

Supplement to Official Gazette No. 115, Vol. 53, 29th December, 1966—Part A

THE NIGERIAN COUNCIL FOR MEDICAL RESEARCH DECREE 1966



ARRANGEMENT OF SECTIONS

Section

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8. Power to apply Pensions Act to offices under the Council.
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SCHEDULE :

Supplementary provisions relating to the Council.

Decree No. 72

[See section 12 (2)]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) There shall be established a body to be known as the Nigerian Council for Medical Research (in this Decree referred to as "the Council") which shall have the functions assigned to it by this Decree.

(2) The Council shall be a body corporate by the name aforesaid having perpetual succession and a common seal which shall be kept in the custody of the Secretary.

(3) The Council shall, subject to subsection (4) below, consist of fifteen members and shall comprise—

(a) a chairman who must be a distinguished medical scientist and who shall be appointed by the Head of the Federal Military Government, acting after consultation with the Federal Executive Council ;

Establish-
ment of
Nigerian
Council for
Medical
Research.

- (b) the Permanent Secretary, Federal Ministry of Health ;
- (c) the Chief Medical Adviser, Federal Ministry of Health ;
- (d) the professional head of the Ministry of Health in each Region ;
- (e) the Permanent Secretary, Federal Ministry of Natural Resources ;
- (f) a suitably qualified medical scientist nominated by the Faculty of Medicine of the University of Ibadan ;
- (g) a suitably qualified medical scientist nominated by the Medical School Council of the University of Lagos ;
- (h) four suitably qualified medical scientists appointed by the Head of the Federal Military Government, acting after consultation with the Permanent Secretary, Federal Ministry of Health ;
- (i) the Director of Research.

(4) The Federal Executive Council may by notice in the Federal Gazette increase or reduce the membership of the Council.

(5) The provisions of the Schedule of this Decree shall have effect with respect to the tenure of office of members of the Council, the proceedings of the Council and the other matters therein mentioned.

Functions of the Council.

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

- (a) to co-ordinate medical research throughout Nigeria ;
- (b) to initiate and carry out medical research, and to support the carrying out of such research by other persons or bodies ;
- (c) to train medical research workers ;
- (d) to collect and disseminate information relating to medical science ;
- (e) to encourage and promote collaboration between those engaged in medical research in Nigeria and those so engaged in other countries.

(2) Without prejudice to the generality of subsection (1) above, the Council shall have power

(a) to establish and award studentships and fellowships for the training of medical research workers ; and

(b) to make grants in aid of medical research to any person or body.

(3) Without prejudice as aforesaid, it shall be the duty of the Council to publish from time to time such periodicals, papers and reports relating to medical science and connected scientific and technical matters as the Council thinks fit.

(4) It shall be the duty of the Council—

(a) in each year at a time to be agreed by the Council, to review the progress then made in medical research in which the Council is interested, and to arrange for the preparation of a general programme of such research for the next succeeding year to be carried out when approved by the Council ;

(b) to determine and approve annually the expenditure necessary to carry out the approved programme ; and

(c) to arrange for the publication of annual reports on the activities of the Council including progress of medical research carried out pursuant to paragraph (a), and for the inclusion in the appropriate report of a statement of the expenditure and liabilities incurred in connection with the activities of the Council.

(5) The Federal Executive Council at the instigation of the Permanent Secretary, Federal Ministry of Health, may from time to time give to the Council directions of a general nature in writing with respect to the performance of its functions; and it shall be the duty of the Council to comply with the directions.

3.—(1) The Council shall appoint a Director of Research who, subject to the authority of the Council, shall be responsible for all medical research and connected activities carried on in premises owned or occupied by the Council.

Appoint-
ment of
Director of
Research,
Secretary,
and other
officers and
servants of
the Council.

(2) The Council shall appoint a Secretary who—

(a) shall be the secretary to the Council; and

(b) subject to the provisions of this Decree, shall be charged with the day-to-day administration of the affairs of the Council in accordance with such instructions as may from time to time be given to him by the Council; and

(c) shall be responsible for the preparation of all reports, other than scientific reports, which are to be issued by the Council.

(3) Any question as to whether any particular matter is the responsibility of the Director of Research or the Secretary shall be determined by the Chairman.

(4) The Council may appoint such other officers and servants as it thinks fit.

(5) The remuneration, tenure of office and conditions of service of the Director of Research, the Secretary and any other officer or servant appointed under this section shall be determined by the Council.

(6) Without prejudice to subsection (7) below, the Council may delegate to the Secretary any of its powers under subsection (4) or (5) above except—

(a) its powers under subsection (5) above with respect to the Director of Research and the Secretary; and

(b) power under subsection (4) above to appoint any person as an officer or servant of the Council to a post of which the annual salary exceeds four hundred pounds or, if the terms of appointment provide for increases in salary, of which the maximum annual salary exceeds four hundred pounds.

(7) Every officer or servant of the Council who holds any post of which the annual salary is less than four hundred pounds or, if the terms of appointment provide for increases in salary, of which the maximum annual salary is less than four hundred pounds shall be subject to the authority of the Secretary and for the purposes of discipline (including dismissal) shall be subject to such directions as may be given by the Secretary either generally or in his particular case; but in exercising the powers conferred on him by this subsection the Secretary shall be subject to any regulations for the time being in force under section 9 of this Decree.

(8) Notwithstanding anything in subsection (6) or (7) above, an officer or servant of the Council who holds a pensionable office shall not be dismissed without the approval of the Council.

Committees
of the
Council.

4.—(1) There shall be an executive committee of the Council which shall consist of—

- (a) the Chairman who, if present, shall act as chairman of the committee ;
- (b) the Chief Medical Adviser, Federal Ministry of Health ;
- (c) the Director of Research ; and
- (d) two medical scientists elected by the Council from among its members.

(2) The functions of the executive committee shall be—

(a) on behalf of the Council to draw up programmes of research to be carried out on behalf of the Council, and to advise the Council as regards the expenditure necessary to enable such programmes to be carried out ;

(b) on behalf of the Council to deal with applications made to the Council for grants in aid of medical research ;

(c) on behalf of the Council to award studentships and fellowships established by the Council ; and

(d) to perform on behalf of the Council such other functions of the Council as the Council may from time to time determine.

(3) The Council may appoint such other committees as it thinks fit, and any such committee may include persons who are not members of the Council ; and if persons are so appointed or are co-opted on such other committees they may take part in the deliberations thereof but shall not be entitled to vote thereon.

