NATIONAL
LIBRARY

Decree 1970

UNITY & FAITH, PEACE & PROGRESS

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PART A

NATIONAL LIBRARY DECREE 1970

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Decree No. 29

[Section 14(2)]

Commencement

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:

National Library Board

1. (1) There is hereby established a body to be known as the National Library Board.

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

(3) The provisions of Schedule 1 to this Decree shall have effect with respect to the constitution and procedure of the Board and the other matters therein mentioned.

Functions and powers

2. (1) The functions of the Board shall be:-

(a) to establish and. maintain in accordance with this Decree, the National Library of Nigeria, and

(b) to provide in accordance with this Decree such services as in the opinion of the Board are usually provided by national libraries of the highest standing.

(2) For the purpose of carrying out the general functions imposed on the Board by subsection (1) above, it shall be the duty of the Board, so far as its resources permit:-

(a) to assemble, maintain and extend a collection of books, periodicals, pamphlets, newspapers, maps, musical scores, films and recordings and such the matter as the Board considers appropriate for a library of the highest standing,

(b) to establish and maintain a branch of the National Library in each state.

(c) to make the facilities of the National Library available to members of the public and others on proper terms, which may include provision for:-

(i) the imposition of a scale of fees, subject to the approval of the Commissioner, for services rendered to the public,
(ii) safe-guarding the property of the Board, and
(iii) specifying the categories of persons who may be admitted to premises under the control of the Board.

(d) to make such arrangements as the Board considers appropriate with respect to:
(i) the exchange of matter included in the collection aforesaid,
(ii) the preparation and publication of catalogues, indexes and similar aids,
(iii) the provision of assistance to other persons in the organization of libraries and with respect to the manner of using facilities under the control of libraries,

(e) to make recommendations and give advice on library development or organization to any department or agency of government of the Federation or a State or to any local. government authority,

(f) to be responsible for the development of the National Bibliography of Nigeria and national bibliographical services, either in a national bibliographical centre or elsewhere.

(3) The Board shall have such powers as may be necessary or desirable for the proper exercise of its functions; and in particular, without prejudice to the generality of the foregoing, the Board may:-

(a) sue and be sued in its corporate
(b) acquire, hold and dispose of movable and immovable property in general, and in particular:

(i) acquire, construct, maintain or repair any property required for the purposes of the National Library, and
(ii) let on lease or otherwise dispose of any property

which appears to the Board to be unnecessary for the time being for the purposes of the Board,

(c) do anything for the purpose of advancing the skill of persons employed by the Board or the efficiency of the equipment of the Board or of the manner in which that equipment is operated (including the provision by the Board, and the assistance of the provision by others, of facilities for training, education and research),

(d) provide houses, hostels and other like accommodation for persons employed by the Board:-

(i) for purposes specifically approved by the Board as being likely to increase the effectiveness of those persons in the service of the Board, or

(ii) otherwise for the purpose of exercising the functions of the Board,

(e) make loans to any person employed by the Board for the purpose of building a house, purchase a plot of land on which a house for such a person may be built or purchase a house for the residential use of any such person or his family, and

(f) otherwise promote the welfare of persons employed by the Board,

(4) Subject to this Decree, the Commissioner may give the Board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its functions and powers, and it shall be the duty of the Board to comply with the directions.

The Director

3. (1) There shall be a Director of the National Library, who, subject to subsection (2) below, shall be appointed by the Board and shall be a person appearing to the Board to have shown exceptional capacity in the organization and administration of a library and services comparable to

envisaged by this Decree.

(2) A person shall not be appointed as the Director, unless his appointment is approved by the Commissioner.

(3) The Director shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

(4) Subject to the Board's financial, operational and administrative policy programmes, the Director shall have the general function of organizing and managing the National Library and the services provided in pursuance of this Decree, and, in particular, the function of directing the activities of the officers and servants of the Board and managing the Board's financial affairs.

