FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
SECOND SESSION
NO. 67

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 5 March, 2013

1. The House met at 11.37 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Thursday, 28 February, 2013.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcement:**
Bereavement:
Mr Speaker read a communication, from Hon. Haliru Zakari (*Agwara/Borgu Federal Constituency*) announcing the death of his Father, Alhaji Zakari Sani, on Sunday, 3 March, 2013.

A minute silence was observed in honour of the deceased.

4. **Petitions:**
The following petitions were presented and laid by:

(*i*) Hon. Mustapha Khabeeb (*Jahun/Miga Federal Constituency*) on behalf of Muhammed Kadiri Okeji and 9 Others, praying the House to intervene in the failed promise by Global Framework Nigeria Limited to handover houses they paid for in the Malaysian Gardens, Saraji District, Apo Village, Abuja, with a view to ensuring refund of their money and granting other reliefs sought;

(*ii*) Hon. Ajibola Israel Famurewa (*Atakunmosa East/Atakunmosa West/Ilesa East/Ilesa West Federal Constituency*) from M. S. Agboh and S. O. Oyebade on behalf of Association of Federal Health Pensioners of Nigeria, praying the House to investigate the non-payment of their pension arrears, with a view to ensure that justice is done;

(*iii*) Hon. Femi Gbajabiamila (*Surulere I Federal Constituency*) on behalf of Tokunbo Lijadu-Oyemade, praying the House to investigate the termination of her appointment by Economic Community of West African States (ECOWAS) Commission, Abuja, with a view to reinstating her.

Petitions referred to the Committee on Public Petitions.

5. **Matters of Urgent Public Importance:**
(*i*) Citing Standing Order VIII, Rule 46, Hon. Zakari Mohammed (*Baruten/Kaiama Federal Constituency*) called the attention of the House to the killing of the Kwara State Commissioner of Police, Mr Chinwike Asadu, on Saturday, 3 March, 2013 in Enugu. He expressed dismay over the killing and noted that the incident demonstrated the deteriorating capacity of the security agencies to combat crime. He stressed that the deteriorating security situation in the country has serious counter-productive

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implications on the nation's economy, as no investor would put money in insecure-investment environment. He therefore urged the House to consider the matter as one of urgent public importance and to suspend Order VIII, Rule 46 (3) to enable it debate the matter immediately.

Question that the matter be considered as one of urgent public importance, put and agreed to.

Question that the House do suspend Order VIII, Rule 46 (3) *to enable it debate the matter forthwith, put and agreed to.*

Need to Unravel High Profile Killings in Nigeria:

The House:

Notes the recent and regrettable killing, in his prime, of Mr Chinwike Asadu, the Commissioner of Police, Kwara State;

Further notes that the killing of Mr Asadu brings to the fore the nation's fast deteriorating capacity to deal with all forms of crimes in their ramifications;

Worried that since 1986, when Mr Dele Giwa, the former Editor of Newswatch Magazine was killed in a letter bomb, up till today, no high profile killing or assassination has been unraveled. These range from Hajiya Saadatu Rimi, in 2006, Olufunsho Anthony Williams in Lagos, Marshall Harry in 2003 and Late Chief Bola Ige in 2001, among several others;

Concerned that Late Mr Chinwike Asadu, a high ranking law officer who had some level of security detail to ensure his safety, in the discharge of his constitutional responsibility of policing, was caught by assassins bullet;

Disturbed that if a high ranking Police Officer would be attacked in this manner, the perception of the security situation of the nation in the comity of nations would further worsen, thereby making investment drive in the country a mirage, as no investor would put his resources in an unpredictable environment;

Further disturbed that the Inspector-General of Police (IGP), Mr Mohammed Abubakar, on assumption of office in year 2012, lamented the number of unresolved murder cases and other heinous crimes in the country and attributed the inability to resolve them to the lack of capacity of the Criminal Investigation Department of the Police.

Resolves to:

(*i*) Condemn the brutal killing in its entirety and observe one minute silence in honour of the deceased;

(*ii*) mandate the Inspector-General of Police to ensure that Late Mr Asadu's killing is not treated like the ones before it, with no clue to the perpetrators of the killings and assassinations;

(*iii*) call for the installation of CCTV cameras in all State Capitals and all public places;

(*iv*) mandate the relevant Committees to carry-out necessary follow-up on the case, with a view to ensuring that the police does its job; and

(*v*) encourage the President to re-double his effort as the Chief Security Officer of the nation to ensure that all Security Chiefs are on top of their schedules (*Hon. Zakari Mohammed — Baruten/Kaiama Federal Constituency*).

