

[SB. 248]

**A BILL****FOR**

**AN ACT TO ESTABLISH THE NATIONAL AGENCY FOR THE PROMOTION AND  
PRESERVATION OF LOCAL LANGUAGES IN NIGERIA AND FOR OTHER MATTERS  
CONNECTED THEREWITH**

*Sponsored by* SENATOR OSITA IZUNASO

Commence-  
ment.

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

1 PART I — ESTABLISHMENT AND COMPOSITION, ETC. OF THE NATIONAL AGENCY FOR  
2 THE PROMOTION AND PRESERVATION OF LOCAL LANGUAGES IN NIGERIA,

3 1.—(1) There is hereby established a revolving fund to be known as the  
4 National Agency for the Promotion and Preservation of Local languages (in this  
5 Act referred to as “the Agency”).

Establishment  
of the  
National  
Agency for  
the Promotion  
and  
Preservation  
of Local  
Languages in  
Nigeria.

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

8 (3) May sue and be sued in its corporate name.

9 (4) May hold and dispose of property whether movable or immovable.

10 (5) The Head quarter of the Agency shall be located in the Federal Capital  
11 Territory.

12 2.—(1) There is hereby established for the management of the affairs of  
13 the Agency, a governing Board (in this Act referred to as “the Board”) which  
14 shall, subject to this Act, have general control of the Agency.

Establishment  
of the  
Governing  
Board of the  
Fund.

15 (2) The Council shall consist of —

16 (a) a chairman who shall be appointed by the President;

17 (b) a Representative each of—

18 (i) Ministry of Education,

19 (ii) National University Commission,

20 (iii) Nigerian Union of Teachers,

21 (iv) Ministry of Culture and Tourism,

22 (v) One Commissioner for Education each from the 36 States of the

1 Federation including FCT,  
2 (vi) NECO, WAEC and NABTEB;  
3 (c) the Executive Director of the Agency.  
4 (3) The Chairman and other members of the Board shall—  
5 (a) be appointed by the President subject to the confirmation of the Senate;  
6 and  
7 (b) be persons with proven integrity.

8 (4) The supplementary provisions contained in the Schedule to this Act  
9 shall have effect with respect to the proceedings of the Board and other matters  
10 mentioned therein.

Tenure of  
office.

11 3.—(1) The members of the Board appointed under section 2 (2) (a) and  
12 (b) of this Act shall hold office for a period of 4 years in the first instance and  
13 may be eligible for re appointment for a further period of 4 years and no more.

14 (2) The members of the Board shall be paid such remuneration and  
15 allowances as the Revenue Mobilization Allocation and Fiscal Commission  
16 may, from time to time, determine.

17 (3) A member of the Board other than an ex officio member may resign  
18 his appointment by a notice in writing under his hand, addressed to the Minister  
19 and which resignation shall take effect only upon acknowledgment by the  
20 Minister.

Cessation of  
membership.

21 4.—(1) A member of the Board shall cease to hold office if—

22 (a) he becomes of unsound mind; or  
23 (b) he becomes bankrupt or makes a compromise with his creditors; or  
24 (c) he is convicted of a felony or of any offence involving dishonesty; or  
25 (d) he is guilty of serious misconduct in relation to his duties.

26 (2) A member of the Board may be removed from office by the President,  
27 if, he is satisfied that it is not in the interest of the Fund or the interest of the  
28 public that the member should continue in office.

29 (3) Where a vacancy occurs in the membership of the Board, it shall be  
30 filled by the appointment of a successor to hold office for the remainder of the

1 term of office of his predecessor, so however that the successor shall represent  
2 the same interest and shall be appointed by the President.

3 PART II — OBJECTS AND FUNCTIONS OF THE AGENCY

4 5.—(1) The Agency shall primarily be charged with responsibility to  
5 promote and preserve local languages in Nigeria.

Objects of the  
Agency, etc.

6 (2) In pursuance of the purposes set out in subsection (1) of this section,  
7 the Agency shall—

8 (a) make available loans on such terms and conditions as the Board may  
9 determine finances for importation and distribution of agricultural inputs;

10 (b) Implement and harmonize the overall educational and cultural policies  
11 with regard to local languages;

12 (c) to pay the costs of administering the Agency.

13 6.—(1) Notwithstanding the provisions of subsection (2) of this section,  
14 the Fund shall be responsible for—

Functions of  
the Agency.

