age of 65 years, be entitled to pension for life at a rate equivalent to his last annual salary in addition to any other retirement benefits to which he may be entitled.

Pension  
rights  
of Judges.

(2) A person who has held office as a judicial officer, other than the Chief Justice of Nigeria, for a period less than 15 years shall, if he retires at the age of 65 years, be entitled to pension for life at a rate *pro rata* the number of years he served as a judicial officer in relation to the period of 15 years or to the pension and other retirement benefits to which he is entitled under his terms and conditions of service, if any, whichever is the higher.

(3) A person, other than the Chief Justice of Nigeria, who has held office as a judicial officer for a period less than 15 years, and who is not otherwise entitled to pensions under the foregoing provisions of this section, shall on retirement before the age of 65 years be entitled to pensions calculated on the basis of the more favourable of the following options, that is to say—

(a) pensions calculated on the basis of the relevant provisions of the Pensions Act 1979 which allow for the aggregation of the total length of service as a judicial officer and any other pensionable service in the public service of the Federation or a State ; and

1979 No. 102.

(b) pension for life calculated at a rate *pro rata* the number of years he served as a judicial officer in relation to the period of 15 years.

Interpreta-  
tion.

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

“Judicial Officer” has the meaning assigned thereto by section 277 (1) of the Constitution, that is to say, the holder of the office of the Chief Justice of Nigeria, a Justice of the Supreme Court or the President or Justice of the Court of Appeal, the office of the Chief Judge or a Judge of a High Court, a Grand Kadi or Kadi of the Sharia Court of Appeal of a State, or President or a Judge of the Customary Court of Appeal of a State ;

1984 No. 1.

“Constitution” means the Constitution of the Federal Republic of Nigeria 1979, as affected by the Constitution (Suspension and Modification) Decree 1984.

Citation  
and repeal.

4.—(1) This Decree may be cited as the Pension Rights of Judges Decree 1985 and shall be deemed to have come into force on 1st January 1985.

(2) Subsection (2) of section 255 of the Constitution is hereby repealed.

MADE at Lagos this 20th day of April 1985.

MAJOR-GENERAL M. BUHARI,  
*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-mentioned Decree but is intended to explain its purpose)*

The Decree amends the relevant provisions of the Constitution of the Federal Republic of Nigeria 1979 to alter the retirement benefits payable to Judges. In this wise, Judges who retire before the erstwhile qualifying period of 15 years, may now collect a pension *pro rata* the period served to the said period of 15 years.

NIGERIAN LAW REFORM COMMISSION  
(AMENDMENT) DECREE 1985



Decree No. 6

[31st July 1984]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. The Nigerian Law Reform Commission Act 1979 is hereby amended as follows :—

Amendment  
of Nigerian  
Reform  
Commission  
Act 1979.  
1979 No. 7.

(a) for subsection (1) of section 2 of the Act there shall be substituted the following new subsection :—

“(1) The members of the Commission shall be appointed by the Supreme Military Council and shall consist of four full-time Commissioners, one of whom shall be designated as the Chairman.” ;

(b) for subsection (2) of section 3 thereof, there shall be substituted the following new subsection :—

“(2) The quorum at any meeting of the Commission shall be three Commissioners.”

2. This Decree may be cited as the Nigerian Law Reform Commission (Amendment) Decree 1985 and shall be deemed to have come into force on 31st July 1984.

Citation and  
commence-  
ment.

MADE at Lagos this 20th day of April, 1985.

MAJOR-GENERAL M. BUHARI,  
*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 Nigerian Law Reform Commission Act 1979 to remove part-time Commissioners as members of the Nigerian Law Reform Commission and to enable three full-time Commissioners to form the quorum at any meeting of the Commission.

ASSOCIATED GAS RE-INJECTION (AMENDMENT)  
 DÉCRÉE 1985



Decree No. 7

[1st January 1985]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. The Associated Gas Re-injection Act 1979 (hereinafter referred to as the "Act") is hereby amended in section 3 thereof, by substituting for subsection (2) the following new subsection, that is—

Amendment  
of  
1979 No. 99.

"(2) Where the Minister is satisfied after 1st January 1984 that utilisation or re-injection of the produced gas is not appropriate or feasible in a particular field or fields, he may issue a certificate in that respect to a company engaged in the production of oil or gas—

(a) specifying such terms and conditions, as he may at his discretion choose to impose, for the continued flaring of gas in the particular field or fields; or

(b) permitting the company to continue to flare gas in the particular field or fields if the company pays such sum as the Minister may from time to time prescribe for every 28.317 Standard cubic metre (SCM) of gas flared :

Provided that any payment due under this paragraph shall be made in the same manner and be subject to the same procedure as for the payment of royalties to the Federal Military Government by companies engaged in the production of oil."

2. (1) The Federal Commissioner for Petroleum has been redesignated as the Minister of Petroleum and Energy. Accordingly, for the word "Commissioner" wherever it occurs in the text of the Act, there shall be substituted the word "Minister".

Redesigna-  
tion of  
Commis-  
sioner.

(2) In section 7 of the Act, there shall be—

(a) deleted the definition of "Commissioner" ; and

(b) inserted, in proper alphabetical sequence, the following new definition, that is—

" "Minister" means the Minister charged with responsibility for matters relating to petroleum."

Citation and  
commence-  
ment.

3. This Decree may be cited as the Associated Gas Re-Injection (Amendment) Decree 1985 and shall be deemed to have come into force on 1st January 1985.

MADE at Lagos this 20th day of April 1985.

MAJOR-GENERAL M. BUHARI,  
*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 Decree but is  
intended to explain its purport)*

The Decree amends the Associated Gas Re-Injection Act 1979 to permit a company engaged in the production of oil or gas to continue to flare gas in a particular field or fields on the payment of a sum to be prescribed by the Minister.

JUDGMENTS OF TRIBUNALS (ENFORCEMENT, ETC.)  
DECREE 1985



ARRANGEMENT OF SECTIONS

*Section*

1. Application of this Decree.
2. Enforcement of judgments.
3. Continuing liability to make reparations where assets not sufficient.
4. Establishment of Enforcement Committees.
5. Composition of each Enforcement Committee.
6. Functions of each Enforcement Committee.
7. Power to co-opt persons.
8. Quarterly report by Enforcement Committee.

9. Penalty.

10. General power to give directions.
11. Indemnity for compliance.
12. Validity and exclusion of court's jurisdiction.
13. Interpretation.
14. Citation, commencement and transitional provisions.

SCHEDULE

Schedule—Judgments to which this Decree relates.

