

# INTERNATIONAL FINANCIAL ORGANISATIONS ACT

## ARRANGEMENT OF SECTIONS

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## INTERNATIONAL FINANCIAL ORGANISATIONS ACT

**An Act to enable Nigeria to become a member of the International Monetary Fund, the International Bank for Reconstruction and Development, the International Finance Corporation and the International Development Association.**

[1960 No. 47.]

*[30th September, 1960]*

[Commencement.]

### 1. **Short title**

This Act may be cited as the International Financial Organisations Act.

### 2. **Interpretation**

In this Act, unless the context otherwise requires-

**“Association”** means the International Development Association;

**“Association Agreement”** means the articles of agreement for the establishment and operation of the Association;

**“Bank”** means the International Bank for Reconstruction and Development;

**“Bank Agreement”** means the articles of agreement for the establishment and operation of the Bank;

**“Corporation”** means the International Finance Corporation;

**“Corporation Agreement”** means the articles of agreement for the establishment of the Corporation;

**“Federal Government”** means the Government of the Federal Republic of Nigeria;

**“Federation”** means the Federal Republic of Nigeria;

**“Fund”** means the International Monetary Fund;

**“Fund Agreement”** means the articles of agreement for the establishment of the Fund;

**“Minister”** means the Minister charged with responsibility for matters relating to finance.

### **3. Authorisation for signing of the agreements**

Subject to the provisions of section 6 of this Act, the Minister is hereby authorised on behalf of the Federal Government to sign the Fund Agreement, the Bank Agreement, the Corporation Agreement and the Association Agreement and to deposit, in the cases of the Fund Agreement and the Bank Agreement, with the Government of the United States, and, in the cases of the Corporation Agreement and the Association Agreement, with the Bank, instruments of acceptance of the said agreements and of the terms and conditions respectively prescribed thereunder, relating to the admission of the Federal Government to membership, or by instruments under his hand, to empower such person as may be named in such instruments to sign the said Agreements and to deposit the said instruments of acceptance as aforesaid.

### **4. Financial provisions**

(1) There shall be paid out of the Development Fund or the Consolidated Revenue Fund, on the warrant of the Minister, all sums required for the purposes of paying-

(a) the subscription payable to the Fund in accordance with section 2 of Article II of the Fund Agreement and the Resolution of the Board of Governors of the Fund relating to membership of the Federation in the Fund;

(b) any sums payable to the Fund under paragraph (b) or paragraph (d) of section 8 of Article IV of the Fund Agreement (which relates to changes in the par or foreign exchange values of currencies of members);

(d) any compensation required to be paid to the Fund or to any member thereof under Schedule D of the Fund Agreement (which relates to the withdrawal of members from the Fund) or under Schedule E thereof (which relates to the liquidation of the Fund);

(e) the moneys on account of the subscription for shares in the Bank under Article II of the Bank Agreement (including any sums payable to the Bank under section 9 of that Article relating to changes in the par or foreign exchange values currencies of members), and the Resolution of the Board of Governors of the Bank relating to membership of the Federation in the Bank;

(f) any amounts required to be paid to the Bank under head (iv) of paragraph (c) of section 4 of Article VI of the Bank Agreement;

(g) the moneys payable on account of the subscription for shares in the Corporation under Article II of the Corporation Agreement and the Resolution of the Board of Governors of the Corporation relating to membership of the Federation in the Corporation not exceeding in the aggregate, the sum of three hundred and sixty-nine thousand United States Dollars;

(h) any amounts required to be paid to the Corporation under head (iii) of paragraph (c) of section 4 of Article V of the Corporation Agreement;

(i) subject to the provisions of section 6 of this Act, all sums required to be paid on behalf of the Federal Government under the Association Agreement, that is to say –

(i) paragraph (a) to (d) of section 2 of Article II (which relate to the initial subscription of members);

(ii) paragraph (a) of section 2 of Article IV (which relates to changes in the par or foreign exchange value of currencies of members);

(j) any amounts or charges required to be paid to the Fund, the Bank, the Corporation or the Association, such amounts or charges being incidental to the Federal Government's membership thereof respectively, or to the operations or transactions in relation thereto, and for the purpose of providing any sums to be paid out of the Development Fund of the Federation or the Consolidated Revenue Fund of the Federation as aforesaid, moneys may, if required, from time to time, be borrowed in the manner provided in the Treasury Bills Act, or the Local Loans (Registered Stock and Securities) Act (but without prejudice to any other method of raising the moneys) without any authorisation of the National Assembly other than this section and any moneys so borrowed shall be paid into the Consolidated Revenue Fund of the Federation. Revenue Fund of the Federation.

