

BIRTHS AND DEATHS (COMPULSORY REGISTRATION) DECREE 1979



Decree No. 39

[1st September 1979]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) Notwithstanding the provisions of any laws relating to the registration of births and deaths, the registration of births and deaths shall, as from 1st September 1979, be compulsory in all cases and such registration shall be effected as provided under the aforementioned laws and in the following provisions of this Decree.

Registration
of births and
deaths to be
compulsory.

(2) In this section references to laws relating to the registration of births and deaths are references to any of the following laws that may be applicable in the State concerned, that is to say—

(a) the Births and Deaths and Burials Law as in force in the Anambra, Cross River, Imo and Rivers States ;

Cap. 14 Laws
of the former
Eastern
Nigeria 1963.

(b) the Births, Deaths and Burials Law as in force in the Bauchi, Benue, Borno, Gongola, Kaduna, Kano, Kwara, Niger, Plateau and Sokoto States ;

Cap. 14 Laws
of the former
Northern
Nigeria 1963.

(c) the Births, Deaths and Burials Law as in force in Ogun, Ondo and Oyo States ;

Cap. 12 Laws
of the former
Western
Nigeria 1959.

(d) the Births, Deaths and Burials Law of Lagos State ; and

Cap. 15 Laws
of Lagos
State 1973.

(e) the Births, Deaths and Burials Law of Bendel State ;

Cap. 28 Laws
of Bendel
State 1976.

and the said laws shall hereafter continue to have effect as if they were Federal enactments but with each such law having effect and applicable as a Federal enactment to the State concerned.

Registrar-General, registrars, etc.

2.—(1) There shall be appointed an official to be known as the Registrar-General who shall exercise the powers and perform the duties conferred or imposed under or pursuant to this Decree and until such a person is appointed, the Head of the Federal Military Government may designate any public officer in the Cabinet Office to perform the functions conferred on the Registrar-General under or pursuant to this Decree.

(2) There shall be appointed such number of State Registrars, Registrars and other supporting staff as may be necessary for the purposes of this Decree and any act or thing required by or under this Decree to be done by to or before the Registrar-General may be done by, to or before any such officer authorised generally or specially in that behalf by the Registrar-General.

(3) The Registrar-General, State registrars and other staff aforementioned shall be officers in the public service of the Federation within the meaning of the Constitution of the Federation; but until appointments are so made, any person discharging the duties of the office of the most senior registrar in a State pursuant to any of the laws mentioned in section 1 of this Decree shall be deemed to be the State Registrar for the purposes of this Decree.

(4) Every Secretary to a Local Government and every registrar appointed under or pursuant to any of the aforementioned laws shall be registrars for the purposes of this Decree.

Special provision as to Nigerian diplomatic missions.

3. Every head of any Nigerian diplomatic mission abroad is hereby appointed as a registrar for the purposes of this Decree and, accordingly, notwithstanding the provisions of any law in force elsewhere—

(a) every such head shall be responsible for registration of births and deaths of Nigerian citizens notified to him by any person or authority in the country or countries to which he is accredited ; and

(b) the provisions of this Decree relating to the rendering of returns by State Registrars shall be construed as if references to State Registrars were references to registrars appointed under this section.

Returns to be made by registrars to States' registrars.

4.—(1) Every registrar shall in the months of January, April, July and October, on such days as may be appointed by the Registrar-General—

(a) make and deliver to the State Registrar in the prescribed form a true copy certified by him in the prescribed manner, of all the entries of births and deaths made in the registers kept by him during the period of three months ending with the last day of the month immediately preceding that in which a copy is required by this section to be made ;

(b) if no birth or death has been registered in his district during that period, deliver to the State Registrar in the prescribed form a certificate to that effect under his hand.

(2) Where a certified copy is delivered to the State Registrar under subsection (1) above, the State Registrar shall verify the copy and if the copy is found to be correct, shall certify it under his hand to be a true copy ; and where a certificate that there has been no registration, is so delivered, the State Registrar shall countersign the certificate.

5. Every State Registrar shall, four times in every year on such days as may be appointed by Registrar-General, send to the Registrar-General all certified copies of entries in the register of births or deaths which he has received during the three months immediately preceding the days so appointed respectively, and if the copy of any part of any register has not been duly delivered to him, the State Registrar shall procure, as soon as is possible consistently with the provisions of this Decree, that the deficiency is remedied.

Quarterly returns by State Registrars to Registrar-General.

6.—(1) Every registrar shall keep safely all registers of births and deaths which are in his custody and when not in use, the registers shall be kept in the register box provided for the purpose by the Registrar-General.

Custody of registers, etc.

(2) When a register of births or a register of deaths is filled the registrar shall deliver it to the State Registrar to be kept by him with the records of his office.

(3) The certified copies sent to the Registrar-General under section 5 of this Decree shall be kept in the general register office in such order and manner as the Registrar-General may think fit.

7.—(1) No alteration shall be made in any register of births or deaths except as authorised by this or any other enactment.

Correction of errors in registers.

(2) Any clerical error which may from time to time be discovered in any such register may, in the prescribed manner be corrected by any person authorised in that behalf by the Registrar-General.

(3) Any error of fact or substance in any such register may be corrected by entry in the margin (without any alteration of the original entry) by the officer having custody of the register upon production to him by the person concerned of a statutory declaration setting forth the nature of the error and the true facts of the case made by two qualified informants of the birth or death with reference to which the error has been made ; or in default of two qualified informants, then by two credible persons having knowledge of the truth of the case.

(4) Where an error of fact or substance (other than an error relating to the cause of death), occurs in the information given by a coroner's certificate concerning a dead body upon which, or a death touching which, he has held an inquest the coroner may, if satisfied by evidence on oath or statutory declaration that such an error exists, certify under his hand to the officer having the custody of the register in which the information is entered the nature of the error and the true facts of the case as ascertained by him on that evidence and the errors may thereupon be corrected by that officer in the register by entering in the margin (without any alteration of the original entry) the facts as so certified by the coroner.

8.—(1) The Registrar-General shall cause indexes of all certified copies of entries in registers sent to him under this Decree or under any other enactment to be made and kept in the general register office.

Search of indexes kept by Registrar-General.

(2) Any person shall be entitled to search the said indexes at any time when the general register office is open for that purpose and to have a certified copy of any entry in the said certified copies on payment of the prescribed fee to the Registrar-General or to such other officer as may be appointed to act on his behalf.

Searches of
indexes kept
by registrars.

9.—(1) Every State Registrar shall cause indexes of the registers of births and registers of deaths in his office to be made and to be kept with the other records of that office and the Registrar-General shall supply to every superintendent registrar suitable forms for the making of such indexes.

(2) Any person shall be entitled at any time when the register office is required to be opened for the transaction of public business to search the said indexes and to have a certified copy of any entry in the said registers under the hand of the State Registrar on payment by that person of the prescribed fee to the State Registrar.

Entry in
register as
evidence of
birth or
death.

10.—(1) The following provisions of this section shall have effect in relation to entries in registers kept under this Decree or any other enactment.

(2) The entry or a certified copy of any entry of a birth or death in a register, or in a certified copy of a register, shall not be evidence of the birth or death concerned unless the entry purports to be signed by some person professing to be the informant and to be such person as might be required by this Decree or any law at the date of the entry to give to the registrar, information concerning that birth or death :

Provided that this section shall not apply—

(a) in relation to an entry of a birth which not being an entry signed by a person professing to be a State Registrar purports to have been made with the authority of the Registrar-General ; or

(b) in relation to an entry of a death which purports to have been made upon a certificate from a coroner ; or

(c) in relation to an entry of a birth or death which purports to have been made in pursuance of any enactment relating to the registration of births and deaths at sea.

(3) Where more than three months have intervened between the date of the birth of any child and the date when any living new-born child was found exposed and the date of registration of the birth of that child, the entry or a certified copy of the entry of the birth of the child in the register, or in a certified copy of the register, shall not be evidence of the birth unless—

(a) if it appears that not more than twelve months have so intervened, the entry purports either to be signed by the State Registrar as well as by the registrar or to have been made with the authority of the Registrar-General ;

(b) if more than twelve months have so intervened, the entry purports to have been made with the authority of the Registrar-General :

Provided that this subsection shall not apply in any case where the original entry was made before the coming into force of any of the laws mentioned in section 1 of this Decree.

(4) Where more than twelve months have intervened between the date of the death or of the finding of the dead body of any person and the date of the registration of that person's death, the entry or a certified copy of the entry of the death in the register or in a certified copy of the register shall not be evidence of the death unless the entry purports to have been made with the authority of the Registrar-General :

Provided that this subsection shall not apply in any case where the original entry in the register was made before the coming into force of any of the laws mentioned in section 1 of this Decree.

(5) A certified copy of an entry in a register or in a certified copy of a register shall be deemed to be a true copy notwithstanding that it is made on a form different from that of which the original entry was made if any differences in the column headings under which the particulars appear in the original entry and the copy are respectively differences of form only and not of substance.

(6) The Registrar-General shall cause any certified copy of an entry given in the general register office to be sealed or stamped with the seal of that office ; and subject to the foregoing provisions of this section any certified copy of an entry purporting to be sealed or stamped with the said seal shall be received as evidence of the birth or death to which it relates without any further or other proof of the entry and no certified copy purporting to have been given by the said office shall be of any force or effect unless it is sealed or stamped as aforesaid.

