

CHAPTER N122

NIGERIA NATIONAL MERIT ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Establishment of the Nigerian National Merit Award.
2. Establishment of the Governing Board.
3. Functions of the Board.
4. Power of the Board.
5. Proceedings of the Board
6. Procedure for making nominations.
7. Committee of assessors.
8. Making of awards.
9. Establishment of Nigeria National Merit Award Endowment Fund.
10. Investment of moneys in fund.
11. Account and audit.
12. Repeal
13. Saving and transfer of liability staff e.t.c
14. Interpretation.

CHAPTER N122

NIGERIA NATIONAL MERIT AWARD ACT

An Act to re-enact the Nigeria Merit Award Act and to specify among other things, the privilege of the recipient of a Nigerian National Merit Award.

[1992 No. 96]

[28th December, 1992]

[Commencement.]

1. Establishment of the Nigerian National Merit Award
 - (1) There is hereby established a Nigerian National Merit Award (in this Act referred as “the Award”) to be given to deserving citizens of Nigeria for intellectual and academic attainments that contribute to national endeavours in science, technology , medicine, the humanities arts and culture and my other field of human endeavour whatsoever.
 - (2) The Nigerian National Merit Award established by sub section (1) of this section shall –

- (a) Be an order of Dignity;
- (b) Entitle a recipient to –
 - (i) Use the designated Nigeria National Order of Merit (NNOM) after his name;
 - (ii) Receive a cash prize, a certificate and medal; and
 - (iii) Such other privilege as are enjoyed by recipient of high levels of National Honours.

2. Establishment of the Governing Board

- (1) There is hereby established a Governing Board of Nigerian National Merit Award (in this Act referred to as “the Board”) which shall be a body corporate with perpetual successions and a common seal and may sue and be sued in its corporate name.
- (2) The Board shall consist of a chairman and not less than four or more than seven other members who shall be citizens of Nigeria to be appointed by the president and one whom will be the Secretary the Government of the Federation or his representative.
- (3) The persons appointed to be members of the board shall be persons appearing to the president to be suitable qualified by reasons of their professional, academic, or administrative qualifications or by their attainment in any field of human endeavour.
- (4) Subject to sub section (5) of this section, a person appointed as a member of the board shall hold office for three years and shall be eligible for reappointment for one further period of three years.
- (5) The President may terminate the appointment of a member of the board on grounds of misbehavior or inability to discharge the duties of his office by reason of physical or mental incapacity.

3. Function of the Board

The Board shall –

- (a) Conduct the making of the Award in accordance with this Act;
- (b) Institute measures designed to promote intellectual and academic excellence among Nigerians for this purpose and shall liaise with academic, professional and research institutions in Nigeria;
- (c) Manage the Nigerian National Merit Endowment Fund established by section 9 of this Act; and
- (d) Do such other things which in the opinion of the board are necessary to ensure the efficient performance of its functions under this Act.

4. Power of the Board

- (1) The Board may, if it considers it necessary for the due and proper execution of its function under this Act, appoint a Secretary and such other staff as it thinks fit.
- (2) The Board, in relation to any employee thereof, shall power –
 - (a) To exercise disciplinary control (including dismissal) over such employee; and
 - (b) With the prior approval; of the Federal Civil Service Commission to determine the remuneration and allowances (and in appropriate cases, pension, gratuities and other conditions of service of the employees as it may think appropriate.
- (3) The Board shall have power to acquire and hold property of any description.
- (4) The Board may appoint one or more committees to carry out on behalf of the Board such function as the Board may determine.
- (5) A Committee appointed under this section shall consist of the number of persons determined by the Board, of whom not more than one-third shall be persons who are not members of the Board and persons other than a member of the Board shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.
- (6) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

5. Proceedings of the Board

- (1) The Board shall have power to regulate its own proceedings and may make standing orders for that purpose and, subject to any such standing orders and to sub section (2) of this section, may function notwithstanding –
 - (a) Any vacancy in its membership or the absence of any member.
 - (b) Any defect in the appointment of a member; or
 - (c) That a person not entitled to do so took part in its proceedings.
- (2) Notwithstanding its standing orders the quorum at any meeting of the Board shall be the Chairman and two other members; but in the absence of Chairman, the members present at any such meeting shall elect shall be constructed accordingly.

6. Procedure for making nominations

- (1) The nomination for consideration of a person by the Board for an Award may be made by any citizen of Nigeria to the Board and any person may by himself, where not sponsored by another person, apply to the Board for this purpose
- (2) A candidate for an Award shall also be qualified to be nominated by some other person or organization not being an alien.
- (3) Every nomination under this section shall be in writing addressed to the Board and shall set forth in respect of each person nominated.
 - (a) His full name and address and his brief biological data;

- (b) His personal attainment and specific contribution to science, technology, medicine, the humanities or art and culture and any other field which the Board may select generally or specifically in each year; and
- (c) Such other particulars as would, in the opinion of the person making the nomination, assist the Board in arriving at a determination in respect of each nomination.

