

NATIONAL COMMISSION FOR MASS LITERACY, ADULT AND NON-FORMAL EDUCATION ACT

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An Act to establish the National Commission for Mass Literacy, Adult and Non-Formal Education and to provide for matters connected therewith.

[1990 No. 17.]

[25th June, 1990]

[Commencement. J

PART I

Establishment, etc., of the National Commission for Mass Literacy, Adult and Non-Formal Education, etc.

1. Establishment of the National Commission for Mass Literacy, Adult and Non-Formal Education

(1) There is hereby established a body to be known as the National Commission for Mass Literacy, Adult and Non-Formal Education (in this Act referred to as "the Commission").

(2) The Commission shall be a body corporate with perpetual succession and common seal and may sue and be sued in its corporate name.

Establishment of the Governing Board of the Commission

(1) There is hereby established for the Commission a Governing Board which shall provide the general policy guidelines for the day-to-day administration of the Commission and shall comprise-

- (a) a part-time chairman, who shall have appropriate qualifications;
- (b) one person to represent each of the following Federal Ministries and bodies, that is-
 - (i) Education;
 - (ii) Health;
 - (iii) Information and National Orientation;
 - (iv) Sports and Social Development;
 - (v) Agriculture and Rural Development;
 - (vi) the National Teachers Institute;
 - (vii) the Industrial Training Fund;
 - (viii) the National Primary Education Commission;
 - (ix) the National Commission for Nomadic Education;
 - (x) the Directorate of Food, Roads and Rural Infrastructure;
 - (xi) the National Orientation Agency;

(c) one person to represent the Adult Education Department of each of three universities or colleges of education in rotation;

(d) five representatives of State Governments in rotation for two years at a time;

(e) five other persons who, in the opinion of the President, shall contribute significantly to the work of the Commission; and

(f) the executive secretary of the Commission.

(2) The chairman and other members of the Board shall be appointed by the President, on the recommendation of the Minister.

(3) The provisions contained in the Schedule to this Act shall have effect with respect to the tenure of office of members, proceedings of the Board and the other matters mentioned therein.

[Schedule.]

PART II

Functions of the Commission

3. Functions of the Commission

(1) The Commission shall-

(a) work in co-operation with all concerned to eradicate illiteracy in Nigeria;

(b) design and promote strategies and programmes for the conduct and implementation of a National Mass Literacy Campaign in consultation with appropriate agencies of the Federal and State Governments, the universities and non governmental agencies;

(c) monitor and co-ordinate activities relating to the National Mass Literacy Campaign in order to ensure the rapid and successful eradication of illiteracy in Nigeria;

(d) monitor and co-ordinate the implementation of all activities for the eradication of illiteracy in Africa and ensure the collection and dissemination of information on the implementation;

(e) organise in-service professional training courses for senior staff and operate training seminars for various levels of staff from government and non governmental organisations;

(f) develop and disseminate teaching materials in distant education programmes aimed at primary school leavers as well as mass literacy, adult and non-formal education personnel;

(g) request and receive from all Ministries of Education, in the States of the Federation and other mass literacy adult education organisations throughout Nigeria, annual reports and data on their adult education programmes;

(h) conduct research in various fields such as curriculum development, learning and teaching methodologies, appropriate educational technologies motivation of learners and instructions and needs assessments;

(i) organise annual conference of heads of adult education departments in State Ministries, agencies and institutions of higher learning;

(j) organise writers' workshops in order to develop and promote teaching and learning materials in various languages, especially for primers, for graded readers, including follow-up reading materials, posters, demonstration kits, package courses, audio-visual materials and flash cards;

(k) run national and international training workshops and seminars, and also act as a coordinator and clearing house for national training for mass literacy, adult and non-formal education;

(l) organise conferences, workshops, symposia, lectures and seminars on topical issues related to mass literacy, adult and non-formal education on a regular basis;

(m) serve as a general means of exchange of personnel information experience and materials on mass literacy, adult and non-formal education;

(n) prescribe the manner and methods for integrating mass literacy, adult and non formal system of education and for this purpose grant such necessary accreditation to courses of studies;

(o) lay down equivalent standards and negotiate with relevant institutions the acceptance of the standard accreditation and integration;

