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The following regulations are hereby made in pursuance of the provisions of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and the Federal Government (Official Gazette) Act, 2007 (Act No. 20 of 2007).

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**INSTITUTE FOR DEMOCRATIC AND LEGISLATIVE STUDIES
ACT, 2007**



ARRANGEMENT OF SECTIONS

SECTION :

1. Establishment of the Institute for Democratic and Legislative Studies.
2. Functions and Objectives of the Institute.
3. Governing Council of the Institute.
4. Appointment of Council of Members.
5. Director-General of the Institute.
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SCHEDULE

ARRANGEMENTS FOR THE YEAR 1900



ARRANGEMENTS FOR THE YEAR 1900

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INSTITUTE FOR DEMOCRATIC AND LEGISLATIVE STUDIES ACT, 2007

2007 ACT No. 37

AN ACT FOR THE ESTABLISHMENT OF THE INSTITUTE FOR DEMOCRATIC AND LEGISLATIVE STUDIES ; AND FOR RELATED MATTERS

[30th Day of July, 2007]

Commencement.

ENACTED by the National Assembly of the Federal Republic of Nigeria—

PART I—ESTABLISHMENT OF THE INSTITUTE FOR DEMOCRATIC AND LEGISLATIVE STUDIES

1.—(1) The Institute for Democratic and Legislative Studies is hereby established.

Establishment of the Institute for Democratic and Legislative Studies.

(2) The Institute for Democratic and Legislative Studies (hereinafter called "the Institute") shall be a body corporate with perpetual succession and a common seal.

(3) The Institute shall be located in Abuja.

2.—(1) Subject to the provisions of the Act, the Institute shall be charged with the responsibility of conducting quality academic and professional research, training and advocacy on democratic governance and legislative practice and procedures. In furtherance of this vision the institute shall—

Functions and objectives of the Institute.

(a) act as a centre of excellence for research and publication on democratic governance and legislative practice and procedures ;

(b) act as a centre for continuing education on democracy and legislation ;

(c) promote and disseminate among Legislative Assemblies in Nigeria the practice of science based methodologies of law-making ;

(d) promote and protect constitutional due process in legislative practices ;

(e) provide critical research material and policy insights as background materials for committees of the National Assembly ;

(f) improve the capacity of legislators to sustain and consolidate democratic governance through deliberation and policy formulation ;

(g) improve the technical capacity of legislative staff, committee secretaries and political aides to process appropriation bills and policy oversight of the executive ;

(h) document and publish for public use the history and politics of the legislature in governance in Nigeria from colonial period to the present ;

(i) periodic training on democratic principles for members of the Armed Forces.

(j) monitoring of elections ;

(k) provide interface between democratic institutions and the civil societies ;

(l) sensitise the Nigeria public to imbibe, support and defend democratic and legislative ethics ; and

(m) undertake such other and incidental responsibilities relating to the development, consolidation and advancement of legislative independence and oversight of democratic governance in Nigeria.

(2) In order to realize its objectives, the Institute shall have power to—

(a) conduct periodic short and refresher courses for National and State legislators, legislative staff, committee secretaries and political aides on democracy and good governance ;

(b) provide research reports for legislators for either chamber of the National Assembly, their Committees or the drafting units of the National Assembly ;

(c) produce independent policy responses to legislations or policies pending before either chamber of the National Assembly ;

(d) initiate and encourage legislative drafting courses in tertiary institutions in Nigeria and abroad ;

(e) encourage private sector participation and collaborate with national and international organizations on research and training on issues relevant to its mandate ;

(f) run and maintain quality and world class libraries and database on the legislative system and democratic governance ;

(g) be involved in teaching, training and research on political culture and political development among others ;

(h) develop training curricula for schools and tertiary institutions on democracy, legislative practice and procedures, political culture, civics, ethics and political development ;

(i) provide training courses on democracy, legislative practice and procedures, political culture and political development ;

(j) provide internship for scholars ;

(k) engage visiting scholars/fellows to participate in its academic research programmes ;

(l) provide endowments to enhance the training and teaching offered to its clients ;

(m) initiate and execute any project that would help to generate ideas and policies for good governance ; and

(n) award appropriate professional certificates and testimonials according to the training and teaching offered to its clients.