Debate:

Amendment Proposed:
In Prayer (*ii*), line 1, *leave out* the word "Mandate" and *insert* the word "urge" instead thereof (*Hon. Patrick Ikhariale — Esan Central/Esan North/Igueben Federal Constituency*).

Question that the amendment be made, put and agreed to.

Main Question as amended, put and agreed to.

The House:

Noted the recent and regrettable killing, in his prime, of Mr Chinwike Asadu, the Commissioner of Police, Kwara State;

Further noted that the killing of Mr Asadu brings to the fore the nation's fast deteriorating capacity to deal with all forms of crimes in their ramifications;

Worried that since 1986, when Mr Dele Giwa, the former Editor of Newswatch Magazine was killed in a letter bomb, up till today, no high profile killing or assassination has been unraveled. These range from Hajiya Saadatu Rimi, in 2006, Olufunsho Anthony Williams in Lagos, Marshall Harry in 2003 and Late Chief Bola Ige in 2001, among several others;

Concerned that Late Mr Chinwike Asadu, a high ranking law officer who had some level of security detail to ensure his safety in the discharge of his constitutional responsibility of policing, was caught by assassins bullet;

Disturbed that if a high ranking Police Officer would be attacked in this manner, the perception of the security situation of the nation in the comity of nations would further worsen, thereby making investment drive in the country a mirage, as no investor would put his resources in an unpredictable environment;

Further disturbed that the Inspector-General of Police (IGP), Mr Mohammed Abubakar, on assumption of office in year 2012, lamented the number of unresolved murder cases and other heinous crimes in the country and attributed the inability to resolve them to the lack of capacity of the Criminal Investigation Department of the Police.

Resolved to:

(*i*) Condemn the brutal killing in its entirety and observe one minute silence in honour of the deceased;

(*ii*) urge the Inspector-General of Police to ensure that Late Mr Asadu's killing is not treated like the ones before it, with no clue to the perpetrators of the killings and assassinations;

(*iii*) call for the installation of CCTV cameras in all State Capitals and all public places;

(*iv*) mandate the relevant Committees to carry-out necessary follow-up on the case, with a view to ensuring that the police does its job; and

(*v*) encourage the President to re-double his effort as the Chief Security Officer of the nation to ensure that all Security Chiefs are on top of their schedules (**HR. 52/2013**).

(*ii*) Also citing Standing Order VIII, Rule 46, Hon. Baballe Bashir (*Minjibir/Ungogo Federal Constituency*) drew the attention of the House to the proposed strike action by the Senior Staff Association of Nigerian Universities. He noted that the education sector is on the verge of collapse, as a result of incessant industrial actions, and stressed the need for the intervention of the House to ensure that the issues are resolved amicably. He therefore urged the House to consider the matter as one of urgent public importance and suspend Order VIII, Rule 46 (3) to enable it debate the matter forthwith.

Question that the matter be considered as one of urgent public importance, put and agreed to.

Question that the House do suspend Order VIII, Rule 46 (3) *to enable it debate the matter forthwith, put and agreed to.*

Need for Urgent Intervention of the House in the Proposed Strike by the Senior Staff Association of Nigerian Universities:

The House:

Notes that education is to democracy what water is to life;

Further notes that Universities across the globe are considered as citadels of learning and breeding ground of any meaningful development;

Worried that this important sector is in the verge of collapse due to incessant industrial actions at different stages;

Further worried that the Senior Staff Association of Nigerian Universities is about to embark on another industrial action in few days time;

Disturbed that the proposed industrial action, if not properly tackled, will adversely affect the socio-economic and political well being of the nation;

Cognizant of the Fundamental Objectives and Directed Principles of State Policy.

Resolves to:

Mandate the Committee on Education to invite the Minister of Education and the Association for a discussion to find a means of averting the ugly situation, and report back to the House in one week (*Hon. Baballe Bashir — Minjibir/Ungogo Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Notes that education is to democracy what water is to life;

Further noted that Universities across the globe are considered as citadels of learning and breeding ground of any meaningful development;

Worried that this important sector is in the verge of collapse due to incessant industrial actions at different stages;

Further worried that the Senior Staff Association of Nigerian Universities is about to embark on another industrial action in few days time;

Disturbed that this industrial action if not properly tackled will effects the socio-economic and political well being of the nation;

Cognizant of the Fundamental Objectives and Directed Principles of State Policy.

