

NUPENG AND PENGASSAN (DISSOLUTION OF EXECUTIVE COUNCILS)
DECREE 1994



Decree No. 10

(18th August, 1994) Commencement

WHEREAS the National Union of Petroleum and Natural Gas Workers (hereinafter referred to as "NUPENG") and the Petroleum and Natural Gas Association of Senior Staff of Nigeria (hereinafter referred to as "PENGASSAN") embarked on a strike action over political matters and used their union's and association's fund to carry out same contrary to clear provisions and objects contained in their constitutions.

AND WHEREAS NUPENG and PENGASSAN embarked on the said strike action without the endorsement of their members contrary to rule 20 (1) of their constitutions and their declaration did not follow the prescribed Industrial Dispute Resolution Processes.

AND WHEREAS the strike actions by both NUPENG and PENGASSAN have been calculated to sabotage a vital and essential sector of the economy and indeed resulted in untold hardship to law-abiding citizens and wrecked incalculable damage to the economy contrary to the provisions of the Trade Disputes (Essential Services) Act.

AND WHEREAS NUPENG wilfully refused to submit to the Industrial Arbitration Panel to which its complaints had been referred contrary to law.

NOW THEREFORE THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:

1. The National and State Executive Councils of the Trade Union and association specified in the schedule to this decree are hereby dissolved.

Dissolution of certain bodies.

2 (1) The Minister of Employment, Labour and Productivity shall appoint an Administrator and Secretary for both NUPENG and PENGASSAN to run their affairs until such a time as the appropriate authority may direct otherwise.

Appointment of Administrator, etc.

(2) The Minister of Employment, Labour and Productivity shall specify the functions and powers of the Administrator and Secretary referred to in subsection (1) to this section.

3 (1) Any person who, on the direction of the appropriate authority, had upon the commencement of this decree acted in compliance with this Decree shall stand indemnified in respect thereof and no suit or any other

Indemnity and Exclusion of Proceedings.

proceedings whatsoever shall lie at the instance of any person aggrieved in respect of any act, matter or thing done or purported to be done in respect of such direction or compliance, and whether any such suit or other proceedings has been or is instituted in any court, it shall abate and be of no effect whatsoever.

(2) Chapter IV of the Constitution of the Federal Republic of Nigeria 1979 is hereby suspended for the purposes of this Decree and any question whether any provision thereof has been or is being or would be contravened by anything done or proposed to be done in pursuance of this Decree shall not be inquired into in any court of law, and accordingly sections 219 and 259 of that constitution shall not apply in relation to such question.

Interpretation:

4. In this Decree, appropriate authority means the Head of State, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria.

Short title

5. This Decree may be cited as the NUPENG AND PENGASSAN (DISSOLUTION OF EXECUTIVE COUNCILS) DECREE 1994.

SCHEDULE

Name of bodies dissolved.

1. The National Executive Council of NUPENG
2. The National Executive Council of PENGASSAN
3. The State Executive Council of NUPENG in all the states of the Federation and Abuja.
4. The State Executive Council of PENGASSAN in all the states of the Federation and Abuja.
5. Any other national or state body by whatever name called in NUPENG or PENGASSAN.

MADE at Abuja this 18th day of August, 1994.

GENERAL SANI ABACHA,
*Head of State,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria.*

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