

CHAPTER 372

PRODUCTIVITY, PRICES AND INCOMES
BOARD ACT

1977 No.30. **An Act to establish the Productivity, Price and Incomes Board to advise the Federal Government on ways and means of enhancing productivity in both the public and private sectors of the economy and on the determination of optimum price and incomes and to prepare guidelines relative to prices and incomes.**

Commence-
ment

[20th April, 1977]

Establish-
ment and
composition
of the Pro-
ductivity,
Prices and
Incomes
Board.

1. (1) There is hereby established a body to be known as the Productivity, Prices and Incomes Board (in this Act hereafter referred to as "the Board") which shall have and may exercise such functions as may be conferred on it by or under this Act.

(2) The Chairman and other members of the Board shall be appointed by the National Council of Ministers and shall comprise—

- (a) one representative of the Economic Department of the Presidency and of each of the following Federal Ministries, that is—
- (i) Agriculture,
 - (ii) Finance and Economic Development,
 - (iii) Special Duties,
 - (iv) Employment, Labour and Productivity, and
 - (v) Trade and Tourism;
- (b) one representative of the Central Bank of Nigeria;
- (c) one representative of the Nigerian Employers' Consultative Association;
- (d) one representative of the Nigerian Chamber of Commerce, Industry, Mines and Agriculture;

- (e) one representative of the Manufacturers' Association of Nigeria;
 - (f) four representatives of organised labour of which one shall be a representative of the Civil Service Association;
 - (g) one representative of the Bankers' Committee;
 - (h) one representative of the Consumers' Association; and
 - (i) two economists who shall not be public officers.
- (3) The Chairman of the Board shall be a public officer of the rank of Director-General or its equivalent.
- (4) There shall be a Secretary to the Board who shall be a public officer.

2. The functions of the Board shall be—

Functions of
the Board.

- (a) to advise the Federal and State Governments on national incomes policy;
- (b) to calculate growth dividends available for general wage increases;
- (c) to inform the Federal and State Governments of current and incipient trends in wages and advise on guidelines within which increases in wages should be confined;
- (d) to keep the Federal Government informed on a continuing basis on movements of all forms of income and propose guidelines relating to profits, dividends and all other incomes not being wages;
- (e) to encourage research on wages structure (including industrial, occupational and regional and any other similar factor), income distribution and house-hold consumption patterns;
- (f) to keep prices under continuous surveillance, interpret price movements and relate them to other developments in the national economy;
- (g) to propose measures for the regulation of prices in the various sectors of the economy and for the control of hoarding;

- (h) to encourage and promote schemes for raising productivity in all sectors of the economy;
- (i) to establish and run a data bank or other information centre relating to data on wages and prices or any other variable and for that purpose to collaborate with data collection agencies to design and develop an adequate information system;
- (j) to inform and educate the public on prices, wages and productivity, their relationships with one another and their inter-play in determining standards of living and real economic growth;
- (k) to examine and advise on any matter referred to it by the Federal and State Governments concerning any of the functions conferred to it by or pursuant to this Act; and
- (l) to undertake any other activity likely to assist in the performance of the functions conferred on it by or pursuant to this Act.

Operational
arms of the
Board and
their duties.

3. (1) The Board shall have as its operational arms three units and an agency to be designated as follows, that is—

- (a) the Civil Service Pay Research Unit;
- (b) the Incomes Analysis Unit;
- (c) the Wages and Productivity Unit; and
- (d) the Price Intelligence Agency.

(2) The Civil Service Pay Research Unit located in Ministry for Special Duties shall be responsible to the Board for—

- (a) collecting and analysing data on the cost of living, productivity, levels of pay in the private sector and such other data as would enable it determine the extent of adjustments (if any) to be made in wages structure in the civil service; and
- (b) carrying out such other duties as may be assigned thereto from time to time by the Board.

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(3) The Incomes Analysis Unit located in the Federal Ministry of Finance and Economic Development shall be responsible to the Board for—

- (a) making inquiries into the various aspects of income distribution as well as changes in the pattern of distribution of income in the form of wages, profits, rents, dividends and collecting data relative thereto;
- (b) conducting investigations relating to inter-personal and regional distribution of income and collecting data relative thereto;
- (c) analysing profits, rents, dividends and other non-wage incomes in order to enable the Board determine appropriate guidelines relative thereto; and
- (d) carrying out such other duties as may be assigned to it from time to time by the Board.

(4) The Wages and Productivity Unit located in the Federal Ministry of Employment, Labour and Productivity shall be responsible to the Board for—

- (a) evaluating, on a continuing basis, trends in wages, productivity and economic growth with a view to providing the Board with such information as would enable the Board determine permissible increases in wages in the private sector;
- (b) where so directed by the Board, promoting and assisting to implement schemes for raising productivity in public and private enterprises; and
- (c) carrying out such other duties as may be assigned to it from time to time by the Board.