(5) Subject to subsection (4) above, the Director shall be free to manage the National Library as he thinks fit in accordance with this Decree, and the Board shall not interfere with his methods with the manner in which he deploys the material and human resources of the Board in order to obtain results in accordance with this Decree.

Deposit obligations

4.- (1) The publisher of every book published in Nigeria shall within one month after the publication deliver, at his own expense, to the National Library, three copies of the book, two of which shall be kept in the National Library for permanent preservation and one of which shall be sent by the Director to the Ibadan University Library.

(2) The copies of the book delivered to the National Library under sub-section (1) above:-

(a) shall be perfect copies of the whole book with all maps and illustrations belonging thereto, finished and coloured in the same manner as the best copies of the book are published, and

(b) shall be bound, sewed or stitched together and on the best paper on which the book is printed.

(3) Where any printed matter (other than matter of such descriptions as the Director may specify from time to time) is published by or on behalf of any department of government of the Federation or a State, it shall be the duty of the official in charge of the department to deliver forthwith to the Director for the purposes of the National Library:-

(a) twenty-five copies of the publication, if it is published by or on behalf of a department of government of the Federation, or

(b) ten copies of the publication, if it is published by or on behalf of a department of government of a State, or such smaller numbers of copies as the Director may determine in any particular case.

(4) If a publisher fails to comply with any provision of subsection (1) or (2) above, he shall be guilty of an offence and on conviction shall be liable to a fine not exceeding £50.00; and the court before which he is convicted may, in addition, order him to deliver to the Director, three copies of the book in question or to pay to the Director the value of those copies.

(5) The Federal Executive Council may by order in the Federal Gazette exclude any publisher or book, or any class of publisher or book, from the operation of subsection (1) and (2) above.

(6) The obligations imposed by this section are additional to any similar obligations which may be imposed by any law in force in a State other than this Decree.

(7) In this section:-
"book" includes:- ,

(a) all literary works such as books, pamphlets,

sheets of music, maps, charts, plans, tables and compilations,

(b) dramatic works,

(c) collective works such as encyclopaedias dictionaries, year books or similar work: newspapers, magazines and similar periodicals,

(d) any work written in distinct parts by different authors or in which a part or parts of work of different authors is or are incorporated, and every part or division of such a work, and

(e) all forms in which documentary or oral records are published; "publisher", in relation to a book, means any person authorizing or causing the book to be printed and distributed in Nigeria, excluding the Federal Military Government and the Military Governor of a State (or any person acting on its or his behalf), a public officer acting in his capacity as such and any person distributing in Nigeria a book published elsewhere.

General financial provisions

5. (1) The Board is hereby empowered:-

(a) to receive all funds which may from time to time be granted to it by the Federal Military Government and to apply and administer those funds in accordance with such terms and conditions as may be attached to the grant and in accordance with this Decree, and

(b) to receive 'all other moneys otherwise obtained by the Board and 'to 'apply and administer those moneys furtherance of the purpose of this Decree and in accordance with any terms and conditions upon which those moneys may have been obtained.

(2) The Board shall submit to the Commissioner, not later than 31st December in each financial year an estimate of its expenditure and income during the next succeeding financial year; and it shall be the duty of the Director to prepare for the consideration of the Board the estimate, which in his opinion, it would be proper for the Board to

submit to the Commissioner in pursuance of this subsection.

(3) The receipts of the Board on revenue account in any financial year shall be applied in payment of the following charges:-

(a) the remuneration and allowances payable to members of the Board,

(b) the salaries, fees or other remuneration or allowances, and pensions, superannuation allowances and gratuities, payable to the Director and officers of the Board,

(c) expenditure on the maintenance of any property vested in the Board,

(d) provision for the depreciation or the renewal of any assets vested in the Board,

(e) interest due on any debenture stock or other stock issued or any temporary loan raised by the Board,

(f) the sums required to be transferred to a sinking fund or otherwise set aside for the purpose of making provision for the repayment of debenture stock or the repayment of other borrowed moneys,

(g) such allocation to any general reserve established under section 6 of this Decree and to contingencies or any other reserve as may, in the opinion of the Board, be appropriate,

(h) grants for purposes conducive to the welfare of persons employed by the Board,

(I) such contributions to such charitable objects as the Board with the approval of the Commissioner may determine,

(j) the purchase of books, equipment and other related material, and

(k) such other charges as may be reasonably incurred in the exercise of the Board's functions, and the balance, if any, shall be applied to such charitable or public purposes and in such manner as the Commissioner may

direct.

