



FEDERAL REPUBLIC OF NIGERIA

**NIGERIA
OFFICIAL
GAZETTE
SUPPLEMENT**

1985



SECTION A

**SECURITIES AND EXCHANGE COMMISSION
(AMENDMENT) DECREE 1985**



Decree No. 1

[30th January 1985]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. For Section 2 of the Securities and Exchange Commission Act 1979 as amended by the Securities and Exchange Commission (Amendment) Act 1981, there shall be substituted the following new section, that is to say—

Amendment
of
1979 No. 71,
1981 No. 9.

"Member-
ship of
Commission.

2. The Commission shall consist of the following members that is—

(a) a Chairman who shall be the person for the time being holding the office of the Deputy Governor of the Central Bank of Nigeria ;

(b) eight persons appointed by the Head of the Federal Military Government, being persons who by reason of any requisite ability, experience and specialised knowledge have skills that will be useful and will enable them to make effective contributions to the work of the Commission ;

(c) one representative each of the following bodies, that is—

(i) the Central Bank of Nigeria ;

(ii) the Nigerian Enterprises Promotion Board ; and

(d) the Chief Executive of the Commission."

2. This Decree may be cited as the Securities and Exchange Commission (Amendment) Decree 1985. Citation.

MADE at Lagos this 30th day of January 1985.

MAJOR-GENERAL M. BUHARI,
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 Securities and Exchange Commission Act 1979 to make ~~the~~ Chief Executive of the Commission a member of the Board of Directors of the Commission.

NATIONAL WATER RESOURCES INSTITUTE DECREE 1985



ARRANGEMENT OF SECTIONS

Section

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Establishment and functions of the National Water Resources Institute. 2. Board of the Institute, its functions, etc. 3. The Director of the Institute and other staff. 4. Power to accept gifts, etc. 5. Advisory Technical Committee. 6. Pensions. 7. Offices and premises. 8. Financial provisions. | <ol style="list-style-type: none"> 9. Accounts and audit. 10. Annual report. 11. Procedure in respect of suits against the Institute. 12. Service of documents. 13. Restriction on execution against the property of the Institute. 14. Power to give directions. 15. Interpretation. 16. Citation. |
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SCHEDULE

Supplementary Provisions Relating to the Board.

Decree No. 3

[2nd March 1985]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) There is hereby established an Institute to be known as the National Water Resources Institute (hereinafter in this Decree referred to as “the Institute”) which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

Establish-
ment and
functions of
the National
Water
Resources
Institute.

(2) The Institute shall be responsible generally for the promotion and development of training courses in water resources and without prejudice to the generality of the foregoing shall—

(a) advise the Minister on national water resources training needs and priorities ;

(b) perform engineering research functions related to such major water resources projects as may be required for flood control, river regulation, reclamation, drainage, irrigation, domestic and industrial water supply, sewage and sewage treatment ;

(c) perform such ancillary services on planning of water resources management and river basin development and produce necessary codes of practice in water resources engineering related to and suitable for Nigerian conditions ;

(d) promote the establishment of a uniform national data collection system relating to surface and subsurface water resources ;

(e) provide for the training of engineers and technicians on short courses and formulate programmes of work in the field of water resources ;

(f) establish and maintain a water resources library, documentation and conference centre ;

(g) publish or sponsor publication of water resources journals ;

(h) promote co-operation in water resources development management with similar bodies in other countries and with international bodies connected with water resources management and operations ;

(i) carry out such other activities as are necessary or expedient for the full discharge of its functions under this Decree.

Board of the
Institute, its
functions,
etc.

2.—(1) There shall be a governing Board of the Institute (hereinafter in this Decree referred to as “the Board”) which shall consist of—

(a) a Chairman ;

(b) three persons one of whom shall be a member of the Armed Forces ;

(c) a representative of a university or other institution of higher learning in Nigeria ;

(d) the Director, Federal Department of Water Resources, or his representative ;

(e) a representative of the Federal Ministry of Education, Science and Technology ;

(f) the Director of the National Water Resources Institute.

(2) The Chairman and the persons mentioned in paragraphs (b) and (c) of subsection (1) above shall be appointed by the Head of the Federal Military Government.

(3) The governing Board shall, in general, outline the policy and decide in broad terms on the programme of work of the Institute and prepare detailed estimates of expenditure which will be required to carry out such programmes.

(4) The Chairman and the other members of the Board appointed by the Head of the Federal Military Government by virtue of this section shall hold office for a term of three years and subject to the provisions of subsection (5) of this section shall be eligible for re-appointment.

(5) The office of a member of the Board mentioned in subsection (4) above shall become vacant if—

(a) he resigns his office by notice in writing under his hand, addressed to the Minister ; or

(b) the Minister is satisfied that it is not in the interest of the Institute for the person appointed to continue in office and notifies the member in writing to that effect.

