

# A BILL

## FOR

AN ACT TO ESTABLISH NATIONAL ENDOWMENT FOR ARTS AND LITERATURE TO PROVIDE FINANCIAL AND INSTITUTIONAL SUPPORT FOR FIRST RATE NOTABLE AND EXCEPTIONALLY REMARKABLE WORKS OF ART AND LITERATURE AND ALSO SERVE AS AN ESTABLISHED FUND AND PERMANENT PECUNIARY PROVISION FOR THE PURPOSE AND FOR RELATED MATTERS, 2016

*Sponsored by Hon. Ayeola Abayomi Abdul Kabir*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1           1.-(1) There is hereby established, a body to be known as the  
2 National Endowment for Arts and Literature (in this Act referred to as "the  
3 Authority"). Establishment of  
the Authority

4           (2) The Authority:  
5           (a) shall be a body corporate with perpetual succession and a  
6 common seal;  
7           (b) may sue and be sued in its corporate name;  
8           (c) may acquire, hold or dispose of any property, movable and  
9 immovable for the purposes of carrying out its functions under this Act.

10           (3) The Commission shall have its corporate headquarters in Abuja  
11 and it may with the prior approval of the Governing Council, set up offices at  
12 other places as when and where required;

13           2.-(1) The general direction and administrative policies of the Management  
14 Authority and its affairs shall vest in the Board which may exercise all  
15 powers and do all acts and things which may be exercised or done by the  
16 Authority.

17           (2) The Board shall in the discharge of its functions be guided on

	1	questions of policy by such directions as the ministry may give from time-to-
	2	time.
Composition of the Board Governors	3	<b>3.</b> The Board of Governors shall consist of the followings namely:
	4	(a) Minister of Culture and Tourism - Chairperson
	5	(b) Director - General - Chief Executive Officer
	6	(c) Representative of the National University
	7	Commission (NUC) - Member
	8	(d) Representatives of the Academic Staff Union
	9	of Nigerian Universities (ASUU) - Member
	10	(e) Representative of the Association of National
	11	Authors (ANA) - Member
Term of office of members	12	<b>4.-(1)</b> A member shall hold office for a period of three years from the
	13	date of assumption of duties and may be re-nominated for a second and final
	14	term of three years.
	15	(2) A person who is or nominated to be a member by virtue of his
	16	holding an office shall cease to be a member when he ceases to hold that office.
	17	(3) A member may at any time resign his office by writing under his
	18	hand addressed to the Director - General.
Removal of members	19	<b>5.-(1)</b> The Board may remove from office a member if he:
	20	(a) has been adjudged and un-discharged insolvent;
	21	(b) has been convicted of an offence which involves moral turpitude;
	22	(c) has become physically or mentally incapable of acting as a
	23	member; or
	24	(d) has abused his position and rendered his confidence in the office
	25	prejudicial to public interest.
	26	(2) A member shall not be removed from office unless he has been
	27	afforded a reasonable opportunity of being heard.
Constitution of the Executive Council	28	<b>6.-(1)</b> The Minister may constitute an Executive Council for carrying
	29	out day-to-day matters of the Authority and for exercising such powers and
	30	doing such acts and things as may be delegated to it by the Board.

1 (2) The Executive Council under subsection (1) shall consist of the  
2 following members:

3 (a) The Director - General of the Authority who shall act as the  
4 Chief Executive Officer.

5 (3) 4 members nominated by the Board from Academic Staff  
6 Union of Nigerian Universities (ASUU), Association of Nigerian Authors  
7 (ANA), National Association of Nigerian Students  
8 (NANS) and any senior ranking officer, from the Ministry of Culture and  
9 Tourism.

10 (4) The Secretary of the Authority shall be a senior officer from the  
11 Ministry of Culture and Tourism, and who shall be an Assistant Director.

12 (5) The Treasurer who shall be in charge of funds management of  
13 the Authority.

