

# A BILL

## FOR

AN ACT TO ESTABLISHED THE NATIONAL SPORTS COMMISSION TO BE CHARGED WITH THE RESPONSIBILITY OF ADMINISTERING, ENCOURAGING AND DEVELOPING SPORTS AND GAMES THROUGHOUT NIGERIA AND OTHER MATTERS INCIDENTAL THERETO

*Sponsored by Senator Obinna Ogba*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows-

- 1           1. There is established a body to be known as the National Sports Commission (in this Act referred to as "the Commission") which shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name. Establishment of the National Sports Commission
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- 5           2.-(1) The Commission shall consist of the following members— Membership of the Commission
- 6           (a) the Minister who shall be the Chairman and the Chief Executive officer of the Commission;
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- 8           (b) the Director-General of the Commission;
- 9           (c) the President of Nigerian Olympic Committee (NOC);
- 10           (d) one representative of collegiate Sports (NUGA, NIPOGA and NICEGA);
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- 12           (e) the President of National Association of Women in Sport (NAWIS);
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- 14           (f) the Head of schools sports in the Federal Ministry of Education;
- 15           (g) representative of National Association of physical education, recreational sports and dance (NARHER-S-D)
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- 17           (h) Six chairmen of States Sports Councils representing the sports zones to serve on rotational basis of 2 years per State-
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- 19           (i) zone I Ibadan;

- 1 (ii) zone 2 Benin;  
2 (iii) zone 3 Enugu;  
3 (iv) zone 4 Bauchi;  
4 (v) zone 5 Jos; and  
5 (vi) zone 6 Kaduna.
- 6 (i) representative of Institutional Sports (Navy, Air force, Army,  
7 Police and Paramilitary); and  
8 (j) 3 members from private sector.

9 (2) The Chairman and members of the Commission shall be  
10 appointed by the President.

11 (3) A member of the Commission shall hold office for a period four  
12 years beginning with the date on which he was appointed and shall not be  
13 eligible for re-appointment.

14 (4) A member of the Commission other than the Chairman may by  
15 notice in writing addressed to the President through the Chairman, resign his  
16 office and that member shall, on the day of the receipt of the notice by the  
17 President, cease to be a member.

18 (5) The Chairman may resign his membership by notice in writing  
19 addressed to the President and unless the President rejects the notice, the  
20 Chairman shall, on the day of the receipt of the notice by the President, cease to  
21 be a member.

22 (6) Members of the Commission except the chairman shall receive no  
23 remuneration but may be paid such travelling and other allowances as may  
24 from time to time be approved by the President.

25 (7) The provisions of the Schedule to this Act shall have effect with  
26 respect to the constitution and procedure of the Commission and other matters  
27 mentioned therein.

28 **3.-(1) The functions of the Commission shall be-**

29 (a) to encourage the development and organisation of and  
30 participation in sports in Nigeria;

1 (b) to co-ordinate and integrate efforts to raise the standard of  
2 performance in sports throughout Nigeria;

3 (c) to maintain every stadium owned or controlled by the Federal  
4 Government and to direct all activities relative thereto.

5 (2) The Commission shall, in all international relations affecting  
6 sports, have the sole right to make, on behalf of the States Sports Councils,  
7 any necessary arrangements for competitions, technical assistance,  
8 recruitment of coaches and for any such other matters as the Commission  
9 may think fit.

10 (3) Without prejudice to the generality of subsection (1) of this  
11 section, it shall be the duty of the Commission-

12 (a) to promote, in co-operation with other sports bodies or sports  
13 groups, the physical fitness and general well-being of all persons in Nigeria;

14 (b) to organise, or assist financially or otherwise, the participation  
15 in sports at inter-State, national and international levels;

16 (c) to train Nigerians to become sportsmen and instructors in  
17 sports;

18 (d) to conduct and encourage research into all matters relating to  
19 sports;

20 (e) to provide and maintain sports centres and facilities for the  
21 training of Nigerians as instructors and organisers of sports;

22 (f) to ensure the participation of all sportsmen where required in  
23 inter-State, national, or international competitions.

24 4.-(1) The Commission may enter into such contracts as may be  
25 necessary or expedient for giving effect to the provisions of this Act.

Powers of the  
Commission to  
enter into contracts,  
to hold property  
and to invest

26 (2) Subject to the approval of the President, the Commission may  
27 acquire and hold such movable or immovable property as may be necessary  
28 or expedient for giving effect to the provisions of this Act and may, for the  
29 same purpose, sell, lease, mortgage; or otherwise alienate or dispose of any  
30 property so acquired and held.