Decree No. 8

[31st December 1983]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees, as follows :—

1.—(1) As from the commencement of this Decree, every judgment to which this Decree applies shall be enforced in accordance with the following provisions of this Decree.

Application  
of this  
Decree.

(2) The judgment of any tribunal set up under any law made on or after 31st December 1983 shall be a judgment to which this Decree relates if—

(a) it is final and conclusive and has been confirmed by the confirming authority according to the provisions of the law under which the tribunal is set up ;

(b) there is payable thereunder a sum of money in the nature of a fine or other penalty ;

(c) there is an order made for the recovery or forfeiture of assets in the nature of immovable property ;

(d) there is an order made in respect of assets in cash or credit balances in any account in a bank ;

(e) there is an order for the forfeiture or recovery of any other assets whatsoever of any person to whom such judgment relates ; or

(f) the judgment has not in any wise howsoever been wholly or partly satisfied.

(3) Without prejudice to any other provisions of this Decree, the provisions of this Decree shall relate to—

(a) the judgments of the tribunals set up under the enactments specified in the Schedule to this Decree ;

(b) the judgments of such other tribunals constituted under any enactment made after the making of this Decree as the Head of the Federal Military Government may, by order published in the *Gazette*, prescribe.

Enforce-  
ment of  
judgments.

2.—(1) Without prejudice to any other provisions of this Decree, where the confirming authority under any of the enactments specified under section 1 (3) of this Decree or any other enactment or law confirms the judgment of a tribunal specified under the said section 1 (3), the provisions of this Decree in relation to the forfeiture or recovery of assets and liability to make reparations shall apply with necessary modification in respect of the person concerned.

(2) Any order of confirmation in respect of any judgment affected by this Decree shall operate to vest the assets or part thereof or the property in such assets or part thereof in the Federal Military Government or, as the case may require, in the appropriate State Government, and to give effect thereto—

(a) in the case of assets in cash or credit balances in any account in a bank, the confirming instrument shall operate to require the manager or other person apparently in charge of the bank in which the money is lodged to pay the assets into the appropriate Consolidated Revenue Fund ;

(b) in the case of assets in the form of negotiable securities, choses in action or other property whatsoever described therein, the confirming instrument shall, without further or other assurance, operate to require the appropriate registration authority to register those securities or other property in the name of the Federal Military Government or, as the case may require, in the appropriate State Government ; and

(c) in the case of assets in the nature of immovable property, the instrument shall, without further or other assurance, operate to direct the appropriate registration authority to remove from the relevant register the name and particulars of the person registered therein as owner and without any further assurance or the payment of any fees, vest the property in the Federal Military Government or, as the case may require, in the appropriate State Government.

(3) The “appropriate registration authority” for the purposes of paragraphs (b) and (c) subsection (2) of this section includes a registrar of titles or of land, the registrar of companies and the officer, by whatever title known, charged with the duty of registration of particular negotiable securities or other property, as the case may be.

3. Where a person affected by a judgment to which this Decree relates does not for the time being own any or sufficient assets, either by himself or through another person, the confirming instrument shall operate to make the person concerned continue to be liable to pay the fine, forfeiture or other penalty as adjudged by the tribunal.

Continuing liability to make reparations where assets not sufficient.

4. Notwithstanding the generality of the enforcement procedures set out in section 2 of this Decree, the Head of the Federal Military Government shall establish such number of Enforcement Committees as he may determine, which committees shall, in any case to which section 3 of this Decree relates or where contingencies otherwise so dictate, perform the other duties set out in section 6 of this Decree.

Establishment of Enforcement Committees.

5. Each Enforcement Committee set up under section 4 of this Decree shall consist of the following members, that is—

Composition of each Enforcement Committee.

(a) a Chairman who shall be an officer in the Nigerian Army not below the rank of a major or an equivalent rank in the Nigerian Navy or the Nigerian Air Force or an officer in the Police Force not below the rank of a chief superintendent of Police or an equivalent rank in other security agencies ; and

(b) two other officers in the Armed Forces or the Police Force, not below the rank of a lieutenant or an equivalent rank, in the case of the Armed Forces, or superintendent of Police or an equivalent rank in the case of the Police Force or other security agencies.

6. Each Enforcement Committee shall generally ensure that any property forfeited by any judgment to which this Decree relates is confiscated, surrendered to and vested in, the Federal Military Government or Government of a State, as the case may be.

Functions of each Enforcement Committee.

7.—(1) Each Enforcement Committee may co-opt any person to serve under the Committee for such period as the Committee may desire.

Power to co-opt persons.

(2) It shall be the duty of any person co-opted by the Committee for the purposes of subsection (1) of this section to serve in the Committee.

8.—(1) Each Enforcement Committee shall give quarterly report of its activities and detailed report on the assets forfeited to the Federal Military Government and to the Government of a State, as the case may be.

Quarterly report by Enforcement Committee.

(2) The report shall include any outstanding balance of any sum of money recoverable from any person affected by a judgment to which this Decree relates and may give recommendation as to steps or manner it deems appropriate towards the recovery of such outstanding balance.

9. Where a confirming instrument forfeits or recovers assets, it shall have effect according to its provisions and the failure to comply with any provisions of such instrument shall be an offence punishable on conviction—

Penalty.

(a) in the case of a person, being an individual, by imprisonment for a term of not less than 2 years without the option of a fine ;

(b) in the case of any group of persons, not being a body corporate, by the like punishment for each person affected as is prescribed in paragraph (a) of this section ;

(c) in the case of a body corporate, by a fine in an amount equal to the estimated value of the property affected by the non-compliance.

General power to give directions.

10. The appropriate confirming authority may give directions appearing to such confirming authority to be necessary for the purposes of this Decree and such power shall be construed as including power by order, notice or any other document whatsoever to enforce the judgment of a tribunal affected by this Decree.

Indemnity for compliance.

11. Where any person complies with any direction, order or requirement according to the provisions of any instrument of confirmation affected by this Decree, that person shall be indemnified from liability to the extent of compliance therewith ; and accordingly, no action, claim, suit or demand by or on behalf of the person whose asset is affected pursuant to the direction, order or requirement aforesaid shall lie against the person or authority so complying.

Validity and exclusion of court's jurisdiction.

1984 No. 1.

12. The validity of any instrument, notice or order given or made or of any other thing whatsoever done, as the case may be, under or pursuant to this Decree shall not be inquired into in any court of law and, accordingly, nothing in the provisions of the Constitution of the Federal Republic of Nigeria 1979, as amended, shall apply in relation to any matter arising out of this Decree.

Interpretation.

