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**NIGERIAN COUNCIL FOR MANAGEMENT
DEVELOPMENT ACT, 2022**



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SCHEDULE

**NIGERIAN COUNCIL FOR MANAGEMENT
DEVELOPMENT ACT, 2022**

ACT No. 24

AN ACT TO REPEAL THE NIGERIAN COUNCIL FOR MANAGEMENT DEVELOPMENT ACT,
CAP. N99, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND THE NATIONAL CENTRE FOR
ECONOMIC MANAGEMENT AND ADMINISTRATION ACT, CAP. N14, LAWS OF THE FEDERATION
OF NIGERIA, 2004, AND ENACT THE NIGERIAN COUNCIL FOR MANAGEMENT DEVELOPMENT
ACT, 2022 ; AND FOR RELATED MATTERS

[27th Day of June, 2022]

Commence-
ment.

ENACTED by the National Assembly of the Federal Republic of Nigeria—

PART I—ESTABLISHMENT OF THE NIGERIAN COUNCIL
FOR MANAGEMENT DEVELOPMENT

1.—(1) There is established the Nigerian Council for Management Development (in this Act referred to as “the Council”).

Establishment
of the
Nigerian
Council for
Management
Development.

(2) The Council—

(a) shall be a body corporate with perpetual succession and a common seal ;

(b) may sue or be sued in its corporate name ; and

(c) may acquire, hold or dispose of any property, movable or immovable in its corporate name, for the purpose of carrying out its functions under this Act.

2.—(1) The Council shall consist of —

Membership
of the
Council.

(a) a Chairman ;

(b) a representative each of the following—

(i) the Ministry in charge of National Planning,

(ii) National Universities Commission,

(iii) Nigeria Employers’ Consultative Association,

(iv) National Youth Service Corps,

(v) Office of the Head of Civil Service of the Federation,

(vi) Industrial Training Fund, and

(vii) Central Bank of Nigeria ;

(c) three persons, other than the Chairman, with knowledge and close association with management training, industry, commerce or economics ; and

(d) the Director-General of the Centre for Management Development.

(2) The Chairman and members of the Council, other than the ex-officio members referred to in subsection (1) (b), shall be appointed by the President on the recommendation of the Minister.

(3) The Chairman and members of the Council shall be persons of proven integrity, ability, good repute with high professional competence in a related discipline.

Schedule. (4) The provisions of Part II of the Schedule to this Act shall have effect with respect to the proceedings of the Council and other matters mentioned in it.

Tenure of office and cessation of membership. **3.—**(1) The Chairman and members of the Council other than the ex-officio members shall hold office at the pleasure of the President.

(2) Notwithstanding subsection (1), the office of the Chairman or any member of the Council shall become vacant where—

(a) he resigns his office by notice in writing under his hand addressed to the President through the Minister ;

(b) he becomes of unsound mind or is incapable of carrying out his duties due to infirmity of mind or body ;

(c) he is declared bankrupt by a court of competent jurisdiction ;

(d) he is found guilty of gross misconduct relating to his duties or is convicted of a felony or of any offence involving dishonesty, corruption or embezzlement ;

(e) in the case of an ex-officio member, he ceases to hold the office on the basis of which he became a member of the Council ; or

(f) the President is satisfied that it is not in the interest of the Council or of the public for the person appointed to continue in office.

(3) The Chairman and members of the Council shall hold office on part time basis.

Remuneration of members of the Council. **4.** Members of the Council shall be entitled to sitting allowances, travel expenses and such other benefits as may be determined by the appropriate authority.

PART II—FUNCTIONS AND POWERS OF THE COUNCIL

Functions and powers of the Council. **5.** The Council shall—

(a) advise the Minister on policies, plans and programmes for the enhancement of the number, quality and effective utilisation of the managerial manpower resources of the country in all sectors of the economy ;

(b) formulate policies and guidelines for the co-ordination of management education and training activities ;

(c) develop, regulate and promote high national standards of management education, entrepreneurial development and supervisory training programmes in line with international standards ;

(d) accredit every management consultant, trainer or institution operating within Nigeria ;

(e) accredit every registered management training firm or institution upon the fulfillment of criteria set by the Council ;

(f) keep and maintain a register of all management consultants, management training institutions, their training programmes, curriculum, location, standards, duration, type and cost ;

(g) sanction or prohibit any management trainer, consultant or training institution for commencing, undertaking, carrying on or engaging in training programmes without accreditation ;

(h) assess periodically, the training programmes and management development training offered by the private and public institutions with a view to determining their competence ; and

(i) to perform any other functions as may be necessary to achieve the goals and objectives of the Council.