(p) commission special research programmes and pilot projects in mass literacy, adult and non-formal education in Nigeria;

(q) receive regular progress reports on the general situation on mass literacy, adult and non-formal education in Nigeria in relation to each national development plan;

(r) allocate fund from the Federal Government to relevant institutions on all recognised mass literacy, adult and non-formal education programmes;

(s) liaise with the institutions of higher learning in Nigeria and with international organisations on matters concerning literacy, adult and non-formal education;

(t) motivate and mobilise people to participate in mass literacy, adult and non formal education programmes through the mass media, especially the mobile cinema;

(u) liaise with agencies concerned with nomadic education in order to accelerate the development of mass literacy, adult and non-formal education; and

(v) carry out such other activities as are conducive to the discharge of its functions under this Act.

(2) The Commission may, from time to time, collate materials and information on mass literacy, adult and non-formal education in Nigeria, for the use of-

(a) the Commission;

(b) the Federal Ministry of Education; and

(c) the United Nations Educational, Scientific and Cultural Organisation, through the Federal Ministry of Education.

(3) The Commission may delegate any of the functions of the Commission specified in subsection (1) of this section to any of the Centres established pursuant to section 12 of this Act.

4. Powers of the Commission

The Commission shall have power-

(a) subject to the Land Use Act, to acquire, purchase, hold and dispose of immovable property; and

[Cap. L5.]

(b) to acquire, purchase, hold and dispose of any movable property.

5. Power to accept gifts

(1) The Commission may accept any gift, grant or donation from any person upon such terms and conditions, if any, as may be specified by the person making the gift, grant or donation.

(2) The Commission shall not accept any gift, grant or donation under subsection (1) of this section if the conditions attached thereto are inconsistent with the functions of the Commission under this Act.

6. Directives by the Minister to the Commission

Subject to this Act, the Minister may give to the Commission directives of a general nature or specific directives relating generally to a particular matter with regard to the carrying out of the functions of the Commission under this Act and it shall be the duty of the Commission to comply with such directives.

PART III

Staff of the Commission

Appointment of executive secretary

- (1) There shall be appointed by the President, an executive secretary for the Commission.
- (2) The executive secretary shall be the chief executive of the Commission and shall be responsible for the execution of the policy of the Commission and the day-to-day running of the affairs of the Commission.
- (3) The executive secretary shall hold office in the first instance for a period of five years and shall be eligible for re-appointment for such further terms of five years as the President may, from time to time, determine.
- (4) Subject to the provisions of this section, the executive secretary shall hold office on such terms as to emoluments and otherwise as may be specified in his letter of appointment.

Appointment of other staff of the Commission

- (1) The Commission may appoint heads of departments who shall be professional mass literacy and adult educators, and such other persons to be officers and employees of the Commission to assist the executive secretary in the exercise of his functions and the functions of the Commission under this Act.
- (2) The remuneration and tenure of office of the heads of departments and the other officers and employees of the Commission shall be determined by the Board after consultation with the Federal Civil Service Commission.
- (3) Notwithstanding the provisions of subsection (1) of this section, the heads of departments or any of the other officers and employees of the Commission may be appointed by the Commission by way of transfer or secondment from any of the public service in the Federation.

9. Pensions

- (1) Service in the Commission shall be approved service for the purposes of the Pensions Act and, accordingly, officers and other persons employed in the Commission shall be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder, so however that nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension, gratuity or other retirement benefit in respect of that office.

[1979 No. 102. Cap. P4.]

- (2) For the purposes of the application of the provisions of the Pensions Act any power exercisable thereunder by a Minister or other authority of the Government of the Federation, other than the power

to make regulations under section 23 thereof, is hereby vested in and shall be exercisable by the Commission and not by any other person or authority.

PART IV

Financial provisions

10. Fund of the Commission

(1) The Board shall establish and maintain a fund which shall consist of-

- (a) all moneys received from the Federal Government;
 - (b) subscriptions, fees and proceeds from sale of materials, publications and property;
 - (c) subject to section 5 (2) of this Act, grants, gifts and donations made to the Commission;
- and
- (d) such other sum as may accrue, from time to time, to the Commission.

