

CHAPTER S10 - STATE ESTABLISHMENTS MONITORING COMMITTEE LAW

ARRANGEMENT OF SECTIONS

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STATE ESTABLISHMENTS MONITORING COMMITTEE LAW

A Law to establish a Committee to monitor the account books of government establishments for ensuring that proper accounts and records are kept by the establishments.

[Date of commencement: 21 *st* September, 1995]

1.

There is hereby established a committee to be known as the State Establishments Monitoring committee.

2.

The Committee shall consist of the following members—

- (a) a representative of the State Audit Department;
- (b) a representative of the Ministry of Commerce and Industry and Co-operatives;
- (c) a representative of the Ministry of Finance and Economic Development;
- (d) a representative of the Bureau of Budget and Planning in the Military Administrator's office; and
- (e) a representative of the Directorate of Economic Affairs and parastatals in the

Governor's office.

3.

(1) The Chairman and Secretary to the Committee shall be appointed from among the members of the committee by the Commissioner.

(2) The functions of the Secretary shall be—

- (a) to record the proceedings of the committee;
- (b) to conduct and keep the correspondence of the committee; and
- (c) to perform such other duties as the committee may from time to time direct.

4. Functions of committee

(1) Notwithstanding anything contained in any law for the time being in force, the functions of the committee shall include—

(a) the examination of any of the following—

- (i) records or account books on revenue collection;
- (ii) records on output of goods and services;
- (iii) records on dividends or other returns on Government investment;
- (iv) management accounts;
- (v) annual accounts, and
- (vi) any other record or document that the committee may deem necessary to examine;

(b) the monitoring of the utilisation and repayment of any grant or loan made to any State Government establishment;

(c) ensuring the lodgement of funds of establishments in Government approved financial institutions;

(d) monitoring the management of investments and securities of Government establishments;

(e) carrying out investigations into any accounts, records or books of any Government establishment whether or not such have been audited.

(2) The functions mentioned in subsection (1) of this sections shall be performed on State Government establishments.

5. Conflict of functions

Where the functions of the committee as contained in section 4 above conflicts with those of the Board of any establishment, the performance of such duties by the committee shall prevail to the extent of such a conflict.

6. Powers of Committee

(1) The Committee shall have power to take evidence, and subject to subsection (2) of this section do anything which in its opinion is calculated to facilitate the carrying out of its functions.

(2) Except with the general or special approval of the Commissioner, the committee shall not have power to incur expenditure.

7. Meetings

(1) In addition to its duties as contained in section 4 (1), the Committee may hold meetings at such times, places and days as the Chairman may determine.

(2) At a meeting of the Committee—

(a) the Chairman shall, if present preside;

(b) if and so long as the Chairman is not present, the members present shall choose one of their number to preside.

(3) Three members shall forth a quorum at any meeting of the Committee.

(4) Every question at a meeting of the Committee shall be determined by a majority of the votes of the members present and voting on the question, and in the case of any equality of votes, the person presiding at the meeting shall have a second or casting vote.

8. Procedure

The Committee may regulate its own proceedings and may function notwithstanding any vacancy in its membership or the absence of any member.

9. Protection of Committee

The Committee or any member thereof shall not be liable to be sued in any court of law for any act done, purported to be done or omitted to be done, if such act or omission is in good faith and is in the exercise of its or his duties under this Law.

10. Regulations

The Commissioner charged with responsibility for finance matters may make regulations for the carrying into effect the provisions of this Law.

11. Interpretation

In this Law, unless the context otherwise requires—

"Commissioner" means the Commissioner charged with responsibility for finance matters;

"establishment" means any tertiary institution, Board, Corporation or organization established by the State Government under any law but does not include a company whether private or public;

"State" means Kwara State of Nigeria.

12. Citation

This Law may be cited as the State Establishments Monitoring Committee Law, 1995.

CHAPTER SIO

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SUBSIDIARY LEGISLATION

No Subsidiary Legislation