

NATIONAL STEEL COUNCIL DECREE 1979



ARRANGEMENT OF SECTIONS

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Decree No. 60

[18th September 1979]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:—

1.—(1) There is hereby established a body to be known as the National Steel Council (hereinafter in this Decree referred to as "the Council") which shall have the functions assigned to it by this Decree.

Establish-
ment of
National
Steel
Council.

(2) The Council shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

2.—(1) The Council shall consist of a Chairman to be appointed by the Federal Executive Council on the advice of the Commissioner and the following other members, that is—

Member-
ship
and tenure
thereof.

(a) one representative each of the following Federal Ministries—

- (i) Industries,
- (ii) Economic Development,
- (iii) Mines and Power, and
- (iv) Finance ;

(b) the chairman of the board of directors of the companies specified in subsection (2) below, being companies set up by the Federal Government—

(i) to mine iron ore, coking coal and related minerals necessary for the production of steel, or

(ii) to produce steel or by-products thereof ;

(c) the Executive Secretary ; and

(d) four persons to be appointed by the Commissioner, being persons who by reason of their ability, experience or specialised knowledge of the steel industry or of professional or business attainments are in his opinion capable of making useful contributions to the work of the Council.

(2) The companies referred to in paragraph (b) of subsection (1) above are as follows, that is to say—

(a) the Ajaokuta Steel Company Limited ;

(b) the Delta Steel Company Limited ;

(c) the Batagarawa Steel Company Limited ;

(d) the Jos Steel Company Limited ;

(e) the Oshogbo Steel Company Limited ; and

(f) the Associated Ores Mining Company Limited ;

and the Commissioner may by order published in the *Gazette* add to, delete from or otherwise amend the foregoing list of companies and references to companies in the said paragraph (b) of subsection (1) shall be construed accordingly.

(3) Subject to subsection (4) below, a person appointed as a member of the Council (not being an *ex-officio* member) shall hold office for three years and shall be eligible for re-appointment for one further period of three years.

(4) The appointing authority may terminate the appointment of a member (not being an *ex-officio* member) on grounds of misbehaviour or inability to discharge the duties of his office by reason of physical or mental incapacity.

(5) The supplementary provisions contained in Schedule 1 to this Decree shall have effect with respect to the proceedings of the Council and the other matters therein mentioned.

Functions
of the
Council.

3. The Council shall have responsibility for the following, that is—

(a) central planning for the steel industry ;

(b) research and development for the steel industry, including research and development of the technology and other aspects of iron and steel production and the utilisation of the products and by-products of iron and steel plants ;

(c) co-ordination of exploration for iron ore, coking coal, limestone, dolomite, refractory clay and other minerals related to iron and steel production in co-operation with the Federal Ministry of Mines and Power, the Nigerian Coal Corporation and the Nigerian Mining Corporation ;

(d) training of Nigerians in all aspects of the iron and steel industry and related fields and the deployment of senior Nigerian management staff and trainees to steel plants and other sectors of the industry ;

(e) research into the development and manufacture of equipment to be used for the purpose of and in relation to basic engineering in the steel industry ;

(f) the establishment of facilities and the carrying out of tests and operations for ascertaining and improving the qualities and performance of the materials and processes for iron and steel production including iron and steel products ;

(g) advising the Federal Government on the establishment in Nigeria by that Government of additional iron and steel plants and generally on the formulation of policies relating to the development of the iron and steel industry and related industries in Nigeria ;

(h) assisting the steel plants in fixing the prices of their finished products and in purchasing raw materials required by them for steel production and, for this purpose, the collection of information on the supply and demand situation and comparative pricing of iron and steel products as between Nigeria and other countries ; and

(i) carrying on such other activities as may be conducive to the discharge of the functions vested on the Council under or pursuant to this Decree.

4. Subject to this Decree, the Commissioner may give the Council directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Council of its functions under this Decree, and it shall be the duty of the Council to comply with the directions.

Power of the Commissioner to give directions to the Council.

5.—(1) There shall be appointed by the Federal Executive Council on the recommendation of the Commissioner an Executive Secretary of the Council who shall be the chief executive officer of the Council and shall be responsible for the execution of the policy of the Council and the day-to-day running of the affairs of the Council.

