



COUNCIL OF MINISTERS (EVIDENCE) ACT

ARRANGEMENT OF SECTIONS

1. Evidence of actions and decisions taken by Council of Ministers.
2. Short title.

COUNCIL OF MINISTERS (EVIDENCE) ACT

CITATION

An Act to provide for the proof by certificate in certain cases of actions and decisions taken by the Council of Ministers.

[1965 No. 32.]

[Commencement.]

[10th November, 1965]

1. Evidence of actions and decisions taken by Council of Ministers

- (1) Subject to this section, where any enactment, in whatever words expressed-
 - (a) confers any power or imposes any duty on the Council of Ministers; or

- (b) authorises or requires anything to be done subject to the approval or consent of the Council of Ministers, or in any other way makes the validity of anything dependent on the taking of some action or decision by the Council of Ministers,

a certificate of the Secretary or Deputy Secretary to the Government giving particulars of anything done or decided by the Council of Ministers under or for the purposes of that enactment shall be conclusive evidence of the matters stated in the certificate.

- (2) Any document purporting to be a certificate issued under this section and to be signed by the Secretary or Deputy Secretary to the Government shall be deemed to be such a certificate unless the contrary is shown.
- (3) A certificate shall not be issued under this section of this Act with respect to any matter except with the consent of the Council of Ministers; but in the case of any document purporting to be a certificate issued under this section of this Act, the question whether it was issued with the consent required by this subsection shall not be enquired into in any court of law.
- (4) The provisions of this section of this Act shall be without prejudice to any enactment which provides that where by the Constitution of the Federal Republic of Nigeria the Council of Ministers is required to act in accordance with the advice of any person or authority, the question whether he has in any case received, or acted in accordance with, such advice shall not be enquired into in any court of law, and no certificate shall be issued under this section with respect to anything done or decided by the Council of Ministers for the purposes of giving advice to the President.
- (5) In this section "enactment" has same meaning as in the Interpretation Act.

2. Short title, extent, etc.

- (1) This Act may be cited as the Council of Ministers (Evidence) Act.
- (2) This Act binds the State.

COUNCIL OF MINISTERS (EVIDENCE) ACT

SUBSIDIARY LEGISLATION

No Subsidiary Legislation



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