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EMERGENCY POWERS ACT



ARRANGEMENT OF REGULATIONS

Regulation :

1. Emergency Powers (General) Regulations, 2012.
2. Emergency Powers (Restriction Order) Regulations, 2012.
3. Emergency Powers (Reporting of Persons) Regulations, 2012.
4. Emergency Powers (Detention of Persons) Regulations, 2012.
5. Emergency Powers (Procession and Meetings, Etc.) Regulations, 2012.
6. Emergency Powers (Declaration of Protected Places) Regulations, 2012.
7. Emergency Powers (Curfew) Regulations, 2012.
8. Emergency Powers (Possession of Explosives) Regulations, 2012.

S. 1. 15 of 2012

EMERGENCY POWERS ACT

EMERGENCY POWERS (GENERAL) REGULATIONS, 2012

[27th day of April, 2012]

Commence-
ment.

WHEREAS pursuant to the provisions of section 305(1), (3) (c), (d) and (f) of the Constitution of the Federal Republic of Nigeria 1999, the President of the Federal Republic of Nigeria has declared that a State of Emergency exists in the Local Government Areas listed in the second column of the Schedule to these Regulations ;

NOW THEREFORE, in exercise of the powers conferred upon me by section 3 of the Emergency Powers Act, No. 1 of 1961 (as modified) and of other powers enabling me in that behalf, I, DR. GOODLUCK EBELE JONATHAN, President of the Federal Republic of Nigeria, hereby make the following Regulations—

1. In these Regulations unless the context otherwise requires :

Interpreta-
tion

"*duly authorized person*" means any person designated or authorized to act on behalf of the President of the Federal Republic of Nigeria with respect to the administration of any emergency area.

"*emergency area*" means the Local Government Areas listed in the second column of the Schedule to these Regulations.

2.—(1) A Local Government Chairman in an emergency area shall continue with the General functions of administering the emergency area under the control of the President or any person designated or authorized to act on his behalf.

Administra-
tion of the
Emergency
Area.

(2) The President may give directions to a Local Government Chairman directly or through his designate or a duly authorized person with respect to the administration of the emergency area and it shall be the duty of the Local Government Chairman to comply with the direction.

3.—(1) The President may, make such Orders as appear to him to be necessary or expedient for the purpose of maintaining and securing peace, public order, public safety and good governance in the emergency area.

Power of
President to
make orders.

(2) Any Order made under sub-regulation (1) of this Regulation may in particular, if it appears to the President to be necessary or expedient for the purpose mentioned in the sub-regulation—

(a) make provision for the detention of any person either within the emergency area or elsewhere and removal and exclusion of any person from the emergency area ;

(b) authorize the taking of possession or control of any property or undertaking in the emergency area ;

(c) authorize the entry and search of any premises ;

(d) provide for the application of any law (with or without modification), in relation to that area ;

(e) provide for the utilization of the funds of any Local Government in the emergency area ;

(f) provide for the payment of compensation and remuneration to persons affected by the Order ;

(g) provide for the apprehension, trials and punishment of persons offending against the Order ; and

(h) provide for the maintenance of such supplies and services as the President considers essential to the lives of persons in the emergency area.

(3) Nothing in sub-regulation (2) of this regulation shall authorize the making of provisions for the trials of a person by military courts:

(4) An Order made under these Regulations may provide that the Order shall have effect for all purposes as if it were a law made by the House of Assembly of the State of the emergency area concerned.

(5) The President shall, as soon as reasonably practicable after an Order has been made under these Regulations, transmit a copy of the Order to each House of the Assembly for approval and if the National Assembly disallows the Order, it shall cease to have effect without prejudice to anything done thereunder.

Control of
the Police in
the
Emergency
Area.

4. Subject to the provisions of subsection (3) of section 215 of the Constitution of the Federal Republic of Nigeria 1999 and of any directions given in pursuance of that subsection, a person designated or authorized by the President may give to the Commissioner of Police in the emergency area such directions with respect to the maintenance and security of public safety and order as the person considers expedient and it shall be the duty of the Commissioner of Police to comply with the directions.

Suspension
and Control
of functions
of certain
authorities in
the
emergency
Area.

5. It shall be the duty of any person holding offices—

(a) as Chairman or Councilor in the Local Government of the emergency area ;

(b) in the public service of the State within the meaning of the Constitution of the Federal Republic of Nigeria 1999 in the emergency area ; or

(c) connected with any customary court or Local Government Authority in the emergency area,

to exercise their functions in accordance with any directions given to them by the President, his designate or an authorized person and without prejudice to the generality of the powers conferred on the President by these Regulations, he may suspend from office any such person, who in his opinion, fails to comply with direction given under this regulation and may appoint some other person to act in the place of the suspended person.