S.I. 3 of 1985

DIPLOMATIC IMMUNITIES AND PRIVILEGES ACT 1962
(1962 No. 42)

Diplomatic Immunities and Privileges (African Re-insurance Corporation) Order 1985

In exercise of the powers conferred by section 11 of the Diplomatic Immunities and Privileges Act 1962, and of all other powers enabling me in that behalf, I, Minister of External Affairs, hereby make the following Order :—

Diplomatic Immunities Conferred on the Corporation

1. The African Re-insurance Corporation (hereinafter in this Order referred to as "the Corporation") is an international organisation of which Nigeria and foreign sovereign powers are members.

International membership.

2.—(1) The Corporation shall have the legal capacities of a body corporate and in particular shall have full capacity to contract, to acquire and dispose of movable and immovable property and to institute legal proceedings.

Body corporate.

(2) Except in so far as in any particular case the Corporation expressly waives its immunity, immunity from suit and legal process ; but no waiver of immunity shall extend to any measure of execution arising out of any action to which subsection (3) of this section relates.

(3) Disputes arising from reinsurance contracts entered into by the Corporation shall be subject to conventional practices or to ordinary legal processes applicable to comparable business as shall be agreed in the respective contracts.

(4) In all cases to which subsection (3) of this section relates, the Corporation and its property and assets wherever located and by whomsoever held shall be immune from all forms of seizure attachment or execution before the delivery of final judgement against the Corporation.

3.—(1) All the properties, archives and assets of the Corporation shall be exempt from search, requisition and confiscation.

Exemption from search, etc.

(2) Notwithstanding the provisions of subsection (1) of this section, all properties, archives and assets of the Corporation shall for the purposes of public safety and public order be subject to the laws of Nigeria.

4.—(1) The offices and properties of the Corporation shall be exempted from levies in respect of certain non-beneficial portion of rates and taxes, that is to say, property and other municipal taxes normally payable by property owners but which are not charges levied for specific services rendered.

Exemption from certain taxes, rates and customs duties.

(2) All goods which are imported or exported by the Corporation and which are necessary for the proper performance of its activities, shall be exempted from all customs duties and other charges excepting payments for services rendered ; and for the sole purpose of servicing its conferences and similar programmes, the Corporation shall be allowed to import free of custom duty reasonable quantities of drinks and tobacco.

Representatives of Member Governments of the Corporation

Immunities
of representa-
tives of
member
countries.

5.—(1) Except in so far as in any particular case any privilege or immunity is waived by the member Governments whom they represent, representatives of member Governments at meetings in Nigeria of the Corporation (not being Nigerians) shall enjoy—

(a) while exercising their functions as such, and during their journey to and from the place of meeting, immunity from personal arrest or detention and from seizure of their personal baggage and inviolability of all papers and documents relating to the functions of the Corporation ;

(b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in their capacity as representatives ;

(c) while exercising their functions and during their journey to and from the place of meeting, the like exemption or relief from taxes as is accorded to an international organisation recognised by the Federal Military Government, save that the relief allowed shall not include relief from customs and excise duties except in respect of goods imported as part of thier personal baggage. They shall not where the incidence of any form of taxation depends upon residence in Nigeria, be deemed to be resident in Nigeria during any period when they are present in Nigeria whilst exercising their functions or during their journey to and from the place of meeting.

(2) For the purpose of this section, the expression "representatives of member Governments" shall be deemed to include their official staff accomodating them as such representatives, as delegates, deputy delegates, advisers, technical experts or secretaries of delegations.

Officials of the Corporation

Immunity
and
privileges of
the General
Manager.

6.—(1) The General Manager of the Corporation, except in so far as in any particular case the immunity is waived by the Corporation, shall enjoy personal immunity for acts performed in pursuance of his duties as the chief executive officer or the administrative head of the Corporation.

(2) Without prejudice to the provisions of subsection (1) of this section, where the General Manager is not a citizen of Nigeria, he shall enjoy the following privileges, that is to say—

(a) exemption from import duty in respect of articles imported including duty-free purchase of a motor vehicle ;

(b) exemption from income tax in respect of emoluments received by him as an employee of the Corporation ; and

(c) exemption from payment of custom duties for limited quantity and assortment of drinks and tobacco for official entertainment.

7.—(1) Except in so far as in any particular case any privilege or immunity is waived by the Corporation, officials of the Corporation shall enjoy—

(a) while exercising their functions as such, and during any journey to and from the Corporation, immunity from personal arrest or detention and from seizure of their personal baggages and inviolability of all papers and documents, relating to the work of the Corporation & and

(b) immunity from legal process of every kind in respect of words spoken or written and all acts done by them in the exercise of their functions.

Immunities
of persons
engaged.

