

# A BILL

## FOR

AN ACT TO REPEAL AND REENACT THE NIGERIAN INSTITUTE OF INTERNATIONAL AFFAIRS ACT, CAP. N113, LAWS OF THE FEDERATION OF NIGERIA, TO BROADEN THE SCOPE AND FUNCTIONS OR RESPONSIBILITIES OF THE NIGERIAN INSTITUTE OF INTERNATIONAL AFFAIRS, TO ADD MORE VALUE TO THE FOREIGN MISSION AND TO PROVIDE FOR THE POWER TO CONDUCT COURSES OF INSTRUCTION AND LEARNING AND CREATE AN ACADEMIC BOARD TO AWARD POSTGRADUATE DIPLOMA (PGD) AND MASTER DEGREES IN INTERNATIONAL RELATIONS, DIPLOMATIC PRACTICES AND FOR RELATED MATTERS, 2021

*Sponsored by Hon. Yusuf Buba Yakub*

[ ] Commencement

1                    *Establishment, Objects and Functions of the Institute*

2                    1.-(1) There is hereby established a body to be known as the Nigerian  
3 Institute of International Affairs (in this Act referred to as" the Institute")  
4 which shall have the functions assigned to it by this Act.

Establishment  
of the Nigerian  
Institute of  
International  
Affairs

5                    (2) The Institute shall be a body corporate with perpetual succession  
6 and a common seal.

7                    *The Institute's establishment as amended by adding:*

8                    (a) The Institute shall be a centre of excellence for the scientific study  
9 of international affairs.

10                    (3) Subject to paragraph 13 of the First Schedule to this Act the  
11 governance of the Institute and the management of its affairs shall vest in the  
12 Council of the Institute (in this Act referred to as" the Council").

First Schedule

13                    (4) The provisions of the First Schedule to this Act relating to-

- 14                    (a) the membership, powers and the proceedings of the Council;
- 15                    (b) the committees of the Council; and

1 (c) the other matters there mentioned, shall have effect as therein  
2 prescribed.

3 (5) The Institute shall be exempted from stamp duties.

Objects

4 2. The objectives of the Institute shall be to-

5 (a) encourage and facilitate the understanding of international affairs and  
6 of the circumstances, conditions and attitudes of foreign countries and their  
7 peoples, and international organizations;

8 (b) provide and maintain means of information upon international  
9 questions and promote the study and investigation of international question by  
10 means of conferences, lectures and discussions, and by the preparation and  
11 publication of books, records, reports, or otherwise as may seem desirable so as  
12 to develop a body of informed opinions on world affairs;

13 (c) establish contacts with other organizations with similar objects.

14 *The objects of the Institute were amended by adding more objects to*  
15 *the institute sustainability:*

16 (i) to provide a nursery of ideas on what direction in international affairs  
17 Nigeria should take, as well as 'to provide a meeting ground for people of all  
18 nations and a rich soil for the cross-fertilization of their ideas', and to be  
19 accomplished through painstaking research, conferences, seminars,  
20 workshop, roundtable discussions, and public lectures on crucial issues in  
21 world affairs;

22 (ii) serving as national body of expertise for all matters relating to  
23 international affairs;

24 (iii) overseeing the implementation and monitoring of national standards  
25 for international affairs;

26 (iv) consulting with and making recommendations to the government,  
27 regulatory bodies, trade associations, academic community and other  
28 professional bodies on all matters relating to international affairs;

29 (v) encourage an open exchange of ideas, cooperation with individuals,  
30 corporate bodies and governments in the pursuit of its mandate;

1 (vi) focus on research such as international politics, international  
2 law and organizations ,international economic relations, security and  
3 strategic studies, as well as African politics and integration.

4 3.-(1) Subject to the provisions of this Act, the Institute is hereby Functions  
5 charged with the general function of promoting the scientific study of  
6 international politics, international economic relations and international law  
7 and without prejudice to the generality of the foregoing provisions, the  
8 Institute shall-

9 (a) Provide such information to the Government of the Federation and  
10 members of the public with respect to matters concerning international  
11 affairs;

12 (b) provide facilities for the training of Nigerian diplomats and  
13 personnel and those of other countries whose vocations relate to  
14 international affairs;

15 (c) promote and encourage the study and research into all aspects of  
16 international affairs;

17 (d) from time to time organize international seminars and  
18 conferences on any matter relating to its objects;

19 (e) promote and undertake such other activities as may in the opinion  
20 of the Institute be deemed necessary for the attainment of the objects of the  
21 Institute;

22 *The functions of the institute were also amended by adding more*  
23 *responsibilities to enable the Institute performed more:*

24 (i) facilitate training and retraining of foreign service personnel to  
25 enable them develop capacity to represent Nigeria in such critical areas as  
26 diplomacy, trade, investment, security and other issues, thereby,  
27 strengthening her foreign policy for increased output and reciprocal gains in  
28 line with the object and mandate of the Institute.

