

## CHAPTER 316

## NIGERIAN MEDIA COUNCIL ACT

1988 No. 59. **An Act to establish the Nigerian Media Council to promote high professional standards for the Nigerian media and to deal with complaints from members of the public about the conduct of the media and journalists in their professional capacity and vice-versa.**

Commence-  
ment.

[30th December, 1988]

Establish-  
ment of the  
Nigerian  
Media  
Council.

1. There is hereby established a body to be known as the Nigerian Media Council (hereinafter in this Act referred to as "the Council") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

Composition  
of the  
Council.

2. (1) The Council shall consist of a Chairman and the following other members, that is to say—

- (a) four representatives of the Nigeria Union of Journalists;
- (b) one representative of the Nigerian Guild of Editors;
- (c) two representatives of the Newspaper Proprietors Association of Nigeria;
- (d) one representative of the Association of Advertising Practitioners of Nigeria;
- (e) two representatives of the general public one of whom shall be a woman and the other a legal practitioner;
- (f) one representative of educational institutions concerned with the training of journalists;
- (g) one representative of the Ministry;
- (h) one representative of the State Ministries of Information to be appointed in rotation from among the State Ministries of Information;
- (i) one representative of the Federal and State-owned Television organisations to be appointed in rotation from among those organisations;

- (j) one representative of the News Agency of Nigeria who shall be a practising journalist;
  - (k) one representative of the Federal Radio Corporation of Nigeria and State-owned radio stations to be appointed in rotation from among those bodies; and
  - (l) the Secretary to the Council.
- (2) The Chairman who shall be appointed by the President, Commander-in-Chief of the Armed Forces on the recommendation of the Minister shall be a person—
- (a) of high intellectual and moral qualities and knowledgeable about the media and public affairs; and
  - (b) with not less than twenty years experience as a journalist.
- (3) Members of the Council under paragraphs (e), (g), (h), (i), (j) and (k) of subsection (1) of this section shall be appointed by the Minister and members of the Council under paragraphs (a), (b), (c), (d) and (f) of the said subsection shall be appointed by the Minister after an election by or on the nomination of the association or other body concerned, as the case may be.
- (4) The supplementary provisions set out in the First Schedule to this Act shall have effect with respect to the tenure of office of members of the Council, proceedings of the Council and the other matters mentioned therein.

3. (1) The Council shall be charged with the duty of—

Functions of  
the Council.

- (a) inquiring into complaints about the conduct of the media and of any journalist; and the conduct of any persons or organisations towards the media and exercising in respect of the complaints powers conferred under this Act;
- (b) researching into contemporary media development and engaging in updating media documentation;
- (c) fostering the achievement and maintenance of the highest professional and commercial standards by the Nigerian media;
- (d) reviewing developments likely to restrict the supply, through the media, of information of public interest and

importance or likely to prevent media access to information and advising on measures necessary to prevent or remedy such developments;

- (e) ensuring the protection of the rights and privileges of journalists in the lawful performance of their professional duties.

Appointment and functions of the Secretary.

4. (1) There shall be appointed by the Council a Secretary who shall be a veteran journalist of at least fifteen years post qualification experience and must have held high journalistic positions.

(2) The Secretary shall—

- (a) be the chief executive of the Council and shall be responsible for the execution of the policy of the Council and the day-to-day running of the affairs of the Council;
- (b) subject to the directions of the Council, arrange the business for and be responsible for the recording and keeping of minutes of proceedings of the Council;
- (c) in addition to the functions expressly conferred on him by this Act, perform such other functions as the Council may, from time to time, direct.

Appointment of other staff.

5. (1) The Council may appoint such other employees as it may consider necessary for the efficient performance of the Council's duties under this Act.

(2) The terms and conditions of service (including terms and conditions as to remuneration, allowances, retiring benefits and discipline) of the Secretary and other employees of the Council shall be such as may be determined, from time to time, by the Council.