6. The Council shall constitute an Appointments and Establishment Committee consisting of at least four members of the Council whose function shall be to advise it on matters relating to the appointment, conditions of service, advancement, promotion and discipline of staff of the Council.

Appointment and Establishment Committee.

7.—(1) A person shall be entitled to be registered as a management consultant or trainer member of the profession if he—

Registration of members of the profession.

(a) passes the qualifying examination for registration recognised or conducted by the Council under this Act ;

(b) holds a qualification accepted by the Council that he has sufficient knowledge or experience as management consultant or trainer ; or

(c) holds a qualification granted outside Nigeria and for the time being accepted by the Council which entitles him to practise for all purposes as a management consultant or trainer in the country in which the qualification was granted.

(2) An applicant for registration shall, in addition to evidence of qualification, satisfy the Council that he —

(a) is of good character ;

(b) has attained the age of 18 years ; and

(c) has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty.

(3) The Council may, in its sole discretion, provisionally accept a qualification produced in respect of an application for registration, or direct that the application be renewed within such period as may be specified in the direction.

(4) An entry directed to be made in the register shall show that the registration is provisional and no entry so made shall be converted to full registration without the consent of the Council, signified in writing in that behalf.

(5) The Council shall publish in the Federal Government Gazette particulars of qualifications for the time being acceptable for registration to the Council.

Approval of
qualification.

8.—(1) The Council may approve any qualification for the purposes of this Act and may for those purposes approve—

(a) any course of training at an approved institution which is intended for persons who are to become or are already management consultants or trainers and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for practice as management consultants or trainers ; and

(b) any qualification which, as a result of examination taken in relation with the course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination, indicating in the opinion of the Council that the candidates have sufficient knowledge and experience for practice as management consultants or trainers.

(2) The Council may, if it deems fit withdraw any approval given under this section in respect of any course, qualification or institution but before withdrawing such an approval the Council shall—

(a) give notice that it proposes to do so to persons in Nigeria appearing to the Council to be persons by whom the course is conducted, the qualification is granted or the institution is controlled, as the case may be ;

(b) afford each person an opportunity of making representations to the Council with regard to the proposal ; and

(c) take into consideration any representations made under paragraph (b).

(3) Any period during which the approval of the Council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall not be treated as approved under this section, but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who, by virtue of the approval, was registered or eligible for registration immediately before the approval was withdrawn.

(4) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in the instrument and the Council shall—

(a) as soon as may be, publish a copy of every such instrument in the Federal Government Gazette ; and

(b) not later than seven days before its publication, send a copy of the instrument to the Minister responsible for Health.

PART III—STAFF OF THE COUNCIL

9.—(1) Service in the Council shall be approved service for purposes of the Pension Reform Act and accordingly employees of the Council shall, in respect of their services, be entitled to pensions and other retirement benefits as are applicable to persons holding equivalent grades in the public service of the Federation.

Service in
the Council.
Act No. 4,
2014.

(2) Notwithstanding the provisions of subsection (1), nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of pension in respect of that office.

(3) For the purpose of the application of the provisions of the Pension Reform Act, any power exercisable under that Act by the Minister or other authority of the Government of the Federation, other than the power to make regulations is vested in and exercisable by the Council and not by any other authority.

10. Every member, agent, auditor or employee for the time being of the Council shall be indemnified out of the assets of the Council against any liability incurred by him in defending any proceedings, whether civil or criminal in which judgment is given in his favour or in which he is acquitted, if such proceedings have been brought against him in his capacity as a member, agent, auditor or employee.

Indemnity.

PART IV—FINANCIAL PROVISIONS

11.—(1) The Council shall establish and maintain a fund into which shall be paid and credited—

Fund of the
Council.

(a) such money as may be appropriated or granted to the Council by the Government of the Federation or of a State ;

(b) such money as may be granted to the Council by the Industrial Training Fund or any other body ;

(c) all subscription fees or charges for services rendered by the Council or any of its agents ;

- (d) all other assets that may accrue to the Council ; and
- (e) all other sums accruing to the Council by way of gift or testamentary disposition.

(2) The Council shall apply the proceeds of the Fund established under subsection (1)—

- (a) to the cost of administration of the Council ;
- (b) for reimbursing members of the Council and any committee of the Council for such expenses expressly authorised by the Council ; and
- (c) to the payment of salaries or other remuneration or allowances, pension and other retirement benefits payable to members or employees of the Council.