11. It shall be the duty of the persons specified below to give or cause to be given, either orally or in writing within such time as may be prescribed, information to a registrar of the several particulars required to be entered in prescribed forms, that is to say—

Persons
required to
register
births and
deaths with
registrars.

(a) in respect of births and deaths in a house, whether residential or non-residential, not being a place referred to in paragraphs (b) to (d) below, the head of the house, or in case more than one household live in the house, the head of each household, the head being the person who is so recognised by the house or the household, and if he is not present in the house at any time during the period within which the birth or death has to be reported, the nearest relative of the head present in the house, and in the absence of any of the above mentioned persons, any person present therein during the said period ;

(b) in respect of births and deaths in a hospital, health centre, maternity, nursing home or other like institution, the medical officer in charge or any person authorised by him in that behalf ;

(c) in respect of births and deaths in a prison, the officer in charge ;

(d) in respect of births and deaths in a hostel, boarding house, lodging house, hotel, tavern, barracks or place of public resort, the person in charge thereof ;

(e) in respect of a new born child or dead body found deserted in a public place, the village head or ward head (where such village head or ward head is not himself a registrar) in the case of a village and the officer in charge of a police station elsewhere.

12. If any person commits any of the following offences, that is to say—

Offences.

(a) if being a registrar he refuses or without reasonable cause omits to register any birth or death, or particulars concerning which information has been tendered to him by a qualified informant and which he is required by or under this Decree to register ; or

(b) if being a person having custody of any register of births or register of deaths, he carelessly loses or damages the register or allows the register to be damaged,

he shall be liable on conviction to a fine of ₦200 or to imprisonment for six months or to both such fine and imprisonment.

Penalties for failure to give information, etc.

13. If any person commits any of the following offences, that is to say—

(a) if being required by or under this Decree or any other enactment to give information concerning any birth or death or any living new born child or any dead body, he wilfully refuses to answer any question put to him by the registrar relating to the particulars required to be registered concerning the birth or death or save as provided in this Decree, fails to comply with any requirement of the registrar made hereunder ;

(b) if he refuses or fails without reasonable excuse to give, deliver or send, any certificate which he is required by this Decree to give, deliver or send ;

(c) if being a parent and save as provided in this Decree he fails to give information concerning the birth of his child as required by this Decree ;

(d) if being a person upon whom a duty to give information concerning a death is imposed by any enactment he fails to give that information and that information is not given,

he shall be liable on conviction to a fine of not more than ₦50 or imprisonment for one month or to both such fine and imprisonment in respect of each offence.

Penalty for forging certificates, etc.

14. If any person forges or falsifies any certificate, declaration or order under this Decree, or knowingly uses or gives or sends to any person as genuine any false or forged certificates, declaration or order for the purposes of this Decree, he shall be liable on conviction to a fine of ₦200 or imprisonment for six months or to both such fine and imprisonment.

Regulations.

15. The Federal Executive Council may make regulations generally for the purposes of this Decree and for the due administration thereof.

Interpretation.

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

“birth” means the birth of a child born alive ;

“prescribed” means prescribed by regulations made under section 15 of this Decree ;

“qualified informant” in relation to any birth or death means a person who by this Decree, or in the case of a birth or death occurring before 1st September 1979 by any other enactment, is required or stated to be qualified to give information concerning that birth or death ;

“registrar” in relation to any birth or death means the registrar of births and deaths for a district in which the birth or death takes place or where any living new born child is found exposed or any dead body is found and no information as to the place of birth or death is available for the district in which the child or dead body is found and includes every registrar appointed by or pursuant to any law mentioned in section 1 of this Decree ;

“Registrar-General” means the person appointed as such pursuant to section 2 of this Decree ;

"State Registrar" in relation to any registrar means the registrar of births and deaths in a State in the Federation appointed pursuant to this Decree.

17.—(1) This Decree may be cited as the Births and Deaths (Compulsory Registration) Decree 1979 and shall come into force on 1st September 1979.

Citation, etc.

(2) The provisions of this Decree are in addition to and not in derogation of the Laws mentioned in section 1 herein, so however that where the provisions of any such Law is in conflict with any provisions of this Decree, the provisions of this Decree shall prevail.

MADE at Lagos this 3rd day of August 1979.

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 makes it compulsory for every birth and death occurring as from 1st September 1979 to be registered in accordance with this Decree and as supplemented by existing laws. It makes provision for the appointment of a Registrar-General to whom all returns relating to births and deaths in Nigeria (and in the case of Nigerians abroad by our diplomatic missions) shall be made from time to time and for other sundry matters for the due administration thereof. Penalties are provided for in the Decree for failure of any person responsible therefor in registering a birth or a death.

INDUSTRIAL PROMOTION DECREE 1979



Decree No. 40

[3rd August 1979]

Commence-
ment.

WHEREAS the importation of certain goods has been, and may hereafter be, prohibited by law and it is necessary that any such prohibition should remain in force for a reasonable length of time in order to encourage the manufacture of such goods, or as the case may require of expansion in production thereof, by industrial undertakings in Nigeria, in sufficient quantities for both the domestic market and for export trade :

AND WHEREAS it is necessary and expedient to make provision by law in that behalf and for the purposes of ensuring the maintenance of high quality of any such goods and competitive pricing thereof and other matters connected therewith :

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

1.—(1) Subject to the provisions of this Decree, goods the importation of which—

(a) is prohibited by Part II of Schedule 1 to the Import Prohibition Order 1979 ; or

(b) is hereafter prohibited by the Customs and Excise Management Act 1958 or by any subsidiary legislation made thereunder ;

shall remain prohibited for a period of eight years from the date of coming into force of the prohibition concerned.

(2) For the avoidance of doubt, the provisions of this Decree shall not apply in respect of goods the importation of which is so prohibited if the production or manufacture, sale or purchase, possession or use of any such goods in Nigeria is unlawful pursuant to the aforesaid Act or any other enactment or law.

2.—(1) Every manufacturer of any of the goods mentioned in subsection (1) of section 1 of this Decree—

(a) shall, where production of the goods has started in Nigeria and the quality of the goods concerned is not already so, take steps to enhance the said quality as soon as may be after the coming into force of the prohibition concerned so as to ensure that it compares favourably with the quality of similar goods manufactured to the highest standards elsewhere ;

(b) shall, where production of the goods has not started in Nigeria, take steps to ensure that upon starting production thereof in Nigeria, the quality of such goods shall compare favourably with the quality of similar goods manufactured to the highest standards elsewhere ;

Importation
of certain
goods
prohibited
for 8 years.
L.N. 10 of
1979.

1958 No. 55.

Duty of
manufac-
turers of
prohibited
goods to
ensure high
quality of
goods, etc.

1971 No. 56.

and shall, subject to section 11A of the Nigerian Standards Organisation Decree 1971 (relating to Mandatory Industrial Standards), conform with any Nigerian Industrial Standards prescribed under that Decree as may be directed by the Facilitation Committee in that behalf.

1977 No. 1.

1977 No. 30.

(2) In addition to the exercise of powers conferred on any person or authority under the provisions of the Price Control Decree 1977, the Productivity, Prices and Incomes Board Decree 1977 or any other enactment relating to prices of goods, the Commissioner may direct the Facilitation Committee to specify the price at which any such manufacturer may sell the goods concerned or to establish a scheme or arrangement relating to resale price maintenance for the manufacturers and distributors (whether selling by wholesale or retail) of such goods.

(3) Where any manufacturer directed by the Committee to comply with a Nigerian Industrial Standard feels aggrieved by the decision, it may within 30 days after receipt of any such direction appeal to the Commissioner against the decision and any determination of the Commissioner in respect of any such appeal shall be final and shall not be subject to any further appeal.

(4) Where pursuant to subsection (2) above the price of goods is specified or where any resale price maintenance scheme or arrangement is established by the Committee in relation thereto, then the goods concerned shall, as the case may require—

(a) be deemed to be goods of the class specified in Schedule 1 to the Price Control Decree 1977 ; or

(b) be deemed to be goods in respect of which an order is in force pursuant to section 8 of the aforesaid Decree.

(5) Any person who contravenes the provisions of subsection (1), (2) or (4) of this section shall be guilty of an offence and liable on conviction—

(a) in respect of any offence under subsection (1), to the penalties prescribed in section 11A of the Nigerian Standards Organisation Decree 1971 ; and

(b) in respect of any offence under subsection (2) or (4), to the penalties prescribed in section 6 or, as the case may require, section 8 of the Price Control Decree 1977 ;

and accordingly, the other provisions of those enactments shall be construed with such modifications as may be necessary to give effect to the provisions of this section.

Power of Commissioner to issue directions to manufacturers.

Establishment of Facilitation Committee.

3. For the purposes of the proper implementation and due administration of the provisions of this Decree, the Commissioner may issue directions generally to manufacturers of the goods referred to in subsection (1) of section 1 of this Decree or specially to any manufacturer of any such goods and it shall be the duty of the manufacturers or manufacturer concerned to comply with such directions or cause them to be complied with.

4.—(1) There is hereby established a committee to be known as the Facilitation Committee which shall advise the Commissioner on the implementation of the provisions of this Decree and discharge any other function conferred on it by this Decree.

