

CHAPTER 393

**REVIEW TRIBUNALS
(IMPLEMENTATION OF DECISIONS) ACT**

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CHAPTER 393

REVIEW TRIBUNALS
(IMPLEMENTATION OF DECISIONS) ACT

1986 No. 25. **An Act to enact into Law the decisions of the Federal Government on the recommendations of the Review Tribunals set up by the Federal Government to review the cases of persons convicted or detained under certain Acts.**

Commence-
ment.

[26th September, 1986]

PART I—IMPLEMENTATION OF DECISIONS ON CASES OF
PERSONS CONVICTED UNDER ACTS CAP. 114 AND 410

Implemen-
tation of
decisions.

1. The decisions of the Armed Forces Ruling Council set out in column four of the First Schedule to this Act upholding, affirming, confirming, accepting, varying or substituting the recommendations of the Tribunal of Inquiry to Review Cases of Persons Convicted under the Exchange Control (Anti-Sabotage) Act and Special Tribunal (Miscellaneous Offences) Act (hereafter in this Act referred to as "the Aguda Tribunal") as set out in column three of the said Schedule shall for all purposes have effect according to their tenor.

Cap. 144.
Cap. 410.

Vesting of
moneys.

2. The amounts, if any, specified in column two of Part A of the First Schedule to this Act, being the amounts recommended by the Aguda Tribunal in column three of the

said Schedule and affirmed by the Armed Forces Ruling Council in column four of the aforementioned Schedule as being forfeited, are hereby vested in the Federal Government.

3. The assets, if any, set out in column two of Part B of the First Schedule to this Act, being the assets recommended by the Aguda Tribunal in column three of the said Schedule and confirmed by the Armed Forces Ruling Council in column four of the aforementioned Schedule as being forfeited, are hereby vested in the Federal Government, free of all encumbrances and without any further assurance apart from this Act.

Vesting of assets.

PART II—IMPLEMENTATION OF DECISIONS ON PERSONS CONVICTED UNDER THE RECOVERY OF PUBLIC PROPERTY (SPECIAL MILITARY TRIBUNAL) ACT (CAP. 389)

4. The decisions of the Armed Forces Ruling Council set out in column four of the Second Schedule to this Act upholding, affirming, confirming, accepting, varying or substituting the recommendations of the Tribunal of Inquiry to Review the Cases of Persons convicted under the Recovery of Public Property (Special Military Tribunals) Act (hereafter referred to as the "Bello Tribunal") as set out in column three of the said Schedule shall for all purposes have effect according to their tenor.

Implementation of decisions.

Cap. 389.

5. The amounts, if any, specified in column two of the Second Schedule to this Act, being the amounts recommended by the Bello Tribunal in column three of the said Schedule and affirmed by the Armed Forces Ruling Council in the aforementioned Schedule as being forfeited, are hereby vested in the Federal Government.

Vesting of moneys.

6. The assets, if any, set out in the Second Schedule to this Act, being the assets recommended by the Bello Tribunal in the said Schedule and confirmed by the Armed Forces Ruling Council in the aforementioned Schedule as being forfeited, are hereby vested in the Federal Government, free of all encumbrances and without any further assurance apart from this Act.

Vesting of assets.

PART III—IMPLEMENTATION OF DECISIONS ON
THE INVESTIGATION OF CASES OF PERSONS
CONDITIONALLY RELEASED FROM DETENTION AND
PERSONS STILL UNDER DETENTION

Implemen-
tation of
decisions.

Cap. 414.
Cap. 389.

7. The decisions of the Armed Forces Ruling Council set out in column six of the Third Schedule to this Act upholding, affirming, confirming, accepting, varying or substituting the recommendations of the Special Panel for the investigation of cases of persons conditionally released from detention and persons still in detention under the State Security (Detention of Persons) Act and the Recovery of Public Property (Special Military Tribunals) Act (hereafter in this Act referred to as "the Uwaifo Panel") as set out in column five of the said Schedule shall for all purposes have effect according to their tenor.

Vesting of
moneys.