(3) The Institute shall not through its program, or policies endorse any candidate or any political party for elective office or campaign on behalf of any religious, ethnic or cultural organisation.

3.—(1) There is established for the Institute a Governing Council (in this Act called "the Council")

Establishment
etc. of a
Governing
Council of
the Institute.

(2) The Council is vested with the powers to make decisions and formulate general policies for the guidance of the Institute.

(3) The Council shall consist of the following members—

(a) a part-time Chairman who shall be an experienced legal officer or any eminent Nigerian considered suitable for the office of Chairman ;

(b) the Rector, who shall be a professional in the field of Political Science or Law and shall have at least 12 years cognate experience in tertiary institutions ;

(c) the President of Nigerian Political Science Association (NPSA) ;

(d) the President of Nigerian Society of International Affairs (NSIA) ;

(e) the President of National Council of Women Societies, Nigeria (NCWS) ;

(f) a representative from each of the six (6) geo-political zones of the country—each representative shall have at least 5 years cognate experience in legislation and governance ;

(g) a representative of the Clerk of the National Assembly ;

(h) a representative of the National Assembly Service Commission ; and

(i) a representative of the Parliamentary Senior Staff Association of Nigeria.

(4) The Rector shall serve as the Secretary to the Council.

(5) The members of the Council shall be appointed by the President of the Federal Republic of Nigeria, subject to the confirmation of the Senate.

(6) The supplementary provisions set out in the Schedule to this Act shall have effect with respect to the proceedings of the Council.

Schedule.

4.—(1) The Chairman shall hold office for a period of 4 years and may be re-appointed for another term of 4 years.

Tenure of
office.

(2) The members of the Council shall hold office for one term of 4 years ; and may be re-appointed for one more term only ;

(3) The office of Chairman, Rector or any member of the Council under this Act shall become vacant if—

(a) he resigns his office by notice in writing under his hand addressed to the President, Commander-in-Chief of the Armed Forces.

(b) the President, Commander-in-Chief of the Armed Forces is satisfied that it is not in the interest of the Institute for the person appointed to continue in office and notifies the member in writing to that effect subject to Senate approval ;

(c) he is a victim of protracted ill-health or he is severely incapacitated by accident and confirmed by constituted medical board ;

(d) he suffers death ;

- (e) found guilty of financial impropriety ; or
- (f) he is declared bankrupt.

Director-
General of
the Institute.

5.—(1) There shall be for the Institute, a Rector who shall possess appropriate qualifications and cognate experience.

(2) The Rector shall be appointed by the President, Commander-in-Chief of the Armed Forces from a list of three persons recommended by the Council.

(3) The Rector shall hold office for a periods of five years and may be re-appointed for another term of five years, as generally applies in similar institutions.

(4) The Rector shall be the Chief Executive and Academic Officer of the Institute and shall be charged with general responsibility for matters relating to the day-to-day management and operations of the Institute ; and

(5) The Rector shall be responsible to the Council.

The Structure
of the
Institute.

6. There shall be established for the Institute two Schools of three Departments each namely :

(1) School of Democratic Studies—

- (a) Department of Governance, Democracy and Development (GDD) ;
- (b) Department of Public Policy Analysis and Programme (PPAP) ; and
- (c) Department of Social Sciences and General Services (SSGS).

(2) School of Legislative Studies—

- (a) Department of Legislative Practices and Procedures (LLP) ;
- (b) Department of Sergeant-at-Arms and Security Services (SASS) ; and
- (c) Department of Information, Publicity and Official Reporters (IPOR).

(3) Each School shall be headed by a Deputy Rector who shall be a professionally qualified person appointed through a competitive process after an open advertisement.

