

NATIONAL MATHEMATICAL CENTRE ACT

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NATIONAL MATHEMATICAL CENTRE ACT

An Act to establish the National Mathematical Centre to, amongst other, train and develop a high level of personnel in mathematical sciences, create a resource center to serve national and international communities and provide for other matters ancillary thereto.

[1989 No. 40.]

[1st January, 1988]

[Commencement.]

PART I

Establishment of the National Mathematical Centre, etc.

1. Establishment of the National Mathematical Centre

(1) There is hereby established in the Federal Capital Territory, Abuja, a body to be known as the National Mathematical Centre (in this Act referred to as "the Centre"), which shall have the functions assigned to it by this Act.

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

2. Establishment and membership of the Governing Council of the Centre

(I) There is hereby established for the Centre, a Governing Council (in this Act referred to as "the Council"), which shall be responsible for directing the affairs of the Centre.

(2) Without prejudice to the generality of subsection (I) of this section, it shall be the responsibility of the Council to exercise general control and superintendence of the policy, finances and property of the Centre, including its public relations.

(3) The Council shall consist of--

- (a) a chairman;
- (b) one representative of the Federal Ministry of Education;
- (c) one representative of the National Universities Commission;
- (d) one representative of the Federal Ministry of Science and Technology;
- (e) one representative of the Nigerian Academy of Science;
- (f) two representatives of the Nigerian universities, appointed in rotation for two years at a time;
- (g) one representative of the polytechnics;
- (h) one representative of the colleges of education;

(i) three members to represent professional and other interests in mathematical sciences, statistics, computer science and theoretical physics; and

(j) the Director of the Centre.

(4) The chairman and the other members of the Council who are not representing Ministries, shall be appointed by the President on the recommendation of the Minister.

(5) The supplementary provisions set out in the Schedule to this Act, shall have effect with respect to the proceedings of the Council and the other matters mentioned therein. [Schedule.]

3. Tenure of office, etc.

(1) Subject to the provisions of this Act, a member of the Council not being a public officer, shall hold office for a period of four years from the date of his appointment and shall be eligible for reappointment for one further period of four years; thereafter, he shall no longer be eligible for reappointment.

(2) Any member of the Council, not being a public officer, may resign his office by a letter addressed to the Minister and the resignation shall have effect from the date of the receipt of the letter by the Minister.

(3) The Minister may, with the approval of the President, terminate the appointment of a member of the Council (not being an *ex-officio* member), if he is satisfied that it is not in the interest of the Centre that the person concerned should continue in office.

(4) Members of the Council not being public officers, shall be paid such remuneration and allowances as the Minister may, with the approval of the President, determine.

4. Power of the Minister to give directives

Subject to the provisions of this Act, the Minister may give to the Council directives of a general character or relating generally to particular matters, with regard to the exercise by the Council of its functions under this Act and it shall be the duty of the Council to comply with such directives.

PART II

Functions and powers of the Centre

5. Functions of the Centre

The Centre shall-

(a) train and develop high-level personnel in mathematical sciences, including mathematics, statistics, computer science and theoretical physics, for Nigerian and African institutions;

- (b) create a resource centre to serve national and international communities as a focal point for advanced research and training in mathematical sciences and applications;
- (c) enhance collaboration among mathematical scientists, especially between young Nigerian scientists, and other advanced and experienced scientists from within and outside Nigeria;
- (d) identify and encourage young talents in mathematical sciences;
- (e) stimulate enthusiasm for the physical sciences in young Nigerian students and scholars;
- (f) prepare Nigeria for a leading role in mathematical sciences;
- (g) attract good mathematical scientists from all over the world into the service of Nigeria;
- (h) encourage and support activities leading to the improvement of the teaching and learning of mathematical sciences at all levels;
- (i) provide facilities for scientific conferences and the publication of the proceedings arising therefrom;
- (j) tackle national set goals in the development of mathematical sciences;
- (k) conduct series of specialised lectures or courses, for the purpose of up-grading postgraduate students in the field of mathematical sciences to a level where they can begin to understand research papers and seminars;
- (l) conduct series of research lectures for advanced postgraduate as well as post-doctoral and other participants, based on a set of pre-assigned research papers, with the objective of generating questions that would be collated, discussed and used to determine new research directions for the participants;
- (m) conduct seminars, workshops and symposia in such areas as the Academic Board of the Centre may, from time to time, determine or plan;
- (n) establish and execute a visiting programme for mathematical scientists, under which mathematical scientists can visit the Centre for short periods, to work on their individual research problems using the library, computing and other facilities of the Centre; and
- (o) perform such other functions that are related to those set out in this section and do such other things as are, in the opinion of the Council, necessary or expedient for carrying out the functions of the Centre under this Act.

6. Powers of the Centre

The Centre shall have power to-

- (a) award certificates of attendance and of full participation at lectures and courses conducted under this Act;

(b) establish and maintain a library comprising such books, journals, records, reports and other publications and information systems as may be required for the discharge of the functions conferred on the Centre by this Act;

(c) accept gifts of land, money or other property, upon such terms and conditions if any, as may be specified by the person or organisation making the gift: Provided that the conditions attached by the person or organisation making the gift are not inconsistent with the functions of the Centre or its position as a non-partisan institution, free from undue external influence.

PART III

Staff of the Centre

7. Director and other staff of the Centre

(1) There shall be for the Centre a Director who shall possess appropriate qualifications and be appointed by the President, on the recommendation of the Minister.

(2) The Director shall-

(a) hold office for a period of five years and shall be eligible for re-appointment; and

(b) enjoy conditions of service equivalent to those of the Vice-Chancellor of a Federal university.