(2) The Board shall, from time to time, apply the proceeds of the fund established pursuant to subsection (1) of this section-

- (a) to the cost of administration of the Commission;
- (b) to the payment of the salaries, fees or other remuneration or allowances, pensions, and gratuities payable to the officers and employees of the Commission, so however that no payment of any kind under this paragraph (except such as may be expressly authorised) shall be made to any person who is in receipt of emoluments from the Government of the Federation or of a State;
- (c) for reimbursing members of the Commission or of any committee set up by the Commission for such expenses as may be expressly authorised by the Board in accordance with the rates approved by the President;
- (d) for the maintenance of any property vested in the Commission; and
- (e) for and in connection with all or any of the functions of the Commission under this Act.

11. Annual estimates and accounts

(1) The Commission shall, not later than 31 October in each year, submit to the Minister an estimate of its expenditure and income (including payments into the fund of the Commission) during the next succeeding year.

(2) The Commission shall keep proper accounts in respect of each year (and proper records in relation thereto) and shall cause its accounts to be audited within six months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

PART V

Establishment of the National Centre for Mass Literacy, Adult and Non-Formal Education, etc.

12. Establishment of the National Centre for Mass Literacy, Adult and Non-Formal Education

There shall, in addition to the centre already in existence in Kano, be established, from time to time, on the basis of proven need, centres each to be known as National Centre for Mass Literacy, Adult and Non-Formal Education (in this Act referred to as "the Centre") which shall be part of the Commission and be subject to its control.

13. Objectives of the Centre

The objectives of each Centre shall, subject to section 3 of this Act, be to-

- (a) serve as National Mass Literacy, Adult and Non-Formal Education Library and Documentation Centre;
- (b) carry out, in collaboration with other agencies, public enlightenment campaigns for effective motivation and delivery of mass literacy, adult and non formal education programmes within the Centre;
- (c) monitor and co-ordinate the National Mass Literacy Campaign in collaboration with other agencies, for effective mass literacy, adult and non-formal education within the Centre;
- (d) serve as a national resource centre for mass literacy, adult and non-formal education and, in particular, provide prototype teaching and learning materials, both written and audio, for State and non-governmental agencies;
- (e) provide in-service training to senior staff of mass literacy, adult and non formal education agencies, both government and non-governmental;
- (f) organise distant teaching programme of general and civic education, skills improvement of graduates literacy programme and primary school leavers;
- (g) offer technical advice on-

- (i) the planning, implementation and evaluation of mass literacy, adult and non-formal education or projects;
- (ii) the training of workers at local levels; and
- (iii) the development of curriculum and training for such workers;
- (h) carry out research in the fields of mass literacy, adult and non-formal education;
- (i) organise conferences, workshops, symposia, lectures and seminars on issues of mass literacy, adult and non-formal education; and
- (j) perform such other functions as may be delegated to it, from time to time, by the Commission under section 3 (3) of this Act.

14. Governing Board of the Centre

(1) There shall be for the Centre a governing board (in this Act referred to as "the Board") which shall-

- (a) provide the general policy guidelines for the administration of the Centre;
- (b) approve the short- and long-term plan of activities of the Centre; and
- (c) perform such other duties as may be assigned to it, from time to time, by the Commission.

(2) The Board shall comprise-

- (a) a part-time chairman to be appointed by the Minister;
- b) one person to represent the Federal Ministry of Education;
- (c) one person to represent the Commission;
- (d) one person to represent the Nigerian Educational Research and Development Council;
- (e) one person to represent the Directorate of Food, Roads and Rural Infrastructure;
- (f) one person to represent the National Orientation Agency;
- (g) one person to represent the Industrial Training Fund;
- (h) one person to represent universities which have Departments of Adult Education, in rotation for two years at a time;
- (i) one person to represent colleges of education which have Departments of Adult Education, in rotation for two years at a time;

(j) five persons, to represent the States in rotation for two years to be nominated by the Governors of the States concerned;

(k) two other persons to be appointed by the Minister on their individual merit; and

(l) the secretary of the Centre.

(3) The chairman and other members of the Board, except the member appointed under subsection (2) (c) of this section, shall not be drawn from the Governing Board of the Commission and shall hold office on such terms and conditions, as may be determined by the Minister.

(4) The Board shall, subject to any direction by the Commission, regulate its own proceedings.