(4) The financial year of the Board shall coincide with that of the Federal. Military Government:

General reserve

6. - (1) Without prejudice to the power of the Board to set aside from revenue appropriate amounts for replacements, contingencies or other purposes, the Board may establish and maintain a general reserve.

(2) The management of the general reserve, the sums to be carried from time to time to the credit of the general reserve, the charges to be made against the general reserve and any other application of the moneys comprised therein shall be as the Board may with the approval of the Commissioner determine:
Provided that no part of the moneys comprised in the general reserve shall be applied otherwise than for the purposes of the Board.

Power to borrow and invest

7. - (1) The Board may, with the consent of or in accordance with any general authority given by the Federal Executive Council, borrow by way of loan from the Federal Military Government, or by way of temporary overdraft approved by the Commissioner, sums required by the Board for meeting its obligations and discharging its functions under this Decree.

(2) the Board may invest all or any of its funds in such manner as may be approved by the Commissioner.

(3) Subject to section 5 of this Decree, the Commissioner may, with the approval of the Federal Executive Council, issue to the Board directives as to the disposal of surplus funds.

Accounts and audit

8. - (1) The Board shall keep proper accounts and other records relating thereto and shall prepare, in respect of each financial year, a statement of accounts in such form as the Commissioner may direct.

(2) The accounts of the Board shall be audited by auditors to be appointed annually by the Board with the approval of the Commissioner and the Federal Executive Council.

(3) As soon as the accounts of the Board have been audited, the Board shall furnish a copy of the statement of accounts to the Commissioner together with a copy of any report made by the auditors on their statement or on the accounts of the Board.

Annual report, etc

9. (1) The Board shall prepare and submit to the Commissioner not later than 30th May in each financial year a report in such form as the Commissioner may direct on the activities of the Board during the last preceding financial year, and shall include in the report a copy of the audited accounts of the Board for that last preceding financial year and of the auditor's report of those accounts.

(2) The Commissioner shall cause a copy of each report made to him under this section to be laid before the Federal Military Government.

(3) The Commissioner may, by notice in writing served on the Director, require the Board to furnish the Commissioner with all information within its power relating to such matters connected with any activity of the Board as may be specified in the notice; and it shall be the duty of the Board to comply with the requirements of the notice.

Legal proceedings, service of documents, etc

10. (1) No suit against the Board, and no suit against any member, officer or servant of the Board in his capacity as such, shall lie or be instituted in any court unless it is commenced within the twelve months following the act, neglect or default complained of or, in the case of a continuance of damage or injury, within the twelve months following the cessation thereof.

(2) No suit shall be commenced against the Board or against any member, officer or servant of the Board in his capacity as such until one month at least after there has been served on the Board by or on behalf of the intending plaintiff written notice of intention to commence the suit stating:-

(a) the cause of action,

(b) the particulars of the claim, and

(c) the name and place of abode of the intending plaintiff and the relief claimed.

(3) The notice referred to in subsection (2) above and any summons, notice or other document required or authorized to be served on the Board may, except where there is express provision to the contrary, be served:-

(a) by delivering it to the Chairman or the Director, or

(b) by sending it by registered post addressed to the Director at the principal office of the Board.

(4) In any suit the Board, without prejudice to any other right of representation, may be represented at any stage of the proceedings by any member, officer or servant of the Board who is duly authorized in writing by the Board in that behalf.