Autonomy of the Council.

6. In carrying out the functions for which the Council is established under this Act, the Council shall be autonomous and shall not be subject to the direction or control of any other authority or person except as provided in this Act.

Code of Conduct.

7. (1) The Council shall adopt the Code of Conduct of the Nigeria Union of Journalists to guide the media and journalists in the performance of their duties.

(2) The Council may add to the Code of Conduct referred to in subsection (1) of this section statements of the types of conduct which the Council would consider as breaches of the Code of Conduct, but the fact that any matters are not mentioned in the statements shall not preclude the Council from adjudging that a person has committed a breach of the Code of Conduct by reference to those matters.

(3) The Council shall cause to be published in the Federal Gazette the Code of Conduct as adopted under subsection (1) of this section together with any statements added to the Code of Conduct under subsection (2) of this section.

(4) The media and every journalist shall observe and conform with the Code of Conduct and any statements added thereto.

8. Every member of the Council shall be required on assuming office to subscribe to an oath that he will faithfully and impartially and to the best of his ability discharge his duties with respect to any inquiry conducted by the Council under this Act, and if the inquiry is not held in public, that he will not divulge the proceedings or the vote or opinion of the members or any other matter relevant to the inquiry.

Oath of members.

9. (1) Subject to the provisions of this Act, the Council shall, following complaints lodged before it by any person, have the power to—

Power of the Council to conduct inquiry into complaints, etc.

- (a) inquire and procure all such evidence, written or oral and examine all such persons as witnesses as the Council may deem fit;
- (b) summon any such persons in Nigeria to attend any meeting of the council to give evidence or produce any document or other thing in his possession and examine him as a witness and may require him to produce any document or other thing in his possession;
- (c) consider and deal with any matter referred to it in the absence of any party who has been duly summoned to appear before it;
- (d) admit any evidence whether written or oral, and act on such evidence;

- (e) appoint any person to act as interpreter in any matter brought before it and translate any books, papers or writing brought before it;
- (f) enter upon any land or premises personally or by any agent duly authorised in writing by the Council for any purpose which, in its opinion, is material to the inquiry, and in particular for—
- (i) the purposes of obtaining evidence or information or of inspecting or taking copies of any documents or other things required by or which may be of assistance to the Council, and
- (ii) safeguarding any such document or property which in the opinion of the members ought to be safeguarded for any purpose of the inquiry;
- (g) adjourn its proceedings from time to time;
- (h) generally give all such directions and do all such things as are necessary or expedient for dealing speedily and justly with any matter referred to the Council.

(2) Summonses issued under subsection (1)(b) of this section shall be in the form set out in the Second Schedule to this Act and shall be served by the police or such other person as the Council may direct.

Power of the  
Chairman to  
issue  
summons,  
etc.

**10.** The Chairman shall have power to issue on behalf of the Council all summonses and appoint such number of interpreters as may be required under this Act either before or during the inquiry until the final determination.

Interpreters.

**11.** Any interpreter appointed under section 10 of this Act shall before assuming office subscribe to the following oath before the Council, that is to say—

“I ..... do swear (or solemnly affirm or declare) that I will faithfully perform the duties entrusted to me and will truly translate or explain all documents entrusted to me for such purpose to the best of my ability, and I will not except as authorised by the Council directly or indirectly reveal the contents of such documents as may be entrusted to me or the evidence given by witnesses which may have been interpreted by me”.

12. Witnesses and interpreters and any other persons attending the inquiry at the request of the Council or upon summons shall be paid such sums, allowances or expenses, as the case may be, as the Council may, from time to time, direct and such payments shall be defrayed from the funds of the Council.

Remunerations of witnesses and interpreters.

13. No member shall be liable for any act done or omitted to be done in the performance of his duties under or pursuant to this Act.

Indemnity of members.

14. (1) Any person aggrieved—

Making of complaints, etc.

