

PENSIONS (INCREASE) DECREE 1975



Decree No. 42

[1st April 1974]

Commencement.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) Subject to the provisions of this Decree, there shall be payable as from the appointed day to every person who retired before the appointed day and who was in receipt of a pension under the provisions of any enactment mentioned in Part A of the Schedule to this Decree, an increase in pension as specified in the table set out in Part B of the said Schedule :

Increase in pensions and minimum pension payable.

Provided that where an increase would operate in such a way that the minimum annual pension payable together with any such increase would be less than ₦360, the minimum annual pension including such increase shall be ₦360.

(2) Notwithstanding the provisions of any enactment aforesaid, the minimum annual pension to be paid to any person pursuant to any such enactment shall, as from the appointed day, be ₦360.

2. In this Decree—

Interpretation.

“the appointed day” means the date of commencement of this Decree ;

“pensions” means the yearly amount of the pension granted to an officer or other person on the date of his retirement or the yearly amount of pension as reduced by commutation under the Pensions Regulations, as the case may be, inclusive in either case of increases payable before the appointed day and includes any annual allowance in the nature of a pension.

3.—(1) This Decree may be cited as the Pensions (Increase) Decree 1975 and shall be deemed to have come into operation on 1st April 1974.

Citation, etc..

(2) For the avoidance of doubt, the provisions of any enactment aforementioned in force immediately before the appointed day shall, as from the appointed day, be read and construed with such adaptations and modifications as may be necessary or expedient for bringing into force the provisions of this Decree ; and in particular, the amount of any increase granted pursuant to the provisions of this Decree shall not be taken into account for the purposes of section 10 of the Pensions Act (which limits the amount of a pension that may be granted to an officer).

(3) The Pensions (Increase) Act and the Pensions (Increase) Decree 1972 are hereby consequentially repealed.

Cap. 147(B).
1972 No. 41.

SCHEDULE

Section 1

PART A

THE ENACTMENTS REFERRED TO IN SECTION 1

<i>Enactment</i>	<i>Chapter or No.</i>
Military Pensions Act	Cap. 119
Pensions Act	Cap. 147
Pensions (Statutory Corporation Service) Act ..	Cap. 148
War Pensions Act	Cap. 212
Widows' and Orphans' Pensions Act	Cap. 220
Pensions (Special Provisions) Act 1961	1961 No. 15
Pensions (Statutory Corporation Service) Act 1961	1961 No. 61
Pensions (Transferred Service) Act 1965	1965 No. 28
Special Constables Decree 1966	1966 No. 7
Police Pensions Decree 1966	1966 No. 60
Pensions (Federal Fire Service, etc.) Decree 1966	1966 No. 74
Pensions and Gratuities (War Service) Decree 1969	1969 No. 49
Transferred Officers and Pensions Liability, etc. Decree 1971	1971 No. 8
Military Pensions (Amendment) Decree 1975 ..	1975 No. 13

PART B

<i>Pension or annual allowance</i>	<i>Rate of increase</i>
(a) Not more than ₦720 per annum	50 per cent increase subject to a minimum of ₦360 per annum.
(b) Over ₦720 but not more than ₦3,000 per annum ..	40 per cent increase or ₦400 per annum, whichever is higher. ..
(c) Over ₦3,000 per annum	30 per cent increase or ₦1,300 per annum, whichever is higher.

MADE at Lagos this 20th day of December 1975.

BRIGADIER M. R. MUHAMMED,
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)*

The Decree effects various rates of increments in pensions for government officers already in retirement before the effective date of implementation of the Udoji Public Service Review Commission recommendation relating to pensions.

The minimum pension now payable is ₦360 per annum.