



## **LAGOS INTERNATIONAL TRADE FAIR COMPLEX MANAGEMENT BOARD ACT**

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### LAGOS INTERNATIONAL TRADE FAIR COMPLEX MANAGEMENT BOARD ACT

An Act to establish the Lagos International Trade Fair Complex Management Board with responsibility, among other things, to manage, maintain and develop the Complex.

Establishment of the Lagos International Trade Fair Complex Management Board, etc.

1. Vesting and validation of title to land
  - (1) The title to all that parcel of land, buildings, monuments and structures situated in Lagos State and known as the Lagos International Trade Fair Complex, more clearly described in the First Schedule to this Act, is by virtue of this Act and without further assurance, vested in the Federal Government of Nigeria.
  - (2) The title to the land so vested by subsection (1) of this section is hereby validated.
2. Establishment of the Lagos International Trade Fair Complex Management Board
  - (1) There is hereby established a body to be known as the Lagos International Trade Fair Complex Management Board (in this Act referred to as –the Board) which shall have the functions conferred on it pursuant to this Act.
  - (2) The Board shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
3. Membership of the Board

(1) The Board shall consist of a chairman and representative each of the following, that is—

- (a) the Federal Ministry of Commerce;
  - (b) the Nigerian Institute of Estate Surveyors and Valuers;
  - (c) the Nigerian Export Promotion Council;
  - (d) the Nigerian Association of Chambers of Commerce, Industry, Mines and Agriculture;
  - (e) the Manufacturers Association of Nigeria; and
  - (f) the executive director of the Lagos International Trade Fair Complex.
- (2) The chairman of the Board shall be appointed by the President, on the recommendation of the Minister and shall be a person of proven integrity coupled with experience in matters relating to commerce and tourism.
- (3) The provisions of the Second Schedule to this Act shall have effect with respect to the proceedings of the Board and the matters contained therein

#### 4. Functions of the Board

The functions of the Board shall be—

- (a) to manage, maintain and develop the Lagos International Trade Fair Complex (in this Act referred to as —the Complex) as a national asset with commercial orientations for purposes of greater proficiency;
- (b) to develop additional infrastructures and facilities which would enhance the economic, commercial and tourism potentials of the Complex;
- (c) to liaise with the Nigerian Association of Chambers of Commerce, Industry, Mines and Agriculture and other organisers of trade fairs and exhibitions on the organisation of and participation in trade fairs and other exhibitions;
- (d) to provide adequate and standard facilities for the hosting of trade fairs and exhibitions, seminars, conferences and meetings;

- (e) to attract conferences, seminars and other socio-cultural and recreational activities to the Complex;
- (f) to establish and manage a national permanent exhibition pavilion;
- (g) to publish a national index on trade fairs and exhibitions;
- (h) to establish and manage the International Shopping Complex set up within the Complex;
- (i) to carry on the business of real estate management within the Complex;
- (j) to invest in bonds and securities; and
- (k) to carry out such other activities which are necessary and expedient for the discharge of all or any of the functions conferred on it pursuant to this Act.

#### 5. Tenure of office of members of the Board

- (1) Subject to the provisions of this Act, a person appointed to be a member of the Board, not being a public officer, shall hold office for a period of three years from the date of this appointment and shall be eligible for re-appointment for a further term of three years and no more.
- (2) Any member, not being a public officer, may resign his appointment by a notice in writing under his hand addressed to the Minister.
- (3) Members of the Board shall be paid such remuneration and allowances as the President may, from time to time, determine.

#### 6. Removal from office of members of the Board

- (1) The Minister may, at any time, remove any member of the Board from office if the Minister is of the opinion that it is not in the interest of the Board for the member to continue in office and shall notify the member in writing to that effect.
- (2) Where the Board is satisfied that the continued presence on the Board of any member is not in the national interest of the Board, the Board may recommend to the Minister that the member concerned be removed from office.

#### 7. Executive director of the Board

- (1) There shall be appointed for the Board, by the President, on the recommendation of the Minister, an executive director who shall have appropriate qualifications.
- (2) The executive director shall be the chief executive of the Complex and shall be responsible for the execution of the policy of the Board and the day-to-day administration of the affairs of the Complex.
- (3) The executive director shall hold office in the first instance for a period of four years and shall be eligible for re-appointment for such further period of three years and no more.
- (4) Subject to this section, the executive director shall hold office on such terms as to emolument and otherwise as may be specified in his letter of appointment.