(a) by anything published in respect of him in any medium of information; or

(b) by anything done in respect of him by any journalist in his capacity as a journalist; or

(c) by anything done against the journalist that is capable of limiting the preservation of the freedom of the Press guaranteed by the Constitution of the Federal Republic of Nigeria,

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may make a complaint in respect thereof in writing addressed to the Council.

(2) The Secretary shall, in accordance with such general directions as may be given by the Council in that regard, lay before the Council all complaints made under subsection (1) of this section.

15. (1) Where, after inquiring into a complaint under section 14 of this Act, the Council is satisfied that—

Power of the Council to direct publication of apology or correction and to reprimand, etc.

(a) the subject matter in respect of which the complaint was made was not in accordance with the Code of Conduct or statements added thereto under section 7 of this Act;

(b) the conduct of the journalist in respect of whom the complaint was made was not in accordance with that Code of Conduct or statements added thereto; or

(c) the conduct of the journalist or person is, in the circumstances of the case, blameworthy,

the Council may, where appropriate, direct the medium of information or any person concerned to publish, in such manner

as the Council may direct, a suitable apology or correction, and may in addition reprimand the journalist or person concerned in the matter.

(2) Every medium of information in respect of whose publication the Council has given a decision under subsection (1) of this section shall publish the decision and shall comply with the Council's direction in respect thereof.

(3) The Council may cause to be published in the *Federal Gazette* and in such other manner as the Council may deem fit the name of any journalist reprimanded by the Council under subsection (1) of this section.

Publications  
of register  
and lists of  
corrections.

16. (1) It shall be the duty of the Secretary to prepare and maintain, in accordance with rules made by the Council under this section, a register of the names, addresses, approved qualifications and of such other particulars as may be specified of all persons who are entitled in accordance with the provisions of this Act to be registered as journalists and who apply in the specified manner to be so registered, and—

- (a) to cause the register to be printed, published and put on sale to members of the public not later than two years from the commencement of this Act; and
- (b) in each year after that in which the register is first published under paragraph (a) of this section, to cause to be printed, published and put on sale as aforesaid either a corrected edition of the register or a list of alterations made to the register since it was last printed.

(2) A document purporting to be a print of the register published under this section by authority of the Secretary, or documents purporting to be prints of an edition of the register so published, shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any person specified in the document, or the documents read together, as being registered was so registered and that any person not so specified was not registered.

(3) Where, in accordance with subsection (2) of this section, a person is, in any proceedings, shown to have been, or not to have been registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those

as the Council may direct, a suitable apology or correction, and may in addition reprimand the journalist or person concerned in the matter.

(2) Every medium of information in respect of whose publication the Council has given a decision under subsection (1) of this section shall publish the decision and shall comply with the Council's direction in respect thereof.

(3) The Council may cause to be published in the *Federal Gazette* and in such other manner as the Council may deem fit the name of any journalist reprimanded by the Council under subsection (1) of this section.

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- (a) to cause the register to be printed, published and put on sale to members of the public not later than two years from the commencement of this Act; and
- (b) in each year after that in which the register is first published under paragraph (a) of this section, to cause to be printed, published and put on sale as aforesaid either a corrected edition of the register or a list of alterations made to the register since it was last printed.

(2) A document purporting to be a print of the register published under this section by authority of the Secretary, or documents purporting to be prints of an edition of the register so published, shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any person specified in the document, or the documents read together, as being registered was so registered and that any person not so specified was not registered.

(3) Where, in accordance with subsection (2) of this section, a person is, in any proceedings, shown to have been, or not to have been registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those



proceedings as having at all material times thereafter continued to be, or not to be, registered.

17. (1) Subject to rules made under section 16(1) of this Act, a person shall be entitled to be fully registered under this Act if— Registration  
of  
journalists.