(6) Members of the Board (not being ex-officio members) may be paid such travelling and other allowances as may from time to time be approved by the Minister.

(7) The Board may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

(8) The provisions of the Schedule to this Decree shall have effect with respect to matters mentioned therein.

3.—(1) There shall be a Director of the Institute who shall be appointed by the Head of the Federal Military Government.

The Director of the Institute and other staff.

(2) Subject to the general control of the Board, the Director shall be the chief executive officer of the Institute and shall be responsible for the execution of the policy of the Institute and the day to day running of its affairs.

(3) There shall be a Secretary to the Institute who shall be appointed by the Board. The Secretary to the Institute shall also be the Secretary to the Board and shall perform such other functions as may be assigned to him by the Board or the Director.

(4) The remuneration and the tenure of office of the employees of the Institute (other than the Director) shall be determined by the Board in accordance with scales and conditions laid down by government in that behalf.

4.—(1) Subject to subsection (2) of this section, the Board may accept gifts of land, money or other property upon such terms and condition if any, as may be specified by the person making the gift.

Power to accept gifts, etc.

(2) The Board shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Board under this Decree.

5.—(1) Subject to subsection (2) of this section, the Board shall appoint an Advisory Technical Committee for the purpose of giving guidance on short and long term planning of programmes of the Institute.

Advisory Technical Committee.

(2) Membership of Committee shall consist of—

(a) the Director, Federal Department of Water Resources, who shall be the Chairman ;

(b) the Director of the Institute appointed pursuant to section 3 (1) of this Decree ;

(c) The General Managers of the National Electric Power Authority and the River Basin Development Authorities and State government agencies responsible for water resources development ;

(d) the Director of the Geological Surveys Department or his representative ;

(e) one representative of the National Hydrological Technical Committee ;

(f) the Director, Federal Department of Agriculture ;

(g) the Director, Federal Department of Meteorology ;

(h) one representative of the Nigerian Society of Engineers.

(3) The quorum for meetings of the Committee shall be eleven.

Pensions.

1979 No. 102.

6.—(1) It is hereby declared that service in the Institute shall be public service for the purposes of the Pensions Act 1979 and, accordingly, officers and other staff of the institute shall in respect of their service in the Institute be entitled to such pensions, gratuities and other retirement benefits as are prescribed thereunder so however that nothing in this Decree shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.

(2) For the purposes of the application of the provisions of the Pensions Act 1979, any powers exercisable thereunder by a Minister or other authority of the Government of the Federation (not being power to make regulations under section 23 thereof) are hereby vested in and shall be exercisable by the Board and not by any other person or authority.

Offices and premises.

7.—(1) For the purpose of providing offices and premises necessary for the performance of its functions, the Board may—

- (a) purchase or take on lease any land ;
- (b) build, equip and maintain offices and premises.

(2) The Board may, with the approval of the Minister, give out on lease any land, offices or premises held by it and no longer required for the performance of its functions.

Financial provisions.

8.—(1) The Board shall prepare and submit to the Minister (not later than six months before the end of any financial year) an estimate of its revenue and expenditure for the following financial year.

(2) The Institute shall establish and maintain a fund from which there shall be defrayed all expenditure incurred by the Institute.

(3) There shall be paid and credited to the fund established under subsection (2) above—

- (a) such sums as may from time to time be granted to the Institute by the Federal Military Government ;
- (b) all moneys raised for the purposes of the Institute by way of gifts, grants-in-aid, testamentary disposition and sales of publications ;
- (c) all subscriptions, fees and charges for services rendered by the Institute ; and
- (d) all other sums that may accrue to the Institute from any source.

Accounts and audit.

9.—(1) The Board shall keep proper accounts and proper records in relation to the fund and shall prepare in respect of each financial year a statement of accounts in such form as the Minister may direct.

(2) The Board shall ensure that the accounts of the Institute shall be audited annually.

Annual report.

10.—(1) The Board shall prepare and submit to the Minister not later than the end of each financial year a report in such form as the Minister may direct on the activities of the Institute during the immediately preceding financial year, and shall include in the report a copy of the audited accounts of the Institute for that year and of the auditors' report on the accounts.

(2) The Minister shall submit the report and recommendations made by him thereon to the Head of the Federal Military Government.

11. No suit shall be commenced against the Institute before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Institute by the intending plaintiff or his agent ; and the notice shall clearly and explicitly state—

Procedure in respect of suits against the Institute, etc.

- (a) the cause of action ;
- (b) the particulars of the claim ;
- (c) the name and place of abode of the intending plaintiff ; and
- (d) the relief which he claims.

12. The notice referred to in section 11 of this Decree and any summons, notice or other document required or authorised to be served upon the Institute under the provisions of this Decree or any other enactment or law may be served by delivering the same to the Chairman or the Director of the Institute, or by sending it by registered post addressed to the Director at the principal office of the Institute.