(2) The Committee shall consist of the Permanent Secretary, Federal Ministry of Industries, as the Chairman thereof and the following other members, that is—

- (a) a representative of each of the following Federal Ministries, that is—
 - (i) Agriculture and Water Resources,
 - (ii) Economic Development, and
 - (iii) Finance ;
- (b) a representative each of the following bodies, that is—
 - (i) the Nigerian Standards Organisation,
 - (ii) the Price Control Board, and
 - (iii) the Department of Customs and Excise ;
- (c) two representatives of the Manufacturers Association of Nigeria ;
- (d) two representatives of the Nigerian Chamber of Commerce, Industry, Mines and Agriculture ; and
- (e) two representatives of consumers' interests (at least one of whom shall be a woman) to be appointed by the Commissioner.

(3) Members of the Committee (not being public officers) shall hold office for two years and shall be eligible for re-appointment for one further period of two years.

5.—(1) The quorum for meetings of the Committee shall be six at least one of whom shall be a member appointed under paragraph (c), (d) or (e) of subsection (1) of section 4 of this Decree.

Proceedings
of the Com-
mittee, etc.

(2) The Committee may co-opt persons who are not members thereof to any meeting of the Committee and such persons may take part in the deliberations of the Committee but shall not be entitled to vote at a meeting of the Committee.

(3) The Committee shall have power to regulate its proceedings and may make standing orders for that purpose and, subject to any such standing orders, may function notwithstanding any vacancy in its membership or the absence of any member.

(4) There shall be a Secretary to the Committee who shall be a public officer designated as such in the Federal Ministry of Industries.

(5) The administrative expenses of the Committee shall be borne by the Federal Military Government.

6.—(1) For the purposes of this Decree, the Secretary of the Committee may by notice in writing addressed to or served on any person carrying on an industrial undertaking in respect of goods referred to in subsection (1) of section 1 of this Decree require that person to furnish in such form as he may direct information on such matters as may be specified by him.

Power to
obtain infor-
mation.

(2) A person required to furnish returns pursuant to subsection (1) above, shall within 42 days of the notice comply with the notice.

7.—(1) Any manufacturer of goods mentioned in subsection (1) of section 1 of this Decree who, for the purpose of complying with section 6 of this Decree—

Offence and
penalty.

- (a) makes or presents any declaration or statement which is false ; or
- (b) produces any invoice or other document which is false in any material particular or has not been given by the person by whom it purports to have been given or which has in any way been altered or tampered with,

shall be guilty of an offence under this section unless such manufacturer proves that it had taken all reasonable steps to ascertain the truth of the statement made, or contained in any document so presented or produced or to satisfy itself of the genuineness of the invoice or undertaking.

(2) Any manufacturer found guilty of an offence under this section shall be liable on conviction—

- (a) in the case of an individual, to a fine of ₦1,000 or imprisonment for two years or to both such fine and imprisonment ; and
- (b) in the case of a body corporate, to a fine of not less than ₦5,000.

Offences by
bodies
corporate
and unincor-
porate.

8. Where an offence under this Decree is committed by a body corporate or firm or other association of individuals—

- (a) every director, manager, secretary or other similar officer of the body corporate ;
- (b) every partner or officer of the firm ;
- (c) every person concerned in the management of the affairs of the association ; or
- (d) every person who was purporting to act in any such capacity as aforesaid,

shall severally be guilty of that offence and liable to be prosecuted and punished for the offence in like manner as if he had himself committed the offence in an individual capacity, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

Trial and
prosecution
of offences.

9.—(1) Offences under this Decree shall, unless otherwise provided for under any other enactment, be triable by the Federal Revenue Court.

(2) The prosecution of offences under this Decree shall, subject as aforesaid, be at the instance of the Attorney-General of the Federation.

Interpreta-
tion.

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

"Chairman" means the Chairman of the Committee ;

"Commissioner" means the Federal Commissioner charged with responsibility for industries ;

"Committee" means the Facilitation Committee established under section 4 of this Decree ;

"consumer" includes any person (whether or not another manufacturer) who buys goods from a wholesale or retail trader in the goods concerned ;

"manufacturer" means any person who carries on a business in Nigeria of manufacturing goods, whether directly from raw materials or by way of assembly of imported parts or otherwise howsoever, and includes—

(a) a person who, in the course or for the purposes of his business, applies a chargeable process in the course of making goods ; and

(b) a person who manufactures goods for or in use in or in connection with a business carried on by him or any other manufacturer ;

"member" includes the Chairman.

11. This Decree may be cited as the Industrial Promotion Decree 1979. Citation.

MADE at Lagos this 3rd day of August 1979.

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 provides that goods the importation of which is absolutely prohibited by any order shall remain prohibited for a period of eight years from the operative date of such order so as to encourage the manufacture of such goods in Nigeria, and where already manufactured to facilitate expansion of production thereof, not only to satisfy domestic demand but also for export.

The Decree makes it obligatory for manufacturers to ensure that the quality of the goods concerned is not below the highest standards available outside Nigeria while machinery is devised in the Decree to ensure competitive pricing of any such goods.

SUPREME COURT (AMENDMENT) DECREE 1979



Decree No. 41

[30th July 1979]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. Section 3 (1) of the Supreme Court Act 1960 (as substituted by the Adaptation of Laws (Federal Provisions) Order 1960 and subsequently amended by the Justices of the Supreme Court Act 1964 and the Supreme Court (Amendment) Decree 1977) which provides that the number of Justices of the Supreme Court apart from the Chief Justice of Nigeria shall be ten is hereby further amended by the substitution for the word "ten" of the word "twelve".

Amendment
of 1960 No.
12, L.N. 155
of 1960.
1964 No. 4.
1977 No. 72.

2.—(1) This Decree may be cited as the Supreme Court (Amendment) Decree 1979 and shall be deemed to have come into force on 30th July 1979.

Citation,
commence-
ment and
repeals.

(2) The Justices of the Supreme Court Act 1964 which is spent and the Supreme Court (Amendment) Decree 1977 are hereby consequentially repealed.

MADE at Lagos this 3rd day of August 1979.

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

**NATIONAL YOUTH SERVICE CORPS (AMENDMENT)
(No. 2) DECREE 1979**



Decree No. 42

[8th May 1979]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) The National Youth Service Corps Decree 1973 (as amended by the National Youth Service Corps (Amendment) Decree 1979) is hereby amended as follows :—

Amendment
of National
Youth
Service
Corps
Decree 1973.
1973 No. 24.

(a) in subsection (2) of section 2 thereof for the words "January 1977", there shall be substituted the words "1st July 1977" ;

(b) for subsections (2) and (3) of section 3 thereof, there shall be substituted the following new subsections—

"(2) The Directorate shall comprise the following members, that is—

(a) a Chairman ;

(b) five persons to represent the universities in Nigeria in rotation, so however that no two of them shall come from one university at the same time ;

(c) one member of the armed forces of Nigeria ;

(d) one member of the Nigeria Police Force ;

(e) a representative of the Nigerian Employers' Consultative Association ;

(f) the Director appointed under section 5 of this Decree ;

(g) one representative of the Cabinet Office ;

(h) one representative of the Federal Ministry of Education ;

(i) one representative of the Federal Ministry of Labour, Youth and Sports ;

(j) two representatives each of the following, that is to say—

(i) polytechnics or equivalent institutions,

(ii) advanced teacher training colleges ; and

(k) three other persons, at least one of whom shall be a woman.

(3) The Chairman and members of the Directorate shall be appointed by Head of the Federal Military Government.

(4) A member of the Directorate who is not a public officer shall hold office for a term of three years from the date of his appointment and shall be eligible for re-appointment for one further term only."

Citation and
commence-
ment.

2. This Decree may be cited as the National Youth Service Corps (Amendment) (No. 2) Decree 1979 and shall be deemed to have come into force on 8th May 1979.

MADE at Lagos this 3rd day of August 1979.

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 further amends the National Youth Service Corps Decree 1973 to make it clear that the removal of the age requirement for compulsory service in the Youth Corps was effective from 1st July 1977 and not January 1977.

**NIGERIAN INSTITUTE OF INTERNATIONAL AFFAIRS
(AMENDMENT) DECREE 1979**



Decree No. 43

[3rd August 1979]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. Paragraph (c) of section 2 of the Nigerian Institute of International Affairs Decree 1971 (which relates to the power of the Institute to establish branches of the Institute in Nigeria) is hereby repealed.

Amendment
of 1971 No.
35.

2. This Decree may be cited as the Nigerian Institute of International Affairs (Amendment) Decree 1979.

Citation.

MADE at Lagos this 3rd day of August 1979.

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

**NIGERIAN NATIONAL PETROLEUM CORPORATION
(AMENDMENT) DECREE 1979**



Decree No. 44

[1st October 1978]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. The Nigerian National Petroleum Corporation Decree 1977 (as amended by the Nigerian National Petroleum Corporation (Amendment) Decree 1978) is hereby amended as follows :—

Amend-
ment of
Decree No.
33 of 1977.
1978 No. 16.

(a) in section 1 thereof—

(i) for subsection (3) there shall be substituted the following new subsection—

“(3) The Chairman shall be a Commissioner in the Government of the Federation to be known and styled as the Federal Commissioner for Petroleum.” ; and

(ii) in subsection (4), immediately after the words “members of the Board” there shall be inserted the expression “(other than the Chairman)” ;

(b) immediately after section 1 thereof, there shall be inserted the following new section 1A—

“Alternate Chairman. 1A.—(1) There may be appointed by the Supreme Military Council an Alternate Chairman who may, pursuant to any general or special delegation given in that behalf by the Commissioner, exercise the powers conferred upon the Commissioner or Chairman under this Decree :

Provided that nothing in the foregoing shall be construed as preventing the exercise by the Commissioner himself of any power so delegated.

