

NIGERIAN COUNCIL FOR MANAGEMENT DEVELOPMENT ACT

ARRANGEMENT OF SECTIONS

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An Act to establish the Nigerian Council for Management Development with the general responsibility for the promotion and co-ordination of management education and training and for matters incidental thereto.

[1976 No. 51.]

[4th October, 1976]

[Commencement.]

1. Establishment of the Nigerian Council for Management Development

There is hereby established a body to be known as the Nigerian Council for Management Development (in this Act referred to as "the Council") which shall be a body corporate with perpetual succession and a common seal.

2. Functions of the Council

The functions of the Council shall be to-

(a) advise the Minister on policies, plans and programmes for the enhancement of the number, quality and effective utilisation of the managerial manpower resources of Nigeria in all sectors of the economy;

(b) formulate policies and guidelines for the co-ordination of management education and training activities throughout Nigeria;

(c) develop and promote high national standards of management education, entrepreneurial development, and supervisory training programmes;

(d) keep and maintain a register of management training institutions and their training programmes, including their subjects, location, standards, duration, type and cost;

(e) assess, from time to time, the training programmes offered by the institutions mentioned in paragraph (d) of this section with a view to determining the competence of the institutions and whether they deserve financial support by the Council;

(f) provide a forum at which representatives of both the public and private sectors and of management training institutions could exchange information and ideas on trends in management education and training.

3. Membership of the Council, etc.

(1) The Council shall consist of twenty members, namely-

(a) a chairman to be appointed by the President on the recommendation of the Minister;

(b) nine persons with extensive knowledge of and close association with management training, industry and commerce, each chosen by the Minister on his individual merit and appointed by the President;

(c) two representatives of the Nigerian Employers Consultative Association;

(d) two representatives of labour organisations;

(e) four representatives of professional management training institutions;

(j) one representative of the Ministry charged with responsibility for matters relating to the Council; and

(g) the Director, Centre for Management Development (in this Act referred to as "the Centre").

(2) A member of the Council who is not a public officer-

(a) shall hold office for a period of three years from the date of his appointment and shall be eligible for reappointment;

(b) may resign his appointment by a letter addressed to the Minister and that member's resignation shall take effect as from the date of the receipt of the letter by the Minister.

(3) Without prejudice to section 11 of the Interpretation Act (which relates to appointments), the Minister may at any time by a notice in writing remove any member

from his office for reasons stated in that notice.

4. Proceedings of the Council, etc.

(1) Subject to section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of its members and for the chairman to have a second or casting vote), the Council may make standing orders regulating its proceedings or those of any of its committees.

(2) The quorum for meetings of the Council shall be ten and the quorum of any committee of the Council shall be determined by the Council.

(3) If the chairman is absent from a meeting of the Council the members present shall elect one of their number to act as chairman for the purpose of that meeting.

(4) The validity of any proceedings of the Council or of any of its committees shall not be affected-

(a) by any vacancy in the membership of the Council or any such committees;

(b) by any defect in the appointment of any member; or

(c) by reason of the fact that any person not entitled to do so took part in the proceedings.

(5) The Council shall meet not less than four times in each year and on such other occasions as the Council may consider necessary.

(6) Any member of the Council or any committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be entered into by the Council or any committee thereof shall forthwith declare his interest to the Council and shall not vote on any question relating to the contract or arrangement.

5. Appointments and Establishments Committee

The Council shall appoint an Appointments and Establishments Committee consisting of not less than six members of the Council whose functions shall be to advise the Council on matters relating to the appointment, conditions of service, advancement, promotion and determination of appointment of the staff of the Council.

6. Travelling and subsistence allowances

(1) There shall be paid to every member of the Council who is not a public officer such travelling, subsistence and other allowances in respect of any period spent on the business of the Council as the Minister may determine.

(2) The travelling, subsistence and other allowances referred to in subsection (1) of this section, shall be paid out of the monies at the disposal of the Council.

7. Power of Minister to give directions to the Council

The Minister may give to the Council directions of a general character or relating generally to particular matters with regard to the exercise by the Council of its functions,

and it shall be the duty of the Council to comply with the directions.

8. Secretary and other members of staff of the Council

(1) The Council shall appoint an administrative secretary to the Centre (in this Act referred to as "the secretary") who shall be an officer but not a member of the Council and who shall keep the records and conduct the correspondence of the Council and shall perform such other duties of a secretarial nature as the director of the Centre or the Council may, from time to time, direct.

(2) The Council may appoint such other persons to be officers and servants of the Council as the Council may determine to assist the director of the Centre in the exercise of his functions.

(3) The remuneration and tenure of office and conditions of service of the director and other officers and servants of the Centre shall be determined by the Minister after consultation with the Council.

9. Application of Pensions Act, etc.

(1) The Federal Civil Service Commission may by order published in the Federal *Gazette* declare the office of the director or of any person employed by the Council to be a pensionable office for the purposes of the Pensions Act.

(2) Subject to subsections (3) and (4) of this section, the Pensions Act shall, in its application by virtue of subsection (1) of this section to any office, have effect as if the office were in the public service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria 1999.