6. Any instrument purported to be signed by the President, his designate or a person authorized by him shall until the contrary is proved, be deemed to be signed by the President, his designate or the authorized person:

Authentica-
tion of
instruments.

7. These Regulations may be cited as the Emergency Powers (General) Regulations, 2012.

Citation.

SCHEDULE

<i>States</i>		<i>Local Government Areas</i>
Borno State	—	<ol style="list-style-type: none"> 1. Maiduguri Metropolitan 2. Gamboru Ngala 3. Banki Bama 4. Biu 5. Jere
Niger State	—	Suleja
Plateau State	—	<ol style="list-style-type: none"> 1. Jos North 2. Jos South 3. Bankin-Ladi 4. Riyom
Yobe State	—	<ol style="list-style-type: none"> 1. Damaturu 2. Geidam 3. Potiskum 4. Buniyadi-Gujba 5. Gashua-Bade

MADE at Abuja this 27th day of April, 2012.

DR. GOODLUCK EMBELE JONATHAN, GCFR
President of the Federal Republic of Nigeria

EXPLANATORY NOTE

*(This note does not form part of the above Regulations
but is intended to explain its purport)*

These Regulations make provisions for the general administration of the emergency area.

S. I. 16 of 2012

EMERGENCY POWERS ACT

EMERGENCY POWERS (RESTRICTION ORDER) REGULATIONS, 2012

[27th day of April, 2012] Commence
ment.

WHEREAS pursuant to the provisions of section 305 (1), (3) (c), (d) and (f) of the Constitution of the Federal Republic of Nigeria, 1999, the President of the Federal Republic of Nigeria has declared that a State of Emergency exists in the Local Government Areas listed in the second column of the Schedule to these Regulations ;

NOW THEREFORE, in exercise of the powers conferred upon me by section 3 of the Emergency Powers Act No.1 of 1961 (as modified) and all other powers enabling me in that behalf, I, DR. GOODLUCK EBELE JONATHAN, President of the Federal Republic of Nigeria, hereby make the following Regulations--

1. In these Regulations unless the context otherwise requires—

Interpreta-
tion.

"*Appropriate Authority*" means the President of the Federal Republic of Nigeria or any person designated or authorised to act on his behalf ;

"*emergency area*" means the Local Government Areas listed in the second column of the Schedule to these Regulations ;

"*Restricted Person*" means a person subject to a Restriction Order as provided under these Regulation ;

"*Restriction Order*" means an order made in accordance with the provisions of Regulation 2 of these Regulations ;

"*specified*" means specified in the Restriction Order or a permit, issued pursuant to a Restriction Order.

2.—(1) For the purpose of maintaining public order in the emergency area, the Appropriate Authority may make an order (in these Regulations referred to as "a Restriction Order")—

Restriction
Orders.

(a) providing that a person shall—

(i) be and remain ; or

(ii) not be or not remain,

in a particular place or area as may be specified in the Restriction Order ;
and

(b) requiring a person to notify the Appropriate Authority or such other authority or person of his movement in such manner and at such times and as may be specified in the Restriction Order or any permit made pursuant to the Restriction Order.

(2) A permit issued under sub-regulation (1)(b) of this regulation may contain such terms and conditions as the Appropriate Authority deems expedient.

(3) A Restriction Order shall come into force immediately upon service on the restricted person ;

(4) Where at the time of the service of a Restriction Order, the Restricted Person is within the place or area specified in the Restriction Order, the Restricted Person may be removed from that place or area by a police officer or any person authorised in writing by the Appropriate Authority.

(5) Without prejudice to any proceedings which may be taken against a Restricted Person under these Regulations, a Restricted Person who is in contravention of the provisions of a Restriction Order, or any term or condition of a permit issued pursuant to Restriction Order, may be removed from the place or area by any police officer or any person authorised in writing by the Appropriate Authority.

(6) A person while being removed under this Regulation shall be deemed to be in lawful custody.

Control of
Restriction
Orders by
the
President.

3. Where the Appropriate Authority is a designated or authorized person acting on behalf of the President, he shall immediately after a Restriction Order has been made under these Regulations, transmit a copy of the Restriction Order to the President for approval and where the President disallows the Restriction Order, such Restriction Order shall cease to have effect without prejudice to anything done thereunder.

Penalty.

4. Any person who—

(a) contravenes the provisions of a Restriction Order ; or

(b) fails to comply with any term or condition of a permit pursuant to a Restriction Order,

commits an offence and liable on summary conviction to imprisonment for a term not exceeding two years or to a fine of ₦100,000.00 or to both.