Miscellaneous powers
of the
Council.

5.—(1) Subject to subsection (2) below, the Council may for the purposes of this Decree—

(a) enter into contracts ;

(b) acquire and hold movable or immovable property of any description, and alienate, mortgage, charge, demise or otherwise deal with any such property ; and

(c) borrow at interest, on the security of any assets vested in the Council, such moneys as the Council from time to time considers expedient ; and

(d) generally do all things necessary or expedient for or incidental to the purposes of the Council.

(2) The Council shall not without the prior consent of the Federal Executive Council alienate, mortgage, charge or demise any immovable property which is for the time being vested in the Council or in respect of which a right of occupancy has been granted to the Council.

Financial
provisions.

6.—(1) The Council shall establish and maintain a fund from which there shall be defrayed all expenditure incurred by the Council.

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

(a) such moneys as may be supplied to the Council by the Federal Military Government ;

(b) all moneys raised for the purposes of the Council or accruing to the Council by way of grants in aid, gift, testamentary disposition or otherwise ;

(c) all interest received in respect of moneys invested by the Council ;

(d) such assets as are transferred to the Council by section 10 of this Decree; and

(e) all other assets from time to time accruing to the Council.

(3) The fund shall be managed in accordance with rules made by the Federal Executive Council; and without prejudice to the generality of the power to make rules conferred by this subsection, the rules shall in particular include provision—

(a) specifying the manner in which the assets of the fund are to be held, and regulating the making of payments into and out of the fund;

(b) requiring the keeping of proper accounts and records for the purposes of the fund in such form as may be specified by the rules;

(c) for securing that the accounts are audited periodically by an auditor appointed from a panel approved by the Federal Executive Council; and

(d) requiring copies of the accounts and of the auditor's report on them to be furnished to the Federal Ministries of Health and of Finance as soon as may be after the end of the period to which the accounts relate.

7.—(1) For the purposes of the Public Lands Acquisition Act, the purposes of the Council shall be public purposes of the Federation within the meaning of that Act.

Compulsory acquisition of land for the Council
Cap. 167.

(2) The Chief Land Officer of the Federation may, by an instrument under his hand and seal, vest in the Council any property acquired by the Federal Executive Council by virtue of subsection (1) above; and the Council shall pay into the Consolidated Revenue Fund of the Federation a sum equal to the aggregate amount of any expenses (including compensation) incurred on behalf of the Federal Executive Council by virtue of that subsection in respect of any property vested in the Council by such an instrument.

8.—(1) The Permanent Secretary, Federal Ministry of Establishments, may, as directed by the Federal Executive Council, by order published in the Federal Gazette declare the offices of Director of Research and of Secretary to be pensionable offices for the purposes of the Pensions Act, and may likewise from time to time so declare any other office constituted by the Council for the purposes of this Decree to be a pensionable office.

Power to apply Pensions Act to offices under the Council
Cap. 147.

(2) Where an office established under any Act repealed by this Decree was a pensionable office for the purposes of the Pensions Act, and that office or a corresponding office is re-established under this Decree, the office shall, for the purposes of the Pensions Act, continue to be a pensionable office to the same extent as if it had been so declared under the foregoing provisions of this section.

(3) Subject to the following provisions of this section, the provisions of the Pensions Act shall apply to any office declared to be pensionable under subsection (1) above (including any office falling to be treated as so declared by virtue of subsection (2) above) as if that office were an office in the public service of the Federation within the meaning of the Constitution of the Federation.

1963
No. 20

(4) For the purposes of the application of the provisions of the Pensions Act in accordance with subsection (3) above—

(a) paragraph (1) of section 7 of that Act (which, as modified by the Constitution (Suspension and Modification) Decrees (Nos. 1 to 9) confers on the Federal Executive Council power to waive the requirement to give

notice of desire to retire under the age of forty-five) shall have effect as if for the references to the Federal Executive Council there were substituted references to the Council ; and

(b) the power under section 9 (1) of that Act to require an officer to retire at any time after attaining the age of forty-five, subject to his being given six months' notice in writing, shall be exercisable by the Council and not by any other authority.

Cap 147.

(5) Nothing in subsection (3) above shall prevent a person from being appointed to any office pensionable under subsection (1) or (2) above on terms which preclude, or will if he is not confirmed in that office preclude, the grant of a pension or gratuity under the Pensions Act to him in respect of his service in that office.

(6) So much of section 7 of the Pensions Act as prevents the grants of benefits under that Act in respect of a person retiring before a specified age shall not apply in relation to the retirement of an expatriate officer within the meaning of that Act who—

(a) retires, either before or after the commencement of this Decree, from an office which was or is a pensionable office by virtue of any such order as is mentioned in subsection 1 above or by virtue of subsection (2) above ; and

(b) held, on or before the date mentioned in section 10 (1) of this Decree, any such office as is mentioned in paragraph (a) of this subsection.

Regulations.

9.—(1) The Council may make regulations generally for its purposes under this Decree ; and without prejudice to the generality of the power conferred by this section, regulations made thereunder may make provision with respect to disciplinary control over the officers and servants of the Council.

(2) Regulations made under the foregoing subsection shall not have effect until they are approved by the Federal Executive Council and have thereafter been published in the Federal Gazette.

Transfer of
certain
assets and
liabilities to
the Council.
Cap. 215.

10.—(1) Anything to the contrary in section 22 of the West African Council for Medical Research Act notwithstanding, it is hereby declared that the Governments of the former British West African Colonies associated with the establishment of the West African Council for Medical Research (in this section referred to as "the research council") by common consent approved the dissolution of the research council in respect of those former colonies with effect from 1st October 1962, so however that pending dissolution of the research council by other enactment in respect of Nigeria, the Act aforesaid should continue in force until provision was made by the Government of Nigeria for its dissolution and the disposal of its assets.

(2) Provision being now made by this Decree for the dissolution of the research council, this subsection shall have effect and—

(a) there shall be prepared forthwith after the making of this Decree a schedule (in this section referred to as "the transfer schedule") of the assets of the research council to be transferred to the Council, certified on behalf of both councils by persons nominated in writing by the Permanent Secretary, Federal Ministry of Health ; and

(b) if the aforesaid Permanent Secretary is satisfied as to the correctness of the transfer schedule and so endorses it, the assets shown therein shall, on the day appointed for the commencement of the provisions of this

Decree other than this section, vest in the Council without further assurance than this paragraph, but subject to the requirements of any enactment or law in the case of any interest in land where title is not to pass or be recognised as altered, as the case may be, without registration thereunder.