Service of documents.

13. In any action or suit against the Institute no execution or attachment or process in the nature thereof shall be issued against the Institute but any sums of money which may, by the judgment of the court, be awarded against the Institute shall, subject to any directions given by the Institute, be paid from the general reserve fund of the Institute.

Restriction on execution against the property of the Institute.

14. The Minister may give the Board directions of a general character or relating generally to particular matters (but not to any individual or case) with regard to the exercise by the Board of its functions under this Decree, and it shall be the duty of the Board to comply with such directions.

Power to give direction.

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

Interpretation.

“Director” means the Director appointed pursuant to section 3 (1) of this Decree ;

“Institute” means the National Water Resources Institute established by section 1 (1) of this Decree ;

“Minister” means the Minister charged with responsibility for water resources.

16. This Decree may be cited as the National Water Resources Institute Decree 1985.

Citation.

SCHEDULE

(Section 2 (8))

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

Proceedings of the Board

1.—(1) The Board shall meet for the conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than three times in a year.

(2) The Chairman may at any time, and shall at the request in writing of the Minister or of not less than four members, summon a meeting ; and if the Chairman fails so to do, the Minister may himself summon a meeting.

(3) Particulars of the business to be transacted at any meeting shall be circulated to members with the notice of the meeting.

2.—(1) Every question put before the Board at a meeting shall be decided by a majority of the votes of the members present and voting.

(2) The quorum for meetings of the Board shall be five.

(3) The Chairman shall, at any meeting, have a vote, and, in the case of an equality of votes, may exercise a casting vote.

3.—(1) The Chairman shall preside at all meetings of the Board, but if he is absent from any meeting of the Board, the members present shall elect one of their number to preside at that meeting.

(2) During the Chairman's absence on leave or if the Chairman is otherwise not available, or is unable to perform his functions, the Minister may appoint any member of the Board to act as Chairman for a specified period.

4. The validity of any proceedings of the Board or of any of its committees shall not be affected—

(a) by any vacancy in the membership of the Board or any such committees ;

(b) by any defect in the appointment of any member ;

(c) by reason of the fact that any person not entitled to do so took part in the proceedings.

5. Subject to the provisions of this Decree, the Board may make standing orders with respect to the holding of meetings, the nature of notice to be given, the proceedings thereat, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes.

Committees

6.—(1) Subject to section 5 of this Decree, the Board may appoint one or more committees to advise it in the exercise and performance of its functions.

(2) Every such committee shall consist of—

(a) a Chairman who shall be appointed by the Board from among the members of the Board ;

(b) not more than five persons (who may not all be members of the Board), so however that any non-member of the Board co-opted to serve on any committee shall enjoy all the rights and privileges of a member except the right to vote and to count towards a quorum.

(3) In this paragraph "Chairman" means the Chairman of a committee.

Miscellaneous

7.—(1) Any contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be under seal may be entered into or executed on behalf of the Board by any person generally or specifically authorised in that behalf by the Board.

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

8.—(1) The common seal of the Board shall not be used or affixed to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Board and recorded in the minutes of the meeting.

(2) The fixing of the seal of the Board shall be authenticated by the signature of the Chairman (or some other member authorised generally or specifically by the Board to act for that purpose) and the Secretary of the Institute.

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

MADE at Lagos this 2nd day of March 1985.

MAJOR-GENERAL M. BUHARI,
*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 effect.)

o The Decree establishes an Institute by the name of National Water Resources Institute for the promotion and development of training courses in water resources and to advise the Minister on national water resources training needs and priorities. The Institute is also charged with some engineering functions related to water resources development as may be required for flood control, river regulation, reclamation, drainage and irrigation.

The Institute is to be under a governing board consisting of—

(a) a Chairman and three other persons one of whom shall be a member of the Armed Forces to be appointed by the Head of the Federal Military Government ;

(b) the Director, Federal Department of Water Resources ;

(c) the Director, National Water Resources Institute ;

(d) a representative of a university in Nigeria or other institution of higher learning ;

(e) a representative of the Federal Ministry of Education, Science and Technology.



SECTION B

(2) Nothing in this section shall be construed as entitling any person to enjoy any such immunity or exemption if he is a Nigerian, a permanent foreign resident of Nigeria or a locally recruited staff.

8. This Order may be cited as the Diplomatic Immunities and Privileges (African Reinsurance Corporation) Order 1985. Citation.

MADE at Lagos this 16th day of January 1985.

DR IBRAHIM GAMBARI,
Minister of External Affairs

EXPLANATORY NOTE

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

The Order is made under the Diplomatic Immunities and Privileges Act 1962 to grant certain immunities and privileges to the African Reinsurance Corporation.