Power to accept gifts.

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

(2) The Council shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Council or any other law in Nigeria.

Council estimates and expenditure.

13.—(1) The Council shall not later than 1 October in each financial year or soon thereafter submit to the Minister for approval, its estimate of revenue and expenditure in respect of the following financial year.

(2) The Council shall prepare and submit to the Minister not later than 31 July in each financial year, a report on its activities during the preceding financial year and the report shall be accompanied by a copy of the audited accounts of the Council for that period and of the auditors’ report on the accounts.

Borrowing.

14. The Council may, with the consent of the Minister, borrow on such terms and conditions as the Council may determine, such sums of money as the Council may require in the exercise of the functions conferred on it under this Act.

PART V—ESTABLISHMENT OF THE CENTRE FOR MANAGEMENT DEVELOPMENT

Establishment of the Centre for Management Development.

15. There is established, the Centre for Management Development (in this Act referred to as “the Centre”) which shall be the operational organ of the Council.

16. The Centre shall have power to—

Powers of
the Centre.

(a) provide to the Council information and other technical data necessary for the Council's policy making and coordinating functions ;

(b) undertake management development for small and medium enterprises in the country through the provision of relevant training and extension services ;

(c) establish and maintain a world class library on management studies ;

(d) undertake, commission and participate in in-depth research studies and consultancy services in relevant fields ;

(e) publish journals, research papers and books on modern management and supervisory techniques ;

(f) promote the development of programmes aimed at improving the performance of private and public enterprises ;

(g) provide macro and micro economic training programmes to economic planners, budget and project officers in the public service of the Federation or a State ;

(h) undertake training programmes and promotion examinations for the employees of the public service of the Federation and a State ;

(i) in collaboration with the National Youth Service Corps, provide regular trainings in National Youth Service Corps camps ;

(j) act as a policy laboratory for vigorous and sustained development and promotion of highly specialised skills required for enhancing efficient and effective planning and management of the Nigerian economy ;

(k) undertake the development of executive professional postgraduate programmes and diploma courses for the development of professional managers in the country ;

(l) conduct examinations and grant certificates in areas of management to persons who have pursued a course of study approved by the Council and have satisfied such other requirements as may be prescribed by the Council ;

(m) collaborate with similar management training institutions within and outside Nigeria in the execution of its mandate with a view to embracing international standards ; and

(n) discharge other duties as may be necessary for the efficient performance of its functions under this Act.

17.—(1) There shall be for the Centre a Director-General who shall be appointed by the President on the recommendation of the Minister.

Director-
General of
the Centre.

(2) The Director-General shall be—

(a) the chief executive and accounting officer of the Centre ;

(b) charged with the general responsibility for management and operations of the Centre ; and

(c) responsible for any other duties or functions as may be necessary for the effective and efficient running of the Centre.

(3) The Director-General shall hold office at the pleasure of the President.

(4) The terms and conditions of appointment of the Director-General shall be as specified in his letter of appointment.

Power of Director-General to request for information.

18. The Director-General may require any management consultant, trainer or management training institution to furnish such information on any aspect of its operations as may appear to the Director-General to be necessary to enable the Council carry out any of its functions under this Act.

PART VI—OFFENCES AND PENALTIES

Offences and penalties.

19.—(1) Any individual who operates as a management consultant or trainer without accreditation from the Council commits an offence and is liable on conviction to a fine of at least ₦250,000 or to imprisonment for a term of at least six months or both.

(2) Any corporate body which operates as a management development training institution without accreditation, commits an offence and is liable on conviction to a fine of at least ₦1,000,000.

Power to give directives to the Council.

20. The President or the Minister may give to the Council directives of a general character or relating generally to particular matters with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directives.

Limitation of suits against the Council and its staff.

21.—(1) Notwithstanding anything to the contrary contained in any other enactment, no suit against the Council, a member or an employee of the Council, for any act done under or in execution of any enactment or law, of any public duty or authority, or in respect of an alleged negligence or default in the execution of such enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced within 12 months next after the act or neglect complained of or in the case of continuing damage or injury, within 12 months next after the ceasing thereof.

(2) No suit shall be commenced against the Council before the expiration of a period of one month notice of intention to commence the suit shall have been served upon the Council by the intending plaintiff or his authorised agent and the notice shall clearly and explicitly state the—

(a) cause of action ;

(b) particulars of the claim ;

(c) name and place of abode of the intending plaintiff ; and

(d) relief which he claims.

