**INTERPRETATION ACT**

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SCHEDULE

*Enactments repealed*

                 INTERPRETATION ACT

**An Act to provide for the construction and interpretation of Acts of the National Assembly and certain other instruments; and for purposes connected therewith.**

                                                                [1964 No. 1.]

*[20th January, 1964]*

[Commencement.]

*Preliminary*

1. **Application of this Act**

This Act shall apply to the provisions of any enactment except in so far as the con-
trary intention appears in this Act or the enactment in question.

*Operation of enactments*

**2.  Passing and commencement**

(1) An Act is passed when the President assents to the Bill for the Act whether or not
the Act then comes into force.

(2) Where no other provision is made as to the time when a particular enactment is to
come into force, it shall, subject to the following subsection, come into force-

  *(a)*in the case of an enactment contained in an Act of the National Assembly, on  the day when the Act is passed;

   *(b)*in any other case, on the day when the enactment is made.

     (3) Where an enactment is expressed to come into force on a particular day, it shall
be construed as coming into force immediately on the expiration of the previous day.

**3**.     **Punctuation, headings and descriptive words**

(1) Punctuation forms part of an enactment, and regard shall be had to it accordingly
in construing the enactment.

(2) A heading or marginal note to an enactment does not form part of the enactment
and is intended for convenience of reference only.

(3) Words in an enactment descriptive of another enactment shall not be used as an
aid to the construction of the other enactment and are intended for convenience of refer-
ence only.

**4**.     **Amended and substituted enactment**

(1) A reference in an enactment to another enactment shall, if the other enactment has
been amended, be construed as a reference to the other enactment as amended.

(2) Where an enactment is repealed and another enactment is substituted for it,
then−

      *(a)*the repealed enactment shall remain in force until the substituted enactment
comes into force;

      *(b)*any reference to the repealed enactment shall, after the substituted enactment
comes into force, be construed as a reference to the substituted enactment;

      (c)             any subsidiary instrument in force by virtue of the repealed enactment shall, so
far as the instrument is not inconsistent with the substituted enactment, con-
tinue in force as if made in pursuance of the substituted enactment.

**5.     Construction of references to portions of enactments**

(1) Where an enactment describes a portion of another enactment in terms of a word
occurring in the other enactment, that word is included in the portion described.

(2) Where an enactment describes a consecutive series of provisions of another en-
actment by reference to the first or last provision of the series, that provision is included
in the series described.

**6.    Effect of repeals, expiration, etc**.

(1) The repeal of an enactment shall not-

      *(a)*revive anything not in force or existing at the time when the repeal takes effect;

      *(b)*affect the previous operation of the enactment or anything duly done or suffered under the enactment;

      (c)             affect any right, privilege, obligation or liability accrued or incurred under the enactment;

      *(d)*affect any penalty, forfeiture or punishment incurred in respect of any offence
committed under the enactment;

                                *(e)*affect any investigation, legal proceeding or remedy in respect of any such

     right, privilege, obligation, liability, penalty, forfeiture or punishment,

and any such investigation, legal proceeding or remedy may be instituted, continued or
enforced, and any such penalty, forfeiture or punishment may be imposed, as if the enactment had not been repealed.

(2) When an enactment expires, lapses or otherwise ceases to have effect, the provi-
sions of subsection (1) of this section shall apply as if the enactment had then been repealed.

**7**. **Forfeiture**

Where an enactment provides that any property shall be forfeited, the enactment shall
be construed as providing that the property, or where the property is duly sold, the proceeds of sale shall vest in the Minister of the Government of the Federation responsible
for finance and be held by him for the purposes of the Government of the Federation.

**8.   Continuation of *ex-officio*proceedings on death and effect of sanctions on civil
remedy**

(1) Any civil or criminal proceedings taken by or against any person by virtue of his
office shall not be discontinued or abated by his death, resignation, or absence or removal
from office, but may be carried on by or against, as the case may be, the person appointed
to perform the duties of the office.