S.I. 4 of 1985

TRIBUNALS OF INQUIRY ACT 1966
(1966 No. 41)

**Instrument Constituting the Judicial Commission of Inquiry into the
Ministry of Defence Contracts 1979-83**

Under the powers conferred upon me by section 1 of the Tribunals of Inquiry Act 1966, and of all other powers enabling me in that behalf, I, Major-General Muhammadu Buhari, Head of the Federal Military Government, Commander-in-Chief of the Armed Forces of the Federation, hereby constitute and appoint a Tribunal to be called the Judicial Commission of Inquiry into the Ministry of Defence Contracts, 1979-83 with the terms of reference hereinafter appearing :

AND for this purpose, I appoint—

MR JUSTICE M. NASIR

MR S. A. ADEYINKA

MR S. O. OLUSEMO

PROFESSOR S. A. SANNI

to be members of the Tribunal with full powers and authority to hold public hearings but without prejudice to the exercise of the powers conferred under the proviso to section 1 (2) (d) of the said Act :

AND I direct that Mr Justice M. Nasir aforesaid shall be the Chairman and I appoint Anthony Iriah to be the Secretary to the Commission.

AND I further direct, that any three members of the Commission, of whom one shall be the Chairman, shall constitute a quorum and that the Commission shall hold its first meeting as soon as may be after the date of this Instrument, and the Commission shall thereafter hold the said Inquiry in Lagos and at such other place or places and upon such dates as the Chairman may determine.

TERMS OF REFERENCE

Having regard to the findings and recommendations of the Ministerial Review Panel on Defence Construction Projects and any other material information relevant thereto ; the Tribunal shall—

(a) ascertain the role played by any person or persons in the Ministry of Defence whether serving in the Army, Navy or Air Force or the Ministry proper, in the award of contracts for Defence Construction Projects of ₦1 million (One million Naira) and above between 1st October, 1979 and 31st December, 1983 ;

(b) determine the persons, if any, who contributed to the lapses resulting in the state of affairs regarding the Defence Construction Projects which the Ministerial Review Panel described as unsatisfactory ;

(c) identify the failings of each person concerned with the lapses in the handling of contract awards ; and

(d) make suitable recommendations on its findings.

B 10

AND I hereby direct the Commission to submit its report to me not later than three months from the date of its first sitting.

GIVEN AND ISSUED under my hand at Lagos this 30th day of January 1985.

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

S.I. 5 of 1985

TRIBUNALS OF INQUIRY ACT 1966
(1966 No. 41)

**Instrument Constituting the Judicial Commission of Inquiry into the
Ministry of Transport and Aviation Contracts 1979-83**

Under the powers conferred upon me by section 1 of the Tribunals of Inquiry Act 1966, and of all other powers enabling me in that behalf, I, Major-General Muhammadu Buhari, Head of the Federal Military Government, Commander-in-Chief of the Armed Forces of the Federation, hereby constitute and appoint a Tribunal to be called the Judicial Commission of Inquiry into the Ministry of Transport and Aviation Contracts 1979-83 with the terms of reference hereinafter appearing :

Honourable Justice F. O. Awogu
Mrs E. A. Ode-Martins
Professor V. O. S. Olunloyo

to be members of the Tribunal with full powers and authority to hold public hearings, but without prejudice to the exercise of the powers conferred under the proviso to section 1 (2) (d) of the said Act :

AND I direct that Mr Justice F. O. Awogu aforesaid shall be the Chairman and I appoint Mr E. A. A. Taiwo to be the Secretary to the Commission.

AND I further direct, that any two members of the Commission of whom one shall be the Chairman, shall constitute a quorum and that the Commission shall hold its first meeting as soon as may be after the date of this Instrument, and the Tribunal shall thereafter hold the said Inquiry in Lagos and at such other place or places and upon such dates as the Chairman may determine.

Terms of Reference

Having regard to the record of proceedings of the Ministerial Tenders Board or any other appropriate authority for the award of contracts in the Ministry, the Tribunal shall—

(a) ascertain the propriety or otherwise of the awards of contracts in the Ministry to the value in each case of N1 million (One million Naira) and above between 1st October, 1979 and 31st December, 1983 ;

(b) determine the persons, if any, who were responsible for any lapses or irregularities identified in the award of such contracts ;

(c) identify the failings of each person concerned with the lapses in the handling of contract awards ; and

(d) make suitable recommendations on its findings.

AND I hereby direct the Commission to submit its report to me not later than three months from the date of its first sitting.

GIVEN AND ISSUED under my hand at Lagos this 30th day of January 1985.