7. Committee of assessors

- (1) In order to enable the Board arrive at a proper determination in respect of nominations made pursuant to section 6 of this Act, the Board shall appoint *ad hoc* specialized advisory committee of assessors to assist the board in the selection if proposed for any Award under this Act.
- (2) The Board shall have power to regulate the proceedings of any committee set up by the Board and the quorum of any committee shall be as may be determined by the Board in each case.
- (3) Every committee of assessors set up under this section shall be made up of such persons (who shall not be members of the Board) appearing to the Board to be suitably qualified by reason of their professional or academic or administrative qualifications or by their attainments in any field of human endeavour.

8. Making of awards

Where the Board, after consideration of the report of the committee of assessors mentioned in section 7 of this Act is of opinion that the circumstances are such as to render it expedient that an Award be made to a particular person or that a joint Award should be made to two persons in the field concerned, it shall transmit its decision to the Secretary to the Government of the Federation not later than 1 September in each year so as to enable the president to make the Award to the recipient or recipient concerned on the first Thursday in the month of December;

Provided that where the Board, by reason that none of the persons nominated should be given the Award or for any other sufficient reason, is of opinion that no award should be made in a particular year, then there shall be no obligation on the Board to make an Award in the year concerned.

9. Establishment of Nigerian National Merit Award Endowment Fund.

- (1) There is hereby established a fund to be known as the Nigerian National Merit Award Endowment Fund (in this Act referred to as “the Fund”) for the purpose of the Award annually of Prize Known as the Nigerian National Merit Awards to citizens of Nigeria.
- (2) The fund shall comprise –
 - (a) Moneys from time to time granted to the Board by the Federal, States or Local government in Nigeria or by any statutory body (corporate or unincorporated) set up by any government;
 - (b) Subject to sub section (3) of this section, all sums accruing to the Board by way of gifts, testamentary disposition, contributions from persons or philanthropic organization or otherwise however; and
 - (c) Interest on investment made by the Board.
- (3) The Board may accept gifts of property (including interest in land), money or other assets upon such trusts and conditions (if any) as may be specified by the person or organization making the gift but the Board shall not accept any gift if-
 - (a) The condition attached by the person or organization making the gift to the acceptance thereof are inconsistent with the objectives of this Act; or
 - (b) Such gifts are made by any person or organization not being a citizen of Nigeria or any organization established by or pursuant to any law not in force in Nigeria.
- (4) For the purpose of the Companies Income Tax Act, any donation made by any company in Nigeria to the Board under this section shall be a deductible donation within the meaning of that Act.

[Cap. C21.]

10. Investment of money in the fund

Money in the fund which may at any time be surplus to the current needs of the fund shall be invested by the board in securities specified in the provision of the trustee investment Acts such other securities as the Board may, from time to time, approve.

[Cap. T22.1]

11. Accounts and audit.

- (1) The Board shall keep proper account of the fund and proper records in relation thereto
- (2) The account of the fund shall be audited by an auditor appointed annually by the board from the list of auditors and in accordance with the guidelines supplied by the Auditor-General of the federation.

12. The Nigerian National Merit Award Act is hereby consequently repealed.

[Cap. 319 L.F.N. 1990.]

13. Saving and transfer of liabilities, staff, etc.

- (1) The statutory function, right, interest, obligation and liabilities of the fund existing before the commencement of this Act under any contract or instrument, or in law or in equity, apart from and contract or instrument shall by virtue of this Act, be deemed to have been assigned to vested in the Board established by the Act.
- (2) Any such contract or instrument as is mentioned in sub-section (1) of this section shall be of the same force and effect against or in favor of the Board and shall be enforceable as fully and effective as if instead of that Fund, the Board had been named therein or had been a party thereto.
- (3) The Board shall be subjects to all obligation and liabilities to which the fund was subject immediately before the commencement of this Act and all other persons shall have the same right, powers and remedies against the board of this Act.
- (4) Any proceedings or cause of action existing immediately before the commencement of this Act, by or against the fund, in respect of any right, interest, obligation or liabilities of the fund may be continued or as the case may be, commenced and any determination of a court of law, tribunal or before any other authority or person may be enforced by or against the Board to the same extent that such proceedings or cause of action or determination might have been continued, commenced or enforced by or against the Fund established under the repealed Act.
- (5) All assets, funds, resources and other movable or immovable property which immediately before the commencement of this Act, were vested in the fund established under the repealed Act shall by virtue of this Act and without further assurance, be vested in Board.
- (6) Any person who immediately before the coming into force of this Act is the holder of any office in the fund shall on the commencement of this Act, continue in office and be deemed to have been appointed to this office by the Board under this Act.

14. Interpretation.

In this Act, unless the content otherwise requires -

“Award” means the prize designated as the Nigerian National Merit Award to be bestowed periodically upon citizens of Nigeria as specified in section 8 of this Act;

“Fund” means the Nigeria National Merit Award Endowment Fund established section 9 of this Act;

“Governing Board” or “the Board” means the Governing Board of the Nigeria National Merit Award Act.