Cap. 122. (2) The provisions of the Ministers’ Statutory powers and Duties (Miscellaneous Provisions) Act shall not apply to any delegation made under this section and the question whether any delegation has been made hereunder shall not be inquired into except at the instance of the Commissioner.” ;

(c) in subsection (2) of section 9 thereof for the words “The Commissioner may delegate” there shall be substituted the words “The Commissioner may delegate to the Alternate Chairman (where one is appointed) or” ; and

(d) immediately after paragraph 2 of Schedule 1 thereto, there shall be re-instated paragraph 3 (previously repealed) as follows—

“3. The provisions of paragraphs 1 and 2 above shall not apply to the Chairman.”

Citation,
commence-
ment and
repeal.

2.—(1) This Decree may be cited as the Nigerian National Petroleum Corporation (Amendment) Decree 1979 and shall be deemed to have come into force on 1st October 1978.

1978 No.16.

(2) The Nigerian National Petroleum Corporation (Amendment) Decree 1978 is hereby consequentially repealed.

MADE at Lagos this 3rd day of August 1979.

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 Nigerian National Petroleum Corporation Decree 1977 and, amongst other things, provides for the appointment of an alternate chairman for the Corporation to whom the Commissioner may from time to time delegate his powers.

**DIPLOMATIC IMMUNITIES AND PRIVILEGES (AMENDMENT)
DECREE 1979**



Decree No. 45

[3rd August 1979]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. The application of section 11 of the Diplomatic Immunities and Privileges Act 1962 (pertaining to the immunities and privileges of international organisations and persons connected therewith) shall extend to the international organisations known as "National Liberation Movements" (hereinafter referred to as "the movements") and accordingly that section shall have effect as if —

Application
of the
Diplomatic
Immunities
and Privi-
leges Act
1962 to
certain
National
Liberation
Movements.
1962 No 42.

(a) the reference in subsection (1) thereof to an organisation in respect of which the Commissioner may make an order included a reference to the movements ; and

(b) the persons described in subsection (2) (b) (iii) thereof included persons, classes or groups of persons connected with the movements and specified by name or otherwise or described by reference to their professions or undertakings.

2. This Decree may be cited as the Diplomatic Immunities and Privileges (Amendment) Decree 1979.

Citation.

MADE at Lagos this 3rd day of August 1979.

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 extends the application of the Diplomatic Immunities and Privileges Act 1962 to include national liberation movements and enables the Commissioner for External Affairs to make an order the effect of which will grant immunities and privileges to those movements affected by such order and their representatives in Nigeria.

KAINJI LAKE NATIONAL PARK DECREE 1979



ARRANGEMENT OF SECTIONS

Section

Establishment of the Kainji Lake National Park and Management Board, etc.

1. Establishment of the Kainji Lake National Park and Management Board.
2. Functions of the Board.
3. Controller of the Park.
4. Staff of the Board.
5. Vesting of assets.
6. Financial provisions.
7. Annual reports.

Offences of Penalty

8. Restrictions on entry into or residence in the Park.
9. Restriction on hunting, etc. in the Park.
10. Restrictions on weapons, etc. in the Park.
11. Prohibition of introduction of wild animals, etc. into the Park.

12. Prohibition of domestic animals in the Park.
13. Prohibition of introduction of vegetable into the Park.
14. Penalty.
15. Right to search.

Miscellaneous and Supplementary

16. Regulations.
17. Interpretation.
18. Citation.

SCHEDULES

Schedule 1 : Doro River Forest Reserve

Schedule 2 : Central Borgu Forest Reserve

Schedule 3 : Zugurma Game Reserve

Schedule 4 : Tenure of office, etc.

Decree No. 46

[30th July 1979]

Commencement.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

Establishment of the Kainji Lake National Park and Management Board, etc.

1.—(1) There is hereby established a Park to be known as the Kainji Lake National Park (hereafter in this Decree referred to as "the Park") which shall consist of the following areas, that is to say—

(a) all that piece of land in the Borgu Division of the Kwara State known as "the Borgu Forest Reserve" constituted by—

(i) the Borgu Local Government Doro River Forest Reserve Order 1961, the situation and limits whereof are set out in Schedule 1 hereto, and

Establishment of the Kainji Lake National Park and Management Board. NNLN 79 of 1961.

NNLN 39
of 1966.

(ii) the Borgu Local Government Central Borgu Forest Reserve Order 1966, the situation and limits whereof are set out in Schedule 2 hereto ; and

NNLN 13
of 1964.

(b) all that piece of land in the Kotangora Division of the Niger State constituted by the Kotangora Local Government Zugurma Forest Reserve Order 1964 and the Zugurma Game Reserve Order 1971, the situation and limits whereof are set out in Schedule 3 hereto.

NWSLN 7
of 1971.

(2) The affairs of the Park shall be conducted by a board to be known as the Kainji Lake National Park Management Board (hereafter in this Decree referred to as "the Board") which shall be a body corporate by the name aforesaid and shall consist of the following members, that is—

(a) a Chairman to be appointed by the Commissioner with the approval of the Federal Executive Council from among persons who possess a detailed knowledge of the area of the Park ;

(d) a representative of the Federal Ministry of Trade ;

(e) a representative of the Nigerian Tourist Board ;

(f) a representative of the Borgu Local Government ;

(g) a representative of the Mariga Local Government ;

(h) the Director, Federal Department of Forestry ;

(i) the Director, Kainji Lake Research Institute ;

(j) one person appointed by the Government of Kwara State ; and

(k) one person appointed by the Government of Niger State.

Functions
of the Board.

2.—(1) The Board shall be charged with the general duty of—

(a) controlling, managing and maintaining the Park ;

(b) constructing roads, bridges, fences and such other works as the Board may consider necessary for the purposes of the Park ;

(c) ensuring the security of wild and vegetable life within the Park ;

(d) conserving and preserving in a natural state the Park and the wild life therein ;

(e) ensuring the preservation and protection of any objects of geological, archaeological, historical, aesthetic or scientific interest in the Park ;

(f) the development of facilities and amenities within the Park and the general utilisation of the Park for the benefit of the public ;

(g) fostering in the mind of the general public the necessity for wildlife conservation and the importance of wildlife and National Parks with the object of developing a greater appreciation of the value of wildlife and scenic beauty as national assets ; and

(h) doing all such things incidental to the foregoing functions which, in the opinion of the Board are calculated to facilitate the carrying on of the duties of the Board under this Decree.

(2) The provisions of Schedule 4 to this Decree shall have effect with respect to the matters therein mentioned.

3.—(1) The Board shall, with the approval of the Commissioner, appoint a Controller of the Park (hereafter in this Decree be referred to as "the Controller") who shall, in the exercise of his functions under this Decree, be responsible to the Board.

Controller
of the Park.

(2) Subject to the provisions of this Decree, the Controller shall be charged with the following responsibilities, that is to say—

- (a) the execution of the policies of the Board ;
- (b) the day to day running of the Park ; and
- (c) such other things as the Commissioner or the Board, as the case may be, may require him to do.

(3) The exercise of the functions mentioned in subsection (2) above shall, subject to any directions by the Board, be exercised in the name of the Controller.

(4) The Controller shall also be the secretary to the Board.

(5) The Controller may, subject to the provisions of this Decree and to any special or general directions of the Board, delegate any of his functions to any employee of the Board.

4.—(1) The Board shall, subject to this Decree, have power—

Staff of the
Board.

(a) to appoint such employees of the Board as it may determine ;

(b) to pay its employees such remuneration and allowances as are payable to persons of equivalent grades in the public service of the Federation or of a State ;

(c) to set up a superannuation scheme (whether contributory or not) in respect of its employees as it may determine.

(2) The employees of the Board shall exercise such duties as are conferred upon them by this Decree or as are delegated or assigned to them by the Controller.

5.—(1) Subject to the provisions of this Decree, all property, rights, liabilities and obligations which immediately before the commencement of this Decree (hereafter in this Decree referred to as "the vesting date") were property, rights, liabilities and obligations of the Borgu Forest Reserve or the Zugurma Game Reserve established by the instruments mentioned in section 1 (a) and (b) respectively (hereafter in this Decree referred to as "the respective body") shall, as from the date of this Decree, without further assurance vest or be deemed to have vested on the Board.

Vesting of
assets.

(2) Subject to the provisions of this Decree, every agreement to which subsection (1) above relates shall, unless its terms or subject-matter make it impossible that it should have effect as modified in the manner provided by this subsection, have effect as from the vesting date, as if—

- (a) the Board had been a party to the agreement ;
- (b) for any reference (however worded, and whether express or implied) to the respective body there were substituted, as respects anything falling to be done on or after the vesting date, a reference to the Board.

Financial provisions.

6.—(1) The Board shall maintain a fund which shall consist of—

(a) such moneys as may from time to time be provided by the Federal Government by way of loan or grant or otherwise howsoever ;

(b) such moneys as may be received by the Board in the course of its operations or in relation to the exercise of its powers ; and

(c) such sums as may be received by the Board by way of voluntary subscriptions, donations, bequests or gifts from any State Government, local government or individual ;

and from such fund shall be defrayed all expenses incurred by the Board.