(5) In any suit against the Board no execution or attachment or process in the nature thereof shall be issued against the Board, but any sums of money which may by the judgment of the court be awarded against the Board shall (subject to any directions, given by the court where notice of appeal has been given by the Board in respect of the judgment) be paid by the Board from the funds of the Board.

(6) In this section "suit" means any civil proceedings however commenced.

Compulsory acquisition of land

11- (1) Whenever there is any hindrance to the acquisition by the Board of any land required for any purpose of the Board under this Decree (including any failure by the Board

to reach agreement as to the amount to be paid in respect of the acquisition), the Commissioner, on the application of the Board and after such enquiry as he may think fit, may declare that the land is required for the service of the Board.

(2) Where a declaration is made under subsection (1) above, *Cap. 167* the land to which the declaration relates shall be deemed to be land required for a public . purpose of the Federation within the meaning of the Public Land Acquisition Act, and the Head of the Federal Military Government:-

(a) may cause action to be taken under that Act for acquiring the land for the Federal Military Government, or

(b) if the land is native land, may issue a requisition *Cap. 96* under section 13 (2) of the Land and Native Rights Act for the revocation of any rights relating to the land.

(3) Where a declaration has been made under subsection (1) above in respect of any land other than native land and:-

(a) the land. has been acquired pursuant to subsection (2) (a) above, or

(b) the Head of the Federal Military Government is satisfied that there are no rights subsisting in respect of the land, the Head of the Federal Military Government may vest the land in the Board by means of a certificate under the hand and seal of the Chief Federal Land Officer.

(4) Where a declaration has been made under subsection (1) above in respect of any native land and

(a) the rights relating thereto have been revoked pursuant to subsection (2) (b) above or

(b) The Military Governor of the State in which the land is situated is satisfied that there are no rights subsisting in respect of the land, the Governor in

question may grant to the Board a right of occupancy of the land on such terms and conditions as he thinks fit.

(5) The compensation, if any, payable under the Public Lands Acquisition Act for the acquisition of any land under this section or payable under the Land and Native Rights Act for the revocation of any rights relating to the land, as the case may be, shall in the first instance be paid by the Federal Military Government, but the Board shall refund to that Government any compensation so paid and all incidental expenses incurred by that Government.

(6) A plan of any land referred to in subsection (1) above:-
(a) containing measurements of the boundaries of the land,
(b) showing the relationship of the land to any sufficient identifying mark, and
(c) signed by the Director, shall be a sufficient description of the land for the purposes of an application under that subsection.

(7) The Board shall not, without the approval in writing of-
(a) the Federal Executive Council, or
(b) in the case of native land, the Military Governor of the State in which the land is situated, alienate, mortgage, charge or demise any immovable property which has been vested in the Board under this section or in respect of which a right of occupancy has been so granted to the Board.

(8) In this section "native land" has the same meaning as in the Land and Native Rights Act.

Repeal, etc. 1964, No. VI

12.- (1) The National Library Act 1964 is hereby repealed and the National Library Board established by that Act is hereby dissolved.

(2) The transitional and saving provisions in Schedule 2 to this Decree shall have effect notwithstanding any other provision of this Decree.

Interpretation

13. In this Decree, unless the context otherwise requires:-
"the Board" means the National Library Board established by this Decree;
"the Chairman" means the Chairman of the Board;
"the Commissioner" means the Commissioner for Information and Labour;
"the Director" means the Director of the National Library;
"Military Governor", in relation to a State, includes Administrator;
"the National Library" means the National Library of Nigeria established and maintained by the Board;
"State" means a State of the Federation.

Citation, extent and commencement

14.- (1) This Decree may be cited as the National Library Decree 1970, and shall apply throughout the Federation.

(2) This Decree shall come into force on a date to be appointed by the Commissioner by order in the Federal Gazette.

SCHEDULES

SCHEDULE 1

Section 1.