11. The West African Council for Medical Research Act is hereby repealed, and the West African Council for Medical Research, as it exists in Nigeria, shall cease to exist accordingly.

Repeal of
Cap. 215.

12.—(1) This Decree may be cited as the Nigerian Council for Medical Research Decree 1966.

Citation,
commence-
ment and
interpre-
tation.

(2) This Decree, except section 10, shall come into force on such day as the Head of the Federal Military Government may by order published in the Federal Gazette appoint; and the said section 10 shall come into force on the making of this Decree.

(3) In this Decree—

“the Chairman” means the Chairman of the Council;

“the Council” means the Nigerian Council for Medical Research;

“the Director of Research” means the Director of Research appointed under section 3 (1) of this Decree;

“the executive committee” means the executive committee of the Council established by section 4 (1) of this Decree;

“medical scientist” means a scientist in the field of medicine or any allied science;

“the Secretary” means the Secretary appointed under section 3 (2) of this Decree.

SCHEDULE

Section 1

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Tenure of office of appointed and nominated members

1.—(1) Subject to the provisions of this paragraph, a person appointed as Chairman of the Council under paragraph (a) of section 1 (3) of this Decree or as a member thereof under paragraph (h) of the said section 1 (3), or nominated as a member thereof under paragraph (f) or (g) of the said section 1 (3), shall hold office for a period of five years from the date of his appointment or nomination.

(2) The Head of the Federal Military Government may at any time remove the Chairman from his office, and if so removed the Chairman shall cease to be a member of the Council.

(3) The Chairman and any such other member as is mentioned in subparagraph (1) above—

(a) shall cease to hold office if he resigns his office by a notice in writing signed by him and served on the Secretary; and

(b) shall, if he ceases to be a member of the Council, whether by resignation or otherwise, be eligible for further membership of the Council whether by virtue of office, appointment or nomination.

(4) The foregoing provisions of this paragraph shall be without prejudice to the provisions of section 11 of the Interpretation Act 1964 relating to appointments.

*Power of ex-officio member to nominate a person
to attend a meeting in his place*

2. If a member of the Council who holds office as such by virtue of some other office held by him is unable to attend a meeting of the Council or of any committee of the Council of which he is a member, he may by notice in writing to the Secretary nominate a person to attend the meeting in his place ; and a person so nominated shall, for the purposes of that meeting, have all the powers conferred by this Decree on the member in question.

Proceedings of Council

3. Subject to the provisions of this Decree and of section 26 of the Interpretation Act, (which provides for decisions of a statutory body to be taken by a majority of its members and for the chairman to have a second or casting vote) the Council may make standing orders regulating the proceedings of the Council or of any committee of the Council, and the standing orders shall include a provision to the effect that the Chairman shall convene meetings as and when he thinks fit or on the requisition in writing of at least three members, and if he fails to do so when required under standing orders the Permanent Secretary, Federal Ministry of Health, may in his discretion convene the meeting.

4. The quorum of the Council shall be five.

5.—(1) Subject to the provisions of any standing orders made under paragraph 3 above, the Council shall meet whenever it is summoned by the Chairman ; and if the Chairman is required to do so by notice given to him by not less than three members of the Council, he shall summon a meeting of the Council to be held within twenty-eight days from the date on which the notice is given.

(2) At any meeting of the Council the Chairman shall preside, so however that if he is absent the members present at the meeting shall elect one of their number to preside at that meeting.

(3) Where the Council desires to obtain the advice of any person on a particular matter, the Council 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 subparagraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.

(4) A person who is a member of the Council by virtue of subparagraph (3) above shall not be precluded thereby from being nominated under paragraph 2 above, and if so nominated may exercise the powers conferred on him by that paragraph.

Miscellaneous

6. If standing orders made by the Council provide for the payment to any member of the Council or of the executive committee or any other committee of the Council, or any person nominated under paragraph 2 above, of such travelling and subsistence allowances in respect of any periods spent on the business of the Council as the Council may determine they shall not have effect until approved by the Federal Executive Council ; and notwithstanding anything in this Decree, no other remuneration shall, except in the case of the Director of Research, be paid by Council to any member of the Council or of any committee thereof.

7.—(1) The fixing of the seal of the Council shall be authenticated by the signature of the Secretary or of a member of the Council authorised generally or specially by the Council to act for that purpose.

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

8. 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 Council by any person generally or specially authorised to act for that purpose by the Council.

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

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

DATED at Lagos this 22nd day of December 1966.

LIEUTENANT-COLONEL Y. GOWON,
*Head of the Federal Military Government,
Supreme Commander of the Armed Forces,
Federal Republic of Nigeria*

THE MEDICAL PRACTITIONERS (TEMPORARY REGISTRATION)
DECREE 1966



Decree No. 73

[22nd December 1966]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) The Medical and Dental Practitioners Act 1963 shall be amended by inserting after section 11 the following section—

Amendments
of Medical
and Dental
Practitioners
Act 1963.

1963 No. 9.

“Temporary
registration,
for employ-
ment in
approved
institutions,
of persons
with
qualifications
granted out-
side Nigeria.

11A.—(1) Where a person satisfies the council—

(a) that he has been selected for employment for a specified period in an approved hospital or other institution in Nigeria in the capacity of a practitioner of medicine, surgery or midwifery, and that he is or intends to be in Nigeria temporarily for the purpose of serving for that period in the employment in question ; and

(b) that he holds, or has passed the examinations necessary for obtaining, some qualification granted outside Nigeria which is for the time being accepted by the council for the purposes of this section as respects the capacity in which, if employed, he is to serve,

the council may, if it thinks fit, give a direction that he shall be temporarily registered as a medical practitioner.

In this subsection “approved” means approved by the council for the purposes of this section.

(2) The temporary registration of a person shall continue only while he is in such employment as is mentioned in subsection (1) (a) above, and shall cease—

(a) on the termination of the period of employment specified to the council under that subsection ; or

(b) on the termination of the said employment before the end of that period,
whichever first occurs :

Provided that nothing in this subsection shall preclude the council from giving a further direction under subsection (1) above in respect of a specified period whose commencement coincides with the termination of another such period.

(3) A person who is temporarily registered shall, in relation to his employment as mentioned in subsection (1) (a) above, and to things done or omitted in the course of that employment, be deemed to be fully registered, but in relation to all other matters shall be treated as not so registered.

(4) In case of doubt as to whether a person's employment has been terminated, the decision of the council shall be conclusive for the purposes of subsection (2) above.