1 (3) The Commission may invest its funds in such manner and to such  
2 extent as it thinks necessary or expedient.

Powers of the  
Commission to  
Borrow

3 5. Subject to the approval of the President, the Commission may, for  
4 the purpose of giving effect to this Act, borrow such sums of money as it may  
5 require in the exercise of its functions under this Act.

Office of the  
Director-General  
and Secretary to  
the Commission

6 6.-(1) There shall be a Director-General who shall also be the  
7 Secretary to the Commission.

8 (2) Notwithstanding subsection (1) of this section, the Director-  
9 General may designate any other member of the staff of the Commission to act  
10 as the secretary to the Commission either generally or in any special case.

11 (3) The Director or any person appointed pursuant to subsection (2) of  
12 this section, to act as secretary shall not be entitled to vote on any question  
13 before the Commission unless he is so entitled as a member thereof.

Appointment of  
Director and other  
staff

14 7.-(1) The Director-General who shall be the chief Administrative  
15 officer of the Commission, shall be appointed by the President, and shall be  
16 responsible for the day to day administration of the Commission.

17 (2) Subject to the approval of the President, the Commission may  
18 appoint such staff and agents as it may deem necessary for the efficient  
19 performance of the Commission's duties under this Act.

Application of  
Pension Reform  
Act 2004

20 8.-(1) It hereby declared that the service in the Commission shall be  
21 Pensionable under the Pensions Act subject to the provisions of Pensions  
22 Reforms Act, and accordingly, employers of the Commission shall, in respect  
23 of their services in the Commission be entitled to pensions, gratuities and other  
24 retirement benefits as prescribed thereunder.

25 (2) Nothing in the foregoing provisions shall prevent the appointment  
26 of a person to any office on terms which preclude the grant of a pension or  
27 gratuity in respect of service in that office.

Removal from  
office of Members  
of the Commission

28 9.-(1) If it appears to the Commission that a member of the  
29 Commission should be removed from office on the ground of misconduct or  
30 inability to perform the functions of his office, the Commission shall after

1 consultation with the interests, if any, represented by that member make a  
2 recommendation to that effect to the President, and if the President approves  
3 the recommendation he may declare, in writing, the office of that member  
4 vacant.

5 (2) Without prejudice to subsection (1) of this section-

6 (a) any member who is absent from two consecutive ordinary  
7 meetings of the Commission shall file his explanation in writing with the  
8 secretary for consideration by the Commission and if the explanation is not  
9 accepted by the Commission, the Commission shall recommend to the  
10 President that the member be removed from office and the President may  
11 declare, in writing, the office of that member vacant;

12 (b) where the Commission is satisfied that the continued presence  
13 on the Commission of any member is not in the interest of Nigeria or of  
14 sports or of the Commission, the Commission may recommend to the  
15 President that member be removed, and the President may declare, in  
16 writing; "the office of" that member vacant.

17 **10.**-(1) The Commission shall on or before 1st October each year  
18 prepare and present to the President a report of its proceedings and  
19 operations during the period of twelve months ending on 31st December in  
20 that year, and the report shall be accompanied by a certified copy of the  
21 audited accounts of the Commission for that period.

Annual reports  
and estimates

22 (2) A copy of every such report together with the audited accounts  
23 shall be laid before the National Council of Ministers as soon as may be after  
24 the presentation thereof to the President;

25 (3) The Commission shall not later than 1st August in each year or  
26 as soon thereafter as the President may in a proper case allow, submit to the  
27 President for approval its estimates of revenue and expenditure in respect of  
28 the year beginning with 1st January in the following year.

29 **11.** The Commission shall keep proper accounts, in a form which  
30 conforms with accepted commercial standards, of its receipts, payments,

Accounts and  
audit

1 assets and liabilities and shall submit the same from time to time but not less  
2 frequently than annually for auditing by auditors appointed from the list of  
3 auditors and in accordance with the guidelines supplied by the Auditor-General  
4 of the Federation.

Funds and  
resources of the  
Commission

5 **12.**-(1) The funds and resources of the Commission shall consist of-  
6 (a) such funds as may from time to time be provided by the Federal  
7 Government;  
8 (b) such funds as may be collected or received by the Commission  
9 from other sources either in the execution of its functions or in respect of any  
10 property vested in the Commission; and  
11 (c) such interests as may accrue to the Commission from investments  
12 made by virtue of this Act.

13 (2) No funds shall be raised internationally by the Commission  
14 without the approval of the Minister.

