

# THE SENATE FEDERAL REPUBLIC OF NIGERIA

# REPORT OF THE COMMITTEE ON SPORTS AND YOUTH DEVELOPMENT

ON

A BILL FOR AN ACT TO ESTABLISHED THE NATIONAL SPORTS COMMISSION TO BE CHARGED WITH THE RESPONSIBILITY OF ADMINISTERING, ENCOURAGING AND DEVELOPING SPORTS AND GAMES THROUGHOUT NIGERIA AND OTHER MATTERS INCIDENTAL THERETO

**MAY, 2017** 

REPORT OF THE COMMITTEE ON SPORTS AND YOUTH DEVELOPMENT, ON A BILL FOR AN ACT TO ESTABLISHED THE NATIONAL SPORTS COMMISSION TO BE CHARGED WITH THE RESPONSIBILITY OF ADMINISTERING, ENCOURAGING AND DEVELOPING SPORTS AND GAMES THROUGHOUT NIGERIA AND OTHER MATTERS INCIDENTAL THERETO - 2017

#### 1.0 INTRODUCTION

The Senate of the Federal Republic of Nigeria, at its plenary Sitting on Wednesday, 16<sup>th</sup> November, 2016, read **National Sports Commission** (Establishment, etc.) Bill, 2016 (SB.155) the Second Time and referred same to the Committee for further legislative action.

#### 2.0 BACKGROUND

Mr. President, my Distinguished Colleagues, the organization of formal sports dated back to 1910 with the introduction of empire day competition which was organized on inter-school basis.

The involvement of government in sports dates back to 1962 with the establishment of the National Sports Council, which functioned under the Federal Ministry of Labour. This was later replaced by the National Sports Commission with the promulgation of decree 34 of 1971.

Mr. President, my Distinguished Colleagues, realizing the importance of sports, government in 1975 upgraded the National Sports Commission to ministerial status and appointed a Minister of cabinet rank to oversee its affairs. In 1991, the National Sports commission re-emerged with another promulgation when this body became a parastatal under the Ministry of Youth and Sports it was saddled with the responsibility of sport administration in the country. In 1995, the National Sports Commission was scrapped and the Ministry of Youth and Sports took over its functions. In 2007, the Ministry of Sports and Social Development was scrapped again and National Sports Commission was brought back. Recently, the National Sports Commission under this present administration has been scrapped yet again. The resultant effect of the scrapping was the poor outing of the Nigerian contingent in Rio Olympic.

Mr. President, my Distinguished Colleagues, this Bill could not have come at a better time than now to give legal backing to this important Commission to help rejuvenate the Nigerian Sports Industry so as to make it serious business.

This Bill has no financial implication, the National Sports Commission has been off and on, the structures and everything it takes for its takes off are available at the Ministry of Sports and Youth Development.

#### 3.0 METHODOLOGY

To update the Bill, given the contemporary trends and international best practices in the sport sector, the Committee carried out further legislative actions which are as follows:

- 1. Held interactive sessions with Stakeholders and other sports practitioners.
- 2. Examine and analyze existing registrations in other jurisdictions to ensure that the Bill is within international best practices.
- 3. Called for memoranda and subject the Bill to public scrutiny before public hearing.
- 4. Committee held several meetings, articulated the submissions on the proposed Bill.

#### 4.0 OBJECTIVE OF THE BILL

The Bill essentially seeks to establish the National Sports Commission (NSC) to be charged with the responsibility of administering, encouraging and developing sports and games throughout Nigeria.

The functions of the Commissions amongst others include:-

- (a) to encourage the development, organization and participation in sports in Nigeria;
- (b) to co-ordinate and integrate efforts to raise the standard of performance in sports throughout Nigeria;
- (c) to maintain every stadium owned or controlled by the Federal Government and to direct all activities relative thereto.
- (2) The Commission shall, in all international relations affecting sports, have the sole right to make, on behalf of the States Sports Councils, any necessary arrangements for competitions, technical

assistance, recruitment of coaches and for any such other matters as the Commission may think fit.