(2) The said Act of 1963 shall have effect subject to the further amendments specified in the Schedule of this Decree, being amendments necessitated by the insertion of the new section 11A as provided in subsection (1) above.

Citation and
extent.

2. This Decree may be cited as the Medical Practitioners (Temporary Registration) Decree 1966 and shall apply throughout Nigeria.

Section 1.

SCHEDULE

AMENDMENTS OF MEDICAL AND DENTAL PRACTITIONERS ACT 1963

Section 4

In subsection (3), for the word "two" there shall be substituted the word "three", for the words "and the other" there shall be substituted the words "persons, another", and after the word "persons" at the end of the subsection there shall be added the words "and a third in respect of temporarily registered persons".

In subsection (4) (c), after the word "six" there shall be inserted the words "or subsection (1) of section 11A".

In subsection (5), the word "and" at the end of paragraph (c) shall be omitted, and after that paragraph there shall be inserted the following paragraph—

"(cc) to remove from the part of the register of medical practitioners which relates to temporarily registered persons all particulars relating to a person whose temporary registration has ceased in accordance with section 11A (2) of this Act."

Section 18

In subsection (1), in the definition of "approved", before the word means" there shall be inserted the words " , except in section 11A (1),".

In subsection (2)—

(i) in paragraph (b), for the words "other part of that register" there shall be substituted the words "part of that register maintained in respect of provisionally registered medical practitioners";

(ii) after paragraph (b) there shall be inserted the following paragraph—

“(bb) a person is temporarily registered if his name is for the time being entered in the part of that register maintained in respect of temporarily registered medical practitioners and his temporary registration has not ceased under section 11A (2) of this Act; and”; and

(iii) for all the words after the end of paragraph (d) there shall be substituted the words ‘and, subject to sections 11 (2) and 11A (3) of this Act, “fully registered”, “provisionally registered” and “temporarily registered” shall be construed in accordance with paragraphs (a), (b) and (bb) of this subsection’.

DATED at Lagos this 22nd day of December 1966.

LIEUTENANT-COLONEL Y. GOWON,
*Head of the Federal Military Government,
Supreme Commander of the Armed Forces,
Federal Republic of Nigeria*

THE PENSIONS (FEDERAL FIRE SERVICE, ETC.) DECREE 1966



ARRANGEMENT OF SECTIONS

Section

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| <ol style="list-style-type: none"> 1. Office of fireman in Fire Service to be a pensionable office. 2. Confirmation of member of Fire Service in office on first re-engagement. 3. Modification of Pensions Act in its application to firemen in Fire Service. 4. Right to opt out of new conditions. 5. Application of Schedule to pensions, etc., previously granted under Fire Service Act. | <ol style="list-style-type: none"> 6. Amendment of s. 7 of Pensions Act. 7. Service of certain persons with police fire brigade before 1st April 1964. 8. Special provisions as to orders under s. 2 of Pensions Act. 9. Amendment of Police Pensions Decree 1966. 10. Interpretation. 11. Citation, extent, etc. <p>SCHEDULE: Provisions corresponding to Part II of the Fire Service Act 1963.</p> |
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Decree No. 74

[22nd December 1966—but see ss. 6 (2) and 9 (5)]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.-(1) Subject to the provisions of this Decree, the office of fireman in the Federal Fire Service shall be, and be deemed to have been since 1st April 1964 (being the date of the commencement of the Fire Service Act), a pensionable office within the meaning of section 2 of the Pensions Act.

Office of fireman in Fire Service to be a pensionable office.
1963 No. II.
Cap. 147.

(2) Accordingly Part II of the Fire Service Act (which relates to gratuities, annual allowances and pensions) is hereby repealed.

Confirmation
of member of
Fire Service
in office on
first re-
engagement.
Cap. 147.

Modification
of Pensions
Act in its
application
to firemen
in Fire
Service.

1963 No. II.

2. A member of the Fire Service who (whether before or after the commencement of this Decree) has re-engaged to serve for a further period on the expiration of his first period of enlistment shall be treated for the purposes of the Pensions Act as having been confirmed in his office at the expiration of his first period of enlistment.

3.—(1) Subject to the provisions of this Decree, the Pensions Act shall in relation to firemen, have effect subject to the following provisions of this section.

(2) Notwithstanding section 7 (11) of the Pensions Act (by virtue of which, as amended by section 6 of this Decree, a pension or gratuity could, apart from this subsection, be granted under that Act to an officer, if otherwise eligible therefor, on his retirement from the public service on discharge as time expired under the provisions of the Fire Service Act)—

(a) no gratuity shall be granted under the Pensions Act to a fireman who is discharged as time expired at the end of his first period of enlistment; and

(b) no pension shall be granted under the Pensions Act to a fireman who is discharged as time expired at the end of a second six-year period of re-engagement under section 8 (1) of the Fire Service Act unless within six months before completion of that period he offered to re-engage for a third six-year period but was refused the necessary approval.

(3) In its application to a fireman who—

(a) is discharged as time expired at the end of his first six-year period of re-engagement under section 8 (1) of the Fire Service Act; or

(b) is discharged as time expired as mentioned in paragraph (b) of subsection (2) above in circumstances such that he is not eligible under that paragraph for the grant of a pension,

regulation 5 of the Pensions Regulations (which provides for the grant of gratuities where length of public service does not qualify for pension) shall have effect—

(i) as if for the reference to one-eighth of a month's pensionable emoluments there were substituted a reference to eleven one-hundred-and-twentieths of a month's pensionable emoluments; and

(ii) in the case of a person falling within paragraph (b) of this subsection, as if the words "who has not completed the minimum period of service qualifying him for a pension" were omitted.

(4) Where a fireman is discharged as time expired as mentioned in paragraph (b) of subsection (2) above in circumstances such that he is eligible under that paragraph for the grant of a pension, the annual rate of that pension shall be such rate (not exceeding the annual rate which, apart from this subsection, would apply in his case under regulation 4 of the Pensions Regulations) as may be fixed in his case by the Public Service Commission of the Federation, acting after consideration of a recommendation made by the Federal Fire Commissioner; and in making a recommendation in respect of any person for the purposes of this subsection the Federal Fire Commissioner shall have regard to that person's general conduct and standard of service as a member of the Fire Service.

4.—(1) Any person who on the date of the commencement of this Decree is a fireman may within the period of six months beginning with that date give notice under this section to the Federal Fire Commissioner that he does not wish the provisions of sections 1 to 3 of this Decree to apply in his case; and in relation to any such person who has given notice as aforesaid—

Right to opt out of new conditions.