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

“confirming instrument” means any instrument by which the judgment of a tribunal is confirmed, disallowed or otherwise dealt with by a confirming authority under the relevant enactment ; and “confirming authority” shall be construed accordingly,

“registration authority” has the meaning assigned thereto by section 2 (3) of this Decree ;

“judgment” means a judgment or order given or made by a tribunal affected by this Decree and confirmed by the confirming authority designated under the enactment under which the tribunal was set up.

Citation, commencement and transitional provisions.

14.—(1) This Decree may be cited as the Judgments of Tribunals (Enforcement, etc.) Decree 1985 and shall be deemed to have come into force on 31st December 1983.

(2) Any judgment confirmed by a confirming authority and enforced by any person authorised in that behalf between the date of the commencement of this Decree and the date of its making, shall be deemed to have been enforced pursuant to the provisions of this Decree and shall have full force and effect as if so enforced, notwithstanding any deviation from the provisions of this Decree ; but any other judgment still pending shall, as from the making of this Decree, be enforced in compliance herewith.

## SCHEDULE

## Section 1 (3)

## JUDGMENTS OF TRIBUNALS TO WHICH THIS DECREE RELATES.

*Tribunal set up under the following Enactments*

- |   |             |
|---|-------------|
| 1. Recovery of Public Property (Special Military Tribunals)<br>Decree 1984 .. .. .  | 1984 No. 3  |
| 2. Public Officers (Protection Against False Accusation)<br>Decree 1984 .. .. .   | 1984 No. 4  |
| 3. Robbery and Firearms (Special Provisions) Decree 1984  | 1984 No. 5  |
| 4. Exchange Control (Anti-Sabotage) Decree 1984 ..  | 1984 No. 7  |
| 5. Political Parties (Dissolution) Decree 1984 .. ..  | 1984 No. 9  |
| 6. Special Tribunal (Miscellaneous Offences) Decree 1984  | 1984 No. 20 |
| 7. Counterfeit Currency (Special Provisions) Decree 1984  | 1984 No. 22 |
| 8. Military Court (Special Powers) Decree 1984 .. ..  | 1984 No. 23 |
| 9. Any other enactment whether made before or after the<br>date of the making of this Decree and declared to be<br>affected by the provisions of this Decree. |             |

MADE at Lagos this 20th day of April, 1985.

MAJOR-GENERAL M. BUHARI,  
*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 makes provision for the enforcement of confirmed judgments of the various tribunals set up under the specified Decrees. Specifically, the Decree makes special provisions aimed at facilitating the recovery of fines and assets forfeited pursuant to those judgments and for that purpose sets up enforcement committees to ensure compliance with the orders made in a confirmed judgment.

Failure by affected persons and authorities to comply with the requirements of a confirmed judgment is an offence punishable under the Decree.

Persons complying are indemnified against any ensuing claims.

MILITARY COURTS (SPECIAL POWERS)  
(AMENDMENT) DECREE 1985



Decree No. 9

[20th April 1985]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :

1. Immediately after section 5 of the Military Courts (Special Powers) Decree 1984, there shall be inserted a new section 5A, as follows :—

Amendment  
of 1984 No.  
23.

“Pending  
appeals.

5A.—(1) For the avoidance of doubt, as from the commencement of this Decree, notwithstanding anything to the contrary in any law or enactment, including the Constitution of the Federal Republic of Nigeria 1979, no court of law shall have power to entertain or continue to entertain any appeal from the decision of a court martial or military court or other proceedings connected with the decision of a court martial or military court set up pursuant to any law referred to in subsection (3) of this section.

(2) Any appeal or other proceedings now pending in any court of law in respect of any of the proceedings specified in subsection (1) of this section, shall, upon the making of this Decree, abate, be discharged and made void.

(3) The enactments referred to in subsection (1) of this section are as follows, that is to say—

- |              |   |
|--------------|---|
| 1960 No. 26. | (a) the Army Act 1960 ;   |
| 1964 No. 21. | (b) the Navy Act 1964 ;   |
| 1964 No. 11. | (c) the Airforce Act 1964 ;   |
| 1977 No. 4.  | (d) the Military Courts (Special Powers) Act 1977 ;                           |
| 1979 No. 2.  | (e) the Military Courts (Special Powers) (Amendment) Act 1979 ; and           |
| 1979 No. 97. | (f) the Armed Forces Disciplinary Proceedings (Special Provisions) Act 1979.” |

2. This Decree may be cited as the Military Courts (Special Powers) (Amendment) Decree 1985.

Citation.

MADE at Lagos this 20th day of April 1985.

MAJOR-GENERAL M. BUHARI,  
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)*

The Decree amends the Military Courts (Special Powers) Decree 1984 to discharge and make void all pending appeals from the decisions of courts martial or military courts or other proceedings connected with the decisions of courts martial and Military courts set up before the commencement of the Military Courts (Special Powers) Decree 1984 under the various enactments specified in the Decree.

**UNIVERSITY TEACHING HOSPITALS (RECONSTITUTION  
OF BOARDS, ETC.) DECREE 1985**



**ARRANGEMENT OF SECTIONS**

*Composition of each University  
Teaching Hospital Management  
Board, etc.*

*Section*

1. Application of this Decree.
2. Composition of each Board.
3. Appointment of Chairman of the Board.
4. Tenure of office of members.
5. Appointment of Chief Medical Director, Director of Administration and other staff.
6. Chief Medical Director's tenure of office.

*Functions of the Board*

7. Functions of the Board.

*Discipline*

8. Discipline of students.

9. Removal and discipline of clinical, administrative and technical staff.

10. Discipline of junior staff.

*Miscellaneous*

11. Bye-laws regulating behaviour of the public.
12. Inspection of institutions controlled by the Board.
13. Mode of giving directions, etc.
14. Financial provision.
15. Annual report.
16. Powers of the Board in relation to expansion, staff, etc. of the Hospital.
17. Power of Minister to give directions.
18. Interpretation.
19. Citation and repeal.

**SCHEDULE**

**Decree No. 10**

[1st January 1985]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

*Composition of each University Teaching Hospital  
Management Board, etc.*

1.—(1) As from the commencement of this Decree, the Board of Management of the teaching hospitals (hereinafter in this Decree referred to as the "Board") controlled by the Government of the Federation and specified in the Schedule to this Decree shall be constituted and have the functions and powers set out in the following provisions of this Decree.

Application  
of this  
Decree.

(2) The Head of the Federal Military Government may, from time to time, by Order published in the *Gazette*—

(a) increase, vary or delete the Hospitals specified in the Schedule to this Decree ;

(b) apply the provisions of this Decree to other teaching hospitals that may come under the control of the Federal Military Government.

Composition  
of each  
Board.