- (3) Without prejudice to the generality of subsection (1) of this section, it shall be the duty of the Commission –
- (a) to promote, in co-operation with the other sports bodies or sports groups, the physical fitness and general well-being of all persons in Nigeria;
  - (b) to organize, or assist financially or otherwise, the participation in sports at inter-state, national and international levels;
  - (c) to train Nigerians to become sportsmen and instructors in sports;
  - (d) to conduct and encourage research into all matters relating to sports;
  - (e) to provide and maintain sports centres and facilities for the training of Nigerians as instructors and organizers of sports;
  - (f) to ensure the participation of all sportsmen and women where required in inter-state, national, or international competitions.

This Bill seeks to change Nigeria's sports to bring them in-line with international best practices, especially in the areas of sports administration, global competitions, as well as welfare of footballers and athletes generally.

#### 5.0 LEGISLATIVE ACTION

After a careful scrutiny of the long Title, Clauses, Sub-clauses, Supplementary Provisions and Schedules as contained in the Bill, the Committee unanimously resolved that all the clauses and sub-clauses in the Bill be retained except clause one (1) which was amended.

#### **6.0 RECOMMENDATION**

The Committee has satisfactorily concluded work on the Bill and hereby recommends that the Senate do give a favourable consideration to this important Bill and equally give it an expeditious passage.

#### 7.0 CONCLUSION

Mr. President, my Distinguished colleagues, on behalf of the Members of the Committee, I wish to sincerely thank you for the opportunity given to us to serve in this regard. I respectfully recommend this Bill, for a smooth passage.

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### ENDORSEMENT PAGE

MEMBERS OF THE SENATE COMMITTEE ON SPORTS

	AND YOUTH	DEV	ELOPMEN I
1.	Sen. Obinna Joseph Ogba	on-	Chairman
2.	Sen. Kabiru Garba Marafa	-	Vice Chairman
3.	Sen. Dino Melaye	-	Member
4.	Sen. Ovie Omo –Agege	-	Member
<b>5.</b>	Sen. Samuel Anyanwu	······································	Member.
6.	Sen. Mohammed Shaaba L	afiagi	- Member
7.	Sen. Mao Ohuabuwa	·	-Member
	Mr. Yakubu Mohammed A	rgung	gu - Committee Clerk.

#### A

#### BILL

#### FOR

## AN ACT TO ESTABLISHED THE NATIONAL SPORTS COMMISSION TO BE CHARGED WITH THE RESPONSIBILITY OF ADMINISTERING, ENCOURAGING AND DEVELOPING SPORTS AND GAMES THROUGHOUT NIGERIA AND OTHER MATTERS INCIDENTAL THERETO

#### Sponsored by Senator Obinna Ogba

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

CLAUSES	PROPOSED BILL	COMMITTEE RECOMMENDATION	REMARKS
1.	Establishment of the National Sports Commission.		Amended
Establishment	1. There is established a body to be known as the National Sports	1. There is hereby established a	
of the	Commission (in this Act referred to as "the Commission") which shall be	body to be known as the National	
National	a body corporate with perpetual succession and a common seal, and may	Sports Commission (in this Act	
Sports	sue and be sued in its corporate name.	referred to as "the Commission")	
Commission.		which shall be a body corporate	·
		with perpetual succession and a	
		common seal, and may sue and be	
	·	sued in its corporate name.	
2.	Membership of the Commission.	Retained	
Membership	2.—(1) The Commission shall consist of the following members—	* * *	
of the			
Commission.	(a) the Minister who shall be the Chairman and the Chief Executive		
	officer of the Commission;		
	(b) the Director-General of the Commission;		
	(c) the President of Nigerian Olympic Committee (NOC);		
		1	