(a) the provisions of those sections (except section 1 (2)) shall not apply; and

(b) the provisions of the Schedule of this Decree (which correspond to the provisions of Part II of the Fire Service Act repealed by the said section 1 (2)) shall apply.

1963 No. II.

(2) Every notice under this section must—

(a) be in writing and be signed by the person by whom it is given; and

(b) be given to the Federal Fire Commissioner by sending it in a pre-paid registered letter addressed to "The Federal Fire Commissioner, Fire Service Headquarters, Lagos".

(3) For the purposes of this section—

(a) a notice sent as mentioned in subsection (2) (b) above shall be treated as having been given on the date on which it was so sent; and

(b) the production of a document purporting to be a copy of a notice sent to the Federal Fire Commissioner under this section together with a certificate of posting showing that a registered letter was sent to the Federal Fire Commissioner on a particular date shall, unless the contrary is proved, be sufficient evidence of the giving of notice under this section on that date by the person whose signature appears on the said document.

5.—(1) The provisions of the Schedule of this Decree shall apply in relation to any gratuity, annual allowance or pension granted before the commencement of this Decree under the Fire Service Act as they would apply in relation to any corresponding gratuity, annual allowance or pension granted under that Schedule after the commencement of this Decree, and shall so apply in substitution for the provisions of Part II of the Fire Service Act.

Application of Schedule to pensions, etc., previously granted under Fire Service Act.

(2) Subject to subsection (1) above, nothing in this Decree shall affect any gratuity, annual allowance or pension granted before the commencement of this Decree under the Fire Service Act.

6.—(1) In section 7 (11) of the Pensions Act (by virtue of which a pension or gratuity may be granted under that Act to an officer, if otherwise eligible therefor, on his retirement from the public service on discharge as time expired under the provisions of certain Acts, including the Police Act) after the words "Police Act" there shall be inserted the words "the Fire Service Act 1963,".

Amendment of s.7 of Pensions Act.

Cap. 147.

(2) This section shall be deemed to have come into force on 1st April 1964.

7. If any person who was a member of the Fire Service on 1st April 1964 was during any period immediately preceding that date serving with a police fire brigade otherwise than as a member thereof, his service during that period shall for the purposes of the Pensions Act be deemed to have been service as a member of a police fire brigade.

Service of certain persons with police fire brigade before 1st April 1964.

Special provisions as to orders under s. 2 of Pensions Act. Cap. 147. 1966 No. 60.

8.—(1) If there is made under section 2 of the Pensions Act an order declaring the following offices in the Nigeria Police Force to be pensionable offices with effect from 1st January 1946, namely—

(a) constable (male or female); and

(b) member of a police fire brigade below the rank of headman, that order may repeal section 1 (2) (a) of the Police Pensions Decree 1966.

(2) In relation to any person who has duly given notice under section 4 of this Decree that he does not want the provisions of sections 1 to 3 of this Decree to apply in his case, so much of any order made after the commencement of this Decree under section 2 of the Pensions Act as declares the office of fireman in the Federal Fire Service to be a pensionable office shall not apply.

(3) In relation to any person who has duly given notice under section 4 of the Police Pensions Decree 1966 that he does not want the provisions of sections 1 to 3 of that Decree to apply in his case, so much of any order made after the commencement of the Police Pensions Decree 1966 under section 2 of the Pensions Act as declares either of the offices in the Nigeria Police Force mentioned in subsection (1) above to be a pensionable office shall not apply.

Amendment of Police Pensions Decree 1966.

9.—(1) Section 3 of the Police Pensions Decree 1966 (which modifies the Pensions Act in relation to non-commissioned officers as well as constables) and section 4 of that Decree (which accordingly gives to non-commissioned officers as well as constables the right to opt out of the new conditions introduced by that Decree) shall not apply to non-commissioned officers; and accordingly in those sections the following words are hereby repealed, namely—

(a) in section 3 (1), the words “non-commissioned officers and”; and

(b) in sections 3 (2) (a), 3 (2) (b), 3 (4) and 4 (1), the words “non-commissioned officers or”;

and any notice given by a non-commissioned officer under the said section 4 before the commencement of this Decree shall be of no effect.

(2) For section 3 (3) of the Police Pensions Decree 1966 there shall be substituted the following subsection (which corresponds to section 3 (3) of this Decree and, in accordance with subsection (1) above, does not apply to non-commissioned officers)—

‘(3) In its application to a constable who—

(a) is discharged as time expired at the end of his first six-year period of re-engagement under section 13 (1) of the Police Act; or

(b) is discharged as time expired as mentioned in paragraph (b) of subsection (2) above in circumstances such that he is not eligible under that paragraph for the grant of a pension,

regulation 5 of the Pensions Regulations (which provides for the grant of gratuities where length of public service does not qualify for pension) shall have effect—

(i) as if for the reference to one-eighth of a month’s pensionable emoluments there were substituted a reference to eleven one-hundred-and-twentieths of a month’s pensionable emoluments; and

(ii) in the case of person falling within paragraph (b) of this subsection, as if the words “who has not completed the minimum period of service qualifying him for a pension” were omitted.’

(3) In section 6 of the Police Pensions Decree 1966, the definition of "non-commissioned officer" is hereby repealed. 1966 No. 60.

(4) In paragraph 1 (6) (a) of the Schedule of the Police Pensions Decree 1966, for the word "section" there shall be substituted the word "paragraph".

(5) This section shall be deemed to have come into force on 1st September 1966.

10.—(1) In this Decree—

"fireman" means any member of the Fire Service below the rank of leading fireman;

"the Fire Service" means the Federal Fire Service;

"the Fire Service Act" means the Fire Service Act 1963.

Inter-
pretation.

1963 No. II.

(2) References in this Decree to the commencement thereof are references to the commencement of the provisions thereof other than sections 6 and 9.

11.—(1) This Decree may be cited as the Pensions (Federal Fire Service, etc.) Decree 1966. Citation, extent, etc.

(2) The provisions of this Decree, except section 1 (2), section 5 and the Schedule, shall apply throughout Nigeria; and the said excepted provisions shall apply to the Federal territory only.

(3) In section 9 (3) (e) of the Fire Service Act, for the words "this Act" there shall be substituted the words "the Pensions (Federal Fire Service, etc.) Decree 1966".