(4) The Rector and the Management Board may approve the creation of more Departments as it may deem necessary to achieve the objectives of the Institute.

Establishment
of the
Management
Board.

7.—(1) There shall be established for the Institute a Management Board comprising the Rector who shall act as the Chairman, two Deputy Rectors, Registrar, Bursar, Librarian and six Head of Department.

(2) The Management Board shall be responsible for general administration of the Institute, particularly recruitment, discipline and promotion of staff.

(3) The Rector and Deputy Rectors shall perform such functions as their counterparts in tertiary institutions.

(4) There shall be positions of Registrar, Bursar, Librarian as contained in subsection (1) of this section whose schedule of duties shall be specified by the Council.

8.—(1) There shall be established for the Institute an Academic Board.

Academic Board.

(2) The Academic Board shall have the Rector of the Institute as Chairman, Deputy Rectors, Heads of Department and other Senior Academic staff as members.

(3) Subject to the provisions of this Act, the Academic Board shall advise the Rector on research and training programs as they relate to the objectives of the Institute and the management of Academic staff.

9.—(1) Staff of the Institute other than those mentioned in the Act shall be employed according to procedure of employment as stipulated by Council.

Appointment of staff.

(2) Staff of the Institute shall be entitled to benefits under the Pension Reform Act, 2004 of Nigeria.

(3) Nothing in subsections (1) and (2) of this Section shall prevent the employment of a person to any office on temporary or permanent basis on terms which preclude the grant of pension.

10.—(1) The Council may, subject to the provision 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—

Staff regulation.

(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 modification as may be necessary, to the employees of the Institute.

(2) Staff regulation made under subsection (1) of this section, shall not have effect until approved by the Governing Council of the Institute and when so approved, shall be officially Gazetted 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.

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

Financial Provisions.

(2) At the beginning of every budget year, Government shall approve a budget for the Institute.

(3) There shall be paid and credited to the fund established for the Institute—

(a) sums appropriated from the Federal budget for the fiscal year ;

(b) gifts and donations and contributions from national and international institutions and philanthropic persons and organizations ;

(c) fees charged for services rendered by the Institute.

12.—(1) The Institute may accept gifts and bequests upon such terms that do not compromise its capability to fulfil its objectives and sustain its non-partisan policy.

Power to accept gifts.

(2) The Institute may with approval in writing of the Council, and subject to other guidelines and policies of the Federal Government, borrow such money needed for the exercise of its functions as the Management Board may determine under the Act, provided that such borrowing shall be made on terms that do not compromise the independence and competence of the Institute.

Establishment of funds for the Institute.

13. The Institute shall manage its fund in accordance with rules made by the Management Board with the general direction of the Council, and without prejudice to the power to make rules under this section, the rules shall contain provisions specifying—

(a) the manner in which the assets or funds of the Institute are to be held.

(b) the keeping of proper accounts and records for the purpose of the fund in such manner as may be safe and effective.

Application of funds of the Institute.

14. The institute shall apply its fund to the cost of administration of the Institute including but not limited to, payment of salaries, gratuities, allowances and fees and the payment of other contracts, consultancies and purchases made for the benefit of the Institute.

Estimates of Incomes and Expenditure of the Institute.

15. The Rector shall not later than 30th of September each year, present to the Council for approval an estimate of the expenditures and incomes of the Institute for the next fiscal year.

Annual Budgets of the Institute.

16. The Chairman of Council shall not later than 30th September each year or other date stipulated by law or administrative policy, submit to the National Assembly an estimate of the expenditure and incomes of the Institute approved by the Council for the next fiscal year for incorporation in the Budget of the Federation.

Financial Reports of the Institute.

17.—(1) The Rector shall submit to the National Assembly quarterly reports of the Finances of the Institutes.

(2) The Chairman of Council shall present yearly report of the activities of the Institute to the National Assembly.

Miscellaneous.

18.—(1) The Institute may, subject to the provisions of the Land Use Act and any other applicable law, lease, rent or acquire an interest in land and other properties, build and maintain offices and premises for its activities.