29 (ii) be responsible for setting the policy agenda and foreign service  
30 goals in line with Nigeria's Foreign Policy Objectives, as stipulated in

1 Section 19 of the amended 1999 Constitution of the Federal Republic of  
2 Nigeria;

3 (iii) serves as an intellectual base upon which decision-makers rely for  
4 informed opinion and expert advice in order to make rational choices between  
5 contending policy options;

6 (iv) determine and establish national standards of knowledge,  
7 proficiency and achievement in international affairs management and  
8 administration, and provide a means for recognition of those who attain the  
9 standards from time to time, by the Institute;

10 (v) serves as a center of excellence in research, training, and  
11 enlightenment of the Nigerian public on issues concerning the country's  
12 foreign policy and general developments in world affairs;

13 (vi) consider and make recommendations on socio-economic issues that  
14 impact on international affairs in relation to overall national development;

15 (vii) examine, appraise and advise on the position of international  
16 relations and conditions of employment;

17 (viii) make recommendations to the Minister of Foreign Affairs on the  
18 formulation of any Regulations as may be required for the implementation of  
19 foreign affairs legislation in Nigeria;

20 (ix) co-operate with colleges and university schools of international and  
21 public affairs and other related professional schools and associations to  
22 develop and run programmes of study relating to international relations,  
23 international law and organizations, international economic relations, security  
24 and strategic studies, African studies, Asian studies and European studies.

25 (x) the Institute promotes competent and productive senior staff from one  
26 grade to another; and

27 (xi) carry out such other functions or responsibilities as may be  
28 conferred upon it by any other enactment or law or as the President or Minister  
29 may, from time to time, request.

30 (2) The Institute shall be the supervisory authority for this Act and shall

1 for that purpose-

2 (a) register and regulate international relationship professional  
3 practice activities, and control and supervise their activities with a view to  
4 maintaining proper standards of conduct and acceptable administration  
5 practices;

6 (b) make rules consistent with the provisions of this Act, for the proper  
7 functioning of institutions under this Act;

8 (c) take measures to protect the interests of foreign information  
9 subjects;

10 (d) protect the integrity of the international affairs system in Nigeria  
11 against any abuses;

12 (e) impose penalties for the breach of this Act and Regulations made  
13 hereunder;

14 (f) undertake such other activities as are necessary or expedient for  
15 giving full effect to the provisions of this Act;

16 (g) perform such other functions which, in the opinion of the Institute,  
17 may be required in ensuring the optimal efficiency and performance of the  
18 Institute;

19 (h) perform other function specified under this Act.

20 4. Except as otherwise provided in this Bill, this Bill shall apply to-

21 *The Institute's scope and application was also added:*

Scope of  
Application

22 (a) all matters relating to international affairs as well as African  
23 politics and integration;

24 (b) all persons, organisations and institutions relating to international  
25 affairs.

26 (c) all matters relating to research, training, and enlightenment of the  
27 Nigerian public on issues concerning the country's foreign policy and  
28 general developments in world affairs;

29 (d) all matters relating to the scientific study of international relations,  
30 economics and international law and without prejudice to the generality of

1 the foregoing provisions.

Officers and  
Staff of the  
Institute

2 5.-(1) Subject to sections 5 and 6 of this Act, there shall be in the  
3 employment of the Institute, such number of officers and staff as may appear  
4 expedient and necessary to the Council, for the proper and efficient conduct of  
5 the functions of the Council.

6 (2) Unless otherwise precluded by this Act, the Institute may exercise  
7 any of the powers and perform any of the functions and duties conferred on the  
8 Institute by this Act through or by any of its officers and staff duly authorized  
9 by the Council in that behalf.

10 (3) Appointment of officers and staff of the Institute, other than those  
11 referred to in sections 5 and 6 of this Act, shall be made by an Appointments and  
12 Promotion Committee, which shall be set up by the Council after consultation  
13 with the Director-General.

14 (4) The Appointments and Promotion Committee shall be presided over  
15 by the Director-General and shall comprise the following members-

- 16 (a) A Professor of political science;  
17 (b) A Professor of history;  
18 (c) A Professor of law;  
19 (d) A Professor of Economics, to be drawn from Nigerian universities;  
20 and

21 (e) A member of the Council, other than the Director-General, to be  
22 appointed by the chairman.

23 (5) Officers and staff of the Institute shall be answerable directly to the  
24 Director-General and the power to appoint junior officers of grade level 07 and  
25 below shall be exercised by the Director-General.

Director-General  
of the Institute

26 6.-(1) There shall be an officer of the Institute to be known as the Director-  
27 General who shall be appointed by the President.

28 [1986 No. 16.]

29 (2) The Director-General shall be the chief executive of the Institute.

1           7.-(1) There shall be appointed by the Council, the following officers of  
2           the Institute- Appointment of  
Directors of the  
Institute

3           (a) The Director of Administration, who shall be responsible to the  
4           Director-General for administrative work of the Institute and shall act as  
5           Secretary to the Council and where no other person is so designated, act as  
6           Secretary to any of its' committees; and

7           (b) The Director of Research, who shall be selected from within or  
8           outside the Institute and-

9           (i) Be responsible to the Director-General for co-ordinating the  
10          research staff and research projects of the Institute and the collection and  
11          publication of research materials; and

12          (ii) Hold office for one term of five years only;

13          (c) The Director of Library and Documentation Services, who shall be  
14          responsible to the Director-General for the activities and maintenance of the  
15          library of the Institute and hold office for one term of five years only;