(2) An enactment shall not be construed as preventing the recovery of damages in re-
spect of injury attributable to any act by reason only of the fact that the enactment pro-
vides for a penalty, forfeiture or punishment in respect of the act.

**9.    Enactments binding the State**

(1)                    An enactment shall not prejudicially affect-

      *(a)*the executive authority of the Federation; or

      *(b)*any properly in so far as it is held for the purposes of the Government of the
      Federation.

(2) The provisions of subsection (1) of this section shall not apply to an enactment−

                                *(a)*if the enactment is expressed to bind the State; or

      *(b)*in so far as an enactment so provides by other express words or by necessary
      implication,

and the provisions of this section shall have effect notwithstanding anything in section
of this Act.

*Construction of statutory powers and duties*

**10. Statutory powers and duties - general**

(1) Where an enactment confers a power or imposes a duty, the power may be exer-
cised and the duty shall be performed from time to time as occasion requires.

 (2) An enactment which confers power to do any act shall be construed as also con-
ferring all such other powers as are reasonably necessary to enable that act to be done or
are incidental to the doing of it.

(3) Where an Act is not to come into force immediately on the passing of the Act and
confers power to make a subsidiary instrument, to give notice, to prescribe forms, to
make an appointment or to do any other thing for the purposes of the Act, the power may
be exercised at any time after the Act is passed so far as may be necessary or expedient
for the purpose of bringing the Act into operation at the date of its commencement, so
however that no subsidiary instrument made by virtue of this subsection shall come into
force before the commencement of the Act conferring power to make the instrument except in so far as may be necessary for bringing that Act into force.

**11. Appointment**

(1) Where an enactment confers a power to appoint a person either to an office or to
exercise any functions, whether for a specified period or not, the power includes−

      *(a)*power to appoint a person by name or to appoint the holder from time to time
of a particular office;

                                *(b)*power to remove or suspend him;

      *(c)*power, exercisable in the manner and subject to the limitations and conditions
(if any) applicable to the power to appoint−

                (i)    to reappoint or reinstate him;

                (ii)     to appoint a person to act in his place, either generally or in regard to specified functions, during such time as is considered expedient by the authority in whom the power of appointment in question is vested.

(2) A reference in an enactment to the holder of an office shall be construed as in-
cluding a reference to a person for the time being appointed to act in his place, either as
respects the functions of the office generally or the functions in regard to which he is ap-
pointed, as the case may be.

**12. Additional provisions as to powers to make subsidiary instruments, etc.**

(1) Where an Act confers a power to make a subsidiary instrument, proclamation or
notification, the power shall include−

        *(a)*power to make different provision for different circumstances;

        (b)              power, exercisable in the like manner and subject to the like consent and con-
ditions (if any), to vary and revoke the instrument, proclamation or notification;

*(c)*in the case of a subsidiary instrument, power to prescribe punishments for contra-
ventions of provisions of the instrument, not exceeding as respects a particular
contravention−

               (i)    in the case of rules of court imprisonment for a term of three months or a fine of fifty naira or both;

                (ii)     in any other case, imprisonment for a term of six months or a fine of one hundred naira or both.

(2) A contravention of a provision of a subsidiary instrument may be prosecuted in a
summary manner.

**13. Condition for performance subject to payment and recovery fines and fees**

(1) Where a sum of money is payable in respect of the performance of a duty im-
posed by an enactment on any person, that person may abstain from performing the duty
until the sum is paid or, where the sum cannot be finally ascertained before the perform-
ance of the duty, until such an amount is paid as that person may reasonably estimate
(without prejudice to its subsequent adjustment) to be the relevant sum.

(2) Where under any Act or Law any person is required to pay any charge or fee for
any act or thing done, or document issued, or signature or seal affixed to any document,
by any public officer or department, or where any person is adjudged by any court, or
other authority duly authorised by law, to payor forfeit any sum of money, such charge
or fee and such sum of money shall be paid into the appropriate Treasury, unless the
contrary is otherwise provided and if any such charge or fee, or if any commission on
money received or taken possession of, realised, or otherwise dealt with, is required to be
paid to any public office or department, such office or department receiving the same
shall pay it into or account for the same in due course to the appropriate Treasury.

