

NIGERIAN TECHNICAL AID CORPS ACT

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NIGERIAN TECHNICAL AID CORPS ACT

An Act to establish the Nigerian Technical Aid Corps, among other things, to share Nigeria's know-how and expertise with other African, Caribbean and Pacific countries and matters connected therewith.

[1993 No. 27.]

[1st October, 1987]

[Commencement.]

PART I

Establishment of the Nigerian Technical Aid Corps, etc.

1. Establishment of the Nigerian Technical Aid Corps

(1) There is hereby established a Corps to be known as the Nigerian Technical Aid Corps (in this Act referred to "the Corps").

(2) The Corps shall consist of such member of volunteers as may from time to time, be recruited under the provisions of this Act.

2. Objectives of the Corps

The objectives of the Corps are to--

- (a) share Nigeria's know-how and expertise with other African, Caribbean and Pacific countries (in this Act referred to as "recipient countries");
- (b) give assistance on the basis of the assessed and perceived needs of the recipient countries;
- (c) promote cooperation and understanding between Nigeria and the recipient countries; and
- (d) facilitate meaningful contacts between the youths of Nigeria and those of the recipient countries.

3. Establishment and membership of the Directorate of Technical Aid Corps

(1) There is hereby established for the Corps a governing body to be known as the Directorate of Technical Aid Corps (in this Act referred to as "the Directorate") which shall be an integral part of the Ministry of Foreign Affairs.

(2) The Directorate shall consist of-

- (a) the Director of the Directorate as chairman;

- (b) one person to represent the Ministry of Foreign Affairs; and
- (c) 5 other persons to be appointed by the President.

(3) Members of the Directorate-

- (a) other than *ex-officio* members, shall hold office for a period of four years and shall be eligible for re-appointment for one further period of four years; and
- (b) shall be entitled to such allowances and expenses as may be approved by the Minister.

(4) The provisions set out in the Schedule to this Act shall have effect with respect to the proceedings of the Directorate and the other matters contained therein.

[Schedule.]

PART II

Functions

4. Functions of the Directorate

The Directorate shall be responsible for-

- (a) the overall management and general administration of the Corps;
- (b) recruiting volunteers of the Corps;
- (c) organising orientation courses for selected volunteers of the Corps;
- (d) assessing and reviewing, from time to time, the progress of the Corps;
- (e) assigning selected volunteers to recipient countries;
- (f) maintaining regular contacts with recipient countries to determine their technical aid needs;
- (g) receiving and debriefing volunteers on their return from recipient countries after their service in those countries;
- (h) carrying out such other activities that are connected with or incidental to its functions or the objectives of the Corps under this Act.

5. Powers of the Directorate

Subject to any directive of the Minister, the Directorate shall have powers to do anything which in its opinion is calculated to facilitate the performance of its functions under this Act.

PART III

Volunteers of the Corps

6. Volunteers of the Corps

(1) The Corps shall consist of such number of volunteers as shall, from time to time, be recruited by the Directorate to meet the technical aid needs of the recipient countries.

- (2) A person shall not be recruited as a volunteer of the Corps unless he has-
- (a) at least a University degree or its equivalent; or
 - (b) such other professional qualification as the Directorate may, from time to time, specify; and
 - (c) a minimum of three years post qualification working experience.
- (3) The Directorate shall, in recruiting volunteers of the Corps consider the following-
- (a) the nature of the requests, if any, received from the recipient countries;
 - (b) the willingness of the recipient countries to receive the volunteers; and
 - (c) the availability of funds to defray the expenditure incurred in assigning volunteers to the recipient countries.
- (4) The duration of service, terms and conditions of service of a volunteer shall be as may be determined, from time to time, by the Directorate with the approval of the Minister.
- (5) A person shall not, by reason only of being a volunteer of the Corps, be treated as holding an office of emolument in the civil service of the Federation.

7. Allowances of volunteers

- (1) A volunteer shall be entitled to the following allowances-
- (a) a monthly allowance;
 - (b) settlement and re-settlement allowances;
 - (c) where the Directorate so determines as a result of extreme climatic or political conditions in the recipient country, a clothing allowance; and
 - (d) such other allowances as the Directorate may, from time to time, determine as necessary or expedient in a particular case.
- (2) The amount to be paid in respect of each allowance and the currency in which it shall be paid shall be as may be determined, from time to time, by the Directorate with the approval of the Minister.
- (3) An allowance paid to a volunteer pursuant to this Act shall be exempt from income tax.

8. Responsibility of recipient countries

- (1) A recipient country shall provide the following for a volunteer assigned to it, that is-
- (a) free medical care;
 - (b) exemption from all taxes imposed by reason of importation or exportation of personal effects intended for the personal use of the volunteer;
 - (c) necessary facilities for the repatriation of the volunteer's-
 - (i) tools of trade, personal effects and other household goods;

- (ii) bank savings, interests and other payments in accordance with the exchange control regulations in force in the recipient country; and
- (d) such other payments and facilities as may, from time to time, be agreed upon by the Directorate and the recipient country.

(2) A recipient country may offer employment to a volunteer on completion of his assignment, on such terms and conditions as may be agreed upon by them.

PART IV

Staff of the Directorate

9. Appointment of the Director and other staff of the Directorate

- (1) The President shall appoint a fit and proper person to be the Director of the Directorate.
- (2) The Director shall be the chairman and chief executive of the Directorate and shall-
 - (a) be responsible for the day-to-day administration of the Directorate;
 - (b) hold office for a period of 5 years on such terms and conditions as may be specified in his letter of appointment and be eligible for re-appointment for one further period of 5 years.
- (3) The Directorate shall appoint such other persons as it may deem necessary as employees of the Directorate to assist the Director in the performance of his functions under this Act.
- (4) The employees of the Directorate appointed under subsection (3) of this section shall be appointed on such terms and conditions of service as the Directorate may, after consultation with the Federal Civil Service Commission, determine.
- (5) Employees of the Directorate shall be public officers as defined in the Constitution of the Federal Republic of Nigeria.