(d) one representative of collegiate Sports (NUGA, NIPOGA and NICEGA);	: :	
(e) the President of National Association of Women in Sport (NAWIS);		
(f) the Head of schools sports in the Federal Ministry of Education;		
(g) representative of National Association of physical education, recreational sports and dance (NARHER-S-D)		
(h) Six chairmen of States Sports Councils representing the sports zones to serve on rotational basis of 2 years per State:		
(i) zone 1 Ibadan;		
(ii) zone2 Benin;		
(iii) zone 3 Enugu;		
(iv) zone 4 Bauchi;	- ₹ - 1 - 1	
(v) zone 5 Jos; and	7- 6 4	
(vi) zone 6 Kaduna.		·
(i) representative of Institutional Sports (Navy, Air force, Army, Police and Paramilitary); and		
(j) 3 members from private sector.		
(2) The Chairman and members of the Commission shall be appointed by the President.	:	

<u> </u>			
	(3) A member of the Commission shall hold office for a period four years beginning with the date on which he was appointed and shall not be eligible for re-appointment.		
	(4) A member of the Commission other than the Chairman may by notice in writing addressed to the President through the Chairman, resign his office and that member shall, on the day of the receipt of the notice by the President, cease to be a member.		
	(5) The Chairman may resign his membership by notice in writing addressed to the President and unless the President rejects the notice, the Chairman shall, on the day of the receipt of the notice by the President, cease to be a member.		
	(6) Members of the Commission except the chairman shall receive no remuneration but may be paid such travelling and other allowances as may" from time to time be approved by the President.		
·	(7) The provisions of the Schedule to this Act shall have effect with respect to the constitution and procedure of the Commission and other matters mentioned therein.		
3. Functions of the Commission.		Retained	
	sports in Nigeria; (b) to co-ordinate and integrate efforts to raise the standard of		•
	performance in sports throughout Nigeria;		

	].	(c) to maintain every stadium owned or controlled by the Federal Government and to direct all activities relative thereto.			
		(2) The Commission shall, in all international relations affecting sports,			
	ľ	have the sole right to make, on behalf of the States Sports Councils, any		11	
	The state of the s	necessary arrangements for competitions, technical assistance, recruitment			
	ŀ	of coaches and for any such other matters as the Commission may think			
		fit.			
		(3) Without prejudice to the generality of subsection (1) of this section, it			
	-	shall he the duty of the Commission—	• • •		
	1	(a) to promote, in co-operation with other sports bodies or sports groups,			
	İ	the physical fitness and general well-being of all persons in Nigeria;			
		(b) to organise, or assist financially or otherwise, the participation in			·
	:	sports at inter-State, national and international levels;			
	į				
		(c) to train Nigerians to become sportsmen and instructors in sports;			
			•		
		(d) to conduct and encourage research into all matters relating to sports;			
					ļ
		(e) to provide and maintain sports centres and facilities for the training of Nigerians as instructors and organisers of sports;			
	!	rigerians as instructors and organisers or sports,			
		(f) to ensure the participation of all sportsmen where required in inter-			
		State, national, or international competitions.			
4. P	owers of	Powers of the Commission to enter into contracts, to hold property	Retained		
the	-	and to invest.			
1	nission	4.—(1) The Commission may enter into such contracts as may be		•	
l	nter into	necessary or expedient for giving effect to the provisions of this Act.	· ·	•	
1	acts, to property			÷	
non	property				1