[Cap. T18. Cap. L17.]

(2) The Minister may, if he thinks it fit so to do, create and issue to the Fund, the Bank or the Association, in such form as he thinks fit, any such non-interest-bearing and non-negotiable notes or other obligations as are provided for by section 5 of Article III of the Fund Agreement, by section 12 of Article V of the Bank Agreement and by paragraph (e) of section 2 of Article II of the Association Agreement (which sections relate to the acceptance by the Fund, the Bank or the Association, as the case may be, of notes or similar obligations in place of currency), and the sums payable under such notes or obligations so created and issued shall be charged on the Consolidated Revenue Fund of the Federation.

(3) Any sums received by the Federal Government from the Fund (other than sums received by reasons of the operations or transactions under Article V of the Fund Agreement), any sums received by the Federal Government from the Bank or the Corporation), any sums received by the Federal Government from the Bank or the Corporation on account of its subscriptions to the capital stock thereof and any sums received by the Federal Government from the Association on account of its subscription therein or of supplementary resources provided by it, shall be paid into the Consolidated Revenue Fund of the Federation.

## **5. Status and immunities of organisations**

(1) The juridical personality of the Fund, the Bank, the Corporation and the Association is recognised by the Federation and in particular the capacity to contract, to acquire and dispose of immovable and movable property, and to institute legal proceedings; the provision regarding judicial process contained in section 3 of Article IX of the Fund Agreement, in section 3 of Article VIII of the Bank Agreement, in section 3 of Article VI of the Corporation Agreement and in section 3 of Article VI of the Corporation Agreement and in section 3 of Article VIII of the Association Agreement respectively, shall and in section 3 of Article VIII of the Association Agreement respectively, shall have the force of law in Nigeria.

[1961 No. 7.]

(2) Without prejudice to the powers conferred by section 3 of the Diplomatic Immunities and Privileges Act, the President shall by order make such provisions as are necessary for carrying into effect any of the provisions of the Fund Agreement, the Bank Agreement, the Corporation Agreement and the Association Agreement, relating to the status, immunities and privileges of the Fund, the Bank, the Corporation and the Association and their respective governors, executive directors, directors, alternates, officers and employees, or any of the provisions of the Fund Agreement as to the unenforceability of exchange contracts.

[Cap. D9.]

## **6. Certain provisions not to take effect**

For the avoidance of doubts as to the effect of certain provisions of this Act, all references to, and all acts authorised to be done in relation to the Association in this Act, shall

not have effect or be done, as the case may be, unless and until the President declares by notice in the Federal *Gazette* that the Association is established and thereafter all such references and all such acts shall have effect or be done, as the case may be, as from such day as the President shall declare by the same or a subsequent notice in the Federal *Gazette*.

## INTERNATIONAL FINANCE ORGANISATIONS ACT

### SUBSIDIARY

### LEGISLATION

#### *List of Subsidiary Legislation*

1. International Development Association (Establishment) Notice.

### INTERNATIONAL DEVELOPMENT ASSOCIATION

#### (ESTABLISHMENT)

#### NOTICE

[L.N. 32 of 1961.]

under

section 6

*[23rd February, 1961]*

[Commencement.]

#### 1. **Establishment of the International Development Association**

The International Development Association was established on the 26th day of September 1960.

#### 2. **Provisions in Act to take effect**

All references to and all acts authorised to be done in relation to the International Development Association in the Act, shall have effect or be done, as the case may be, from the date of commencement of this notice.