#### 8. Power to delegate to executive director

The Board may delegate to the executive director such of its functions under this Act as may be necessary to enable him transact the day-to-day business of the Complex.

#### 9. Staff of the Board

- (1) Subject to this Act, the Board may appoint such other person as members of its staff as it considers necessary.
- (2) The remuneration and tenure of office of the other staff of the Board shall be determined by the Board after consultation with the Federal Civil Service Commission.
- (3) Notwithstanding the provisions of subsection (1) of this section, employees of the Board may be appointed by way of transfer or secondment from any of the public services in the Federation.

#### 10. Application of pensions

- (1) It is hereby declared that service in the Board shall be pensionable under the Pensions Act and accordingly employees of the Board, shall, in respect of their service in the Board, be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a gratuity in respect of that office.

- (3) For the purpose of the application of the provisions of the Pensions Act, any power exercisable thereunder by a Minister or other authority of the Government of the Federation (not being the power to make regulations

under section 23 thereof) is hereby vested in and shall be exercisable by the Board and not by any other person or authority.

- (4) Subject to subsection (2) of this section, the Pensions Act shall in its application by virtue of subsection (3) of this section to any office, have effect as if the office were in the civil service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria 1999.

#### 11. Fund of the Board

- (1) The Board shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Board.
- (2) There shall be paid and credited to the fund established pursuant to subsection (1) of this section—
  - (a) such moneys as may, from time to time, be lent or granted to the Board by the Government of the Federation or of a State;
  - (b) all moneys raised for the purposes of the Board by way of gift, loan, grants-in-aid, testamentary disposition or otherwise;
  - (c) all subscriptions, fees or charges for services rendered by the Board; and
  - (d) all other assets that may, from time to time, accrue to the Board.
- (3) The fund shall be managed in accordance with rules made by the Minister and without prejudice to the generality of the power to make rules under this subsection, the rules shall in particular contain provisions—
  - (a) specifying the manner in which the assets or the fund are to be held and regulating the making of payments into and out of the fund;
  - (b) requiring the keeping of proper accounts and records for the purpose of the fund in such form as may be specified in the rules.

#### 12. Expenditure of the Board

The Board may, from time to time, apply the proceeds of the fund established pursuant to section 11 of this Act to—

- (a) the cost of administration of the Board and the Complex;
- (b) the payment of the salaries, fees and other remuneration, allowances, pensions and gratuities payable to members or employees of the Complex, so however that no payment of any kind under this paragraph shall be made to any person who is in receipt of emoluments from the Government of the Federation or of a State.

### 13. Powers of the Board to enter into contracts, to hold property and to invest

- (1) The Board may enter into such contracts as may be necessary or expedient for giving effect to the provisions of this Act.
- (2) Subject to the approval of the Ministry, the Board may acquire 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 Board may invest its funds in such manner and to such extent as it thinks necessary or expedient.

### 14. Power to borrow

- (1) Subject to subsection (2) of this section, the Board may, for the purpose of giving effect to this Act, borrow any sum of money from any source.
- (2) Subject as herein provided, the Board may, from time to time, borrow by way of overdraft or otherwise however such sums as it may require in the exercise of its functions under this Act whereby the amount in the aggregate outstanding on any loan or on all loans at any time is not more than N5,000,000 so however

that the Board shall not, without the approval of the Minister, borrow sums of money where the amount in the aggregate outstanding as aforesaid at any time exceeds N2,500,000.

### 15. Power to accept gifts

- (1) The Board may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person making the gift.



- (2) The Board shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Board.

#### 16. Power to make staff regulations

- (1) The Board may, subject to the provisions of this Act, make staff regulations relating generally to the conditions of service of its employees, or without prejudice to the generality of the foregoing, such regulations may provide for—
  - (a) the appointment, promotion and disciplinary control (including dismissal) of the employees of the Board; and
  - (b) appeals by such employees against dismissal or other disciplinary measures, and until such regulations are made, any instrument relating to the conditions of service of public officers shall, with such modifications as may be necessary, be applicable to the employees of the Board.
- (2) Staff regulations made under subsection (1) of this section, shall not have effect until approved by the Minister and when so approved they may not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine.