Citation.

5. These Regulations may be cited as the Emergency Powers (Restriction Order) Regulations, 2012.

SCHEDULE

States	Local Government Areas
Borno State	<ol style="list-style-type: none"> 1. Maiduguri Metropolitan 2. Gamboru Ngala 3. Banki Bama 4. Biu 5. Jere
Niger State	1. Suleja
Plateau State	<ol style="list-style-type: none"> 1. Jos North 2. Jos South 3. Barikin-Ladi 4. Riyom
Yobe State	<ol style="list-style-type: none"> 1. Damaturu 2. Geidam 3. Potiskum 4. Buniyadi-Gujba 5. Gashua-Bade

MADE at Abuja this 27th day of april, 2012.

DR. GOODLUCK EMBLE JONATHAN, GCFR
President of the Federal Republic of Nigeria

EXPLANATORY NOTE

*(This note does not form part of these Regulations
but is intended to explain its purport)*

These Regulations makes provisions for the restriction of any person in the emergency area and the punishment for any contravention of a Restriction Order.

S. 1. 17 of 2012

EMERGENCY POWERS ACT

EMERGENCY POWERS (REPORTING OF PERSONS) REGULATIONS, 2012

[27th day of April, 2012] Commence-
ment.

WHEREAS pursuant to the provisions of section 305 (1), (3) (c), (d) and (f) of the Constitution of the Federal Republic of Nigeria 1999, the President of the Federal Republic of Nigeria has declared that a State of Emergency exists in the Local Government Areas listed in the second column of the Schedule to these Regulations;

NOW THEREFORE, in exercise of the powers conferred upon me by section 3 of the Emergency Powers Act, No. 1 of 1961 (as modified) and of other powers enabling me in that behalf, I, DR. GOODLUCK EBELE JONATHAN, President of the Federal Republic of Nigeria hereby make the following Regulations—

1. In these Regulations unless the context otherwise requires :

Interpreta-
tion

"Appropriate Authority" means the President of the Federal Republic of Nigeria or any person designated or authorised to act on his behalf ;

"emergency area" means the Local Government Areas listed in the second column of the Schedule to these Regulations.

2. The Appropriate Authority may, if he deems it expedient for securing public safety and maintenance or restoration of public order, issue a direction in writing requiring any person in the emergency area to whom the direction is addressed, to report to such place in the emergency area within such time as may be specified in the direction and to comply with direction relating to his movements as may be given by the Appropriate Authority.

Power to
require
persons to
report

3.—(1) A direction issued pursuant to the provision of Regulation 1 of these Regulations shall remain in force for a period of 21 days from the date of receipt by the person to whom it is addressed.

Duration of
a direction

(2) On the expiration of the period specified in sub-regulation (1) of this regulation, the Appropriate Authority may issue a further direction.

4. Where the Appropriate Authority is a designated or authorized person acting on behalf of the President, he shall immediately after a direction has been issued under these regulations, transmit a copy of the direction to the President for approval and where the President disallows the direction, it shall cease to have effect without prejudice to anything done thereunder.

Control of
directions by
the
President

5.—(1) For the purpose of these Regulations, a direction shall be deemed to have been received if, it is delivered—

Notice of
Direction

(a) or the purport thereof made known to the person to whom it is addressed ;

(b) made available to the usual place of abode or business of such a person.

(2) It shall be a defence for a person who is found to be in contravention of the provision of sub-regulation (1) (b) of this regulation to prove that he was absent from his usual place of abode or business as the case may be when the direction was delivered and that on his return, he took immediate steps to comply with the direction.

Offence and
Penalties.

6. Any person who receives a direction in pursuance of these Regulations and fails to comply with the requirements of the direction, commits an offence and liable on summary conviction to imprisonment, for a term not exceeding 6 months or to a fine of ₦50,000.00 or to both.

Citation.

7. These Regulations may be cited as the Emergency Powers (Reporting of Persons) Regulations, 2012.

SCHEDULE

<i>States</i>		<i>Local Government Areas</i>
Borno State	—	1. Maiduguri Metropolitan 2. Gamboru Ngala 3. Banki Dama 4. Biri 5. Jere
Niger State	—	1. Suleja
Plateau State	—	1. Jos North 2. Jos South 3. Barikin-Ladi 4. Riyom
Yobe State	—	1. Damaturu 2. Geidam 3. Potiskum 4. Buniyadi-Gujha 5. Gashua-Bade

MADE at Abuja this 27th day of April, 2012.