- (a) he has attended a course of training approved by the Council under section 21 of this Act;
- (b) the course was conducted at an institution so approved, or partly at one such institution and partly at another or others;
- (c) he holds a qualification so approved; and
- (d) he holds a certificate of experience issued in pursuance of section 22 of this Act.

(2) Subject as aforesaid, a person shall also be entitled to be registered as a journalist if he satisfies the Council that immediately before the commencement of this Act he had not less than five years experience as a journalist.

(3) An applicant for registration shall, in addition to evidence of qualifications, satisfy the Council that—

- (a) he is of good character;
- (b) he has attained the age of sixteen years;
- (c) he has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty;
- (d) he has been trained at an approved mass media institution;
- (e) he has a general professional orientation which covers the basic ingredients of information art leading to a qualification not less than a diploma; and
- (f) he has a good knowledge of the politics and socio-economic affairs of his society acquired from an approved institution.

18. (1) Where—

- (a) a registered journalist is convicted of any offence in Nigeria or elsewhere by any court or tribunal having power to impose imprisonment (whether or not such an offence is punishable with imprisonment) which in

Penalties for  
unprofes-  
sional  
conduct, etc.

the opinion of the Council is incompatible with the status of a journalist;

(b) the Council is satisfied that the name of any person has been fraudulently registered; or

(c) the Council is of the opinion that a registered journalist has, on the basis of complaints made pursuant to section 14 of this Act, been guilty of persistent false reportage,

the Council may, if it thinks fit, give any of the directions specified in subsection (2) of this section.

(2) The Council may give a direction under subsection (1) of this section—

(a) reprimanding that person; or

(b) suspending that person from practice by ordering him not to engage in practice as a journalist for such period not exceeding twelve months as may be specified in the direction; or

(c) ordering the Secretary to strike that person's name off the register,

and any such direction may, where appropriate, include provision requiring refund of moneys paid or the handing over of documents or any other thing as the circumstances of the case may require.

(3) The Council may, if it thinks fit, defer or further defer its decision as to the giving of a direction under subsection (1) of this section until a subsequent meeting of the Council, but—

(a) no decision shall be deferred under this subsection for periods exceeding six months in the aggregate; and

(b) no member of the Council shall attend any meeting of the Council called for the purpose of reaching a decision which has been deferred or further deferred unless he was present as a member of the Council when the decision was deferred.

(4) For the purposes of subsection (1) of this section, a person shall not be treated as convicted unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.

(5) When the Council gives a direction under subsection (1) of this section, it shall cause notice of the direction to be served on the person to whom it relates.

(6) A person to whom such a direction relates may, at any time within twenty-eight days from the date of service on him of the notice, appeal against the direction to the High Court having jurisdiction in the area where the appellant is normally resident; and the Council shall be deemed to be a party thereto whether or not it appears at the hearing of the appeal.

(7) A direction of the Council under subsection (2) of this section shall take effect—

(a) where no appeal under this section is brought against the direction within the time limited for the appeal, on the expiration of that time;

(b) where an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal;

(c) where such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed,

and not otherwise howsoever.

(8) A person whose name is struck of the register in pursuance of a direction of the Council under this section shall not be entitled to be registered again except in pursuance of a direction in that behalf given by the Council on the application of that person.

(9) A direction under this section for the striking off of a person's name from the register may prohibit an application under subsection (8) of this section being made by that person until the expiration of such period (not exceeding two years) from the date of the direction (and where he has duly made such application, from the date of his last application) as may be specified in the direction.

19. (1) Any person, not being a registered journalist, who— Offences.

(a) for or in expectation of reward practises or holds himself out to practise as such; or

- (b) without reasonable excuse takes or uses any name, title, addition or description implying that he is authorised by law to practise as a registered journalist,

shall be guilty of an offence under this Act:

Provided that nothing in this subsection shall be construed as amounting to a derogation from section 36 of the Constitution of the Federal Republic of Nigeria, as amended, which provides that every person shall be entitled to freedom of expression and to impart ideas and information without interference.