SCHEDULE

PROVISIONS CORRESPONDING TO PART II OF THE FIRE SERVICE ACT 1963 (1963 No. II)

Sections 4
and 5.

1.—(1) Members of the Fire Service of or above the rank of leading fireman who are pensionable under the provisions of the Pensions Act, if promoted or re-appointed to such pensionable rank after the expiration of their initial period of enlistment, shall be deemed to be confirmed with effect from the date of such promotion or re-appointment.

Pensions,
gratuities
and annual
allowances.
(formerly
Fire Service
Act s. 10).

(2) Subject to the provisions of this paragraph, there shall be paid to a fireman on discharge after continuous good service extending over a period of not less than three years a gratuity calculated at a rate of one-half of a month's pay at the rate pertaining at the date of discharge for each completed year of service, and in addition he may be granted the following retiring benefits—

Cap. 147.

(a) on completion of ten or more years continuous service—

(i) subject to his having reached the age of forty-five years or being required to retire on medical grounds, an annual allowance calculated at one-nine-hundred-and-sixtieth of his annual emoluments at the date of retirement for each completed month of service, or

(ii) a gratuity calculated at one twentieth of a month's pay for each completed month of service,

(b) on completion of five years but less than ten years continuous service, a gratuity calculated at one twentieth of a month's pay for each completed month of service.

(3) Where a fireman has rendered at least twenty-five years good service and has attained the age of forty-five years but whose service has not been continuous, the Federal Executive Council may, in its discretion, treat such service, for the purpose of calculation of the annual allowance and gratuities for which the fireman might otherwise have been eligible under sub-paragraph (2) on final discharge, as continuous service, provided that there shall be deducted from any gratuities so granted any sums previously paid to such fireman by way of gratuities, and further provided that any annual allowance previously granted under sub-paragraph (2) shall have been suspended during any such further period of service.

(4) Where the service of a fireman has not been such as to justify the payment of the full annual allowance and gratuities on discharge for which he would otherwise have been eligible, the Federal Executive Council may, on the recommendation of the Federal Fire Commissioner, approve the award of such reduced annual allowance and gratuities as that Council may deem just.

(5) Where a fireman has completed more than six years continuous service and is discharged as unfit for further service or on reduction of establishment, he shall receive on discharge such proportion as the Federal Executive Council may deem just of the annual allowance and gratuities for which he would otherwise have been eligible had he attained the age of forty-five years at the date of his discharge.

(6) (a) Where a fireman who has completed more than three years continuous service dies while serving in the Fire Service, the gratuities for which he would have been otherwise eligible under the provisions of this paragraph shall be calculated to the date of death at the rate of pay pertaining at that date, and the Federal Executive Council may cause such gratuities to be paid to or for the benefit of the widow or widows or child or children or any of the dependants or next of kin of such fireman, and if such gratuities are paid to or for the benefit of more than one person, in such proportions as the Federal Executive Council may deem just.

(b) Where a fireman dies while serving in the Fire Service, before he has completed three years continuous service, the Federal Executive Council may, on the recommendation of the Federal Fire Commissioner, award gratuities calculated on the rate of pay pertaining at the date of the death of such fireman bearing such proportion to the gratuities for which he would otherwise have been eligible had he completed six years service at the said rate of pay as the number of years of actual service bears to six years, and where any such gratuities are awarded the provisions for the payment of gratuities under paragraph (a) of this sub-paragraph shall apply to the payment of such gratuities.

2. If any person to whom an annual allowance has been granted under this Schedule is convicted before any court in Nigeria and sentenced to death, penal servitude, or to any form of imprisonment with hard labour for a period of not less than three months, such annual allowance shall cease from the date of conviction:

Provided that—

(a) if the conviction is before a native court in Nigeria, such annual allowance shall not cease unless the offence for which the sentence was imposed is an offence which, if committed within the Federal territory, would be punishable by the general criminal law of the Federal territory with death or imprisonment;

Loss of
annual
allowance on
conviction.
(formerly *Fire
Service Act*.
s. 11.)

(b) where an annual allowance has ceased under this paragraph, the Federal Executive Council on the recommendation of the Federal Fire Commissioner may direct all or any part of the money to which the person to whom such conviction relates would have been entitled by way of annual allowance to be paid to or applied for the maintenance and personal support and benefit of all or any, to the exclusion of the other or others, of the following persons, namely, any wife, child or children of such person, in such proportions and manner as the Federal Executive Council on the recommendation of the Federal Fire Commissioner thinks proper and such money shall be paid or applied accordingly;

(c) where an annual allowance has ceased under this paragraph, the Federal Executive Council on the recommendation of the Federal Fire Commissioner may on the expiration of a sentence of penal servitude or imprisonment or, in the case of a sentence of death, on the expiration of any sentence of penal servitude or imprisonment substituted therefor, direct that the annual allowance or any part thereof be restored to the person to whom the conviction relates;

(d) if after conviction a person whose annual allowance has ceased under this paragraph is granted a free pardon, such annual allowance shall be restored with effect from the date of conviction; but in determining whether arrears of such annual allowance are payable to such person and in computing the amount thereof, account shall be taken of all moneys paid or applied under the provisions of sub-paragraph (b) or (c).

3. Where a fireman has been permanently incapacitated by an injury sustained or a sickness contracted—

(a) in the actual discharge of his duty; and

(b) without his own default; and

(c) on account of circumstances specifically attributable to the nature of his duty,

and his discharge is thereby necessitated or materially accelerated, any annual allowance or gratuities granted to him under this Schedule may be supplemented by a pension based on the following proportions of his annual rate of pay at the date of his injury—

When his capacity to contribute to his support is—

slightly impaired	five-sixtieths
impaired	ten-sixtieths
materially impaired	fifteen-sixtieths
totally destroyed	twenty-sixtieths :

Provided that the amount of such pension may be reduced to such an extent as the Federal Executive Council deems reasonable where the injury or sickness is not the sole cause of discharge or where the fireman so incapacitated has continued to serve for not less than one year after sustaining the injury or contracting the sickness in respect of which he receives his discharge: Provided further that the annual value of his combined annual allowance and pension shall not exceed fifty-sixtieths of his annual rate of pay at the date he sustained the injury or contracted the sickness.

4.—(1) Where a fireman who has completed more than three years continuous service dies while serving in the Fire Service, the Federal Executive Council acting on the recommendation of the Federal Fire Commissioner may grant to his estate or to any person being a relative or dependant of such fireman, in addition to any other gratuities payable under the provisions of paragraph 1, a sum not exceeding one year's pay.