MAJOR-GENERAL M. BUHARI,
Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria

S.I. 6 of 1985

TRIBUNALS OF INQUIRY ACT 1966
(1966 No. 41)

**Instrument Constituting the Judicial Commission of Inquiry into the
Ministry of Commerce and Industries Contracts 1979-83**

Under the powers conferred upon me by section 1 of the Tribunals of Inquiry Act 1966, and of all other powers enabling me in that behalf, I, Major-General Muhammadu Buhari, Head of the Federal Military Government, Commander-in-Chief of the Armed Forces of the Federation, hereby constitute and appoint a Tribunal to be called the Judicial Commission of Inquiry into the Ministry of Commerce and Industries Contracts 1979-83 with the terms of reference hereinafter appearing :

AND for this purpose, I appoint—

Hon. Justice Umaru Abdullahi

Mr B. B. A. Fatunke

Professor Ogunrounbi

to be members of the Tribunal with full powers and authority to hold public hearings, but without prejudice to the exercise of the powers conferred under the proviso to section 1 (2) (d) of the said Act :

AND I direct that Mr Justice Umaru Abdullahi aforesaid shall be the Chairman and I appoint Mr A. B. Pariola to be the Secretary to the Commission.

AND I further direct, that any two members of the Commission of whom one shall be the Chairman, shall constitute a quorum and that the Commission shall hold its first meeting as soon as may be after the date of this Instrument, and the Tribunal shall thereafter hold the said Inquiry in Lagos and at such other place or places and upon such dates as the Chairman may determine.

TERMS OF REFERENCE

Having regard to the record of proceedings of the Ministerial Tenders Board or any other appropriate authority for the award of contracts in the Ministry, the Tribunal shall—

(a) ascertain the propriety or otherwise of the awards of contracts in the Ministry to the value in each case of ₦1 million (One million Naira) and above between 1st October, 1979 and 31st December, 1983 ;

(b) determine the persons, if any, who were responsible for any lapses or irregularities identified in the award of such contracts ;

(c) identify the failings of each person concerned with the lapses in the handling of contract awards ; and

(d) make suitable recommendations on its findings.

AND I hereby direct the Commission to submit its report to me not later than three months from the date of its first sitting.

GIVEN AND ISSUED under my hand at Lagos this 30th day of January 1985.

MAJOR-GENERAL M. BUHARI,
Head of the Federal Military Government
Commander-in-Chief of the Armed Forces
Federal Republic of Nigeria

S.I. of 7 1985

FEDERAL CAPITAL TERRITORY (APPLICABLE LAWS)

DECREE 1984

(1984 No. 12)

ROAD TRAFFIC ACT

(CAP 184)

Federal Capital Territory (Registration of
Vehicles, etc.) Regulations 1985

Commencement : 8th February 1985

In exercise of the powers conferred by section 5 of the Road Traffic Act as made applicable to the Federal Capital Territory by the Federal Capital Territory (Applicable Laws) Decree 1984, and of all other powers enabling me in that behalf, I, the Minister for Federal Capital Territory, hereby make the following Regulations :—

1.—(1) There shall be in the Federal Capital Territory eleven licensing authorities which shall be known by such designation as the Minister charged with responsibility for matters relating to the Federal Capital Territory shall determine, and each licensing authority shall be responsible for the registration of motor vehicles and drivers within its own area.

Registration
of vehicles,
etc.

● (2) The licensing authority shall—

(a) as soon as any vehicle or trailer is presented for registration, register same or cause it to be registered in such form as the Minister may determine ;

(b) assign to each vehicle so registered an identification mark ;

(c) furnish to the Central Motor Licensing Registry (by whatever name called) a copy of the form of registration. •

(3) The owner of a motor vehicle or trailer may register the same and obtain a licence which shall be valid throughout Nigeria in respect thereof in accordance with regulations made under the Road Traffic Act.

Cap. 184.

(4) There shall be paid such fees as the Minister may prescribe for the registration and for a licence in respect of a motor vehicle or trailer and such licence shall expire on such date as the Minister may direct.

(5) The Minister charged with responsibility for Federal Capital Territory aforesaid, may, from time to time, appoint other licensing authority and assign to them such designation as he may determine.

2.—(1) The licensing authority shall assign to each vehicle registered by it a separate number and each number together with the distinctive letter assigned to the licensing authority in accordance with these Regulations shall be the identification mark and such mark shall be exhibited on the vehicle.

Identifica-
tion marks.

(2) For the purposes of these Regulations, the licensing authorities within the Federal Capital Territory aforesaid shall be as specified in the second column of the Schedule to these Regulations.

(3) The distinctive letters specified in the third column of the Schedule to these Regulations are hereby assigned to each of the said licensing authorities specified in the second column of the Schedule and shall be the identification mark of such authority.

(4) For the avoidance of doubt, each mark shall begin with the letters Federal Capital followed by not more than four figures and ending with the appropriate letter or letters as specified in the third column of the Schedule to these Regulations.

Registration
of drivers.

3.—(1) A licensing authority shall have the power to conduct driving tests on any person who wishes to obtain a professional or private licence to drive a motor vehicle or to renew such licence.