and to invest.	(2) Subject to the approval of the President, the Commission may acquire		1	
	and hold such movable or immovable property as may be necessary or		:	
	expedient for giving effect to the provisions of this Act and may, for the		-	
	same purpose, sell, lease, mortgage; or otherwise alienate or dispose of			
	any property so acquired and held.			
	(3) The Commission may invest its funds in such manner and to such			
	extent as it thinks necessary or expedient.	÷	-	
5. Powers of	Powers of the Commission to Borrow.	Retained		
the	[ ] The state of t	Retained	. :	
Commission	5. Subject to the approval of the President, the Commission may, for the	. •		
to Borrow.	purpose of giving effect to this Act, borrow such sums of money as it may		ļ	•
	require in the exercise of its functions under this Act.			
6. Office of	Office of the Director-General and Secretary to the Commission.	Retained		•
the Director-	6.—(1) There shall be a Director-General who shall also be the Secretary			
General and	to the Commission.			
Secretary to				
the	(2) Notwithstanding subsection (1) of this section, the Director-General			
Commission.	may designate any other member of the staff of the Commission to act as	,		•
	the secretary to the Commission either generally or in any special case.		:	
	(3) The Director or any person appointed pursuant to subsection (2) of this			
	section, to act 'as secretary shall not be entitled to vote on any question			
	before the Commission unless he is so entitled as a member thereof.		ļ	
7.	Appointment of Director and other staff.	Retained	ĺ	
Appointment	7.—(1) The Director-General who shall be the chief Administrative			
of Director	officer of the Commission, shall be appointed by the President, and shall		ļ	
and other	be responsible for the day to day administration of the Commission.			
staff.			]	
	(2) Subject to the approval of the President, the Commission may appoint			
	such staff and agents as it may deem necessary for the efficient		ļ	
	performance of the Commission's duties under this Act.			
	Parrollyman of the Continuent and Miner and The			
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8. Application of Pension Reform Act 2004.	(") = Signal of the bex rice in the Commission Shan of	Retained	
9. Removal from office of Members of the Commission.			

10. Annual	Annual reports and estimates.	Retained
1	10.—(1) The Commission shall on or before 1 st October each year	
	prepare and present to the President a report of its proceedings and	
	operations during the period of twelve months ending on 31st December	
	in that year, and	
	the report shall be accompanied by a certified copy of the audited	
Local Control of the	accounts of the Commission for that period.	•
	$i_{f j}$	
	(2) A copy of every such report together with the audited accounts shall	
1 11	be laid before the National Council of Ministers as soon as may be after	
	the presentation thereof to the President;	
\$ 7		
1 15	(3) The Commission shall not later than 1st August in each year or as	
1	soon thereafter as the President may in a proper case allow, submit to the	
1	President for approval its estimates of revenue and expenditure in respect	
	of the year beginning with 1st January in the following year.	
11. Accounts	Accounts and audit.	Retained
1 11	11. The Commission shall keep proper accounts, in a form which	Retained
1.0	conforms with accepted commercial standards, of its receipts, payments,	
1 13 -	assets and liabilities and shall submit the same from time to time but not	
1 10 1	less frequently than annually for auditing by auditors appointed from the	i I
	list of auditors and in accordance with the guidelines supplied by the	
12.7	Auditor-General of the Federation.	
12. Funds and	Funds and resources of the Commission.	Retained
1 16:	12.—(1) The funds and resources of the Commission shall consist of—	·
the		
001111111111111111111111111111111111111	(a) such funds as may from time to time be provided by the Federal	
	Government;	
	(b) such funds as may be collected or received by the Commission from	
	other sources either in the execution of its functions or in respect of any	
II I'	property vested in the Commission; and	

	(c) such interests as may accrue to the Commission from investments made by virtue of this Act.	The state of the s
	(2) No funds shall be raised internationally by the Commission without the approval of the Minister.	
	Non-liability of Members.	Retained
liability of	13. No member of the Commission shall be personally liable for any act	
Members.	or omission done or made in good faith while engaged on the business of the Commission.	
14. Powers to	Powers to make standing orders.	Retained
make standing	14.—(1) The Commission may, within the scope of its authority under	
orders.	this Act, make standing orders relating to any internal and domestic	
	matters placed by this Act under its control and, particularly to the matters	
	mentioned in paragraph 9 of the Schedule to this Act,	
	(2) All such standing orders shall be in writing and shall come into force	
	when sealed with the seal of the Commission, unless some other date for	
	commencement be therein prescribed.	·
		·
	(3) Nothing in subsection (2) of this section shall make it obligatory for	
	the Commission to publish any or all of the said standing orders in the	
	Federal Gazette.	
15. Powers of	Powers of President to give directives etc.	Retained
President to	15.—(1) Subject to the provisions of this Act, the President may give	
give directives	general or specific directives to the Commission and the Commission	
etc.	shall comply with and give effect to any such directives.	
,	(2) The Commission shall give to the President such information and	
	returns relating to its activities actual or proposed as the President may	·
	from, time to time require.	

