

# NATIONAL INSTITUTE FOR POLICY AND STRATEGIC STUDIES ACT

## ARRANGEMENT OF SECTIONS

### *Establishment of National Institute*

#### SECTION

1. Establishment of the National Institute for Policy and Strategic Studies.
2. Governing Board of the Institute, etc.
3. Objectives and functions of the Institute.
4. Provision of library facilities.

### *Staff of the Institute*

1. The Director-General of the Institute.
2. Appointment of Secretary, Directors and other staff of the Institute.
3. Service in the Institute to be pensionable.

### *Financial provisions*

1. Establishment of fund of the Institute.
2. Power to accept gifts.
3. Borrowing power.
4. Annual estimates, accounts and audit.

### *Miscellaneous and supplementary*

1. Annual reports.
2. Staff regulations.
3. Interpretation.
4. Short title.

## SCHEDULE

### *Proceedings of the Board*

## NATIONAL INSTITUTE FOR POLICY AND STRATEGIC STUDIES ACT

An Act to establish the National Institute for Policy and Strategic Studies, to serve as a center where representatives from all walks of the Nigerian national life

could come together by way of workshops, seminars and other action-oriented courses, studies and conferences, to analyse and exchange views as to long-term national goals.

[1979 No. 20.]

*[1st January, 1979]*

[Commencement.]

### *Establishment of National Institute*

#### 1. Establishment of the National Institute for Policy and Strategic Studies

(1) There is hereby established a body to be known as the National Institute for Policy and Strategic Studies (in this Act referred to as "the Institute"), which shall have the functions assigned to it by this Act.

(2) The Institute shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

#### 2. Governing Board of the Institute, etc.

(1) The government of the Institute and the direction of its affairs shall vest in the Board of Governors of the Institute (in this Act referred to as "the Board").

(2) Without prejudice to the generality of subsection (1) of this section, it shall be the responsibility of the Board to consider and approve-

- (a) the long-range plan of activities of the Institute;
- (b) the programme of studies, courses and research to be undertaken by the Institute;
- (c) the annual budget of the Institute; and
- (d) the investment plans of the Institute.

(3) The Board shall consist of a chairman, to be appointed by the President and the following other members, that is-

- (a) the Chief of Defence Staff or other senior member of the armed forces;
- (b) the Director-General of the Institute;
- (c) an eminent economist;
- (d) an eminent political scientist;

- (e) the adviser to the Federal Government on science and technology;
- (f) four persons to be appointed by the President, being persons who by reason of their ability, experience or specialised knowledge of administration or of professional or business attainments, are capable of making useful contributions to the work of the Institute.
- (4) Subject to subsection (5) of this section, a person appointed as a member of the Board (not being an *ex-officio* member), shall hold office for three years and shall be eligible for reappointment for one further period of three years.
- (5) The President may terminate the appointment of a member of the Board (not being an *ex-officio* member), if satisfied that it is not in the interest of the Institute that the person concerned should continue in office.
- (6) The supplementary provisions contained in the Schedule to this Act shall have effect with respect to the proceedings of the Board and the other matters therein mentioned.

[Schedule.]

## 1. Objectives and functions of the Institute

(1) The Institute shall serve as a high-level centre of reflection, research, and dialogue, where academics of intellectual excellence, policy initiators and executors and other citizens with high level of practical experience and wisdom, drawn from different sectors of national life in Nigeria would meet, to reflect and exchange ideas on the great issues of society, particularly as they relate to Nigeria and Africa, in the context of the dynamics of a constantly changing world.

(2) For the purposes of subsection (1) of this section, the Institute is hereby empowered-

(a) to conduct courses for top-level policy makers and executors, drawn from different sectors of the national policy, with a view to expanding their outlook and perspective and stretching their conceptual capacity and qualities of discernment and analysis and thereby helping to improve their overall performance in their different fields of action;

(b) to award certificates of attendance to those who participate in a sufficient and satisfactory manner in any of its courses;

(c) to conduct seminars, workshops and other action-oriented programmes, whether on a continuing or *ad hoc* basis, for leaders in the public services (including the armed forces and other disciplined forces), the private sector, political organisations, professional and other groups, with a view to promoting and defining, and enhancing appreciation for, long-range national plans and objectives;

(d) to identify, encourage, stimulate, assemble, organise and help deploy to the best national advantage, the country's intellectual talents and experienced policy analysts who are likely to make positive contributions to the treatment of complex policy problems;

(e) to organise and carry out, on an inter-disciplinary basis, in intellectual support of those charged with making and implementing policy for Nigeria, research in depth into the social, economic, political, security, scientific, cultural and other problems facing the country, and to formulate and present, in usable form, the available options of their solution;

(f) to disseminate by way of publication of books, records, reports or otherwise, information about any part of its activities to the extent deemed justified by the Board in the interest of the nation, and generally as a contribution towards knowledge and for better national and international understanding; and

(g) to promote or undertake any other activity that in the opinion of the Board is calculated to help achieve the purposes of the Institute.