Non-liability of  
Members

15 **13.** No member of the Commission shall be personally liable for any  
16 act or omission done or made in good faith while engaged on the business of the  
17 Commission.

Powers to make  
standing orders

18 **14.**-(1) The Commission may, within the scope of its authority under  
19 this Act, make standing orders relating to any internal and domestic matters  
20 placed by this Act under its control and particularly to the matters mentioned in  
21 paragraph 9 of the Schedule to this Act.

22 (2) All such standing orders shall be in writing and shall come into  
23 force when sealed with the seal of the Commission, unless some other date for  
24 commencement be therein prescribed.

25 (3) Nothing in subsection (2) of this section shall make it obligatory  
26 for the Commission to publish any or all of the said standing orders in the  
27 Federal Gazette.

Powers of  
President to give  
directives etc.

28 **15.**-(1) Subject to the provisions of this Act, the President may give  
29 general or specific directives to the Commission and the Commission shall  
30 comply with and give effect to any such directives.

1           (2) The Commission shall give to the President such information  
2           and returns relating to its activities actual or proposed as the President may  
3           from, time to time require.

4           **16.-(1)** Subject to the provisions of this section, the Commission  
5           may set up national sports associations for each kind of sport and may  
6           appoint chairmen and other members thereof; accordingly all matters  
7           relating to the constitution, affiliation, recognition, of international  
8           competitions and to officers of national sports associations shall be  
9           submitted for approval to the Commission.

Commission  
relationship with  
National Sport  
Association

10           (2) Subject to the approval of the President, it shall be the duty of  
11           the Commission to supervise and, where in the opinion of the Commission it  
12           is necessary to do so, take over and manage for such a period as the  
13           Commission may think fit the affairs of any national sports association.

14           (3) No Government financial assistance shall be given to national  
15           sports associations except through the Commission which shall determine  
16           the amount and the terms of the grant; and no new grants shall be made in  
17           any case until the audited accounts of the previous year, if any, have been  
18           submitted and accepted by the Commission.

19           (4) Without prejudice to subsection (2) of this section, the  
20           Commission shall not interfere with the general administration of national  
21           sports associations set up under this Act but may give directions when in its  
22           opinion it is necessary to do so.

23           (5) For the purposes of this section, "National Sports Association"  
24           means the body responsible for the administration and organisation of a  
25           particular sport on a national basis in Nigeria and recognised as such by the  
26           Commission.

27           **17.** Subject to the provisions of this Act and any standing orders  
28           made thereunder, the quorum and procedure of any body of persons  
29           established by this Act shall be as may be determined by that body.

Quorum and  
procedure of  
bodies established  
by this Act

Interpretation

1                   **18.** In this Act, unless the context otherwise requires-

2    "Chairman" means the Chairman of the Commission appointed in accordance

3    with section 2(1) of this Act;

4    "Commission" means the National Sports Commission established by virtue of

5    section 1 (1) of this Act;

6    "the Director-General" means the Director-General appointed pursuant to

7    section 7(1) of this Act;

8    "functions" includes powers and duties;

9    "member" means a member of the Commission;

10   "Minister" means the Minister responsible for sports;

11   "national sports association" has the meaning assigned to it by section 16(5) of

12   this Act;

13   "Nigeria Olympic Association" means the Olympic Association of Nigeria

14   recognised as such by the Commission;

15   "sports" includes any game or recreational activity approved by the

16   Commission for the purposes of this Act;

17   "secretary" means secretary to the Commission appointed in accordance with

18   section 7(1) of the Act;

19   "Zonal Sports Offices" means bodies established in each of the six geopolitical

20   zones of the federation charged with responsibility for sports within each zone

21   and recognised as such by the Commission;

22   "Universities Games Association" means the Games Association of the

23   universities functioning in Nigeria and recognised as such by the Commission.

Citation

24                   **19.** This Act may be cited as the National Sports Commission Bill,

25   2016.



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SCHEDULE I

SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION, ETC.

*Tenure of office of members, etc.*

1.-(1) Where a vacancy occurs in the membership of the Commission, that vacancy shall be filled by the appointment of a J successor to hold office for the remainder of the term of office of his predecessor, so however that the successor shall represent the same interest and shall be appointed by the same authority as his predecessor.

(2) The Commission may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.

