

# CHAPTER S9 - SPORTS COUNCIL LAW

## ARRANGEMENT OF SECTIONS

### SECTION

1. Short title.
2. Interpretation.
3. Establishment of the Council.
4. Composition of the Council.
5. Tenure of office.
6. Payment of allowances to members of the Council.
7. Power to co-opt.
8. General functions of the Council.
9. Specific functions of the Council.
10. Functions of a sports association.
11. Power to hold land and contract.
12. Meetings.
13. Special meetings.
14. Presiding at meetings.
15. Decision of Council.
16. Minutes.
17. Chairman to have casting vote.
18. Quorum.
19. Standing Orders.
20. Directions by the Commissioner.
21. Funds of the Council.
22. Expenditure.
23. Director of Sports and other staff.
24. Investment.
25. Bad debts.
26. Audit.
27. Reports and accounts to Commissioner.
28. Control of Council on dissolution.
29. Retiring and other benefits.
30. Repeal of Law No. 7 of 1969.

## SPORTS COUNCIL LAW

**A Law to establish a Sports Council and for purposes connected therewith.**

[KWS 7 of 1969, KWS 2 of 1976, KWS 6 of 1990, KWS LN 1 of 1982, No. 4 of 2006.]

[Date of commencement: *1st September*, 1969]

### 1. Short title

This Law may be cited as the Sports Council Law, 1976.

### 2. Interpretation

In this Law, unless the context otherwise requires—

"**a Sports Association**" means a Sports Association established under paragraph (*h*) of section 9;

"**Commissioner**" means the Commissioner for the time being charged with responsibility for Sports and Youth Development in the State;

[No. 4 of 2006.]

"**employee**" means any person employed by the Council;

"**Governor**" means the Governor of the State;

"**member**" means a member of the Council and includes the Chairman;

"**Securities**" includes Federal Savings Bank deposits, bank deposits and Central Bank of Nigeria Treasury Bills and Certificates;

"**Sports**" includes association football, athletics, badminton, basketball, boxing, canoeing, cricket, fencing, gymnastics, hockey, judo, lawn tennis, netball, rounders, squash, golf, swimming, table tennis, volley-ball, water polo, wrestling and any other form of game or recreational activity;

**"the Council"** means the Kwara State Sports Council established under the provisions of this Law;

**"the State"** means the Kwara State of Nigeria.

### **3. Establishment of the Council**

- (1) There shall be established a body to be known as the Kwara State Sports Council.
- (2) The Council shall be a body corporate with perpetual succession and a common seal and with power to sue and be sued in its corporate name.

### **4. Composition of the Council**

- (1) The Council shall consist of—
  - (a) a part-time Chairman appointed by the Governor;
  - (b) eight other members including at least a woman appointed by the Governor, three from each of the Senatorial Districts of the State, cognisance being taken of the Chairman;
  - (c) one member from each of the disciplined forces in the State appointed by the Governor on the advice of the head of each of the respective disciplined forces in the State;
  - (d) one member representing the State Ministry of Education;
  - (e) one medical practitioner appointed by the Governor;
  - (f) one member from an institution of higher learning appointed by the Governor; and
  - (g) a representative of the Ministry of Sports and Youth Development.

[KWS 6 of 1990, No. 4 of 2006.]

- (2) The names of the original members and every change in membership shall be published in the State Gazette.

- (3) A person ceasing to hold any appointment to which he is appointed under this section shall be eligible for re-appointment on such terms and conditions as may be determined by the Governor.

[No. 4 of 2006.]

(4) The Governor may appoint any person to act temporarily in the place of the Chairman or any other member in the case of the absence or inability for any reason of the Chairman or such other member thereof.

(5) The validity of any proceedings of the Council shall not be affected by any vacancy amongst the members thereof.

[No. 4 of 2006.]

## **5. Tenure of office**

(1) The Governor may at any time direct by notice in writing that any member shall cease to hold office, and any member may at any time by notice in writing to the Governor resign his office.

(2) Subject to subsection (1) every member shall hold office for a period of three years from the date of his appointment by the Governor.

[No. 4 of 2006.]

## **6. Payment of allowances to members of the Council**

The Council may pay to each of its members, including temporary members, such allowances as the Governor may determine in the case of each such member.