16          (d) the Director of Finance who shall be responsible to the  
17          Director-General for the day-to-day administration and control of the  
18          financial affairs of the Institute and;

19          (i) hold office for one term of five years only;

20          (e) the Director of Studies who shall be responsible to the Director-  
21          General for the administration of the Postgraduate School of the Institute  
22          and;

23          (i) hold office for one term of five years only;

24          (f) the Director of International Corporation and Public Affairs  
25          who shall be responsible for the coordination of the Institute's engagements,  
26          with International partners and shall be responsible to the Director-General  
27          in the execution of such duties and;

28          (i) "hold office for one term of five years only;"

29          7A.-(1) The power to discipline, suspend, reprimand and interdict  
30          any officer or staff above grade level 07 shall be exercised by the Discipline and  
termination of  
appointment of  
Officers and Staff

1 Appointments and Promotion Committee:

2 Provided that any officer or staff who is aggrieved by the decision of  
3 the Appointments and Promotion Committee may appeal to the Council  
4 through the Director-General

5 (2) The power to appoint and discipline junior officers of grade level  
6 07 and below shall be exercised by the Director-General.

Establishment  
of the Institute  
Postgraduate  
School and  
Functions

7 7B. -(1) The Postgraduate School of the Institute of International Affairs is  
8 established (in this Act to be referred to as ("the Postgraduate School").

9 (2) The Postgraduate School shall consist of-

10 (a) an Academic Board;

11 (b) a Postgraduate Committee, and

12 (c) a Coordinator (in this Act to be referred to as "the Coordinator of  
13 Postgraduate School").

14 (3) The Postgraduate School shall be responsible for coordinating and  
15 conducting courses of instruction for the award of Postgraduate Diploma  
16 (PGD) and Master Degrees in International Relations, Diplomatic Practices  
17 and other related matters.

Establishment  
of the Nigerian  
Institute of  
International  
Affairs Academic  
Board, Membership,  
Powers and  
Functions

18 7C.-(1) There is established an Academic Board of the Nigerian  
19 Institute of International Affairs (in this Act to be referred to as "the Academic  
20 Board"), the constitution and procedure of which shall, subject to the  
21 provisions of this Act be in accordance with such provisions as may be made by  
22 Council in that behalf.

23 (2) Membership of the Academic Board

24 The Academic Board shall consist of the following members-

25 (a) Director of Studies;

26 (b) Director of Research;

27 (c) Professors of the Institute;

28 (d) The Coordinator of the Postgraduate School;

29 (e) Two Senior Research Fellows to be appointed by the Director-  
30 General;



1 (f) Any other Research Fellow that the Director General may deem  
2 fit to appoint.

3 (3) Tenure of membership of the Board shall be for a term of four  
4 years.

5 (4) Powers of the Academic Board:

6 (a) The Academic Board shall be the Supreme Academic Authority  
7 of the Institute and shall be responsible for all academic matters relating to  
8 conduct of course of instructions and award of Postgraduate Diploma  
9 (PGD) and Master Degrees in International Relations, Diplomatic Practices  
10 and other related matters;

11 (b) The Academic Board may make regulations for the purpose of  
12 exercising any function conferred on it for the purpose of making provision  
13 for any matter authorized or required by this Act or by statute.

14 (5) Functions of the Academic Board:

15 (1) The functions of the Academic Board shall consist of the  
16 following-

17 (a) the establishment, organisation and control of quality of the  
18 courses of instruction by Departments, Tutors, and other teaching and  
19 research units of the Institute of International, Consular and Diplomatic  
20 Relations;

21 (b) the conduct of examinations, including the appointment of examiners,  
22 both internal and external;

23 (c) the award of Certificates, Diplomas, Degrees and Postgraduate  
24 Degrees, and such other qualifications as may be prescribed, in connection  
25 with examinations held;

26 (d) the making of recommendations to the Council with respect to  
27 the award to any person of an Honorary Fellowship or Honorary Degree;

28 (e) the supervision of the welfare of students at the Institute and the  
29 regulation of their conduct;

30 (g) the granting of fellowships, scholarships, prizes and similar

1 awards in so far as the awards are within the powers of the Institute; and

2 (h) To consider and prescribe the scope and content of courses of  
3 instruction leading to the award of degrees, diplomas, certificates or other  
4 distinction of the Institute on the recommendation of the Postgraduate  
5 Committee;

6 (i) To keep under review the Institute's academic programmes and  
7 ensure their quality and relevance in the fulfilment of the Institute's general  
8 mandate.

The Visitor and  
his functions

9 **7D.**-(1) The Visitor to the Institute of Postgraduate School shall be the  
10 President of the Federal Republic of Nigeria.

11 (2) The Visitor may from time to time conduct a visitation of the  
12 Institute in person, or after consultation with the Director - General, direct that  
13 the same shall be conducted by such person or persons as he may appoint in that  
14 behalf, for the purpose of advising on the effective fulfilment of the objects  
15 and the due exercise of the functions of the Institute as prescribed by law.

16 (3) It shall be the duty of all officers, members, authorities, employees of  
17 and persons otherwise connected with the Institute to make available to the  
18 Visitor, and to any other person or persons conducting a visitation in pursuance  
19 of this section, such facilities and assistance as he or they may reasonably  
20 require for the visitation.