DR. GOODLUCK EMBELE JONATHAN, GCFR
President of the Federal Republic of Nigeria

EXPLANATORY NOTE

*(This note does not form part of the above Regulations
but is intended to explain its purport.)*

These Regulations makes provisions for reporting obligations of persons in an emergency area.

S. I. 18 of 2012

EMERGENCY POWERS ACT
EMERGENCY POWERS (DETENTION OF PERSONS)
REGULATIONS, 2012

[27th day of April, 2012] Commence
ment

WHEREAS pursuant to the provisions of section 305(1),(3) (c), (d) and (f) of the Constitution of the Federal Republic of Nigeria 1999, the President of the Federal Republic of Nigeria has declared that a State of Emergency exists in the Local Government Areas listed in the second column of the Schedule to these Regulations ;

NOW THEREFORE, in exercise of the powers conferred upon me by section 3 of the Emergency Powers Act, No. 1 of 1961 (as modified) and of other powers enabling me in that behalf, I, DR. GOODLUCK EBELE JONATHAN, President of the Federal Republic of Nigeria hereby make the following Regulations—

1. In these Regulations unless the context otherwise requires :

Interpreta
tion

"Appropriate Authority" means the President of the Federal Republic of Nigeria or any person designated or authorised to act on his behalf ;

"emergency area" means the Local Government Areas listed in the second column of the Schedule to these Regulations ;

"Detention Order" means an order made in accordance with the provision of Regulation 2 of these Regulations.

2.—(1) Where the Appropriate Authority is satisfied that a person in the emergency area is or has been involved in the preparation or instigation of acts prejudicial to public safety and that by reason thereof it is necessary to exercise control over him, he may make a Detention Order directing that the person be detained in any place in the emergency area as may be specified in the Detention Order.

Detention
Orders

(2) Any Detention Order under this regulation may be made orally or in writing provided that if made orally it shall as soon as practicable be confirmed in writing and in either case, the Detention Order issued shall be complied with immediately.

(3) Any person detained pursuant to a Detention Order made under sub-regulation (1) of this regulation shall be deemed to be in lawful custody.

3.—(1) Any superior police officer or any member of the armed forces not below the rank of a Captain or its equivalent may, at any time, enter without warrant and search any building (including a dwelling house), ship, aircraft, vehicle or place where he has reasonable cause to believe that there is or likely to be—

Powers of
Search
without
Warrant

(a) any person against whom an order has been made under regulation 2 of these Regulations ; or

(b) any seditious or subversive document, pamphlet or literature ; or

(c) anything which may provide evidence of the preparation, instigation or commission of any act referred to in regulation 2 of these Regulations ; and

(d) any firearm or ammunition owned, possessed or kept contrary to the law, such person or thing is found, may arrest the person or seize the thing, as the case may be.

(2) Where any person or thing referred to in sub-regulation (1) of this regulation is found in any building, ship, aircraft, vehicle or place, any superior police officer or any member of the armed forces may arrest the person or seize the thing.

(3) The police or members of the armed forces conducting any search pursuant to the provision of sub-regulation (1) of this regulation may require the assistance of any person as deemed necessary for the purpose.

(4) Where any person is conducting a search in pursuance of powers conferred upon him by paragraph (1) of this regulation, the provisions of sections 7 and 112 of the Criminal Procedure Code shall apply as though he were conducting such search in the execution of a search warrant.

(5) Any property, item or thing seized under the provisions of sub-regulation (1) of this regulation may be detained and disposed of in accordance with the provisions of sections 107 and 113 of the Criminal Procedure Code, as though it had been seized in the execution of a search warrant.

Authority
for
Detention.

4. An order of the Appropriate Authority made under the provisions of regulation 2 of these Regulations shall be full authority to the person or persons to whom the order is given to arrest the person against whom it is made and to detain him during such time as the Detention Order is in force.

Variation
and
suspension
of
Detention
Order.

5. At any time after a Detention Order is made against any person under the provisions of regulation 2 of these Regulations, the Appropriate Authority may direct—

(a) that the person so detained be removed to any other place of detention within the emergency area, or with the consent of the President, to another place in Nigeria; and

(b) that the operation of the Detention Order be suspended subject to such conditions—

(i) prohibiting or restricting the possession or use by the person of any specified articles;

(ii) imposing on the person such restrictions as may be specified in the direction in respect of his employment or business, concerning the place of his residence or his association or communication with other persons;

(iii) restricting his movement between such hours as may be so specified, except under the authority of a written permit granted by any relevant authority or person;

(iv) requiring him to notify his movements, in such manner and at such times, and to such authority or person as may be so specified of his movement; and

(v) prohibiting him from travelling except in accordance with permission given to him by such authority or person as may be specified.