16. Commission relationship with National Sport Association.	Commission relationship with National Sport Association.  16.—(1) Subject to the provisions of this section, the Commission may set up national sports associations for each kind of sport and may appoint chairmen and other members thereof; accordingly all matters relating to the constitution, affiliation, recognition, of international competitions and to officers of national sports associations shall be submitted for approval to the Commission.	Retained	
	<ul> <li>(2) Subject to the approval of the President, it shall be the duty of the Commission to supervise and, where in the opinion of the Commission it is necessary to do so, take over and manage for such a period as the Commission may think fit the affairs of any national sports association.</li> <li>(3) No Government financial assistance shall be given to national sports associations except through the Commission which shall determine the amount and the terms of the grant; and no new grants shall be made in any case until the audited accounts of the previous year, if any, have been submitted and accepted by the Commission.</li> </ul>		and the state of t
	<ul><li>(4) Without prejudice to subsection (2) of this section, the Commission shall not interfere with the general administration of national sports associations set up under this Act but may give directions when in its opinion it is necessary to do so.</li><li>(5) For the purposes of this section, National Sports Association" means the body responsible for the administration and organisation of a particular sport on a national basis in Nigeria and recognised as such by</li></ul>		
17. Quorum and procedure of bodies established by this Act.	the Commission.	Retained	

18.	Interpretation.	Retained
Interpretation.	18. In this Act, unless the context otherwise requires—	
	"Chairman" means the Chairman of the Commission appointed in accordance with section 2(1) of this Act;	
	"Commission" means the National Sports Commission established by virtue of section 1 (1) of this Act;	
	"the Director-General" means the Director-General appointed pursuant to section 7(1) of this Act;	
	"functions" includes powers and duties;	
	"member" means a member of the Commission;	
	"Minister" means the Minister responsible for sports;	
	"national sports association" has the meaning assigned to it by section 16(5) of this Act;	
·	"Nigeria Olympic Association" means the Olympic Association of Nigeria recognised as such by the Commission;	
	"sports" includes any game or recreational activity approved by the Commission for the purposes of this Act;	
	"secretary" means secretary to the Commission appointed in accordance with section 7(1) of the Act;	
	"Zonal Sports Offices" means bodies established in each of the six geopolitical zones of the federation charged	

	with responsibility for sports within each zone and recognised as such by	
	the Commission;	
	"Universities Games Association" means the Games Association of the universities functioning in Nigeria and recognised as such by the Commission.	
19. Citation.	Citation.	
	19. This Act may be cited as the National Sports Commission Bill, 2016.	
	SCHEDULE #	Retained
	SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION, ETC.	
	Tenure of office of members, etc.	
1.	1—(1) Where a vacancy occurs in the membership of the Commission, that vacancy shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, so however that the successor shall represent the same interest and shall be appointed by the same authority as his predecessor.	
	(2) The Commission may act notwithstanding any vacancy in its membership or any defect in the appointment of a member or the absence of a member.	
2.	Committees	Retained
	2—(1) The Commission shall appoint three standing committees which shall carry out such functions as the Commission may delegate to them and which shall be designated as follows—	
	(a) the Finance and Establishments Committee;	

	(b) the Facilities (Structures and Equipment) Committee; and	
1	(c) the Sports Development Committee;	
	and, subject to the foregoing, the Commission may appoint such other committees to advise it on the exercise and performance of its functions under this Act as it may from time to time consider necessary.	
	(2) Every such committee shall consist of—	
	(a) a Chairman who shall be appointed by the Commission from among the members of the Commission;	
	(b) not more than five other persons (whether or not they are members of the Commission), so however that any non-member of the Commission co-opted to serve on any committee shall enjoy all the rights and	
	privileges of a member except the right to vote and to count towards a quorum.	
	(3) In this paragraph "Chairman" means Chairman of a committee.	
3.	Proceedings of the Commission  3—(1) The Commission shall meet for that conduct of business at such times, places and on such days as the Chairman may appoint but shall meet not less than twice a year.	Retained
	(2) The Chairman may at any time, and shall at the request in writing of the President or of not less than four members one each from a different zone, summon a meeting to be held within fourteen days from the date the notice is given.	
	(3) Particulars of the business to be transacted at any meeting shall be circulated to members with the notice of the meeting.	