Resolved to:

Mandate the Committee on Education to invite the Minister of Education and the Association for a discussion to find a means of averting the ugly situation, and report back to the House in one week (**HR. 53/2013**).

(*iii*) Further citing Standing Order VIII, Rule 46, Hon. Femi Gbajabiamila (*Surulere I Federal Constituency*) drew the attention of the House 2013 Appropriation Act and stressed the need for adequate public awareness on the stages of implementation through the media and the Committee responsible for publicity in the House. He also stressed the need for Government to comply with section 26 of the Fiscal Responsibility Act in the course of the implementation of the budget. He therefore urged the House to consider the matter as one of urgent public importance.

Question that the matter be considered as one of urgent public importance, put and negatived.

(*iv*) Further citing Standing Order VIII, Rule 46, Hon. Uzo Azubike (*Abia North/Abia South Federal Constituency*) drew the attention of the House to the untold hardship often experienced by candidates for the Universal Tertiary Matriculation Examinations (UTME) due to inadequacy of examination centres in the country. He therefore urged the House to consider the matter as one of urgent public importance.

Question that the matter be considered as one of urgent public importance, put and negatived.

6. **Presentation of Report:**
***Committee on Environment*:**
That this House do receive the Report of the Committee on Environment on the Devastating Gully Erosion Threatening to cut off some Communities in Irele and Okitipupa Local Government Area of Ondo State.

Order read; by leave of the House, deferred.

7. **Need to Review the Oso Condensate Project:**
Motion made and Question proposed:

The House:

Notes that the Oso Condensate Project Act authorizes the Nigerian National Petroleum Corporation (NNPC) to borrow money in any currency for the carrying-out of the Oso Condensate Project;

Aware that the Act and the Project have not been reviewed since inception;

Concerned that an important part of national economic growth may be the subject of neglect and concerned about the consequences of this neglect to the oil and gas sector of the economy.

Resolves to:

Invite the Group Managing Director of the Nigerian National Petroleum Corporation (NNPC) to present a detailed report on the Oso Condensate Project to the Committees on Petroleum Resources (Upstream), Petroleum Resources (Downstream) and Gas Resources within 2 weeks (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted that the Oso Condensate Project Act authorizes the Nigerian National Petroleum Corporation (NNPC) to borrow money in any currency for the carrying-out of the Oso Condensate Project;

Aware that the Act and the Project have not been reviewed since inception;

Concerned that an important part of national economic growth may be the subject of neglect and concerned about the consequences of this neglect to the oil and gas sector of the economy.

Resolved to:

Invite the Group Managing Director of the Nigerian National Petroleum Corporation (NNPC) to present a detailed report on the Oso Condensate Project to the Committees on Petroleum Resources (Upstream), Petroleum Resources (Downstream) and Gas Resources within 2 weeks (**HR. 54/2013**).

8. **Examination Redress Mechanism and Improving the Credibility of Examination Results of Federal Tertiary Institutions in Nigeria:**
Motion made and Question proposed:

The House:

Notes the low rating and negative perception of the quality and credibility of degrees and certificates awarded by Nigerian Tertiary Institutions: Universities, Polytechnics and Colleges of Education;

Further notes that this low rating of certificates awarded by these institutions precipitate grave limitations to the prospects of many Nigerian youths, constraining their career advancement and exposure to opportunities for outstanding global accomplishments;

Concerned that the recent perceived low credibility of degrees and certificates awarded by Nigerian tertiary institutions raises numerous questions concerning the ability of today's youths to meet the challenges required of potential leaders of tomorrow, with the attendant potential risks and uncertainties to Nigeria's present and future political, socio-economic growth, and development;

Further concerned that there are absence of reliable examinations redress mechanism in Nigeria's tertiary institutions, hence the high incidence of graduates unemployment due to low industrial ratings on account of poor examinations credibility;

Worried that contrary to expectations and global best practice, most Nigerian Tertiary Institutions do not have reliable examination redress mechanism in place.