6. The Appropriate Authority may revoke any direction issued pursuant to regulation 5 of these Regulations, if he is satisfied that the person against whom the Order was made has failed to observe any condition imposed on him and that the operation of the Order can no longer remain suspended without it being detrimental to public safety.

Revocation.

7. Where the Appropriate Authority is a designated or authorized person acting on behalf of the President, he shall immediately after a Detention Order has been issued under these regulations, transmit a copy of the Detention Order to the President for approval and where the President disallows the Detention Order, it shall cease to have effect without prejudice to anything done thereunder.

Control of
Detention
Orders by
President.

8. These Regulations may be cited as the Emergency Powers (Detention of Persons) Regulations, 2012.

Citation.

SCHEDULE

States		Local Government Areas
Borno State	—	<ol style="list-style-type: none"> 1. Maiduguri Metropolitan 2. Gamboru Ngala 3. Banki Bama 4. Biu 5. Jere
Niger State	—	<ol style="list-style-type: none"> 1. Suleja
Plateau State	—	<ol style="list-style-type: none"> 1. Jos North 2. Jos South 3. Barikin-Ladi 4. Riyom
Yobe State	—	<ol style="list-style-type: none"> 1. Damaturu 2. Geidam 3. Potiskum 4. Buniyadi-Gujba 5. Gashua-Bade

Made at Abuja this 27th day of April, 2012.

DR. GOODLUCK EBELE JONATHAN, GCFR
President of the Federal Republic of Nigeria

EXPLANATORY NOTE

(This note does not form part of the above Regulations
but is intended to explain its purport.)

These Regulations make provisions for the search, arrest without warrant and detention of persons in the emergency area.

S. I. 19 of 2012

EMERGENCY POWERS ACT

EMERGENCY POWERS (PROCESSION AND MEETINGS, ETC.)
REGULATIONS, 2012[27th day of April, 2012] Commence-
ment.

WHEREAS pursuant to the provisions of section 305 (1), (3) (c), (d) and (f) of the Constitution of the Federal Republic of Nigeria, 1999, the President of the Federal Republic of Nigeria has declared that a State of Emergency exists in the Local Government Areas listed in the second column of the Schedule to these Regulations ;

NOW THEREFORE, in exercise of the powers conferred upon me by section 3 of the Emergency Powers Act No.1 of 1961 (as modified) and all other powers enabling me in that behalf, I, DR. GOODLUCK EMBILE JONATHAN, President of the Federal Republic of Nigeria, hereby make the following Regulations--

1. In these Regulations unless the context otherwise requires--

Interpreta-
tion

"*Appropriate Authority*" means the President of the Federal Republic of Nigeria or any person designated or authorised to act on his behalf ;

"*emergency area*" means the Local Government Areas listed in the second column of the Schedule to these Regulations ;

"*public meeting*" means a meeting in a public place ;

"*public procession*" means a procession in a public place and includes a demonstration ;

"*public place*" includes any--

(a) public way ;

(b) building, place or conveyance, to which for the time being the public is entitled or permitted to have access, with or without any condition ; or

(c) building or place which is for the time being used for any public or religious meeting, assembly or as an open court.

2. The Appropriate Authority, may by order prohibit the holding of any public procession, demonstration or public meeting in any emergency area for such period as may be specified in the order if he is satisfied that the holding of the public procession, demonstration or public meeting would be likely to cause serious public disorder.

Prohibition
of public
processions,
demonstra-
tions and
meetings

3. Any police officer or a member of the Armed Forces of the Federal Republic of Nigeria may take such steps and use such force as may be necessary to secure compliance with any order made under these Regulations.

Use of force

4. Any person who fails to comply with any order made under these Regulations commits an offence and liable on summary conviction to imprisonment for a term not exceeding two years or to a fine of not less than N25,000 or to both.

Offence and
penalty

Citation.

5. These Regulations may be cited as the Emergency Powers (Procession and Meetings Etc.) Regulations, 2012.

SCHEDULE

<i>States</i>		<i>Local Government Areas</i>
Borno State	—	<ol style="list-style-type: none"> 1. Maiduguri Metropolitan 2. Gamboru Ngala 3. Banki Bama 4. Biu 5. Jere
Niger State	—	<ol style="list-style-type: none"> 1. Suleja
Plateau State	—	<ol style="list-style-type: none"> 1. Jos North 2. Jos South 3. Barikin-Ladi 4. Riyom
Yobe State	—	<ol style="list-style-type: none"> 1. Damaturu 2. Geidam 3. Potiskum 4. Buniyadi-Gujba 5. Gashua-Bade

MADE at Abuja this 27th day of April, 2012.

