

CHAPTER 38

ENUGU STATE AGENCY FOR MASS LITERACY. ADULT AND NON-FORMAL EDUCATION LAW

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CHAPTER 38

ENUGU STATE AGENCY FOR MASS LITERACY, ADULT AND NON-FORMAL EDUCATION LAW

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A Law to make provisions for the establishment, functions and administration of an agency to promote mass literacy, and adult and non-formal education of the people of the State and for related purposes.

[1st December 1991]

PART 1-PRELIMINARY

Short
title

L This Law may be cited as the Enugu State Agency for Mass Literacy, Adult and Non-formal Education Law.

2. In this Law —

“Agency” means Enugu State Agency for Mass Literacy, Adult and Non- formal Education established under section 3;

"Auditor-General" means Auditor-General of the State;

“Board” means Board of the Agency established under section 6;

"Chairman" means Chairman of the Board;

“Commissioner” means State Commissioner for Education;

“Executive Secretary/Director” means Executive Secretary Director of the Agency;

“Governor" means Governor of the State;

“Staff" means any member of staff of the Agency but shall not include the Executive Secretary/Director:

"State” means Enugu State of Nigeria.

PART II —ESTABLISHMENT OF THE AGENCY

Establishment
of Agency

3. (1) There is hereby established an agency to be known as the Enugu State Agency for Mass Literacy, Adult and Non-formal Education.

(2). The Agency shall have perpetual succession and a common seal and with power to enter into contract, hold, acquire, purchase and dispose of movable property, and sue and be sued in its corporate name.

(3). The Agency shall consist in such number of departments and branches as may from time to time be established by the Agency

(4). All assets, liabilities and property of whatever description which immediately before the commencement of this Law were vested in the Adult Education Unit of the Ministry of Education are hereby transferred to, and shall without any further assurance vest in the Agency.

Establishment
of Zonal
Offices

(5). For the purpose of the operations of the Agency, the State shall be divided into two zones with headquarters at Enugu and Nsukka.

Objective and
functions of the
Agency

4, The objectives of the Agency shall be —

(a). to lay down the policy for mass literacy, adult and non- formal education towards eradication of illiteracy for overall social and economic development of the State

(b). to provide avenues for continuing vocational educational programmes to people outside the formal school system particularly those that are relevant in rural development; and

(c). to foster positive attitudinal changes among people for a sound and comprehensive development

(2). The functions of the Agency shall be —

(a). to organize and carry out literacy programmes for adult and young persons in the State for the enhancement of integrated rural development within the State;

(b). to develop in adults the ability to use skills acquired to enhance their knowledge and understanding of their social and physical environment in order to improve on their modes of Living;

(c). to advance ways and means of co-operating and integrating programmes of adult and non-formal education in the State;

(d). to plan and implement various public mobilization and enlightenment programmes that are directed towards positive attitudinal changes for development,

(e). to advance ways and means of co-ordinating non-formal system of education;

(f). to undertake research programmes in adult and non-formal education and pilot projects in the State;

(g). to prepare and issue an annual report on adult and non-formal educational activities in the State;

(h). to perform, promote or undertake any other activity that is in the opinion of the Agency calculated to help achieve the purpose of the Agency.

(i). to design and promote strategies and programmes for the conduct and implementation of mass literacy campaign, in consultation with appropriate Agencies of Federal and State Governments, universities and non-governmental agencies;

(j). to organize in-service professional training courses for staff and operate training seminars for various levels of staff front government and non-governmental organizations;

(k). to request and receive from mass literacy and adult education organizations throughout Nigeria, annual reports and data on their adult education programmes;

(l). to organize curriculum development and writers' workshops to develop teaching and learning materials in mother tongues; and

(m). to procure and distribute instructional materials especially primers, posters, graded readers, demonstration kits, package courses, audio visual materials and flash cards

5. The Agency shall have power —

(a). to sustain infra-structural development and maintenance of adult education and mass literacy centres, including provision of equipment and maintenance of classrooms and provision and maintenance of instructional materials

(b). to provide adequate inspectorate, monitoring and supervisory services to ensure that set standards are properly maintained in adult education and mass literacy centres.

- (c). to maintain an up-to-date Local Government register of adult education and mass literacy teachers and organizers and statistics of participants.
- (d). to maintain an up-to-date Local Government statistics of adult education and mass literacy centres.