Resolves to:

Mandate the Committee on Education to conduct an Investigative/Public Hearing to:

(*i*) establish the adequacy of existing examination redress mechanisms in Nigerian Federal Universities, Polytechnics and Colleges of Education;

(*ii*) evaluate the reliability of subsisting examination precesses' internal control mechanism in Nigerian Federal Tertiary Institutions;

(*iii*) establish and evaluate the time-lag between the time examinations are taken and when results of such examinations are released to candidates in Nigerian Federal Tertiary Institutions;

(*iv*) determine the reported case-studies of examinations malpractice(s) in Nigerian tertiary institutions, as applicable, within the last five years and evaluate the completeness of the redress mechanism applied; and report to the House within 8 weeks (*Hon. Rose Okoji Oko — Ogoja/Yala Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted the low rating and negative perception of the quality and credibility of degrees and certificates awarded by Nigerian Tertiary Institutions: Universities, Polytechnics and Colleges of Education;

Further noted that this low rating of certificates awarded by these institutions precipitate grave limitations to the prospects of many Nigerian youths, constraining their career advancement and exposure to opportunities for outstanding global accomplishments;

Concerned that the recent perceived low credibility of degrees and certificates awarded by Nigerian tertiary institutions raises numerous questions concerning the ability of today's youths to meet the challenges required of potential leaders of tomorrow, with the attendant potential risks and uncertainties to Nigeria's present and future political, socio-economic growth, and development;

Further concerned that there are absence of reliable examinations redress mechanism in Nigeria's tertiary institutions, hence the high incidence of graduates unemployment due to low industrial ratings on account of poor examinations credibility;

Worried that contrary to expectations and global best practice, most Nigerian Tertiary Institutions do not have reliable examination redress mechanism in place.

Resolved to:

Mandate the Committee on Education to conduct an Investigative/Public Hearing to:

(*i*) establish the adequacy of existing examination redress mechanisms in Nigerian Federal Universities, Polytechnics and Colleges of Education;

(*ii*) evaluate the reliability of subsisting examination precesses' internal control mechanism in Nigerian Federal Tertiary Institutions;

(*iii*) establish and evaluate the time-lag between the time examinations are taken and when results of such examinations are released to candidates in Nigerian Federal Tertiary Institutions;

(*iv*) determine the reported case-studies of examinations malpractice(s) in Nigerian tertiary institutions, as applicable, within the last five years and evaluate the completeness of the redress mechanism applied; and report to the House within 8 weeks (**HR. 55/2013**).

9. **Consolidation of Bills:**
Motion made and question proposed, "That a Bill for an Act to Amend the Legislative Houses (Powers and Privileges) Act, Cap. L12 LFN, 2004 by extending Legislative Powers and Privileges to members of the Local Government Legislative Assemblies and for Related Matters (HB. 367) and a Bill for an Act to Repeal the Legislative Houses (Powers and Privileges) Act, Cap. L12 LFN, 2004, and Re-Enact the Legislative Powers and Privileges Act 2012 in order to give the Legislature the desired Powers and Immunity to be able to carry-out its Legislative Responsibility and for Related Matters (HB. 429) and a Bill for an Act to Amend the Legislative Houses (Powers and Privileges) Act, Cap. L12, LFN 2004 (HB.436) be now consolidated" (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Question put and agreed to.

10. **A Bill for an Act to Prohibit Late Payment, Non-Payment and Underpayment of Workers' Wages, Pension and Emolument in Nigeria and Prescribe Penalties for Violations and for Other Matters Connected Thereto (HB. 372) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Prohibit Late Payment, Non-Payment and Underpayment of Workers' Wages, Pension and Emolument in Nigeria and Prescribe Penalties for Violations and for Other Matters Connected Thereto (HB. 372) be now read a Second Time" (*Hon. Femi Gbajabiamila — Surulere I Federal Constituency*).

Debate:

Question that the Bill be now read a Second time, put and agreed to.

Bill read the Second Time and referred to the Committees on Public Service Matters, and Labour, Employment and Productivity.

11. **A Bill for an Act to Establish an Independent National Assembly Budget and Research Office, which will Provide the National Assembly with Objective, Timely and Non-Partisan Analysis needed for Economic and Budget decision and with the Information and Estimates required for use in the Budget Process and Other Related Matters (HB. 454) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Establish an Independent National Assembly Budget and Research Office, which will Provide the National Assembly with Objective, Timely and Non-Partisan Analysis needed for Economic and Budget decision and with the Information and Estimates required for use in the Budget Process and Other Related Matters (HB. 454) be now read a Second Time" (*Hon Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Debate:

Question that the Bill be now read a Second time, put and agreed to.