Executive Secretary and other members of staff of the Council.

(2) The Council may appoint such other persons as it may determine as employees of the Council to assist the Executive Secretary in the discharge of his duties.

(3) The Council may, subject to such conditions as it may think fit, delegate any of its powers relating to the appointment of, or the exercise of disciplinary control (including dismissal) over, its employees to the Executive Secretary or any other employee of the Council.

6.—(1) The Federal Commissioner for Establishments may by order published in the *Gazette* declare the office of the Executive Secretary or of any other employee of the Council to be a pensionable office for the purposes of the Pensions Act.

Application of Pensions Act.

Cap. 47.

(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 purposes of the application of the provisions of the Pensions Act in accordance with this section—

(a) subsection (1) of section 7 of that Act (which confers on the Federal Commissioner for Establishments power to waive the requirement to give notice of desire to retire at the age of 45) shall have effect as if for the references to that Commissioner there were substituted references to the Council ; and

(b) the power under subsection (1) of section 9 of that Act to require an officer to retire at any time after attaining the age of 45 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 granting of a pension or gratuity in respect of service in that office.

Financial provisions.

7.—(1) The Council shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Council.

(2) There shall be paid or credited to the fund established in pursuance of this section—

(a) such moneys as may be granted in each financial year to the Council by the Federal Government ;

(b) all fees and charges for services rendered by the Council ; and

(c) all other sums accruing to the Council from any other source.

Annual estimates, accounts and audit.

8.—(1) The Council shall cause to be prepared not later than 31st December in each year an estimate of the expenditure and income of the Council during the next succeeding financial year and when so prepared it shall be submitted to the Commissioner for approval.

(2) The Council shall keep proper accounts and proper records in relation thereto and the accounts shall be audited as soon as may be after the end of each financial year by auditors appointed (after consultation with the Federal Commissioner for Finance) by the Council with the approval of the Federal Executive Council, and the fees of the auditors and the expenses of the audit generally shall be paid from the funds of the Council.

Dissolution of Nigerian Steel Development Authority, transfer of its assets and liabilities, etc.
1971 No. 19.
1974 No. 41.

9.—(1) The Nigerian Steel Development Authority established under the Nigerian Steel Development Authority Decree 1971 is hereby dissolved and the said Decree is hereby repealed and the Nigerian Steel Development Authority (Amendment) Decree 1974 is hereby consequentially repealed.

(2) The transitional and savings provisions in Schedule 2 to this Decree shall have effect in relation to the employees, assets and liabilities of the Authority dissolved under this section and the other matters mentioned therein notwithstanding anything to the contrary in this Decree or any other enactment.

Annual reports.

10. The Council shall prepare and submit to the Commissioner not later than 30th June in each financial year a report in such form as the Commissioner may direct on the activities of the Council during the immediately preceding financial year and the Council shall include in such a report a copy of its audited accounts for that year and auditors' report thereon.

11. The Federal Executive Council may make regulations generally for carrying into effect the provisions of this Decree and the due administration thereof. Regulations.
12. In this Decree, unless the context otherwise requires—
“the Chairman” means the Chairman of the Council ; Interpretation.
“the Commissioner” means the Federal Commissioner charged with responsibility for the iron and steel industry ;
“the Council” means the National Steel Council established pursuant to section 1 of this Decree ;
“the Executive Secretary” means the Executive Secretary of the Council appointed pursuant to section 5 of this Decree ;
“member” means any member of the Council including the Chairman.
13. This Decree may be cited as the National Steel Council Decree 1979. Citation.

SCHEDULES

SCHEDULE 1

Section 2

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Proceedings of the Council

1.—(1) Subject to this Decree and to section 26 of the Interpretation Act 1964 (which provides for the decisions of a statutory body to be taken by a majority of the members of the body and for the person presiding to have a second or casting vote), the Council may make standing orders regulating the proceedings of the Council or of any committee thereof. 1964 No. 1.

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

2.—(1) The Commissioner may appoint one of the members of the Council to be the Deputy Chairman of the Council for such period as the Commissioner may determine, so however that a Deputy Chairman who ceases to be a member shall also cease to be Deputy Chairman.

