

CHAPTER N110

NIGERIAN FOOTBALL ASSOCIATION ACT

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CHAPTER N110

NIGERIAN FOOTBALL ASSOCIATION ACT

An Act to establish the Nigerian Football Association, as a body corporate and for matters connected therewith.

[1992 No. 101.]

[12th May, 1992]

[Commencement.]

PART I

Establishment, aims and objectives of the Nigerian Football Association

1. Establishment of the Nigerian Football Association

(1) There is hereby established an association to be known as the Nigerian Football Association (in this Act referred to as "the Association").

(2) The Association—

- (a) shall be a body corporate with perpetual succession and a common seal; and
(b) may sue and be sued in its corporate name.

2. Objectives of the Association

The aims and objects of the Association are to—

- (a) encourage the development of all forms of amateur and professional football in accordance with the statutes and laws of the Federation of the sport of football, and of any other international football body to which the Association is affiliated;

- (b) encourage the affiliation of Nigerian football clubs with recognised international football bodies, to improve the standard or the performance of Nigerians in world soccer;
- (c) enhance the status and impartiality of football referees in Nigeria;
- (d) find ways and means of ensuring the security and safety of soccer fans generally and the participants themselves, in particular;
- (e) provide source of funding the game of football in Nigeria;
- (f) encourage the participation of Nigerian youths in the game of football.

PART II

Establishment and functions of the Governing Board of the Association

3. Establishment and composition of the Board of the Association

(1) There is established for the Association, a board which shall be known as the Nigerian Football Association Governing Board (in this Act referred to as "the Board").

(2) The Board shall consist of the following members, that is—

- (a) one person to represent each of the following bodies, that is—
 - (i) the Armed Forces of the Federation;
 - (ii) the Nigeria Police Force;
 - (iii) the Nigerian Inter-Collegiate Sports Association;
 - (iv) the Nigerian Schools Sports Federation;
 - (v) the Nigerian Referees Association;
 - (vi) the Nigerian Football Coaches Association;
 - (vii) the Sports Writers Association of Nigeria;
 - (viii) the Nigerian Association of Physical and Health Education and Recreation; and
 - (ix) four Nigerians to be appointed on merit by the Minister;
- (b) one person to represent the Ministry;
- (c) eight other persons to represent the amateur and professional football clubs to be selected from the zones, which may from time to time, be established by the Ministry, provided that no re-zoning shall take effect, until after three years of the first zoning, under this paragraph; and
- (d) the Secretary-General of the Association.

(3) The supplementary provisions contained in the Schedule to this Act shall have effect with respect to the proceedings of the Board and the other matters mentioned therein.

[Schedule.]

4. Election of office of the chairman of the Board

(1) The members of the Board shall elect one of their number to be the chairman of the Board.

(2) Election to the office of the chairman shall be held in such manner as the members may by bye-laws prescribe and until bye-laws are made in that behalf, the election shall be decided by a show of hands.

(3) A chairman who ceases to be a member of the Board shall also cease to be the chairman.

(4) Subject to subsection (3) of this section, the chairman shall hold office for a period of three years from the date of his election and shall be eligible for re-election for the same period but no chairman shall serve for more than two consecutive periods in office.

5. Tenure of office of members of the Board

(1) Subject to the provisions of this section, a member of the Board shall hold office—

- (a) for a period of three years and shall be eligible for re-appointment for such further periods of three years as the body appointing him may determine; or
- (b) where he represents a zone and his appointment is on a yearly basis, until after the annual election in his zone.

(2) A member of the Board, including the chairman, may be removed from office by the Board, by adopting the methods set out in any bye-laws which it may adopt, pursuant to this Act, on the ground of ill health or misconduct or if it is in the interest of the Association or of the public that the member or the chairman should be removed from office.

(3) A member of the Board, including the chairman, may in writing under his hand, resign his appointment by communicating notice of his intention to the Board through the body which he represents and on receipt and approval of the notice by the Board, the resignation shall be deemed to have taken effect, and the body shall then nominate another representative to complete the tenure of the resigning member on the Board.

(4) A body mentioned in section 3 (2) (a) of this Act may withdraw its representative on the Board at any time, by giving notice of its intention to do so to the Board; and on receipt of the notice by the Board the withdrawal shall be deemed to have taken effect, and the body may then appoint another representative who—

- (a) shall complete the tenure of the withdrawn member; and
- (b) may thereafter be eligible for reappointment for one further term only.