Bill read the Second Time and referred to the Committee on Legislative Budget and Research.

12. **A Bill for an Act to Provide for the Establishment of the Nigeria National Commission against the Proliferation of Small Arms and Light Weapons to coordinate and Implement activities to combat the problem of the Proliferation of Small Arms and Light Weapons in Nigeria in line with the Economic Community of West African States Convention on Small Arms and Light Weapons and for Related Matters (HB. 461) — *Second Reading*:**

Order read; by leave of the House, deferred.

13. **Consideration of Report:**
A Bill for an Act to Eliminate Violence in Private and Public life, Prohibit all forms of Violence including Physical, Sexual, Psychological, Domestic, Harmful Traditional Practices; Discrimination against Persons and to Provide Maximum Protection and effective Remedies for Victims and Punishment of Offenders (HB. 191) (*Committee of the Whole*) — (*Hon. Leo Ogor — Deputy House Leader*):

Question put and agreed to.

Question that the House do resolve into Committee of the Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ELIMINATE VIOLENCE IN PRIVATE AND PUBLIC LIFE, PROHIBIT ALL FORMS OF VIOLENCE INCLUDING PHYSICAL, SEXUAL, PSYCHOLOGICAL, DOMESTIC, HARMFUL TRADITIONAL PRACTICES; DISCRIMINATION AGAINST PERSONS AND TO PROVIDE MAXIMUM PROTECTION AND EFFECTIVE REMEDIES FOR VICTIMS AND PUNISHMENT OF OFFENDERS

Everyone has the right to freedom and security of the person, which includes the right to be free from all forms of violence in private or public spheres, in peace and conflict situations.

PART 1 — OFFENCES

Clause 1: **Definition of Rape.**

(1) A person commits the offence of rape if —

(*a*) he/she intentionally penetrates the vagina, anus or mouth of another person with any other part of his/her body or anything else.

(*b*) the other person does not consent to the penetration; or

(*c*) the consent is obtained by force or means of threat or intimidation of any kind or by fear of harm or by means of false and fraudulent representation as to the nature of the act or the use of any substance or addictive capable of taking away the will of such person or in the case of a married person by impersonating his/her spouse/partner

(2) A person convicted of an offence under this section is liable to imprisonment for life. However, where the victim is less than 14 years of age, the offender shall be liable to a minimum of 14 years imprisonment and in all other cases to a minimum of 12 years imprisonment without an option of fine.

(3) Where the act described under this section is committed by a group of persons, the offence shall be known as gang rape and on conviction the persons shall be liable jointly and severally to a minimum of 20 years imprisonment without an option of fine.

(4) The court shall also award appropriate compensation to the victim as it may deem fit in the circumstance (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Amendment Proposed:
In subclause (2), line 2, *leave out* the word "victim" and *insert* the word "offender" instead thereof (*Hon. Aminu Jonathan — Mangu/Bokkos Federal Constituency*).

Question that the amendment be made, put and agreed to.

Question that Clause 1 *as amended, stand part of the Bill, put and agreed to.*

Clause 2: **Inflicting Physical injury on a Person.**

(1) (*i*) Any person who wilfully causes or inflicts physical injury on another person by means of a any weapon, substance or object commits an offence and is liable on conviction to imprisonment not exceeding five years or a fine not exceeding ₦100,000.00 or to both such fine and imprisonment;

(*ii*) Any person who attempts to commit the act of violence provided for in subsection (*i*) of this section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding ₦200,000.00 or to both such fine and imprisonment;

Aiding the infliction of physical injury on another.

(*iii*) Any person who incites, aids, abets, or counsels another person to commit the act of violence provided for in subsection (*i*) of this section is guilty of an offence, and is liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding ₦200,000.00 or to both such [me and imprisonment;

Accessory after the fact to inflicting physical injury on another.

(*iv*) Any person who receives or assists another who to his knowledge is guilty of the offence provided for in subsection (*i*) of this section, is an accessory after the fact and is guilty of an offence and liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(2) The court may also award appropriate compensation to the victim as it may deem fit in the circumstance (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 2 *stand part of the Bill, put and agreed to.*

Clause 3: **Coercion.**

Any person who coerces another to engage in any act to the detriment of that other person's physical or psychological well-being commits an offence and upon conviction is liable to three years imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 3 *stand part of the Bill, put and agreed to.*

Clause 4: **Wilfully placing a person in fear of physical injury.**

(1) Any person who wilfully or knowingly places a person in fear of physical injury commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(2) Any person who attempts to commit the offence as provided for in subsection (*i*) of this Section is guilty of an offence and is liable to imprisonment for a term not exceeding one year or to a fine not exceeding ₦100,000 or to both such fine and imprisonment.