8. The amount if any, specified in column three of the Third Schedule to this Act, being moneys recommended by the Uwaifo Panel to be forfeited to the Federal Government, State Government or other specified authority and confirmed by the Armed Forces Ruling Council in column six of the aforementioned Schedule as being forfeited shall by virtue of this section and without any further assurance, be vested in the Federal Government, the Government of the affected State or other authority, as the case may be.

Vesting of
assets

9. The assets, if any, set out in column three of the Third Schedule to this Act being assets recommended by the Uwaifo Panel in column five of the said Schedule and confirmed by the Armed Force Ruling Council in column six of the aforementioned Schedule as being forfeited are by virtue of this section and without further assurance apart from this section, vested in and shall ensure to the benefit of the Federal Government or other authority specified therein free of all encumbrances and without any further assurance apart from this Act.

PART IV—MISCELLANEOUS PROVISIONS

Offence and
penalty.

10. (1) Any person in possession of any asset forfeited under this Act, shall, within fourteen days of the making of this Act, release the asset to the Federal Government.

(2) Any person who contravenes or fails to comply with the provisions of subsection (1) of this section or any matter contained in the Schedule to this Act commits an offence and shall on conviction be liable to imprisonment for a term of ten years or to a fine of five times the value of the assets concerned.

11. Any disqualification of any person from participation in party politics or from holding public office specified in any of the Schedules to this Act shall have effect according to its tenor and shall not be cancelled, altered or varied by any authority or person whatsoever.

Disqualifi-
cation from
holding
public office.

12. An offence under this Act shall be triable at the Special Military Tribunal set up under the Recovery of Public Property (Special Military Tribunals) Act (as amended) and the provisions of the Act relating to appeals and confirmation shall apply.

Jurisdiction.

Cap. 389.

13. Notwithstanding anything in the Constitution of the Federal Republic of Nigeria or any other enactment or law, where any person or authority complies with any direction, order or requirement according to the provisions of this Act, that person or authority shall be indemnified from liability to the extent of compliance therewith; and accordingly, no action, claim, suit or demand by or on behalf of the person whose asset is affected pursuant to the direction, order or requirement aforesaid shall lie against the person or authority so complying.

Indemnity
for com-
pliance.

14. Notwithstanding anything in the Constitution of the Federal Republic of Nigeria or any other enactment or law, no civil proceeding shall lie or be instituted in any court for or on account of or in respect of any act, matter or thing done or purported to be done by the Federal Government or by any person for or on behalf of the Federal Government under this Act or with respect to the arrest, detention, prosecution, conviction, ban, discharge, acquittal or release of any person—

Exclusion of
civil pro-
ceedings.

(a) by the Aguda or Bello Tribunal or the Uwaifo Panel; or

(b) under the State Security (Detention of Persons) Act

Cap. 414.

- Cap. 389. (c) under the Recovery of Public Property (Special Military Tribunals) Act,
- Cap. 114. (d) under the Exchange Control (Anti-Sabotage) Act or
- Cap. 410. (e) under the Special Tribunal (Miscellaneous Offences Tribunal) Act,

and if any such proceedings has been instituted before or is instituted after the commencement of this Act, the proceedings shall abate, be discharged and be made void.

Interpretation.

15. In this Act, unless the context otherwise requires—

“Aguda Tribunal” means the Judicial Tribunal of Inquiry to review the cases of persons convicted under the Exchange Control (Anti-Sabotage) Act and the Special Tribunal (Miscellaneous Offences) Act;

“Bello Tribunal” means the Tribunal of Inquiry to review cases of persons convicted under the Recovery of Public Property (Special Military Tribunals) Act;

“Tribunal” includes the Uwaifo Panel;

“Uwaifo Panel” means the Special Panel for the investigation of cases of persons conditionally released from detention and persons still in detention under the State Security (Detention of Persons) Act and the Recovery of Public Property (Special Military Tribunals) Act;

in respect of the Second and Third Schedules to this Act, “year” means a calendar year.

Short title.

16. This Act may be cited as the Review Tribunals (Implementation of Decisions) Act.