(2) Any person wishing to obtain a driver's licence shall comply with such conditions as the licensing authority may impose.

Citation.

4. These Regulations may be cited as the Federal Capital Territory (Registration of Vehicles, etc.) Regulations 1985.

SCHEDULE

Regulation 2 (2)

<i>Number</i>	<i>Area</i>	<i>Prefixes</i>
(i)	Abuja Municipal Government	FC—C
(ii)	Abaji Local Government	FC—A
(iii)	Bwari Local Government	FC—B
(iv)	Gwagwalada Local Government	FC—G
(v)	Kuje Local Government	FC—K
(vi)	Karshi Local Government	FC—S
(vii)	Rubochi Local Government	FC—R
(viii)	Kwali Local Government	FC—L
(ix)	Yaba Local Government	FC—Y
(x)	Local Government	FCLG
(xi)	Federal Capital Development Authority	FGN—FC

MADE at Lagos this 8th day of February 1985.

MAJOR-GENERAL MAMMA JIYA VASTSA,
Minister for Federal Capital Territory

(EXPLANATORY NOTE)

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

The Regulations establish licensing local authorities for the Federal Capital Territory and made sundry provisions for the registration of vehicles and drivers within the territory.

Supplement to Official Gazette Extraordinary No. 11, Vol. 72, 5th March,
1985—Part B

S.I. 8 of 1985

TRADE DISPUTES (ESSENTIAL SERVICES) ACT 1976
(1976 No. 23)

Trade Disputes (Nigeria Medical Association and National
Association of Resident Doctors) (Proscription) Order 1985

Commencement : 21st February 1985

In exercise of the powers conferred on me by section 1 (1) of the Trade Disputes (Essential Services) Act 1976, and of all other powers enabling me in that behalf, I, Major General Muhammadu Buhari, Head of the Federal Military Government, Commander-in-Chief of the Armed Forces, hereby make the following Order :—

1. Pursuant to section 1 (1) of the Trade Disputes (Essential Services) Act 1976, the associations commonly known and referred to as the Nigeria Medical Association and the National Association of Resident Doctors (hereinafter in this Order referred to as "the proscribed associations") are hereby respectively proscribed.

Proscription
of NMA and
NARD.
1976 No. 23.
1977 No. 69.

2. Accordingly, in pursuance of the provisions of the Trade Disputes (Essential Services) Act 1976, as amended by the Trade Disputes (Essential Services) (Amendment) Act 1977, as from the date of the making of this Order, the following consequences shall ensue :—

Effect of
Order.
1976 No. 23.
1977 No. 69.

(a) no other association or trade union consisting of the same or substantially the same members as those of the proscribed associations and no other association having the same or substantially the same objectives shall, until the revocation of this Order, be formed or registered ;

(b) no person who immediately before the date of the commencement of this Order was an officer of any of the proscribed associations shall at any time during which this Order remains in force be an officer of any association of persons employed in the essential service affected by this Order ;

(c) no person who immediately before the making of this Order was an officer of the proscribed associations shall in any way perform or assume leadership role in any association or faction of an association of the essential service affected by this Order ;

(d) all property (whether moveable and immoveable) of the proscribed associations whether held in the name of the proscribed associations or held by any person for or in trust for the proscribed associations are hereby forfeited to the Federal Military Government and shall vest in that Government free of encumbrances without any further assurance apart from this Order and the provisions of section 1 (3) of the Trade Disputes (Essential Services) Act 1976 shall apply to such property ;

1976 No. 23.

(e) any person who holds any property referred to in the last preceding paragraph of this section shall within 14 days of the making of this Order, or where the property comes into his possession after the making of this Order, within 14 days after the property comes into his possession, deliver such property to the Secretary to the Federal Military Government or notify him in writing of the place where the property may be recovered,

and, in the latter case, shall take all other steps as the Secretary to the Federal Military Government may require in the recovery of such property ;

(f) any person in possession thereof shall forthwith surrender the certificates of registration of the proscribed associations to the appropriate registration authority who shall forthwith cancel same.

Application
of 1976
No. 23.
1977 No. 69.

3. The provisions of the Trade Disputes (Essential Services) Act 1976, as amended by the Trade Disputes (Essential Services) (Amendment) Act 1977 shall apply to the proscribed associations and in particular—

(a) section 4, (which relates to the power of the Chief of Staff, Supreme Headquarters, to detain affected persons) ;

(b) section 6 (which obliges registration authorities to register the Federal Military Government as owner of any property) ;

(c) section 7 (which excludes proceedings in any court of law against the Federal Military Government) ; and

(d) sections 1 (5), 1A, and 3 (2) (imposing penalty or imprisonment for an offence thereunder) ;

shall have effect according to their tenor.

Citation and
commence-
ment.