(3) For the purposes of the application of the provisions of the Pensions Act in accordance with subsection (2) of this section-

(a) subsection (1) of section 21 of that Act shall have effect as if for references to the Minister there were substituted references to the Council; and

(b) the power under section 4 (2) of that Act, shall be exercisable by the Council and not by any other authority.

(4) Nothing in the foregoing provisions shall prevent the appointment of a person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.

10. Financial provisions

(1) The Council shall establish and maintain a fund from which there shall be defrayed all expenditure incurred by the Council.

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

(a) such monies as may, from time to time, be lent or granted to the Council by the Government of the Federation or of a State;

(b) such monies as may be granted to the Council by the Industrial Training Fund;

(c) all monies raised for the purposes of the Council by way of gifts, loans, grants-

in-aid, testamentary dispositions or otherwise;

(d) all subscriptions, fees or charges for services rendered by the Council; and

(e) all other assets that may, from time to time, accrue to the Council.

(3) The fund established under subsection (1) of this section shall be managed in accordance with rules made by the Minister; and without prejudice to the generality of the power to make rules under this subsection, the rules shall in particular contain provisions-

(a) specifying the manner in which the assets of the fund are to be held and regulating the payment into and out of the fund;

(b) requiring the keeping of proper accounts and records for the purposes of the fund in such form as may be specified in the rules;

(c) for securing that the accounts are audited periodically by an auditor appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation; and

(d) requiring copies of the accounts and of the auditor's report thereon to be furnished to the President through the Minister as soon as may be after the end of the period to which the accounts relate.

11. Power to accept gifts

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

(2) The Council shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Council.

12. Power to borrow

The Council may, with the consent of the Minister, borrow on such terms and conditions as the Council may determine, such sums of money as the Council may require in the exercise of the functions conferred on it under this Act.

13. Award of contracts

The Minister shall, subject to such limitations as may be imposed by the President, stipulate conditions for the award of contracts by the Council.

14. Offices and premises

(1) For the purpose of providing offices and premises necessary for the performance of its functions, the Council may-

(a) purchase or take on lease any land; and

(b) build, equip and maintain offices and premises.

(2) The Council may sell or lease any land, offices or premises held by it and no longer required for the performance of its functions.

15. Compulsory acquisition of land

(1) For the purposes of the Land Use Act, the purposes of the Council shall be public purposes of the Federation within the meaning of that Act.

[Cap. L5.]

(2) The Registrar of Deeds may, by an instrument under his hand and seal, vest in the Council any property acquired pursuant to subsection (1) of this section; and the Council shall pay into the Consolidated Revenue Fund of the Federation a sum equal to the aggregate amount of the expenses (including compensation) incurred on behalf of the Federal Government by virtue of that subsection in respect of any property vested in the Council by such an instrument.

[1992 No.7.]

16. Council to establish Centre for Management Development

(1) The Council shall establish as its operational arm an agency to be known as "the Centre for Management Development" (in this Act referred to as "the Centre").

(2) The Centre shall carry out such functions as may be assigned to it by the Council and such functions shall include-

(a) the provision for the Council of background information and other technical data necessary for the Council's policy-making and co-ordinating functions;

(b) the provision of management advisory and consultancy services to Nigerian enterprises;

(c) the establishment and maintenance of an up-to-date library on management studies;

(d) the publication of journals, research papers and books on modern management and supervisory techniques; and

(e) the sponsoring, promotion and conduct of research into all aspects of management and allied subjects in relation to the Nigerian situation.

17. Director of the Centre

(1) There shall be a director of the Centre (in this Act referred to as "the director") who shall be appointed by the Minister after consultation with the Council.

(2) The director shall be the chief executive of the Centre and shall be charged with the general responsibility for matters affecting the day-to-day management and operations of the Centre.

18. Annual report and estimates

(1) The Council shall prepare and submit to the Minister not later than 31 July in each financial year a report on its activities during the preceding financial year and the report shall be accompanied by a copy of the audited accounts of the Council for that period and of the auditor's report on the account.

(2) A copy of every such report together with the audited accounts shall be submitted to the President as soon as may be after the presentation thereof to the Minister.

(3) The Council shall not later than 1 October in each financial year or as soon thereafter as the Minister may in a proper case allow, submit to the Minister for approval its estimates of revenue and expenditure in respect of the following financial year.

19. Power to require institutions to furnish information

The director may, with the approval of the Council, require the person in apparent control of any management training institution to furnish such information on any aspect of that institution's operations as appears to the director to be necessary to enable the Council to carry out any of its functions under this Act.

20. Interpretation

In this Act, unless the context otherwise requires-

"Centre" means the Centre for Management Development referred to in section 16 of this Act;

"Council" means the Nigerian Council for Management Development established by section I of this Act;

"director" means the person appointed pursuant to section 17 of this Act;

"member" means a member of the Council and includes the chairman;

"Minister" means the Minister charged with responsibility for economic development;

"State" means a State of the Federation.

21. Short title

This Act may be cited as the Nigerian Council for Management Development Act.

SUBSIDIARY LEGISLATION

No Subsidiary Legislation