6. Functions of Board

The functions of the Board shall be to—

- (a) organise league and other matches for professional and amateur clubs in co-operation with the respective bodies recognised by the Association;
- (b) organise the participation of Nigerian clubs in international competitions, subject to the prior approval of the Minister;
- (c) provide, in co-operation with other bodies, adequate training for its employee and various personnel, who may be involved in the administration and organisation of league matches and its activities, with a view to improving the standard of football administration and officiating;

- (d) determine such area of league activities to be commercialised, in order to earn income for the league, the professional players, professional clubs and the Association;
 - (e) organise and regulate the activities of the Nigerian Referees Association and the Nigerian Coaches Association;
 - (f) grant annual licence to persons seeking to be members of the Nigerian Referees Association and the Nigerian Coaches Association;
 - (g) recommend, for the approval of the Minister, the international bodies to which the Association may, from time to time, associate;
 - (h) set up or recognise such subsidiary bodies to assist the Board in the performance of its functions under this Act;
 - (i) set up standing and *ad hoc* committees as the Board may consider necessary to enable the Board perform its functions under this Act; and
- [1991 No. 7.]
- (j) carry out such other functions as the Minister and the Board may consider necessary to facilitate the implementation of the provisions of this Act.

PART III

Establishment and functions of the National Football Association Council, etc.

7. Establishment of the National Football Association Council, etc.

- (1) There is hereby established, for the Association, a council to be known as the Nigerian Football Association Council (in this Act referred to as "the Council").
- (2) The Council shall consist of—
 - (a) all the members of the Board appointed under section 3 of this Act;
 - (b) the chairman of each State Football Association, including the Federal Capital Territory, Abuja; and
 - (c) the accredited representatives of the Association's subsidiary bodies.
- (3) The Council shall determine its quorum and otherwise regulate its proceedings.

8. Functions of the Council

The functions of the Council shall be to—

- (a) approve the bye-laws of the Association;
- (b) advise the Board on matters affecting the Association; and
- (c) perform such other functions as the Board may, from time to time, assign to it.

PART IV

*Divisions of the Association, transfers, etc.***9. Divisions of the Association**

(1) Subject to the provisions of this Act, the Association shall be constituted into the following four Divisions, that is—

- (a) the Professional Football Division;
- (b) the Competitions Division (National and International);
- (c) the Technical Division; and
- (d) the Finance and Administration Division.

(2) The Association shall be solely responsible—

- (a) for approving the constitution and composition of the Divisions;
- (b) for the general supervision of the Divisions; and
- (c) for ensuring absolute compliance by the Divisions and any other bodies, involved in the sport of football with bye-laws relating to the sport of football and with rules and regulations of the Federation of International Football Association and the Confederation of African Football.

(3) Subject to subsection (2) of this section, each Division shall be managed by an Assistant Secretary-General, who shall liaise regularly with all affiliated bodies and clubs.

(4) The Assistant Secretary-General shall be responsible to the Secretary-General for the activities of the Division under his care and shall perform such other duties which the Secretary-General may, from time to time, assign to him.

10. Transfer of Nigerian players to foreign clubs

As from the commencement of this Act, no transfer of a Nigerian amateur or professional football player to a club outside Nigeria shall be valid, unless the transfer is under a written contract providing, amongst others, for—

- (a) the unconditional release by that club of the Nigerian player, if requested by the Association, for the purpose of representing Nigeria in a football competition organised by—
 - (i) the Federation of International Football Association; or
 - (ii) the Confederation of African Football;
- (b) the payment by that club of such fees as may be prescribed by the Association.

11. Endorsement of contracts between Nigerian players and foreign clubs, etc.

Copies of all contracts entered into in pursuance of the provisions of section 10 of this Act, shall be endorsed by the Secretary-General of the Association and deposited with the Association within fourteen days of the signing of the contract by the player.

12. Security arrangement for football matches

There shall be a security committee in each State of the Federation and the Federal Capital Territory, Abuja, for the purpose of ensuring effective security at all football matches played in any particular State or the Federal Capital Territory, for such period or occasions as may be determined from time to time.

PART V

Staff of the Association

13. Appointment of Secretary-General of the Association

(1) There shall be a Secretary-General of the Association who shall be appointed by the Minister.

(2) The Secretary-General shall be the chief executive and accounting officer of the Association and shall be responsible for its day-to-day administration.

(3) The Association may appoint such other persons to be employees of the Association as the Association may, from time to time, determine to assist the Secretary-General in the exercise of his functions under this Act.

(4) The remuneration, tenure of office and conditions of service of the Secretary-General and other employees of the Association shall be in accordance with the relevant Federal Civil Service Rules and regulations, applicable generally to staff of the Ministry.