#### 17. Annual estimates, accounts and audit

- (1) The Board shall cause to be kept proper accounts and six months before the end of each year, an estimate of the expenditure and income of the Complex during the next succeeding year and when prepared they shall be submitted through the Minister for approval by the President.
- (2) The Board shall cause to be kept proper accounts and proper records in relation thereto and when certified by the Board such accounts shall be audited as provided in subsection (3) of this section.
- (3) The Board shall keep proper accounts in respect of each year (and proper records in relation thereto) and shall cause its accounts to be audited within six months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

#### 18. Annual reports



The Board shall, not later than six months after the end of each year, submit through the Minister to the President a report on the activities of the Complex and its administration during the immediately preceding year and shall include in such report the audited accounts of the Complex and the auditor's comments thereon.

19. Indemnity of employees of the Board

- (1) No suit shall be commenced against the Board before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Board by the intending plaintiff or his agent and the notice shall clearly and explicitly state—
  - (a) the cause of action;
  - (b) the particulars of claim; and (c) the relief which he claims.
- (2) The notice referred to in subsection (1) of this section and any summons, notice or other documents required or authorised to be served upon the Board in connection with any suit by or against the Board shall be served by delivering the same to the executive director.
- (3) In any action or suit against the Board, no execution or attachment or process in the nature thereof shall issue against the Board but any sums of money which by judgment of the court is awarded against the Board shall, subject to any direction given by the Board, be paid from the funds of the Board.
- (4) In any suit pending before a court, the Board may be represented at any stage of the proceedings by any servant or agent of the Board who shall satisfy the court that he is duly authorised in writing by the Board in that behalf.
- (5) Every member, agent or staff for the time being of the Board shall be indemnified out of the assets of the Board against any liability incurred by him in defending any proceedings, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted if any such proceeding is brought against him in his capacity as such member, agent or staff as aforesaid.

20. Power of the Minister to give directives, etc.

- (1) Subject to the provisions of this Act, the Minister may give directives to the Board of a general character or relating to matters of policy with regard to the exercise by the Board of its functions and it shall be the duty of the Board to give effect to any such directives.
- (2) The Board shall give the Minister such information and returns relating to any of its activities, actual or proposed, as the Minister may, from time to time, require.

## 21. Interpretation

In this Act, unless the context otherwise requires—

- Board<sup>ll</sup> means the Lagos International Trade Fair Complex Management Board established by section 1 of this Act;
- chairman<sup>ll</sup> means the chairman of the Board;
- Complex<sup>ll</sup> means the Lagos International Trade Fair Complex;
- executive director<sup>ll</sup> means the executive director of the Complex;
- member<sup>ll</sup> means a member of the Board and includes the chairman;
- Minister<sup>ll</sup> means the Minister charged with responsibility for commerce.

## 22. Short title

This Act may be cited as the Lagos International Trade Fair Complex Management Board Act.

## Schedules

### First Schedule

All the two parcels of land known as the Lagos International Trade Fair Complex located at Oluti Village, Ojo Local Government Area, Lagos State containing areas of approximately 758.3 acres and approximately 59.47 acres, the boundaries of which are described below:

Parcel A – Starting from a concrete pillar marked --PBG– 560, the coordinates of which are 896246.85 feet North and 305125 feet East. The

boundaries run in straight lines, the bearing and lengths of which are as follows— From Bearings Lengths To

