



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

**NIGERIAN INSTITUTE OF INTERNATIONAL
AFFAIRS BILL, 2022
(HB.1279)**

A BILL
FOR

AN ACT TO REPEAL AND ENACT THE NIGERIAN INSTITUTE OF INTERNATIONAL AFFAIRS ACT, CAP. N113, LAWS OF THE FEDERATION OF NIGERIA, 2004 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

FIRST READING

TUESDAY 26TH JULY, 2021

SECOND READING

TUESDAY 7TH DECEMBER, 2022

THIRD READING

TUESDAY 7TH DECEMBER, 2022

NIGERIAN INSTITUTE OF INTERNATIONAL AFFAIRS BILL, 2022



Arrangement of Clauses

Clauses

- Establishment of the Nigerian Institute of International Affairs
- Objects
- Functions
- Scope and Application
- Officers and Staff of the Institute
- Director-General of the Institute
- Appointment of Directors of the Institute
- Discipline and Termination of Appointment of Officers and Staff
- Establishment of the Institute Postgraduate School and Functions
- Establishment of the Nigerian Institute of International Affairs' Academic Board, Membership, Powers and Functions
- The Visitor and his functions
- Congregation
- Convocation – General Provisions
- Convocation
- Establishment of the Postgraduate Committee
- Graduate/Alumni Association
- Mode of exercising power to make statutes
- Pensions
- Membership of the Institute
- Financial Provisions
- Power to accept gifts
- Expenditure of the Institute
- Borrowing power, etc.
- Annual report
- Provisions of library facilities
- Regulations
- Conditions of Service
- Funds of the Institute
- Annual Budget
- Consequential Provisions
- Transitional provisions
- General restriction as to the powers of the Institute
- Procedure in respect of suits against the Institute
- Service of documents

Restriction
Indemnity of members
Interpretation
Short Title

A BILL
FOR

AN ACT TO REPEAL AND ENACT THE NIGERIAN INSTITUTE OF INTERNATIONAL AFFAIRS ACT, CAP. N113, LAWS OF THE FEDERATION OF NIGERIA, 2004 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 (HB.1279)

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows : } Commencement.

1. (1) There is hereby established a body to be known as the Nigerian Institute of International Affairs (in this Act referred to as "the Institute") which shall have the functions assigned to it by this Act. Establishment of the Nigerian Institute of International Affairs
- (2) The Institute shall be a body corporate with perpetual succession and a common seal.
- (a) The Institute shall be a center of excellence for the scientific study of International Affairs.

First Schedule

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

- (4) The provisions of the First Schedule to this Act relating to-
- (a) the membership, powers and the proceedings of the Council;
- (b) the committees of the Council; and
- (c) the other matters there mentioned shall have effect as therein prescribed.

(5) The Institute shall be exempted from stamp duties

2. The objectives of the Institute shall be to- Objects
- (a) encourage and facilitate the understanding of international affairs and the circumstances, conditions and attitudes of foreign countries and their peoples, and international organizations;
- (b) provide and maintain means of information upon international questions and promote the study and investigation of international question using conferences, lectures and discussions, and by the preparation and publication of books, records, reports, or otherwise as may seem desirable to develop a body of informed opinions on world affairs;
- (c) establish contacts with other organizations with similar objects.
- (d) provide a nursery of ideas on what direction in international affairs Nigeria should take, as well as 'to provide a meeting ground for people of all nations and rich soil for the cross-fertilization of their ideas, and to be accomplished through painstaking research,

conferences, seminars, workshop, roundtable discussions, and public lectures on crucial issues in world affairs;

- (e) serving as a national body of expertise for all matters relating to international affairs;
- (f) overseeing the implementation and monitoring of national standards for international affairs;
- (g) consulting with and making recommendations to the government, regulatory bodies, trade associations, academic community and other professional bodies on all matters relating to international affairs;
- (h) encourage an open exchange of ideas, cooperation with individuals, corporate bodies and governments in the pursuit of its mandate;
- (i) focus on research such as international politics, international law organization, international economic relations, security and strategic studies, as well as African politics and integration.