(2) Subject to any general or special directions that may be given in that behalf by the Commissioner under this Decree, the Board may invest its funds and maintain general financial reserves.

(3) The Board shall submit to the Commissioner for final approval not later than 31st December in every year an estimate of its income and expenditure for the next succeeding year.

(4) The Board shall keep proper accounts and proper records in relation thereto and shall prepare in respect of each financial year a statement of accounts in such form as the Commissioner may direct.

(5) The Board shall as soon as may be after the end of the financial year to which the accounts relate cause the accounts to be audited by auditors appointed by the Board with the prior approval of the Commissioner.

Annual reports.

7.—(1) The Board shall submit to the Federal Executive Council not later than 30th June in each year a report of its activities during the preceding year, and shall include in the report a copy of the audited accounts of the Board and the auditors' report thereon.

(2) The Commissioner shall cause a copy of each report made to him under this section to be laid before the Federal Executive Council.

Offences and Penalty

Restrictions on entry into or residence in the Park.

8.—(1) Any person who, save in accordance with the provisions of this Decree, enters into or resides in the Park shall be guilty of an offence.

(2) This section shall not apply to—

(a) any employee of the Park ;

(b) any member of the Board ;

(c) any police officer or public officer on specified duty requiring his presence in the Park ;

(d) any person travelling through the Park along a public road within the confines of the road reserve ;

(e) any person in possession of a permit to enter or reside issued by the Controller or any other employee of the Board duly authorised in writing by the Controller to issue such a permit ;

(f) any person admitted pursuant to any relevant regulations made pursuant to section 16 of this Decree ;

(g) any person who enters the Park pursuant to regulations made under the provisions of section 16 of this Decree ;

Provided, however, that the persons in categories (a) to (f) above shall be subject to any relevant regulations made pursuant to section 16 of this Decree, except where appropriate, any such regulation may provide for the payment of any charge or fee for permission to enter or reside in the Park or for the admission of a motor car or other vehicle into the Park.

9.—(1) Any person in the Park who, without a permit issued pursuant to subsection (3) or (4) of this section—

Restriction
on hunting,
etc. in the
Park.

- (a) hunts, kills, injures, captures or disturbs any wild animal, reptile or fish ;
 - (b) removes or destroys the nest of any bird or reptile ;
 - (c) is in possession of any wild animal, bird or reptile ;
 - (d) cuts or sets on fire any vegetation ;
 - (e) removes from or damages within the Park any object of archeological, geological, prehistoric, historic, aesthetic or scientific interest ; or
 - (f) removes any other object whether animate or inanimate ;
- shall be guilty of an offence.

(2) Any person who aids, abets or procures another person to commit any offence specified in subsection (1) above shall be guilty as if he himself had committed the offence and shall be similarly punished.

(3) The Controller or any employee of the Board, duly authorised by the Controller in that behalf, may issue a permit to any person to fish in the Park.

(4) The Controller may issue a permit to any person authorising such person under the direction of the Controller to hunt wild animals within the Park—

(a) if the Controller is satisfied that any wild animal ought to be hunted for the better preservation of other animal life within the Park ; or

(b) if the Controller is satisfied that any wounded animal ought to be destroyed ; or

(c) in order to ensure that the population of a particular specie does not exceed the carrying capacity of the Park.

(5) Any permit issued pursuant to subsection (4) above shall specify the specie and number of wild animals which may be hunted thereunder.

(6) The Controller may at any time in his absolute discretion, revoke or cancel any permit issued pursuant to subsection (3) or (4) above.

(7) This section shall not apply to any employee of the Board or other public servant or police officer acting in the performance of his duties under this Decree or under any other written law.

10.—(1) Any person in the Park who, without a permit issued pursuant to subsection (2) below, or who, in breach of any express condition of any such permit or in breach of any regulation made pursuant to this Decree, conveys into the Park or being within the confines thereof, is in possession of, carries or uses for any purpose any firearm, spear, bow, arrow or other weapon, explosive, snare, net, trap or poison, shall be guilty of an offence.

Restrictions
on weapons,
etc. in the
Park.

(2) The Controller or any employee of the Board duly authorised in that behalf by the Controller may, subject to such conditions as he may deem fit, issue a permit to any person to convey into the Park or within the confines of

it, to possess, carry or use for any purpose expressly stated in such permit any firearm, spear, bow, arrow or other weapon or any explosive, snare, net, trap or poison, as the case may be, and any such permit shall be valid for the period expressed therein.

(3) In any proceedings for a contravention of this section, the onus of proving that the conveyance into or possession, carriage or use within the Park of any such firearm, spear, bow, arrow or other weapon or of any explosive, snare, net, trap or poison, as the case may be, was lawful shall be on the person charged.

(4) This section shall not apply to any officer of the Board or other public or police officer acting in the performance of his duties under this Decree or other written law.

Prohibition of introduction of wild animals, etc. into the Park.

11.—(1) Any person who, without the consent of the Controller, conveys, drives or introduces any wild animal into the Park, shall be guilty of an offence.

(2) If any employee of the Board finds within the Park any wild animal which was driven, conveyed or introduced therein in contravention of subsection (1) above, he may destroy the said animal.

Prohibition of domestic animals in the Park.

12.—(1) Any person, being the owner of any domestic animal or the person in charge or control thereof, who, without the consent of the Controller—

(a) drives, conveys or introduces such domestic animal into the Park or causes or permits such animal to be so driven, conveyed or introduced ;

(b) permits or causes such domestic animal to stray into the Park ; or

(c) permits or causes such domestic animal to worry, harass or otherwise interfere with any wild animal within the confines of the Park ; shall be guilty of an offence.

(2) Upon the conviction of any person being the owner of such domestic animal of an offence under this section, the court may, in addition to any other penalty imposed, declare the said domestic animal to be forfeited or order it to be destroyed without compensation.

Prohibition of introduction of vegetable into the Park.

13.—(1) Any person who, without the consent of the Controller, brings any vegetation or causes any vegetation to be brought into the Park shall be guilty of an offence.

(2) If any officer of the Board finds within the confines of the Park any vegetation which was brought into the Park in contravention of subsection (1) above, he may destroy the said vegetation or order it to be destroyed.

Penalty.

14. A person guilty of an offence under the provisions of this Decree shall be liable on conviction—

(a) in the case of an offence under section 9 (1) or (2) above, to a fine of not less than ₹1,000 or imprisonment for a term not exceeding five years or to both ;

(b) in any other case, to a fine of not less than ₹500 or to imprisonment for a term not exceeding three years or to both.

Right to search.

15.—(1) If any employee of the board duly authorised in writing by the Controller to act under this section has reasonable grounds to believe that any person has committed or is committing or is about to commit an offence under this Decree or thinks it necessary for the purpose of verifying any licence or permit purported to have been issued to any person under

this Decree or under the Firearms Act he may, without warrant, inspect and search any building or tent or any baggage, package, wagon, caravan, vehicle, boat or aircraft in the possession or under the control of such person whether within or without the Park, and if such employee finds any game animals, meat of any game animal, vegetation, firearms, spear, bow, arrow or other weapon or any explosive, net, snare, trap or poison, which appear to have been obtained or to be possessed or to have been used or to be about to be used in contravention of this Decree, such game animal, meat, vegetation, firearm, spear, bow, arrow or other weapon or explosive, net, snare, trap or poison may be seized and detained by such employee on, behalf of the Controller.

Cap. 69.

(2) Any such employee of the Board who seizes or detains anything, weapon or articles pursuant to subsection (1) of this section shall give to the person from whom such thing, weapon or article was seized a receipt therefor in the prescribed form signed by the said employee.

(3) In the event of :—

(a) the Controller being advised by the Director of Public Prosecutions that no prosecution consequent upon any such search and seizure made under subsection (1) should be instituted ; or

(b) any such prosecution having been finally concluded ;
then in either such event, any such thing, weapon or article so seized and detained pursuant to subsection (1) above shall be returned to the owner thereof or the person from whose custody it was taken :

Provided that any such thing, weapon or article shall not be returnable under this subsection if it has been declared by the court to be forfeited or ordered to be destroyed under the provisions of this Decree or any other written law.

Miscellaneous and Supplementary

16.—(1) The Board may, by regulations, make provisions for :—

Regulations.

(a) the conditions under which any person, vehicle, boat, or animal may enter into, travel through, reside or be kept within the Park or any part thereof ;

(b) the conditions under which a person travelling through or within the Park on a public road may have in his possession or under his control any firearm or other weapon, ammunition, explosive, trap or poison.

(c) the conditions under which any game animal or species of game animal may be photographed within the Park ;

(d) the regulation or prohibition of lighting of fires within the Park ;

(e) the conditions under which any domestic or wild animal may be brought into or maintained within the Park or the prohibition thereof and may prescribe the fees to be charged for the bringing of any such domestic or wild animal into the Park ;

(f) the prohibition or control of the introduction into, the cutting or damaging within, or the removal from the Park of any vegetation whether alive or dead ;

(g) the prohibition or control of the destruction, defacing, damaging or removal of anything whether animate or inanimate, within or from the Park ;

(h) scales of charges for entry into the park or any part thereof and the fees for any services or amenities provided for the general public in the park ;

(i) fees for fishing and the conditions under which a person may fish within the Park ;

(j) rules of conduct and behavior of persons while within the Park ;

(k) the regulation of traffic on roads, other than public roads, within the Park ;

(l) the carriage of passengers and goods within the Park, whether for hire or otherwise ;

(m) the point at which persons and vehicles may enter or leave and the routes by which they may pass through or over the Park on roads other than public roads ;

(n) without prejudice to any other written law, the prohibition, control or regulation of any trade or business carried on within the Park ;

(o) generally, the efficient control and management of the Park.