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Membership

1. Subject to this Schedule, the Board shall consist of seventeen members, of whom one shall be the Director and the others shall be appointed by the Commissioner with the prior approval of the Federal Executive Council and shall comprise:-

(a) one member to represent each State, who shall be appointed after consultation with the Military Governor of the State in question and shall be a person appearing to the Commissioner to have wide experience in at least one of the following fields, that is to say:-

(i) newspapers, broadcasting and other media of mass communication,
(ii) university education and research,
(iii) education other than university education,
(iv) law
(v) the activities of legislatures
(vi) business and industry .
(vii) trade unions
(viii) finance relating to the provision of public services,
(ix) science and technology,
(x) the creative arts, and
(xi) the book industry.
(b) One person appearing to the Commissioner to

represent the interests of the Nigerian Library Association or of any other body or association of librarians established in Nigeria and approved by the Commissioner,

(c) two persons (additional to those appointed under paragraph {a} above appearing to the Commissioner to have wide experience of at least one of the fields mentioned in that paragraph, one of whom shall be a person appearing to the Commissioner to have wide experience in the handling of financial problems, and

(d) One person appearing to the Commissioner to represent interests or fields of activity not otherwise represented,

2. The Commissioner, with the prior approval of the Federal Executive Council, shall nominate one of the members of the Board appointed by him to be the Chairman of the Board.

Terms of Service

3. Subject to paragraphs 4 to 7 below, a member of the Board shall hold office for the period of three years beginning:-

(a) in the case of a member appointed to fill a vacancy which has not previously been fllled, with the date of the commencement of this Decree.

(b) in any other case, with the date next following that on which the term of office of his predecessor expires by effluxion of time or, where the predecessor has previously vacated office, on which it would have so expired.

4. With a view to securing the retirement in rotation of members of the Board, the Commissioner may, by order in the Federal Gazette provide that the term of office of any three of the persons mentioned in paragraph 3 (a) above

shall 'be one year, and that the term of office of any other three of those persons shall be two years.

5. Where a member ceases to hold office at a time when more than three months of his term of office remain unexpired, the Commissioner shall, as soon as may be, appoint a successor who shall, subject to paragraphs 6 and 7 below, hold office for the residue of that term.

6. Without prejudice to section 11 of the Interpretation Act 1964 (which, among other things, provides for the removal of appointees by the persons who appointed them), a member of the Board shall cease to hold office if he resigns his office by a notice in writing signed by him and served on the Commissioner. *1964 No.1*

7. A person who ceases to hold office as a member of the Board (other than a person who, after less than one year in office, so ceases in pursuance of paragraph 5 above on the expiration of the residue of his predecessor's term) shall not be eligible for re-appointment as a member during the period of three years beginning with the date on which he so ceases.

8. There shall be paid to members of the Board out of moneys at the disposal of the Board such remuneration and such travelling and subsistence allowances in respect of any periods of time spent on the business of the Board as the Federal Executive Council may determine.

9. References in paragraphs 3 to 8 above to members of the Board do not include references to the Director.

10. Subject to this Decree and section 26 of the Interpretation Act 1964 (which provides 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 Board may make standing orders regulating the proceedings of the Board or any committee thereof. *1964 No.1*

11. The quorum of the Board shall be seven, and the' quorum of any committee of the Board shall be determined by the Board.

12. The Board shall elect a member of the Board to be the Deputy Chairman of the Board for such period as the Board may determine, so however that a Deputy-Chairman who ceases to be a member shall cease to be Deputy-Chairman.

13. At any time while the office of chairman is vacant or the Chairman is in the opinion of the Board permanently or temporarily unable to perform the functions of his office, the Deputy-Chairman shall perform those functions, and references in this Decree to the Chairman shall be construed accordingly.

14. The Board shall meet at least twice in each calendar year.

15. Subject to paragraph 14 above and any standing orders of the Board, 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 seven other members, he shall summon a meeting of the Board to be held within fifteen days from the date on which the notice is so given.