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

Functions

- (a) Provide such information to the Government of the Federation and members of the public with respect to matters concerning international affairs;
- (b) provide facilities for the training of Nigerian diplomats and personnel and those of other countries whose vocations relate to international affairs;
- (c) promote and encourage the study and research into all aspects of international affairs;
- (d) from time to time organize international seminars and conferences on any matter relating to its object;
- (e) promote and undertake such other activities as may in the opinion of the Institute be deemed necessary for the attainment of the objects of the Institute;
- (f) facilitate training and retraining of foreign service personnel to enable them develop the capacity to represent Nigeria in such critical areas as diplomacy, trade, investment, security and other issues, thereby, strengthening her foreign policy for increased output and reciprocal gains in line with the object and mandate of the Institute;
- (g) be responsible for setting the policy agenda and foreign service goals in line with Nigeria's Foreign Policy Objectives, as stipulated in Section 19 of the amended 1999 Constitution of the Federal Republic of Nigeria;
- (h) serve as an intellectual base upon which decision-makers rely for informed opinion and expert advice in order to make rational choices between contending policy options;
- (i) determine and establish national standards of knowledge, proficiency and achievement in international affairs management and administration, and provide a means for recognition of those who attain the standards from time to time, by the Institute;
- (j) serve as a centre of excellence in research, training, and enlightenment of the Nigerian public on issues concerning the country's foreign policy and general developments in world affairs;

- (k) consider and make recommendations on socio-economic issues that impact international affairs in relation to overall national development;
- (l) examine, appraise and advise on the position of international relations and conditions of employment;
- (m) make recommendations to the Minister of Foreign Affairs on the formulation of any Regulations as may be required for the implementation of foreign affairs legislation in Nigeria;
- (n) co-operate with colleges and university schools of international and public affairs and other related professional schools and associations to develop and run programmes of study relating to international relations, international law and organizations, international economic relations, security and strategic studies, African studies, Asian studies and European studies;
- (o) The Institute promote competent and productive senior staff from one grade to another; and
- (p) carry out such other functions or responsibilities as may be conferred upon it by any other enactment or law or as the President or Minister may, from time to time, request.

(2) The Institute shall be the supervisory authority for this Act and shall for that purpose -

- (a) register and regulate international relationship professional practice activities, and control and supervise their activities with a view to maintaining proper standards of conduct and acceptable administration practices;
- (b) make rules consistent with the provisions of this Act, for the proper functioning of institutions under this Act;
- (c) take measures to protect the interests of foreign information subjects;
- (d) protect the integrity of the international affairs system in Nigeria against any abuses;
- (e) impose penalties for the breach of this Act and Regulations made thereunder
- (f) undertake such other activities as are necessary or expedient for giving full effect to the provisions of this Act;
- (g) perform such other functions which, in the opinion of the Institute, may be required in ensuring the optimal efficiency and performance of the Institute;
- (h) perform other functions specified under this Act.

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

Scope and Application

- (a) all matters relating to international affairs as well as African politics and integration;
- (b) all persons, organisations and institutions relating to international affairs.

- (c) all matters relating to research, training, and enlightenment of the Nigerian public on issues concerning the country's foreign policy and general developments in world affairs;
 - (d) all matters relating to the scientific study of international relations, economics and international law and without prejudice to the generality of the foregoing provisions;
5. (1) Subject to sections 5 and 6 of this Act, there shall be in the employment of the Institute, such number of officers and staff as may appear expedient and necessary to the Council, for the proper and efficient conduct of the functions of the Council.
- (2) Unless otherwise precluded by this Act, the Institute may exercise any of the powers and perform any of the functions and duties conferred on the Institute by this Act through or by any of its officers and staff duly authorized by the Council in that behalf.
- (3) Appointment of officers and staff of the Institute, other than those referred to in sections 5 and 6 of this Act, shall be made by an Appointments and Promotion Committee, which shall be set up by the Council after consultation with the Director-General.
- (4) The Appointments and Promotion Committee shall be presided over by the Director-General and shall comprise the following members-
- (a) A Professor of political science;
 - (b) A Professor of history;
 - (c) A Professor of law;
 - (d) A Professor of Economics, to be drawn from Nigerian universities; and
 - (e) A member of the Council, other than the Director-General, to be appointed by the chairman.
- (5) Officers and staff of the Institute shall be answerable directly to the Director-General and the power to appoint junior officers of grade level 07 and below shall be exercised by the Director-General.
6. (1) There shall be an officer of the Institute to be known as the Director-General who shall be appointed by the President.
- [1986 No. 16.]
- (2) The Director-General shall be the chief executive of the Institute.
7. (1) There shall be appointed by the Council, the following officers of the Institute –
- (a) The Director of Administration, who shall be responsible to the Director-General for administrative work of the Institute and shall act as Secretary to the Council and where no other person is so designated, act as Secretary to any of its' committees;

Officers and Staff of
the Institute

Director-General of the
Institute

Appointment of
Directors of the
Institute

and

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

- (i) Be responsible to the Director-General for coordinating the research staff and research projects of the Institute and the collection and publication of research materials; and
- (ii) Hold office for one term of five years only;

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

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

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

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

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

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

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

8. (1) The power to discipline, suspend, reprimand and interdict any officer or staff above grade level 07 shall be exercised by the Appointments and Promotion Committee:

Discipline and
Termination of
Appointment of
Officers and Staff

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

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

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

Establishment of the
Institute Postgraduate
School and Functions

(2) The Postgraduate School shall consist of –

- (a) an Academic Board;
- (b) a Postgraduate Committee, and

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

(3) The Postgraduate School shall be responsible for coordinating and conducting courses of

instruction for the award of Postgraduate Diploma (PGD) and Master Degrees in International Relations, Diplomatic Practices and other related matters.