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(2) If any person, for the purposes of procuring the registration of any name, qualification or other matter—

- (a) makes a statement which he believes to be false in a material particular; or  
(b) recklessly makes a statement which is false in a material particular,

he shall be guilty of an offence under this Act.

(3) If the Secretary or any other person employed by the Council wilfully makes any falsification in any matter relating to the register, he shall be guilty of an offence under this Act.

(4) A person guilty of an offence under this Act shall be liable—

- (a) on conviction in a Magistrates' Court, to a fine not exceeding ₦100 and, where the offence is a continuing one, to a further fine not exceeding ₦20 for each and every day that the offence continues; or  
(b) on conviction in a High Court, to a fine not exceeding ₦1,000 or imprisonment for a term not exceeding two years or to both such fine and imprisonment and, where the offence is a continuing one, to a further fine not exceeding ₦50 for each and every day that the offence continues.

(5) Where an offence under this section has been committed by a body corporate and it is proved that it was committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary, or any person purporting to act in any such capacity, he, as well as the body corporate, shall be deemed to be guilty of that

offence and shall be liable to be proceeded against and punished accordingly.

20. (1) Subject to subsection (2) of this section, the Council may approve for the purposes of section 17 of this Act—

Approval of qualifications and institutions.

- (a) any course of training which is intended for persons who are seeking to become, or are already journalists, and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for the practice as members of the profession;
- (b) any institution either in Nigeria, or elsewhere, which the Council considers is properly organised and equipped for conducting the whole or any part of a course of training, approved by the Council under this section; and
- (c) any qualification which, as a result of an examination taken in conjunction with the course of training approved by the Council under this section is granted to candidates reaching a standard at the examination indicating, in the opinion of the Council, that they have sufficient knowledge and skill to practise journalism as a profession.

(2) The Council shall, from time to time, publish in the *Federal Gazette* a list of qualifications in the profession of journalism approved by it, and subject thereto, the Council shall not approve for the purposes of subsection (1) of this section, a qualification granted by an institution in Nigeria unless the qualification has been so published by the Council.

(3) The Council may, if it thinks fit, withdraw any approval given under this section in respect of any course, qualification or institution; but before withdrawing such an approval the Council shall—

- (a) give notice that it proposes to do so to persons in Nigeria appearing to the Council to be persons by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be;
- (b) afford each such person an opportunity of making to the Council representations with regard to the proposals; and

(c) take into consideration any representations made as respects the proposal in pursuance of paragraph (b) of this subsection.

(4) As respects any period during which the approval of the Council under this section for a course, institution or qualification is withdrawn, the course, institution or qualification shall not be treated as approved under this section; but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or was eligible for registration (either unconditionally or subject to his obtaining a certificate of experience) immediately before the approval was withdrawn.

(5) The giving or withdrawal of an approval under this section shall have effect from such date after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in that instrument; and the Council shall—

- (a) as soon as possible publish a copy of every such instrument in the *Federal Gazette*; and
- (b) not later than seven days before its publication as aforesaid, send a copy of the instrument to the Minister.

Relationship  
with training  
institutions.

21. (1) It shall be the duty of the Council to keep itself informed of the nature of—

- (a) the instruction given at approved institutions to persons attending approved courses of training; and
- (b) the examinations as a result of which approved qualifications are granted,

and for the purposes of performing that duty the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions or to attend such examinations.

(2) It shall be the duty of a person appointed under subsection (1) of this section to report to the Council on—

- (a) the adequacy of the instructions given to persons attending approved courses of training at institutions visited by him;

- (b) the adequacy or otherwise of the examinations attended by him; and
- (c) any other matter relating to the institutions or examinations on which the Council may, either generally or in a particular case, request him to report,

but no such person shall interfere with the giving of any instruction or the holding of any examinations.

