

NIGERIAN COUNCIL FOR MANAGEMENT DEVELOPMENT DECREE 1976



Decree No. 51

[4th October 1976]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:—

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

Establish-
ment of the
Nigerian
Council for
Management
Develop-
ment.

2. The functions of the Council shall be—

Functions of
the Council.

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

(b) to formulate policies and guide-lines for the co-ordination of management education and training activities throughout the country;

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

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

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

(f) to 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.—(1) The Council shall consist of 25 members to be appointed by the Commissioner and shall comprise—

Membership
of the
Council, etc.

(a) a Chairman;

(b) four persons representing four universities;

(c) four persons representing colleges of technology;

(d) one representative each of the following Federal Ministries, that is to say—

- (i) Education,
- (ii) Establishments,
- (iii) Industries,
- (iv) Labour, and
- (v) Economic Development ;

(e) the Director, Centre for Management Development ;

(f) one representative of the Nigerian Employers' Consultative Association ;

(g) one representative of the Nigerian Association of Chambers of Commerce, Industry, Mines and Agriculture ;

(h) two persons representing professional management training institutions in Nigeria ;

(i) one representative of the Industrial Training Fund ;

(j) four persons with extensive knowledge and close association with management training, industry and commerce, each chosen on his individual merit ; and

(k) one representative of labour organisations.

(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 Commissioner and that member's resignation shall take effect as from the date of the receipt of the letter by the Commissioner.

1964 No. 1.

(3) Without prejudice to section 11 of the Interpretation Act 1964 (which relates to appointments), the Commissioner may at any time by a notice in writing remove any member from his office for reasons stated in that notice.

Proceedings
of the
Council, etc.

4.—(1) Subject to section 26 of the Interpretation Act 1964 (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 ; and

(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. 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.

Appoint-
ments and
Establish-
ments
Committee.

6.—(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 Commissioner may determine.

Travelling
and
subsistence
allowances.

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

7. The Commissioner 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.

Power of
Commis-
sioner to give
directions to
the Council.

8.—(1) The Council shall appoint an Administrative Secretary to the Centre (hereinafter 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 or the Council may from time to time direct.

Secretary
and other
members of
staff of the
Council.

(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 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 Council shall be determined by the Commissioner after consultation with the Council.

9.—(1) The Federal Commissioner for Establishments may by order published in the *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.

Application
of Pensions
Act, etc.

(2) Subject to subsections (3) and (4) below, the Pensions Act shall, in its application by virtue of the foregoing subsection 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 Federation.

Cap. 147.

1963 No. 20.

(3) For the purposes of the application of the provisions of the Pensions Act in accordance with subsection (2) above—

(a) subsection (1) of section 7 of that Act (which confers on the Commissioner power to waive the requirement to give notice of desire to retire at the age of forty-five) shall have effect as if for references to the Commissioner there were substituted references to the Council ; and

(b) the power under section 9 (1) of the Act to require an officer to retire at any time after attaining the age of forty-five subject to his being given six months notice in writing, 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.

Financial provisions.

10.—(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) above—

(a) such moneys 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 moneys as may be granted to the Council by the Industrial Training Fund ;

(c) all moneys raised for the purposes of the Council by way of gift, loan, grant-in-aid, testamentary disposition 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 shall be managed in accordance with rules made by the Commissioner ; 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 approved by the Commissioner ; and

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

Power to accept gifts.

11.—(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.

Power to borrow.

12. The Council may, with the consent of the Commissioner, 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 Decree.

Award of contracts.

13. The Commissioner shall, subject to such limitations as may be imposed by the Federal Executive Council, stipulate conditions for the award of contracts by the Council.

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

Offices and premises.

- (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.—(1) For the purposes of the Public Lands Acquisition Act, the purposes of the Council shall be public purposes of the Federation within the meaning of that Act.

Compulsory acquisition of land.
Cap. 167.

(2) The Chief Federal Lands Officer may, by an instrument under his hand and seal, vest in the Council any property acquired pursuant to subsection (1) above ; 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 Military Government by virtue of that subsection in respect of any property vested in the Council by such an instrument.

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

Council to establish Centre for Management Development.

(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.—(1) There shall be a Director of the Centre (hereinafter referred to as "the Director") who shall be appointed by the Commissioner after consultation with the Council.

The Director of the Centre.

(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.—(1) The Council shall prepare and submit to the Commissioner not later than 31st 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 accounts.

Annual report and estimates.

(2) A copy of every such report together with the audited accounts shall be laid before the Federal Executive Council as soon as may be after the presentation thereof to the Commissioner.

(3) The Council shall not later than 30th November in each financial year or as soon thereafter as the Commissioner may in a proper case allow submit to the Commissioner for approval its estimates of revenue and expenditure in respect of the following financial year.

Power to
require
institutions
to furnish
information.

19. 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 Decree.

Interpreta-
tion.

20. In this Decree, unless the context otherwise requires—

"the Commissioner" means the Federal Commissioner charged with responsibility for Economic Development;

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

"the Council" means the Nigerian Council for Management Development established by section 1 of this Decree;

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

"the Director" means the person appointed pursuant to section 17 of this Decree;

"State" means a State of the Federation.

Citation.

21. This Decree may be cited as the Nigerian Council for Management Development Decree 1976.

MADE at Lagos this 4th day of October 1976.

LT.-GENERAL O. OBASANJO,
*Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria*

EXPLANATORY NOTE

*(This note does not form part of the above Decree but is
intended to explain its purpose)*

The Decree establishes the Nigerian Council for Management Development with the general responsibility for the promotion and co-ordination of management education and training.