15 (a) Cause the identification of all indigenous languages spoken in Nigeria;

16 (b) Ensure the preservation and spread of all indigenous languages in  
17 Nigeria;

18 (c) Develop policies to encourage corporate bodies to undertake community  
19 engagement as part of corporate social responsibility and ensure corporate  
20 sponsorship of cultural and educational activities that offer added value  
21 Nigeria socio-cultural development;

22 (d) prevent the extinction and encourage the propagation of all local  
23 languages spoken in Nigeria;

24 (e) establish local language data bank in Nigeria;

25 (f) conduct research and investigations on local languages and publish  
26 same in media and journals;

27 (g) encourage the teachings of some of these local languages in schools ;  
28 and

29 (h) encourage and motivate Nigerian youths to embrace the speaking of  
30 these local languages ;

1 (i) carrying out such other activities that are necessary and expedient for  
2 the purpose of achieving the objectives of this Act.

3 (2) The Board shall also have power to carry out such activities as may  
4 appear to it to be incidental or conducive to the attainment of its objects under  
5 this Act.

6 (3) The Board may, subject to such conditions as it may impose, delegate  
7 any of the powers conferred on it by this Act (including power to appoint and  
8 exercise disciplinary control) to any of its committees or the Executive Director  
9 of the Agency, as the case may be.

10 (5) Nothing in this Section shall preclude the Board from exercising any  
11 of the powers delegated pursuant to Subsection (3) of this of this section.

12 PART III — STAFF OF THE AGENCY

Appointment  
of Executive  
Director, etc.

13 7.—(1) There shall be appointed for the Agency an Executive Director  
14 who shall be appointed by the President subject to the confirmation of the  
15 Senate.

16 (2) The Executive Director shall subject to the general control of the  
17 Board—

18 (a) be responsible for the implementation of the decisions of the Board  
19 and the day to day administration of the affairs of the Fund;

20 (b) be responsible for keeping proper records of the proceedings of the  
21 Board; and

22 (c) be the head of the Board's secretariat and be responsible for the  
23 administration thereof and the direction and control of all other employees  
24 of the Fund with the approval of the Board.

25 (3) The Executive Director shall hold office for such period of time as  
26 may be determined by his or her letter of appointment.

The Secretary  
and other  
staff of the  
Agency, etc.

27 8.—(1) The Board shall appoint for the Agency an officer to be known as  
28 the Secretary to the Board who shall perform the functions of keeping the  
29 record of proceedings and decisions of the Board and such other functions as the  
30 Board may, from time to time direct.

1 (2) The Board shall have power to appoint either on transfer or on  
2 secondment from any public service in the Federation, such number of employees  
3 as may, in the opinion of the Board, be required to assist the Agency in the  
4 discharge of any of its functions under this Act; and shall have power to pay to  
5 persons so employed such remuneration (including allowances) as the Board  
6 may, from time to time, determine.

7 (3) The terms and conditions of service (including terms and conditions  
8 as to remuneration, allowance, pensions, gratuities and other benefits) of the  
9 person employed by the Agency shall be as determined by the Board from time  
10 to time.

11 9.—(1) The Board may, subject to the provisions of this Act, make staff  
12 regulations relating generally to the conditions of service of the employees of  
13 the Agency and without prejudice to the generality of the foregoing, such  
14 regulations may provide for—

Staff  
regulations.

15 (a) the appointment, promotion and disciplinary control (including  
16 dismissal) of employees of the Agency; and

17 (b) appeals by such employees against dismissal or other disciplinary  
18 measures and until such regulations are made, any instrument relating to the  
19 conditions of service of officers in the Civil Service of the Federation shall  
20 be applicable, with such modifications as may be necessary, to the employees  
21 of the Fund.

22 (2) Staff regulations made under subsection (1) of this section shall not  
23 have effect until approved by the President.

24 10. It is hereby declared that service in the Agency shall be public service  
25 for the purposes of the Pension Reform Act, 2004 and, accordingly, officers and  
26 other persons employed in the Agency shall, in respect of their service in the  
27 Fund, be entitled to pension, gratuities and other retirement benefits as are  
28 prescribed there under, so however that nothing in this Act shall prevent the  
29 appointment of a person to any office on terms which preclude the grant of a  
30 pension or gratuity in respect of that office.

Pensions.

## PART IV — FINANCIAL PROVISIONS

Sources of  
funding.

11.—(1) There shall be paid and credited to the Fund established by this

Act—

(a) Such some of money as may be appropriated by the National Assembly;

(b) such sum of money as may accrue to it by way of voluntary contributions or grants from individuals, international institutions and other organizations ;

(c) all subventions, fees and charges for services rendered by the Agency;

and

(d) all other assets which may, from time to time, accrue to the Agency.

(2) The Fund shall be managed in accordance with rules to be made by the Board 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 Agency are to be held and regulating the making of payments into and out of the Fund; and

(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.

(3) The Board may, from time to time, apply: the proceeds of the Fund for the following purposes—

(a) the cost of administration of the Agency and the Board;

(b) the payment of salaries, fees and other remuneration, allowances, pension and gratuities payable to members or employees of the Fund or experts or professionals appointed by the Board.