[No. 4 of 2006. |

## **7. Power to co-opt**

Where upon any special occasion the Council desires to obtain the advice of any person upon any matter the Council may co-opt such person to be a member for such meeting or meetings as may be required and such person shall, while so co-opted, have all the rights and privileges of a member save that he shall not be entitled to vote upon any question.

[No. 4 of 2006.]

## **8. General functions of the Council**

Subject to the provisions of this Law, it shall be the duty of the Council to take all such steps as may be desirable and control sports in the State.

## **9. Specific functions of the Council**

In particular, and without prejudice to the generality of the provisions of section 8, the Council shall have power—

(a) to organise, hold or assist, financially or otherwise, the holding of matches and competitions in sports, whether between participants of the State and other States of Nigeria or between participants from Nigeria and other territories, and may provide or present trophies and prizes for the same and may prescribe the rules under which such matches or

competitions shall be held;

(b) to assist, financially or otherwise, the participation of any Nigerian in the Olympic Games, the Commonwealth Games, or any other contest held either within Nigeria or elsewhere;

(c) to maintain land and buildings for the practice of, or competition in sports and may admit the public thereto with or without charge or permit, either with or without charge, the same to be used by any other person for the admission of the public with or without charge;

(d) to establish and maintain schools or similar institutions for the education of instructors or organisers for any form of sports;

(e) to assist, financially or otherwise, the education overseas of any Nigerian to fit him to be an instructor or organiser for any form of sports or physical culture;

(f) to assist, financially or otherwise, any school or club or other organisation devoted to sports in matters related to sports;

(g) to affiliate with any sports organisations whether within or outside the State;

(h) to establish a Sports Association in any area which the Council considers suitable for such purpose; and

(i) to supervise, control, and, where in their opinion the Council considers it is necessary to do so, dissolve, take over and manage, for such period as the Council may think fit, the affairs and activities of any Sports Association, club, or any other body assisted financially or otherwise by the Council.

#### **10. Functions of a sports association**

(1) A sports association shall within its area of jurisdiction have the responsibility of administering, organising and co-ordinating sports activities in accordance with the general or specific directions of the Council.

(2) No Government financial assistance may be granted to any sports association except through the Council, which shall decide the amount of such grant and the terms under which it may be made.

Provided that no further grant shall be made to any sports association until the audited accounts showing any previous grant made to it have been submitted to, and approved by, the Council.

#### **11. Power to hold land and contract**

The Council shall have power in the discharge of its functions under the provisions of sections 8 and 9—

- (a) to acquire and to hold, manage and dispose of property whether real or personal and whether by investment or otherwise and to enter into any contract necessary for the due discharge of any of its said functions;
- (b) to accept, hold and administer any gift or property for any purpose connected with sports and may execute any works (including works of maintenance and improvement) incidental to or consequential upon the exercise of the powers conferred by this section;
- (c) to employ and remunerate such employees as may be necessary; and
- (d) to carry on all activities the undertaking of which appears to the Council to be requisite, advantageous, or convenient for or in connection with the discharge of its functions under this Law.

[No. 4 of 2006.]

#### **12. Meetings**

Subject to the provisions of section 13 the Council shall meet at least once in each quarter of a year and at such other times as may be required by Standing Orders made under section 19.

#### **13. Special meetings**

The Chairman, at the request in writing of not less than five members of the Council, shall call a meeting of the Council on giving not less than fourteen days' notice thereof.

[No. 4 of 2006.]

#### **14. Presiding at meetings**

At any meeting of the Council the Chairman, if present, shall preside, but in the event of his absence, the members present, by majority vote, shall elect one of the members to preside at such meeting.

#### **15. Decision of Council**

Every matter which comes before the Council at any meeting shall be decided by a majority vote of the members, including temporary members, present and voting.

**16. Minutes**

Minutes of the proceedings of every meeting of the Council shall be entered in a book to be kept for that purpose and minutes of the proceedings shall, after approval by the Council, be signed at the next ensuing meeting by the member presiding thereat.

**17. Chairman to have casting vote**

The member presiding at any meeting of the Council shall have an original vote and where the votes are equally divided a casting vote in addition to his original vote.

**18. Quorum**

Five members of the Council at any one time shall form a quorum at any meeting of the Council.

[No. 4 of 2006.]