6. (1) There shall be a governing body of the Agency to be known as the Enugu State Agency for Mass Literacy and Non-Formal Education which shall be responsible for the policy and management of the Agency.

Board of
Agency

(2). The Board shall —

- (a). prepare the long term plan of activities of the Agency and the programmes of training, studies, courses and research to be undertaken by the Agency;
- (b). subject to the approval of the Commissioner, prepare and implement schemes and conditions of service for the staff.
- (c). appoint, promote and exercise disciplinary control over all staff;
- (d). acquire such equipment, furniture, books and other property as may be required for the use of the Agency;
- (e). maintain any premises forming part of or used in connection with the Agency;
- (f). prepare and submit to the Commissioner annual report and budgets on the activities of the Agency;
- (g). provide such necessary training facilities for members of staff and subject to the approval of the Commissioner award scholarships to such members of staff;
- (h). exercise disciplinary control over the students, trainees and apprentices of the Agency;
- (i). conduct examinations, interviews and select candidates into departments or branches of the Agency, draw up rules for the award of certificates and award certificates accordingly;
- (J). disseminate, by way of publication of books, records, reports or otherwise, information about any part of the activities of the Agency as the Board may deem fit;
- (k). regulate the teaching and training courses and the conduct of examinations with respect to the courses of study offered by the Agency.
- (l). conduct seminars, workshops, and other programmes, whether on continuing or ad-hoc basis, for the Agency;
- (m). operate and maintain bank accounts for the agency;
- (n). perform, on behalf of the Agency all the functions of the Agency and exercise all the powers conferred on the Agency by this Law or any other enactment.

7. (1) The Board shall consist of—

Members
hip of
Board

- (a) a part-time Chairman who shall be appointed by the Governor on the recommendation of the Commissioner;
 - (b). the Executive Secretary Director of the Agency;
 - (c). the Commissioner for Education or his representative;
 - (d). the Chairman of Local Government Service Commission or his representative;
 - (e). the Commissioner for Finance or his representative;
 - (1). the Chairman of the Women Commission or her representative;
 - (g). the Commissioner for Agriculture or his representative,
 - (h). the Commissioner for Health and Social Development or his representative;
 - (i). three persons from non-governmental organizations (such as Missions, Women Organizations, Trade Unions);
 - (j). three persons who, in the opinion of the Governor are capable of making useful contributions to the functions of the Agency;
 - (k). the Head of Department of Adult Education of a University nominated by the Governor or his representative
- (2). A person appointed as a member of the Board, (not being an ex officio member) shall hold office for three years and shall be eligible for re-appointment for one further term only.
- (3). A member (not being an ex officio member) may resign his appointment at any time by notice in writing to the Governor
- (4). Notwithstanding the provisions of subsection (2) the Governor may at any time remove any member from office in the public interest or for any other reason.
- (5). The Governor may appoint any suitable person to fill any vacancy that may occur as a result of the removal, resignation or death of a member
- (6). An ex officio member shall cease to become a member when he ceases to hold his office.
- (7). Without prejudice to the provisions of subsection (4), any member whose appointment is not ex officio shall cease to hold office if—
- (a). he has been convicted of an offence involving or necessarily implying fraud or dishonesty;
 - (b). he without reasonable cause absents himself from three consecutive meetings of the Board;
 - (c). he has been incapacitated by physical or mental illness from performing his functions as a member, or
 - (d). he is otherwise unable or unfit to discharge the functions of a member.

8. The proceedings of the Board shall be in accordance with the rules set out in the Schedule to this Law.

Proceeding
of the Boar
Schedule

PART III —STAFF OF THE AGENCA

9. (1) There shall be an Executive Secretary Director who shall be appointed by the Governor and who shall be the Chief Executive for the purpose of carrying out the policy decisions of the Agency, .and the running of the day-to-day affairs of the Agency

Appointme
nt of the
Executive
Secretary

(2) The Executive Secretary /Director shall hold office in the first instance for a period of five years and shall be eligible for re -appointment for such further terms of five years as the Governor may, from time to time, determine.