(3) Any person who aids, abets, or counsels another person to commit the offence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who has committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 4 *stand part of the Bill, put and agreed to.*

Clause 5: **Offensive Conduct.**

(1) Any person who compels another by force or threat to engage in any conduct or act sexual or otherwise, to the detriment of the victim's physical or psychological well being commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

(2) Any person who attempts to commit the offence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦300,000.00 or to both such fine and imprisonment.

Aiding threat to engage in detrimental conduct.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this Section is guilty of the offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦300,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding three years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 5 *stand part of the Bill, put and agreed to.*

Clause 6: **Prohibition of female circumcision or genital mutilation.**

(1) The circumcision or genital mutilation of the girl child or woman is hereby prohibited.

(2) Any person who performs female circumcision or genital mutilation or engages another to carry out such circumcision or mutilation commits an offence and is liable on conviction to imprisonment for a term not exceeding four years or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Attempted female circumcision.

(3) Any person who attempts to commit the offence provided for in subsection (2) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

Aiding female circumcision.

(4) Any person who incites, aids, abets, or counsels another person to commit the offence provided for in subsection (2) of this Section is guilty of the offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 6 *stand part of the Bill, put and agreed to.*

Clause 7: **Frustrating investigation.**
Any person who, with intent to defraud or conceal an offence or frustrate the investigation and prosecution of offenders under this Bill or under any other enactments:

(*a*) destroys, alters, mutilates, or falsify any book or documents, dress or clothing which could serve as evidence or exhibits;

(*b*) omits, or is privy to omitting, any material particular from any such document, book, dress or clothing;

is guilty of felony and liable on conviction to imprisonment for a term not exceeding three years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 7 stand part of the Bill, put and agreed to.

Clause 8: **Wilfully making false statements.**
Any person who wilfully makes false statement, whether oral or documentary, in any judicial proceedings under this Bill or with the aim of initiating investigation or criminal proceedings under this Bill against another person is guilty of an offence under this Bill and liable on conviction to a fine of ₦200,000 or a term of imprisonment not exceeding 12 months (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 8 stand part of the Bill, put and agreed to.

Clause 9: **Forceful ejection from home.**
(1) Any marriage partner who forcefully evicts his/her partner from his/her home or refuses him/her access commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦300,000.00 or to both such fine and imprisonment.

Attempted forceful ejection.
(2) Any person who attempts to commit the offence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 9 stand part of the Bill, put and agreed to.

Clause 10: **Depriving a person of his/her liberty.**
(1) Any person who deprives another of his/her liberty except pursuant to a court order commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

Attempted deprivation.
(2) Any person who attempts to commit the offence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Aiding deprivation.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦300,000.00 or to both such fine and imprisonment.

Accessory after the fact to deprivation.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding one year or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 10 *stand part of the Bill, put and agreed to.*

Clause 11: **Damage to property with intent to cause distress.**

(1) Any person who causes mischief or destruction or damage to property of another with intent to cause or knowing that it is likely to cause distress or annoyance to the victim commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦300,000.00 or to both such fine and imprisonment.

Attempted destruction of property.

(2) Any person who attempts to commit the offence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Accessory after the fact to wilfully damage property of another.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 11 *stand part of the Bill, put and agreed to.*

Clause 12: **Forced financial dependence or economic abuse.**

(1) Any person who causes forced financial dependence or economic abuse of another commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

Attempted forced financial dependence.

(2) Any person who attempts to commit the offence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Aiding forced financial dependence.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Accessory after the fact to forced financial dependence.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided or in subsection (1) of this Section above is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding six months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 12 *stand part of the Bill, put and agreed to.*

Clause 13: **Forced isolation or separation from family and friends.**

(1) Any person who forcefully isolates or separates another from family and friends commits an offence and is liable on conviction to imprisonment for a term not exceeding six months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

Attempted forced isolation or separation.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding three months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

Aiding forced isolation or separation.