(3) The Director shall be the chief executive and academic officer of the Centre and shall be charged with general responsibility for matters relating to the day-to-day management and operations of the Centre.

(4) There shall be for the Centre a Deputy Director who shall be appointed by the Council and act in place of the Director when the office of the Director is vacant or the Director is for any reason (including absence from the precincts of the Centre), unable to perform his functions as the Director.

(5) There shall be for the Centre a librarian who shall be appointed by the Council and be responsible to the Director for the development and administration of the library services of the Centre.

(6) There may be appointed, from time to time, by the Council, such other employees as may be required for the purposes of the efficient performance of the functions conferred on the Centre by this Act.

8. Staff regulations

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

(a) the appointment, promotion and discipline (including dismissal) of employees of the Centre; and

(b) appeals by such employees against dismissal or other disciplinary measures, and until such regulations are made, any instruments relating to the conditions of service

of public officers in the university system shall be applicable, with such modifications as may be necessary, to employees of the Centre.

(2) Staff regulations made under subsection (1) of this section shall not have effect until approved by the President; and when so approved, they need not be published in the *Federal Gazette*, but the Council shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine.

9. Pensions

(1) Service in the Centre shall be approved service for the purposes of the Pensions Act.

[Cap. P4.]

(2) Officers and other persons employed in the Centre shall be entitled to pensions, gratuities and other retirement benefits as are prescribed in the Act, 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, gratuity or other retirement benefit, in respect of that office.

(3) For the purposes of the application of the provisions of the Pensions 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 Council and not by any other person or authority.

PART IV

Academic Board

10. Establishment of an Academic Board for the Centre

(1) There is hereby established as an integral part of the Centre, an Academic Board which shall consist of-

(a) the Director of the Centre;

(b) the Deputy Director;

(c) the librarian;

(d) four representatives drawn in rotation from among the universities in Nigeria in the discipline of mathematical sciences; and

(e) five other persons, for the time being holding such appointments on the staff of the Centre as the Director of the Centre may, with the approval of the Council, specify.

(2) A person other than an *ex-officio* member shall hold an appointment on the Academic Board under paragraphs (c) and (e) of subsection (1) of this section for a period of two years and shall be eligible for reappointment for one further period of two years.

(3) The Academic Board shall-

(a) formulate and continuously evaluate the academic programme of the Centre; and

(b) perform such other functions as are traditional to such bodies as the Council may, from time to time, direct.

(4) The Director shall be the chairman at the meeting of the Academic Board and in his absence, the Deputy Director shall preside at such meeting but, in the absence of both, the members present at the meeting shall appoint one of their number to preside at the meeting.

(5) Subject to subsection (4) of this section, the Academic Board shall have power to regulate its own procedure.

PART V

Financial provisions

11. Fund of the Centre

(1) The Centre shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Centre in the performance of its functions under 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, from time to time, be granted to the Centre by the Federal Government;

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

(c) subject to section 6 (c) of this Act, all sums accruing to the Centre by way of gifts, grants-in-aid, testamentary disposition and endowments or contribution from philanthropic persons or organisations or otherwise howsoever.

12. Annual estimate, accounts and audit

(1) The Council shall cause to be prepared, not later than 30 September in each year, an estimate of the expenditure and income of the Centre during the next succeeding year, and when prepared, they shall be submitted to the President.

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

(3) The accounts of the Centre shall be audited within six months after the end of each year by auditors appointed by the Council from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation; and the fees of the auditors and the expenses of the auditors generally shall be paid from the funds of the Centre.

13. Annual report

The Council shall, not later than 31 December in each year, submit to the President a report in such form as the Minister may, from time to time, direct, on the activities of the Centre during the preceding year and shall include in such report the audited accounts of the Centre.

PART VI

Miscellaneous

14. Regulations

The Minister may make regulations for the purpose of giving effect to the provisions of this Act.

15. Interpretation

In this Act, unless the context otherwise requires-

"Centre" means the National Mathematical Centre, established by section I (I) of this Act;

"chairman" means the chairman of the Council;

"Council" means the Governing Council of the Centre, established by section 2 of this Act;

"Director" means the Director of the Centre, appointed under section 7 of this Act;

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

"Minister" means the Minister charged with responsibility for matters relating to higher education.

16. Short title

This Act may be cited as the National Mathematical Centre Act.

SCHEDULE

[Section 2 (5).]

Proceedings of the Council

1. (I) 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 Council may make standing orders regulating the proceedings of the Council or of any committee thereof.

[Cap. /23.]

(2) The quorum of the Council shall be seven and the quorum of any committee of the Council shall be as determined by the Council.

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

(2) At any meeting of the Council, 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 Council desires to obtain the advice of any person on a particular matter, the Council 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 Council and shall not count towards the quorum.

Committees

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

(2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily members of the Council), as may be determined by 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

4. (1) The fixing of the seal of the Centre shall be authenticated by the signature of the chairman or of some other members 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 Centre by the Director or 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 Centre shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

(4) Members of the Council who are not public officers shall be paid out of monies at the disposal of the Council such remunerations, fees or allowances in accordance with such scales as may be approved, from time to time, by the President.

(5) The validity of any proceeding of the Council or of a committee thereof, shall not be affected by any vacancy in the membership of the Council or a committee or by any defect in the appointment of any member of the Council or a committee, or by reason that a person not entitled to do so, took part in the proceedings.

(6) Any member of the Council or 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.

SUBSIDIARY LEGISLATION

No Subsidiary Legislation