

CHAPTER 89
GOVERNMENT VEHICLES (ALLOCATION AND USE) LAW

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CHAPTER 89
GOVERNMENT VEHICLES (ALLOCATION AND USE) LAW

ANSI. Cap.
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A Law to regulate the use of Government Vehicles

[27th August 1991]

1. This Law may cited as the Government Vehicles (Allocation and Use) Law.

Short title

2. In this law—

Interpretation

"appropriate authority" means in relation to the executive arm of the Government, the Governor or any person authorized by him in that behalf; in relation to the legislative arm of the Government, the Speaker of the State House of Assembly or any person designated by him in that behalf; in relation to the judiciary arm of the Government, the Chief Judge of the State or any person designated by him in that behalf; and in relation to a Government-owned company or statutory corporation or a commission established by law or the Constitution, the chief executive or chairman of such Government-owned company, corporation or commission;

"Constitution" means the Constitution of the federal Republic of Nigeria. 1999;

"Government functionary" means any person in the public service of the State and includes the Governor, deputy Governor, State Commissioners, Advisers and Assistants to the Governor; the Speaker, Deputy Speaker, Leader and deputy Leader of the Majority Party, Leader of the Minority Party, the Chief Whip of the State House of Assembly and their Assistants; Members of the State High Court; the Secretary to the Chief Judge and other Judges of the State High Court, the Clerk of the State House of Assembly: the Chief Registrar of the State High Court; Chairman and members of Statutory Commissions, Government-financed Companies. Corporations or Parastatals established by the Constitution by any other Law; Permanent Secretaries, Heads of departments and any other public servant of the State entitled to assign or to be assigned the use of Government motor vehicles:

"Government" means Government of Enugu State of Nigeria.

"Governor" means Governor of Enugu State of Nigeria;

"Motor vehicle" means a mechanically-propelled vehicle intended or adapted for use on the roads;

"Public service" has the meaning assigned to it by the Constitution:

"State" means the Enugu State of Nigeria.

Prohibition
of use of
more than
two vehicles

3. Notwithstanding anything to the contrary in any other Law, it shall be unlawful for any government functionary, except the Governor, the Deputy Governor, the Speaker and the Chief Judge, to assign to himself or to any other person, or to be assigned, or to use or enjoy the services of more than two Government motor vehicles except with the prior approval in writing, of the Governor or any person delegated by the Governor in that behalf.

Penalty for
contravening
section 3

4. Any person who, at the commencement of this law, in contravention of the provisions of section 3 of this Law, assigns to himself or to any other person or uses or enjoys exclusively for himself or allows himself to be assigned, motor vehicles in excess of the limit prescribed by or under this Law, shall be guilty of an offences and shall be liable, on conviction, to a fine of two hundred naira or imprisonment not exceeding six months or to both such fine and imprisonment.

Return of
excess
Vehicles

5. Any Government functionary who assigns to himself or to whom Government motor vehicles were assigned in excess of the limit prescribed by or under this Law or who makes exclusive use or enjoyment of Government motor vehicles in excess of the said limit prescribed by or under this Law shall, after the commencement of this Law, return such motor vehicles to the appropriate authority.

Impounding
of vehicles

6. Any police officer or appropriate authority may seize or cause to be seized any Government motor vehicle operated used or assigned in excess of the limit allowed under or by this Law and remove such vehicle in the case of a police officer, to the premises of the appropriate authority or in the case of the appropriate authority to the premises of such appropriate authority and any police officer or any other person acting in pursuance of this subsection shall not be liable to any damage reasonably necessary for the purpose of seizing or removing the vehicle or gaining access to any part of it in order to facilitate such seizure or removal but this is without prejudice

to the appropriate authority re-assigning or restoring the use of the Government motor vehicle to the Government functionary from whom it was seized or collected if the appropriate authority is satisfied that the vehicle was wrongly seized from him in the first instance.

7. The Secretary to the State Government, the Clerk of the State House of Assembly, the Chief Registrar of the State High Court, the Head of the State Civil Service; the Chairman or Chief executive of Statutory Commissions and Government-Financed Companies, Corporations and Parastatals shall keep and maintain at all times comprehensive list of motor vehicles allocated or belonging to them respectively and the names of officers or functionaries assigned the use of such vehicles.

List of
vehicles to be
kept

8. If any question arises as to whether any person acted or is acting under the direction of the appropriate authority, it shall be sufficient for all purposes if that person produces a letter signed by the appropriate authority indicating that the person so acted or is so acting.

Proof of
authority