

# ADMINISTRATIVE STAFF COLLEGE OF NIGERIA

## DECREE 1973



### ARRANGEMENT OF SECTIONS

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## Decree No. 39

[1st June 1972]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

### *Establishment and Objects of the Administrative Staff College*

1.—(1) There is hereby established a body to be known as the Administrative Staff College of Nigeria (in this Decree hereafter referred to as "the College") which shall be a body corporate with perpetual succession and a common seal.

(2) The objects of the College shall be :—

(a) to provide higher management training for the development of senior executives for the public and private sectors of the Nigerian economy ;

(b) to provide and arrange for a comparative study and investigation of the principles and techniques of management and administration, and for exchange of ideas and experiences and for promotion of a better understanding between persons connected with management and administration in the various spheres of national life ;

(c) to conduct research into problems of management and administration arising in different spheres of national life ;

(d) to award grants, scholarships or travel fellowships for research in public administration and allied subjects ;

Establish-  
ment and  
objects of  
the Admin-  
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Staff  
College  
of Nigeria.

- (e) to establish and maintain a library ;
- (f) to undertake, organise and facilitate study courses, conferences, lectures, seminars and the like, and to promote the aforesaid objects ; and
- (g) to undertake and provide for the publication of journals and of research papers and books in furtherance of the aforesaid objects.

*Establishment, Membership and Functions of the  
Board of the College*

Establishment and membership of the Board.

2.—(1) The College shall be governed by a Board which shall consist of a Chairman and the following other members who shall be appointed by the Commissioner, that is :—

- (a) two members from the Federal Public Service, one of whom shall be the Secretary for Staff Development in the Federal Ministry of Establishments and the other to be appointed from the Cabinet Office ;
- (b) one representative of the Nigeria Police Force ;
- (c) one representative from each State of the Federation ;
- (d) one representative of the Armed Forces of the Federation ;
- (e) the Directors of the Institute of Administration of the University of Ife and Ahmadu Bello University ;
- (f) one member to represent the Nigerian Institute of Management ;
- (g) one member to represent the Federal Statutory Corporations ;
- (h) one member to represent each of the following interests—
  - (i) Petroleum Oil Industry,
  - (ii) General Commerce,
  - (iii) Manufacturing Industries,
  - (iv) Insurance, and
  - (v) Banking.

(2) The Director shall be a member of the Board.

General functions of the Board.

3. Subject to the provisions of this Decree, the Board shall be the governing body of the College and shall have the general management of the affairs of the College, and in particular, the general control of the College and power to do anything which in its opinion is calculated to facilitate the carrying out of the objects of the College and to promote its best interests.

Powers and duties of the Board.

4. Without prejudice to the generality of the provisions of section 3 the Board shall have and exercise the following powers :—

- (a) to create lectureships and other posts and offices and to make appointments thereto ;
- (b) to appoint such administrative and other members of the staff of the College as may appear necessary or expedient ;
- (c) to dismiss and exercise disciplinary control over members of the Staff of the College ;
- (d) to prescribe the terms and conditions of service including salaries, allowances, pensions and other remunerations for all members of the staff of the College ;
- (e) to encourage and make provision for research in the College ;
- (f) to erect, provide, equip and maintain libraries, lecture halls, halls of residence, refectories, sports grounds, playing fields, and such other buildings or things as necessary, suitable or required ;

(g) to enter into such contracts as may be necessary or expedient for the carrying into effect the provisions of this Decree; and

(h) to acquire and hold such movable or immovable property as may be necessary or expedient for the carrying into effect the provisions of this Decree, and for the same purpose may sell, lease, mortgage, or otherwise alienate or dispose of any property acquired.

5.—(1) The Board may, subject to such conditions as it may think fit, delegate any or all its powers conferred on it by this Decree (including its powers to appoint and exercise disciplinary control) to its Committees or the Director.

Delegation  
of powers  
by the  
Board.