**19. Standing Orders**

The Council may make standing orders providing for the proper conduct of its business and for meetings of the Council and of committees thereof and in particular for—

- (a) the custody and use of the common seal; and
- (b) the method of entering into contracts and the execution thereof, and the signing of cheques and other instruments.

[No. 4 of 2006.]

**20. Directions by the Governor**

(1) The Governor may give to the Council directions of a general or specific character as to the exercise and performance by the Council of any of its functions in relation to matters appearing to him to concern the public interest and the Council shall give effect to such directions.

[No. 4 of 2006.]

(2) In particular and without prejudice to the generality of the provisions of subsection (1) the Governor may—

(a) direct that the Council shall act in accordance with a general programme of policy or development settled from time to time with the approval of the Governor; or

(b) direct that the Council shall discontinue or restrict any of its activities, and the Council shall give effect to any such directions.

[No. 4 of 2006.]

(3) The Council shall furnish the Governor with such information and returns relating to the activities or proposed activities of the Council or of others by whom activities are carried on with its assistance or in association with it (being information which is in the possession of the Council or can be obtained by it with reasonable facility or being returns

giving such information) as the Governor may from time to time require, and shall afford to him facilities for the verification of information furnished by it in such manner and at such times as he may require.

[No. 4 of 2006.]

## **21. Funds of the Council**

The funds of the Council shall include—

- (a) all monies accruing to the Council by way of endowment, grant, gift or otherwise;
- (b) all monies raised for the general purposes of the Council;
- (c) all charges or fees received by the Council;
- (d) all interest on monies invested by the Council; and
- (e) all other sums of money or property which may in any manner become payable to or vested in the Council in respect of any matter incidental to its functions.

## **22. Expenditure**

The funds of the Council shall be applied by the Council in pursuance of its functions as laid down in this Law.

## **23. Director of Sports and other staff**

- (1) The Director of Sports shall be appointed by the Governor on the recommendation of the Council.
- (2) The post of the Director of Sports shall be filled by public advertisements in the electronic and print media by the Council.
- (3) The Director of Sports shall be the Chief Executive of the Council and shall have ultimate responsibility for the carrying out of the policies and decisions of the Council in accordance with the provisions of this Law.
- (4) Power to exercise disciplinary control over the Director of Sports and to determine his terms and conditions of service as to remuneration or otherwise, shall be vested in the Council.
- (5) Subject to the provisions of this Section, the Council shall have power to appoint and exercise disciplinary control over such other officers, servants and agents as it may think necessary for the discharge of its functions under this Law and to determine their terms and conditions of service as to remuneration or otherwise.



(6) On any serious misconduct of any staff of the Council or the Director of Sports, the Council shall send recommendations to the supervising Ministry for necessary consideration and adjudication.

[No. 4 of 2006.]

**24. Investment**

Money standing to the credit of the Council may, from time to time be invested in securities approved either generally or specifically by the Commissioner, and the Council may from time to time sell any or all of such securities with the approval of the Commissioner.

**25. Bad debts**

The Council may with the approval of the Commissioner write off bad debts.

**26. Audit**

The accounts of the Council shall be audited by auditors appointed by the Commissioner and the professional fees, if any, of such auditors shall be charged on the funds of the Council.

**27. Reports and accounts to Commissioner**

(1) As soon as may be after the end of each financial year the Council shall forward to the Commissioner a full report of its operations during the preceding year together with a certified copy of the audited accounts of the Council.

(2) The accounts of the Council together with the report of the auditor thereon shall be published in the State Gazette.

**23. Control of Council on dissolution**

Where the Council ceases for any reason to exercise its functions under the Law, whether by reason of the repeal of this Law, or by the end of its term in office or by suspension or dissolution of the Council or otherwise, the Governor may appoint a Caretaker Committee in the interim to carry on the activities of the Council.

**29. Retiring and other benefits**

The Council may—

(a) grant pensions, gratuities, or retiring benefits to any of the employees of the Council and to their dependants in accordance with the Public Service Scheme;

(b) grant loans to employees for such purposes as the Council may approve.

**30. Repeal of Law No. 7 of 1969**

The Sports Council Law, No. 7 of 1969, is hereby repealed.

**CHAPTER S9**

**SPORTS COUNCIL LAW**

**SUBSIDIARY LEGISLATION**

*No Subsidiary Legislation*