

ADMINISTRATION OF JUSTICE COMMISSION ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Establishment of the Administration of Justice Commission.
2. Members of the Commission.
3. Functions of the Commission.
4. Establishment of State Committees.
5. Composition of the Committee.
6. Function of the Committee.
7. Fund of the Commission.
8. Accounts and audit.
9. Annual reports.
10. Interpretation.
11. Short title.

SCHEDULE

An Act to establish the Administration of Justice Commission with responsibility, among other things, for the general supervision of the administration of justice.

[Commencement.]

[27th December, 1991]

1. Establishment of the Administration of Justice Commission

There is hereby established a body to be known as the Administration of Justice Commission (in this Act referred to as “the Commission”).

2. Members of the Commission

(1) The Commission shall consist of the Chief Justice of Nigeria as Chairman and the following other members, that is-

(a) the Attorney-General of the Federation;

(b) the Minister of Internal Affairs;

(c) the Inspector-General of Police;

(d) the Director of Prisons; and

(e) the President of the Nigerian Bar Association.

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

[Schedule.]

3. Functions of the Commission

(1) The Commission shall be charged with the general supervision of the administration of justice in Nigeria.

(2) Without prejudice to the generality of subsection (1) of this section, the Commission shall ensure that-

- (a) the courts system in Nigeria is generally maintained and adequately financed;
- (b) judges and officers of the courts conform with the Code of Ethics of their office;
- (c) criminal matters are speedily dealt with;
- (d) congestion of cases in courts is drastically reduced;
- (e) congestion in prisons is reduced to the barest minimum;
- (f) persons awaiting trial are, as far as possible, not detained in prison custody;
- (g) the relationship between the organs charged with responsibility for all aspects of the administration of justice is cordial and there exists maximum co-operation amongst the organs for effectiveness of the system of administration of justice in Nigeria.

4. Establishment of State Committees

There is hereby established in each State of the Federation a body to be known as the Administration of Justice Committee (in this Act referred to as "the Committee").

5. Composition of the Committee

(1) The Committee shall consist of the Chief Judge of the State as chairman and the following other members, that is-

- (a) the Attorney-General of the State;
- (b) the Commissioner of Police of the State;
- (c) the Chairman of the State branch of the Nigerian Bar Association; and
- (d) the State Comptroller of Prison.

(2) The quorum of the Committee shall be three and subject thereto, the Committee shall regulate its own procedure.

6. Functions of the Committee

The Committee shall be charged with the general supervision of all aspects of the administration of justice in the State and the effective performance of the functions of all organs charged with responsibility for the administration of justice in the State.

7. Fund of the Commission

(1) The Commission shall establish and maintain a fund consisting of such moneys as may in each year be appropriated by the Federal Government for the purpose of the Commission.

(2) The Commission shall defray from the fund established pursuant to subsection (1) of this section for the purposes of the functions of the Commission and the State Committees established by this Act, all moneys payable under or in pursuance of this Act.

(3) The Chairman of the Commission shall be the accounting officer for the purpose of controlling and disbursing moneys from the fund established pursuant to this section.

8. Accounts and audit

(1) The Chairman of the Commission shall before 30th September in each year cause to be prepared an estimate of the expenditure and income of the Commission during the next succeeding year and when approved by the Commission, the estimate shall be forwarded for approval by the Federal Government.

(2) The Commission shall keep proper accounts and proper records in relation thereto, under the direction and control of the Chairman.

(3) The accounts of the Commission shall be audited annually by an auditor appointed by the Commission from the list and in accordance with guidelines supplied by the Auditor-General for the Federation.

9. Annual reports

The Committee shall prepare and submit to the President not later than the 31st day of December in each year, a report on the activities of the Commission during the immediately preceding year, and shall include in that report a copy of the audited accounts of the Committee for that year and the auditor's report thereon.

10. Interpretation

In this Act, unless the context otherwise requires-

"Commission" means the Administration of Justice Commission established by section 1 of this Act;

"Committee" means the Administration of Justice Committee established for each State of the Federation by section 4 of this Act;

"Functions" includes powers and duties.

11. Short title

This Act may be cited as the Administration of Justice Commission Act.

SCHEDULE

[Section 2 (2).]

1. The Commission may make standing orders regulating the proceedings of the Commission, State Committees or of any committee of the Commission.

2. The quorum of the Commission shall be three and the quorum of any committee of the Commission shall be determined by the Commission

3. If at any time while the office of the Chairman is vacant or the Chairman is in the opinion of the Commission temporarily or permanently unable to perform the functions of his office, the Attorney-

General of the Federation shall perform the functions of the Chairman under this Act and references in this Schedule to the chairman shall be construed accordingly.

4. (1) Subject to the provisions of any applicable standing orders, the Commission shall meet whenever summoned by the Chairman; and if the Chairman is required so to do by notice given to him by not less than three other members, he shall summon a meeting of the Commission to be held within twenty-one days from the date on which the notice is given.

(2) At any meeting of the Commission, the Chairman or, in his absence, the Attorney-General of the Federation, shall preside at that meeting.

(3) Where the Commission wishes to obtain the advice of any person on a particular matter, the Commission 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 sub-paragraph shall not be entitled to vote at any meeting of the Commission and shall not count towards a quorum.

5. (1) The Commission may appoint one or more committees to carry out, on behalf of the Commission, such of its functions as the Commission may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Commission and not more than one-third of those persons may be persons who are not members of the Commission and a person, other than a member of the Commission, shall hold office in the committee in accordance with the terms of the letter by which he is appointed.

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

6. The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman or of some other member authorised generally or specially by the Commission to act for that purpose by the Commission.

SUBSIDIARY LEGISLATION

No Subsidiary Legislation