(2) Regulations made under the provisions of this sections shall be sent to the Commissioner as soon as possible for his approval. The Commissioner may approve the regulations with or without modification and any regulation shall, when approved, be thereafter published in the Gazette and until such regulations are so published they shall have no effect notwithstanding that they have been approved by the Commissioner.

(3) Any regulations made under this section may prescribe penalty for a breach thereof.

(4) Regulations made pursuant to this section may make different provisions for different persons or class of persons or circumstances.

Interpretation.

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

“animal” means any vertebrate animal and includes any mammal, bird, reptile, amphibian and the egg of any bird or reptile but does not include a fish or a human being ;

“the Board” means the Kainji Lake National Park Management Board established pursuant to section 1 of this Decree ;

“to capture” includes to take eggs or nests ;

“the Commissioner” means the Federal Commissioner charged with responsibility for matters relating to agriculture and water resources ;

“the Controller” means the Controller of the Park appointed pursuant to section 3 of this Decree.

“domestic animal” includes a horse, donkey, mule, camel, cow, sheep, pig, goat, dog, cat or domestic fowl or any other animal of whatever kind or species, (whether a quadruped or not) which is tame or which has been or is sufficiently tame to serve some purpose for the use of man and includes any animal *ferae naturae* (wild by nature) which has become tame ;

“the Park” means that area of land in the Borgu Local Government of Kwara State of Nigeria which consists of the Borgu Game Reserve ; and that area of land in the Mariga Local Government of the Niger State which consists of the Zugurma Game Reserve ; both areas as particularly defined in Schedules 1 to 3 hereto ;

“prescribed fee”, in relation to any licence issued under this Decree, means in the case of any game licence so issued, the fee prescribed by regulations made under the provisions of this Decree ;

“public road” has the same meaning attributed to it by the Road Traffic Law.

"road" means any public or other way capable of being used by vehicular traffic and to which the public has access and includes bridges over which a road passes ;

"vegetation" includes any form of vegetable matter, dead or alive ;

"wild animal" means any animal *ferae naturae* and includes any game animal but does not include any domestic animal ;

"wild life" means wild animals or birds of species which are found in Nigeria in a wild state and vegetation which is indigenous to Nigeria and grows naturally without cultivation.

18. This Decree may be cited as the Kainji Lake National Park Decree 1979. Citation.

SCHEDULES

SCHEDULE 1

Section 1 (1) (a) (i)

Doro River Forest Reserve

All that piece of land containing two hundred and twenty-seven decimal three sq km or thereabouts situated in the Borgu Division in Kwara State and bounded as follows :—

Starting from a point on the right bank of the River Menai where it is joined by the right bank of the Dawa Stream, approximately 9.6 km west of the 1958 Menai road bridge (Nigeria Survey Map 1 : 500,000 Sheet 5 Third Edition dated 1952) and marked by Beacon No. 1, by the right bank of the River Menai downstream first in a general east-south-easterly direction then north-easterly direction for a distance of 8 km 630m to Beacon No. 2 on the right bank of the River Menai ; thence by a straight line cut on a bearing of 184 degrees for a distance of 3.2 km 132m to Beacon No. 3 ; thence by a straight line cut on a bearing of 145 degrees for a distance of 1.6 km 304.8m to Beacon No. 4 at the source of the Garikpi Stream ; thence by the right bank of the Garikpi Stream downstream in a general east-south-easterly direction for a distance of 3.2 km 432m to Beacon No. 5 on the right bank of the Garikpi Stream where it joins the right bank of the River Niger ; thence by the right bank of the River Niger downstream in a general southerly direction for a distance of 3.2 km 132m to Beacon No. 6 on the right bank of the River Niger where it is joined by the left bank of the River Doro ; thence by the left bank of the River Doro upstream in a general south-south-westerly direction for a distance of 1.6 km 1,491m to Beacon No. 7 on the left bank of the River Doro where it is crossed by the right hand side of the 1959 motor road from Bussa to Kalama ; thence by the right hand side of the 1959 motor road from Bussa to Kaima in a general southerly direction for a distance of 3.2 km 1,476m to Beacon No. 8 on the right hand side of the 1959 motor road from Bussa to Kaima where it crosses the right bank of the Gbessa Stream ; thence by the right bank of the Gbessa Stream downstream in a general north-westerly direction for a distance of 1.6 km 756m to Beacon No. 9 on the right bank of the Gbessa Stream where it is joined by the right bank of the Sadoro Stream ; thence by a straight line crossing the Sadoro Stream and cut on a bearing of 325½ degrees for a distance of 35.4m to Beacon No. 10 on the left bank of the Sadoro Stream ; thence by the left bank of the Sadoro Stream upstream in a general south-westerly direction for a distance of 3.2 km 732m to Beacon No. 11 on the left bank

of the Sadoro Stream; thence by a straight line cut on a bearing of 125 degrees for a distance of 4.8 km 1477.8m to Beacon No. 12 on the right-hand side of the 1959 path from Garafini to Leshibe; thence by the right-hand side of the 1959 path from Garafini to Leshibe in a general south-westerly direction for a distance of 4.8 km 30.9m to Beacon No. 13 on the right hand side of the 1959 path from Garafini to Leshibe; thence by a straight line cut on a bearing of 310 degrees for a distance of 1.6 km 290.1m to Beacon No. 14 on the right-hand side of the 1959 motor road from Kaiama to Bussa; thence by the right-hand side of the 1959 motor road from Kaiama to Bussa in a general north-easterly direction for a distance of 1.6 km 216m to Beacon No. 15 on the right-hand side of the line cut on a bearing of 306 degrees for a distance of 1316.7m to Beacon No. 16 on the left bank of the Sadoro Stream; thence by the left bank of the Sadoro Stream upstream in a general south-westerly direction for a distance of 4.8 km 48m to Beacon No. 17 on the left bank of the Sadoro Stream; thence by a straight line cut on a bearing of $317\frac{1}{2}$ degrees for a distance of 3.2 km 1216m to Beacon No. 18 on the right bank of the River Doro; thence by the right bank of the River Doro downstream first in a general north-north-easterly direction then easterly direction for a distance of 3.2 km 1122m to Beacon No. 19 on the right bank of the River Doro; thence by a straight line crossing the River Doro and cut on a bearing of 339 degrees for a distance of 46.8m to Beacon No. 20 on the left bank of the River Doro where it is joined by the left bank of the Sali Stream; thence by the left bank of the Sali Stream upstream in a general north-westerly direction for a distance of 3.2 km 1032m to Beacon No. 21 on the left bank of the Sali Stream where it is joined by the left bank of the Gbetekefe Stream; thence by the left bank of the Gbetekefe Stream upstream in a general north-westerly direction for a distance of 1.6 km 291 to Beacon No. 22 at the source of the Gbetekefe Stream; thence by a straight line cut on a bearing of $349\frac{1}{2}$ degrees for a distance of 470.4m to Beacon No. 23 at the source of the Ipui Stream; thence by the right bank of the Ipui Stream downstream in a general north-easterly direction for a distance of 3.2 km 1548m to Beacon No. 24 on the right bank of the Ipui Stream where it joins the right bank of the River Timo; thence by a straight line crossing the River Timo and cut on a bearing of $79\frac{1}{2}$ degrees for a distance of 63.6m to Beacon No. 25 on the left bank of the River Timo; thence by the left bank of the River Timo upstream in a general north-westerly direction for a distance of 1200m to Beacon No. 26 on the left bank of the River Timo where it is joined by the left bank of the Manidombe Stream; thence by the left bank of the Manidombe Stream upstream in a general north-north-westerly direction for a distance of 1.6 km 816m to Beacon No. 27 at the source of the Manidombe Stream; thence by a straight line cut on a bearing of 16 degrees for a distance of 1026.6m to Beacon No. 28; thence by a straight line cut on a bearing of $8\frac{1}{2}$ degrees for a distance of 1.6 km 816m to Beacon No. 29 at the source of the Dawa Stream; thence by the right bank of the Dawa Stream downstream in a general northerly direction for a distance of 1.6 km 1332m to the starting point.

Note.—All distance and bearings are approximate only, distance being those actually measured along the ground and not reduced to the horizontal. All bearings are referred to True North and adjusted from Magnetic bearings observed during the months of April and October 1958, and January and February 1959.