2.—(1) Each Board shall consist of a Chairman who shall be appointed by the Head of the Federal Military Government on the recommendation of the Minister and the following other members, that is to say—

(a) the Chief Medical Director of the Hospital ;

(b) one representative of the Federal Ministry of Health ;

(c) three persons nominated by the Minister to represent a wide variety of community interests in health matters ;

(d) one representative of the medical profession not being a person who is a member of the teaching staff of any university ;

(e) one representative of the senate of the associate University ;

(f) one representative of other professions in the health field, not being a staff of the Hospital concerned ;

(g) the Dean of the Medical School or the Provost, College of Medicine of the associate University, by whatever other name called ;

(h) one representative of the Ministry of Health of the State in which the Teaching Hospital is situate ;

(i) the Chairman of the Medical Advisory Committee of the Hospital concerned ; and

(j) one representative of the Vice-Chancellor of the associate University.

(2) If the Chairman is absent from any meeting of the Board, the members present shall appoint one of their number to preside at that particular meeting.

Qualifi-  
cation  
of Chairman  
of the  
Board.

3. The Chairman of the Board shall be a person of proven integrity coupled with experience and outstanding ability in administration or in professional or technical education.

Tenure of  
office of  
members.

4.—(1) The Chairman and any member of the Board other than an *ex-officio* member shall—

(a) hold office for such period, not exceeding four years, and on such terms and conditions as may be specified in his letter of appointment ;

(b) unless he previously vacates his office, be eligible for re-appointment for one further term of four years :

Provided that nothing in this paragraph shall be construed as entitling any person who has held office as Chairman for a term and who is being re-appointed under this paragraph to be appointed again as Chairman ;

(c) be paid out of money at the disposal of the Board such remuneration and allowances in accordance with scales approved in that behalf by the Federal Executive Council.

(2) The office of a member of the Board shall become vacant if—

(a) he resigns his office by notice in writing addressed to the Minister ;

(b) the period of his appointment has expired ; or

(c) there is passed by the Board a resolution declaring—

(i) that he has become incapable, by reason of mental or bodily infirmity, of discharging his duties ;

(ii) that he has become unfit for membership of the Board by reason of the fact that he has an interest in a contract entered into by the Board and has not disclosed that fact ;

(iii) that he has been absent from three consecutive meetings of the Board without leave of the Board ; or

(iv) that he has been convicted of an offence which involves moral turpitude.

(3) Soon after the office of a member of the Board has become vacant, the authority by which he was appointed shall appoint another person in his place in accordance with the provisions of this Decree.

5.—(1) There shall be for each Hospital a Chief Medical Director who shall be appointed by the Head of the Federal Military Government on such terms and conditions as may be specified in his letter of appointment or as may be determined from time to time by the Federal Military Government.

Appointment of Chief Medical Director, Director of Administration and other staff.

(2) The Chief Medical Director shall—

(a) be a person who is medically qualified and registered as such for a period of not less than 12 years, has had considerable administrative experience in matters of health and holds a post-graduate medical qualification obtained not less than 5 years prior to the appointment as Chief Medical Director ; and

(b) be charged with the responsibility for the execution of the policies and matters affecting the day-to-day management of the affairs of the Hospital.

(3) There shall be for each Hospital a Director of Administration who shall—

(a) be appointed by the Board and shall by virtue of that office also be the Secretary to the Board ;

(b) be responsible to the Chief Medical Director for the effective functioning of all the administrative divisions of the Hospital ;

(c) conduct the correspondence of the Board and keep the records of the Hospital ; and

(d) perform such other functions as the Board or the Chief Medical Director, as the case may be, may from time to time assign to him.

(4) There shall be for each Hospital a chairman of the Medical Advisory Committee who shall be appointed by the Board and responsible to the Chief Medical Director for all the clinical and training activities of the Hospital.

(5) Subject to this Decree, the Board shall have power to appoint (including power to appoint on promotion and transfer and of confirmation of appointments), advance, terminate or discipline employees (including consultants) holding or acting in any office in the Hospital ; and any such appointment shall be made having due regard to any personnel establishment approved for the Hospital.

(6) Notwithstanding any provision of this Decree to the contrary, the Board may, from time to time, appoint consultants outside the University to perform such medical duties as the Board or the Chief Medical Director may assign to such consultants.

Chief Medical Director's tenure of office.

6. The Chief Medical Director shall hold office at the pleasure of the Head of the Federal Military Government.

Functions of the Board.

*Functions of the Board*

7.—(1) It shall be the duty of the Board—

(a) to equip, maintain and operate the Hospital so as to provide facilities for diagnosis, curative, promotive and rehabilitative services in medical treatment ;

(b) to construct, equip, maintain and operate such training schools and similar institutions as the Board considers necessary for providing the Hospital at all times with a proper staff of hospital technicians and nurses ;

(c) to construct, equip, maintain and operate such clinics, out-patient departments, laboratories, research or experimental stations and other like institutions as the Board considers necessary for the efficient functioning of the Hospital.

(2) The duty of operating the Hospital imposed by the foregoing subsection shall include, without prejudice to the extent of that duty apart from this subsection, the duty of providing proper courses of instruction for medical students of the associate University, and the Board may perform the last mentioned duty by arranging with the approval of the Minister, for students of such associate University to attend courses at other institutions not controlled by the Board.

(3) The Board shall secure that the standards of teaching provided at all establishments controlled by itself and the standards of treatment and care provided for patients at those establishments do not fall below those usually provided by similar establishments of international repute.

(4) Subject to this Decree, the Board shall have power to do anything which, in its opinion, is calculated to facilitate the carrying out of its functions under this Decree.

*Discipline*

Discipline of students.

8.—(1) Notwithstanding anything to the contrary contained in any other enactment, where it appears to the Board that any student of the Hospital has been guilty of misconduct, the Board may, without prejudice to any other disciplinary powers conferred on it by regulations, direct—

(a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Hospital, or make use of such facilities of the Hospital as may be so specified ; or

(b) that the activities of the student shall, during such period as may be specified in the direction be restricted in such manner as may be so specified ; or

(c) that the student be rusticated for such period as may be specified in the direction ; or

(d) that the student be expelled from the Hospital.

(2) The fact that an appeal from a direction is brought in pursuance of the last foregoing subsection shall not affect the operation of the direction while the appeal is pending.

(3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the Hospital as the Board may nominate.

(4) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at any Hospital otherwise than on the ground of misconduct.

(5) A direction under subsection (1)(a) above may be combined with a direction under subsection (1)(b) above.

(6) Nothing in this Decree shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, midwives, nurses or members of any other profession or calling.

9.—(1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of the Hospital, other than the Chief Medical Director, should be removed from his office or employment, the Board shall require the Secretary to—

Removal and discipline of clinical, administrative and technical staff.