DR. GOODLUCK EBELE JONATHAN, GCMR
President of the Federal Republic of Nigeria

EXPLANATORY NOTE

(This note does not form part of the above Regulations but is intended to explain its purport.)

These Regulations make provision for the Appropriate Authority to prohibit public processions, demonstrations and meetings in the emergency area.

S. I. 20 of 2012

EMERGENCY POWERS ACT

EMERGENCY POWERS (CURFEW) REGULATIONS, 2012

[27th day of April, 2012] Commence-
ment.

WHEREAS pursuant to the provisions of section 305 (1), (3) (c), (d) and (f) of the Constitution of the Federal Republic of Nigeria, 1999, the President of the Federal Republic of Nigeria has declared that a State of Emergency exists in the Local Government Areas listed in the second column of the Schedule to these Regulations ;

NOW THEREFORE, in exercise of the powers conferred upon me by section 3 of the Emergency Powers Act No.1 of 1961 (as modified) and all other powers enabling me in that behalf, I, DR. GOODLUCK EMBLE JONATHAN, President of the Federal Republic of Nigeria, hereby make the following Regulations—

1. In these Regulations unless the context otherwise requires :

Interpreta-
tion.

"Appropriate Authority" means the President of the Federal Republic of Nigeria or any person designated or authorised to act on his behalf ;

"emergency area" means the Local Government Areas listed in the second column of the Schedule to these Regulations ;

"outdoors" means out-of-doors and includes open air, place of worship, schools or other public places.

2. The Appropriate Authority may, by order, impose a curfew upon the inhabitants of the emergency area or any part thereof.

Power to
impose
curfew.

3.—(1) Every curfew order shall be made known to the inhabitants of the area to which it relates in such manner as the Appropriate Authority thinks fit, and shall come into operation on the date it is issued.

Publication,
commence-
ment and
proof of
curfew order

(2) Without prejudice to any other mode of proof, a certificate signed by the Appropriate Authority or at his direction stating the terms of any curfew order and the date on which it came into operation in accordance with the provisions sub-regulation (1) shall be conclusive evidence of those matters.

(3) As soon as a curfew order is made, the Appropriate Authority shall cause it to be published by notice in the Government Gazette.

4. Where a curfew has been imposed in any area, no person other than a police officer, a member of the armed forces of the Federation, a person registered as a medical practitioner or any other person authorized in writing under these Regulations shall be outdoors within the area between such hours as may be specified in the curfew order (hereinafter referred to as 'the hours of curfew').

Effect of
curfew order

5.—(1) Any superior police officer may issue to any person applying therefore a written permit authorizing the holder thereof to be outdoors within a

Permit.

curfew area during such times and for such purposes and subject to such conditions or limitations as may be specified in such permit.

(2) It shall be a condition of every such permit that the person to whom it has been granted shall carry it on his person at all times when he is outdoors in a curfew area during the hours of curfew.

(3) Every such permit shall, on demand, be produced for the inspection of a police officer or a member of the armed forces of the Federation.

(4) Any person to whom a permit has been granted under this regulation who fails to produce it when lawfully required to do so shall be liable on summary conviction to a fine not exceeding ₦5,000 or to imprisonment for a term not exceeding three months.

Arrest
without
warrant and
penalty.

6. Any person found outdoors in any area where a curfew has been imposed contrary to the provisions of these Regulations may be arrested without warrant by a police officer or a member of the armed forces of the Federation, and shall be liable on summary conviction to a fine not exceeding ₦10,000 or to imprisonment for a term not exceeding six months or to both.

Citation.

7. These Regulations may be cited as the Emergency Powers (Curfew) Regulations, 2012.

SCHEDULE

<i>States</i>		<i>Local Government Areas</i>
Borno State	—	1. Maiduguri Metropolitan 2. Gamboru Ngala 3. Banki Bama 4. Biu 5. Jere
Niger State	—	1. Suleja
Plateau State	—	1. Jos North 2. Jos South 3. Barikin-Ladi 4. Riyom
Yobe State	—	1. Damaturu 2. Geidam 3. Potiskum 4. Buniyadi-Gujba 5. Gashua-Bade

MADE at Abuja this 27th day of April, 2012.

DR. GOODLUCK EHELE JONATHAN, *CTR*
President of the Federal Republic of Nigeria

EXPLANATORY NOTE

*(This note does not form part of the above Regulations
but is intended to explain its purport.)*

These Regulations make provision for the Appropriate Authority to impose curfew in the emergency area.