4.	4.—(1) Where the Commission or a committee of the Commission desires	Retained
	to obtain the advice of any person on any particular matter, it may co-opt	Retained
	that person as a member for a meeting whether or not expressly convened	
	for the purpose of considering that matter.	
	for the purpose of considering that matter.	
	(2) A person so co-opted shall not be entitled to vote nor shall he count	
	towards a quorum.	
		·
5.	5.—(1) Every question put before the Commission at a meeting shall be	Retained
	decided by a majority of votes of the members present and voting.	retaried
	and voting.	
	(2) Ten members, six of whom shall be chairman of Sports Councils	
	representing the six zonal offices, shall form a quorum at any meeting of	
	the Commission.	
	(3) The Chairman shall, at any meeting, have a vote and, in the case of an	
	equality of votes, may exercise a casting vote.	
6.	6. The Chairman shall preside at all meetings of the Commission, but if he	Retained
	is absent from any meeting of the Commission, the members present shall	Returned
	elect one of their members to preside at that meeting.	
7.	7. Subject to the provisions of this Act, the Commission may make	Retained
	standing orders with respect to the holding of meetings, the nature of	
	notice to be given, the proceedings thereat, the keeping of minutes of such	
	proceedings and the custody and production for inspection of such	
	minutes.	
	Miscellaneous	Retained
8.	8.—(1) Any contract or instrument which if entered into or executed by a	
	person not being a body corporate would not be required to be under seal	
	may be entered into or executed on behalf of the Commission by any	
	person generally or specifically authorised by it for that purpose.	
	(2) Any member of the Commission or of a committee thereof, who has a	·
		1

	personal interest in any contract or arrangement entered into or proposed		
	to be considered by the Commission or the committee, shall forthwith		
	disclose his interest to the Commission or the committee and shall not		
	vote on any question relating to such contract or arrangement.		
9.	9.—(1) The common seal of the Commission shall not be used or affixed	Retained	
	to any document except in pursuance of a resolution duly passed at a		
	properly constituted meeting of the Commission and recorded in the		
	minutes of the meeting.	,	
	(2) The fixing of the seal of the Commission shall be authenticated by the		
	signature of the Chairman or some other member authorised generally or		
	specifically by the Commission to act for that purpose.		
	(3) Any document purporting to be a document duly executed under the		
	seal of the Commission shall be received in evidence and shall, unless the		
	contrary is proved, be deemed to be so executed.		
10.	10. The Six Zonal Sports offices are:	Retained	<del>-</del>
10,		Returned	
	(1) zone 1 — Ibadan comprising: Oyo, Ogun, Ondo, Osun, Lagos and		
	Ekiti States;		
	(2) zone 2 —Benin comprising: Edo, Delta, Rivers, Cross River, Bayelsa		
	and Akwa Ibom States:		
	and Akwa room states,		•
	(3) zone 3 — Enugu comprising: Abia, Imo, Ebonyi, and Anambra States;		
	(4) zone 4 — Bauchi comprising: Adamawa, Gombe, Borno and Taraba	*	
	States;		
	(5) zone 5 — Jos comprising: Plateau, Nasarawa, Benue, Kwara, Niger,		
	Federal Capital Territory, Kogi States;		
	(6) zona 6 Vaduna comprisina: Vaduna Vano, Vataina Jicawa Vahhi		
	(6) zone 6 — Kaduna comprising: Kaduna, Kano; Katsina, Jigawa, Kebbi, Sokoto, and Zamfara States.	1	
l	BOROLO, and Zamiara States.	<u> </u>	