

REQUISITION AND OTHER POWERS (AMENDMENT) DECREE 1975



Decree No. 12

[3rd March 1975]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:—

1. The Requisition and Other Powers Decree 1967 is hereby amended as follows—

Amend-
ment of
Decree
No. 39 of
1967.

(a) in section 10 thereof—

(i) for the words “the Chief Federal Land Officer” where they occur in subsections (1) and (2) there shall be substituted the words “the most senior Lands Officer in the State in which the land is situate and approved by the State Compensation Committee established under section 10A of this Decree”, and

(ii) for the words from “the Chief Federal Land Officer” to “land is situate” in subsection (4) there shall be substituted the words “and approved, the most senior Lands Officer in the State in which the land is situate shall pay the amount into the High Court of the State”;

(b) immediately after section 10 thereof there shall be inserted the following new sections—

“State
Compensa-
tion
Committee.

10A.—(1) There shall be established for each State in the Federation a State Compensation Committee which shall be charged with the responsibility of considering the assessment made pursuant to section 10 of this Decree by the appropriate Lands Officer.

(2) Each State Compensation Committee shall consist of—

(a) the Secretary to the Military Government of the State, or a Permanent Secretary of the State nominated by him, as the Chairman of the Committee,

(b) the Commander of the Army unit stationed in the State, or his representative,

(c) in the case of a State where there is a naval base or detachment, the Chief of Naval Staff or his representative,

(d) the most senior officer of the Air Force unit stationed in the State or his representative,

(e) the most senior Police Officer in the State Command or his representative,

(f) the Permanent Secretary, Ministry of Defence or his representative,

(g) the most senior Lands Officer in the State or his representative, and

(h) the Permanent Secretary of the State Ministry of Finance or his representative.

"Compensation in respect of certain properties.

10B.—(1) Notwithstanding the provisions of section 10 of this Decree, compensation in respect of the following properties, that is to say,—

(a) State-owned properties (including land),

(b) properties (including land) belonging to Statutory Corporations set up by State Governments,

(c) properties (including land) which are to be acquired in perpetuity,

shall be assessed by the Chief Federal Lands Officer, and compensation thereon shall be payable after consideration of the assessment by the Central Compensation Committee established under section 10C of this Decree.

(2) Save as provided by subsection (1) of this section, all other provisions of section 10 of this Decree shall, with any necessary modification, apply to the assessment and payment of compensation under this section as they apply under that section."

"Central Compensation Committee.

10C.—(1) There shall be established a Central Compensation Committee charged with the responsibility of considering any assessment made by the Chief Federal Lands Officer pursuant to section 10B of this Decree.

(2) The Central Compensation Committee shall consist of—

(a) the Permanent Secretary, Ministry of Defence or his representative who shall be the Chairman,

(b) the Permanent Secretary, Federal Ministry of Finance or his representative,

(c) the Chief Federal Lands Officer or his representative,

(d) the Chief of Staff, Nigerian Army or his representative,

(e) the Chief of Naval Staff or his representative,

(f) the Chief of Air Staff or his representative,

(g) the Legal Adviser, Ministry of Defence,

(h) the Controller of Finance and Accounts, Ministry of Defence, and

(i) an Administrative Officer in the Ministry of Defence."

"Rules and regulations of proceedings by Committees.

1964 No. 1.

10D.—(1) Subject to section 26 of the Interpretation Act 1964 (which provides for decisions of a statutory body to be taken by a majority of its members and for the chairman to have a second or casting vote) any Committee established under this Decree may make rules of procedure to regulate its own proceedings, and in particular to provide for the holding of meetings, the giving of notice of such meetings and the taking, keeping and custody of minutes at such meetings.

(2) Any five members of a Committee established under this Decree, which shall include—

- (a) the Chairman,
 - (b) the Chief Federal Lands Officer or his representative (in the case of the Central Compensation Committee), and
 - (c) the most Senior Lands Officer or his representative (in the case of a State Compensation Committee)
- shall constitute a quorum."

2. This Decree may be cited as the Requisition and Other Powers (Amendment) Decree 1975. Citation.

MADE at Lagos this 3rd day of March 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 amends the Requisition and Other Powers Decree 1967 by diluting the power of the Chief Federal Lands Officer for the purpose of allowing for quicker settlement of the compensation due under the Decree.