(2) At any time while the office of the Chairman either is vacant or the Chairman is, in the opinion of the Council, permanently or temporarily unable to perform the functions of his office, the Deputy Chairman shall perform those functions, and references in this Schedule to the Chairman shall be construed accordingly.

3.—(1) Subject to the provisions of any standing orders of the Council, 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 three 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 or in his absence the Deputy Chairman shall preside, but if both are absent, the members present at the meeting shall appoint one of their number to preside at that meeting.

(3) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the Commissioner.

4.—(1) The chief executive officer (howsoever designated) of any company referred to in paragraph (b) of section 2 (1) of this Decree shall have a right to attend meetings of the Council and participate in its proceedings but shall not be entitled to vote thereat or count towards a quorum.

(2) Without prejudice to sub-paragraph (1) above, where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him as a member for such period as it thinks fit but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote or count towards a quorum.

Committees

5.—(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 the number of persons determined by the Council, and not more than one-third of those persons may be persons who are not members of 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

6.—(1) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman or of some other member 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 Council by 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 Council shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.

7. Members of the Council who are not public officers shall be paid out of the moneys at the disposal of the Council such remuneration, fees or allowances in accordance with such scales as may be approved from time to time by the Federal Executive Council.

8. The validity of any proceedings of the Council or of a committee thereof shall not be 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 committee, or by reason only that a person not entitled to do so took part in its proceedings.

9. Any member of the Council, and any person holding office on a committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be entered into by the Council or a committee shall forthwith disclose his interest to the Council and shall not vote on any question relating to the contract or arrangement.

SCHEDULE 2

Section 9

TRANSITIONAL AND SAVINGS PROVISIONS RELATING TO THE EMPLOYEES AND ASSETS AND LIABILITIES OF THE DISSOLVED AUTHORITY

1. By virtue of this Decree, there shall on the appointed day be vested in—

(a) the Council ; and

(b) the companies referred to in paragraph (b) of section 2 (1) of this Decree (hereinafter in this Schedule referred to as "the beneficiary companies"),

all assets, funds, resources and other movable or immovable property which immediately before the appointed day were vested in the Nigerian Steel Development Authority (hereinafter in this Schedule referred to as the "dissolved Authority") and in accordance with such formula for apportionment between the bodies herein first mentioned as the Commissioner may deem appropriate.

2. As from the appointed day and subject as provided in paragraph 1 above—

(a) the rights, interests, obligations and liabilities of the dissolved Authority existing immediately before the appointed day under any contract or instrument, or at law or in equity apart from any contract or instrument, shall by virtue of this Decree be deemed to have been assigned to and vested in the Council or, as the case may be, the beneficiary companies ;

(b) any such contract or instrument as is mentioned in sub-paragraph (a) above shall be of the same force and effect against or in favour of the Council or, as the case may be, of any of the beneficiary companies and shall be enforceable as fully and effectively as if instead of the dissolved Authority, the Council or the relevant beneficiary company had been named therein or had been a party thereto ; and

(c) the Council or, as the case may be, the relevant beneficiary company shall be subject to all the obligations and liabilities to which the dissolved Authority was subject immediately before the appointed day and all persons shall, as from the appointed day, have the same rights, powers and remedies against the Council or the relevant beneficiary company as they had against the dissolved Authority immediately before the appointed day.

3. Any proceeding or cause of action pending or existing immediately before the appointed day by or against the dissolved Authority in respect of any right, interest, obligation or liability of the dissolved Authority may be continued, or as the case may require, commenced and the determination of a court of law, tribunal or other authority or person may be enforced, by or against the Council or the relevant beneficiary company (and in cases of doubt, such one of such bodies or combination thereof as the Commissioner may specify in any particular case) to the same extent that such cause of action or determination might have been continued or commenced or enforced by or against the dissolved Authority if this Decree had not been made.

4. Notwithstanding the dissolution of the Nigerian Steel Development Authority by section 9 of this Decree but subject to such directions as the Commissioner may give to the Council and the beneficiary companies, any person who immediately before the appointed day held office under the dissolved Authority shall, on the appointed day, be deemed to have been transferred to the Council or the relevant beneficiary company on terms and conditions not less favourable than those obtaining immediately before the appointed day; and service under the dissolved Authority shall be deemed to be service under the Council and such companies for pensions purposes.