14 7.-(1) There shall be a Director -General of the Authority who shall  
15 be the Chief Executive of the Authority and shall be appointed by the  
16 President upon the recommendation of the Minister. Director-General

17 (2) The other officers of the Authority shall have such powers and  
18 shall perform such functions as may be assigned to them by the Director-  
19 General.

20 (3) The Director-General in consultation with the Board shall  
21 determine the policies that will guide its management.

22 8. Powers and functions of the Authority shall be:

23 (a) Dedication to the advancement of knowledge driven  
24 scholarship, Research and Promotion of Intellectual Management Practice  
25 and Educational Initiatives;

26 (b) Develop and implement policies, strategies, plans and  
27 programmes for the promotion of Intellectual Property in respect of  
28 academic writings, dissertation, work of fiction and non-fiction, poetry,  
29 drama and other allied works of literature;

30 (c) Recommend any author, writer or presenter of any work of arts

Powers and  
functions of the  
Authority

1 that possesses exceptional intellectual quality as a recipient of support from the  
2 Authority for the institutionalization of merit;

3 (d) Develop and recommend mechanism for the adoption of such  
4 work as a pre-requisite of support from the Authority;

5 (e) Develop policies, standards plans and programmes for ensuring  
6 compliance in respect of benefits and disbursement of funds support from the  
7 Authority;

8 (f) Maintain a Register or Data Bank of all persons, institutions that  
9 become beneficiaries of the endowment;

10 (g) Protect the works as intellectual property of the Authority and  
11 prohibit unlawful production and sale which may confer unmerited advantages  
12 to end users;

13 (h) Arrange and conduct public awareness campaigns and also secure  
14 international recognition over the said work of arts;

15 (i) Develop, promote and encourage specialized libraries for the  
16 custody of this genre of works and also make them ICT compliant;

17 (j) To train managerial and technical staff for the purposes of the  
18 discharge of its functions under this Act;

19 (k) To undertake such research as may be necessary for the  
20 performance of its functions under this Act;

21 (l) To enter into contracts or partnerships with any person or body  
22 (whether corporate or unincorporated) which in the opinion of the Authority  
23 will facilitate the discharge of its function;

24 (m) To exercise such other powers as are necessary or expedient for  
25 giving full effect to the provision of this Act.

Establishment  
of Funds

26 9.-(a) The Authority shall derive its fund from Federal Government of  
27 Nigeria whereas the Federal Government shall dedicate an amount from its  
28 annual budget into the accounts of the Authority for the purposes of meeting the  
29 objectives and obligations of the Endowment Authority;

30 (b) The Authority may also raise funds through donations from

1 corporate endowment, individuals, private and government agencies.

2           **10.**-(a) The funds accruing to the authority may be invested for the  
3 purposes of earning a total return on investment which shall preserve the  
4 purchasing powers of the Authority and assist it in the performance of its  
5 objectives;

Investment of  
Funds

6           (b) To achieve the objective of (a) above, the Authority will  
7 allocate some of its assets for investment purposes to acquire higher or long  
8 term returns;

9           (c) To achieve the expected investment climate, an Investment  
10 Committee may be established by the Director - General for the effective  
11 actualisation of investments of the funds and assets of the Authority;

12           (d) The Director - General shall provide for the Investment  
13 Committee and any other Committee terms and conditions in furtherance of  
14 the mandate given to them.

15           **11.**-(a) The Minister shall within 30 days after the end of each  
16 financial year submit to the President report of the activities of the Authority  
17 under this Act;

Administrative  
of Funds

18           (b) The report shall include the names of the beneficiaries of the  
19 Authority and the associated funds so benefitted by the said beneficiaries;

20           (c) All regulations made by the Authority through its Board shall  
21 also be presented to the President after the date of their making;

22           (d) The names of the beneficiaries shall also be gazzetted;

23           (e) The Authority shall keep proper accounts and records in  
24 relation thereto and shall prepare in respect of each financial year a  
25 statement of account in such form as the Minister may direct in a form which  
26 shall conform with the best commercial standards;

27           (f) The Authority shall be exempted from the payment of taxes and  
28 tenement rates and any arrears whatsoever in connection thereto.