Congregation

21 **7E.**-(1) Institute's Congregation shall consist of-

22 (a) the Director General;

23 (b) the Director of Studies;

24 (c) the Director of Research;

25 (d) the Director of Library and Documentation;

26 (e) the Director of Administration;

27 (f) the Director of International Cooperation and Public Affairs;

28 (g) the Coordinator of Postgraduate School;

29 (h) the Director of Finance;

30 (i) the full-time members of the academic staff; and

1 (k) every member of the administrative staff who holds a degree,  
2 other than an honorary degree, of any Institute recognised for the purposes  
3 of this Statute by the Director-General.

4 (2) the Director-General shall be the Chairman at all meetings of  
5 Congregation when the Director General is present; and absent any of the  
6 Directors of the Institute shall be the Chairman of the meeting.

7 (3) The quorum of Congregation shall be one third or the whole  
8 number nearest to one third of the total number of members of the  
9 Congregation.

10 7F.-(1) A Convocation for the conferment of degrees and other  
11 academic titles and distinctions of the Institute shall be held once every two  
12 (2) years at such time and place as shall be determined by the Council. The  
13 degrees, academic titles and distinctions shall be conferred by the person  
14 presiding at the Convocation.

Convocation-  
General Provisions

15 (2) A Convocation shall be presided over by the Chairperson of  
16 Council of the Institute or in the absence of the Chairperson by the Director-  
17 General or in the absence of both the chairperson and the Director-General  
18 by the Director of Studies.

19 (3) The procedure for summoning Convocation, for the  
20 presentation of graduates and other persons for awards and for the  
21 conferring of degrees, academic titles and distinctions in *absentia*, and all  
22 other matters relating to Convocation, shall be determined by the Council of  
23 the Institute.

24 7G.-(1) Convocation shall consist of-

Convocation

25 (a) the following statutory and designated officers of the Institute:

26 (i) the Chairperson of Council;

27 (ii) the Fellows of the Institute;

28 (iii) the Director-General;

29 (iv) the Director of Administration;

30 (v) the Director of Library and Documentation Services;

(vi) the Director of Finance;  
(vii) the Director of Studies;  
(viii) the Director of Research;  
(ix) the Director of International Cooperation and Public Affairs;  
(ix) the Coordinator of Postgraduate School;  
(b) all Research Fellows within the meaning of the Act;  
(c) all other persons whose names are registered in accordance with subsection (2) of this section.

(2) Persons shall be entitled to have their names registered as a member of Convocation if—  
(a) the person is either a graduate of the Institute or a person satisfying such requirements as may be prescribed for the purposes of this subsection; and  
(b) applies for the registration of his name in the prescribed manner and pays the prescribed fees.

(3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and, subject to subsection (4) of this section may provide for the payment, from time to time, of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.

(4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of subsection (1) (a) or (b) of this section are entered and retained on the register.

(5) The quorum of Convocation shall be one third or the whole number nearest to one third or the whole number of members of convocation whichever is less.

(6) The Chairperson of Council shall be Chairperson of all meetings of convocation when the Chairperson is present, and in the absence of Chairperson the Vice-Chancellor shall be the Chairperson at the meeting.

(7) Convocation shall have such functions, in addition to the function

1 of appointing a member of the Council, as may be provided by statute or  
2 regulations.

3 7H.-(1) There is established a Postgraduate Committee.

Establishment of  
the Postgraduate  
Committee

4 (2) The Postgraduate Committee shall consist of-

5 (a) the Director General;

6 (b) the Director of Studies;

7 (c) the Coordinator of Postgraduate School;

8 (d) the persons or Tutors of courses of instruction of the  
9 Postgraduate School.

10 (3) The Postgraduate Committee shall advise the Director  
11 General or the Academic Board on any matter referred to it by the Director  
12 General or the Academic Board.

13 (4) The Postgraduate Committee shall perform the following  
14 functions-

15 (a) establish, organize, control and supervise, halls of residence  
16 and similar facilities at the Institute;

17 (b) the supervision of the welfare of students at the Institute and  
18 the regulation of their conduct;

19 (c) determining what descriptions of dress shall be academic gown  
20 for the purposes of the Institute; and regulating the use of academic gown;

21 (d) To consider and approve the scope and funding of research  
22 projects submitted by Departments and members of academic staff  
23 commissioned by the Institute;

24 (e) To consider and prescribe the scope and content of courses of  
25 instruction leading to the award of diplomas, certificates and degrees or  
26 other distinction of the Institute and make recommendation to the  
27 Academic Board;

28 7I. There shall be a Graduate Association of the Institute, the  
29 Constitution, functions and procedure of which shall subject to the

Graduate/Alumni  
Association

1 provisions of this law, be such as may be prescribed by the Institute  
2 Regulations.

Mode of  
exercising power  
to make statutes

3 **7J**-(1) The power of the Institute to make statutes shall be exercised  
4 in accordance with the provisions of this section and not otherwise.

5 (2) A proposed statutes shall not become law unless it has been  
6 approved-

7 (a) at a meeting of the Institute Academic Board, by the votes of not  
8 less than two thirds of the members present and voting; and

9 (b) at a meeting of the Council, by the votes of not less than two thirds  
10 of the members present and voting.