(3) Where in any Act or Law power is given to any authority to impose any fine or
make any order or give any directions whatever and it is stated that such fine, order or
direction shall be imposed, be recoverable or in any manner have effect as if the same
were a fine, order or direction, imposed, made or given by a court or by ajudicial or other
officer, any such court or judicial or other officer having jurisdiction in the place where
such fine, order or direction was imposed, made or given or where the person who was
ordered to pay the fine or who is required to obey the order or direction resides or may
happen to be, may take the necessary steps to enforce the payment 01" the fine or the car-
rying out of the order or direction, as the case may be, in all respects as if the fine, order
or direction had in fact been imposed, made or given by such court or judicial or other
officer.

*Interpretation of enactments*

**14.   Gender and number**

In an enactment-

      *(a)*words importing the masculine gender include females;

      *(b)*words in the singular include the plural and words in the plural include the
singular.

**15. Time**

(1)   A reference in an enactment to the time of day is a reference to the time which is
one hour in advance of Greenwich mean time.

(2)   A reference in an enactment to a period of days shall be construed-

      *(a)*where the period is reckoned from a particular event, as excluding the day on
which the event occurs;

      *(b)*where apart from this paragraph the last day of the period is a holiday, as con-
tinuing until the end of the next following day which is not a holiday.

(3) Where by an enactment any act is authorised or required to be done on a particular day and that day is a holiday, it shall be deemed to be duly done if it is done on the
next following day which is not a holiday.

(4) Where by an enactment any act is authorised or required to be done within a par-
ticular period which does not exceed six days, holidays shall be left out of account in computing the period.

(5) In this section **"holiday"** means a day which is a Sunday or a public holiday.

**16. Distance**

In determining a distance for the purposes of an enactment, the distance shall be
measured in a straight line on a horizontal plane.

**17. Penalties**

(1) Where a punishment in respect of an offence is provided by an enactment, the en-
actment shall be construed as providing that an offender shall be liable in pursuance of
the enactment to a punishment not exceeding the punishment so provided.

(2) Where imprisonment in respect of an offence is provided by an enactment, the
enactment shall be construed as providing that any imprisonment imposed in pursuance
of the enactment in respect of the offence shall be-

            *(a)*with or without hard labour as the court imposing the imprisonment may in its discretion

                         direct;

                               *(b)*with hard labour if no such direction is given.

(3) Where a punishment is set out at the foot of an enactment, the enactment shall be
construed as providing that a contravention of the enactment shall be an offence for which an offender shall be liable, subject to subsection (1) of this section, to the punishment so set out.

**18. Interpretation of particular expressions, etc.**

(1)  In an enactment the following expressions have the meanings hereby assigned to
them respectively, that is to say−

**"act"** includes an omission, and references to the doing of an act shall be construed
accordingly;

**"chief”** means a person who, in accordance with the law in force in any part of Nige-
ria, is accorded the dignity of a chief by reference to that part or to a community estab-
lished in that part;

**"commencement"**, in relation to an enactment, means the time at which the enact-
ment comes into force;

**"consular officer"** includes consul-general, consul, vice-consul, consular agent and
any person for the time being authorised to discharge the duties of a consul-general, con-
sul or vice-consul;

**"contravention",** in relation to an enactment, includes a failure to comply with the
enactment;

**"crew",** in relation to a ship or other vessel, includes masters, mates, pilots, engi-
neers, stokers, deck-hands and all persons engaged in the navigation of the ship or other
vessel;

**"Crown Agents"** means the body established in the United Kingdom and commonly
known as the Crown Agents for Oversea Governments and Administrations;

**"daily penalty",** **"weekly penalty"** and **"monthly penalty",** in relation to an of-
fence, means a penalty for each day, week or month, as the case may be, during which
the offence is continued after conviction for the offence;

**"financial year"** means the period of twelve months beginning on 1st January and
ending on 31 st December, so however that with respect to the year 1980 it shall be the
period of nine months beginning on 1 st April and ending on 31 st December;

[1980 No. 2.]