14. Pensions

(1) Service in the Association shall be pensionable under the Pensions Act, and accordingly, employees of the Association shall, in respect of their services in the Association, be entitled to pensions, gratuities and other retirement benefits as are prescribed in that Act.

[Cap. P4.]

(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 pension and gratuity, in respect of that office.

(3) For the purposes of the application of the Pensions Act, any power exercisable thereunder by the Minister or authority of the Federal Government (not being the power to make regulations under sections 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 the provisions of subsection (1) 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.

[Cap. P4.]

PART VI

*Financial provisions***15. Fund of the Board**

(1) The Board shall establish and maintain a fund from which shall be defrayed, with the general or specific approval of the Minister, all expenditure incurred by the Board.

(2) There shall be paid and credited to the fund established under subsection (1) of this section—

- (a) all money, as may be granted to the Association by the Federal Government;
- (b) all money realised for the general purposes of the Association;
- (c) all money accruing to the Board on behalf of the Association by any means, including grants-in-aid, endowments and donations;
- (d) all charges, fees, dues or amounts recovered by the Board;
- (e) all interests on money invested by the Board; and
- (f) such other money as may, from time to time, accrue to the Association or the Board.

16. Annual estimate

The Board shall cause to be prepared, not later than 30th September in each year an estimate of the expenditure necessary to carry out the programmes approved by the Board for the next succeeding year and they shall submit to the Minister the estimate of expenditure and that of its income during the next succeeding year.

17. Annual report

The Board shall prepare and submit to the Minister, not later than 30th of June in each year a report in such form as the Minister may direct, on the activities of the Board during the immediately preceding year and shall include in the report a copy of audited accounts of the Association for that year and of the auditors report thereon.

18. Accounts and audit

(1) The Board shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause to be prepared in each year a statement showing the income and expenditure of the Association for the immediately preceding year.

(2) The Board shall cause every statement prepared under subsection (1) of this section to be audited within six months after the end of the year to which the statement relates by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

PART VII

*Miscellaneous***19. Power of Minister to give directives**

(1) Subject to the provisions of this Act, the Minister may give the Association directives of a general or specific nature, with regard to the exercise by the Board of its functions under this Act.

(2) It shall be the duty of the Board to comply with any directives given by the Minister under subsection (1) of this section.

20. Power to obtain information

(1) For the purpose of carrying out the functions conferred on the Board under this Act, the Secretary-General or any other employee of the Association authorised in that behalf—

- (a) shall have a right of access at all relevant times to records of any body or club to which this Act applies; and
- (b) may by notice in writing served on any person in charge of the body or club, require that person to furnish information on such matters as may be specified in the notice.

(2) It shall be the duty of any person required to furnish information pursuant to subsection (1) of this section, to comply with the notice within a reasonable period of time.

21. Regulations

The Association may, with the approval of the Minister, make regulations generally for giving full effect to the provisions of this Act and, in particular, for—

- (a) limiting the total number of professional football players to be registered with the Association;
- (b) ensuring that there are appropriate, legally binding agreements between registered football clubs and professional football players who shall have the benefit of the services of legal advisers during negotiations;
- (c) ensuring that the necessary documentary evidence and particulars are made available by registered football clubs, as regards the salaries and other emoluments to be paid to professional football players, so as to enable tax deductions to be made from the salaries and other emoluments where appropriate;
- (d) requiring that before a football club wishing to engage professional football players is registered, it appoints an external auditor to audit the accounts of the club and that before registration is effected in any year, the club produces its audited accounts for the previous year and the auditor's report thereon;
- (e) determining the amount of money to be deposited by any club as compensation to be paid in respect of damage, loss, fines and other financial liabilities incurred, as a result of default by its players or staff;

- (f) fixing the licence fees to be paid in any year by every registered professional football player and providing for the production of his income tax receipt for the previous year;
- (g) ensuring that a satisfactory insurance policy is taken out by each professional club for every registered professional football player and official, against physical injury or loss of life and also on behalf of third parties;
- (h) making every registered football club responsible, in league and friendly matches, for organising its matches with respect to publicity, security, sale of tickets and concessionary rights;
- (i) requiring a referee officiating in a match under the auspices of the Professional Football Division, to be registered with the Nigerian Referees Association and to hold a current licence from the Nigerian Football Association;
- (j) fixing minimum emoluments per annum, for registered professional football players and registered football coaches, as may be approved by the Minister;
- (k) encouraging registered professional clubs to build and own standard football pitches and stadia according to Federation of International Football Association minimum specification within seven years after their initial active participation in professional football and for disqualifying them from participation in professional football, if this target is not met within the prescribed period; and
- (l) regulating the activities of amateur football club.

