

# CHAPTER H3 - HISTORY BUREAU LAW

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#### HISTORY BUREAU LAW

A Law to establish a Bureau to preserve the traditions, history and manage the public archives of the State.

[KWS 5 of 1974.]

[Date of commencement: 1 *st* April, 1974]

1. Short title and commencement

This Law may be cited as the History Bureau Law, 1974, and shall be deemed to have come into operation on the 1st day of April, 1974.

## **2. Interpretation**

In this Law, unless the context otherwise requires—

**"Arewa House Trust"** means the charitable Trust created by the Interim Common Services Agency for the purpose of compiling historical matters and research into the history of the former Northern States of Nigeria and recognised as such under section 16;

**"Bureau"** means the History Bureau established under section 3;

**"Chairman"** means the Chairman appointed under subsection (2) of section 4;

**"Director"** means the Director appointed under subsection (1) of section 5;

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

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

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

**"the States"** means the States created out of the former territory of Northern Nigeria.

## **3. Establishment of Bureau**

(1) There is hereby established a body called the History Bureau which shall be a body corporate with perpetual succession and a common seal and which shall have the functions conferred upon it by or under this Law.

(2) The Bureau shall have the power to enter into contracts and to acquire, purchase, hold, lease, mortgage, sell or otherwise dispose of any property whatsoever whether movable or immovable and may sue and be sued in its corporate name.

## **4. Composition of the Bureau**

(1) The Bureau shall consist of a Chairman and not less than eleven other members.

(2) The Chairman and the other members shall be appointed by the Governor.

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

## **5. Appointment of Director of Bureau**

(1) There shall be a Director who shall be appointed by the Governor on such terms and conditions as the Governor may think fit.

(2) The Director shall be the Chief Executive of the Bureau and shall have ultimate responsibility for the carrying out of the policies and decisions of the Bureau in accordance with the provisions of this Law.

(3) The Director shall be an officer but not a member of the Bureau.

**6. Appointment of Secretary of Bureau**

- (1) The Governor shall appoint by name or office, a Secretary of the Bureau who shall conduct the correspondence and keep records thereof and perform such other duties as the Bureau may from time to time direct or which are placed upon him under the provisions of this Law or any other Law.
- (2) The Secretary shall be an officer but not a member of the Bureau.

**7. Committees**

- (1) The Bureau shall have the power to appoint one or more committees for the purpose of exercising and performing such functions conferred or imposed by this Law on the Bureau and generally for carrying out any of the purposes of the Bureau.
- (2) A Committee may include persons who are not members of the Bureau.

**8. Supplementary provisions of Bureau**

The supplementary provisions contained in the Schedule shall have effect in relation to the constitution and proceedings of the Bureau.

[Schedule.]

**9. Temporary membership**

Where any member of the Bureau is temporarily incapacitated by illness or any other cause from performing the functions of his office or is temporarily absent from Nigeria, the Governor may appoint any person to hold temporarily the office held by such incapacitated or absent member during the period of such incapacity or absence and all the functions of such member under this Law shall devolve upon the person so temporarily appointed.

**10. Tenure of office and remuneration of members**

- (1) The Chairman or any other member of the Bureau shall hold office for three years from the date of his appointment but shall be eligible for re-appointment.
- (2) The Chairman or any other member of the Bureau may be paid such remuneration, if any, whether by way of salary, allowances or fees as the Governor may from time to time determine.

**11. Other matters relating to members**

- (1) A member shall not be personally liable for any act or any omission to do any act or any default of the Bureau so long as such act, omission or default is in the course of the operations of the Bureau and in good faith.
- (2) Notwithstanding anything contained in the instrument by which a member is appointed, a member may resign his office as a member by notice in writing addressed to

the Governor and upon receipt of such resignation by the Governor the appointment of such member shall be terminated.

(3) The Governor may at any time remove any member from office.

## **12. General functions of Bureau**

Subject to the provisions of this Law, it shall be the duty of the Bureau to administer the law relating to the preservation and management of the public archives of the State.

## **13. Specific functions of Bureau**

In particular, and without prejudice to the generality of the provisions of section 12, the Bureau shall have power—

- (a) to organise and undertake historical research and exhibitions in the State;
- (b) to provide and maintain a comprehensive research institution for Nigerian and foreign researchers in the field of history;
- (c) to review all research papers pertaining to the State;
- (d) to conduct, direct and promote research and to act as a coordinating agency for research in all matters relating to the history of the State;
- (e) to act in an advisory and consultative capacity on matters pertaining to the history of the State;
- (f) to accept from any person or authority any work of history which meets its required standard;
- (g) to encourage private individuals or scholars to write on matters of historical importance;
- (h) to establish and maintain museums throughout the State;
- (i) to lay down the rules under which foreign researchers may use the research library in the State;
- (j) to organise or conduct lectures or demonstrations on the history of the State;
- (k) to publish or sponsor the publication of any literature, periodical or newspaper or book in relation to the history of the State;
- (l) to accept, hold and administer any subscription or any gift of property for any purpose connected with the Bureau;
- (m) to affiliate with other institutions of a generally similar character;
- (n) to undertake all activities which appear to the Bureau to be necessary, advantageous or expedient for the performance of its functions.