S. I. 21 of 2012

EMERGENCY POWERS ACT

EMERGENCY POWERS (PROTECTED PLACES) REGULATIONS, 2012

[27th day of April, 2012] Commence-
ment.

WHEREAS pursuant to the provisions of section 305 (1), (3) (c), (d) and (f) of the Constitution of the Federal Republic of Nigeria, 1999, the President of the Federal Republic of Nigeria has declared that a State of Emergency exists in the Local Government Areas listed in the second column of the Schedule to these Regulations ;

NOW THEREFORE, in exercise of the powers conferred upon me by section 3 of the Emergency Powers Act No.1 of 1961 (as modified) and all other powers enabling me in that behalf, I, DR. GOODLUCK EMBELE JONATHAN, President of the Federal Republic of Nigeria, hereby make the following Regulations—

1. In these Regulations, unless the context otherwise requires ;

Interpreta-
tion.

"*Appropriate Authority*" means the President of the Federal Republic of Nigeria or any person designated or authorised to act on his behalf ;

"*emergency area*" means the Local Government Areas listed in the second column of the Schedule to these Regulations ;

"*protected place*" means any premises in respect of which an order has been made by the Appropriate Authority in pursuance of regulation 2 of these Regulations.

2. The Appropriate Authority may by order, where it appears to him to be necessary or expedient :

Declaration
of protected
places.

(a) for the maintenance of supplies and services essential to the life of the community ; or

(b) for securing the public safety ; or

(c) that special precautions should be taken to prevent the entry of unauthorized persons.

declare those premises to be a protected place for the purpose of these Regulations and so long as the Order is in force, no person shall, subject to any exemptions for which provision may be made by the order, enter or attempt to enter or be in those premises without the permission of such authority or person as may be specified in the order.

3. Every person to whom permission to enter a protected place is granted pursuant to regulation 2 of these Regulations shall, while in that place, comply with such directions for regulating his conduct as may be given by the Appropriate Authority or by the authority or person granting the permission, and any authorized officer or any person authorized in that behalf by the occupier of the premises.

Control of
persons in
protected
places

may search any person entering or seeking to enter or being in any protected place, and may detain any such person for the purpose of searching him.

Removal of
unauthorized
persons.

4. Where a person is in a protected place in contravention of these Regulations or while in any such place, fails to comply with any direction given under these Regulations, then without prejudice to any proceedings which may be taken against him, he may be removed from there by any authorized officer or any person authorized in that behalf by the occupier of the premises.

Additional
Protective
Measures.

5.—(1) The Appropriate Authority may authorize such steps to be taken as he may deem necessary for the protection of any protected place, and such steps may extend to the taking of defensive measures which involve or may involve danger to the life of any person entering or attempting to enter any protected place.

(2) Where any measures involving such danger as aforesaid are adopted, the senior police officer or a member of the Armed Forces of the Federal Republic of Nigeria responsible for the locality in which the protected place is situated shall cause such precautions to be taken, including the prominent display of warning notices, as he deems reasonably necessary to prevent inadvertent or accidental entry into the protected place and, where such precautions have been duly taken, no person shall be entitled to compensation or damages in respect of injury received or death caused as a result of any unauthorized entry into the protected place.

Offences and
Penalties.

6. If any person enters or attempts to enter a protected place in contravention of these Regulations, or while in a protected place fails to comply with any direction given under these Regulations, the person commits an offence and shall be liable—

(a) on summary conviction, to imprisonment for a term not exceeding 2 years ; or

(b) on conviction on indictment, to imprisonment for a term not exceeding 5 years.

Citation.

7. These Regulations may be cited as the Emergency Powers (Protected Places) Regulations, 2012.

SCHEDULE

B.M.

<i>States</i>		<i>Local Government Areas</i>
Borno State	—	<ol style="list-style-type: none"> 1. Maiduguri Metropolitan 2. Gamboru Ngala 3. Banki Bama 4. Biri 5. Jere
Niger State	—	<ol style="list-style-type: none"> 1. Suleja
Plateau State	—	<ol style="list-style-type: none"> 1. Jos North 2. Jos South 3. Barikin-Ladi 4. Riyom
Yobe State	—	<ol style="list-style-type: none"> 1. Damaturu 2. Gcidam 3. Potiskum 4. Buniyadi-Gujba 5. Gashua-Bade

MADE at Abuja this 27th day of April, 2012.