(3) Subject to this section, the Executive Secretary Director shall hold office on such terms as to emoluments and otherwise as may be specified in his letter of appointment

Appointme
nt of other
staff of the
Agency

10. (1) The Agency may appoint Heads of Departments who shall be professional mass literacy and adult educators, and such other persons to be officers and employees of the Agency to assist the Executive Secretary /Director in the exercise of his functions and the functions of the Agency under this Law

(2). The remuneration and tenure of the Heads of Department and the other officers and employees of the Agency shall be determined by the Board after consultation with the State Civil Service Commission.

(3). Notwithstanding subsection (1), the Heads of Department or any of the other officers and employees of the Commission may be appointed by the Agency by way of transfer and secondment from the public service of the State.

Pensions Law in
force in the
State

11. (1) Service in the Agency shall be approved service for the purpose of the Pensions Law and accordingly, officers and other persons employed in the Agency shall be entitled to pensions, gratuities and other retirement benefits as are prescribed in that Law, so however that nothing in this Law shall prevent the appointment of a person to any office on terms which preclude the grant of a pension, gratuity or other retirement benefit in respect of that office.

(2). For purposes of the application of the provisions of the Pensions Law, any power exercisable thereunder by a Commission or other authority of the Government of the State, other than the power to make regulations thereunder, under section - thereof, is hereby vested in and shall be exercisable by the Agency and not by any other person or authority.

PART IV.—FINANCIAL PROVISIONS OF THE AGENCY

Funds and
Resources of
the Agency

12 (1). The funds and resources of the Agency shall consist of-

(a). such sums as may be provided by the Federal or State Government;

(b). any loan granted to the Agency by the State Government, or by any other person or institution, with the approval of the Governor;

(c) such sums as may be paid to the Agency by way of grants, subsidies, donations, gifts, fees, subscription, rents, interests and royalties;

(d). any sums derived from sale of any property held by or on behalf of the Agency; and

(e). any sums which may be donated to the Agency

(2). The Agency shall not be obliged to accept any donations for any particular purpose unless the Commissioner approves the terms and conditions attached to such donations.

(3). .Any moneys standing to the credit of the Agency may from time to time be invested by the Board in such securities as may be approved by the Commissioner and the Board may with the approval of the Commissioner dispose of such securities.

(4). The funds and resources of the Agency shall be applied towards the promotion of the objectives of the Agency as specified in this Law

13. The Agency may with the approval of the Governor, borrow by way of loan or overdraft from any source, moneys required by the Agency for meeting its obligations and discharging its functions under this Law and such moneys shall not exceed the sum of N500.000 at any given time

Borrowing
powers

14. (1) The Agency shall keep proper accounts and related records, and shall prepare, with respect to each financial year, a statement of account, within three months of the end of the financial year

Accounts

(2). The accounts of the Agency shall be audited and reported upon by the State Auditor-General

(3). As soon as the accounts of the Agency have been audited, the Board shall forward to the Commissioner a copy of the statement of accounts together with a copy or any report made thereon by the State Auditor- General.

(4).The Board shall not later than 30th September of each financial year, prepare and submit the budget proposals of the Agency to the Governor, through the Commissioner, and it shall be the responsibility of the Executive Secretary/Director to prepare for the consideration of the Board the estimates of the expenditure and income of the Agency which in his opinion would be proper for the Board to submit to the Governor

SCHEDULE

(Section 8)

PROCEEDINGS OF THE BOARD

1. The Board shall meet at least once every three months and at such times as may be expedient for the transaction of business, and such meetings shall be held at such places as the Board may determine.

2. At any meeting of the Board, the Chairman shall preside but in his

their absence, for members present at the meeting shall appoint any of their members to preside at such meeting

3. Every question at a meeting shall be determined by a majority of the votes of the members present and voting on the question, and in the case of an equal division of votes, the Chairman of the meeting shall have a Second or casting vote,

4. the Board may act, even when one or more members are absent.

5. Five members, including the Chairman or other member presiding shall form a quorum at any meeting of the Board

6. (I) The Agency shall, as soon as may be after its establishment, provide itself with a common seal

(2) A document sealed with the common seal of the Agency shall be authenticated by the signature of the Chairman and the Secretary, or any other member authorized in that behalf by the Board.

(3). Judicial notice shall be taken of the common seal of the Agency

7. Where upon any special occasion, the Board decides to obtain the advice of any person on any particular matter, the Board may co-opt that person to be a member for such meeting or meetings as may be required 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 on any question.