Pensions in case of incapacity. (formerly Fire Service Act s. 12.)

Pensions and gratuities on death. (formerly Fire Service Act s. 13.)

(2) The Federal Executive Council acting on the recommendation of the Federal Fire Commissioner may direct that any sum so awarded be paid to or applied for the maintenance and personal support and benefit of all or any, to the exclusion of the other or others, of the following persons, namely, any wife, child, children, relative or dependant of the fireman in such manner as the Federal Executive Council acting on the recommendation of the Federal Fire Commissioner may deem just.

(3) If a fireman dies as a result of injuries received in the execution of his duty or is killed on duty, it shall be lawful for the Federal Executive Council acting on the recommendation of the Federal Fire Commissioner to grant in addition to the award provided for in sub-paragraph (1) the pensions set out in this sub-paragraph, that is to say—

(a) if such fireman leaves a widow or widows, a pension to her or divided equally between them whilst unmarried and of good character at a rate not exceeding ten-sixtieths of his pay or fifteen pounds a year whichever is the greater ;

(b) if such fireman leaves a widow or widows to whom a pension is granted under paragraph (a) of this sub-paragraph and a child or children, a pension in respect of each child until such child attains the age of twenty-one years, of an amount not exceeding one-eighth of the pension prescribed under the said paragraph (a) ;

(c) if such fireman leaves a child or children but does not leave a widow or leaves a child or children and a widow or widows to whom no pension under the said paragraph (a) has been granted, then a pension in respect of each child of double the amount prescribed in paragraph (b) of this sub-paragraph until such child attains the age of twenty-one years ;

(d) if such fireman leaves a child or children and a widow to whom a pension is granted under the said paragraph (a), and the widow subsequently dies, a pension of double the amount prescribed in the said paragraph (b) in respect of each child as from the date of the death of the widow until such child attains the age of twenty-one years ;

(e) if such fireman does not leave a widow, or if no pension is granted to his widow, and if his mother was wholly or mainly dependent on him for support, a pension to the mother while of good character and without adequate means of support of an amount not exceeding the pension which might have been granted to his widow ;

Provided that—

(i) all such pensions shall be in the discretion of the Federal Executive Council acting on the recommendation of the Federal Fire Commissioner, and any pension so granted shall cease if at any time the Federal Executive Council acting as aforesaid is satisfied that the person in respect of whom such pension has been granted is adequately provided with other means of support ; and

(ii) pensions shall not be payable under this paragraph at any time in respect of more than six children ; and

(iii) a pension granted to a female child under this paragraph shall cease upon the marriage of such child under the age of twenty-one years ; and

(iv) if in any case it appears to the Federal Executive Council, acting on the recommendation of the Federal Fire Commissioner, that it would be proper so to do having regard to the law or custom of any area, payment of any of the foregoing pensions may by direction of the Federal Executive

Council be paid to such authority having jurisdiction in that area as the Federal Executive Council may specify, for disbursement in the interests of the persons entitled thereto under the provisions of this sub-paragraph.

(4) If any fireman proceeding by a route approved by the Federal Executive Council, acting on the recommendation of the Federal Fire Commissioner, to or from the Federal territory at the commencement or termination of his service therein or of a period of leave therefrom, dies as a result of damage to any vessel, vehicle or aircraft in which he is travelling or of any act of violence directed against such vessel, vehicle or aircraft, and the Federal Executive Council acting as aforesaid is satisfied that such damage or act is attributable to circumstances arising out of any war in which Nigeria may be engaged, such fireman shall be deemed for the purposes of this paragraph to have died under the circumstances described in sub-paragraph (3) of this paragraph.

(5) For the purposes of this paragraph the word "child" includes—

(a) a posthumous child; and

(b) a step-child or illegitimate child born before the date of the injury or death and wholly or mainly dependent upon the deceased fireman for support.

DATED at Lagos this 22nd day of December 1966.

LIEUTENANT-COLONEL Y. GOWON,
*Head of the Federal Military Government,
Supreme Commander of the Armed Forces,
Federal Republic of Nigeria*

EXPLANATORY NOTE

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

The Federal Fire Service

This Decree makes the rank of fireman in the Federal Fire Service pensionable under the Pensions Act (Cap. 147) with effect from 1st April 1964, but modifies the provisions of that Act to some extent in relation to persons holding the rank of fireman at retirement.

On the retirement of a member of the Service of or above the rank of leading fireman, his service as a fireman will—thanks to section 1 of this Decree—henceforth be taken into account in determining his benefits under the Pensions Act.

Furthermore, in the case of a person who served in a police fire brigade before transferring to the Federal Fire Service, his service in the rank of fireman in the police fire brigade, as well as his service in any higher rank, will—thanks to section 1 of the Police Pensions Decree 1966 (No. 60)—henceforth be taken into account in determining his benefits under the Pensions Act on his retirement from the Federal Fire Service.

The Nigeria Police Force

Section 9 of the Decree amends the Police Pensions Decree 1966 (No. 60) so as to bring the new conditions for police officers into line with those afforded by this Decree.

As amended by this Decree, the Police Pensions Decree 1966 makes the rank of constable (and also that of fireman in a police fire brigade) pensionable under the Pensions Act with effect from 1st January 1946, but modifies the provisions of that Act to some extent in relation to those who hold either of those ranks at retirement. On the retirement of a non-commissioned officer these modifications will not apply.

On the retirement of a police officer of or above the rank of lance-corporal, his service as a constable will—thanks to section 1 of the Police Pensions Decree 1966—henceforth be taken into account in determining his benefits under the Pensions Act.

THE PENSIONS (AMENDMENT) DECREE 1966



Decree No. 75

[1st September 1964]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:—

1. In section 7 of the Pensions Act (which provides that no pension or gratuity shall be granted under that Act to any officer except on his retirement from the public service in one of the cases described in that section), after subsection (6) there shall be inserted the following subsection—

Amendment
of s.7 of
Pensions
Act.
Cap. 147.

“(6A) if he is required by the Public Service Commission of the Federation to retire on the ground that his retirement is in the public interest and has at the date of his retirement completed at least ten years’ qualifying service within the meaning of the Pensions Regulations;”

2.—(1) This Decree may be cited as the Pensions (Amendment) Decree 1966 and shall apply throughout Nigeria.

(2) This Decree shall be deemed to have come into force on 1st September 1964.

Citation,
extent and
commence-
ment.

DATED at Lagos this 22nd day of December 1966.