Budgetary  
provisions.

12. The Board shall not later than 31 October submit to the President an estimate of its expenditure and income during the next succeeding year.

Expenses to  
be paid out of  
the money of  
the Fund.

13. All expenses incurred in the administration of the Agency shall be paid by the Board out of the monies of the Centre.

Award of  
contracts.

14. The Board shall have power to award contracts up to an amount of ₦10,000,000, but shall be required to obtain the approval of the minister for any contract in excess of that amount.

1	<b>15.—</b> (1) The Board may accept gifts of land, money or other property	Power to accept gifts.
2	upon such terms and conditions, if any, as may be specified by the person or	
3	organisation making the gift.	
4	(2) The Board shall not accept any gift if the condition attached by the	
5	person or organisation making the gift are inconsistent with the objectives of	
6	the Agency under this Act.	
7	<b>16.</b> The Board shall be exempted from the payment of income tax on any	Exemption from tax.
8	income accruing from investments made by the Board or otherwise howsoever.	
9	<b>17.—</b> (1) The Board shall cause to be prepared not later than 30 September	Annual estimates, account and audit.
10	in each year an estimate of the expenditure and income of the Agency during	
11	the next succeeding year and when prepared, they shall be submitted to the	
12	Minister.	
13	(2) The Board shall cause to be kept proper accounts of the Agency and	
14	proper records in relation thereto and when certified by the Board, such accounts	
15	shall be audited by auditors appointed by the Board from the list and in accordance	
16	with the guidelines supplied by the Auditor General for the Federation	
17	<b>18.</b> The Board shall, notwithstanding the provisions of Section 19 of this	Quarterly report.
18	Act and at the end of every three months, submit to the Minister a report on its	
19	activities and administration of the Board in relation to the Agency.	
20	<b>19.</b> The Board shall not later than three months before the end of each	Annual report.
21	year submit to the Minister a report on the activities and the administration of	
22	the Board in relation to the Fund during the immediately preceding year and	
23	shall include in such reports the auditor's report thereon.	
24	PART V — SUPPLEMENTAL	
25	<b>20.</b> The Board may with the approval of the President make such regulations	Regulations.
26	as are necessary or expedient for giving full effect to the provisions of this Act.	
27	<b>21.</b> In this Act, unless the context otherwise requires—	Interpretation.
28	“Agency” means the National Agency for the promotion and preservation	
29	of local languages in Nigeria ;	
30	“Board” means the Board established by Section 2 of this Act;	

1           “Executive Director” means the Executive Director appointed under  
2 Section 7 of this Act;

3           “Minister” means the Minister charged with the responsibility for matters  
4 relating to Culture and Tourism:

5           “Secretary” means the Secretary to the Board appointed under Section 8  
6 of this Act.

Citation.   7           **22.** This Act may be cited as the National Agency for the Promotion and  
8 Preservation of Local Languages in Nigeria (Establishment, etc) Bill, 2009.

SCHEDULE

Section 2 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

*Proceedings of the Board*

1.—(1) Subject to this Act and Section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees. [Cap. 123.]

(2) The quorum of the Board shall be the chairman and seven other members and the quorum of any committee shall be determined by the Board.

2.—(1) The Board shall meet not less than two times in each year and subject thereto, the Board shall meet whenever it is summoned by the Chairman; and if the Chairman is required to do so by notice given to him by not less than four other members, he shall summon a meeting of the Board, to be held within fourteen days from the date on which the notice is given.

(2) At any meeting of the Board, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their numbers to preside at that meeting.

(3) Where the Board desires to obtain the advice of any person on a particular matter the Board may co opt him to the Board for such period as it thinks fit; but a person who is in attendance by virtue of this subparagraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

*Committees*

3.—(1) The Board may appoint one or more committees to carry out, on behalf of the Board some of its functions as the Board may determine.

(2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily members of the Board) as may be determined by the Board; and a person other than a member of the Board shall hold office on the committee in accordance with the terms of his appointment.

(3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

*Miscellaneous*

4.—(1) The fixing of the seal of the Agency shall be authenticated by the signature of the chairman or of any other person authorized generally or specially to act for that purpose by the Board.

(2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Agency by the chairman or any person generally or specially authorized to act for that purpose by the Board.

(3) Any document purporting to be a document duly executed under the seal of the Agency shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.

5. The validity of any proceeding of the Board or of a Committee thereof shall not be adversely affected by any vacancy in the membership of the Board or Committee, or by any defect in the appointment of a member of the Board or of a Committee, or by reason that a person not entitled to do so took part in the proceedings of the Board or Committees.

EXPLANATORY MEMORANDUM

The Bill seeks to establish the National Agency for the preservation and promotion of local languages in Nigeria to implement and harmonize the overall educational and cultural policies with regard to local languages in Nigeria.