(a) give notice of those reasons to the person in question ;

(b) afford him an opportunity of making representations in person on the matter to the Board; and

(c) if the person in question so requests within a period of one month beginning with the date of the notice, make arrangements—

(i) for a committee to investigate the matter and report on it to the Board ; and

(ii) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter ;

and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove him by a letter signed on the direction of the Board.

(2) The Chief Medical Director may, in a case of misconduct by a member of the staff which in the opinion of the Chief Medical Director is prejudicial to the interest of the Hospital, suspend any such member and any such suspension shall forthwith be reported to the Board.

(3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board; and for the purposes of this section, "good cause" means—

(a) a conviction for any offence which the Board considers to be such as to render the person concerned unfit for the discharge of the functions of his office; or

(b) any physical or mental incapacity which the Board, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office ; or

(c) conduct of a scandalous or other disgraceful nature which the Board considers to be such as to render the person concerned unfit to continue to hold his office; or

(d) conduct which the Board considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.

(4) Any person suspended shall, subject to subsections (2) and (3) above be on half pay and the Board shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to—

(a) whether to continue such person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him); or

(b) whether to reinstate such person, in which case, the Board shall restore his full emoluments to him with effect from the date of suspension; or

(c) whether to terminate the appointment of the person concerned, in which case, such person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or

(d) whether to take such lesser disciplinary action against such person (including the restoration of his emoluments that might have been withheld), as the Board may determine;

and in any case where the Board, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

(5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) above to use his best endeavours to cause a copy of the letter to be served as soon as reasonably practicable on the person to whom it relates.

(6) Nothing in the foregoing provisions of this section shall prevent the Board from making such regulations not inconsistent with the provisions of this Decree for the discipline of students and all other categories of employees of the Hospital as the Board may prescribe.

(7) Regulations made under subsection (6) above need not be published in the *Gazette* but the Board shall bring them to the notice of all affected persons in such manner as it may from time to time determine.

Discipline  
of junior  
staff.

10.—(1) If any junior staff is accused of misconduct or inefficiency, the Chief Medical Director may suspend him for not more than three months and forthwith shall direct a committee—

(a) to consider the case; and

(b) to make recommendations as to the appropriate action to be taken by the Chief Medical Director.

(2) In all cases under this section, the officer shall be informed of the charge against him and shall be given reasonable opportunity to defend himself.

(3) The Chief Medical Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, or take such other disciplinary action against the officer concerned.

(4) Any person aggrieved by the Chief Medical Director's decision under subsection (3) of this section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case.

*Miscellaneous*

11.—(1) The Board may, with the approval of the Minister, make bye-laws—

Bye-laws regulating behaviour of the public.

(a) as to the access of members of the public either generally or of a particular class, to premises under the control of the Board and as to the orderly conduct of members of the public on those premises ; and

(b) for safeguarding any property belonging to or controlled by the Board from damage by members of the public ;

(2) Bye-laws under this section shall not come into force until they are confirmed (with or without modification) by the Minister and published in such manner as he may direct.

(3) Bye-laws made under this section may provide that a breach of the bye-laws or of a particular provision of the bye-laws shall be punishable by a fine (not exceeding ₹50) and in default of payment of the fine by imprisonment for such a term as may be specified, not exceeding seven days.

(4) Bye-laws made under this section shall not apply to any member of the Board and shall not, in their application to a particular institution, apply to an officer or servant of the Board employed in connection with the institution or to a student at the institution.

12.—(1) The Minister, the Permanent Secretary of the Ministry, the Director of Medical Services and Training and (on production if so required of his authority) any person authorised in that behalf by any of the persons aforesaid may at any time enter and inspect any institution controlled by the Board.

Inspection of institutions controlled by the Board.

(2) The Board shall render to the Director of Medical Services and Training at such times and in such form as he may specify, such statistical and other returns as he may from time to time require.

13. Any direction, notice, report, representation or request authorised or required to be given or made by or under this Decree shall be in writing and may, without prejudice to any other method of service, be served by post.

Mode of giving direction, etc.

14.—(1) The Board shall prepare and submit to the Minister not later than the 30th day of June in each financial year, an estimate of its income and expenditure during the next succeeding financial year ; and such estimates shall be submitted by the Minister for approval by the Federal Executive Council.

Financial provisions.

(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 not later than six months after the end of the financial year to which the accounts relate.

(3) The Board shall with the approval of the Minister have power—

(a) to borrow money ; or

(b) to charge fees for any facilities provided by or by arrangement with the Board (including in particular the provision of tuition, treatment and accommodation).

Annual report.

15. The Board shall prepare and submit to the Federal Executive Council, through the Minister, not later than the 30th day of June in each year, a report in such form as the Minister may direct on the activities of the Board during the immediately preceding financial year and shall include in such report a copy of the audited accounts of the Board for that year and of the auditor's report thereon.

Powers of the Board in relation to expansion, staff, etc. of the Hospital.

16.—(1) The Board shall be responsible for laying down general policies and guidelines relating to major expansion programmes of the Hospital and the provision of facilities for the training of medical students of the associate University and it shall be the duty of the Board to execute such policies and to keep within such guidelines.

(2) The Board shall subject to this Decree have power of promotion, advancement, discipline and the determination of appointment of members of staff of the Hospital.

Power of Minister to give directions.

17. The Minister may give to the Board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to exercise by the Board of its functions under this Decree, and it shall be the duty of the Board to comply with the directions ; but no direction shall be given which is inconsistent with the duties of the Board under this Decree.

Savings, etc.

18.—(1) The Head of the Federal Military Government may, notwithstanding any provision of this Decree, take such measures as occasion may warrant in order to improve the efficiency or due administration of the teaching hospitals specified in the Schedule to this Decree.

(2) For the purposes of subsection (1) of this section, the Head of the Federal Military Government may appoint or give such authority for the appointment of Military Commandants to take charge of the administration of any of the teaching hospitals specified in this Decree for such period as may be stipulated in the authority.

(3) The appointment at any time before the date of the making of this Decree of a Military Commandant for any of the teaching hospitals specified in the Schedule to this Decree shall be deemed to have been made pursuant to the provisions of this Decree.

Interpretation.