(3) The Institute shall carry out its tasks and responsibilities in an objective, non-partisan manner, independently of any group in the body politic.

#### 1. Provision of library facilities

The Institute shall establish and maintain a library comprising such books, records, reports and other publications as may be directed by the Board for the advancement of knowledge in the areas of work undertaken by it, for research purposes and for other purposes connected with the functions conferred on the Institute by or pursuant to this Act.

#### *Staff of the Institute*

#### 5. The Director-General of the Institute

(1) There shall be an officer of the Institute to be known as the Director-General.

(2) The Director-General shall be appointed by the President and the appointment shall be subject to confirmation by the Senate.

[S.1. 14 of 2002.]

(3) The Director-General shall be the chief executive officer of the Institute and responsible to the Board for the detailed management of the affairs of the Institute.

(4) The Director-General shall hold office on such terms and conditions as may be specified in his letter of appointment and on such other terms and conditions as may be

determined from time to time by the Board with the concurrence of the Federal Government.

### 1. Appointment of Secretary, Directors and other staff of the Institute

(1) There shall be appointed by the Board the following officers of the Institute, that is-

- (a) a Secretary and Director of Administration;
- (b) a Director of Studies; and
- (c) a Director of Research.

(2) The Secretary and Director of Administration shall be responsible to the Director-General for the day-to-day administration and for the finances of the Institute.

(3) The Director of Studies shall be responsible to the Director-General for organising and conducting the courses and other studies undertaken by the Institute, including the collation and publication of course materials and other publications relating thereto.

(4) The Director of Research shall be responsible to the Director-General for coordinating the research staff and research projects of the Institute and the collation and publication of research materials.

(5) There may be appointed from time to time by the Board such other staff as may be required for the purposes of the efficient performance of the functions conferred on the Institute under or pursuant to this Act.

### 1. Service in the Institute of be pensionable

(1) Notwithstanding the provisions of the Pensions Act, it is hereby declared that service in the Institute shall be approved service for the purposes of that Act and, accordingly, officers and other persons employed in the Institute shall in respect of their service in the Institute be entitled to pensions, gratuities and other retirement benefits, as are enjoyed by persons holding equivalent grades in the public service of the Federation, so however that nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension and gratuity in respect of that office.

[Cap. P4.]

(2) For the purposes of the application of the provisions of the Pensions Act in accordance with this Act, any power exercisable thereunder by a Minister or other authority of the Government of the Federation, other than the power to make regulations under section 23 thereof, is hereby vested in and shall be exercisable by the Board and not by any other authority.

*Financial provisions*

## **8. Establishment of fund of the Institute**

(1) The Institute shall establish and maintain a fund, which shall be applied towards the promotion of the objectives specified in this Act.

(2) There shall be paid and credited to the fund established pursuant to subsection (1) of this section-

(a) such sums as may be provided by the Government of the Federation or of a State for payment into the fund;

(b) fees charged for services rendered by the Institute; and

(c) subject to section 9 (2) of this Act, all sums accruing to the Institute by way of gifts, testamentary dispositions and endowments or contributions from philanthropic persons or organisations or otherwise howsoever.

### **1. Power to accept gifts**

(1) The Institute may accept gifts of land, money or other property upon such trusts and conditions, if any, as may be specified by the person or organisation making the gift.

(2) The Institute shall not accept any gift if the conditions attached by the persons or organisation making the gift to the acceptance thereof are inconsistent with the functions of the Institute or its position as a non-partisan institution, free from any undue external influence.

## **10. Borrowing power**

(1) The Institute may, with the consent or in accordance with the general authority given by the Federal Government, borrow by way of loan or overdraft, from any source any monies required by the Institute for meeting its obligations and discharging its functions under this Act, so however that where the sum or the aggregate of the sums involved at anyone time does not exceed N100,000, no such consent or authority shall be required.