(Cap. C23.]

10. Pension

(1) Service in the Directorate shall be approved service for the purpose of the Pensions Act and, accordingly, officers and other persons employed in the Directorate shall be entitled to pensions, gratuities and other benefits as are prescribed thereunder.

(Cap. P4.]

(2) Notwithstanding subsection (1) of this section, the Directorate may appoint a person to any office on terms which preclude the grant of a pension, gratuity or other retirement benefits in respect of that office.

(3) For the purpose 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 Directorate and not by any other person or authority.

PART V

Financial provisions

11. Fund of the Directorate

(1) The Directorate shall establish a fund from which shall be defrayed all expenditure incurred by the Directorate for the purposes of this Act.

(2) There shall be paid and credited to the fund-

- (a) subventions and extra-budgetary allocations from the Federal Government;
- (b) all sums accruing to the Directorate by way of gifts, endowments, bequests and other voluntary contributions by persons and organisations;
- (c) such other sums as may accrue to the Directorate from any other source.

12. Expenditure of the Directorate

The Directorate shall, from time to time, apply the funds at its disposal to-

- (a) pay the allowances and other expenses of the volunteers of the Corps;
- (b) meet other expenditure connected with running the Corps;
- (c) pay allowances and other benefits of members of the Directorate and of the committees of the Directorate;
- (d) pay the emoluments and entitlements of the Director and other employees of the Directorate;
- (e) pay the personnel, overhead, allowances, benefits and other administrative costs of the Directorate;
- (f) undertake any other activity in connection with all or any of the functions of the Directorate.

13. Accounts and audit

(1) The Directorate shall keep proper accounts of the Directorate and proper records in relation to those accounts.

(2) The accounts of the Directorate shall be audited not later than six months after the end of the year to which it relates by auditors appointed by the Directorate from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

(3) The Directorate shall prepare and submit to the Minister, not later than 30th June in each year, a report on the activities of the Directorate during the immediately preceding year, and shall include in such report a copy of the audited accounts of the Directorate for that year and the auditors report thereon.

PART VI

Miscellaneous

14. Power to accept gifts

(1) The Directorate may accept gifts of land, money or other property, upon such terms and conditions, if any, as may be specified by the person or organisation making the gift.

(2) The Directorate shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the objectives of the Corps or functions of the Directorate.

15. Power to make regulations

The Directorate may, after consultation with the Minister, make regulations-

- (a) to prescribe methodologies for applying to become volunteers of the Corps;
- (b) to prescribe the sum to be paid as allowances to volunteers;
- (c) generally for the purposes of carrying out or giving full effect to the provisions of this Act.

16. Interpretation

In this Act, unless the context otherwise requires-

"chairman" means the chairman of the Directorate;

"Corps" means the Nigerian Technical Aid Corps established by section 1 of this Act;

"Directorate" means the Directorate of the Nigerian Technical Aid Corps established by section 3 of this Act;

"recipient countries" means the African, Caribbean and Pacific countries, and includes organisations in those countries, to which volunteers are assigned under this Act, and **"recipient country"** means anyone of those countries or organisations; and

"volunteers" means the volunteers of the Corps recruited under section 6 of this Act.

17. Short title

This Act may be cited as the Nigerian Technical Aid Corps Act.

SCHEDULE
[Section 3 (3).]

Supplementary provisions relating to the Directorate

Proceedings of the Board

1. Subject to this Act and section 27 of the Interpretation Act, the Directorate may make standing orders regulating the proceedings of the Directorate and any committee thereof.
[Cap. 123.]
2. Every meeting of the Directorate shall be presided over by the chairman and if the chairman is unable to attend a particular meeting, the members present at the meeting shall elect one of their number to preside at the meeting.
3. The quorum at a meeting of the Directorate shall consist of the chairman (or in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule) and three other members of the Directorate.
4. The Directorate may on any special occasion co-opt any person to be a member for as many meetings as may be necessary, and that person while so co-opted shall have all the rights and privileges of a member, except that he shall not be entitled to vote or count towards a quorum.

Committee

5. (1) Subject to its standing orders, the Directorate may appoint such number of standing and *ad hoc* committees as it thinks fit to consider and report on any matter with which the Directorate is concerned.
(2) Every committee appointed under the provisions of sub-paragraph (1) of this paragraph shall be presided over by a member of the Directorate and shall be made up of such number of persons, not necessarily members of the Directorate, as the Directorate may determine in each case.
6. The decision of a committee shall be of no effect until it is confirmed by the Directorate.

Miscellaneous

7. The fixing of the seal of the Directorate shall be authenticated by the signature of the chairman and such other member authorised generally or specially by the Directorate to act for that purpose.
8. A contract or an 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 Directorate by the Director or by any other person authorised generally by the Directorate to act for that purpose.
9. A document purporting to be a contract or an instrument or other document signed or sealed on behalf of the Directorate shall be received in evidence and, unless the contrary is proved, be presumed without further proof, to have been so signed or sealed.
10. The validity of a proceeding of the Directorate or of a committee thereof shall not be adversely affected-
 - (a) by a vacancy in the membership of the Directorate; or
 - (b) by a defect in the appointment of a member of the Directorate or committee; or
 - (c) by reason that a person not entitled to do so took part in the proceeding.

10. A member of the Directorate or of a committee who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Directorate or committee shall disclose his interest to the Directorate or committee and shall not vote on any question relating to the contract or arrangement.

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