(5) The Price Intelligence Agency located in the Federal Ministry of Trade and Tourism shall be responsible to the Board for—

- (a) studying and interpreting price movements (including resale price maintenance) on a continuing basis; and
- (b) carrying out such other duties of a similar nature to the foregoing as may be assigned to it from time to time by the Board.

Guidelines
and enforce-
ment
thereof.

4. (1) The Board may from time to time, and shall when so directed by the National Council of Ministers, prepare guidelines on any question relating to wages or other forms of income or to prices, charges or other sums payable under transactions of any description relating to any form of property or rights or to services of any description or to returns on capital invested in any form of property, including dividends or in relation to any of its functions under or pursuant to this Act.

(2) Guidelines prepared pursuant to this section shall be submitted to the National Council of Ministers which may direct such action thereon as it may consider fit in the circumstances.

(3) The National Council of Ministers may at any time by a further direction vary or withdraw any direction previously given.

(4) Where the National Council of Ministers directs the enforcement of any restraint or any other matter, then it shall be the duty of the Board to implement any such direction and, if it thinks fit, through any of its operational arms.

(5) It shall be the duty of the Board to give public notice, in any manner as it may determine, of any restraint or any other matter requiring to be enforced pursuant to this section.

(6) For the avoidance of doubt, subsection (4) of this section shall not apply with respect to the pricing of any commodity in so far as such pricing is or could be regulated under or pursuant to the Price Control Act.

Cap. 365.

Penalty for
contraven-
tion of
guidelines.

5. (1) Any person who transacts any business otherwise than in compliance with the provisions of section 4 of this Act shall be guilty of an offence.

(2) A person guilty of an offence under this section shall be liable on conviction to a fine of ₦5,000 or imprisonment for two years, or to both such fine and imprisonment.

6. (1) For the purpose of the efficient dispatch of the functions of the Board under this Act, the Secretary or any other officer of the Board may by notice in writing served on any person in charge of any undertaking require that person to furnish in such form as he may direct, information on such matter as may be specified by him. Power to obtain information.

(2) A person required to furnish returns pursuant to subsection (1) above shall within thirty days from the notice comply with the notice.

7. (1) If any person required to furnish returns pursuant to section 6 of this Act fails to furnish those returns as required under that section, he shall be guilty of an offence and liable on conviction to a fine of ₦1,000 or imprisonment for a period not exceeding six months or to both such fine and imprisonment. Offences.

(2) If a person in purported compliance with a requirement to furnish returns as aforesaid knowingly or recklessly makes any statement therein which is false in a material particular, he shall be guilty of an offence and liable on conviction to a fine of ₦1,000 or imprisonment of a period not exceeding three months or to both such fine and imprisonment.

(3) Any person who wilfully obstructs, interferes with, assaults or resists any officer of the Board in the execution of his duties under this Act or who aids, invites, induces or abets any other person to obstruct, interfere with, assault or resist any such officer shall be guilty of an offence and liable on conviction to a fine of ₦1,000 or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

8. (1) Where an offence under this Act is committed by a body corporate or firm or other association of individuals— Offences by bodies corporate, etc.

(a) every director, manager, secretary or other similar officer of the body corporate;

(b) every partner or officer of the firm;

(c) every trustee of the body concerned;

(d) every person concerned in the management of the affairs of the association; and

(e) every person who was purporting to act in any such capacity as aforesaid,

shall severally be guilty of that offence and liable to be proceeded against and punished for the offence in like manner as if he had himself committed the offence unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

(2) For the purposes of this section, "director" in relation to a body corporate established by or under any enactment or law for the purpose of carrying on under national ownership an industry or undertaking or part of an industry or undertaking, being a body corporate whose affairs are managed by its members, means a member of that body corporate.

Regulations.

9. The National Council of Ministers may make regulations generally for the purposes of this Act and, without prejudice to the generality of the power hereby conferred, regulations may—

(a) prescribe the forms to be used for the purposes of this Act;

(b) prescribe or contain such administrative or procedural provisions as appear to the National Council of Ministers expedient in order to facilitate the operation of this Act.

Interpretation.

10. In this Act, unless the context otherwise requires—

"Board" means the Productivity, Prices and Incomes Board established under section 1 of this Act and includes the bodies mentioned in section 3 of this Act;

"business" includes any trade, profession or vocation;

"price" includes a charge of any description;

"wages" includes salaries and other personal emoluments.

Short title.

11. This Act may be cited as the Productivity, Prices and Incomes Board Act.

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CHAPTER 372

SUBSIDIARY LEGISLATION

No Subsidiary Legislation

CHAPTER 373

**(PROFESSIONAL BODIES
(SPECIAL PROVISIONS) ACT**

Enacted by the Federal Government in the year 1973, to provide for the regulation of the professions listed out in the Schedule in Nigeria by non-Nigerians and to give the President the power to lay down the conditions of such regulations.

[1973, Chapter 373]

Enacted by the President, in the year 1973, to provide for the regulation of professions in Nigeria by non-Nigerians and to give the President the power to lay down the conditions of such regulations.