

Supplement to Official Gazette Extraordinary No. 11, Vol. 72, 5th March,
1985—Part B

S.I. 8 of 1985

TRADE DISPUTES (ESSENTIAL SERVICES) ACT 1976
(1976 No. 23)

Trade Disputes (Nigeria Medical Association and National
Association of Resident Doctors) (Proscription) Order 1985

Commencement : 21st February 1985

In exercise of the powers conferred on me by section 1 (1) of the Trade Disputes (Essential Services) Act 1976, and of all other powers enabling me in that behalf, I, Major General Muhammadu Buhari, Head of the Federal Military Government, Commander-in-Chief of the Armed Forces, hereby make the following Order :—

1. Pursuant to section 1 (1) of the Trade Disputes (Essential Services) Act 1976, the associations commonly known and referred to as the Nigeria Medical Association and the National Association of Resident Doctors (hereinafter in this Order referred to as "the proscribed associations") are hereby respectively proscribed.

Proscription
of NMA and
NARD.
1976 No. 23.
1977 No. 69.

2. Accordingly, in pursuance of the provisions of the Trade Disputes (Essential Services) Act 1976, as amended by the Trade Disputes (Essential Services) (Amendment) Act 1977, as from the date of the making of this Order, the following consequences shall ensue :—

Effect of
Order.
1976 No. 23.
1977 No. 69.

(a) no other association or trade union consisting of the same or substantially the same members as those of the proscribed associations and no other association having the same or substantially the same objectives shall, until the revocation of this Order, be formed or registered ;

(b) no person who immediately before the date of the commencement of this Order was an officer of any of the proscribed associations shall at any time during which this Order remains in force be an officer of any association of persons employed in the essential service affected by this Order ;

(c) no person who immediately before the making of this Order was an officer of the proscribed associations shall in any way perform or assume leadership role in any association or faction of an association of the essential service affected by this Order ;

(d) all property (whether moveable and immoveable) of the proscribed associations whether held in the name of the proscribed associations or held by any person for or in trust for the proscribed associations are hereby forfeited to the Federal Military Government and shall vest in that Government free of encumbrances without any further assurance apart from this Order and the provisions of section 1 (3) of the Trade Disputes (Essential Services) Act 1976 shall apply to such property ;

1976 No. 23.

(e) any person who holds any property referred to in the last preceding paragraph of this section shall within 14 days of the making of this Order, or where the property comes into his possession after the making of this Order, within 14 days after the property comes into his possession, deliver such property to the Secretary to the Federal Military Government or notify him in writing of the place where the property may be recovered,

and, in the latter case, shall take all other steps as the Secretary to the Federal Military Government may require in the recovery of such property ;

(f) any person in possession thereof shall forthwith surrender the certificates of registration of the proscribed associations to the appropriate registration authority who shall forthwith cancel same.

Application
of 1976
No. 23.
1977 No. 69.

3. The provisions of the Trade Disputes (Essential Services) Act 1976, as amended by the Trade Disputes (Essential Services) (Amendment) Act 1977 shall apply to the proscribed associations and in particular—

(a) section 4, (which relates to the power of the Chief of Staff, Supreme Headquarters, to detain affected persons) ;

(b) section 6 (which obliges registration authorities to register the Federal Military Government as owner of any property) ;

(c) section 7 (which excludes proceedings in any court of law against the Federal Military Government) ; and

(d) sections 1 (5), 1A, and 3 (2) (imposing penalty or imprisonment for an offence thereunder) ;

shall have effect according to their tenor.

Citation and
commence-
ment.

4. This Order may be cited as the Trade Disputes (Nigeria Medical Association and the National Association of Resident Doctors) (Proscription) Order 1985 and shall be deemed to have come into force on 21st February 1985.

MADE at Lagos this 1st day of March 1985.

MAJOR-GENERAL M. BUHARI,
*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 Order
but is intended to explain its purpose)*

The Order proscribes the two associations commonly known and referred to as the Nigeria Medical Association and the National Association of Resident Doctors. Consequently, the Order applies the provisions of the Trade Disputes (Essential Services) Act 1976, as amended, to the associations, their officers and their property. Legal proceedings are excluded.