DR. GOODLUCK EBELE JONATHAN, GCR
President of the Federal Republic of Nigeria

EXPLANATORY NOTE

*(This note does not form part of these Regulations
but is intended to explain its purport)*

These Regulations make provisions for the declaration of protected places and control of persons in the protected places.

EMERGENCY POWERS ACT

EMERGENCY POWERS (POSSESSION OF EXPLOSIVES)
REGULATIONS, 2012

[27th day of April, 2012]

Commence-
ment

WHEREAS pursuant to the provisions of section 305 (1), (3) (c), (d) and (f) of the Constitution of the Federal Republic of Nigeria, 1999, the President of the Federal Republic of Nigeria has declared that a State of Emergency exists in the Local Government Areas listed in the second column of the Schedule to these Regulations :

NOW THEREFORE, in exercise of the powers conferred upon me by section 3 of the Emergency Powers Act No.1 of 1961 (as modified) and all other powers enabling me in that behalf, I, Dr. Goodluck Ebele Jonathan, President of the Federal Republic of Nigeria, hereby make the following Regulations—

1. In these Regulations unless the context otherwise requires—

Interpreta-
tion.

"*Appropriate Authority*" means the President of the Federal Republic of Nigeria or any person designated or authorised to act on his behalf ;

"*emergency area*" means the Local Government Areas listed in the second column of the Schedule to these Regulations ;

"*ammunition*" includes all materials for loading firearms, percussion caps and gunpowder of every kind ;

"*arms*" means offensive weapons and includes firearms of all descriptions;

"*explosives*" includes gunpowder of every kind, rockets, nitroglycerine, dynamite, gun-cotton, blasting powder, detonators, fulminate of mercury or other metals, and every other explosive substance being any compound of or having any ingredients in common with any of the above ;

"*firearms*" includes any cannon, gun, rifle, machine-gun, cap-gun, flint-lock gun, revolver, pistol or other firearm whether whole or in detached pieces ; and

"*offensive weapons*" includes air guns, air pistols, bows and arrows, spears, cutlasses, machetes, daggers, cudgels or any piece of wood, metal or stone capable of being used as an offensive weapon.

2. Subject to directions, if any, given by the Appropriate Authority, a superior police officer may exercise in the emergency area all or any of the powers conferred upon the Appropriate Authority by regulation 3 of these Regulations.

Exercise of
Powers by
the
Appropriate
Authority.

3.—(1) The Appropriate Authority may by order made in respect of the whole or any part of the emergency area prohibit, either absolutely or conditionally, the possession by any person of any explosive, ammunition, arms or component parts thereof, and any such order may be made with respect to all explosives, ammunition, arms or component parts thereof.

Possession
of
Explosives,
etc.

(2) The Appropriate Authority may by order made in respect of the whole or any part of the emergency area provide for the custody of explosives, ammunition, arms and component parts thereof, as he shall deem fit.

(3) Any person who, in any such area as may be specified in an Order made pursuant to sub-regulation (2), has in his possession, custody or control any explosive, ammunition, arms or component part thereof, shall comply with such directions in respect thereof as may be given by a police officer or a member of the Armed Forces of the Federal Republic of Nigeria in the district in which the articles are situated; and the directions may require the removal of the articles to such place as may be specified therein.

(4) If any directions given by any police officer or a member of the Armed Forces of the Federal Republic of Nigeria under sub-regulation (3) are not complied with, then (without prejudice to any proceedings which may be taken in respect of the offence) the said officer may cause the articles to which the directions relate to be dealt with in such manner as may be necessary for securing compliance with the directions.

Offence and
Penalty.

4. Any person who fails to comply with the provisions of any order or direction made or given under these regulations commits an offence and shall be liable on summary conviction, to imprisonment for a term not exceeding 5 years.

Citation

5. These Regulations may be cited as the Emergency Powers (Possession of Explosives) Regulations, 2012.

SCHEDULE

States

Local Government Areas

Borno State

—

1. Maiduguri Metropolitan
2. Gamboru Ngala
3. Banki Bama
4. Biu
5. Jere

Niger State

—

1. Suleja

Plateau State

—

1. Jos North
2. Jos South
3. Baikin-Ladi
4. Riyom

Yobe State

—

1. Damaturu
2. Geidam
3. Potiskum
4. Buniyadi-Gujba
5. Gashua-Bade

MADE at Abuja this 27th day of April, 2012.

DR. GOODLUCK EMBELE JONATHAN, GCFR
President of the Federal Republic of Nigeria

EXPLANATORY NOTE

*(This note does not form part of the above Regulations
but is intended to explain its purport.)*

These Regulations make provisions for the control of arms and explosives
in the emergency area.