(2) Nothing in this section shall prevent the Board from exercising any of the powers so delegated.

6.—(1) A member of the Board appointed otherwise than by office shall hold office for a term of 3 years; and subject to the provisions of subsection (2) of this section shall be eligible for reappointment.

Tenure of  
office.

(2) The office of a member of the Board under this Decree shall become vacant if:—

(a) he resigns office by notice in writing under his hand addressed to the Commissioner; or

(b) the Commissioner is satisfied that it is not in the interest of the College for the person appointed to continue in office, and notifies the member in writing to that effect.

#### *The Director and his Functions*

7.—(1) There shall be a Director who shall be appointed by the Board with the consent of the Federal Executive Council.

The  
Director  
and his  
functions.

(2) Subject to the provisions of this Decree and subject to the control of the Board in all matters affecting the finance of the College, the Director shall be the chief executive of the College and shall be charged with the general responsibility for the management of the educational affairs and academic matters of the College and shall have in particular the following functions:—

(a) to direct and regulate the programme of work of the College;

(b) to promote research within the College;

(c) to award certificates or diplomas;

(d) to exercise and perform such other powers and duties as may be conferred or imposed upon him by the Board;

(e) to keep in safe custody all records of the College;

(f) to demand and receive from any student or any other person attending the College such fees as the Board may from time to time determine; and

(g) to act as Secretary to the Board.

#### *Pensions*

8.—(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 Board to be a pensionable office for the purposes of the Pensions Act.

Application  
of Pensions  
Act, etc.  
Cap. 147.

(2) Subject to subsections (3) and (4) below, the Pensions Act shall in its application by virtue of the foregoing subsection (1) to any office have

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effect as if the office were in the public service of the Federation within the meaning of the Constitution of the Federation.

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

(a) paragraph (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 the references to the Commissioner there were substituted references to the Board ; 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 Board 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*

Financial  
provisions.

9.—(1) The funds of the College shall consist of grants made to it by the Federal Military Government and such other sums as may accrue to it from time to time as provided for by the provisions of this Decree.

(2) The Board may borrow such moneys as it may require on such terms and conditions as it deems fit, and if need be upon such security of all or any of the property movable or unmovable of the College.

(3) The Board may invest any moneys belonging to the College by way of endowment (whether for general or special purposes) and any such moneys of the College as may not be immediately required for current expenditure in any investments or securities or in purchase or improvement of land, with power to vary any such investments and to deposit any moneys for the time being uninvested with any bank on deposit or current account.

Audit of  
accounts  
and  
Annual  
Report  
thereon.

10.—(1) The Director shall keep proper accounts and proper records in relation thereto and shall on a date not later than 18 months after the establishment of the College and subsequently once at least in every year, lay before the Board in a general meeting, a statement of an income and expenditure account, made up to a date not earlier than the date of the meeting by more than 9 months.

(2) The Board may at its discretion by a resolution extend the periods mentioned in subsection (1) above.

(3) Subject to the provisions of subsection (1) above, the Director shall as soon as may be after the end of the financial year to which the accounts relate cause the accounts of the College to be audited by an independent firm of auditors approved by the Board.

(4) The auditors shall, on the completion of the audit of the accounts of the College for each financial year, prepare and submit to the Board reports setting out :—

(a) general observations and recommendation of the auditors on the financial affairs of the College for the year and on any important financial matters which the auditors desire to bring to the notice of the Board ; and

(b) detailed observations and the recommendations of the auditors on all aspects of the finances of the College for that year.

11.—(1) Subject to subsection (2) below, the College may accept gifts of land, money or other property, upon such trusts or conditions, if any, as may be specified by the donor.

Power to accept gifts.

(2) The College shall not accept any gift if the conditions attached to such gifts are inconsistent with the functions of the College.

### *Miscellaneous*

12.—(1) The Board shall meet at least three times in every year as and when required for the due performance of its functions under this Decree and the first meeting of the Board shall be convened by the Commissioner at such time and place as he may determine.