11 (3) A proposed statute may originate either in the Institute Academic  
12 Board or in the Council, and may be approved as required by subsection (2) of  
13 this section by either one of those bodies before the other.

14 (4) A statute which-

15 (a) makes provision for or alters the composition or constitution of the  
16 Council, Institute Academic Board or any other authority of the Institute; or

17 (b) provides for the establishment of a new Department or school or  
18 for the amendment or revocation of any statute whereby a Department or  
19 school is established,

20 shall not come into operation unless it has been approved by the Council.

Pensions

21 **8**-(1) It is hereby declared, that service in the Institute shall be public  
22 service for the purposes of the Pensions Act and accordingly, pension is  
23 contributory and officers and staff are entitled to pensions, gratuities and other  
24 retirement benefits on pro rata basis as prescribed by the Pension Act.

25 (2) Notwithstanding anything to the contrary in the Pensions Act, the  
26 compulsory retiring age of an academic staff of the Institute shall be sixty five  
27 years.

28 (3) A law or rule requiring a person to retire from the public service  
29 after serving for thirty-five years shall not apply to an academic staff of the  
30 Institute.

1           9.-(1) Membership of the Institute shall be open only to persons who are  
2 citizens of Nigeria and to non-Nigerians on the recommendation of the  
3 Council and approval of the President and;

Membership of  
the Institute

4                   (2) it shall be the duty of the members of the Institute generally, to  
5 promote and undertake such things as may be deemed necessary for the  
6 attainment of the objects of the Institute.

7                   (3) Subject to any regulations made in this Act, any person who  
8 immediately before the appointed day was a member of the Institute shall on  
9 that day become a member of the Institute under this Act.

10                                   *Financial provisions, etc.*

11           10.-(1) The Institute shall establish and maintain a specialized fund,  
12 which shall be applied towards the promotion of the objects of the Institute.

Financial  
Provisions

13                   (2) There shall be paid and credited to the fund established pursuant to  
14 subsection (1) of this section-

15                   (a) such moneys as may be supplied to the Institute by the Federal  
16 Government or a State Government;

17                   (b) all moneys as may be raised for the purposes of the Institute, by  
18 way of gifts, loans, grants in aid, testamentary disposition or otherwise;

19                   (c) all interests received in respect of moneys invested by the Institute;  
20 and

21                   (d) all other assets, from time to time, accruing to the Institute.

22                   (3) The fund shall be managed in accordance with rules made by the  
23 Minister of Finance and without prejudice to the generality of the power to  
24 make rules under this sub-section, the rules shall in particular contain  
25 provisions-

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

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

30                   (c) for ensuring that the accounts are audited periodically by auditors

1 appointed from the list and in accordance with the guidelines supplied by the  
2 Auditor-General for the Federation; and

3 (d) requiring copies of the accounts and of the auditor's report on them to  
4 be furnished to the President through the Ministry of Foreign Affairs.

Power to accept  
gifts

5 11.-(1) Subject to subsection (2) of this section, the Institute may accept  
6 gifts of land, money or other property, upon such terms and conditions that are  
7 amicable with the person or corporate body and the Institute and the Institute  
8 shall not pay tax on any such gift or donation; and corporate bodies who give  
9 gifts or donations shall be exempted from tax on the gift or donations.

10 [1986 No. 16.]

11 (2) The Institute shall not accept any gift if the conditions attached to  
12 such gift by the person or corporate body proposing to make the gift are,  
13 inconsistent with the functions of the Institute or the regulations of the  
14 government.

Expenditure of  
the Institute

15 12.-(1) The Institute may, from time to time, as the Council may direct,  
16 apply the funds at its disposal-

17 (a) to the cost of the administration of the Institute and for the purposes  
18 of any research under its administration;

19 (b) the provision of fellowships and other awards, for the training of  
20 persons in international relations;

21 (c) for reimbursing members of the Institute or members of any  
22 committee setup by the Council or the Director-General;

23 (d) to the payment of the salaries, fees or other remuneration or  
24 allowances payable to the officers and staff of the Institute, so however that no  
25 payment of any kind under this paragraph (except such as may be expressly  
26 authorised by the Minister) shall be made to any person who is in receipt of  
27 emoluments from the Federal or a State Government;

28 (e) for the maintenance of any property vested in the Institute or under its  
29 administration; and

30 (f) for and in connection with all or an of the functions of the Institute



1 under this Act or any other enactment.

2 (2) Except as provided for in subsection 1) of this section, no other  
3 remuneration shall be paid to any member of the Council or of any  
4 committee.

5 13.-(1) The Council may, with the consent or in accordance with the  
6 general authority given by the President, borrow by way of loan from any  
7 source any moneys required by the Council for meeting its obligations and  
8 discharging the functions of the Institute under this Act.

Borrowing  
power, etc.

9 (2) The Council may, subject to the provisions of this Act and the  
10 conditions of any trust created in respect of any property, invest all or any of  
11 its funds as may be approved by the President.

12 (3) The Minister may, with the approval of the President, issue  
13 directives to the Council as to the disposal of surplus funds of the Institute.

14 14. The Institute shall within six months after the end of each financial  
15 year, submit to the President, a report on the activities of the Institute and its  
16 administration during the last preceding year.

