

ADMINISTRATION OF JUSTICE (EASTERN STATES)

DECREE 1967



Decree No. 48

[15th November 1967]

Commence-
ment.

WHEREAS it is now and from time to time hereafter may be expedient and necessary to make provision for the appointment of certain judicial officers and for the administration of justice in divers parts of states in the former Eastern Region to some extent otherwise than under existing law within the purview of the Constitution (Suspension and Modification) Decree 1966 :

NOW THEREFORE THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) The Magistrates' Courts Law of the former Eastern Region and legislation administered by any court established under the Law aforesaid shall, in so far as the jurisdiction of such courts extends, have effect as part of the existing law as aforesaid, so however that in the application of this Decree,—

Reconstitu-
tion and
appointments
etc. in lower
courts in
former
Eastern
Region.

(a) every administrative division of the Eastern States, namely, Central Eastern, South Eastern and Rivers States, as constituted by the States (Creation and Transitional Provisions) (Amendment) Decree 1967 shall be a magisterial district ;

Laws of
Eastern
Nigeria 1963:
Cap. 82.
1967 No. 25.

(b) there shall be established a magistrates' court for every magisterial district and to each a magistrate or, as the Head of the Federal Military Government may think fit, a number of magistrates, shall be assigned with jurisdiction to the extent conferred by the relevant instrument of appointment ;

(c) subject to any limitation imposed on his jurisdiction by the instrument of his appointment, a magistrate shall have and may exercise the functions and powers of a magistrate appointed under the Magistrates' Courts Law aforesaid.

2.—(1) Anything to the contrary in any enactment or Law notwithstanding, the Head of the Federal Military Government may by order appoint any qualified person as a Magistrate, or as the case may be, as a Justice of the Peace, for any such administrative division aforesaid or part thereof.

Power to
appoint
magistrates
and others.

(2) In this section, "qualified person" means, in relation to the appointment of a magistrate, a person so qualified to be appointed by virtue of section 6 (2) of the Magistrates' Courts Law aforesaid.

Laws of
Eastern
Nigeria 1963:
Cap. 82.

Citation,
effect,
repeal, etc.

1967 No. 34.

3.—(1) This Decree may be cited as the Administration of Justice (Eastern States) Decree 1967 and shall apply throughout the Federation.

(2) This Decree shall come into operation on the date of the making thereof; and the Administration of Justice (South Eastern State) Decree 1967 shall thereupon stand repealed.

(3) Nothing in this Decree shall be construed to affect things done under the Decree hereby repealed; and appointments made thereunder and to the extent to which they are in force immediately before the commencement of this Decree shall, on its commencement, continue in force and to such extent as if made pursuant to an order under and for the purposes of this Decree.

MADE at Lagos this 15th day of November 1967.

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