Meetings of the Board.

(2) Any five or more members may by notice in writing signed by them, stating the matters to be discussed and delivered to the Chairman, request him to convene a meeting of the Board for a date not later than 28 days from the receipt of the notice. If the Chairman shall fail to convene a meeting within the prescribed time, the Secretary to the Board shall on receipt of a request from the said members summon a meeting of the Board within 28 days.

(3) No act or proceeding of the Board shall be invalidated by reason of any vacancy among its members or because of any defect in the appointment of a member.

(4) Nine members shall form a quorum at any meeting of the Board.

(5) Decision of the Board shall be determined by a majority of the members present and voting.

(6) Where the Chairman, by reason of illness or absence from Nigeria, is unable to perform the functions of his office, the Commissioner may appoint any other person to perform the functions of that office temporarily.

(7) If the Chairman is for any other reason absent from any meeting of the Board, the members present may elect one of the members to preside at that meeting.

(8) Where the Board desires to obtain advice for any particular purpose it may co-opt other persons for that purpose; and the persons co-opted may take part in the deliberations of the Board for that purpose only and shall not be entitled to vote.

13.—(1) The Seal of the College shall not be affixed to any instrument except by the authority of a resolution of the Board and in the presence of the Chairman and of the Director or such other members as the Board may appoint for that purpose; the Chairman and the Director or such other members as may be appointed, in whose presence the seal is affixed, shall sign the instrument.

The Seal of the College.

(2) Every document purporting to be an instrument made by the College and to be sealed with its seal shall be received in evidence and be deemed to be an instrument authenticated in accordance with this section without further proof unless the contrary is shown.



Standing  
Orders.

14. Subject to the provisions of this Decree, the Board may regulate its own procedure by Standing Orders, and without prejudice to the generality of the foregoing, the Board may make Standing Orders in respect of the following matters, that is, to say :—

- (a) the proper conduct of business and meetings of the Board ;
- (b) the method of entering into and execution of contracts ;
- (c) the signing of cheques, documents and other instruments ;
- (d) the keeping and custody of minutes of proceedings at meetings ;
- (e) the custody of the common seal ; and
- (f) the procedure for transaction of business by any Committee of the Board.

Report of  
activities  
of the  
Board.

15. The Board shall as soon as possible after the end of each year submit to the Commissioner a report on the activities of the College and researches conducted under the administration of the Board during the last preceding year.

Regulations.

16. The Board may make regulations generally for its purpose under this Decree and regulations made hereunder shall not have effect until they are approved by the Commissioner, and when so approved, they shall be published in the *Gazette*.

Interpreta-  
tion.

17. In this Decree, unless the content otherwise requires—

“Board” means the Board of the Administrative Staff College of Nigeria ;

“Chairman” means the Chairman of the Board ;

“College” means the Administrative Staff College of Nigeria ;

“Commissioner” means the Federal Commissioner for Establishments ;

“Director” means the Director of the College.

Citation and  
commence-  
ment.

18.—(1) This Decree may be cited as the Administrative Staff College of Nigeria Decree 1973.

(2) This Decree shall be deemed to have come into operation on the 1st June 1972.

MADE at Lagos this 17th day of September 1973.

GENERAL Y. GOWON,  
*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 Decree but is intended to explain its effect*

The Decree establishes the Administrative Staff College which is empowered to provide, *inter alia*,

(a) higher management training for the development of senior executives for the public and private sectors of the Nigerian economy ;

(b) to provide and arrange for a comparable study and investigation of the principles and techniques of management and administration, for exchange of ideas and experiences and for promotion of a better understanding between persons connected with management and administration in the various spheres of national life ; and

(c) to conduct research into problems of management and administration in different spheres of national life.

It also establishes a Board and sets out its functions and provides for the appointment of a Director who shall be in charge of the day to day running of the College.