(3) Any person who incites, aids, abets, or counsels another person to commit the offence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding three months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

Accessory after the fact to forced isolation or separation.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding three months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 13 *stand part of the Bill, put and agreed to.*

Clause 14: **Emotional verbal and psychological abuse.**

(1) Any person who causes emotional, verbal and psychological abuse on another commits an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Attempted emotional/verbal/psychological abuse.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding six months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding six months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding six months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 14 *stand part of the Bill, put and agreed to.*

Clause 15: **Harmful widowhood practices.**

(1) Any person who subjects a widow to harmful traditional practices commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

Attempted harmful widowhood practices.

(2) Any person who attempts to commit the act of violence provided for in subsection (*i*) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Aiding harmful widowhood practices.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding six months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 15 *stand part of the Bill, put and agreed to.*

Clause 16: **Abandonment of spouse, children and other dependent without sustenance.**

(1) Any person who abandons a wife/husband, children or other dependent without any means of sustenance commits an offence and is liable on conviction to imprisonment for a term not exceeding three years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding one year or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 16 *stand part of the Bill, put and agreed to.*

Clause 17: **Stalking.**

(1) Any person who stalks another commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

Attempted stalking.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Aiding stalking.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Accessory after the fact to stalking.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding one year or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 17 *stand part of the Bill, put and agreed to.*

Clause 18: **Intimidation of a person.**

(1) Any person who intimidates another commits an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding six months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding six months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding six months or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 18 *stand part of the Bill, put and agreed to.*

Clause 19: **Spousal/Partner battery.**

(1) Any person who batters his/her spouse commits an offence and is liable on conviction to imprisonment for a term not exceeding three years or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

Attempted Spousal/partner battery.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Aiding Spousal/Partner battery.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment.

Accessory after the fact to Spousal battery.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 19 *stand part of the Bill, put and agreed to.*

Clause 20: **Harmful Traditional practices.**

(1) Any person who carries out harmful traditional practices on another commits an offence and is liable on conviction to imprisonment for a term not exceeding four years or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

Attempted harmful Traditional practices.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

Aiding harmful Traditional practices.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

Accessory after the fact to harmful Traditional practices.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding two year or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 20 *stand part of the Bill, put and agreed to.*

Clause 21: **Substance attack.**

(1) Any person who uses chemical, biological or any other harmful liquid on another commits an offence and is liable on conviction to a term of life imprisonment without an option of fine.

Attempted substance attack.

(2) Any person who attempts to commit the act of violence described in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding twenty-five years without an option of fine.

Aiding substance attack.

(3) Any person who incites aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding twenty-five years without an option of fine.

Accessory after the fact to substance attack.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding twenty-five years without the option of fine (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 21 *stand part of the Bill, put and agreed to.*

Clause 22: **Administering a substance with intent.**

(1) Any person commits an offence if he intentionally administers a substance to, or causes a substance to be administered to or taken by another person with the intention of stupefying or overpowering that person so as to enable any person to engage in a sexual activity with that person.

(2) A person guilty of an offence under this section is, in addition to any other offence under this Bill liable on conviction to imprisonment for a term not exceeding 10 years or a fine of ₦500,000 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 22 stand part of the Bill, put and agreed to.

Clause 23: **Political Violence.**

(1) Any person who commits political violence as defined in the provisions of this Bill relating to political violence commits an offence and is liable on conviction to imprisonment for a term not exceeding four years or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

Attempted political violence.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

Aiding political violence.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

Accessory after the fact to political violence.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 23 stand part of the Bill, put and agreed to.

Clause 24: **Violence by State Actors.**

(1) Any state actor who commits political violence commits an offence and is liable on conviction to imprisonment for a term not exceeding four years or to fine not exceeding ₦100,000.00 or to both such fine and imprisonment.

Attempted violence by State Actors.

(2) Any person who attempts to commit the act of violence provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

Aiding violence by State Actors.

(3) Any person who incites, aids, abets, or counsels another person to commit the act of violence as provided for in subsection (1) of this Section is guilty of an offence and is liable on conviction to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

Accessory after the fact to violence by State Actors.

(4) Any person who receives or assists another who to his/her knowledge committed the offence provided for in subsection (1) of this Section is an accessory after the fact and is therefore liable to imprisonment for a term not exceeding two years or to fine not exceeding ₦500,000.00 or to both such fine and imprisonment.