Annual report

17 *Supplemental*

18 15.-(1) The Institute shall provide and maintain a digital library  
19 comprising internet facilities, books, publications and E books/E Journals  
20 library as may be provided by the Council for the advancement of  
21 knowledge of international affairs and relations, for research purposes, and  
22 for other purposes concerned with the objects and functions of the Institute.

Provisions of  
library facilities

23 *[1986 No. 16.]*

24 (2) A certified true copy of every treaty entered into by the Federal  
25 Republic of Nigeria shall be deposited at the library of the Institute.

26 16.-(1) The Council may, subject to the provisions of this Act, make  
27 regulations generally for the purposes of this Act; and without prejudice to  
28 the generality of the foregoing regulations may provide for-

Regulations

29 (a) The functions and responsibilities of the Director-General and the  
30 secretary;

- 1 (b) The disciplinary control of all officers and staff of the Institute;  
2 (c) Matters concerning-  
3 (i) Membership of the Institute;  
4 (ii) Annual subscriptions;  
5 (iii) annual general meetings and extraordinary general meetings of the  
6 members of the Institute, the regulations of the conduct of the meetings, and  
7 matters which may be dealt with at such meetings; and (iv) Appointment to  
8 the offices of Patron and Vice Patrons of the Institute; and  
9 (d) Such other matters as the Minister may approve.

10 (2) Notwithstanding anything in the foregoing provisions of this section,  
11 the first meeting of the Council shall be summoned by the Minister, on such day  
12 after the appointed day, as he may think fit.

13 (3) Regulations made under subsection (1) of this section shall not have  
14 effect until they are approved by the President, and when so approved they  
15 shall be published in the Federal *Gazette*.

Conditions of  
Service

16 17. *The Condition of Service was included as part of amendment to*  
17 *broaden the institute:*

18 The Institute shall operate under the terms of Federal Government Public  
19 Service Rules and the remuneration, tenure and conditions of service of  
20 employees of the Institute (including the Director-General) shall be as those  
21 applicable to staff in Nigerian Universities or otherwise as may be determined,  
22 from time to time, by the Federal Government.

Funds of the  
Institute

23 18. *The Institute's funds were also included as part of amendment made*  
24 *to institute's survival:*

25 (1) The Institute shall establish and maintain a Specialised Fund for  
26 research and its ancillary activities.

27 (2) The fund established under subsection (1) of this section shall consist  
28 of-

- 29 (a) The intervention grant from the Federal Government;  
30 (b) Annual subvention from the Federal Government;

1 (c) Internally Generated Revenue from fees, commissions and dues  
2 charged by the Institute pursuant to its functions under this Bill or any other  
3 enactment or law;

4 (d) Gifts and grants-in-aid from any national or international  
5 organisation; and

6 (e) all sums of money accruing to the Institute by way of gifts,  
7 testamentary dispositions and endowments and contributions from any  
8 other sources whatsoever.

9 19. *The Institute's annual estimates are part of amendment made, to* Annual Budget  
10 *make the institute accountable in their finances:*

11 (1) The Institute shall cause to be prepared not later than 30 September  
12 in each year an estimate of the expenditure and income of the Institute  
13 during the next succeeding year and when prepared, they shall be submitted  
14 to the President.

15 (2) The Institute shall cause to be kept proper accounts of the Institute  
16 and proper records in relation thereto and when certified by the Institute, the  
17 accounts shall be audited by auditors appointed by the Institute from the list  
18 and in accordance with the guidelines supplied by the Auditor-General for  
19 the Federation.

20 20.-(1) The trustees appointed by the Institute who for the purposes of  
21 the Companies and Allied Matters Act became an incorporated body under  
22 that Act with powers to accept, acquire and hold in trust all land belonging to  
23 the Institute shall, as from the appointed day, cease to be an incorporated  
24 body and to have or to exercise such power, and accordingly-

Consequential  
provisions

25 (a) the certificate of registration of the said trustees granted under that  
26 Act shall as from that appointed day become null and void;

27 (b) the constitution and bye-laws and other instruments which may be  
28 in operation immediately before the appointed day and which, among other  
29 things, relate to the aims and objects of the Institute and deal with the  
30 appointment and powers of the trustees, membership of the Institute and the

1 proceedings of its annual general meetings shall no longer have effect; and  
2 (c) Any holder of an office of the Institute who was or became by virtue of  
3 the said constitution and bye- laws, an officer of the Institute before the  
4 appointed day shall, as from that appointed day, vacate his office which shall  
5 there upon become vacant.

6 (2) Nothing in this section shall affect the appointment under this Act of  
7 any servant or other member of the staff of the Institute or his tenure of office.

Transition  
provisions

8 21.-(1) All property which immediately before the appointed day was  
9 held by the trustees of the Institute (hereby dissolved) or by some other body or  
10 person on behalf of or in trust for the Institute, shall on that appointed date, by  
11 virtue of this section and without further assurance vest in the Institute and be  
12 held by it on behalf of or, as the case may be, on the like trust for the  
13 benefit of the Institute.

Second  
Schedule

14 (2) The transitional provisions set out in the Second Schedule to this  
15 Act relating to the rights, liabilities and obligations arising out of any contract  
16 or other arrangement and other matters therein mentioned shall apply  
17 accordingly.