SCHEDULE 2

Section 1 (1) (a) (ii)

Central Borgu Forest Reserve

All that piece of land containing three thousand seven hundred and forty-two decimal seven-two square kilometres or thereabouts, situated in the Wawa, Kaiama, Babana Yashikera, and Bussa Districts of the Borgu Division in Kwara State, and bounded as follows :—

Starting from a point on the right bank of the River Oli where it is crossed by the right-hand side of the 1963 old motor road from Kali to Worumakoto (Nigeria Survey Map 1:500,000 Sheet 5 Third Edition dated 1953) and marked by Beacon No. 1, by the right-hand side of the 1963 old motor road from Kali to Worumakoto first in a general southerly then south-westerly direction for a distance of 16 km 120m to Beacon No. 2 on the right hand side of the 1963 old motor road from Kali to Worumakoto ; thence by a straight line cut on a bearing of 297 degrees for a distance of 325.5m to Beacon No. 3 on the left bank of the River Woruma ; thence by the left bank of the River Woruma upstream in a general south-westerly direction for a distance of 4.8 km. 1068m to Beacon No. 4 on the left bank of the River Woruma where it is joined by the left bank of the Kogo stream ; thence by the left bank of the Kogo stream upstream first in a general north-westerly then northerly direction for a distance of 3.2 km 432m to Beacon No. 5 at the source of the Kogo stream thence by a straight line cut on a bearing of 8 degrees for a distance of 972.9m to Beacon No. 6 ; thence by a straight line cut on a bearing of 48 degrees for a distance of 660m to Beacon No. 7 at the source of the Sosa stream ; thence by the right bank of the Sosa stream downstream in a general north-westerly direction for a distance of 4.8 km 1008m to Beacon No. 8 of the right bank of the Sosa stream where it is joined by the right bank of the Simo stream ; thence by a straight line crossing the Simo stream on a bearing of 315 degrees for a distance of 22.5m to Beacon No. 9 on the left bank of the Simo stream ; thence by the left bank of the Simo stream upstream in a general south-westerly direction for a distance of 6.4 km 1224m to Beacon No. 10 on the left bank of the Simo stream ; thence by a straight line cut on a bearing of 315 degrees for a distance of 3.2 km 66 m to Beacon No. 11 ; thence by a straight line cut on a bearing of 270 degrees for a distance of 3.2 km 1530m to Beacon No. 12 on the right bank of the Kameji stream ; thence by the right bank of the Kameji stream downstream in a general north-north-westerly direction for a distance of 3.2 km 792m to Beacon No. 13 on the right bank of Kameji stream where it joins the right bank of the River Suma ; thence by a straight line crossing the River Suma on a bearing of 315 degrees for a distance of 27m. to Beacon No. 14 on the left bank of the River Suma ; thence by the left bank of the River Suma upstream in a general south-westerly direction for a distance of 6.4 km 864m to Beacon No. 15 on the left bank of the River Suma where it is crossed by the right-hand side of the 1963 path from Kemenji to Karunji ; thence by the right-hand side of the 1963 path from Kemenji to Karunji in a general north-westerly direction for a distance of 24 km 1,140m to Beacon No. 16 on the right-hand side of the 1963 path from Kemenji to Karunji where it crosses the right bank of the River Etsi ; thence by the right bank of the River Etsi downstream in a general north-north-easterly direction for a distance of 20.8 km 48m to Beacon No. 17 on the right bank of the River Etsi where it joins the right bank of the River Oli ; thence by the right bank of the River Oli downstream first in a general east-north-easterly then northerly direction for a distance of 3.2 km 1032m to Beacon No. 18 on the right bank of the River Oli ; thence by a straight line crossing the River Oli on a bearing of 270 degrees for a distance of

108m to Beacon No. 19 on the left bank of the River Oli where it is joined by the left bank of the Emi stream ; thence by the left bank of the Emi stream upstream in a general north-westerly direction for a distance of 12.8 km to 108m to Beacon No. 20 on the left bank of the Emi stream where it is joined by the left bank of the Danansin stream ; thence by the left bank of Danansin stream upstream in a general north-easterly direction for a distance of 3.2 km 672 m to Beacon No. 21 at the source of the Danansin stream ; thence by a straight line cut on a bearing of 45 degrees for a distance of 1.6 km 60m. to Beacon No. 22 at the source of the Kamo stream ; thence by the right bank of the Kamo stream downstream first in a general south-easterly then east-north-easterly direction for a distance of 3.2 km 312m to Beacon No. 23 on the right bank of the Kamo stream where it joins the right bank of the Kpana stream ; thence by a straight line crossing the Kpana stream on a bearing of 45 degrees for a distance of 36m to Beacon No. 24 on the left bank of the Kpana stream ; thence by the left bank of the Kpana stream upstream in a general north-westerly direction for a distance of 4.8 km 1368m to Beacon No. 25 on the left bank of the Kpana stream where it is joined by the right bank of an unnamed stream ; thence by a straight line cut on a bearing of 45 degrees for a distance of 3.2 km 566.4 m to Beacon No. 26 at the source of the Bisan stream ; thence by the right bank of the Bisan stream downstream in a general east-south-easterly direction for a distance of 9.6 km 1,356 m to Beacon No. 27 on the right bank of the Bisan stream where it joins the right bank of River Uffa ; thence by a straight line crossing the River Uffa on a bearing of degrees for a distance of 90m to Beacon No. 28 on the left bank of the River Uffa ; thence by the left bank of the River Uffa upstream in a general northerly direction for a distance of 1.6km 1816 m to Beacon No. 29 on the left bank of the River Uffa where it is joined by the left bank of the Kaga stream ; thence by the left bank of the Kaga stream upstream in a general north-easterly direction for a distance of 16 km 420m to Beacon No. 30 at the source of the Kaga stream ; thence by a straight line cut on a bearing of 360 degrees for a distance of 3.2 km 672m to Beacon No. 31 on the right-hand side of the 1963 motor road from Babana to Shagunu ; thence by the right-hand side of the 1963 motor road from Babana to Shagunu in a general easterly direction for a distance of 4.8 km 948m to Beacon No. 32 on the right-hand side of the 1963 motor road from Babana to Shagunu where it crosses the right bank of River Wesar ; thence by the right bank of the River Wesar downstream in a general south-easterly direction for a distance of 35.2km 552m to Beacon No. 33 on the right bank of the River Wesar where it joins the left bank of the River Menai ; thence by a straight line crossing the River Menai on a bearing of 210 degrees for a distance of 108m to Beacon No. 34 on the right bank of the River Menai ; thence by the right bank of the River Menai downstream first in a general easterly then north-easterly direction for a distance of 4.8 km 1008m. to Beacon No. 35 on the right bank of the River Menai where it is crossed by the right-hand side of the 1963 path from Luma to Zali ; thence by the right-hand side of the 1963 path from Luma to Zali in a general south-easterly direction for a distance of 6.4 km 624m to Beacon No. 36 on the right-hand side of the 1963 path from Luma to Zali where it crosses the right bank of the River Menai ; thence by the right bank of the River Menai downstream first in a general south-easterly then in a general east-south-easterly direction for a distance of 4.8 km 648m to Beacon No. 37 on the right bank of the River Menai where it is joined by the left bank of the Dawa stream ; thence by the left bank of the Dawa stream upstream in a general southerly direction for a

distance of 1.6 km 1536m to Beacon No. 38 at the source of the Dawa stream ; thence by a straight line cut on a bearing of $188\frac{1}{2}$ degrees for a distance of 1.6 km 816m to Beacon No. 39 ; thence by a straight line cut on a bearing of 196 degrees for a distance of 1026.6 km to Beacon No. 40 at the source of the Maindombe stream ; thence by the right bank of the Maindombe stream downstream in a general south-south-easterly direction for a distance of 1.6 km 1476m to Beacon No. 41 on the right bank of Maindombe stream where it joins the left bank of the River Timo : thence by a straight line crossing the River Timo on a bearing of 180 degrees for a distance of 72m to Beacon No. 42 on the right bank of the River Timo ; thence by the right bank of the River Timo downstream in a general south-easterly direction for a distance of 360m to Beacon No. 43 on the right bank of the River Timo where it is joined by the bank of the Ipui stream ; thence by the left bank of the Ipui stream upstream in a general south-westerly direction for a distance of 3.2 km 1212m to Beacon No. 44 at the source of the Ipui stream ; thence by a straight line cut on a bearing of $169\frac{1}{2}$ degrees for a distance of 470.4m to Beacon No. 45 at the source of the Gbetekefe stream ; thence by the right bank of the Gbetekefe stream downstream in a general south-easterly direction for a distance of 1.6 km 36m to Beacon No. 46 on the right bank of the Gbetekefe stream where it joins the left bank of the Sali stream ; thence by a straight line crossing the Sali stream on a bearing of 30 degrees for a distance of 36m to Beacon No. 47 on the right bank of the Sali stream ; thence by the right bank of the Sali stream downstream first in a general south-easterly then southerly direction for distance of 3.2 km 330m to Beacon No. 48 on the right bank of the Sali stream where it joins the left bank of the River Doro ; thence by the left bank of the River Doro upstream in a general south-easterly direction for a distance of 12.8km 1008m. to Beacon No. 49 on the left bank of the River Doro ; thence by a straight line cut on a bearing of 210 degrees for a distance of 1.6km 50.4km to Beacon No. 50 on the right-hand side of the 1963 path from Wawa to the Kunsara stream ; thence by the right hand-side of the 1963 path from Wawa to the Kunsara stream in a general north-westerly direction for a distance of 3.2 km 1092m to Beacon No. 51 on the right-hand side of the 1963 path from Wawa to the Kunsara stream where it joins the left bank of the Kunsara stream ; thence by a straight line crossing the Kunsara stream on a bearing of 315 degree for a distance of 30m to Beacon No. 52 on the right bank of the Kunsara stream ; thence by the right bank of the Kunsara stream downstream in a general south-westerly direction for a distance of 6.4 km 999m to Beacon No. 53 on the right bank of the Kunsara stream where it joins the left bank of the River Loda ; thence by the left bank of the River Loda upstream in a general north-westerly direction for a distance of 780m to Beacon No. 54 on the left bank of the River Loda ; thence by a straight line crossing the River Loda on a bearing of 180 degrees for a distance of 45m to Beacon No. 55 on the right bank of the River Loda where it is joined by the left bank of the Asatarusa stream ; thence by the left bank of the Asatarusa stream upstream first in a general westerly then south-westerly direction for a distance of 3.2 km 732m to Beacon No. 56 at the source of the Asatarusa stream ; thence by a straight line cut on a bearing of 256 degrees for a distance of 1453m to Beacon No. 57 on the right bank of the Ibo stream ; thence by the right bank of the Ibo stream downstream in a general south-westerly direction for a distance of 1260m to Beacon No. 58 on the right bank of the Ibo stream where it joins the left bank of the Gbaiye stream ; thence by a straight line crossing the Gbaiye