(3) The notice referred to in subsections (1) and (2) and any summons, notice or other document required or authorised to be served upon the Council under the provisions of this Act or any other enactment or law may be served by delivering the same to the Director-General, the Council Secretary or by sending it by registered post to the principal office of the Council.

22.—(1) The Council may with the approval of the Minister make regulations as may be necessary or expedient to give effect to the provisions of this Act.

Regulations.

(2) Regulations made under this Act shall be published in the Federal Government Gazette.

23.—(1) The Nigerian Council for Management Development Act, Cap. N99, Laws of the Federation of Nigeria 2004 is repealed.

Repeal, savings and transitional provisions.

(2) The National Centre for Economic Management and Administration Act, Cap. N14, Laws of the Federation of Nigeria, 2004 is repealed.

(3) Without prejudice to section 6 of the Interpretation Act, the repealed Acts referred to in subsections (1) and (2) shall not affect anything done under or pursuant to the repealed Acts.

Cap. 123, LFN, 2004.

(4) The National Centre for Economic Management and Administration established under the National Centre for Economic Management and Administration Act is dissolved.

Cap. N14, LFN, 2004.

(5) The statutory functions, rights, interests, obligations and liabilities of the defunct National Centre for Economic Management and Administration shall by virtue of this Act be assigned to and vested in the Nigerian Council for Management Development established under this Act.

(6) The Council shall be subject to all the obligations and liabilities to which the defunct National Centre for Economic Management and Administration was subject and all other persons shall have the same rights, powers and remedies against the Council as they had against the defunct National Centre for Economic Management and Administration before the commencement of this Act.

(7) Any proceeding or cause of action pending or existing immediately before the commencement of this Act by or against the defunct National Centre for Economic Management and Administration in respect of any right, interest, obligation or liability may be continued or commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Council.

(8) All assets, funds, resources, movable or immovable property which immediately before the commencement of this Act were vested in the defunct

National Centre for Economic Management and Administration shall by virtue of this Act be vested in the Council.

(9) Any person immediately before the commencement of this Act being a holder of an office in the defunct National Centre for Economic Management and Administration shall on the commencement of this Act be deemed to have been appointed to his office by the Council.

Interpretation.

24. In this Act —

“*appropriate authority*” means the Revenue Mobilisation, Allocation and Fiscal Commission ;

“*Centre*” means the Centre for Management Development ;

“*Council*” means the Nigerian Council for Management Development ;

“*Director-General*” means the Director-General of the Centre for Management Development ;

“*fees*” includes annual subscription and payment for the issuance of documents or performance of duties by the Council in connection with the provisions of this Act ;

“*management development*” means an educational process utilising a systematic and organised procedure by which managerial personnel learn conceptual and technical knowledge for general purpose which is prescribed or approved by the Nigerian Council for Management Developments established in section 1 of this Act ;

“*management consultant or trainer*” means a person accredited or registered by the Nigeria Council of Management Development to operate or practice management development ;

“*management training firm or institution*” means a corporate body which is accredited or registered by the Nigeria Council of Management Development to operate or practice management development ;

“*member*” means a member of the Council and includes the Chairman ;

“*Minister*” means the Minister in-charge of National Planning ; and

“*President*” means the President of the Federal Republic of Nigeria.

Citation.

25. This Act may be cited as the Nigerian Council for Management Development Act, 2022.

SCHEDULE

Section 2(4)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

PART I—QUALIFICATION AND TENURE OF OFFICE OF MEMBERS

1. A person under section 2 of this Act shall not be a member of the Council unless he is a citizen of Nigeria.

2. A member of the Council other than a public office holder may resign his appointment by a letter under his hand addressed to the Minister and copied to the Chairman, or in the case of the Chairman, copied to the Director - General and the resignation shall take effect from the date of the receipt of the letter by the Minister.

3. Where a member of the Council ceases to hold office before the date when his term of office would have expired by effluxion of time, the body or person by whom he was appointed or elected shall as soon as practicable appoint or, as the case may be, elect another person to fill the vacancy for the residue of the term, so however that the foregoing provision of this paragraph shall not apply where a person holding office as a member of the Council ceases to hold office at the time when the residue of his term does not exceed six months.

4. The foregoing provisions of this Schedule shall be without prejudice to the provisions of section 11 of the Interpretation Act, Cap. I23, Laws of the Federation of Nigeria, which relates to appointment.

5. Any accredited member of a profession who ceases to be such accredited member shall, if he is also a member of the Council cease to hold his position on the Council.