**"immovable property"** means land;

**"inland waters"** includes all rivers, creeks and lagoons inside the river bars of Nigeria;

**"land"** includes any building and any other thing attached to the earth or permanently
fastened to any thing so attached, but does not include minerals;

**"Law"** means any law enacted or having effect as if enacted by the legislature of a
State and includes any instrument having the force of law which is made under a Law;

**"legal practitioner"** has the meaning assigned to it by the Legal Practitioners Act;
                                                                            [Cap. L11.]

**"local authority"** means the local authority of a township;

**"master"** in relation to a ship, means any person other than a pilot or harbour master
having for the time being control or charge of the ship;

**"military forces"**means the armed forces of the Federation and includes any person
who is not a member of the last-mentioned forces but who accompanies, or is employed
in the service of a body of those forces;

**"Minister",** where no particular Minister is specified in the context, means the Min-
ister of the Government of the Federation charged in pursuance of the Constitution of the
Federal Republic of Nigeria 1999 with responsibility for the matter to which the context
relates;

**"monogamous marriage"** means a marriage which is recognised by the law of the
place where it is contracted as a voluntary union of one man and one woman to the exclu-
sion of all others during the continuance of the marriage;

**"month"** means a calendar month reckoned according to the Gregorian calendar;

**"oath"** and **"affidavit"**, in relation to a person authorised by law to make an affirmation or declaration instead of an oath, includes an affirmation or declaration made in accordance with the relevant law, and **"swear"** shall be construed accordingly;

**"person"** includes any body of persons corporate or unincorporate;

**"police officer"** means any member of the police force and **"superior police officer"**
means a police officer of or above the rank of assistant superintendent;

**"prescribed"** means prescribed by or under the enactment in which the expression
occurs;

**"public holiday"** means a day which is a public holiday under the Public Holidays
Act;

[Cap. P40.]

**"public officer"** means a member of the public service of the Federation within the
meaning of the Constitution of the Federal Republic of Nigeria 1999, or of the public
service of a State;

[Cap. C23.]

**"qualified medical practitioner"** means a person who is a fully registered medical
practitioner within the meaning of the Medical and Dental Practitioners Act;

[Cap. M8.]

**"regulations",** in an enactment passed or made before the passing of this Act, in-
cludes rules and bye-laws;

**"seaman"** includes every person (other than a master, pilot or indentured apprentice)
who is employed or engaged in any capacity on board a ship;

**"ship"** includes every description of vessel used in navigation and not exclusively
propelled by oars or paddles;

**"to sell"** includes to exchange and to barter and to otfer or expose for sale;

**"to sign",** in relation to a person who is unable to write his name, means to make his mark;

**"territorial waters"** means any part of the open sea within thirty nautical miles of the
coast of Nigeria (measured from Iow water mark) or of the seaward limits of inland waters;

[1971 No. 38.]

**"township"** means a township established under the Townships Act;
[Cap. 216.1948 Edition.]

**"vessel"** includes floating craft of every description;

**"will"** includes a codicil;

**"writing"** and expressions referring to writing include printing, lithography, photo-
graphy, typewriting and other modes of representing or reproducing words or figures in a
visible form; and

**"year"** means a period of twelve months.

(2) Where by subsection (1) of this section or any other enactment a meaning is as-
signed to a word, parts of speech related to the word have corresponding meanings.

(3) The word **"or"** and the word **"other"** shall, in any enactment, be construed dis-
junctively and not as implying similarity.

(4) A reference in an enactment, in relation to any matter, to a minister or an official
described by a designation which−

[1977 No. 13.]

      *(a)*under the system of government in force in Nigeria or any part thereof; or

      *(b)*by reason of any change in the organisation of any department or ministry
whether or not by the transfer of functions from one ministry or department to
another or others,

is no longer appropriate, shall be construed in relation to that matter as a reference to the
Minister or, as the case may require, the official for the time being charged with respon-
sibility for the matter.