stream on a bearing of 180 degrees for a distance of 45m to Beacon No. 59 on the right bank of the Gbaiye stream ; thence by the right bank of the Gbaiye stream downstream in a general south-south-westerly direction for a distance of 3.2 km 1572m to Beacon No. 60 on the right bank of the Gbaiye stream where it joins the left bank of the River Sowanni ; thence by a straight line crossing the River Sowanni on a bearing of 240 degrees for a distance of 45m to Beacon No. 61 on the right bank of the River Sowanni ; thence by the right bank of the River Sowanni downstream in a general southerly direction for a distance of 1.6 km 816m to Beacon No. 62 on the right bank of the River Sowanni where it meets the left bank of the River Oli ; thence by a straight line crossing the River Oli on a bearing of 210 degrees for a distance of 75m to Beacon No. 63 on the right bank of the River Oli ; thence by the right bank of the River Oli downstream in a general south-easterly direction for a distance of 660m to Beacon No. 1 the starting point.

Note.—All distances and bearings are approximate only, distances, with the exception of the ones relating to streams and rivers, being those actually measured along the ground and not reduced to the horizontal. All bearings are referred to True North and adjusted from Magnetic bearings observed during the months of April, May and June 1962, and May and June, 1963.

SCHEDULE 3

Section 1 (1) (b)

Zugurma Forest Reserve

All that piece of land containing one thousand three hundred and seventy decimal eighty kilometres or there abouts situated in the Zugurma District of the Kontagora Emirate in Niger State and bounded as follows :—

Starting from a point on the left bank of Maingyara stream where it is crossed by the right hand side of the 1963 path from Fellegi to Shaffini (Nigeria Survey 1 : 500,000 Sheet 5 Third Edition of 1952) and marked by Beacon No. 1, by the left bank of Maingyara stream upstream in a general north-easterly direction for a distance of 36.8 km 1518m to Beacon No. 2 on the left bank of Maingyara stream ; thence by a straight line cut on a bearing of 136 degrees for a distance of 1.6 km 644.7m to Beacon No. 3 thence by a straight line cut on a bearing of 110 degrees for a distance of 1.6 km 886.2m to Beacon No. 4 ; thence by a straight line cut on a bearing of 64 degrees for a distance of 6.4km 538.2m to Beacon No. 5 ; thence by a straight line cut on a bearing of 107 degrees for a distance of 564.9m to Beacon No. 6 on the right hand side of the 1963 path from Kizhi to Mazakuka ; thence by the right hand side of the 1963 path from Kizhi to Mazakuka in a general northerly direction for a distance of 90m to Beacon No. 7 on the right hand side of the 1963 path from Klzhi to Mazakuka where it is crossed by the left bank of Fagan stream ; thence by the left bank of Fagan stream up-stream in a general easterly direction for a distance of 1,200m to Beacon No. 8 on the left bank of Fagan stream where it is crossed by the right hand side of the 1963 path from Mazakuka to Faje ; thence by the right hand side of the 1963 path from Mazakuka to Faje in a general south-easterly direction for a distance of 22.4 km 1111.5m to Beacon No. 9 on the

right hand side of the 1963 path from Mazakuka to Faje ; thence by a straight line cut on a bearing of 202 degrees for a distance of 861.5m to Beacon No. 10 ; thence by a straight line cut on a bearing of 169 degrees for a distance of 1.6km 456m to Beacon No. 11 on the right hand side of the 1963 Dry Season motor road from Faje to Kizhi ; thence by the right hand side of the 1963 Dry Season motor road from Faje to Kizhi first in a general south-westerly, then westerly, direction for a distance of 14.4km 900m to Beacon No. 12 on the right hand side of the 1963 Dry Season motor road from Faje to Kizhi ; thence by a straight line cut on a bearing of 282 degrees for a distance of 1193.4m to Beacon No. 13 ; thence by a straight line cut on a bearing of 223 degrees for a distance of 589.8m to Beacon No. 14 on the right hand side of the 1963 path from Kizhi to Poto ; thence by the right hand side of the 1963 path from Kizhi to Poto in a general north-westerly, then south-westerly direction for a distance of 8 km 1080m to Beacon No. 15 on the right hand side of the 1963 path from Kizhi to Poto ; thence by a straight line cut on a bearing of 289 degrees for a distance of 270m to Beacon No. 16 on the right hand side of the 1963 path from Poto to Mule ; thence by the right hand side of the 1963 path from Poto to Mule in a general westerly direction for a distance of 4.8 km 648m to Beacon No. 17 on the left bank of Kugba stream ; thence by the left bank of Kugba stream up-stream in a general north-north-westerly direction for a distance of 600m to Beacon No. 18 on the left bank of Kugba stream ; thence by a straight line cut on a bearing of 251 degrees for a distance of 304.5m to Beacon No. 19 ; thence by a straight line cut on a bearing of 21 degrees for a distance of 393.9m to Beacon No. 20 ; thence by a straight line cut on a bearing of 188 degrees for a distance of 360m to Beacon No. 21 on the right hand side of the 1963 path from Mule to Ibi ; thence by the right hand side of the 1963 path from Mule to Ibi in a general south-westerly direction for a distance of 8 km 1430.7m to Beacon No. 22 on the right hand side of the 1963 path from Mule to Ibi where it is joined by the right hand side of the 1963 Dry Season motor road from Gwaji to Ibi thence by the right hand side of the 1963 Dry Season motor road from Gwaji to Ibi in a general south-westerly direction for a distance of 8 km 432m to Beacon No. 23 on the right hand side of the 1963 Dry Season motor road from Gwaji to Ibi where it is crossed by the right hand side of the 1963 Dry Season road from Mokwa to Kainji Dam ; thence by the right hand side of the 1963 Dry Season road from Mokwa to Kainji Dam in a general north-westerly direction for a distance of 4.8 km 1236m to Beacon No. 24 on the right hand side of the 1963 Dry Season road from Mokwa to Kainji Dam ; thence by a straight line cut on a bearing of 270 degrees for a distance of 1.6 km 72.3m to Beacon No. 25 on the right hand side of the 1963 path from Ibi to Patiko ; thence by the right hand side of the 1963 path from Ibi to Patiko in a general north-westerly direction for a distance of 16 km 510m to Beacon No. 26 on the right hand side of the 1963 path from Ibi to Patiko ; thence by a straight line cut on a bearing of 8 degrees for a distance of 1.6 km 1344m to Beacon No. 27 on the right hand side of the 1963 Dry Season road from Mokwa to Kainji Dam ; thence by the right hand side of the 1963 Dry Season road from Mokwa to Kainji Dam in a general north-westerly direction for a distance of 11.6 km 1347.6m to Beacon No. 28 on the right hand side of the 1963 Dry Season road from Mokwa to Kainji Dam where it is crossed by the right hand side of the 1963 path from Fellegi to Shaffini ; thence by the right hand side of the 1963 path from Fellegi to Shaffini in a general north-northeasterly direction for a distance of 9.6 km 96m to the starting point.

Notes.—All distances and bearings are approximate only, distances being those actually measured along the ground and not reduced to the horizontal. All bearings are referred to True North and adjusted from Magnetic bearings observed during the month of March, 1963.

2. Ibi is Eban of the Nigeria Survey Map 1 : 500,000 Sheet 5, Third Edition of 1952.

SCHEDULE 4

Section 2 (2)

Tenure of Office

1. A member of the Board other than a nominated member shall hold office for such period and on such terms as may be specified in his instrument of appointment.

2. A nominated member shall hold office on first appointment for a period of three years renewable for a further period of three years, thereafter he shall not be eligible for reappointment.

Proceedings of the Board

3. Subject to the provisions of this Schedule, the Board may make standing orders regulating the proceedings of the Board.

4. The quorum of the Board shall be five.

Miscellaneous

5. The fixing of the seal of the Board shall be authenticated by the signature of the Controller and another member of the Board.

6. Any contract or agreement which, if made or executed by a person not being a body corporate would not be required to be under seal may be made or executed on behalf of the Board by any person generally or specially authorised by the Board for that purpose.

7. Any document purporting to be a document executed under the seal of the Board and authenticated as aforesaid shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

8. The validity of any proceedings of the Board shall not be affected by any vacancy in the membership of the Board or by any defect in the appointment of a member of the Board.

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

MADE at Lagos this 30th day of July 1979.

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 only)*

The Decree establishes the Kainji Lake National Park as well as a Management Board for the purpose of the control and management of the Park.

The Decree also makes other provisions for the protection of objects of aesthetic and historic interest and the conservation and protection of the vegetation and the wildlife within the Park and makes incidental provisions for the effective operation of the Decree.