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

“associate University” means the University from which the Hospital derived its name and whose medical students receive aspects of their training from the Hospital ;

“Board” means the University Teaching Hospital Management Board of each Hospital ;

“Chairman” means the Chairman of the Board ;

“functions” includes powers and duties ;

“Hospital” includes all institutions (however called) controlled by the Board ;

“junior staff” means staff of such grade as may be determined from time to time by the Board ;

“medical student” means a student whose course of instruction is—

(a) designed (either alone or in conjunction with other courses) to enable him to qualify as a medical practitioner, or

(b) designed for the further training of medical practitioners ;

“Minister” means the Minister charged with responsibility for matters relating to teaching hospitals and “Ministry” shall be construed accordingly ;

“students” means a person enrolled at an institution controlled by the Board for the purpose of pursuing a course of instruction at the institution.

20.—(1) This Decree may be cited as the University Teaching Hospitals (Reconstitution of Boards, etc.) Decree 1985 and shall be deemed to have come into operation on 1st January 1985.

Citation,  
commence-  
ment and  
repeal.

(2) The University Teaching Hospitals (Reconstitution of Boards etc.) Act 1979 is hereby repealed. 1979 No. 74.

## SCHEDULE

### Section 1 (1)

#### LIST OF TEACHING HOSPITALS

- (a) the University College Hospital, Ibadan ;
- (b) the Lagos University Teaching Hospital, Lagos ;
- (c) the University of Nigeria Teaching Hospital, Enugu ;
- (d) the Ahmadu Bello University Teaching Hospital, Zaria ;
- (e) the University of Benin Teaching Hospital, Benin ;
- (f) the Ife University Teaching Hospital Complex, Ile-Ife ;
- (g) the Jos University Teaching Hospital, Jos ;
- (h) the University of Maiduguri Teaching Hospital, Maiduguri ;
- (i) the University of Calabar Teaching Hospital, Calabar ;
- (j) the University of Ilorin Teaching Hospital, Ilorin ;
- (k) the Sokoto University Teaching Hospital, Sokoto ; and
- (l) the University of Port Harcourt Teaching Hospital, Port Harcourt.

MADE at Lagos this 20th day of April 1985.

MAJOR-GENERAL M. BUHARI,  
*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)*

The Decree provides for a uniform administrative structure, composition and functions of the Management Boards of all Teaching Hospitals controlled by the Federal Government as specified in the Schedule to the Decree.

The Head of the Federal Military Government may by Order published in the *Gazette* increase, vary or delete the Hospitals or apply the provisions of the Decree to other hospitals that may come under the control of the Federal Military Government. The Decree also provides for the discipline of students and staff of the Hospitals.

# ENDANGERED SPECIES (CONTROL OF INTERNATIONAL TRADE AND TRAFFIC) DECREE 1985



## ARRANGEMENT OF SECTIONS

### *Section*

1. Prohibition of hunting of or trading in wild animals.
2. Regulation of export and import of species specified in Schedule 2.
3. Permits and certificates.
4. Alteration of Schedules and exemptions.
5. Penalties, forfeitures, etc.
6. Records.

7. Power to make regulations.

8. Interpretation.

9. Citation.

### SCHEDULES

Schedule 1—Animals in relation to which international trade is absolutely prohibited.

Schedule 2—Animals in relation to which international trade may be conducted only under licence.

Decree No. 11

[20th April 1985]

Commence-  
ment.

WHEREAS by a convention signed by Nigeria on 11th February 1974 and ratified on 9th May 1974, Nigeria became a member of the Convention on International Trade in Endangered Wild Species of *Fauna* and *Flora*, whose aim is to ensure through international co-operation, the protection of certain species of wild animals and plants against over-exploitation through trade :

AND WHERE AS in December 1977, Nigeria along with the United Republic of Cameroon, the Republic of Niger and the Republic of Chad ratified an Agreement on the Joint Regulation of *Fauna* and *Flora* on the Lake Chad Basin :

AND WHERE AS Article II of the African Convention on the Conservation of Nature and Natural Resources requires member States of the Organisation of African Convention on the Conservation of Nature and Natural Resources (which Nigeria has ratified) to take measures necessary to ensure the conservation, utilisation and development of soil, water, *floral* and *faunal* resources in accordance with scientific principles, and with due regard to the best interests of the people :

AND WHEREAS Article VIII of the Convention on International Trade in Endangered Species of Wild *Fauna* and *Flora* provides for the promulgation of a national legislation to enforce the provisions of the Convention.

NOW, THEREFORE, the FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) As from the commencement of this Decree, the hunting or capture of or trade in, the animal species specified in Schedule 1 to this Decree (being animal species threatened with extinction) is absolutely prohibited.

Prohibition of hunting of or trading in wild animals.

(2) As from the commencement of this Decree, no person shall hunt, capture, trade in or otherwise deal with an animal species specified in Schedule 2 to this Decree (being animals which though not necessarily now threatened with extinction may become so threatened unless trade in respect of such species is controlled) except he is in possession of a licence issued under this Decree.

2.—(1) No person shall trade in any animal specified in Schedule 2 to this Decree except he complies with the following provisions, that is to say—

Regulation of export and import of species specified in Schedule 2.

(a) he has obtained an export permit granted by the Minister ;

(b) the Minister is satisfied that such export will not be detrimental to the survival of that specimen ;

(c) the Minister is satisfied that where the specie is to be exported alive, it will be so prepared and transported as to minimise the risk of injury, damage to health, cruel treatment or death of the animal ; and

(d) the Minister is satisfied that an import permit has been or will be granted for the specimen by the country of importation.

(2) No person shall import any specie specified in the said Schedule 2 except he has first obtained an import permit or a re-export certificate for that purpose.

(3) No import permit shall be issued under this section unless the Minister is satisfied that—

(a) the import will be for a purpose which is not detrimental to the survival of the specimen ;

(b) the specimen is not to be used for a primarily commercial purpose ; and

(c) the proposed recipient of a living specimen is suitably equipped to house and care for it.

(4) No re-export certificate shall be granted in respect of any specimen specified in the said Schedule 2 unless the Minister is satisfied that—

(a) the specimen was imported in accordance with the provisions of this Decree;

(b) any living specimen will be so prepared and shipped as to minimise the risk of injury, damage to health, cruel treatment or death thereto ; and

(c) an import permit has been obtained for any such living specimen.

(5) No certificate for the removal from any waters of any specimen in the said Schedule 2 will be issued unless the Minister is satisfied that—

(a) the removal will not be detrimental to the survival of the specimen concerned ;

(b) the recipient of a living specimen is fully and suitably equipped to receive and care for it ; and

(c) the specimen will not be used for a primarily commercial purpose.

Permits and  
certificates.

3.—(1) A permit or certificate issued under the provisions of this Decree shall be in such form as the Minister may prescribe and shall remain in force for a period of six months or such other period from the date of issue as the Minister may prescribe.

(2) The Minister shall cancel and retain the export or re-export certificate and any corresponding import permit presented in respect of the importation of any specimen affected by this Decree.