5. For the purposes of paragraph 4 above, the terms and conditions comprised in any transferred appointment shall not be construed as being less favourable merely because they are not in all respects identical or superior to the terms and conditions enjoyed by any person concerned immediately before the appointed day, if the first-mentioned terms and conditions taken as a whole offer substantially equivalent or greater benefits.

6. Within the twelve months next after the making of this Decree the Commissioner, if he thinks fit, may by order published in the *Gazette* make additional transitional or saving provisions for the better carrying out of the objectives of this Schedule.

7. In this Schedule—

“the appointed day” means the day of coming into force of this Decree ;

“beneficiary companies” has the meaning assigned thereto by paragraph 1 of this Schedule and “beneficiary company” and “relevant beneficiary company” shall be construed accordingly ;

“the dissolved Authority” has the meaning assigned thereto by paragraph 1 of this Schedule.

MADE at Lagos this 14th day of September 1979.

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 establishes the National Steel Council charged with responsibility for the central planning of the iron and steel industry, exploration (in collaboration with other Federal authorities) for iron ore and related minerals required by that industry, research and development relating thereto and generally for advising the Federal Government on formulation of national policy concerning the iron and steel industry.

In addition, the Decree dissolves the Nigerian Steel Development Authority established by Decree No. 19 of 1971 and provides for its assets and liabilities to be shared between this Council and the Federal Government-owned iron ore mining company and the iron and steel plants.

NIGERIAN FILM CORPORATION DECREE 1979



ARRANGEMENT OF SECTIONS

Section

Establishment of Nigerian Film Corporation

1. Establishment of Nigerian Film Corporation.
2. Membership and tenure of office.
3. Functions of the Corporation.
4. Power of the Commissioner to give directions.
5. Appointment of General Manager and other employees of the Corporation.

Financial Provisions

6. Funds of the Corporation.
7. Expenditure of the Corporation.

8. Power to accept gifts.

9. Borrowing power.

10. Annual estimates, accounts and audit.

Miscellaneous and Supplementary

11. Annual reports.
12. Staff regulations as to conditions of service of employees.
13. General regulations.
14. Interpretation.
15. Citation and commencement.

SCHEDULE—Supplementary Provisions relating to the Corporation.

Decree No. 61

[See section 15]

Commencement.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

Establishment of Nigerian Film Corporation

1.—(1) There is hereby established a body to be known as the Nigerian Film Corporation (hereinafter in this Decree referred to as "the Corporation") which shall have the functions conferred on it under or pursuant to this Decree.

Establishment of Nigerian Film Corporation.

(2) The Corporation shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

2.—(1) The Corporation shall consist of a Chairman and the following other members to be appointed by the Federal Executive Council on the recommendation of the Commissioner, that is—

Membership and tenure of office.

- (a) a representative of the Federal Ministry of Information;
- (b) a representative of the Federal Ministry of Education;
- (c) a representative of the Nigerian Television Authority;

- (d) one person to represent Nigerian women's interests;
- (e) three persons with requisite experience in—
 - (i) the performing arts,
 - (ii) the literary arts, and
 - (iii) commerce and industry;
- (f) a representative of Nigerian film makers ; and
- (g) the General Manager of the Corporation.

(2) Subject to the provisions of this Decree, a person appointed to be a member of the Corporation (not being an *ex-officio* member) shall hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment for one further period of three years.

(3) Any member (not being an *ex-officio* member) may resign his appointment by a letter addressed to the Commissioner and his resignation shall take effect on the date of receipt by the Commissioner of such letter.

(4) Members of the Corporation (not being *ex-officio* members) shall be paid such remuneration and allowances in accordance with such scales as may be determined from time to time by the Federal Executive Council.

(5) The supplementary provisions contained in the Schedule to this Decree shall apply in relation to the proceedings of the Corporation and the other matters therein mentioned.

Functions of the Corporation.