4. This Order may be cited as the Trade Disputes (Nigeria Medical Association and the National Association of Resident Doctors) (Proscription) Order 1985 and shall be deemed to have come into force on 21st February 1985.

MADE at Lagos this 1st day of March 1985.

MAJOR-GENERAL M. BUHARI,
*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 Order
but is intended to explain its purpose)*

The Order proscribes the two associations commonly known and referred to as the Nigeria Medical Association and the National Association of Resident Doctors. Consequently, the Order applies the provisions of the Trade Disputes (Essential Services) Act 1976, as amended, to the associations, their officers and their property. Legal proceedings are excluded.

Supplement to Official Gazette No. 46, Vol. 72, 5th September, 1985—Part B

S.I. 25 of 1985

LEGAL PRACTITIONERS ACT 1975
Legal Practitioners' Privileges Committee
(Appointment of Certain Members) Notice 1985

Commencement : 6th May 1985

WHEREAS by section 5 (4) of the Legal Practitioners Act 1975 as amended it is provided that the members of the Legal Practitioners' Privileges Committee under paragraphs (c), (e) and (g) of section 5 (3) thereof shall be appointed by the Chief Justice of Nigeria in consultation with the Attorney-General of the Federation :

NOW, THEREFORE, I, GEORGE SODEINDE SOWEMIMO, Chief Justice of Nigeria, in exercise of the powers conferred on me as aforesaid do hereby revoke previous appointments due to irregularities and after consultation with the Attorney-General of the Federation hereby give the following Notice :—

1. In pursuance of section 5 (4) of the Legal Practitioners Act 1975 (as substituted by the Legal Practitioners' (Amendment) Act 1977 and further amended by the Legal Practitioners' (Amendment) (No. 2) Act 1977) the persons specified in the Schedule hereunder are hereby appointed as members of the Legal Practitioners' Privileges Committee in substitution for the persons specified in the Schedule to Legal Notice No. 6 of 1984.

2. This Notice may be cited as the Legal Practitioners' Privileges Committee (Appointment of Certain Members) Notice 1985.

SCHEDULE

1. The Hon. Justice M. Bello, C.O.N., Justice of the Supreme Court.
2. The Hon. Justice M. Buba Ardo, C.F.R., Chief Judge of Gongola State.
3. The Hon. Justice P. K. Nwokedi, Chief Judge of Anambra State.
4. The Hon. Justice S. O. Agbaje-Williams, Chief Judge of Oyo State.
5. The Hon. Justice P. A. K. Oki, Chief Judge of Bendel State.
6. The Hon. Justice G. I. Uloko, Chief Judge of Plateau State.
7. G. O. K. Ajayi, Esq., S.A.N.
8. Dr. Okoi Arikpo, S.A.N.
9. J. B. Majiyagbe, Esq., S.A.N.
10. Mrs Folake Solanke, S.A.N.
11. Shola Okeaya-Inneh, Esq., S.A.N.

GIVEN at Lagos this 23rd day of August, 1985.

G. S. SOWEMIMO, C.O.N.,
Chief Justice of Nigeria



Supplement to Official Gazette No. 51, Vol. 72, 3rd October, 1985—Part B

S.I. 26 of 1985

IMMIGRATION ACT 1963
(1963 No. 6)

Embaye Melekin Deportation Order 1985

Commencement : 23rd July 1985

I, the Minister of Internal Affairs, being of opinion that Embaye Melekin at present in Nigeria ought to be classified as a prohibited immigrant and acting under the powers conferred upon me by section 18 (3) of the Immigration Act 1963, and of all other powers enabling me in that behalf, accordingly order that the said Embaye Melekin be so classified and further order that the said Embaye Melekin be deported from Nigeria by the first available means and I direct that the said Embaye Melekin shall thereafter remain out of Nigeria.

This Order may be cited as the Embaye Melekin Deportation Order 1985.

MADE at Lagos this 23rd day of July 1985.

MAJOR-GENERAL M. MAGORO,
Minister of Internal Affairs

S.I. 27 of 1985

IMMIGRATION ACT 1963

(1963 No. 6)

Johnson David Wallace Deportation Order 1985

Commencement : 19th September 1985

I, the Minister of Internal Affairs, being of the opinion that Johnson David Wallace ought to be classified as a prohibited immigrant and acting under the powers conferred upon me by section 18 (3) of the Immigration Act 1963, and on all other powers enabling me in that behalf, hereby order that Johnson David Wallace an American be qualified as a prohibited immigrant and further order that Johnson David Wallace be deported from Nigeria and that Johnson David Wallace, shall thereafter remain out of Nigeria.

This order may be cited as the Johnson David Wallace Deportation Order 1985.

MADE at Lagos this 19th day of September 1985.

LIEUTENANT-COLONEL J. SHAGAYA,
Minister of Internal Affairs

SECTION C



SECTION D