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

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

- (2) Membership of the Academic Board

The Academic Board shall consist of the following members –

- (a) Director of Studies;
- (b) Director of Research;
- (c) Professors of the Institute;
- (d) The Coordinator of the Postgraduate School;
- (e) Two Senior Research Fellows to be appointed by the Director-General;
- (f) Any other Research Fellow that the Director-general may deem fit to appoint.

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

- (4) Powers of the Academic Board

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

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

- (6) Functions of the Academic Board

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

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

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

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

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

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

(g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the powers of the Institute; and

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

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

11. (1) The Visitor to the Institute of Postgraduate School shall be the President of the Federal Republic of Nigeria. The Visitor and his functions

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

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

12. (1) Institute's Congregation shall consist of - Congregation

(a) the Director-General;

(b) the Director of Studies;

(c) the Director of Research;

(d) the Director of Library and Documentation

(e) the Director of Administration

(f) the Director of International Cooperation and Public Affairs

(g) the Coordinator of Postgraduate School

(h) the Director of Finance;

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

(k) every member of the administrative staff who holds a degree, other than an honorary

degree, of any Institute, recognized for the purposes of this Statute by the Director—general
(2) the Director-General shall be the Chairman at all meetings of Congregation when the Director-General is present; and absent any of the Directors of the Institute shall be the Chairman of the meeting.

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

13. (1) A Convocation for the conferment of degrees and other academic titles and distinctions of the Institute shall be held once every two (2) years at such time and place as shall be determined by the Council. The degrees, academic titles and distinctions shall be conferred by the person presiding at the Convocation. Convocation – General Provisions

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

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

14. (1) Convocation shall consist of - Convocation

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

- (i) the Chairperson of Council;
- (ii) the Fellows of the Institute;
- (iii) the Director-General;
- (iv) the Director of Administration;
- (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 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 or 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 of appointing a member of the Council, as may be provided by statute or regulations.

15. (1) There is established a Postgraduate Committee.

Establishment of the
Postgraduate
Committee

(2) The Postgraduate Committee shall consist of –

(a) the Director-General;

(b) the Director of Studies

(c) the Coordinator of Postgraduate School;

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

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

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

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

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

(c) determining what descriptions of the dress shall be academic gown for the purpose of the Institute and regulate the use of academic gown;

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

(e) To consider and prescribe the scope and content of courses of instruction leading to the

award of diplomas, certificates and degrees or other distinction of the Institute and make recommendations to the Academic Board;

16. There shall be a Graduate Association of the Institute, the Constitution, functions and procedure of which shall subject to the provisions of this law, be such as may be prescribed by the Institute Regulations. Graduate/Alumni Association
17. (1) The power of the Institute to make statutes shall be exercised in accordance with the provisions of this section and not otherwise. Mode of exercising power to make statutes
(2) A proposed statute shall not become law unless it has been approved –
(a) at a meeting of the Institute Academic Board, by the votes of not less than two thirds of the members present and voting; and
(b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
(3) A proposed statute may originate either in the Institute Academic Board or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies before the other.
(4) A statute which –
(a) makes provision for or alters the composition or constitution of the Council, Institute Academic Board or any other authority of the Institute; or
(b) provides for the establishment of a new Department or school or for the amendment or revocation of any statute whereby a Department or school is established, shall not come into operation unless it has been approved by the Council
18. (1) It is hereby declared, that service in the Institute shall be public service for the purposes of the Pensions Act and accordingly, pension is contributory and officers and staff are entitled to pensions, gratuities and other retirement benefits on a pro-rata basis as prescribed by the Pension Act. Pensions
(2) Notwithstanding anything to the contrary in the Pensions Act, the compulsory retiring age of academic staff of the Institute shall be sixty five years.
(3) A law or rule requiring a person to retire from the public service after serving for thirty-five years shall not apply to an academic staff of the Institute.
19. (1) Membership of the Institute shall be open only to persons who are citizens of Nigeria and to non-Nigerians on the recommendation of the Council and approval of the President Membership of the Institute
(2) it shall be the duty of the members of the Institute generally, to promote and undertake such things as may be deemed necessary for the attainment of the objects of the Institute.