3. The Corporation shall carry out the following functions, that is—

- (a) the production of films for domestic consumption and for export ;
- (b) the establishment and maintenance of facilities for film production ;
- (c) the encouragement of production by Nigerians of films through financial and other forms of assistance ;
- (d) the encouragement of the development of cinematograph theatres by Nigerians by way of financial and other forms of assistance ;
- (e) the acquisition and distribution of films ;
- (f) the establishment and maintenance of national film archives ;
- (g) the provision of facilities for training and advancing the skills and talents of persons employed in the Nigerian film industry generally and the conduct of research into the matters pertaining to film production and the film industry as a whole ; and
- (h) the carrying of such other activities as may be necessary or expedient for the full discharge of all or any of the functions conferred on it under or pursuant to this Decree.

Power of the Commissioner to give directions.

4. The Commissioner may give to the Corporation directions of a general character or relating generally to particular matters but not to any individual or case, with regard to the exercise by the Corporation of its functions under this Decree, and it shall be the duty of the Corporation to comply with such directions.

Appointment of General Manager and other employees of the Corporation.

5.—(1) There shall be an official of the Corporation to be known as the General Manager who shall be the chief executive officer of the Corporation and shall be responsible for the execution of the policy of the Corporation and its day-to-day business.

(2) The General Manager shall be appointed by the Commissioner with the prior approval of the Federal Executive Council.

(3) The Corporation shall appoint a Secretary who shall keep the records and conduct the correspondence of the Corporation and perform such other duties as the Corporation or the General Manager may from time to time direct.

(4) The Corporation may appoint such other employees and agents as it may deem necessary for the efficient performance of the functions conferred on it under or pursuant to this Decree.

Financial Provisions

6. The Corporation shall establish a fund which shall consist of—

(a) such sums as may be provided to it by the Government of the Federation for the running expenses of the Corporation ;

(b) such sums as may from time to time be lent to the Corporation by any person ;

(c) such sums as may be collected or received by the Corporation for services rendered by the Corporation ;

(d) subject to section 8 of this Decree, all sums accruing to the Corporation by way of gifts, testamentary disposition and endowments or contributions from persons or philanthropic organisations ;

(e) such sums as may be received by the Corporation from the Film Censorship Board ; and

(f) all other assets from time to time accruing to the Corporation in the discharge of its functions under or pursuant to this Decree.

Funds of
the Corpo-
ration.

7. The Corporation may from time to time apply the proceeds of the fund established in pursuance of section 6 of this Decree—

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

(b) for reimbursing members of the Corporation or of any committees set up by the Corporation for such expenses as may be authorised by the Corporation and in accordance with the rates approved in that behalf by the Federal Executive Council ;

(c) to the payment of salaries, fees or other remuneration or allowances and pensions, gratuities and other retiring benefits payable to the employees of the Corporation ;

(d) for the maintenance of any property acquired or vested in the Corporation ; and

(e) for and in connection with all or any of the functions of the Corporation under this Decree.

Expenditure
of the
Corpo-
ration.

8.—(1) The Corporation may accept gifts of land, money or other property upon such trusts and conditions, if any, as may be specified by the person or organisation making the gift.

Power to
accept
gifts.

(2) The Corporation shall not accept any gift if the conditions attached by the person or organisation making the gift to the acceptance thereof, are inconsistent with the functions of the Corporation.

9.—(1) Subject to subsection (2) below, the Corporation may from time to time borrow such sums as it may require in the discharge of its functions under this Decree.

Borrowing
power.

(2) The Corporation shall not without the approval of the Federal Executive Council borrow any sum of money whereby the amount in aggregate outstanding on any loan, or on all loans at any one time, exceeds ₦250,000 or such other limit as the Federal Executive Council may specify from time to time.

(3) Notwithstanding subsection (2) above, a person lending to the Corporation shall not be bound to enquire whether the borrowing is within the power of the Corporation or not.

Annual estimates, accounts and audit.

10.—(1) The Corporation shall submit to the Commissioner not later than 31st December in each financial year (or such other date as the Commissioner may appoint in respect of the first year of the existence of the Corporation) an estimate of its expenditure and income during the next succeeding financial year.

(2) The Corporation shall keep proper accounts and proper records in relation thereto and shall prepare in respect of each financial year a statement of accounts in such form as the Commissioner may direct.