6. A person who is a member by virtue of his office shall cease to be a member if he ceases to occupy the particular office.

PART II—PROCEEDINGS OF THE COUNCIL

7. Subject to the provisions of this Act and section 27 of the Interpretation Act (providing for decisions of a body to be taken by a majority of the members of the body and for the Chairman to have a second or casting vote), the Council may make standing orders regulating the proceedings of the Council or any of its committees.

8. The Council shall meet at least four times in a year and at such other times as the Chairman may determine and in any case, shall not meet more than six times in a year.

9. Every meeting of the Council shall be presided over by the Chairman and if the Chairman is unable to attend, a member may be appointed by the members present to act as Chairman for that particular meeting.

10. The Quorum for the meeting of the Council shall be any number above one third of the total number of members of the Council and in the case of any of its committees shall not be less than half of the members of such committee.

11. Where standing orders made under paragraph 1 provide for the Council to co-opt persons who are not members of the Council, such persons may advise the Council on any matter referred to them by the Council but shall not be entitled to vote at a meeting of the Council or count towards a quorum.

12. Subject to its standing orders, the Council may appoint such number of standing and ad-hoc committees as it deems fit to consider and report on any matter with which the Council is concerned.

13. Every committee appointed under paragraph 12 of this Schedule shall be presided over by a member of the Council and shall be made up of such number of persons, not necessarily members of the Council, as the Council may determine in each case.

14. A decision of a committee shall be of no effect until it is confirmed by the Council.

PART III—MISCELLANEOUS

15. The fixing of the seal of the Council shall be authenticated by the signature of the Chairman and the Council Secretary.

16. Any contract or instrument which, if made or executed by any person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the Council by any person, generally or specially authorised to act for that purpose by the Council.

17. Any document purporting to be a contract, instrument or other document duly signed or sealed on behalf of the Council shall be received in evidence and shall unless the contrary is proved, be presumed to have been so signed and sealed.

18. The validity of any proceeding of the Council or of any of its committees shall not be affected by—

(a) any vacancy in the membership of the Council or any of its committees ;

(b) any defect in the appointment of any member ; or

(c) reason of the fact that a person not entitled to do so took part in the proceedings.

19. A member of the Council and any person holding a position on a committee of the Council who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or its committee shall not be present at any deliberation relating to the contract arrangement.

I, certify, in accordance with Section 2 (1) of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria 2004, that this is a true copy of the Bill passed by both Houses of the National Assembly.

OJO O. A., fnia, fcia
Clerk to the National Assembly
27th Day of June, 2022.

EXPLANATORY MEMORANDUM

This Act repeals the Nigerian Council for Management Development Act, Cap. N99, Laws of the Federation of Nigeria, 2004 and the National Centre for Economic Management and Administration Act, Cap. N14, Laws of the Federation of Nigeria, 2004 and enacts the Nigerian Council for Management Development Act, 2022.

SCHEDULE TO THE NIGERIAN COUNCIL FOR MANAGEMENT DEVELOPMENT BILL, 2022

(1) <i>Short Title of the Bill</i>	(2) <i>Long Title of the Bill</i>	(3) <i>Summary of the Contents of the Bill</i>	(4) <i>Date Passed by the Senate</i>	(5) <i>Date Passed by the House of Representatives</i>
Nigerian Council for Management Development Bill, 2022.	An Act to repeal the Nigerian Council for Management Development Act, Cap. N99, Laws of the Federation of Nigeria, 2004 and the National Centre for Economic Management and Administration Act, Cap. N14, Laws of the Federation of Nigeria, 2004, and enact the Nigerian Council for Management Development Act, 2022 ; and for related matters.	This Bill repeals the Nigerian Council for Management Development Act, Cap. N99, Laws of the Federation of Nigeria, 2004 and the National Centre for Economic Management and Administration Act, Cap. N14, Laws of the Federation of Nigeria, 2004, and enacts the Nigerian Council for Management Development Act.	15th March, 2022.	8th June, 2019.

I certify that this Bill has been carefully compared by me with the decision reached by the National Assembly and found by me to be true and correct decision of the Houses and is in accordance with the provisions of the Acts Authentication Act Cap. A2, Laws of the Federation of Nigeria, 2004.

I ASSENT



OJO O. A., fnia, fcia
Clerk to the National Assembly
27th Day of June, 2022.

MUHAMMADU BUHARI, GCFR
President of the Federal Republic of Nigeria
27th Day of June, 2022.