(5) A reference in an enactment, in relation to any matter to any ministry or depart-
ment or other unit of any government in Nigeria described by a designation which-

      *(a)*under the system of government in Nigeria or any part thereof;

     *(b)*by reason of any change in the organisation of any ministry or department or
other unit as aforesaid (including the abolition or the amalgamation of any of
them or the creation of new ones), is no longer appropriate, shall be construed in relation to that matter as a reference to the
ministry or department or, as the case may require, to any other unit of any government in
Nigeria for the time being charged with responsibility for the matter.

**19.** **Additional provisions as to interpretation of subsidiary instruments**

(1) An expression used in a subsidiary instrument has the same meaning as in the Act
conferring power to make the instrument.

(2) In a subsidiary instrument, the expression **"the Act"** means the Act conferring
power to make the instrument.

*Miscellaneous*

**20. Imperial Acts to be read with necessary modifications**

Whenever by any Act of the National Assembly, any Act of the National Assembly is
extended or applied to Nigeria or to a State, such Act shall be read with such formal al-
terations as to names, localities, courts, officers, person, moneys, penalties and otherwise
as may be necessary to make the same applicable to the circumstances.

**21. Citation of Acts**

An Act may be cited−

      *(a)*in the case of an Act included in a revised edition of Acts of the National Assembly which is in force by virtue of an enactment, by its chapter number in
that edition;

      *(b)*in the case of any other Act, by the number of the year in which it was passed
and its number among the Acts passed in that year,

and the mode of citation authorised by this section shall be in addition to any other mode
of citation authorised by any other enactment.

**22. Printing of enactments with textual amendments**

(1)  Where an enactment is amended by the insertion or omission of words or by the
substitution of words for other words, then on printing the enactment at any time after the
amendment takes effect the person authorised to print the enactment shall, if so directed
by the Attorney-General of the Federation, print the enactment as so amended.

(2)  A direction under subsection (1) of this section in respect of any amendment shall
include provision requiring the printer to indicate, in such a manner as may be specified
by the direction, the extent of the amendment and the enactment of which it was made.

**23. Deviations in forms**

Where a form is prescribed by an enactment, a form which differs from the prescribed
form shall not be invalid for the purposes of the enactment by reason only of the differ-
ence if the difference is not in a material particular and is not calculated to mislead.

**24. Execution of instruments made by the President**

Where a power to make an instrument which is conferred on the President by an en-
actment is exercisable in accordance with the advice of the President or a minister of the
Government of the Federation, then without prejudice to the exercise of the power by the
President in person, any instrument made in exercise of that power may be executed un-
der the hand of the Secretary to the Government of the Federation (or the Deputy Secre-
tary to the Council of Ministers).

**25. Offences under more than one law**

Where an act constitutes an offence under two or more enactments or under an en-
actment and at common law, the alleged offender shall be liable to be prosecuted and on
conviction punished under anyone of the enactments or, as the case may be, either under

the enactment or at common law, but shall not be liable to be punished twice for the same
offence.

**26. Service by post**

Where an enactment authorised or requires a document to be served by post, whether
the word "serve" or some other word is used, then-

       *(a)*the document may be served by posting an envelope−

                      (i)      which contains the document; and

(ii)     on which the postage (where any is payable) has been pre-paid; and
(iii)    which is addressed to the person on whom it is to be served at his last

known address; and

*(b)*where the provisions of paragraph *(a)*of this section have been satisfied as respects the document, it shall be deemed to have been served at the time at which the envelope would have been delivered in the ordinary course of post unless it is proved that the envelope was not delivered at that time.

 **27. Special provisions as to certain statutory bodies**

(1) Where a body established by an enactment comprises three or more persons,
then−

       *(a)*any act which the body is authorised or required to do may be done in the name of the

                   body by a majority of those persons or of a quorum of them; and

       *(b)*in any vote taken at a meeting of the body the person presiding when the vote is ordered

                   shall have a casting vote, whether or not he also has a deliberative vote.

[1977 No. 13.]