(2) The Institute may, subject to the provisions of this Act and the conditions of any trust created in respect of any property, invest all or any of its funds with the like consent or general authority.

(3) The Board may invest any surplus funds of the Institute in such securities as may be approved by the Federal Government.

## **11. Annual estimates, accounts and audit**

(1) The Board shall cause to be prepared, not later than 31 October in each year, an estimate of the expenditure and income of the Institute during the next succeeding financial

year and when prepared they shall be submitted to the President.

(2) The Board shall cause to be kept proper accounts and proper records in relation thereto and when certified by the Board, such accounts shall be audited as provided in subsection (3) of this section.

(3) The accounts of the Institute shall be audited as soon as may be after the end of each financial year by auditors appointed from the list of auditors and in accordance with the guidelines supplied by the Auditor-General for the Federation (after consultation with the Minister for Finance), by the Board with the approval of the President, and the fees of the auditors and the expenses of the audit generally shall be paid from the funds of the Institute.

### *Miscellaneous and supplementary*

#### 12. Annual reports

The Board shall, not later than 30 September in each year, submit to the President a report on the activities of the Institute and its administration during the immediately preceding year and shall include in such report the audited accounts of the Institute.

#### 13. Staff regulations

(l) The Board may, subject to the provisions of this Act, make staff regulations relating generally to the conditions of service of the employees of the Institute and without prejudice to the generality of the foregoing, such regulations may provide for-

(a) the appointment, promotion and disciplinary control (including dismissal) of employees of the Institute; and

(b) appeals by such employees against dismissal or other disciplinary measures, and until such regulations are made, any instrument relating to the conditions of service of public officers shall be applicable, with such modifications as may be necessary, to the employees of the Institute.

(2) Staff regulations made under subsection (l) of this section shall not have effect until approved by the President. When so approved, they need not be published in the *Federal Gazette*, but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine.

#### 14. Interpretation

In this Act, unless the context otherwise requires-

“Board” means the Board of Governors of the Institute constituted as provided in section 2 of this Act;

“chairman” means the chairman of the Board;

“Director-General” means the Director-General of the Institute;

“Institute” means the National Institute for Policy and Strategic Studies, established by section 1 of this Act;

“member” includes the chairman of the Board.

## 15. Short title

This Act may be cited as the National Institute for Policy and Strategic Studies Act.

## SCHEDULE

[Section 2 (6).]

### *Proceedings of the Board*

1. (1) Subject to this Act and to section 27 of the Interpretation Act (which provides for the decisions of a statutory body to be taken by a majority of the members of the body and for the person presiding to have a second or casting vote), the Board may make standing orders regulating the proceedings of the Board or of any committee thereof.

[Cap. 123.]

(2) The quorum of the Board shall be the chairman and four other members, and the quorum of any committee of the Board, shall be determined by the Board.

2. (1) The Board shall meet not less than four times in each year and, subject thereto, the Board 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 three other members, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.

(2) At any meeting of the Board the chairman shall preside; but if he is absent, the members present at the meeting shall appoint one of their number to preside at that meeting.

(3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such 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 Board and shall not count towards the quorum.

### *Committees*



3. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such of its functions as the Board may determine.
- (2) A committee appointed under this paragraph, shall consist of such number of persons (not necessarily all members of the Board), as may be determined by the Board; and a person other than a member of the Board shall hold office on the committee in accordance with the terms of his appointment.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.
4. (1) The fixing of the seal of the Institute 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 Board.
- (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 Institute by the Director-General or any person generally or specially authorised to act for that purpose by the Board.
- (3) Any document purporting to be a document duly executed under the seal of the Institute, shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
5. Members of the Board who are not public officers shall be paid out of monies at the disposal of the Board such remuneration, fees or allowances, in accordance with such scales, as may be approved from time to time by the President.
6. The validity of any proceedings of the Board or of a committee thereof, shall not be affected by any vacancy in the membership of the Board or committee, or by any defect in the appointment of a member of the Board or of a committee, or by reason that a person not entitled to do so took part in the proceedings.
7. Any member of the Board, and any person holding office on a committee of the Board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or a committee thereof, shall forthwith disclose his interest to the Board and shall not vote on any question relating to the contract or arrangement.
8. A person shall not by reason only of his membership of the Board be treated as holding an office of emolument under the State.

## **SUBSIDIARY LEGISLATION**

*No Subsidiary Legislation*