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

20. (1) The Institute shall establish and maintain a specialized fund, which shall be applied towards the promotion of the objects of the Institute. Financial Provisions

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

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

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

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

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

(3) The fund shall be managed in accordance with rules made by the Minister of Finance and without prejudice to the generality of the power to make rules under this subsection the rules shall in particular contain provisions-

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

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

(c) for ensuring that the accounts are audited periodically by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation; and

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

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

[1986 No. 16.]

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

or the regulations of the government.

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

Expenditure of the Institute

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

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

(c) for reimbursing members of the Institute or members of any committee set up by the Council or the Director-General;

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

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

(f) for and in connection with all or any of the functions of the Institute under this Act or any other enactment.

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

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

Borrowing power, etc.

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

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

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

Annual report

25. Supplemental

(1) The Institute shall provide and maintain a digital library comprising internet facilities, books, publications and E books/E Journals library as may be provided by the Council for the advancement of knowledge of international affairs and relations, for research

Provisions of library facilities

purposes, and for other purposes concerned with the objects and functions of the Institute.

[1986 No. 16.]

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

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

Regulations

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

(b) The disciplinary control of all officers and staff of the Institute;

(c) Matters concerning-

(i) Membership of the Institute;

(ii) Annual subscriptions;

(iii) annual general meetings and extraordinary general meetings of the members of the Institute, the regulations of the conduct of the meetings, and matters which may be dealt with at such meetings; and

(iv) Appointment to the offices of Patron and Vice Patrons of the Institute; and

(d) Such other matters as the Minister may approve.

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

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

27. The Condition of Service was included as part of the amendment to broaden the institute:

Conditions of Service

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

28. (1) The Institute shall establish and maintain a Specialized Fund for research and its ancillary activities.

Funds of the Institute

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

- (a) The intervention grants from the Federal Government;
- (b) Annual subvention from the Federal Government;
- (c) Internally Generated Revenue from fees, commissions and dues charged by the Institute pursuant to its functions under this Bill or any other enactment or law;
- (d) Gifts and grants-in-aid from any national or international organisation; and
- (e) all sums of money accruing to the Institute by way of gifts, testamentary dispositions and endowments and contributions from any other sources whatsoever.

29.

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

Annual Budget

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

30.

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

Consequential Provisions

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

(b) the constitution and bye-laws and other instruments which may be in operation immediately before the appointed day and which, among other things, relate to the aims and objects of the Institute and deal with the appointment and powers of the trustees, membership of the Institute and the proceedings of its annual general meetings shall no longer have effect; and

(c) Any holder of an office of the Institute who was or became by virtue of the said constitution and bye- laws, an officer of the Institute before the appointed day shall, as from that appointed day, vacate his office which shall there upon become vacant.

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

31.

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

Transitional provisions

Second Schedule

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

32. (1) Nothing in this Act shall be construed as permitting the Institute to express an opinion on any aspect of international affairs on behalf of the Federal Government. General restriction as to the powers of the Institute
33. (1) No suit against the Institute, a member of the council or any employee of the Institute for any of any public duties or in respect of any alleged neglect or default in the execution of such lawful duties shall lie or be instituted in any Court unless it is commenced within twelve months next after the act, neglect or default complained of or, in the case of a continuance of damage or injury within twelve months next after the leasing thereof. Procedure in respect of suits against the Institute
- (2) No suit shall be commenced against the Institute before the expiration of a period of the month after written notice of intention to commence the suit shall have been served upon the Institute by intending plaintiff or his agent, and the notice shall clearly and explicitly state-
- (a) the cause of action;
 - (b) the particulars of the Claim;
 - (c) the name and place of abode of the intending plaintiff; and
 - (d) the relief which he claims
34. The notice referred to in subsection (2) of Section 35 of this Act and any Summons, notice or other document required or authorized to be served upon the Institute under the provisions of this Act or any other law may be served by delivering the same to the Chairman, or the Director-General, or by sending it by registered post addressed to the Director-General at the Principal Office of the Institute Service of documents
35. Restriction
- "In any action or suit against the Institute no execution or attachment or process in the nature thereof shall be issued against the Institute but any sums of money which by the judgment of the Court be awarded against the Institute shall, subject to any directions given by the Institute, be paid from the general reserve fund of the Institute.
36. Every member of the Council, agent, or employee for the time being of the Institute shall be indemnified out of the assets of the Institute against any liability incurred by him in defending any proceeding whether civil or criminal if any such proceeding is brought against him in his capacity as such member, agent or employee as aforesaid Indemnity of members
37. In this Act, unless the context otherwise requires- Interpretation
- "Council" has the meaning given to it in section 1 of this Act;
- "Institute" means the Nigerian Institute of International Affairs established by this Act;
- "Minister" means the Minister of Foreign Affairs; and