(2) Without prejudice to subsection (1) of this section where a body established by an
enactment comprises three or more persons and is empowered to make subsidiary instru-
ments, any such instrument may be executed under the hand of any two of the members
thereof as may be authorised by such body generally for that purpose or specially on any
particular occasion.

**28. Quorum**

Notwithstanding anything contained in any Act or any other enactment, the quorum of
any tribunal, commission of inquiry (including any appeal tribunal established for the
purpose of hearing any appeal arising therefrom) shall not be less than two (including the
chairman):

Provided that the chairman and the member shall be present at every sitting of the
tribunal, commission or inquiry throughout the duration of the trial or hearing.

[1987 No. 44.]

**29. Acts to be read with necessary modification**

Whenever by any Act or Law, any Act is extended or applied to the Federation or a
State, such Act shall be read with such formal alterations as to names, localities, courts, offices, person, moneys, penalties or otherwise as may be necessary to make the same
applicable to the circumstances.

[Order 47 of 1951.]

**30. Reference in Act or Law to Acts**

Where in any Act or Law reference is made to any provision of an Act and that provi-
sion is subsequently repealed and re-enacted without substantial modification, the refer-
ence in such Act or Law to the provision of the Act so repealed shall, if the context so
requires and unless the contrary intention appears, be construed as a reference to the pro-
vision so re-enacted.

*Provisions relating to courts*

**31. Jurisdiction over offences against Federal laws**

Where jurisdiction is conferred by any Law upon a High Court or a magistrate's court

established for a State with respect to−

      *(a)*the summary trial and conviction; or

      *(b)*the examination and commitment for trial on indictment; or

*(c)*the trial and conviction on indictment, offences against the Laws of offenders or persons charged with of the State and with re-
spect to the hearing and determination of appeals arising out of any such trial or conviction or out of any proceedings connected therewith, such court shall, except in so far as
other provision is made by law in force in the State, have the like jurisdiction with respect to offenders or persons charged with offences against a Federal law committed in the
State or who may lawfully be tried for offences committed elsewhere.

(2) In this section **"Federal law"** means any law enacted by the National Assembly, or having effect as if so enacted by the National Assembly, or having effect as if so en-
acted, which relates to a matter within the exclusive legislative competence of the Federal legislature.

[L.N. 47 of 1955.]

**32. Law in force with respect to Federal matters**

(1) Subject to the provisions of this section and except in so far as other provision is
made by any Federal law, the common law of England and the doctrines of equity, to-
gether with the statutes of general application that were in force in England on the 1st day
of January, 1900, shall, in so far as they relate to any matter within the legislative com-
petence of the Federal legislature, be in force in Nigeria.

[L.N. 47 of 1955.]

(2) Such Imperial laws shall be in force so far only as the limits of the local jurisdic-
tion and local circumstances shall permit and subject to any Federal law.

(3) For the purpose of facilitating the application of the said Imperial laws they shall
be read with such formal verbal alterations not affecting the substance as to names, lo-
calities, courts, officers, persons, moneys, penalties and otherwise as may be necessary to
render the same applicable to the circumstances.

 (4) Every judge or officer of a High Court having or exercising function of the like
kind, or analogous to the function of any judge or officer referred to in any such law,
shall be deemed to be within the meaning of the enactments thereof relating to such last-
mentioned judge or officer, and every magistrate or officer of a magistrate's court having
or exercising functions of the like kind, or analogous to the functions of any magistrate,
justice of the peace or officer referred to in any such law, shall be deemed to be within
the meaning of the enactments thereof relating to such last-mentioned magistrate or offi-
cer or such justice of the peace.

(5) Where the great seal or any other seal mentioned in any law it shall be read, in its
application to a High Court, as if the seal of the High Court were substituted therefor,
and, in its application to a magistrate's court, as if the seal of the magistrate's court were
substituted therefor.

[L.N. 47 of 1955.)

