

NATIONAL CENTRE FOR WOMEN DEVELOPMENT DECREE NO. 11 1995 ACT CAP. N15 L.F.N. 2004

ARRANGEMENT OF SECTIONS

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SCHEDULE.

An Act to establish the National Centre for Women Development for the general purpose of designing developmental programmes and activities for the advancement of women in Nigeria.

[15th June 1995] Commencement.

PART I - ESTABLISHMENT AND COMPOSITION, ETC. OF THE NATIONAL CENTRE FOR WOMEN DEVELOPMENT AND GOVERNING COUNCIL.

1. Establishment of the National Centre for Women Development.

(1) There is hereby established a body to be known as the National Centre for Women Development (in this Act referred to as "the Centre").

(2) The Centre shall -

- (a) be a body corporate with perpetual succession; and
- (b) may sue and be sued in its corporate name.

(3) The Centre shall be located in the Federal Capital Territory, Abuja and shall not be subject to the direction, control or supervision of any other authority or person in the performance of its functions under this Act other than the President or such other person as he may designate from time to time.

2. Establishment of the governing Council of the Centre.

(1) There is hereby established for the management of the affairs of the Centre, a governing council to be known as the National Centre for Women Development Council (in this Act referred to as "the Council") which shall, subject to this Act, have general control of the Centre.

(2) The Council shall consist of -

- (a) a Chairman;
- (b) 14 other members; and
- (c) the Executive Director of the Centre.

(3) The Chairman and other members of the Council shall -

- (a) be appointed by the President; and
- (b) be persons with proven integrity.

(4) The supplementary provisions contained in the Schedule to this Act shall have effect with respect to the proceedings of the Council and other matters mentioned therein.

3. Tenure of office

(1) The members of the Council appointed under section 2(2)(a) and (b) of this Act shall hold office for a period of 4 years in the first instance and may be eligible for re-appointment for a further period of 4 years and no more.

(2) The members of the Council shall be paid such remuneration and allowances as the President may, from time to time, determine.

(3) A member of the Council other than an ex-officio member, may resign his appointment by a notice in writing under his hand, addressed to the President and which resignation shall take effect only upon acknowledgement by the President.

4. Cessation of membership.

(1) A member of the Council shall cease to hold office if -

- (a) he becomes of unsound mind; or
- (b) he becomes bankrupt or makes a compromise with his creditors; or
- (c) he is convicted of a felony or of any offence involving dishonesty; or
- (d) he is guilty of serious misconduct in relation to his duties.

(2) A member of the Council may be removed from office by the President, if, he is satisfied that it is not in the interest of the Centre or the interest of the public that the member should continue in office.

(3) Where a vacancy occurs in the membership of the Council, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, so however that the successor shall represent the same interest and shall be appointed by the President.

PART II - FUNCTIONS OF THE CENTRE, ETC.

5. Functions of the Centre.

(1) The Centre shall primarily be charged with responsibility to stimulate consciousness towards the attainment of higher levels of development and activity for Nigerian women and promote international co-operation for the attainment of this objective.

(2) In pursuance of the purposes set out in subsection (1) of this section, the Centre shall -

- (a) promote research into the activities and achievements of women;
- (b) serve as a data bank on women and development in Nigeria;
- (c) facilitate the formulation of policies affecting women primarily in areas such as education, employment, health and finance;
- (d) provide training in skill development, income generation activities and serve as a training ground for managers and leaders;
- (e) provide a forum for guidance, counselling and mobilisation of women in both urban and rural areas; and
- (f) liaise with national, regional and international agencies involved in women development programmes.

6. Functions of the Council.

(1) Notwithstanding the provisions of subsection (2) of this section, the Council shall be responsible for -

- (a) the review of the implementation of policy decisions;
- (b) designing developmental programmes and activities for the advancement of women;
- (c) approving the management budget and the appointment of staff for the Centre;
- (d) convening meetings for the purpose of disseminating information on the activities of the Centre;
- (e) generally ensuring effective planning, running and success of the Centre in its bid to promote and develop the advancement of women in Nigeria;
- (f) developing, controlling and maintaining buildings and facilities in the Centre in good condition fit for the purpose they were established; and
- (g) carrying out such other activities as are necessary and expedient for the purpose of achieving the objectives set out in this section of this Act.

