

## CHAPTER T20

## TREATIES (MAKING PROCEDURE, ETC.) ACT

## ARRANGEMENT OF SECTIONS

## SECTION

1. Treaty making procedure.
2. Making of treaties.
3. Classification of treaties.
4. Designation of the depository of treaties.
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## CHAPTER T20

## TREATIES (MAKING PROCEDURE, ETC.) ACT

**An Act to provide, among other things, for treaty-making procedure and the designation of the Federal Ministry of Justice as the depository of all treaties entered into between the Federation and any other country.**

[1993 No. 16.]

[21st January, 1993]

[Commencement.]

### 1. Treaty making procedure

(1) The treaty making procedure specified in this Act shall be binding and applicable for the making of any treaty between the Federation and any other country on any matter on the Exclusive List contained in the Constitution of the Federal Republic of Nigeria 1999.

[Cap. C23.]

(2) All treaties to be negotiated and entered into for and on behalf of the Federation by any Ministry, governmental agency, body or person, shall be made in accordance with the procedure specified in this Act or as may be modified, varied or amended by an Act of the National Assembly.

### 2. Making of treaties

Without prejudice to the generality of the provisions of the Constitution of the Federal Republic of Nigeria 1999, all treaties to be made between the Government of the Federation and any other country shall be classified into the categories specified in this Act and dealt with accordingly.

[Cap. C23.]

### 3. Classification of treaties

(1) Treaties shall be classified into—

- (a) law-making treaties, being agreements constituting rules which govern inter-state relationship and co-operation in any area of endeavour and which have the effect of altering or modifying existing legislation or which affects the legislative powers of the National Assembly;
- (b) agreements which impose financial, political and social obligations on Nigeria or which are of scientific or technological import;
- (c) agreements which deal with mutual exchange of cultural and educational facilities.

(2) The treaties or agreements specified in—

- (a) paragraph (a) of subsection (1) of this section need to be enacted into law;
- (b) paragraph (b) of subsection (1) of this section need to be ratified;
- (c) paragraph (c) of subsection (1) of this section may not need to be ratified.

(3) “Treaties or agreements” in this Act mean instruments whereby an obligation under international law is undertaken between the Federation and any other country and includes “conventions”, “Act”, “general acts” “protocols”, “agreements” and “*modi-vivendi*”, whether they are bilateral or multi-lateral in nature.

### 4. Designation of the depository of treaties

(1) The Federal Ministry of Justice shall, as from the commencement of this Act, be the depository of all treaties entered into between the Federation and any other country.

(2) Accordingly, all treaties entered into before the commencement of this Act between the Government of the Federation and any other country by any Ministry, governmental agency, body or person, shall be deposited with the Federal Ministry of Justice for record purposes.

### 5. Register of treaties

(1) It shall be the duty of the Federal Ministry of Justice to prepare and maintain a register of treaties (in this Act referred to as “the register”) for the purpose of this Act.

(2) The register maintained under subsection (1) of this section shall be open at all reasonable times for inspection by members of the public on the payment of such token fee as may be determined from time to time.

### 6. Responsibility to give information to Federal Government Printer

The Federal Ministry of Justice shall, to the exclusion of any other Ministry or authority, have power to give notification on the conclusion of any new treaty to the Federal Government Printer for purposes of publication.

### 7. Short title

This Act may be cited as the Treaties (Making Procedure, etc.) Act.

**CHAPTER T20**  
**TREATIES (MAKING PROCEDURE, ETC.) ACT**  
**SUBSIDIARY LEGISLATION**

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*No Subsidiary Legislation*

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