29           **12.**-(1) Subject to its standing order, the Board may appoint such  
30 number of Standing and ad hoc Committees as it think fits to consider and

Committees

1 report any matter which relates to the functions of the Authority.

2 (2) Every Committee appointed under subsection (1) above shall be  
3 presided by a member of the Board and shall be made up of such number of  
4 persons not necessarily members of the Board.

5 (3) The decision of the Committee shall be of no effect until it is  
6 ratified by the Board.

7 (4) The following shall be the Committees:

8 (a) Investment Committee;

9 (b) Accounts Committee;

10 (c) Endowment Fund Recipients Committee and any other  
11 Committees that the Board may deem fit to establish.

Funds Support

12 13.-(1) Notwithstanding anything to the contrary in any other  
13 endowment or by any rule of law, the Authority shall support the author or  
14 writer of work of arts that meets its creative standards with financial  
15 consideration as a form of motivation and merit seeking objectives.

16 (2) The Authority at the beginning of every fiscal year shall by way of  
17 advertisement seek for authors in the creative market to submit any of their  
18 works which shall be assessed to have exceptional standard for the purpose of  
19 benefitting from the funds.

20 (3) The Authority upon satisfying itself may make an order with  
21 respect to the works and determine which of the works attained the level of  
22 standard it seeks and approve the said works which shall not exceed 10 per  
23 annum for any particular areas in academic research/dissertation, works of  
24 fiction and non-fiction, poetry and drama and other genres of works of  
25 literature.

26 (4) The selected works shall attract the support of the funds of the  
27 authority which shall be determined by the Board of Governors and  
28 beneficiaries shall be awarded the funds and certificates in banquet  
29 proceedings at any venue approved by its Board of Governors.

30 (5) For the purpose of efficient discharge of the responsibilities of the

1 Authority under this, the Director - General or any other officer of the  
2 Authority delegated shall have a right of access to all the works/publications  
3 of the beneficiary and such works shall be assessed by the Committee and  
4 may give notice to any beneficiary to appear before it for further  
5 clarifications to enable the Authority comes out with an informed opinion.

6 **14. In this Act;**

Interpretations

7 (a) "National Endowment" means the funds to be disbursed by the  
8 Federal Government of Nigeria through the Federal Ministry of Culture and  
9 Tourism to support works of art which shall cover creative and exceptional  
10 works of literature, poetry, academic writings and dissertation, works of  
11 fiction and non-fiction by authors in Nigeria in other to support the growth  
12 of intellectual works of Nigerians;

13 (b) "Federal Government" means the custodian of this endowment;

14 (c) "Federal Ministry of Culture and Tourism" means the authority  
15 established by the Federal Government of Nigeria to superintend the  
16 management of any fund that may accrue into the endowment;

17 (d) "Minister" means the Minister responsible for the Ministry of  
18 Culture and Tourism;

19 (e) "Board" means the Board of Governors, for the Authority as  
20 may be constituted under this Act;

21 (f) "Chairperson" means the chairperson of the Board of  
22 Governors;

23 (g) "Director-General" means the Chief Executive Officer of the  
24 Authority;

25 (h) "Work of Art" means any form of works that is of sound  
26 literature and which covers poetry, fiction or non-fiction, drama or play,  
27 academic dissertation or writings that are of significant value, which has  
28 shown exceptional brilliance in form and content;

29 (i) "Executive Council" means the Authority vested with the day-  
30 to-day management of the Endowment;

1                   (j) "Authority" means the endowment organ which is the custodian of  
2   the funds.

Short Title

3                   **15.** This Act may be cited as the National Endowment for Arts and  
4   Literature (Establishment, Etc.) Bill, 2016.

EXPLANATORY MEMORANDUM

This Bill seeks to establish National Endowment for Arts and Literature to provide financial and institutional support for first rate notable and exceptionally remarkable works of Art and Literature and also serve as an established fund and permanent pecuniary provision for the purpose.