(2) The Council shall also have power to carry out such activities as may appear to it to be incidental or conducive to the attainment of its objects under this Act.

(3) The Council shall, from time to time, assess the research consultancy and training programmes relative to productivity and improvement conducted by the State branches of the Centre with other associated institutions with a view to ascertaining their suitability to offering them assistance either alone or in co-operation with other professional bodies as may improve the quality and content of productivity and promotion measures for women in Nigeria.

(4) The Council may, subject to such conditions as it may impose, delegate any of the powers conferred on it by this Act (including power to appoint and exercise disciplinary control) to any of its committees or the Executive Director of the Centre, as the case may be.

(5) Nothing in this section shall preclude the Council from exercising any of the powers delegated pursuant to subsection (4) of this section.

PART III - STAFF OF THE CENTRE

7. Appointment of Executive Director, etc.

(1) There shall be appointed for the Centre, an Executive Director who shall be appointed by the President.

(2) The Executive Director shall subject to the general control of the Council -

(a) be responsible for the implementation of the decisions of the Council and the day to day administration of the affairs of the Centre;

(b) be responsible for keeping proper records of the proceedings of the Council; and

(c) be the head of the Council's secretariat and be responsible for the administration thereof and the direction and control of all other employees of the Centre with the approval of the Council.

(3) The Executive Director shall hold office for such period of time as may be determined by the President.

8. The Secretary and other staff of the Centre, etc.

(1) The Council shall appoint for the Centre, an officer to be known as the Secretary to the Council who shall perform the functions of keeping the record of proceedings and decisions of the Council and such other functions as the Council may, from time to time, direct.

(2) The Council shall have power to appoint either on transfer or on secondment from any public service in the Federation, such number of employees as may, in the opinion of the Council, be required to assist the Centre in the discharge of any of its functions under this Act; and shall have power to pay to persons so employed such remuneration (including allowances) as the Council may, from time to time, determine.

(3) The terms and conditions of service (including terms and conditions as to remuneration, allowances, pensions, gratuities and other benefits) of the persons employed by the Centre shall be as determined by the Council from time to time.

9. 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 disciplinary control (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 instrument relating to the conditions of service of officers in the civil service of the Federation shall be applicable, with such modifications as may be necessary, to the 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 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.

10. Pensions.

(1) It is hereby declared that service in the Centre shall be public service for the purposes of the Pensions Act and, accordingly, officers and other persons employed in the Centre shall in respect of their service in the Centre, be entitled to pension, gratuities and other retirement benefits as are prescribed thereunder, 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 or gratuity in respect of that office.

(2) 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 (not being 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 - FINANCIAL PROVISIONS

11. Sources of funding.

(1) There shall be paid and credited to the Centre established by this Act-

(a) the annual subvention received from the Federal Government;

(b) such money as may, from time to time, be lent, deposited with or granted to the Centre by the Government of the Federation, of a State or Local Government;

(c) all subventions, fees and charges for services rendered or publications made by the Centre; and

(d) all other assets which may, from time to time, accrue to the Centre.

(2) The Centre shall be managed in accordance with rules to be made by the Council 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 Centre are to be held and regulating the making of payments into and out of the Centre; and

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

(3) The Council may, from time to time, apply the proceeds of the Centre for the following purposes -

(a) the cost of administration of the Centre and the Council;

(b) the payment of salaries, fees and other remuneration, allowances, pension and gratuities payable to members or employees of the Centre or experts or professional appointed by the Council.

12. Budgetary provisions.

The Council shall not later than 31st October submit to the President an estimate of its expenditure and income during the next succeeding year.

13. Expenses to be paid out of the Centre.

All expenses incurred in the administration of the Centre shall be paid by the Council out of the monies of the Centre.

14. Award of contracts.

The Council shall have power to award contracts up to an amount of N50,000,000, but shall be required to obtain the approval of the President for any contract in excess of that amount.

15. Power to accept gifts

(1) The Council may 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.