16. At any meeting of the Board the Chairman or in his absence the Deputy-Chairman shall preside, but if both are absent the members present at the meeting shall elect one of their members to preside at that meeting.

17. 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; but a person who is a member by virtue of this paragraph shall not be entitled to vote at any meeting of the Board and shall not count

towards a quorum.

18. Notwithstanding anything in paragraphs 10 to 17 above, the first meeting of the Board shall be summoned by the Commissioner, who may give such directions as he thinks fit as to the member who shall preside and the procedure which shall be followed at that meeting.

Committees

19. The Board shall appoint an Executive Committee to which the Board shall delegate its executive functions and which shall meet as often as may be determined by the Board or by the Chairman acting on behalf of the Board.

20. The Executive Committee shall consist of the Chairman of the Board (who shall be Chairman of the Executive Committee) and six other members of the Board, at least two of whom shall be members of the Board nominated for membership of the Executive Committee by the Commissioner.

21. The Executive Committee shall have the power to implement its decisions without prior approval by the Board, but the proceedings of the Executive Committee shall be reported to the Board as soon as possible.

22. The Board shall be responsible for all acts of the Executive Committee done in the lawful exercise of its delegated powers, and accordingly the Board shall have the power to review and, if it thinks fit, to rescind any decision taken by the Executive Committee.

23. Subject to its standing orders, the Board may appoint such other committees as it thinks fit, but the decision of a committee appointed under this paragraph shall be of no effect until it is confirmed by the Board.

The Director, Officers and Servants

24. The Board:-

(a) shall appoint a Secretary to the Board who shall be an officer, but not a member of the Board and shall perform such duties as the Board or the Director may determine, and

(b) may appoint such other officers and servants as it thinks fit.

25. Without prejudice to the generality of the powers conferred by section 2 (3) of this Decree, the Board shall have power:-

(a) to pay to the Director and to any officer or servant of the Board such remuneration and allowances as the Board may determine,

(b) to pay to or in respect of the Director, and (subject to any regulations made under sub-paragraph (c) below) to or in respect of any officer or servant of the Board in whose case it may decide to do so, such pensions and gratuities as the Board may determine,

© with the approval of the Commissioner, to make staff regulations (which need not be published in the Federal Gazette) regulating the conditions of service of servants of the Board and in particular, without prejudice to the generality of the foregoing, providing for:-

(i) the appointment, dismissal, discipline, pay and leave of, and the security to be given by, its servants,

(ii) appeals by its servants against dismissal or over disciplinary measures,

(iii) the grant of pensions, gratuities and other retiring allowances to its servants and their dependants, and the grant of gratuities to the estates or dependants of deceased servants of the Board, and

(iv) the establishment and maintenance of medical benefit funds. superannuation funds and provident funds.

and the contributions payable thereto and the benefits receivable therefrom.

26. In connection with any scheme for the payment of pensions or gratuities under paragraph 25 (b) above or under any regulations made under paragraph 25 (c) above, the Commissioner may By order in the Federal Gazette declare service as the Director or as an officer or servant of the Board (including service regarded as service under the Board by virtue of an order made under paragraph 5 of Schedule 2 to this Decree) to be public service for the purposes of the Pensions Act. Cap. 147

Miscellaneous

27. The fixing of the seal of the Board shall be authenticated by the signature of the Chairman or of some other member of the Board authorized generally or specially by the Board to act for that purpose.

28. 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 Board by any person generally or specially authorized to act for the purpose by the Board.

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

30. The validity of any proceedings of the Board or a committee thereof shall not be affected:-

a) by vacancy in the membership of the Board or committee, or
b) by any defect in the appointment of a member of the Board, or
c) by reason that a person not entitled to do so took part in

the proceedings.

31. Any member of the Board who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or a committee thereof shall forthwith disclose his interest to the Board and shall not vote on any question relating to the contract or arrangement.

