

FINANCE (MISCELLANEOUS TAXATION PROVISIONS)
(No. 2) DECREE 1977



Decree No. 61

[1st April 1977]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. The Income Tax Management Act 1961 is hereby amended as follows :—

Amendment
of 1961
No. 21.

(a) in section 4 (1), immediately after sub-paragraph (v) of paragraph (b) there shall be inserted the following new sub-paragraph, that is—

“(vi) any allowance up to a maximum of ₦600 per annum paid in respect of any motor vehicle owned or operated by the employee for the purpose of his employment.” ;

(b) in subsection (1) of section 5A (as inserted by the Income Tax (Amendment) Decree 1968), immediately after paragraph (b) there shall be inserted the following new paragraph, that is—

1968 No. 58.

“(c) if the business is in the building or construction industry, assess and charge the person carrying on the business at a rate of 2½ per cent of the turnover of the trade or business of that person for the year of assessment concerned.” ;

(c) in section 17 (1), for the existing paragraph (b) there shall be substituted the following new paragraph, that is—

“(b) rent for that period, and premiums the liability for which was incurred during that period, payable in respect of land or buildings occupied for the purpose of acquiring the income, subject, in the case of residential accommodation so occupied, to a maximum of—

(i) ₦28,000 per annum for each building and ₦14,000 per annum for each flat in the Lagos area, and

(ii) ₦20,000 per annum for each building and ₦5,000 per annum for each flat in any other part of Nigeria ;” ;

(d) in section 20A (as inserted by the Income Tax Management (Uniform Taxation Provisions, etc.) Decree 1975—

1975 No. 7.

(i) in subsection (2) of that section, immediately after the word “naira” there shall be inserted the words “or one tenth of the earned income of that individual, whichever is higher” ;

(ii) in the proviso to paragraph (b) of subsection (3), immediately after paragraph (iii) there shall be inserted the following new paragraph, that is—

“(iv) a widow who remarries shall be allowed a deduction of ₹250 for every child (up to a maximum of four children) in respect of the children born by her to her deceased husband ;” ;

(iii) for paragraph (c) of subsection (3) of that section there shall be substituted the following new paragraph, that is—

“(c) a deduction of ₹400 in respect of dependants maintained by the individual which shall be allowed to every individual in receipt of an income in his own right ;” ;

1975 No. 7.

(e) for section 21A (as inserted by the Income Tax Management (Uniform Taxation Provisions, etc.) Decree 1975) there shall be substituted the following new section, that is—

“Charge of community rate.

21A.—(1) There shall be payable by every person subject to tax under the law of any territory, not being a person in receipt of an income assessable to tax under that law at the rate specified in section 21B of this Act, a community rate of ₹5 per annum.

(2) For the avoidance of doubt, the provisions of subsection (1) of this section shall not apply to any person subject to tax under the provisions of this Act.”

and Table 1 of the Seventh Schedule shall be deleted ;

(f) in section 21B (as inserted by the Income Tax Management (Uniform Taxation Provisions, etc.) Decree 1975), immediately after the word “Act” where it occurs in the last line of the section there shall be inserted the words “, so however that where after all deductions allowable under this Act the individual has no chargeable income or where the tax payable on the chargeable income of that individual is less than 1 per cent of the total income of that individual the individual shall be charged to tax at the rate of 1 per cent of his total income” ;

(g) in Table 2 in the Seventh Schedule to the Act, for the last four entries there shall be substituted the following entries, that is—

“For every naira of the next ₹5,000	.. ..	40k	..	40%
For every naira of the next ₹5,000	.. ..	45k	..	45%
For every naira of the next ₹10,000	.. ..	55k	..	55%
For every naira over ₹30,000	.. ..	70k	..	70%”

2. The Income Tax (Armed Forces and Other Persons) (Special Provisions) Decree 1972 is hereby amended as follows :—

(a) section 1A (as inserted by the Income Tax (Uniform Taxation Provision, etc.) Decree 1975) is hereby repealed and Table 1 in Chapter III of the Schedule shall be, consequentially, deleted ;

(b) in section 2, immediately after the word “mentioned” there shall be inserted the words “, so however that where after all deductions allowable under this Decree any such person has no chargeable income or where the tax payable on the chargeable income is less than 1% of his total income he shall be charged to tax at the rate of 1% of his total income” ;

(c) in paragraph 13 of the Schedule, for the words “three hundred pounds” there shall be substituted the words “₹600 or one tenth of the earned income of the person, whichever is higher” ;

(d) in paragraph 14 of the Schedule—

(i) in the proviso to paragraph (b) immediately after sub-paragraph (ii) there shall be inserted the following new sub-paragraph, that is—

“(iii) a widow who remarries shall be allowed a deduction of ₦250 for every child (up to a maximum of 4 children) in respect of the children born by her to her deceased husband.” ;

(ii) for paragraph (c) there shall be substituted the following new paragraph, that is—

“(c) a deduction of ₦400 in respect of dependants maintained by the person which shall be allowed to every person in receipt of an income in his own right ;” ;

(e) in Table 2 in Chapter III of the Schedule for the last four entries there shall be substituted the following new entries, that is—

“For every naira of the next ₦5,000	..	..	40k	..	40%
For every naira of the next ₦5,000	..	..	45k	..	45%
For every naira of the next ₦10,000	..	..	55k	..	55%
For every naira over ₦30,000	..	..	70k	..	70%”

3. This Decree may be cited as the Finance (Miscellaneous Taxation Provisions) (No. 2) Decree 1977 and shall be deemed to have come into operation on 1st April 1977.

Citation and commencement.

MADE at Lagos this 16th day of August 1977.

LT.-GENERAL O. OBASANJO,
Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria

EXPLANATORY NOTE

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

The Decree amends the Income Tax Management Act 1961 as amended by the Income Tax (Amendment) Decree 1968 and the Income Tax (Uniform Taxation Provisions) Decree 1975 to provide, among other things, for increases in personal allowances particularly in respect of married women and widows.

The Decree also increases the rate of tax payable by persons in receipt of higher incomes.

FEDERAL GOVERNMENT NEWSPAPERS CORPORATION
 DECREE (REPEAL, ETC.) DECREE 1977



Decree No. 62

[16th August 1977]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT' hereby decrees as follows :—

1. The Federal Government Newspapers Corporation Decree 1973 is hereby repealed.

Repeal of
1973 No. 34.

2.—(1) The incorporated company known as the Nigerian National Press Limited (hereinafter referred to as "the Company") shall be dissolved as from the date of the commencement of this Decree.

Dissolution
of Nigerian
National
Press Ltd.

(2) Part V of the Companies Decree 1968 (which relates to winding up) shall not apply in relation to the company.

(3) All assets and all property, whether movable or immovable, which immediately before the commencement of this Decree were vested in the Company are hereby transferred to and shall vest in the Federal Military Government without any further assurance.

3. This Decree may be cited as the Federal Government Newspapers Corporation Decree (Repeal, etc.) Decree 1977.

Citation.

MADE at Lagos this 16th day of August 1977.

LT.-GENERAL O. OBASANJO,
 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 repeals the Federal Government Newspapers Corporation Decree 1973 and at the same time dissolves the incorporated company known as the Nigerian National Press Limited.

The Decree vests in the Federal Government all assets, funds, resources and other movable or immovable properties which before the commencement of the Decree were vested in the Company.