

## FORCES ACTS (AMENDMENT) DECREE 1975



## Decree No. 1

[9th January 1975]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:—

1. The Nigerian Army Act 1960 (as amended) is hereby amended as follows —

Reconstitu-  
tion of the  
Army  
Council.  
1960 No. 26.

(a) For subsections (1) and (2) of section 7 thereof there shall be substituted the following new subsections:—

“(1) The members of the Army Council shall be—

(a) the Head of the Federal Military Government, Commander-in-Chief of the Armed Forces, who shall be the Chairman of the Council;

(b) the Chief of Staff, Supreme Headquarters;

(c) the Deputy Chief of Staff, Supreme Headquarters;

(d) the Chief of Staff, Army Headquarters;

(e) the Principal General Staff Officer; and

(f) the Permanent Secretary, Ministry of Defence.

(2) If for any reason the Chairman is unable to attend any meeting of the council, he may nominate the Chief of Staff, Supreme Headquarters, to perform the duties of the Chairman of the council at that meeting.

(3) The Chairman may, whenever he deems it necessary, co-opt any officer as a member of the council for the purpose of any particular meeting of the council.”, and

(b) the existing subsection (3) of section 7 shall be renumbered as subsection (4).

2. For Section 4 of the Navy Act 1964 (as amended) there shall be substituted the following new section—

Reconstitu-  
tion of the  
Navy Board.  
1964 No. 21.

“Member-  
ship of the  
Navy  
Board.

4.—(1) The members of the board shall be—

(a) the Head of the Federal Military Government, Commander-in-Chief of the Armed Forces, who shall be the Chairman of the board;

(b) the Chief of Staff, Supreme Headquarters;

(c) the Deputy Chief of Staff, Supreme Headquarters;

- (d) the Chief of the Naval Staff ;
- (e) the Chief of Staff, Naval Headquarters ; and
- (f) the Permanent Secretary, Ministry of Defence.

(2) If for any reason the Chairman is unable to attend any meeting of the board he may nominate the Chief of Staff, Supreme Headquarters, to perform the duties of the Chairman at that meeting.

(3) The Chairman may, whenever he deems it necessary, co-opt any officer as a member of the board for the purpose of any particular meeting of the board."

Reconstitution of the Air Council, 1964 No. 11.

3. For Section 4 of the Air Force Act 1964 (as amended) there shall be substituted the following new section :—

"Member-ship of the Air Council.

4.—(1) The members of the Air Council shall be—

- (a) the Head of the Federal Military Government, Commander-in-Chief of the Armed Forces, who shall be the Chairman ;
- (b) the Chief of Staff, Supreme Headquarters ;
- (c) the Deputy Chief of Staff, Supreme Headquarters ;
- (d) the Chief of Air Staff ;
- (e) the Chief of Staff, Air Headquarters ;
- (f) the Permanent Secretary, Ministry of Defence.

(2) If for any reason the Chairman is unable to attend any meeting of the council he may nominate the Chief of Staff, Supreme Headquarters, to perform the duties of the Chairman at that meeting.

(3) The Chairman may, whenever he deems it necessary co-opt any officer as a member of the council for the purpose of any particular meeting of the council."

Repeals.  
1966 No. 6.  
1966 No. 16.  
1970 No. 52.  
1971 No. 17.

4. Sections 2, 5 and 8 of the Forces Acts (Amendment) Decree 1966, the Forces Acts (Amendment) (No. 2) Decree 1966, the Forces Acts (Amendment) Decree 1970 and the Air Force (Amendment) Decree 1971 are hereby, consequentially, repealed.

Citation.

5. This Decree may be cited as the Forces Acts (Amendment) Decree 1975.

MADE at Lagos this 9th day of January 1975.

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

EXPLANATORY NOTE

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

The Decree provides for the reconstitution of the Army Council, the Navy Board and the Air Council.

**MATRIMONIAL CAUSES (AMENDMENT)  
DECREE 1975**



**Decree No. 2**

[5th January 1975]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. For subsection (4) of section 112 of the Matrimonial Causes Decree 1970, there shall be substituted the following, that is—

Amendment  
of 1970  
No. 18.

“(4) Notwithstanding section 8 or any other provision of this Decree, the rules of court for the time being in force in the High Court of Justice in England providing for the practice and procedure of that Court in respect of divorce and matrimonial causes shall, with necessary modifications, apply in Nigeria until such rules are expressly revoked by rules of court made under subsection (1) above, which said subsection shall be deemed to include power to make such a revocation.”

2. This Decree may be cited as the Matrimonial Causes (Amendment) Decree 1975.

Citation.

MADE at Lagos this 5th day of January 1975.

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

**EXPLANATORY NOTE**

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

The Decree clarifies the situation regarding which rules of court are to apply in divorce and matrimonial proceedings.