

**THE TERRITORIAL WATERS (AMENDMENT)
DECREE 1971**



Decree No. 38

[26th August 1971]

Commencement.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:—

1.—(1) As from the commencement of this Decree, the territorial waters of Nigeria shall for all purposes extend to thirty nautical miles of the coast of Nigeria (measured from low water mark) or of the seaward limits of inland waters.

Extension of the limits of territorial waters of Nigeria to 30 nautical miles.

(2) Accordingly, for any reference to the area or extent of the territorial waters of Nigeria in—

(a) the Territorial Waters Decree 1967;

1967 No. 5.

(b) the Interpretation Act 1964, in so far as section 18 thereof deals with the definition of territorial waters; and

1964 No. 1.

(c) any other enactment,

there shall be substituted “thirty nautical miles” instead of “twelve nautical miles”.

2. The sundry amendments of the provisions of the Territorial Waters Decree 1967 set out in the Schedule hereto shall apply to the extent mentioned thereto.

Sundry consequential amendment.

3. Nothing in this Decree shall be construed as affecting the extent of or the area covered by any lease, licence, right or permit granted before the commencement of this Decree under any enactment of Federal application and such enactment shall with any necessary modifications be construed subject to this Decree.

Saving.

4. This Decree may be cited as the Territorial Waters (Amendment) Decree 1971 and shall apply throughout the Federation.

Citation and extent.

SCHEDULE

Section 2

Section 1 of the Territorial Waters Decree 1967 shall be amended in the manner set out below, that is—

<i>Provision</i>	<i>Extent</i>
1. In subsection (1),	for the words "twelve nautical miles" substitute the words "thirty nautical miles";
2. In subsection (2),	the words "of the Military Governor of a State" shall be omitted;
3. In subsection (3)—	
(a) in paragraph (a) thereto,	for the references to "three nautical miles" and "twelve nautical miles" substitute the references to "twelve nautical miles" and "thirty nautical miles", respectively;
(b) in paragraph (b) thereto,	for the words "Sea Fisheries (Lagos) Act 1961" substitute the words "Sea Fisheries Decree 1971" and in the marginal note for the year "1961" substitute the year "1971";
(c) in the said paragraph (b),	in the definition of "existing Federal enactment", immediately after the words "before the commencement of this Decree" wherever those words occur insert "or of the Territorial Waters (Amendment) Decree 1971";
4. In subsection (4),	from the words "the area" to the end substitute the words "the extent of or the area covered by any lease, licence, right or permit granted under any enactment or instrument before the commencement of this Decree or of the Territorial Waters (Amendment) Decree 1971".

MADE at Lagos this 26th day of August 1971.

MAJOR-GENERAL Y. GOWON,
*Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria*

EXPLANATORY NOTE

*(This note does not form part of the above Decree but is
intended to explain its purport)*

This Decree extends the territorial waters of Nigeria to 30 nautical miles of the coast of Nigeria, and consequentially amends the Territorial Waters Decree 1967.