(3) A separate permit shall be required for each consignment of any specimen imported, exported or re-exported under this Decree.

Alteration of  
Schedules  
and exemp-  
tions.

4.—(1) The Minister may by an order published in the *Gazette*—

(a) alter the list of animals specified in Schedule 1 or 2 to this Decree by way of addition, substitution or deletion or otherwise howsoever ;

(b) make different provisions in relation to different species or as respects importation, exportation or re-exportation of animals and plants from Nigeria and impose such conditions as he may deem necessary.

(2) Where the Minister is satisfied that a specimen was bred entirely under captivity, the provisions of sections 1 to 3 of this Decree shall not apply to such specimen and the Minister shall issue a certificate to that effect.

(3) In this section, "captivity" includes confinement in any of the following places, that is, a laboratory, zoo or wild life rescue centre established under section 5 (3) of this Decree.

5.—(1) Any person who, in contravention of the provisions of this Decree, trades in, or is in possession of or otherwise deals with a specimen specified in Schedules 1 and 2 to this Decree, shall be guilty of an offence and liable on conviction—

Penalties,  
forfeiture,  
etc.

(a) in respect of any specimen under Schedule 1 to this Decree, to a fine of ₹1,000 for a first offence and for a second and subsequent offence to imprisonment for one year without the option of a fine ; and

(b) in respect of any specimen under Schedule 2 to this Decree, to a fine of ₹500 for a first offence and for a second or subsequent offence, to imprisonment for 6 months without the option of a fine.

(2) Where a person is convicted of an offence under subsection (1) of this section, the court may—

(a) order the forfeiture of any specimen which is the subject of such prosecution ;

(b) make such orders (including the upkeep of live specimens at the expense of the person so convicted) as the court may deem fit.

(3) Without prejudice to the foregoing subsection, where a living specimen is forfeited pursuant to this section, the specimen shall be entrusted to the Minister who may, after consultation with the country of export, return the specimen either to that country at the expense of that country or to a wild life rescue centre or to such other place as the Minister may deem appropriate. Under this section "wild life rescue centre" means any institution or place appointed for the care and welfare of living specimens, particularly those forfeited under this section.

(4) It shall be a defence to a charge under this Decree that the killing, capture or fishing of any specimen specified under Schedules 1 and 2 to this Decree was for any of the following reasons—

(a) the paramount public interest ;

(b) the defence of human life ;

(c) the protection of public health ;

(d) the defence of property ; or

(e) the defence of the lives of other animals.

(5) Notwithstanding the provisions of subsection (4) of this section, in an attempt to capture, fish, take or hunt wild animals specified in this Decree, the following methods are prohibited, that is—

(a) any method liable to cause mass destruction of wild animals ;

(b) the use of drugs, poisons, poisoned weapons or poisoned baits ;

- (c) the use of mechanically propelled vehicles for hunting ;
- (d) the use of fire ;
- (e) the use of firearms capable of firing more than one round at each pull of the trigger ;
- (f) hunting or capture at night ; or
- (g) the use of missiles containing detonators.

Records.

6. The Minister shall cause to be maintained records of trade in any specimen in Schedule 1 or 2 to this Decree and such records shall include—
- (a) the names and addresses of exporters and importers thereof ;
  - (b) the number and types of permits and certificates granted ;
  - (c) the countries with which such trade occurred and the number, quantities and types of specimens concerned ; and
  - (d) where applicable, the size and sex of the specimens in question.

Power to  
make re-  
gulations.

7. The Minister may make regulations for all or any of the following purposes—

- (a) prohibiting or regulating the importation or exportation of any live specimen specified in Schedule 2 to this Decree or any trophy thereof ;
- (b) regulating the application for the issue, form, conditions or period of validity of permits and certificates required by this Decree ;
- (c) providing for the issue of duplicate certificates in the case of loss, destruction or defacing of an original permit or certificate ;
- (d) prohibiting or regulating the species and number of live animals and trophies which may be exported in any specified period of time ;
- (e) providing for payment and collection of any fees prescribed under this Decree ;
- (f) providing for the termination, revocation, and forfeiture of licences and permits issued under this Decree ;
- (g) authorising the payment of grants, bonuses or rewards out of public revenue for the encouragement of wildlife conservation ;
- (h) providing for the declaration and control of internationally recognized pests ; and
- (i) generally for giving effect to the provisions of this Decree.

Interpreta-  
tion.

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

“animal” means any member of the animal kingdom other than human beings or the young or egg thereof or any animal which is commonly considered to be a domestic animal or the young or egg thereof ;

“court” means the Federal High Court ;

“fauna” means animal and “flora” means plant and “faunal” and “floral” shall be construed accordingly ;

“the Minister” means the Minister of the Government of the Federation charged with responsibility for matters relating to wild life ;

“specimen” means an individual example of a specie of a wild animal or plant ;

“trophy” means any animal specimen or a part thereof whether included in a manufactured or processed object or otherwise dealt with unless it has lost its original identity and includes—

(a) the egg or a part of the egg ;

(b) skin, feather, horns, tooth, shell or any other part of an animal ;

“wild animal” means any animal not habitually found in a domesticated state ;

“wild life” includes—

(a) wild animals and plants whether or not they are indigenous to Nigeria ;

(b) wild animals and plants that are indigenous to the continental shelf of Nigeria or the super-adjacent waters ;

(c) migratory wild animals and birds that temporarily make their habitation in, pass through or overfly, Nigeria ;

(d) any animal or plant other than domesticated animals or usually cultivated plants.

9. This Decree may be cited as the Endangered Species (Control of International Trade and Traffic) Decree 1985. Citation.

## SCHEDULES

### SCHEDULE 1

Section 1 (1)

#### ENDANGERED SPECIES—ANIMALS IN RELATION TO WHICH INTERNATIONAL TRADE IS ABSOLUTELY PROHIBITED

##### Insectivore

Otter Shrew .. .. . *Potamogale velox*

##### Phoeidota

Giant pangolin .. .. . *Manis gigantea*  
Tree pangolin .. .. . *Manis tricuspis*  
Long-tailed tree pangolin .. .. . *Manis longicaudata*

##### Primates

Angwantibo or Golden Potto .. .. . *Arctocebus calabarensis*  
All colobus monkeys .. .. . *Colobus spp., Procolobus*  
All Mangabeys .. .. . *Cercocebus spp*  
Chimpanzee .. .. . *Pan troglodytes*  
Drill and Mandrill .. .. . *Mandrillus spp*  
Gorilla .. .. . *Gorilla gorilla*  
Pigmy Chimpanzee .. .. . *Pan paniscus*

