

CONSTITUTION (AMENDMENT) DECREE 1972



Decree No. 5

[17th January 1966]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. For the avoidance of doubt, the provisions of the Constitution of the Federation relating to the appointment and removal of the Justices of the Supreme Court of Nigeria are hereby amended as follows :—

Amendment
of the
Constitution
of the
Federation.
1963 No. 20.

(a) for subsection (1) of section 112 there shall be substituted the following new subsections—

“(1) The Chief Justice of Nigeria shall be appointed by the Head of the Federal Military Government.

(1A) The Justices of the Supreme Court shall be appointed by the Supreme Military Council, acting after consultation with the Advisory Judicial Committee.”;

(b) in subsection (3) of section 112 for the words from “Supreme Military Council” to the end of that subsection, there shall be substituted the words “the Head of the Federal Military Government.”; and

(c) in section 113 for the existing subsection (2) there shall be substituted the following new subsections—

“(2) The person holding or appointed to act in the office of Chief Justice of Nigeria may be removed from his office or appointment by the Head of the Federal Military Government.

(3) A person holding or appointed to act in the office of a Justice of the Supreme Court may be removed from his office or appointment by the Supreme Military Council, acting after consultation with the Advisory Judicial Committee.”.

2.—(1) This Decree may be cited as the Constitution (Amendment) Decree 1972 and shall apply throughout the Federation.

Citation,
extent and
commence-
ment.

(2) This Decree shall be deemed to have come into effect on 17th January 1966.

MADE at Lagos this 23rd day of February 1972.

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