(3) The accounts of the Corporation shall be audited as soon as may be after the end of each financial year by auditors appointed by the Corporation with the approval of the Federal Executive Council and the fees of the auditors and the expenses of the audit generally shall be paid from the funds of the Corporation.

(4) Before appointing any auditor pursuant to subsection (3) above, the Corporation shall consult the Federal Commissioner for Finance.

Miscellaneous and Supplementary

Annual reports.

11. The Corporation shall, not later than 30th June in each year, submit to the Commissioner a report on the activities of the Corporation during the immediately preceding year and shall include in such report, the audited accounts of the Corporation.

Staff regulations as to conditions of service of employees.

12.—(1) The Corporation may, with the approval of the Commissioner, make staff regulations relating generally as to the conditions of service of the employees of the Corporation; and without prejudice to the generality of the foregoing, such regulations may provide for—

(a) the appointment, promotion and disciplinary control of the employees of the Corporation; 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 persons in the public service of the Federation shall, with such modifications as may be necessary, be applicable to the employees of the Corporation.

(2) Staff regulations made under subsection (1) above shall not have effect until approved by the Commissioner; when so approved they may not be published in the *Gazette* but the Corporation shall cause them to be brought to the notice of all affected persons in such manner as it may from time to time determine.

General regulations.

13. The Federal Executive Council may make regulations generally for the proper carrying into effect of the provisions of this Decree and the due administration thereof.

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

“the Chairman” means the person appointed for the time being as the Chairman of the Corporation pursuant to section 2 of this Decree ;

“cinematograph” has the meaning assigned thereto by the Cinematograph Act 1963 ;

“the Commissioner” means the Federal Commissioner for the time being charged with responsibility for information services ;

“the Corporation” means the Nigerian Film Corporation established pursuant to section 1 of this Decree ;

“the General Manager” means the General Manager of the Corporation appointed pursuant to section 5 of this Decree ;

“member” means a member of the Corporation including the Chairman.

Interpretation.

1963 No. 7.

15. This Decree may be cited as the Nigerian Film Corporation Decree 1979 and shall come into force on such day as may be appointed by the Commissioner by order published in the *Gazette*.

Citation and commencement.

SCHEDULE

Section 2

SUPPLEMENTARY PROVISIONS RELATING TO THE CORPORATION

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 person presiding to have a second or casting vote), the Corporation may make standing orders regulating the proceedings of the Corporation or any committee thereof.

1964 No. 1.

2. Every meeting of the Corporation 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 Corporation shall consist of the Chairman (or, in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 above) and four other members of whom at least two shall be members appointed pursuant to paragraphs (a), (b) and (c) of section 2 (1) of this Decree.

4. Where upon any special occasion the Corporation desires to obtain the advice of any person on any particular matter, the Corporation 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 Corporation may appoint such number of standing and *ad hoc* committees as it thinks fit to consider and report on any matter with which the Corporation is concerned.

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

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

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

Miscellaneous

7. The fixing of the seal of the Corporation shall be authenticated by the signature of the Chairman or of the General Manager of the Corporation.

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 Corporation by the General Manager or by any other person generally or specially authorised to act for that purpose by the Corporation.

9. Any document purporting to be a contract, instrument or other document duly signed or sealed on behalf of the Corporation shall be received in evidence and shall, 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 Corporation or of a committee thereof shall not be affected—

(a) by any vacancy in the membership of the Corporation, or any committee thereof; or

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

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

12. No member of the Corporation shall be personally liable for any act or omission done or made in good faith while engaged on the business of the Corporation.

MADE at Lagos this 14th day of September 1979.

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 a body to be known as the Nigerian Film Corporation charged with responsibility for the development of the film industry in Nigeria. Amongst other functions, the Corporation is empowered to produce films both for domestic consumption and for export and to encourage local talents by way of financial and other support and training.

**ENERGY COMMISSION OF NIGERIA
DECREE 1979**



Decree No. 62

[14th September 1979]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1.—(1) There is hereby established a body to be known as the Energy Commission of Nigeria (hereafter in this Decree referred to as “the Commission”) which shall have the functions specified in this Decree.

Establish-
ment of the
Energy
Commission
of Nigeria.

