

P.N.D.C.L. 313
PROVISIONAL NATIONAL DEFENCE COUNCIL (INDEMNITY) ACT,
1993

ARRANGEMENT OF SECTIONS

1. Indemnity for acts in connection with the Government.
2. Indemnity for acts.
3. Ex gratia awards.
4. Commencement.

P.N.D.C.L. 313
PROVISIONAL NATIONAL DEFENCE COUNCIL (INDEMNITY) ACT, 1993(1)

AN ACT to provide indemnity for act in connection with the Government and for related matters.

1. Indemnity for acts in connection with the Government

A court shall not entertain an action or take a decision or make an order, grant a remedy or relief in proceedings instituted against

- (a) the Republic, or
- (b) the Provisional National Defence Council, or
- (c) a person acting under the authority of that Council on or after the commencement of this Act, or
- (d) a member of the Armed Forces, the Police Service, the Committee for the Defence of the Revolution or a member of a revolutionary organ under any name, or
- (e) a person acting under the authority of the Commander-in-Chief or the Inspector-General of Police or a person authorised by that Council in the course of duties on or after the commencement of this Act, or
- (f) a person or any other persons acting in concert or individually to assist or bring about the change in Government which took place on the 31st day of December, 1981,

in respect of an act or omission in connection with or consequent on

- (g) the overthrow of the Government in power before the establishment of the Provisional National Defence Council;
- (h) the suspension and abrogation of the 1979 Constitution;
- (i) the establishment of the Provisional National Defence Council; or
- (j) the arrest, injury, detention, or disposal of the property of Ministers, party activists of the

Government in power before the establishment of the Provisional National Defence Council.

2. Indemnity for acts

(1) A Court shall not entertain an action in civil proceedings against the Republic, the Provisional National Defence Council, a member of the Armed Forces, of the Police Service, of the Committee for the Defence of the Revolution or any other person, in respect of an act done or purported to have been done in pursuance of a Law of the Provisional National Defence Council or any other enactment.

(2) A contempt of proceedings pending before a court on the 6th day of January to which subsection (1) of this section applies is hereby abated.

3. Ex gratia awards

Spent.2(2)

4. Commencement

Spent.3(3)

Endnotes

1 (Popup - Footnote)

1. The Act was issued as the Provisional National Defence Council (Indemnity) Law, 1993 ([P.N.D.C.L. 313](#)), made on the 6th day of January, 1993 and notified in the *Gazette* on 12th February, 1993. See also sections, [12](#), [34](#), [35](#) and [37](#) of [Part IV](#) of the [First Schedule](#) to [the Constitution](#).

2 (Popup - Footnote)

2. The section provided that

“Notwithstanding anything in this Act the P.N.D.C. may grant ex gratia awards to persons affected by this Law or such other persons as it may deem fit.”

3 (Popup - Footnote)

3. The section provided that the Law shall be deemed to have come into force on the 31st day of December, 1981.