

BANK MORATORIUM (EASTERN STATES) DECREE 1970**Decree No. 21**

[4th April 1970]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) Subject to this Decree, where the Commissioner in consultation with the Central Bank of Nigeria is satisfied that it is expedient to do so, he may by an order in the Federal Gazette (referred to in this Decree as a "moratorium order") grant a moratorium on banking obligations in the Eastern States of Nigeria.

Moratorium
orders.

(2) A moratorium order shall extend only to banking obligations in the Eastern States of Nigeria which commenced after 30th May 1967 and such banking obligations as existed as at that date but in respect of which transactions had subsequently been conducted in any manner whatsoever by the customer.

(3) A moratorium order shall apply to such part of the Eastern States as is specified in the order and shall have effect for a period beginning on 31st May 1967 and ending—

- (a) on the date specified in the order, or
- (b) where no date is there specified, on the revocation of the order or on such date as may be specified in a second or subsequent order.

(4) A moratorium shall not apply in relation to any banking obligation unless the obligation—

- (a) represents an obligation to be discharged at the bank or branch of the bank in the area to which the order applies, and
- (b) would, if the order had not been made, have been dischargeable at the bank or branch of the bank during the period for which the order is effective.

(5) Where, upon the recommendation of the Central Bank of Nigeria, the Commissioner is satisfied that, because of a bank's mala fides or for any other reason, it is expedient to exclude the bank from the operation of a moratorium order, he may do so at any time by order in the Federal Gazette without giving notice or assigning a reason for the exclusion.

(6) The Commissioner may include in a moratorium order such transitional or ancillary provisions as he thinks appropriate, and may make rules generally to facilitate the operation of this Decree.

Interpreta-
tion.

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

“banking obligations” means any banking transaction with either a commercial bank or the Central Bank of Nigeria whereby the commercial bank or the Central Bank of Nigeria incurs liability to a customer or vice versa ;

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“bank” means the Central Bank of Nigeria and any bank licensed under the Banking Decree 1969 ;

“the Commissioner” means the Federal Commissioner for Finance ;

“the Eastern States” means the Central-Eastern, Rivers and South-Eastern States.

Citation and
extent.

3. This Decree may be cited as the Bank Moratorium (Eastern States) Decree 1970 and shall apply throughout the Federation.

MADE at Lagos this 4th day of April 1970.

MAJOR-GENERAL Y. GOWON,
*Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria*