

# NATIONAL BOARD FOR TECHNICAL EDUCATION DECREE 1977



## ARRANGEMENT OF SECTIONS

### *Section* *Establishment, etc of National Board for* *Technical Education.*

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2. Membership of the Board.
3. Tenure of office.
4. Removal from office of member of the Board.
5. Functions of the Board.
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16. Power of Commissioner to give directions to the Board.
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## SCHEDULE

Supplementary Provisions relating to the Board, etc.

## Decree No. 9

[11th January 1977] Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows—

### *Establishment, etc. of National Board for Technical Education*

1.—(1) There is hereby established a body to be known as the National Board for Technical Education (hereinafter referred to as "the Board") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

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

Establish-  
ment of the  
National  
Board for  
Technical  
Education.

Member-  
ship of the  
Board.

2.—(1) The Board shall consist of a Chairman and the following other members —

(a) six members appointed to represent industrial, commercial and professional interests in such a way that at least one person each is appointed to represent the following bodies, that is to say—

(i) trade unions and national associations of employees ;

(ii) national associations of employers ;

(iii) national organisations representing women's interests ;

(b) two representatives of polytechnics and colleges of technology ;

(c) one representative each of vocational training institutions and technical teacher institutions ;

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

(i) Education ;

(ii) Labour ;

(iii) Economic Development (National Manpower Board) ;

(e) five representatives of the States as nominated one each by the Military Governor of the State concerned and appointed by the Commissioner to represent the States in rotation for two years at a time, so however that no two of them shall come from the same State ;

(f) one representative each of the Industrial Training Fund and the National Science and Technology Development Agency ;

(g) two members appointed on individual merit and having special knowledge and experience of technical education ; and

(h) the Executive Secretary who shall be an ex-officio member of the Board but shall not have the right to vote at meetings of the Board.

(2) The Chairman and other members of the Board, other than the members under paragraphs (d) and (h) of subsection (1) above, shall be appointed by the Commissioner with the approval of the Federal Executive Council.

Tenure of  
office.

3.—(1) Subject to the provisions of this Decree, a person appointed to be a member of the Board, not being a public officer or appointed under paragraph (e) of section 2 (1) of this Decree, shall hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment.

(2) Any member, not being a public officer, may resign his appointment by a notice in writing under his hand addressed to the Commissioner.

(3) Members of the Board, not being public officers, shall be paid such remuneration and allowances as the Federal Executive Council may determine.

Removal  
from office of  
member of  
the Board.

4.—(1) The Commissioner may at any time remove any member of the Board from office if the Commissioner is of the opinion that it is not in the interest of the Board for the member to continue in office and shall notify the member in writing to that effect.

(2) Where the Board is satisfied that the continued presence on the Board of any member is not in the national interest or the interest of the Board, the Board may recommend to the Commissioner that the member concerned be removed from his office.

5. The functions of the Board shall be—

Functions of  
the Board.

(a) to advise the Federal Military Government on, and to co-ordinate all aspects of, technical and vocational education falling outside the universities and to make recommendations on the national policy necessary for the full development of technical and vocational education for the training of technicians, craftsmen and other middle-level and skilled manpower ;

(b) to determine, after consultation with the National Manpower Board, the Industrial Training Fund and such other bodies as it considers appropriate, the skilled and middle-level manpower needs of the country in the industrial, commercial and other relevant fields for the purpose of planning training facilities and in particular to prepare periodic master plans for the balanced and co-ordinated development of polytechnics and colleges of technology and such plans shall include—

(i) the general programmes to be pursued by polytechnics and colleges of technology in order to maximise the use of available facilities and avoid unnecessary duplication while ensuring that they are adequate to the manpower needs of the country ; and

(ii) recommendations for the establishment and location of new polytechnics and colleges of technology as and when considered necessary ;

(c) to inquire into and advise the Federal Military Government on the financial needs, both recurrent and capital, of polytechnics and colleges of technology and other technical institutions to enable them meet the objective of producing the trained manpower needs of the country ;

(d) to receive block grants from the Federal Military Government and allocate them to polytechnics and colleges of technology in accordance with such formula as may be laid down by the Federal Executive Council ;

(e) to act as the agency for channelling all external aid to polytechnics and colleges of technology in Nigeria ;

(f) to advise on, and take steps to harmonise entry requirements and duration of courses at technical institutions ;

(g) to lay down standards of skill to be attained and to continually review such standards as necessitated by technological and national needs ;

(h) to review methods of assessment of students and trainees and to develop a scheme of national certification for technicians, craftsmen and other skilled personnel in collaboration with Ministries and organisations having technical training programmes ;

(i) to undertake periodic reviews of the terms and conditions of service of personnel in polytechnics and colleges of technology and to make recommendations thereon to the Federal Military Government ;

(j) to collate, analyse and publish information relating to technical and vocational education ;

(k) to consider any matter pertaining to technical or technological education as may be referred to it from time to time by the Commissioner ; and

(l) to carry out such other activities as are conducive to the discharge of its functions under this Decree.

Provisions supplementary to section 5.

6. In its role of advising on all aspects of technical education the Board shall make recommendation as to how best—

(a) to stimulate and encourage pre-vocational and general technical education in secondary schools not only as a basis for creating early technological awareness, but also to provide suitable orientation for further education and training in technology and to provide direct practical skills for earning a living ;

(b) to inculcate in the public the attitude of respect for, and an appreciation of, the role of technology in society ;

(c) to advise on and take measures to improve the immediate and long term prospects of technicians and technical teachers with respect to status and remuneration ;

(d) to expand the facilities for the training of technical teachers and ensure that these teachers are exposed, both during and after training, to industrial experience ;

(e) to involve experts both in government and industry in the design of courses relevant to the practical needs of the country in all fields ; and

(f) to provide encouragement for women to enter a wider range of fields of technical education.

Executive Secretary to the Board.

7.—(1) There shall be appointed by the Federal Executive Council on the recommendation of the Commissioner, an Executive Secretary who shall have appropriate qualifications.

(2) The Executive Secretary shall be the chief executive officer of the Board and shall be responsible for the execution of the policy of the Board and the day to day running of the affairs of the Board.

(3) The Executive Secretary shall hold office in the first instance for a period of five years and shall be eligible for re-appointment for such further terms as the Federal Executive Council may determine.

(4) Subject to this section, the Executive Secretary shall hold office on such terms as to emolument and otherwise as may be specified in his letter of appointment, and as may from time to time be approved by the Federal Executive Council.

Staff of the Board.

8.—(1) The Board may appoint other employees of the Board to assist the Executive Secretary in the exercise of his functions.

(2) The remuneration and tenure of office of the other employees of the Board shall be determined by the Board after consultation with the Federal Commissioner for Establishments.

(3) Notwithstanding the provisions of subsection (1) above, employees of the Board may be appointed by the Board by way of transfer or secondment from any of the public services of the Federation.

Application of Pensions Act. Cap. 147.

9.—(1) The Federal Commissioner for Establishments may by order published in the *Gazette* declare the office of any person employed by the Board to be a pensionable office for the purposes of the Pensions Act.

(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.

(3) For the purpose of the application 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 by the Board of a person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.

### *Finance*

10.—(1) There shall be established by the Board a fund to be known as the National Board for Technical Education Fund.

Establishment of the National Board for Technical Education Fund.

(2) There shall be paid and credited to the fund established in pursuance of subsection (1) above—

(a) such sums as may be made available to the Board for the purpose of making grants to polytechnics and colleges of technology in pursuance of paragraph (d) of section 5 of this Decree ; and

(b) such sums as may from time to time be credited to the fund by way of payment of the principal and interest on and other charges in respect of any loan made out of the fund, and also any interest from investments made from the fund.

(3) The fund shall be managed in accordance with rules made by the Federal Commissioner for Finance ; and, without prejudice to the generality of the power to make rules under this subsection, the rules shall in particular contain provisions—

(i) specifying the manner in which the assets of the funds are to be held, and regulating the making of payments into and out of the fund ;

(ii) requiring the keeping of proper accounts and records for the purposes of the fund in such form as may be specified in the rules ;

(iii) requiring copies of the accounts to be audited periodically by the Auditor-General of the Federation ; and

(iv) requiring copies of accounts and of the auditor's report on them to be furnished to the Federal Executive Council through the Commissioner.

11.—(1) The Board shall establish and maintain a separate fund from which shall be defrayed all expenditure incurred by the Board except such expenditure as may be incurred pursuant to section 10 above.

Maintenance of separate fund by the Board.

(2) There shall be paid and credited to the fund established in pursuance of subsection (1) above such payments as may be made to it by the Federal Military Government for the running expenses of the Board and all other assets from time to time accruing to the Board otherwise than in pursuance of section 10 above.



Expenditure  
of the Board.

12. The Board may from time to time apply the proceeds of the fund established in pursuance of section 11 (1) above—

(a) to the cost of administration of the Board ;

(b) to the payment of the salaries, fees or other remuneration or allowances and pensions, superannuation allowances and gratuities payable to members or employees of the Board, so however that no payment of any kind under this paragraph shall be made to any person who is in receipt of emoluments from the Government of the Federation or the Government of a State ;

(c) for the maintenance of any property vested in the Board ; and

(d) for and in connection with any of its functions under this Decree.

Annual  
estimates  
and  
accounts.

13.—(1) The Board shall submit to the Commissioner not later than 31st December in each financial year an estimate of its expenditure and income (including payments from the National Board for Technical Education Fund) during the next succeeding financial year.

(2) The Board shall keep proper accounts in respect of each financial year (and proper records in relation thereto) and shall cause the accounts to be audited by the Auditor-General of the Federation.

#### *Miscellaneous and Supplementary*

Annual  
reports.

14. The Board shall prepare and submit to the Federal Executive Council through the Commissioner, not later than 31st December in each financial year a report in such form as he may direct on the activities of the Board during the immediately preceding financial year, and shall include in such report a copy of the audited accounts of the Board for that year and the Auditor-General's report thereon.

Power to  
obtain  
information.

15.—(1) For the purpose of carrying out the functions conferred on the Board under this Decree, the Executive Secretary or any other officer of the Board authorised in that behalf—

(a) shall have a right of access to all the records of any institution to which this section applies ;

(b) may by notice in writing served on any person in charge of any such institution require that person to furnish information on such matters as may be specified in that notice.

(2) It shall be the duty of any person required to furnish information pursuant to subsection (1) above to comply with the notice within a reasonable period of time.

(3) In this section, the reference to an institution to which this section applies is a reference to any polytechnic, college of technology or technical institution.

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

16. Subject to the provisions of this Decree, the Commissioner may give to the Board directions of a general character or relating generally to matters of policy with regard to the exercise by the Board of its functions and it shall be the duty of the Board to comply with such directions.

Interpreta-  
tion.

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

“the Board” means the National Board for Technical Education established under section 1 of this Decree ;

"the Chairman" means the Chairman of the National Board for Technical Education ;

"the Commissioner" means the Federal Commissioner charged with responsibility for education ;

"the Executive Secretary" means the person appointed as the Executive Secretary to the Board in pursuance of section 7 (1) of this Decree ;

"member" means a member of the Board and includes the Chairman.

18. This Decree may be cited as the National Board for Technical Education Decree 1977. Citation.

### Section 1 (2)

## SCHEDULE

### SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

#### *Proceedings*

1. Subject to this Decree and 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 Board may make standing orders regulating the proceedings of the Board or any committee thereof. 1964 No. 1.

2. Every meeting of the Board shall be presided over by the Chairman or, if the Chairman is unable to attend a particular meeting, the members present at the meeting shall elect one of their number to preside at the meeting.

3. The quorum at a meeting of the Board shall consist of the Chairman (or, in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 above) and six other members.

4. Where upon any special occasion the Board desires to obtain the advice of any person on any particular matter, the Board may co-opt that person to be a member for as many meetings as may be necessary, and that person while so-co-opted shall have all the rights and privileges of a member except that he shall not be entitled to vote.

#### *Committees*

5.—(1) Subject to its standing orders, the Board may appoint such number of standing and ad hoc committees as it thinks fit to consider and report on any matter with which the Board is concerned.

(2) Every committee appointed under the foregoing provisions of this paragraph shall be presided over by a member of the Board and shall be made up of such number of persons, not necessarily members of the Board, as the Board may determine in each case.

(3) The quorum of any committee set up by the Board shall be as may be determined by the committee.

6. Where standing orders made pursuant to paragraph 1 above provide for a committee of the Board to consist of or co-opt persons who are not members of the Board, the committee may advise the Board on any matter referred to it by the Board.

7. The fixing of the seal of the Board shall be authenticated by the signature of the Chairman or of the Executive Secretary of the Board.

8. Any contract or instrument which if made 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 Board by the Executive Secretary or by any other person generally or specially authorised to act for that purpose by the Board.

9. Any document purporting to be a contract, instrument or other document duly signed or sealed on behalf of the Board shall be received in evidence and, unless the contrary is proved, be presumed without further proof to have been so signed or sealed.

10. The validity of any proceedings of the Board or a committee thereof shall not be affected—

(a) by any vacancy in the membership of the Board or committee; or

(b) by any defect in the appointment of a member of the Board or committee.

11. Any member of the Board or a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or committee shall forthwith disclose his interest to the Board or committee and shall not vote on any question relating to the contract or arrangement.

MADE at Lagos this 11th day of January 1977.

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 sets up the National Board for Technical Education as a body corporate and charges it with responsibility for advising the Federal Government on all aspects of technical education falling outside the universities, including the general development of polytechnics, colleges of technology, trade centres and other technical institutions. In furtherance of the discharge of its duties, the Board would draw up periodic master plans for the balanced and co-ordinated development and expansion of technical and vocational education in polytechnics, colleges of technology, trade centres and other technical and vocational institutions and the establishment and location of new ones. It is also to act as the central agency for channelling financial contributions emanating from government or other bodies to the said institutions, and for the development, in collaboration with the Ministries and organisations having technical training programmes, of a system of national certification for technicians, craftsmen and other skilled personnel.



**LEGAL EDUCATION (CONSOLIDATION, ETC.)  
(AMENDMENT) DECREE 1977**



**Decree No. 10**

[25th January 1977]

Commence-  
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. The Legal Education (Consolidation, etc.) Decree 1976 is hereby amended as follows, that is—

Amend-  
ment of  
Decree No.  
13 of 1976.

(a) in section 2 (1) thereof and—

(i) in paragraph (e), for the expression "Nigeria Bar Association", there shall be substituted the expression "Nigerian Bar Association",

(ii) for paragraph (f), there shall be substituted the following new paragraph (f)—

"(f) fifteen persons entitled to practise as legal practitioners in Nigeria of not less than ten years standing and selected or elected by the Nigerian Bar Association ;"

(b) in section 4 thereof, the words "or relating generally to particular matters" are hereby repealed ; and

(c) in section 6 (2) thereof, for paragraph (b) there shall be substituted the following new paragraphs (b) and (c)—

"(b) he is the holder of such qualification as are required for appointment as a professor in a faculty of law in a Nigerian university ; or

(c) he is a legal practitioner who has on the date of application, or had at any time prior to that date, been in active legal practice for not less than ten years."

2. In section 23 of the Legal Practitioners Decree 1975 and in the definition of "the association", for the words "Nigeria Bar Association" there shall be substituted the words "Nigerian Bar Association" and references in all other enactments to the "Nigeria Bar Association" shall be construed as being references to the "Nigerian Bar Association".

Amendment  
of Decree  
No. 15 of  
1975, etc.

3. This Decree may be cited as the Legal Education (Consolidation, etc.) (Amendment) Decree 1977.

Citation.

MADE at Lagos this 25th day of January 1977.

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 purport)*

The Decree—

- (a) gives the Nigerian Bar Association its correct and proper designation ;
- (b) increases membership of that Association on the Council of Legal Education by five ; and
- (c) in addition to legal academicians, enables any legal practitioner who had at any time been in active legal practice for not less than ten years to compete for and occupy the post of Director of the Nigerian Law School.