(2) The Council shall not accept any gift if the condition attached by the person or organisation making the gift are inconsistent with the objectives of the Centre under this Act.

16. Exemption from tax.

(1) The Council shall be exempted from the payment of income tax on any income accruing from investments made by the Council or otherwise howsoever.

(2) The provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Council or the Centre.

17. Annual estimates, account and audit.

(1) The Council shall cause to be prepared not later than 30th 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 by auditors appointed by the Council from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

18. Quarterly report.

The Council shall, notwithstanding the provisions of section 19 of this Act and at the end of every 3 months, submit to the President a report on its activities and administration of the Council in relation to the Centre.

19. Annual report.

The Council shall not later than 3 months before the end of each year, submit to the President a report on the activities and the administration of the Council in relation to the Centre during the immediately preceding year and shall include in such reports the auditor's report thereon.

PART V - SUPPLEMENTAL

20. Associate membership of the Centre, etc.

(1) All manufacturing and industrial concerns, organisations, by the Council shall be eligible for election for associate membership of the Centre and on election, shall be conferred with such rights as the Council may, from time to time, determine.

(2) The Council shall, prescribe the fees payable by organisations and persons elected as associate members of the centre.

21. Transitional provisions relating to the Maryam Babangida Centre for Women Development.

All assets, funds, resources and other movable or immovable property which immediately before the commencement of this Act, were vested in the body known and referred to as the Maryam Babangida Centre for Women Development (in this Part of this Act referred to as "the Centre existing before the commencement of this Act") shall by virtue of this Act and without further assurance, be vested in the Centre established by this Act.

22. Savings and transfer of liabilities, staff, etc.

(1) Accordingly, the functions, rights, interests, obligations and liabilities of the Centre existing before the commencement of this Act under any contract or instrument, or in law or in equity apart from any contract or instrument shall by virtue of this Act, be deemed to have been assigned to and vested in the Centre established by this Act.

(2) Any such contract or instrument as is mentioned in subsection (1) of this section, shall be of the same force and effect against or in favour of the Centre established by this Act and shall be enforceable as fully and effectively as if instead of the Centre existing before the commencement of this Act, the Centre established by this Act has been named therein or has been a party thereto.

(3) The Centre established by this Act shall be subject to all the obligations and liabilities to which the Centre existing before the commencement of this Act was subject immediately before the commencement of this Act and all other persons shall have the same rights, powers and remedies against the Centre established by this Act as they had against the Centre existing before the commencement of this Act.

(4) Any proceedings or cause of action pending or existing immediately before the commencement of this Act, by or against the Centre existing before the commencement of this Act, in respect of any right, interest, obligation or liability of the Centre existing before the commencement of this Act may be continued or as the case may be, commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Centre established by this Act to the same extent that such proceedings or cause of action or determination might have been continued, commenced or enforced by or against the Centre existing before the commencement of this Act.

(5) Any person who immediately before the coming into force of this Act is the holder of any office in the Centre existing before the commencement of this Act shall, on the commencement of this Act, continue in office and be deemed to have been appointed to his office by the Centre established by this Act.

23. Power of the President to give directives.

Subject to the provisions of this Act, the President may give to the Council such directives of a general nature 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 the directives.

24. Regulations.

The President may make such regulations as he deems to be necessary or expedient for giving full effect to the provisions of this Act.

25. Interpretation.

In this Act, unless the context otherwise requires -

"Centre" means the National Centre for Women Development established by section 1 of this Act;

"Council" means the National Centre for Women Development Council established by section 2 of this Act;

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

"Secretary" means the Secretary to the Council appointed under section 8 of this Act.

26. Short title

This Act may be cited as the National Centre for Women Development Act.

SCHEDULE Section 2(4)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Proceedings of the Council.

1.-(1) Subject to this Act and section 27 of the Interpretation Act, the Council may make standing orders regulating its proceedings or those of any of its committees.

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

2.-(1) The Council shall meet not less than two 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 four 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 to the Council for such period as it thinks fit; but a person who is in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.

Committees

3.-(1) The Council may appoint one or more committees to carry out, on behalf of the Council, 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 any other person 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 Chairman 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 and until the contrary is proved, be presumed to be so executed.

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