(3) On receiving a report made in pursuance of this section, the Council shall, as soon as may be, send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examinations to which the report relates requesting that person to make observations on the report to the Council within such period as may be specified in the request, not being less than one month beginning with the date of the request.

22. (1) A person who, after obtaining an approved qualification, satisfies the conditions specified in subsection (2) of this section shall be entitled to receive free of charge a certificate of experience in the prescribed form from the person in charge of the institution specified in that subsection. Certificate of experience.

(2) The conditions referred to in subsection (1) of this section are—

- (a) he must have served his time for the prescribed period in Nigeria with a view to obtaining a certificate of experience;
- (b) he must have acquired, during his employment, practical experience under the personal supervision and guidance of one or more registered journalists for such periods as may be prescribed; and
- (c) the manner in which he carried out the duties of his employment and his conduct during the period of his employment must have been satisfactory.

(3) It shall be the duty of the employer, being a registered journalist supervising the work of the person employed with a view to obtaining a certificate of experience, to ensure that that person is afforded proper opportunities of acquiring the practical experience for the purposes of paragraph (b) of subsection (2) of this section.

(4) Where after having served his time as mentioned in paragraph (a) of subsection (2) of this section, a person is refused a certificate of experience, he shall be entitled—

- (a) to receive from his employer particulars in writing of the grounds of the refusal; and
- (b) to appeal from the refusal to a committee of the Council in accordance with rules made by the Council in that behalf (including rules as to the time within which appeals are to be brought),

and on any such appeal the committee of the Council shall either dismiss the appeal or itself issue the certificate of experience in question or give such other direction in the matter as it considers just.

(5) The Minister may make regulations to provide for the issue of certificates of experience in respect of employment and institutions outside Nigeria.

Power of the Council to publish name of journalist reprimanded.

23. The Council may cause to be published in the Federal *Gazette* and in such other manner as the Council may deem fit the name of any journalist or person reprimanded by the Council in the exercise of its powers under section 15 of this Act.

Publication of journal by the Council.

24. The Council may publish its own journal to publicise its activities and the result of its findings on adjudications and such other matters that concern the development of mass media in Nigeria.

Financial provisions.

25. (1) The Council shall maintain a fund which shall consist of—

- (a) such moneys as may, from time to time, be provided by the Federal Government by way of loan or grant;
- (b) such moneys as may be specified by the Council to be provided from time to time by the Nigeria Union of Journalists, the Nigerian Guild of Editors and the Newspaper Proprietors Association of Nigeria;
- (c) such moneys as may be received by the Council in relation to the exercise of its functions under this Act;
- (d) such moneys accruing to the Council by way of gifts, testamentary disposition or otherwise, so however that



the Council shall not accept any gift if the condition attached by the person or organisation making the gift to the acceptance thereof are inconsistent with the functions of the Council;

(e) subject to the approval of the Minister, such moneys as may be received by the Council from any other source,

and from such fund there shall be defrayed all expenses incurred by the Council.

(2) The Council shall keep proper accounts and proper records in relation thereto, and shall prepare in respect of each year a statement of accounts in such form as the Minister may direct.

(3) The Council shall, within six months after the end of the financial year to which the accounts relate, cause the accounts to be audited by auditors appointed by the Council from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.

26. The Council shall submit to the Minister not later than 30th September in each year a report on its activities during the preceding year which shall include a copy of the audited accounts of the Council for that year and the Minister shall lay the report before the National Council of Ministers.

Annual report.

27. In this Act, unless the context otherwise requires—  
“Council” means the Nigerian Media Council established by section 1 of this Act;

Interpretation.