(2) For the purpose of its administrative and business activities, the provisions of the Public Officers Protection Act shall apply with such modification as necessary to promote the effective realization of the objectives of the Institute.

(3) Subject to provisions of this Act the Council shall have powers to issue subsidiary rules relating to legal liabilities and indemnities of officials and staff of the Institute.

(4) Members of the Council may receive allowances as applies in government agencies and Institutes or as may be stipulated by the Council in accordance with applicable Federal Government regulations.

19. In this Act, except the context otherwise permits—

Interpretation.

"Chairman" means the Chairman of the Governing Council.

"Institute" means the Institute for Democratic and Legislative Studies.

"Rector" means the Chief Executive of the Institute.

"Party" means a political party registered under the Electoral Act in Nigeria and has participated in National Elections.

20. The Act may be cited as the Institute for Democratic and Legislative Studies Act, 2007.

Citation.

SCHEDULE

Section 3 (6)

SUPPLEMENTARY PROVISIONS RELATING TO THE INSTITUTE

Proceedings of the Council

1. Subject to this Act and other applicable laws, the Council may make standing orders regulating its proceedings.

2. The Council shall meet whenever summoned by the Chairman, or if required to do so by at least 4 members of the Council and shall meet 4 times a year on consultation with the Secretary of the Council who shall issue 14 days notice of meeting in writing.

3. The Chairman shall preside at the meeting of the Council but if the Chairman is absent, the members present at the meeting may appoint one of them to preside.

4. The quorum for the Council shall be formed whenever the Chairman and four (4) other members are present at a scheduled meeting. In the absence of the Chairman, six (6) members including the secretary shall form a quorum. Decisions shall be by simple majority.

I certify, in accordance with section 2 (1) of the Acts authentication Act, Cap. A2, Laws of the Federation of Nigeria 2004, that this is a true copy of the Bill passed by both Houses of the National Assembly.

NASIRU IBRAHIM ARAB,
Clerk to the National Assembly
19th Day of July, 2007.

EXPLANATORY MEMORANDUM

This Act establishes the Institute for Democratic and Legislative Studies to act as a centre of excellence for research and publication on democratic governance, legislative practice and procedure.

"Party" means a political party registered and participating in national elections.

SECTION 2

Section 3 (a)

The Council shall meet with or grant a meeting to any member of the Council on the request of the Council Secretary in writing.

The Chairman shall be elected by the Council but if the Council is unable to elect a Chairman, the Council shall elect a Chairman and the Council Secretary shall be elected by the Council.

The Council shall be empowered to do all such things as may be necessary or expedient for the purposes of the Act.

MASSIMO MARIANI
Clerk to the National Assembly
19th Dec 2007

SCHEDULE TO INSTITUTE FOR DEMOCRATIC AND LEGISLATIVE STUDIES BILL, 2007

(1) <i>Short title of the Bill</i>	(2) <i>Long title of the Bill</i>	(3) <i>Summary of the contents of the Bill</i>	(4) <i>Date passed by the Senate</i>	(5) <i>Date passed by the House of Representatives</i>
Institute for Democratic and Legislative Studies Bill, 2007.	An Act for the establishment of the Institute for Democratic and Legislative Studies ; and for related matters.	This Bill establishes the Institute for Democratic and Legislative Studies to act as a centre of excellence for research and publication on democratic governance, legislative practice and procedure.	8th June, 2007.	30th May, 2007.

I certify that this Bill has been carefully compared by me with the decision reached by the National Assembly and found by me to be true and correct decision of the Houses and is in accordance with the provisions of the Acts Authentication Act Cap. A2, Laws of the Federation of Nigeria, 2004.



I ASSENT.

NASIRU IBRAHIM ARAB,
Clerk to the National Assembly
19th Day of July, 2007.

UMARU MUSA YAR'ADUA, GCFR
President of the Federal Republic of Nigeria
30th Day of July, 2007.

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