##### Rodents

African palm squirrel .. .. . *Epixerus epü*  
Brush-tailed porcupine .. .. . *Atherurus africanus*

*Carnivora*

Lion .. ..	<i>Panthera leo</i>
Leopard .. ..	<i>Panthera pardus</i>
Cheetah .. ..	<i>Acinonyx jubatus</i>
Serval .. ..	<i>Felis serval</i>
Caracal .. ..	<i>Felis caracal</i>
Golden Cat .. ..	<i>Felis aurata</i>
Wild cat .. ..	<i>Felis libyca</i>
Spotted hyaena .. ..	<i>Crocuta crocuta</i>
Striped hyaena .. ..	<i>Hyaena hyaena</i>
Aardwolf .. ..	<i>Proteles cristatus</i>
Wild dog .. ..	<i>Lycaon pictus</i>
Cape Clawless Otter .. ..	<i>Aonyx capensis</i>
Speckle throated Otter .. ..	<i>Lutra maculicollis</i>
Cameroon Otter .. ..	
Seals .. ..	Suborder Pinnipedia

*Tubulidentata*

Aardvark .. ..	<i>Orycteropus afer</i>
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*Proboscidea*

Immature elephant .. ..	<i>Loxodonta africana</i>
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*Sirenia*

Manatee .. ..	<i>Trichechus senegalensis</i>
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*Perissodactyla*

Black rhinoceros .. ..	<i>Diceros bicornis</i>
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*Artiodactyla*

Pygmy hippopotamus .. ..	<i>Choeropsis liberiensis</i>
Giant eland .. ..	<i>Taurotragus derbianus</i>
Dorcas gazelle .. ..	<i>Gazella dorcas</i>
Dama gazelle .. ..	<i>Gazella dama</i>
Addax .. ..	<i>Addax nasomaculatus</i>
Scimitar oryx .. ..	<i>Oryx algazel</i>
Water chevrotain .. ..	<i>Hyemoschus aquaticus</i>
Giraffe .. ..	<i>Giraffa camelopardalis</i>
Giant forest hog .. ..	<i>Hylochoerus meinertzhageni</i>
Yellow-backed duiker .. ..	<i>Cephalophus sylvicultor</i>
Sitatunga .. ..	<i>Tragelaphus spekei</i>
Klipspringer .. ..	<i>Oreotragus oreotragus</i>

*Cetacea*

Whales .. ..	(Family Balaenopteridae Family Physeteridae Family Ziphiidae Family Delphinidae Genus Orcinus)
Dolphins .. ..	Family Delphinidae
Porpoises .. ..	Family Platanistidae

*Reptiles*

Nile crocodile .. ..	<i>Crocodylus niloticus</i>
Short-nosed crocodile .. ..	<i>Osteolaemus tetraspis</i>
Nile monitor lizard .. ..	<i>Varanus niloticus</i>

*Reptiles*

Short-tailed monitor lizard	..	..	..	<i>Varanus exanthematicus</i>
Royal python	..	..	..	<i>Python regius</i>
Rock Python	..	..	..	<i>Python sebae</i>

*Aves*

All parrots	..	..	..	Family <i>Psittacidae</i>
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*Eagles*

Falcons, kites, eagles, buzzards, sparrow-hawks, and harriers				Family <i>Falconidae</i>
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SCHEDULE 2

Section 1 (2)

ANIMALS IN RELATION TO WHICH INTERNATIONAL TRADE MAY ONLY BE  
CONDUCTED UNDER LICENCE

*Primates*

Bosman's Potto	..	..	..	<i>Perodicticus potto</i>
Galagos	..	..	..	<i>Calago spp.</i>
All monkeys				(except those specified in Schedule 1 above)

*Carnivora*

Side-striped jackal	..	..	..	<i>Canis adustus</i>
Jackal	..	..	..	<i>Canis aureus</i>
Civet	..	..	..	<i>Civeticus civetta</i>
Fennec	..	..	..	<i>Fennecus zerda</i>

*All other foxes*

Genets	..	..	..	<i>Genetta spp.</i>
Two-spotted palm civet or striped polecat	..	..	..	<i>Nandinia binotata</i> <i>Ictonyx striatus</i>
All mongooses	..	..	..	Family <i>Herpestinae</i>

*Exotic Animals*

All exotic wild animals

*Proboscidea*

Mature elephant	..	..	..	<i>Loxodonta africana</i>
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*Actiodactyla*

Hippopotamus	..	..	..	<i>Hippopotamus amphibius</i>
Common Bush-cow	..	..	..	<i>Syncerus manus</i>
Warthog				<i>Phacochoerus aethiopicus</i>
Red-fronted gazelle	..	..	..	<i>Gazella rufifrons</i>
Western hartebeest	..	..	..	<i>Alcelaphus buselaphus</i>
Topi (Senegal hartebeest)	..	..	..	<i>Damaliscus korrigum</i>
Kob	..	..	..	<i>Kobus (Adenota) Kob</i>
Oribi	..	..	..	<i>Ourebia ourebi</i>
Reed-buck	..	..	..	<i>Redunca redunca</i>
Mountain reed-buck	..	..	..	<i>Redunca fulvorufula</i>
Roan	..	..	..	<i>Hippotracus equinus</i>
Water-buck	..	..	..	<i>Kobus defassa</i>

*Aves*

Ostrich .. .. .	<i>Struthio camelus</i>
Secretary bird .. .. .	<i>Sagittarius serpentarius</i>
Hammerkop .. .. .	<i>Scopus umbretta</i>
African sponbill .. .. .	<i>Platalea alba</i>
Abyssinian ground hornbill .. .. .	<i>Bucorvus abyssinicus</i>
Herons and Egrets (including bitterns) .. .. .	Family <i>Ardeidae</i>
Pelicans .. .. .	Family <i>Pelecanidae</i>
All storks .. .. .	Family <i>Ciconiidae</i>
Vultures .. .. .	Family <i>Aegyptidae</i>
Cranes .. .. .	Family <i>Balearicidae</i>
Bustards .. .. .	Family <i>Otididae</i>

MADE at Lagos this 20th day of April 1985.

MAJOR-GENERAL M. BUHARI,  
*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 purpose of the Decree is to enact a law, as required under certain international treaties to which Nigeria is a signatory, to give municipal effect to each of those treaties and agreements. Accordingly, the Decree provides for the conservation and management of Nigeria's wild life and the protection of some of her endangered species in danger of extinction as a result of over-exploitation. Specifically, the Decree absolutely prohibits the killing or trading in animals specified in Schedule 1 and restricts the exportation and importation of animals specified in Schedule 2 to the Decree.

Penalties are imposed for contravention of the provisions of the Decree.