General restriction  
as to the powers  
of the Institute

18 22.-(1) Nothing in this Act shall be construed as permitting the Institute  
19 to express an opinion on any aspect of international affairs on behalf of the  
20 Federal Government.

Procedure in  
respect of suits  
against the  
Institute

21 22A.-(1) No suit against the Institute, a member of the council or any  
22 employee of the Institute for any of any public duties or in respect of any  
23 alleged neglect or default in the execution of such law duties shall lie or be  
24 instituted in any Court unless it is commenced within twelve months next after  
25 the act, neglect or default complained of or, in the case of a continuance of  
26 damage or injury within twelve months next after the leasing thereof.

27 (2) No suit shall be commenced against the Institute before the  
28 expiration of a period of the month after written notice of intention to  
29 commence the suit shall have been served upon the Institute by intending  
30 plaintiff or his agent, and the notice shall clearly and explicitly state-

- 1 (a) the cause of action;
- 2 (b) the particulars of the Claim;
- 3 (c) the name and place of abode of the intending plaintiff; and
- 4 (d) the relief which he claims.

5 **22B.** The notice referred to in subsection (2) of Section 22A of this  
 6 Act and any Summons, notice or other document required or authorised to  
 7 be served upon the Institute under the provisions of this Act or any other law  
 8 may be served by delivering the same to the Chairman, or the Director-  
 9 General, or by sending it by registered post addressed to the Director-  
 10 General at the Principal Office of the Institute.

Service of documents

11 **22C.** A new Section 22C should be inserted to read:

12 "In any action or suit against the Institute no execution or  
 13 attachment or process in the nature thereof shall be issued against the  
 14 Institute but any sums of money which by judgment of the Court be awarded  
 15 against the Institute shall, subject to any directions given by the Institute, be  
 16 paid from the general reserve fund of the Institute".

Restriction

17 **22D.** Every member of the Council, agent or employee for the time  
 18 being of the Institute shall be indemnified out of the assets of the Institute  
 19 against any liability incurred by him in defending any proceeding whether  
 20 civil or criminal, if any such proceeding is brought against him in his  
 21 capacity as such member, agent or employee as aforesaid.

Indemnity of Members

22 **23.** In this Act, unless the context otherwise requires-  
 23 "Council" has the meaning given to it in section 1 of this Act;

Interpretation

24 "Institute" means the Nigerian Institute of International Affairs established  
 25 by this Act;

26 "Minister" means the Minister of Foreign Affairs; and

27 "trustees" means the former trustees of the Institute incorporated before the  
 28 appointed day under the Companies and Allied Matters Act.

29 **24.** This Bill may be cited as the Repeal and Re-enacted Nigerian  
 30 Institute of International Affairs Bill, 2021.

Short title

## 1 SCHEDULES

## 2 FIRST SCHEDULE

3 [Section 1(3).]

4 *Membership of the Council*

5 1. Subject to this Act and not withstanding anything in any other  
6 enactment, the Council shall consist of the following members to be appointed  
7 by the President, that is to say-

8 (a) A chairman;

9 (b) The Director-General;

10 (c) A representative of the Presidency;

11 (d) three persons from the Federal Universities in the Federation, so  
12 however that no two persons shall be appointed from the same University;

13 (e) six persons with special interest in international affairs.

14 2. The Council may appoint one of their members to act in the place of the  
15 chairman during a long absence or during a temporary incapacity from long  
16 illness of the chairman, and that person while so acting, shall exercise all the  
17 functions of the chairman of the Council under this Act.

18 3. The President may by order published in the *Federal Gazette*, increase  
19 the membership of the Council.

20 *Proceedings of the Council*

21 4. Subject to this Act, and to section 27 of the Interpretation Act (which  
22 provided for decisions of a statutory body to be taken by a majority of its  
23 members and for the chairman to have a second or casting vote) the Council  
24 may make standing orders regulating the proceedings of the Council or any  
25 committee thereof.

26 [Cap. 123.]

27 5. The quorum of the Council shall be one third of the number of its  
28 membership and the quorum of any committee of the Council shall be  
29 determined by the Council.

30 6. At any meeting of the Council, the chairman or any person appointed to

1 act in that behalf shall preside, but if neither is present, the members present  
2 at the meeting shall elect one of their members to preside at the meeting.

3 *Terms of service of members of the Council*

4 7. Subject to paragraph 9 of this Schedule, a member of the Council  
5 shall hold office for period off our years, from the date of his appointment  
6 and shall be eligible for re-appointment for one further period of three years;  
7 thereafter he shall no longer be eligible for re-appointment.

8 8. Any member may resign his appointment by a letter addressed to the  
9 President and that member's resignation shall have effect from the date of  
10 receipt of the letter by the President.

11 9. The provisions of paragraph 8 of this Schedule shall be without  
12 prejudice to section 11 of the Interpretation Act relating to appointments.

13 *[Cap.123.]*

14 *Committees of the Council*

15 10. The Council may, where appropriate, appoint a management  
16 committee to administer the Institute.

17 11. The Council may appoint such other standing and ad hoc  
18 committees as the Council thinks fit to consider and report on any matter  
19 with which the Council is concerned.