(2) The Commission shall consist of the following departments, that is—

- (a) the Fossil Fuel Department ;
- (b) the Nuclear Energy Department ;
- (c) the Solar Energy Department ; and
- (d) such other energy departments as the Head of the Federal Military Government may from time to time determine.

2.—(1) The Commission shall comprise the Chief of Staff, Supreme Headquarters, who shall be the Chairman, and the following other members, that is to say—

Member-
ship of the
Commission.

- (a) the Federal Commissioner for Finance ;
- (b) the Federal Commissioner for Economic Development ;
- (c) the Commissioner for External Affairs ;
- (d) the Federal Commissioner for Mines and Power ; and
- (e) the Federal Commissioner for Petroleum.

(2) There shall, as the operational arm of the Commission, be a committee to be known as “the Technical Committee” (hereafter in this Decree referred to as “the Committee”) which shall consist of representatives of the following agencies, that is—

- (a) the Federal Ministry of Agriculture and Water Resources ;
- (b) the Federal Ministry of Mines and Power ;
- (c) the Nigerian Coal Corporation ;
- (d) the Nigerian Mining Corporation ;
- (e) the Nigerian National Petroleum Corporation ;

- (f) the National Electric Power Authority ;
- (g) the National Institute for Policy and Strategic Studies ;
- (h) Nigerian Atomic Energy Commission ; and
- (i) the Nigerian Science and Technology Development Agency.

Proceedings
of the
Commission.

3.—(1) The Commission shall have power to regulate its own proceedings and may make standing orders for that purpose and, subject to such standing orders, may function notwithstanding any vacancy in its membership or the absence of any member.

(2) The Commission shall meet at least two times in every year for the due performance of its functions under this Decree.

(3) The Chairman and three other members will form a quorum.

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

Functions
of the Com-
mission.

4. Subject to this Decree, the Commission is hereby charged with the responsibility for the strategic planning and co-ordination of national policies in the field of energy in all its ramifications and, without prejudice to the generality of the foregoing, the Commission shall—

(a) serve as a centre for gathering and dissemination of information relating to national policy in the field of energy development ;

(b) serve as a centre for solving any inter-related technical problems that may arise in the implementation of any policy relating to the field of energy ;

(c) advise the Government of the Federation or a State on questions relating to such aspects of energy as the Government of the Federation or a State may from time to time refer to it ;

(d) prepare, after consultation with such agencies of government whose functions relate to the field of energy development or supply as the Commission considers appropriate, periodic master plans for the balanced and co-ordinated development of energy in Nigeria and such plans shall include—

(i) recommendations for the exploitation of new sources of energy as and when considered necessary, and

(ii) such other recommendations to the Government of the Federation relating to its functions under this Decree as the Commission may consider to be in the national interest ;

(e) lay down guidelines on the utilization of energy types for specific purposes and in a prescribed sequence ;

(f) inquire into and advise the Government of the Federation or of a State on the financial needs of energy research and to ensure that adequate provision is made for this in relevant energy departments of the Commission ;

(g) advise the Government of the Federation or of a State as to grants and other financial disbursements to authorities charged with production and distribution of energy and other similar institutions in Nigeria ;

(h) collate, analyse and publish information relating to the field of energy from all sources, where such information is relevant to the discharge of its functions under this Decree ; and

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

5.—(1) The Head of the Federal Military Government may give to the Commission directions of a general or special nature as to the manner in which the Commission is to exercise its powers and it shall be the duty of the Commission to give effect to any such directions.

Commission to act under direction.

(2) No policy initiated by the Commission will be implemented without prior reference to and approval by the Head of the Federal Military Government.

6.—(1) There shall be appointed by the Commission an Executive Secretary who shall be the chief executive officer of the Commission and be responsible for the day to day running of the Commission's affairs.

Executive Secretary and other staff of the Commission.

(2) The Executive Secretary and other staff of the Commission shall be public officers within the meaning of the Constitution of the Federation.

7.—(1) The funds of the Commission shall consist of such sums as may from time to time be provided by the Federal Government and the State Governments.

Funds of the Commission, etc.

(2) The Commission shall, not later than 1st December in each year or so soon thereafter as the Chairman of the Commission may, in a proper case allow, submit to the Chairman of the Commission for approval its estimates of revenue and expenditure in respect of the next succeeding financial year.