SCHEDULE 2

Section 12

TRANSITIONAL AND SAVING PROVISIONS

1. By virtue of this Decree there shall be vested in the Board (hereinafter referred to as "the new Board") on the commencement of this Decree without any further assurance all assets, funds, resources and other movable or immovable property which immediately before the commencement of this Decree were vested in the National Library Board dissolved by this Decree (hereinafter referred to as "the former Board").

2. As from the commencement of this Decree:-

a) the rights, interests, obligations and liabilities of the former Board existing immediately before the commencement of this Decree under any contract or instrument, or at law or in equity apart from any contract or instrument, shall by virtue of this Decree be assigned to and vested in the new Board.

b) any such contract or instrument as is mentioned in paragraph (a) above shall be of the same force and effect against or in favour of the new Board and shall be enforceable as fully and effectively as if, instead of the former Board, the new Board had been named therein or had been a party thereto, and

c) the new Board shall be subjected to all the obligations and liabilities to which the former Board was subject immediately before the commencement of this Decree, and all other persons shall as from the commencement of this Decree have the same rights, powers and remedies against the new Board as they had against the former Board immediately before the commencement of this Decree.

3. Any proceeding or cause of action pending or existing immediately before the commencement of this Decree by or

against the former Board in respect of any right, interest, obligation or liability of the former Board may be commenced, continued or enforced, subject to section 10(5) of this Decree, by or against the new Board as it might have been against the former Board if this' Decree had not been made.

4. In this Decree "financial year", in relation to the new Board, includes the financial year in which this Decree comes into force.

5. Within the twelve months next following the commencement of this Decree the Commissioner, if he thinks fit, may by order in the Federal Gazette make additional transitional or saving provisions not inconsistent with this Schedule; and, without prejudice to the generality of the foregoing, any such order may provide for service under the former Board to be regarded as service under the new Board for pensions purposes.

6. As part of its functions under section 2(2) (f) of this Decree the Board shall on the commencement of this Decree, in accordance with arrangements to be made between the Director and the Librarian of the Ibadan University Library, assume responsibility for continuing the National Bibliography heretofore known as Nigerian Publications which before the commencement of this Decree was compiled in the Ibadan University Library and published by the Ibadan University Press.

MADE at Lagos this 2nd day of May 1970.

MAJOR-GENERAL Y. GOWON,
Head of the Federal Military Government,
Commander in Chief of the Armed Forces,
Federal Republic of Nigeria

NATIONAL LIBRARY (AMENDMENT) DECREE 1979

Decree No. 29

(12th July, 1979) *Commencement*

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:-

1. The National Library Decree 1970 is hereby amended as follows:- *Amendment of 1970 No. 29*

(a) for the existing paragraphs 3 and 4 of Schedule 1 thereto there shall be substituted the following paragraphs, that is:-

"3.-(1) Subject to the provisions of this Decree, a person appointed to be a member of the Board, not being a public officer, shall hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment for one further period of three years.

(2) Any member, not being a public officer, may resign his appointment by a letter addressed to the Commissioner.

4.-(1) If it appears to the Commissioner that a member of the Board should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Commissioner shall after consultation with the interests, if any, represented by that member make a recommendation to that effect to the Federal Executive

Council and if that Council approves the recommendation, the Commissioner shall declare; in writing, the office of that member vacant.

2. Subject to sub-paragraph (1) above:-

a) any member who is absent from two consecutive ordinary meetings of the Board shall file his explanation in writing with the Secretary for consideration by the Board and if the explanation is not accepted by the Board, the Board may recommend to the Commissioner that the member be removed, and the Commissioner may declare, in writing, the office of that member vacant;

b) where the Board is satisfied that the continued presence on the Board of any member is not in the national interest or the interest of the Board, the Board may recommend to the Commissioner that the member be removed, and the Commissioner may declare, in writing, the office of that member vacant.