20 12. Every committee appointed under the provisions of paragraph of  
21 this Schedule shall be presided over by a member of the Council and shall be  
22 made up of such number of persons, not being necessarily members of the  
23 Institute, as the Council may determine in each case.

24 13. Every committee shall have the power to co-opt more than one-  
25 third of its number and such co-opted members shall have full voting rights.

26 *Meetings and membership of the Institute etc.*

27 14.-(1) Notwithstanding anything in this Act, the Council shall  
28 make regulations providing for the holding of meetings of members of the  
29 Institute, in conjunction with meetings of the Council; and at any such joint  
30 meeting, decisions may be taken with respect to the government of the

1 Institute and the management of its affairs; and in this paragraph, "meetings"  
2 include annual general meetings and extra-ordinary meetings.

3 (2) Anyone third of members of the Council may, in writing, demand a  
4 Council meeting and the chairman shall cause such a meeting to be summoned.

5 (3) Anyone third of the members of the Institute may, in writing, demand  
6 a general meeting and the chairman shall cause such a meeting to be  
7 summoned.

8 (4) The chairman shall preside over any joint meeting of the Council and  
9 members of the Institute.

10 (5) The chairman shall preside over any meeting of the members  
11 including the annual general meeting.

12 15.-(1)The Patron and the Vice-Patron of the Institute and members of  
13 the Council of the Institute, appointed pursuant to the foregoing provisions of  
14 this Act, shall be members of the Institute.

15 (2)The chairman shall preside over any joint meeting of the Council  
16 and members of the Institute or any meeting of the members, including the  
17 annual general meeting.

18 *Miscellaneous*

19 16. The fixing of the seal of the Institute shall be authenticated by the  
20 signature of the chairman of the Council and by that of the Director-General.

21 17. Any contract or instrument which, if made or executed by a person  
22 not being a body corporate, would not be required to be under seal may be made  
23 or executed on behalf of the Institute by the Director- General or any person  
24 generally authorized to act for that purpose by the Council.

25 18. Any document purporting to be a document duly executed under the  
26 seal of the Institute shall be received in evidence and shall, unless the contrary  
27 is proved, be presumed to be so executed.

28 19. The validity of any proceedings of the meetings of the Institute,  
29 Council or of any committee of the Council shall not be affected-

30 (a) By any vacancy in the membership of the Institute, Council or of any



1 such committee; or

2 (b) By any defect in the appointment of any member; or

3 (c) By reason that a person not entitled to do so, took part in the  
4 proceedings.

5 SECOND SCHEDULE

6 [Section 17(2).]

7 TRANSITIONAL PROVISIONS AS TO PROPERTY

8 *Transfer of property*

9 1. Every agreement which had been entered in to by the Institute  
10 immediately before the appointed day, whether in writing or not and  
11 whether or not of such a nature, that the rights, liabilities and obligations  
12 there under could be assigned, shall, unless its terms or subject matters  
13 make it impossible that it should have effect as modified in the manner  
14 provided hereunder, have effect from the appointed day, so far as it relates to  
15 property transferred by this Act to the Institute as if-

16 (a) The Institute has been a party to the agreement;

17 (b) For any reference (however worded and whether expressed or  
18 implied) to the trustees there were substituted, as respects anything failing to  
19 be done on or after the appointed day, a reference to the Institute; and

20 (c) for any reference (however worded and whether expressed or  
21 implied) to a member of the Institute or an officer thereof there were  
22 substituted, as respects anything failing to be done on or after the appointed  
23 day, a reference to a member or an officer of the Institute, as may be to the  
24 member or officer in question of the Institute, as established by this Act.

25 2. Other documents which refer, whether specially or generally, to the  
26 trustees or other persons, shall be construed in accordance with paragraph 1  
27 of this Schedule so far as applicable.

28 3. Without prejudice to the generality of the foregoing provisions,  
29 where, by the operation of any of them, any right, liability or obligation is  
30 vested in the Institute, the Institute and all other persons shall, as from the

1 appointed day, have the same rights, powers and remedies for ascertaining,  
2 perfecting or enforcing that right, liability or obligation, as they would have  
3 had if it had at all times been a right, liability or obligation of the Institute.

4 4. Any legal proceedings or application to any authority pending on the  
5 appointed day by or against the trustees and relating to property transferred by  
6 this Act to the Institute may be continued on or after that day by or against the  
7 Institute.

8 5. If the law in force, at the place where any property transferred by this Act  
9 is situated, provides for the registration of transfers of property of the kind in  
10 question (whether by reference to an instrument of transfer or otherwise), the  
11 law shall, so far as it provides for alternations of a register (but not for  
12 avoidance of transfers, the payment of fees or any other matter) apply with the  
13 necessary modifications to the transfer of the property aforesaid; and it shall be  
14 the duty of the Institute to furnish the necessary particulars of the transfer to the  
15 proper officer of the registration Authority and of that officer to register the  
16 transfer accordingly without payment of any fee by the Institute.

#### EXPLANATORY MEMORANDUM

This Bill seeks to repeal and reenact the Nigerian Institute of International Affairs Act, Cap. N113, Laws of the Federation of Nigeria, to broaden the scope and functions or responsibilities of the Nigerian Institute of International Affairs, to add more value to the Foreign Mission.