(3) The Commission shall keep proper accounts in respect of each financial year, and proper records in relation to those accounts and shall submit same from time to time but not less frequently than annually for auditing by the Auditor-General of the Federation.

8. The Commission shall prepare and submit to the Head of the Federal Military Government, not later than 30th June in each financial year a report in such form as the Head of the Federal Military Government may direct on the activities of the Commission during the immediately preceding financial year.

Annual reports.

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

"Commission" means the Energy Commission of Nigeria established under section 1 (1) of this Decree ;

"Chairman" means the Chairman of the Commission ;

"member" means any member of the Commission including the Chairman.

Interpretation.

Citation.

10. This Decree may be cited as the Energy Commission of Nigeria Decree 1979.

MADE at Lagos this 14th day of September 1979.

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 its
intended to explain its purpose)*

The Decree establishes the Energy Commission of Nigeria and charges it with responsibility for co-ordinating and general surveillance over the systematic development of the various energy resources of Nigeria.

**LOCAL LOANS (REGISTERED STOCK AND SECURITIES)
(AMENDMENT) DECREE 1979**



Decree No. 63

[1st June 1977]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. References in sections 15 (2), 19 (1), 36, 42 (1), 42 (4) and 43 of the Local Loans (Registered Stock and Securities) Act, as amended by sections 5, 7, 10, 13, and 14 of the Local Loans (Registered Stock and Securities) Act 1959, section 7 of the Finance Decree 1969 and section 1 of the Local Loans (Registered Stock and Securities) (Amendment) Decree 1976 to the chief accountant of the Central Bank of Nigeria shall, on the coming into operation of this Decree, be read as references to the director of domestic operations.

Amendment
of Cap. 111.
1959 No. 8.
1969 No. 32.
1976 No. 32.

2. This Decree may be cited as the Local Loans (Registered Stock and Securities) (Amendment) Decree 1979 and shall be deemed to have come in to operation on 1st June 1977.

Citation and
commence-
ment.

MADE at Lagos this 14th day of September 1979.

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 only)*

The Decree changes the title of the chief accountant of the Central Bank to the director of domestic operations to reflect the correct designation following the restructuring of the departments of the bank.

**NATIONAL ELECTRIC POWER AUTHORITY
(AMENDMENT) DECREE 1979**



Decree No. 64

[18th September 1979]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. Part I of Schedule 1 of the National Electric Power Authority Decree 1972 (which deals with membership of the Board), as amended by the National Electric Power Authority (Amendment) Decree 1977, is hereby amended by deleting paragraph 2 thereof and substituting therefor the following new paragraph—

Amendment
of Decree
No. 24 of
1972.
1977 No. 35.

“2. The Board shall consist of a Chairman to be appointed by the Federal Executive Council and the following other members, that is—

(a) a representative of the Federal Ministry of Economic Development ;

(b) the Director, Electrical Inspectorate Services, Ministry of Mines and Power ;

(c) the General Manager of the Authority ; and

(d) seven other persons appointed by the Federal Executive Council, who by reason of any requisite ability, experience and specialised knowledge, have special skills that will be useful and will enable them to make effective contributions to the work of the Authority.”

2. This Decree may be cited as National Electric Power Authority (Amendment) Decree 1979.

Citation.

MADE at Lagos this 18th day of September 1979.

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

**NATIONAL HONOURS (AMENDMENT)
DECREE 1979**



Decree No. 65

[14th September 1979]

Commence-
ment.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows :—

1. Immediately after subsection (6) of section 1 of the National Honours Act 1964, there shall be inserted the following new subsection (7), that is—

Amendment
of 1964 No. 5.

“(7) Notwithstanding subsection (4) of this section, the power to make awards in pursuance of a warrant under this section shall, in so far as it relates to police medals, be exercisable by the Nigeria Police Council.”

2. This Decree may be cited as National Honours (Amendment) Decree 1979.

Citation.

MADE at Lagos this 14th day of September 1979.

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 effect)*

The Decree transfers to the Nigeria Police Council the power to approve the award of police medals pursuant to the National Honours Act 1964.