

CHAPTER P3 - PEACE PRESERVATION LAW

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Power to declare a proclaimed district.
4. Penalty for assisting certain suspects.
5. Prohibition on having arms or ammunition in a proclaimed district.
6. Arrest of persons having arms.
7. Search warrant.
8. Manner in which arms delivered up shall be dealt with.
9. Acts and omissions by chief or local government council in case of riot, etc., in a proclaimed district.
10.
11. Power of magistrate in preventing disturbances.
12. Officers and soldiers of armed forces to have powers of arrest.

PEACE PRESERVATION LAW

A Law to provide for the preservation of the public peace.

[NN 1963, Cap. 88. KWS LN No. 1 of 1982, No. 4 of 2006.]

[Date of commencement: *14th June*, 1917]

1. **Short title**

This Law may be cited as the Peace Preservation Law.

2. Interpretation

Definitions—

"**air gun**" means and includes any weapon which discharges a projectile by means of compressed air or any mechanical contrivance with sufficient force to endanger life;

"**ammunition**" includes any powder or other preparation used to produce explosion, any cap, rocket or cartridge containing such powder or other preparation, any projectile for discharge by such powder or other preparation, and any component parts of the same, and projectiles for air guns and all other materials for loading arms;

"**arms**" includes arms of precision and any weapon discharging a projectile by explosion, or any part of such weapon, and also swords, cutlasses, spears, daggers, bows and arrows;

"**arms of precision**" includes magazine guns, rifles, breach loaders, cap guns, flint-locks with rifled barrels and air guns, or any parts thereof;

"**proclaimed district**" means an area declared by a proclamation under section 3 to be a proclaimed district.

3. Power to declare a proclaimed district

(1) Whenever it shall appear to be necessary for the preservation of public peace in any area of the State, the Governor may declare by proclamation that such area is a proclaimed district for the purpose of this Law.

(2) The Governor may by such proclamation or by any subsequent proclamation prescribe the period within which all arms and ammunition in the possession of any person in the proclaimed district, other than persons in

the service of the Government and such other persons or class of persons as may be specified in the proclamation (hereinafter referred to as excepted persons), shall be delivered up to such officer as may be specified in the proclamation.

(3) A proclamation under subsection (1) may at any time be cancelled by the Governor by notice in the State *Gazette* and on such cancellation the area shall cease to be a proclaimed district.

4. Penalty for assisting certain suspects

Any person who knowingly receives, relieves, comforts, assists or conceals any person against whom a warrant has been issued for committing or abetting any offence under Chapter XXVI or Chapter XXVII in the Schedule to the Penal Code or for committing any offence, being an act of violence or intimidation, or for inciting to an act of violence or intimidation tending to interfere with or disturb the maintenance of law and order shall be liable on conviction to imprisonment for six months or to a fine of two thousand naira if the offence for which the warrant was issued was committed in a proclaimed district after it was proclaimed as such.

[No. 25 of 1960, No. 4 of 2006.]

5. Prohibition on having arms or having arms or ammunition in a proclaimed district

(1) After the expiration of the period within which arms and ammunition are required by any proclamation to be delivered up, no person, other than excepted persons, shall have or carry arms or ammunition in a proclaimed district.

(2) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine of two thousand naira or to imprisonment for six months and in addition to any such penalty a court may order the forfeiture of the arms and ammunition the

subject of the offence.

[No. 4 of 2006.]

6. Arrest of persons having arms

Any person having or carrying or reasonably suspected of having or carrying any arms or ammunition in contravention of this Law may be arrested without warrant by any magistrate or police officer and conveyed before a magistrate to be dealt with according to law; and any arms or ammunition had or carried in contravention of this Law may be seized and forfeited.

7. Search warrant

(1) A magistrate may himself enter and search, or may by warrant direct any person named in such warrant to enter and search, any house, building, vessel or place within a proclaimed district for any arms or ammunition or for any person against whom a warrant as mentioned in section 4 has been issued, suspected to be therein.

(2) Such warrant shall be valid notwithstanding that the houses, buildings, vessels or places to be searched are not specified thereon further than being houses, buildings, vessels or places in a specified area.

(3) A magistrate or the person named in the warrant may call to their assistance any other person, and use such reasonable force as may be necessary.

[No. 4 of 2006.]

8. Manner in which arms delivered up shall be dealt with

(1) The officer to whom any arms and ammunition shall be delivered in accordance with the directions of a proclamation under section 3 shall keep a register of the arms and ammunition delivered to him and of the person by whom they have been delivered.

(2) Subject to the provisions of subsection (3) the arms and ammunition delivered as aforesaid shall be detained by the officer whilst the area continues to be a proclaimed district, and on the area ceasing to be a proclaimed district shall be returned to the persons who shall have delivered the same or who shall appear to the officer to be entitled thereto.

(3) The Governor may—

- (a) at any time order all or any of the arms or ammunition to be returned to the persons who shall have delivered the same or who may appear to be entitled thereto; or
- (b) order that the arms or ammunition detained or any of them shall not be returned and shall be forfeited.

Provided that the Governor shall in such case, direct that the persons otherwise entitled to the arms or ammunition be paid out of general revenue the value of the same to be determined by such officer as the Governor may appoint.

[No. 4 of 2006.]

9. Acts and omissions by chief or local government council in case of riot, etc., in a proclaimed district

If a rebellion, civil commotion or riot resulting in harm to any person or loss of life or damage to property shall take place in a proclaimed district, any chief or local government council who takes part in or instigates such rebellion, civil commotion or riot, or refuses to deliver up persons taking part in or accused or suspected of taking part in such rebellion, civil commotion or riot, shall be liable to a fine of ten thousand naira or to imprisonment for three years.

[KWS LN 1 of 1982, No. 4 of 2006.]

10.

[No. 4 of 2006.]

11. Power of magistrate in preventing disturbances

In any proclaimed district any magistrate or commissioned military or superior police officer, who has reasonable cause to believe that a rebellion, civil commotion or riot is taking place or about to take place may do all things necessary for preventing the same, and may use all such force as is reasonably necessary for preventing the same or for overcoming any resistance which may be made, and shall not be liable for having, by use of such force, caused harm or death to any person, except in criminal proceedings at the instance of the Attorney-General, or in civil proceedings with the Attorney-General's consent.

12. Officers and soldiers of armed forces to have powers of arrest

In any proclaimed district all officers and soldiers of the armed forces shall in addition to any other powers of arrest conferred on them by any of the provisions of this Law have all the powers of arrest of a police officer.

CHAPTER P3

PEACE PRESERVATION LAW

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