**33. Evidence of signature of fiat or consent of President or public officer**

Whenever the fiat or consent of the President or of any public officer is necessary be-
fore any prosecution of action is commenced, any document purporting to bear the fiat or
consent of the President or of the public officer concerned shall be received as *prima fa-
cie*evidence in any proceeding without proof being given that the signature to such fiat or
consent is that of the President or the public officer concerned.

***34. Ex-officio*proceedings not to abate on death**

Any civil or criminal proceedings taken by or against any person by virtue of his office shall not be discontinued or abated by his death, resignation, or absence or removal
from office, but may be carried on by or against, as the case may be, the person appointed
to perform the duties of the office.

**35. Carrying out of certain orders**

Where in any Act or Law power is given to any authority to impose any fine or make
any order or give any directions whatever and it is stated that such fine, order or direction
shall be imposed, be recoverable or in any manner have effect as if the same were a fine,
order or direction, imposed, made or given by a court or by a judicial or other officer, any
such court or judicial or other officer having jurisdiction in the place where such fine,
order or direction was imposed, made or given, or where the person who was ordered to
pay the tine or who is required to obey the order or direction resides or may happen to be,
may take the necessary steps to enforce the payment of the fine or the carrying out of the
order or direction, as the case may be, in all respects as if the fine, order or direction had
in fact been imposed, made or given by such court or judicial or other officer.

[Order 47 of 1951.)

**36. Application of fees, fines and forfeitures**

(1) Where under any Act or Law any person is required to pay any charge or fee for
any act or thing done, or document issued, or signature or seal affixed to any document,
by any public officer or department, or where any person is adjudged by any court, or
other authority duly authorised by law, to payor forfeit any sum of money, such charge
or fee and such sum of money shall be paid into the appropriate Treasury, unless the
contrary is otherwise provided; and if any such charge or fee, or if any commission on

money received or taken possession of, realised, or otherwise dealt with, is required to be
paid to any public office or department, such officer or department receiving the same
shall pay it into or account for the same in due course to the appropriate Treasury.

[Order 47 of 1951. L.N. 131 of 1954.]

(2) Nothing in this section shall affect any provision in any Act or Law whereby any
shares of fines or forfeitures, or of proceeds of forfeitures, are expressed to be recover-
able by any person, or may be granted by any authority to any person.

[Order 47 of 1951.]

(3) Except where the requirement, judgment or commission referred to in subsec-
tion (1) of this section relates to a function of the Government of the Federation, the ex-
pression "appropriate Treasury" shall be interpreted as meaning the Treasury in the
State concerned:

Provided that nothing contained in this section shall affect the rights *inter se*of the
Treasuries of the States of the Federation.

[L.N. 131 of 1954.]

**37. Interpretation of this Act, etc.**

(1) Without prejudice to the provisions of section 18 of this Act, in this Act the fol-
lowing expressions have the meanings hereby assigned to them respectively, that is to
say−

**"Act"** means an Act of the National Assembly, whether passed before or after the
commencement of this Act, and includes this Act and an instrument made before the first
day of October, 1960, in so far as the instrument has effect as an Act;

**"enactment"** means any provision of an Act or subsidiary instrument;

**"subsidiary instrument"** means any order, rules, regulations, rules of court or bye-
laws made either before or after the commencement of this Act in exercise of powers
conferred by an Act.

(2) Nothing in this Act shall be construed as purporting to prejudice the provisions of
the Constitution of the Federal Republic of Nigeria 1999.

[Cap. *C23.]*

(3) This Act binds the State.

**38. Repeals and savings, etc.**

The enactment specified in the first and second columns of the Schedule to this Act is
hereby repealed to the extent shown in the third column of that Schedule.

[Schedule.]

**39. Short title**

This Act may be cited as the Interpretation Act.

                                                                         SCHEDULE

                                                                        [Section 38.]

*Enactment repealed*

*Chapter or number                        Short title                                              Extent of repeal*

       Cap. A2                                         Acts  Authentication Act                        **I**n section 3, in subsection (1), the words from "and unless" onwards.

                                                        INTERPRETATION ACT

**SUBSIDIARY LEGISLATION**

*No Subsidiary Legislation*