PBG 560 174 56' 543.3' PBG561

PBG 561 174 56' 548.0' PBG562

PBG 562 174 56' 359.4' PBG563

PBG 563 174 56' 1176.1' PBG564

PBG 564 174 36' 397.3' PBG565

PBG 565 174 12' 518.7' PBG566

PBG 566 174 56' 502.2' PBG567

PBG 567 174 55' 1047.5' PBG568

PBG 568 96 53' 954.1' PBG984

PBG 984 98 10' 829.9' PBG983

PBG 983 98 26' 829.2' PBG982

PBG 982 98 20' 829.7' PBG981

PBG 981 98 50' 1102.0' PBG914

PBG 914 98 50' 560.5' PBG913

PBG 913 97 41' 828.4' PBG912

PBG 912 00 40' 223.9' PBG904

PBG 904 358 55' 526.8' PBG905

PBG 905 359 47' 655.9' PBG906

PBG 906 359 29' 1453.9' PBG907

PBG 907 359 39' 712.0' PBG908

PBG 908 359 24' 1092.4' PBG96A

PBG 96A 359 31' 327.9' PBG96

PBG 96 287 09' 1201.7' PBG95

PBG 95 298 09' 1050.0' PBG94

PBG 94 285 38' 640.5 PBG93

PBG 93 278 26' 1078.7' PBG92

PBG 92 269 22' 1075.2 PBG41

PBG 41 263 42' 1032.7 PBG42

PBG 42 263 10' 155.9' PBG560

(the starting point)

All property beacons are concrete pillars, all bearings and lengths are approximate and all bearings are referred to the True North.

Parcel B – Starting from a concrete pillar marked PBG 39, the coordinates of which are 896246.85 feet North and 30125 East. The boundaries run in straight lines, the bearings and lengths of which are as follows—

From Bearings Lengths To

PBG 39 89 41'1034.4' PBG 40

PBG 40 89 21'1120.1' PBG 77

PBG 77 89 26'1119.6' PBG 78 PBG 78 105 37' 659.7'PBG 80

PBG 80 107 45' 1126.4' PBG 988

PBG 988 359 30' 49.5'PBG 980

PBG 980 289 16' 1089.9' PBG 979

PBG 979 337 35' 1380.6' PBG 986

PBG 986 262 30' 1200.2PBG 977

PBG 977 262 30' 1200.2' PBG 985

PBG 985 262 30' 1200.2' PBG 976

PBG 976 174 57' 149.8'PBG 987

PBG 987 83 16'149.8'PBG 39

(the starting point)

All property bearings are concrete pillars, all bearings and lengths are approximate and all bearings are referred to the True North.

## Second Schedule

### PROCEEDINGS OF THE BOARD

1. Subject to this Act and to section 27 of the Interpretation Act, the Board may make standing orders regulating the proceedings of the Board or of any committee thereof.

The quorum of the Board shall be the chairman and four other members and the quorum of any committee of the Board shall be determined by the Board.

- 2.(1) The Board shall meet not less than four times in each year and, subject thereto, the Board shall meet whenever it is summoned by the chairman and if the chairman is required to do so by notice given to him by not less than three other members, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.
- (2) At any meeting of the Board, the chairman shall preside, but if he is absent, the members present at the meeting shall appoint one of their number to preside at the meeting.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it thinks fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Board and shall not count towards the quorum.
- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister who may give such directives as to the procedure to be followed at that meeting as he may deem fit.

### Committees

3. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such of its functions as the Board may determine.
- (2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily all members of the Board) as may be determined by the Board; and a person other than a

member of the Board shall hold office on the committee in accordance with the terms of his appointment.

- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

#### Miscellaneous

- 4.(1) The fixing of the seal of the Complex shall be authenticated by the signature of the chairman or of some other member authorised generally or specially to act for that purpose by the Board.
- (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Complex by the executive director or any person generally or specially authorised to act for that purpose by the Board.
- (3) Any document purporting to be a document duly executed under the seal of the Complex shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
5. Members of the Board shall be paid out of moneys at the disposal of the Board such remuneration, fees or allowances in accordance with such scales as may be approved from time to time by the President.
6. The validity of any proceedings of the Board or a committee thereof shall not be adversely affected by any vacancy in the membership of the Board or committee or by reason that a person not entitled to do so took part in the proceedings.
7. Any member of the Board and any person holding office on a committee of the Board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or a committee thereof shall forthwith disclose his interest to the Board and shall not vote on any question relating to the contract or arrangement.
8. A person shall not, by reason of his membership of the Board, be treated as holding an office in the public service of the Federation.

SUBSIDIARY LEGISLATION

No Subsidiary Legislation



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