22. Repeal of 1990 No. 10

(1) The Nigerian Football Association Act is hereby repealed accordingly and the Nigerian Football Association (in this section referred to as "the dissolved Association") and the Governing Board established thereunder are hereby, consequently, dissolved.

(2) As from the commencement of this Act—

- (a) every person employed by the dissolved Association, other than under a contract, shall be transferred to and deemed to be employed by the Association established by this Act;
- (b) all assets, funds, resources and other movable and immovable property vested in the dissolved Association shall, by virtue of this Act and, without further assurance, be vested in the Association established by this Act;
- (c) the rights, interests, obligations and liabilities of the dissolved Association existing immediately before the commencement of this Act under any contract or instrument or at law or in equity shall, by virtue of this Act and with further assurance, be assigned to and vested in the Association established by this Act;
- (d) any contract or instrument as is mentioned in paragraph (c) of this subsection, shall be of the same force and effect against or in favour of the dissolved Association and shall be enforceable as fully and effectively, as if instead of the dissolved Association, the Association established by this Act, had been named therein or had been a party thereto.

(3) Any proceeding or cause of action pending or existing or which could have been taken by or against the dissolved Association, immediately before the commencement of this Act in respect, of any right, interest, obligation or liability of the dissolved

Association, may be continued against the Association established by this Act, as if the Association established, had been a party thereto.

23. Interpretation

In this Act, unless the context otherwise requires—

“**Association**” means the Nigerian Football Association, established by section 1 of this Act;

“**Board**” means the Nigerian Football Association Governing Board, established by section 3 of this Act;

“**Council**” means the Nigerian Football Association Council, established by section 8 of this Act;

“**member of the Board or Council**” includes the chairman of the Board or Council;

“**Minister**” means the Minister charged with responsibility for sports and Ministry shall be construed accordingly;

“**professional club**” means any club licensed by the Association on the recommendation of the Professional Football Division, to participate in professional football either in Nigeria or outside Nigeria.

24. Short title

This Act may be cited as the Nigerian Football Association Act.

SCHEDULE [Section 3 (3).]

Supplementary provisions relating to the Board

Proceedings of the Board

1. Subject to this Act and Section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of its members and for the chairman to have a second or casting vote), the Board may make standing orders regulating the proceedings of the Board and any of its committees.

[Cap. 123.]

2. A meeting of the Board shall be presided over by the chairman or if the chairman is unable to attend a particular meeting, the members present at the meeting, shall elect one of their number to preside at that meeting.

3. The quorum at a meeting of the Board shall consist of the chairman (or, in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule), and six other members, three of whom shall be representatives of amateur or professional football clubs.

4. Where on a special occasion, the Board desires to obtain the advice of a person on a particular matter, the Board may co-opt that person to be a member for as many meeting as may

be necessary, 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 or count towards a quorum.

Committees

5. (1) Subject to its standing order, the Board may appoint such number of standing and *ad-hoc* committees as it thinks fit to consider and report on any matter with which the Board is concerned.

(2) Every committee appointed under the provisions of sub-paragraph (1) of this paragraph, shall be presided over by a member of the Board and shall be made up of such number of persons, not necessarily members of the Board, as the Board may determine in each case.

6. The decision of a committee shall be of no effect, until it is confirmed by the Board.

Miscellaneous

7. The fixing of the seal of the Association shall be authenticated by the signature of the chairman and of the Secretary-General or such other member authorised generally or specially by the Board to act for that purpose.

8. A contract or an instrument which, if made 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 Association by the Secretary-General or by any other person generally or specifically authorised by the Board, to act for that purpose.

9. A document purporting to be a contract, instrument or other document signed or sealed on behalf of the Association, shall be received in evidence and unless the contrary is proved, be presumed, without further proof, to have been so signed or sealed.

10. The validity of proceedings of the Board or of its committee shall not be adversely affected by—

- (a) vacancy in the membership of the Board; or
- (b) by a defect in the appointment of a member of the Board or committee; or
- (c) by reason that a person not entitled to do so, took part in the proceedings.

11. A member of the Board or of its committee, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or committee, shall forthwith disclose his interest to the Board or committee and shall not vote on any question relating to the contract or arrangement.

CHAPTER N110

NIGERIAN FOOTBALL ASSOCIATION ACT

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