*Committees*

2.-(1) The Commission shall appoint three standing committees which shall carry out such functions as the Commission may delegate to them and which shall be designated as follows-

- (a) the Finance and Establishments Committee;
- (b) the Facilities (Structures and Equipment) Committee; and
- (c) the Sports Development Committee;

and, subject to the foregoing, the Commission may appoint such other committees to advise it on the exercise and performance of its functions under this Act as it may from time to time consider necessary.

(2) Every such committee shall consist of-

- (a) a Chairman who shall be appointed by the Commission from among the members of the Commission;
- (b) not more than five other persons (whether or not they are members of the Commission), so however that any non-member of the Commission co-opted to serve on any committee shall enjoy all the rights and privileges of a member except the right to vote and to count towards a quorum.

(3) In this paragraph "Chairman" means Chairman of a committee.

1 *Proceedings of the Commission*

2 3.-(1) The Commission shall meet for that conduct of business at such  
3 times, places and on such days as the Chairman may appoint but shall meet not  
4 less than twice a year.

5 (2) The Chairman may at any time, and shall at the request in writing  
6 of the President or of not less than four members one each from a different  
7 zone, summon a meeting to be held within fourteen days from the date the  
8 notice is given.

9 (3) Particulars of the business to be transacted at any meeting shall be  
10 circulated to members with the notice of the meeting.

11 4.-(1) Where the Commission or a committee of the Commission  
12 desires to obtain the advice of any person on any particular matter, it may co-  
13 opt that person as a member for a meeting whether or not expressly convened  
14 for the purpose of considering that matter.

15 (2) A person so co-opted shall not be entitled to vote nor shall he count  
16 towards a quorum.

17 5.-(1) Every question put before the Commission at a meeting shall be  
18 decided by a majority of votes of the members present and voting.

19 (2) Ten members, six of whom shall be chairman of Sports Councils  
20 representing the six zonal offices, shall form a quorum at any meeting of the  
21 Commission.

22 (3) The Chairman shall, at any meeting, have a vote and, in the case of  
23 an equality of votes, may exercise a casting vote.

24 6. The Chairman shall preside at all meetings of the Commission, but  
25 if he is absent from any meeting of the Commission, the members present shall  
26 elect one of their members to preside at that meeting.

27 7. Subject to the provisions of this Act, the Commission may make  
28 standing orders with respect to the holding of meetings, the nature of notice to  
29 be given, the proceedings thereat, the keeping of minutes of such proceedings  
30 and the custody and production for inspection of such minutes.

1 *Miscellaneous*

2 8.-(1) Any contract or instrument which if entered into or executed  
3 by a person not being a body corporate would not be required to be under  
4 seal may be entered into or executed on behalf of the Commission by any  
5 person generally or specifically authorised by it for that purpose.

6 (2) Any member of the Commission or of a committee thereof, who  
7 has a personal interest in any contract or arrangement entered into or  
8 proposed to be considered by the Commission or the committee, shall  
9 forthwith disclose his interest to the Commission or the committee and shall  
10 not vote on any question relating to such contract or arrangement.

11 9.-(1) The common seal of the Commission shall not be used or  
12 affixed to any document except in pursuance of a resolution duly passed at a  
13 properly constituted meeting of the Commission and recorded in the  
14 minutes of the meeting.

15 (2) The fixing of the seal of the Commission shall be authenticated  
16 by the signature of the Chairman or some other member authorised  
17 generally or specifically by the Commission to act for that purpose.

18 (3) Any document purporting to be a document duly executed  
19 under the seal of the Commission shall be received in evidence and shall,  
20 unless the contrary is proved, be deemed to be so executed.

21 **10.** The Six Zonal Sports offices are:

22 (1) zone 1 - Ibadan comprising: Oyo, Ogun, Ondo, Osun, Lagos  
23 and Ekiti States;

24 (2) zone 2 - Benin comprising: Edo, Delta, Rivers, Cross River,  
25 Bayelsa and Akwa Ibom States;

26 (3) zone 3 - Enugu comprising: Abia, Imo, Ebonyi, and Anambra  
27 States;

28 (4) zone 4 - Bauchi comprising: Adamawa, Gombe, Borno and  
29 Taraba States;

30 (5) zone 5 - Jos comprising: Plateau, Nasarawa, Benue, Kwara,

- 1 Niger, Federal Capital Territory, Kogi States;
- 2 (6) zone 6 - Kaduna comprising: Kaduna, Kano; Katsina, Jigawa,
- 3 Kebbi, Sokoto, and Zamfara States.

EXPLANATORY MEMORANDUM

This Bill seeks to established the National Sports Commission to be charged with the responsibility of administering, encouraging and developing Sports and games throughout Nigeria and other related matters.