“journalist” means any person (not being less than sixteen years of age) engaged, wholly, solely and exclusively in the collection and dissemination of information for use in the media of mass communications and has been accredited for the purpose by the Nigeria Union of Journalists;

“media” includes radio, television, newspapers, magazines and such other channels of communication involved in the collection and dissemination of information;

“Minister” means the Minister charged with responsibility for information and “Ministry” shall be construed accordingly;

“newspaper” means any paper containing public news, intelligence or occurrences or any remarks, observations or comments there printed for sale and published periodically, or in parts or numbers;

“person” includes any body of persons, corporate or unincorporate;

“radio and television” includes electronic means of mass communication which share in the formation of public opinion;

“Secretary” means the Secretary of the Council appointed under section 4 of this Act.

Short title.

28. The Act may be cited as the Nigerian Media Council Act.

#### FIRST SCHEDULE

Section 2(4)

##### SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

1. (1) The Chairman shall hold office for a period of three years and shall be eligible for re-appointment for one further period of three years.

(2) Members of the Council specified in section 2(3) of this Act shall hold office for three years and shall be eligible for re-appointment for one further period of three years.

2. The Chairman or any member of the Council referred to in paragraph 1(2) of this Schedule may by notice addressed to the Secretary resign his appointment.

3. Where a member of the Council ceases to hold office before the date when his term of office would have expired by effluxion of time, the Minister shall as soon as may be appoint a person to fill the vacancy for the residue of the term aforesaid in accordance with the provisions of this Act.

4. (1) Subject to this Act and to section 27 of the Interpretation Act, the Council may make standing orders regulating the proceedings of the Council and of any committee thereof.

(2) The quorum of the Council shall be the Chairman or Vice-Chairman and four other members, and the quorum of any committee of the Council shall be determined by the Council.

5. At any time while the office of the Chairman either is vacant or the Chairman is, in the opinion of the Council, permanently or temporarily unable to perform the functions of his office, a Vice-Chairman appointed from members present shall perform these functions, and references in this Schedule to the Chairman shall be construed accordingly.

6. (1) Subject to the provisions of any standing orders of the Council, the Council shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice given to him by not less than six other members he shall summon a meeting of the Council to be held within seven days from the date on which the notice is given.

(2) At any meeting of the Council, the Chairman or in his absence a Vice-Chairman shall preside at that meeting.

(3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him as a member for such a period as it thinks fit; but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Council and shall not count towards the quorum.

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the Minister.

7. (1) The Council may appoint one or more committees to carry out on behalf of the Council, such of its functions as the Council may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council, and not more than one-third of those persons may be persons who are not members of the Council, and a person other than a member of the Council shall hold office on the committee in accordance with the terms of his appointment.

(3) A decision of a committee of the Council shall be of no effect until it is confirmed by the Council.

#### *Miscellaneous*

8. (1) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman or of some other member authorised generally or specially to act for that purpose by the Council.

(2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Council by any person generally or specially authorised to act for that purpose by the Council.

(3) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

9. Members of the Council who are not public officers shall be paid out of moneys at the disposal of the Council such remuneration, fees or allowances in accordance with such scales as may be approved, from time to time, by the National Council of Ministers.

10. Any member of the Council, and any person holding office on a committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee thereof shall forthwith disclose his interest to the Council and shall not vote on any question relating to the contract or arrangement.

SECOND SCHEDULE

Section 9(2)

FORM A

Nigerian Media Council Act

To .....  
(Name, address and occupation of person summoned)

You are hereby summoned to appear before the Nigerian Media Council at ..... on the ..... day of ..... 19.....

at o'clock or so soon thereafter, to give evidence with respect to the inquiry into the conduct or affairs of the

.....  
.....

\*and you are required to bring with you the following books, documents or other things, that is to say

- a. ....
- b. ....
- c. ....
- d. ....
- e. ....

} (Specify the books, documents or other things).

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GIVEN under my hand at ..... this ..... day of  
..... 19 .....

.....  
Chairman, Nigerian Media Council

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*\*Delete where not applicable.*

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**NIGERIAN MEDIA COUNCIL ACT**

**CHAPTER 316**

**SUBSIDIARY LEGISLATION**

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*No Subsidiary Legislation*