LIEUTENANT-COLONEL Y. GOWON,
*Head of the Federal Military Government,
Supreme Commander of the Armed Forces,
Federal Republic of Nigeria*

EXPLANATORY NOTE

This Decree makes it possible for officers who are retired in the public interest by the Federal Public Service Commission to be eligible for retiring benefits under the Pensions Act (Cap. 147).

**THE WIDOWS' AND ORPHANS' PENSIONS ACT 1962
(VALIDATION AND COMMENCEMENT) DECREE 1966**



Decree No. 76

[22nd December 1966 : but see s. 2 (2)]

Com-
mencement.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. The Widows' and Orphans' Pensions Act 1962 shall be deemed to have come into operation on 1st April 1962, and accordingly in section 1 (3) of that Act (which relates to the date on which that Act is to come into operation) for the words from "a date" to "Gazette" there shall be substituted the words "1st April 1962".

Act No. 2
of 1962 to
come into
force with
effect from
1st April,
1962.

2. —(1) Section 152 of the Constitution of the Federation (which protects certain pension benefits) shall be amended by inserting after subsection (5) the following subsection—

Conse-
quential
amendment
of Consti-
tution of
Federation.
1963 No. 20.

"(6) Nothing in the foregoing provisions of this section shall invalidate any of the provisions of the Widows' and Orphans' Pensions Act 1962."

(2) Subsection (1) above shall be deemed to have come into force on 1st October 1963 ; and in relation to the period beginning with 1st April 1962 and ending with 30th September 1963, section 148 of the Constitution repealed by the Constitution of the Federation shall be deemed to have included a subsection (6) corresponding to the subsection (6) set out in subsection (1) above.

3. This Decree may be cited as the Widows' and Orphans' Pensions Act 1962 (Validation and Commencement) Decree 1966 and shall apply throughout Nigeria.

Citation
and extent.

DATED at Lagos this 22nd day of December 1966.

LIEUTENANT-COLONEL Y. GOWON,
*Head of the Federal Military Government,
Supreme Commander of the Armed Forces,
Federal Republic of Nigeria*

STATE SECURITY (DETENTION OF PERSONS)
(No. 14) DECREE 1966

A 321



Decree No. 77

[5th December 1966]

Commence-
ment.

WHEREAS I, LIEUTENANT-COLONEL YAKUBU GOWON, Head of the Federal Military Government, Supreme Commander of the Armed Forces, am satisfied that the arrest and the detention of the persons specified in the Schedule hereto as at the date of commencement hereof are in the interest of the security of Nigeria and it is expedient to make this Decree accordingly :

NOW THEREFORE THE FEDERAL MILITARY GOVERNMENT hereby decrees that—

1. The persons specified in the Schedule hereto shall be detained for a period of six months from the date of the commencement of this Decree in such place or places as the Head of the Federal Military Government may from time to time direct either generally or specifically, and the persons so detained shall be liable to be removed to and be detained there under conditions as to confinement including the like conditions as to maintenance, discipline and punishment for breaches of discipline, as may from time to time be imposed in respect of persons duly convicted of an offence by a court of law.

Power to
detain
persons.

2. The provisions of sections 2 to 6 of the State Security (Detention of Persons) Decree 1966 (which *inter alia* provide for the making of representations by persons detained, to tribunals specially constituted and for the suspension of certain provisions of the Constitution of the Federation) shall apply to this Decree as they apply to the aforesaid Decree of 1966, and they shall be construed accordingly.

Application
of certain
provisions
of the State
Security
(Detention
of Persons)
Decree 1966,
Decree No. 3.

3. This Decree may be cited as the State Security (Detention of Persons) (No. 14) Decree 1966, and shall apply throughout Nigeria.

Citation
and extent.

SCHEDULE

- (i) Garba Minna
- (ii) Husseini Mohammed
- (iii) Audu Madaki
- (iv) Aliyu Hodio
- (v) Shehu Mamman
- (vi) Karimu Sani

SCHEDULE—*continued*

- (vii) Sani Gada
- (viii) Sale Sabon Gari
- (ix) Alhassan Mohammed
- (x) Louis Ndubilo Anarado
- (xi) Augustine Nwaokeke
- (xii) Michael Efoagui Oselu
- (xiii) Charles Agha
- (xiv) Godwin Okoye
- (xv) Michael Alozie
- (xvi) Simon Ugwu
- (xvii) Jacob Esuma
- (xviii) Christopher Eme

MADE at Lagos this 5th day of December 1966.

LIEUTENANT-COLONEL Y. GOWON,
*Head of the Federal Military Government,
Supreme Commander of the Armed Forces,
Federal Republic of Nigeria*

STATE SECURITY (DETENTION OF PERSONS)
(No. 15) DECREE 1966



Decree No. 78

[17th December 1966]

Commence-
ment.

WHEREAS I, LIEUTENANT-COLONEL YAKUBU GOWON, Head of the Federal Military Government, Supreme Commander of the Armed Forces, am satisfied that the arrest and the detention of the persons specified in the Schedule hereto as at the date of commencement hereof are in the interest of the security of Nigeria and it is expedient to make this Decree accordingly :

NOW THEREFORE THE FEDERAL MILITARY GOVERNMENT hereby decrees that—

1. The person specified in the Schedule hereto shall be detained for a period of six months from the date of the commencement of this Decree in such place or places as the Head of the Federal Military Government may from time to time direct either generally or specifically, and the person so detained shall be liable to be removed to and be detained there under conditions as to confinement including the like conditions as to maintenance, discipline and punishment for breaches of discipline, as may from time to time be imposed in respect of persons duly convicted of an offence by a court of law.

Power to
detain
person.

2. The provisions of sections 2 to 6 of the State Security (Detention of Persons) Decree 1966 (which *inter alia* provide for the making of representations by persons detained, to tribunals specially constituted and for the suspension of certain provisions of the Constitution of the Federation) shall apply to this Decree as they apply to the aforesaid Decree of 1966, and they shall be construed accordingly.

Application
of certain
provisions
of the State
Security
(Detention
of Persons)
Decree 1966,
Decree No. 3.

3. This Decree may be cited as the State Security (Detention of Persons) (No. 15) Decree 1966, and shall apply throughout Nigeria.

Citation
and extent.

SCHEDULE

Thomas Ako

MADE at Lagos this 17th day of December 1966.

LIEUTENANT-COLONEL Y. GOWON,
*Head of the Federal Military Government,
Supreme Commander of the Armed Forces,
Federal Republic of Nigeria*