15. Fund of the Centre

(1) Each Centre shall be funded by monies received from the Commission and such other sums as may accrue to the Centre from any other source.

(2) The Board shall establish a fund into which shall be paid all monies received pursuant to subsection (1) of this section.

(3) There shall be paid from the fund established pursuant to subsection (2) of this section all the expenses incurred by the Centre.

16. Secretary and other employees of the Centre

(1) There shall be, for each Centre, a secretary who shall be appointed by the Minister, and such other employees, as may be required, to be appointed by the Centre, for carrying out the functions of the Centre under this Part of this Act.

(2) The secretary and other employees of the Centre shall hold office on such terms and conditions as may be set out in their letters of appointment.

17. Meaning of certain words used in this Part

In this Part of this Act, unless the context otherwise provides-

"Board" means the Governing Board of each Centre;

"chairman" means the chairman of the Board of each Centre;

"member" means a member of the Board of each Centre and includes the chairman.

PART VI

Miscellaneous

18. Annual report

The Commission shall prepare and submit to the President through the Minister, not later than 30 June in each year, a report, in such form as he may direct, on the activities of the Commission during the immediately preceding year, and shall include in such report a copy of the audited accounts of the Commission for that year and the Auditor-General's report thereon.

19. Power to obtain information

(l) For the purpose of carrying out the functions conferred on the Commission under this Act, the executive secretary or any other officer of the Commission authorised in that behalf-

(a) shall have a right of access to all the records of any institution or authority to which this Act applies for the specific purpose of discharging his duties under this Act;

(b) may, by notice in writing served on any person in charge of any institution or authority responsible for mass literacy, adult and non-formal education. require that person to furnish information on such matters as may be specified in the notice.

(2) It shall be the duty of any person required to furnish information pursuant to sub-section (1) of this section to comply with the notice within a reasonable period of time.

20. Regulations

The Board of the Commission may, with the approval of the Minister, make regulations for the purposes of this Act.

21. Interpretation

In this Act, unless the context otherwise requires-

"Board" means the Governing Board of the Commission established by section 2 (1).of this Act;

"Centre" means a National Centre for Mass Literacy, Adult and Non-Formal Education established pursuant to section 12 of this Act;

"Commission" means the National Commission for Mass Literacy, Adult and Non-Formal Education established by section I of this Act;

"functions" include duties and powers; and

"Minister" means the Minister charged with responsibility for matters relating to education.

22. Short title

This Act may be cited as the National Commission for Mass Literacy, Adult and Non-Formal Education Act.

SCHEDULE

[Section 2 (3).]

Supplementary provisions relating to the Board

Tenure of office of members

1. (1) A member of the Board, other than an ex-officio member, shall, subject to the following provisions of this paragraph, hold office for a period of four years beginning with the date of his appointment as a member and shall be eligible for re-appointment for one further period of four years.

(2) Any member of the Board, other than an ex-officio member, may by notice to the Board, resign his office.

Proceedings of the Board

2. (1) Subject to this Act and section 27 of the Interpretation Act, the Board may make standing orders regulating the proceedings of the Board or any committee thereof.

[Cap. 123.]

(2) The quorum of the Board shall be eight and the quorum of any committee of the Board shall be as determined by the Board.

3. (1) The Board shall meet not less than four 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 three 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 number 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 as a member for such period as it thinks fit; provided that a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards the quorum.

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister.

Committee

4. (1) The Board may appoint one or more committees to carry out on behalf of the Board such of its functions as the Board may determine.

(2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily all 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

5. (1) The fixing of the seal of the Commission shall be authenticated by the signature of the chairman and of any other member authorised generally or specially by the Board to act for that purpose.

(2) Any contract or instrument which, if made 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 Commission by the executive secretary or any person authorised generally or specially by the Board to act for that purpose.

6. Members of the Board who are not public officers shall be paid out of monies at the disposal of the Commission such remuneration, fee or allowances in accordance with such scales as may be approved, from time to time, by the Minister.

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

8. A member of the Board or of a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or the committee shall forthwith

disclose his interest to the Board or committee and shall not vote on any question relating to the contract or arrangement.

SUBSIDIARY LEGISLATION

No Subsidiary Legislation.