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

38. This Bill may be cited as the Repeal and Enactment of Nigerian Institute of International Affairs Bill, 2022 Short Title

FIRST SCHEDULE

Membership of the Council

1. Subject to this Act and notwithstanding anything in any other enactment, the Council shall consist of the following members to be appointed by the President, that is to say-

- (a) A chairman;
- (b) The Director-General;
- (c) A representative of the Presidency;
- (d) three persons from the Federal Universities in the Federation, so however that no two persons shall be appointed from the same University;
- (e) six persons with special interest in international affairs.

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

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

Proceedings of the Council

4. Subject to this Act, and to section 27 of the Interpretation Act (which provided for decisions of a statutory body to be taken by a majority of its members and for the chairman to have a second or casting vote) the Council may make standing orders regulating the proceedings of the Council or any committee thereof. [Cap. 123.]

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

6. At any meeting of the Council, the chairman or any person appointed to act on that behalf shall preside, but if neither is present, the members present at the meeting shall elect one of their members to preside at the meeting.

Terms of service of members of the Council

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

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

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

[Cap.123.]

Committees of the Council

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

11. The Council may appoint such other standing and Ad-hoc Committees as the Council thinks fit to consider and report on any matter with which the Council is concerned.

12. Every committee appointed under the provisions of paragraph 11 of this Schedule shall be presided over by a member of the Council and shall be made up of such number of persons, not being necessarily members of the Institute, as the Council may determine in each case.

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

Meetings and membership of the Institute etc.

14.-(1) Notwithstanding anything in this Act, the Council shall make regulations providing for the holding of meetings of members of the Institute, in conjunction with meetings of the Council; and at any such joint meeting, decisions may be taken with respect to the government of the Institute and the management of its affairs; and in this paragraph, "meetings" include annual general meetings and extra-ordinary meetings.

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

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

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

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

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

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

Miscellaneous

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

17. 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 Institute by the Director-General or any person generally authorized to act for that purpose by the Council.

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

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

(a) By any vacancy in the membership of the Institute, Council or of any such committee; or

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

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

SECOND SCHEDULE

[Section 17(2)]

TRANSITIONAL PROVISIONS TO PROPERTY

Transfer of property

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

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

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

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

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

3. Without prejudice to the generality of the foregoing provisions, where, by the operation of any of them, any right, liability or obligation is vested in the Institute, the Institute and all other persons shall, as from the appointed day, have the same rights, powers and remedies for ascertaining, perfecting or enforcing that right, liability or obligation, as they would have had if it had at all times been a right, liability or obligation of the Institute.

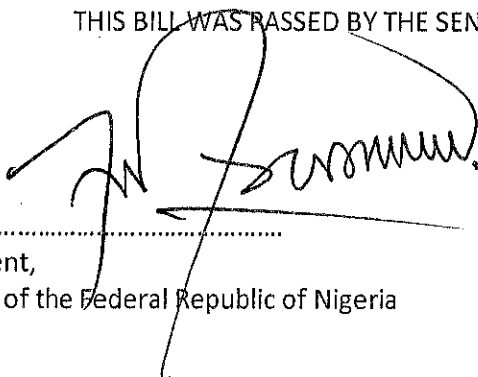
4. Any legal proceedings or application to any authority pending on the appointed day by or against the trustees and relating to property transferred by this Act to the Institute may be continued on or after that day by or against the Institute.

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

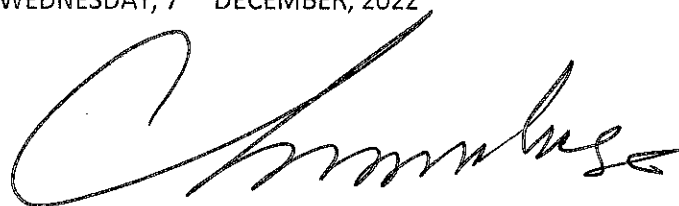
Explanatory Memorandum

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.

THIS BILL WAS PASSED BY THE SENATE ON WEDNESDAY, 7TH DECEMBER, 2022



.....
President,
Senate of the Federal Republic of Nigeria



.....
Clerk,
Senate of the Federal Republic of Nigeria