(b) paragraphs 5,6 and 7 of Schedule 1 thereto are hereby repealed; and (c) in paragraph 9 of Schedule 1, for the words "paragraphs 3 to 8" there shall be substituted the words "paragraphs 3, 4 and 8

2. This Decree may be cited as the National Library (Amendment) Decree 1979,

Citation

MADE at Lagos this 12th day of July, 1979.

GENERAL O. OBASANJO
Head of the Federal Military Government,
Commander-in-Chief of the Armed Forces,
Federal Republic of Nigeria .

EXPLANATORY NOTE

(This note does not form part of the above Decree but is intended to explain its purpose)

The Decree amends the National Library Decree 1970 by prescribing a three year tenure of office for every member of the Board who is not an ex-officio member.

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PART A

NATIONAL LIBRARY BOARD (AMENDMENT) DECREE 1987

Decree No. 26

(8th October 1987) *Commencement*

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:-

1. The National Library Board Act 1970 as amended by the National Library Board (Amendment)Act. 1976 (hereinafter referred to as ("the principal Act") is hereby further amended in the following manner:- *Amendment of 1970 No.29, 1976 no. 9*

a) for paragraphs: 1 and 2 of Schedule 1 thereto the following new paragraphs shall be substituted, that is:
"1.- (1) Subject to this Schedule, the Board shall consist of twelve members, one of whom shall be the Director and the others shall be appointed by the Minister with the prior approval of the National Council of. Ministers and shall comprise:-

(a) one member to represent each zone of States and the Federal Capital Territory, Abuja as listed in sub- paragraph (2) of this paragraph, rotating every two years within the zones in alphabetical order, who shall be appointed after consultation with the Military Governors of

the States in question and shall be a person appearing to the Minister to have wide experience in at least one of the following fields, that is to say:-

i. newspapers, broadcasting and other media of communication;
ii. university education and research;
iii. education other than university education;
iv. law;
v. the activities of legislatures;
vi. business and industry;
vii. trade unions;
viii. finance relating to the provision of public services;
(ix) science and technology;
(x) the creative arts; and
(xi) the book industry;

b) One person appearing to the Minister to represent the interest of the Nigerian Library Association or any other body or association of librarians established in Nigeria and approved by the Minister;

c) three persons (additional to those appointed under paragraph (a) above) appearing to the Minister to have wide experience in at least one of the fields mentioned in that paragraph; one of whom shall be a person appearing to the Minister to have wide experience in the handling of financial problems,

d) the Permanent Secretary, Federal Ministry of Education or his representative;

e) one representative of the Armed Forces Educational Corps; and

f) one representative of the Nigerian Association of University Librarians.

2. The States in each zone referred to in sub- paragraph (1) of this paragraph are as follows:-

Zone		States
A	:	Benue, Gongola, Kaduna, Plateau
B	:	Bauchi, Borno, Kano, Sokoto
C	:	Federal Capital Territory, Abuja, Kwara, Niger, Ondo
D	:	Bendel, Lagos, Ogun, Oyo
E	:	Anambra, Cross River, Imo, Rivers

2. The Minister, shall with the prior approval of the National Council of Ministers, nominate one of the members of the Board appointed by him to be the Chairman of the Board.

(b) in the principal Act wherever the word "Commissioner" occurs, there shall be substituted the word "Minister" and in section 13 for the interpretation of the word "Commissioner" there shall be substituted the following:-

1. "The Minister" means the Minister charged with responsibility for Education.

2. The National Library Board (Amendment) Act 1976 is hereby repealed.

3. This Decree may be cited as the National Library Board (Amendment) Decree 1987. *Citation*

MADE at Lagos this 8th day of October, 1987.

GENERAL I. B. BABANGIDA
President, Commander-in-Chief
of the Armed Forces,
Federal Republic of Nigeria

EXPLANATORY NOTE

(This note does not form part of the above Decree but is intended to explain its purport)

The Decree amends the National Library Board Act 1970 by reducing the membership of the Board from nineteen to twelve and providing for the zoning for States' representation on the Board.

The Decree also repeals the National Library Board (Amendment) Act. 1976.

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