## **14. Bureau to comply with directions**

In the exercise of its functions under the provisions of this Law, the Bureau shall comply with any general or special directions given to it by the Governor.

#### **15. Arewa House Trust**

- (1) The Arewa House Trust is hereby recognised as a coordinating body between the Bureau and similar institutions in the State.
- (2) The Arewa House Trust with the consent of the Governor may have power in association with the Bureau to collect, and keep in its custody all kinds of historical materials.
- (3) The Bureau shall nominate one of its members for appointment to the Board of Trustees of the Arewa House Trust.
- (4) The Bureau may refer any matter to the Arewa House Trust for research or any other historical investigation on such conditions as to payment or otherwise as may be agreed to.
- (5) The Bureau shall make annual grant to the Arewa House Trust as may be agreed to by the State.

#### **16. Funds of the Bureau**

The funds of the Bureau shall include—

- (a) all monies accruing to the Bureau by way of loan, endowment, grant, gift or otherwise;
- (b) all monies raised for the general purpose of the Bureau;
- (c) all other sums of money or property which may in any manner become payable to or vested in the Bureau in respect of any matter incidental to its functions.

#### **17. Expenditure**

The funds of the Bureau shall be applied by the Bureau in pursuance of its functions under this Law.

#### **18. Power to engage staff**

Subject to the provisions of sections 5 and 6, the Bureau may—

- (a) from time to time appoint, upon such salaries, terms and conditions as it thinks fit, such employees, as may be necessary for the proper and efficient conduct of the operation of the Bureau;
- (b) grant pensions, gratuities or retiring allowances to any employees and may require employees to contribute to any pension or contributory scheme; and
- (c) grant loans to employees for such purposes as the Bureau may approve.

#### **19. Accounts and audit**

The Bureau shall keep proper accounts in respect of its functions under this Law and such

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

## **20. Annual reports**

- (1) As soon as may be after the end of each financial year the Bureau shall forward to the Governor a full report of its operations during the preceding year together with a certified copy of its audited accounts.
- (2) The accounts of the Bureau together with the report of the auditors thereon shall be published in the State Gazette.

## **21. Regulations**

The Governor may, after consultation with the Bureau, make regulations for carrying into effect the provisions of this Law.

## **SCHEDULE**

[Section 8.]

### **1. Meetings and procedure**

- (1) The Bureau shall hold such and so many meetings as may be necessary for the due fulfilment of its functions so, however, that it shall hold at least two meetings in every year.
- (2) At a meeting of the Bureau—
  - (a) the Chairman of the Bureau shall, if present, be chairman of the meeting;
  - (b) if and so long as the Chairman of the Bureau is not present or if the office of Chairman is vacant, the members of the Bureau who are present shall choose one of their members to be chairman of the meeting.
- (3) Every question at a meeting of the Bureau shall be determined by a majority of the votes of the members present and voting on the question and in the case of any equal division of votes, the Chairman of the meeting shall have a second or casting vote.
- (4) The Bureau may act notwithstanding one or more vacancies among its members.
- (5) Any three members of the Bureau may by notice in writing signed by them request the Chairman to call a special meeting of the Bureau for the purpose set out in such notice and the Chairman shall thereupon call a special meeting.

### **2. Co-option of members**

Whereupon any special occasion the Bureau desires to obtain the advice of any person on any particular matter, the Bureau may co-opt such person to be a member for such meeting or meetings as may be required and such person whilst so co-opted shall have all the rights

and privileges of a member save that he shall not be entitled to vote on any question.

**3. Quorum**

A quorum at a meeting of the Bureau shall be the Chairman and four other members.

**4. Common seal**

(1) The Bureau shall as soon as may be after its establishment provide itself with a common seal.

(2) The common seal of the Bureau shall be authenticated by the signature of the Chairman or some other member authorised by the Bureau to act in that behalf and the signature of the Secretary of the Bureau.

(3) Judicial notice shall be taken of the common seal of the Bureau and every document purporting to be an instrument made by the Bureau and to be sealed with the common seal (purporting to be authenticated in accordance with this section) of the Bureau shall be received in evidence and be deemed to be such instrument without further proof unless the contrary is shown.

**5. Standing orders**

Subject to the provisions of this Law—

(a) the Bureau may, with the approval of the Governor, regulate its own proceedings and may make standing orders for the purpose;

(b) any committee may regulate its own proceedings and may with the approval of the Bureau, make standing orders for that purpose.

**6. Defect in appointment not to invalidate proceedings**

No act or other proceeding of the Bureau shall be invalid by reason only that—

(a) there is some defect in the appointment of a person purporting to be a member of the Bureau; or

(b) there is any vacancy amongst its members.

CHAPTER H3  
HISTORY BUREAU LAW

SUBSIDIARY LEGISLATION

*No Subsidiary Legislation*