(5) The state shall be liable for the offence committed by its agents and the court shall award appropriate compensation commensurate with the extent and amount of damages (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 24 *stand part of the Bill, put and agreed to.*

Clause 25: **Incest.**

Any person who knowingly and wilfully have carnal knowledge of another within the Prohibited Degrees of Consanguinity and Affinity contained in the Second Schedule to this Bill with or without consent. Provided that the consent was not obtained by fraud or threat; and where the two parties consent both shall be guilty of this offence and shall liable on conviction to a term not exceeding five year without an option of fine (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 25 *stand part of the Bill, put and agreed to.*

Clause 26: **Indecent exposure.**

(1) Any person who intentionally exposes his or her genital organs, or a substantial part thereof, with the intention of causing distress to the other party, or that another person seeing it may be tempted or induced to commit an offence under this Bill, commits an offence termed indecent exposure

(2) Any person who intentionally exposes his or her genital organs, or a substantial part thereof, and induce another to either massage, or touch with the intention of deriving sexual pleasure from such acts commits an offence under this section

(3) A person guilty of an offence under this section is liable to upon conviction to imprisonment for a term of not less than one year or to a fine not exceeding ₦500,000 or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 26 *stand part of the Bill, put and agreed to.*

PART 2 — JURISDICTION OF THE COURT

A. Jurisdiction of the Court

Only the High Court of a state or any other court of concurrent jurisdiction so empowered by an Act of Parliament shall have the jurisdiction to hear and grant any application brought under this Bill.

B. Protection Order

Protection Order.

An application for a protection order may be made before any competent court following a complaint of violence by the complainant. A protection order granted by any High Court or Magistrates Court shall be effective throughout the Federal Republic of Nigeria and no time limit or prescription shall apply in relation to a person seeking to apply for such protection order.

Clause 27: **Application for Protection Order.**

(1) Any complainant may in the prescribed manner apply to the court for a protection order.

(2) If the complainant is not represented by counsel, the police officer with whom a complaint of violence has been lodged shall inform the complainant of the remedies he or she may be entitled to under this Bill including the right to lodge a criminal complaint against the respondent if a criminal offence has been committed under this Bill.

(3) Notwithstanding the provisions of any other law, the application may be brought on behalf of the complainant by any other person, including a police officer, a protection officer, an accredited service provider, a counsellor, health service provider, social worker or teacher who has interest in the well being of the complainant:

(4) Provided that the application must be brought with the written consent of the complainant, except in circumstances where the complainant is —

(*a*) a minor;

(*b*) mentally retarded;

(*c*) unconscious; or

(*d*) a person who the court is satisfied is unable to provide the required consent.

(5) Notwithstanding the provisions of any other law, any minor, or any person on behalf of a minor, may apply to the court for a protection order without the assistance of a parent, guardian or any other person. Supporting affidavit by persons who have knowledge of the matter concerned may accompany the application.

(6) The application and affidavits shall be filed in court (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 27 *stand part of the Bill, put and agreed to.*

Clause 28: Consideration of application and issuing of interim Protection Order.

(1) The court must as soon as is reasonably possible consider an application submitted to it in terms of section 30 (6) and may, for that purpose, consider such additional evidence as it deems fit, including oral evidence or evidence by affidavit, which shall form part of the record of the proceedings.

(2) (*a*) If the court is satisfied that there is prima facie evidence that the respondent is committing, has committed or that there is imminent likelihood that he may commit an act of domestic violence the court shall notwithstanding the fact that the respondent has not been given notice of the proceedings contemplated in subsection (1) of this section, issue an interim protection order against the respondent, in the prescribed manner.

(*b*) An interim protection order must be served on the respondent in the prescribed manner and must call upon the respondent to show cause on the return date, specified in the order why a protection order should not be issued.

(*c*) A copy of the application referred to in section 30 (1) and the record of any evidence taken in terms of subsection (1) of this section shall be served on the respondent together with the interim protection order.

(*d*) If the court does not issue an interim protection order in terms of subsection (2) of this section, the court shall direct the registrar of the court to cause certified copies of the application concerned and any supporting affidavit to be served on the respondent in the prescribed manner, together with a prescribed notice calling on the respondent to show cause on the return date specified in the notice why a protection order should not be issued.

(3) (*a*) An interim protection order must be served on the respondent in the prescribed manner and must call upon the respondent to show cause on the return date, specified in the order why a protection order should not be issued

(*b*) A copy of the application referred to in section 30 (1) and the record of any evidence taken in terms of subsection (1) of this section shall be served on the respondent together with the interim protection order.

(4) If the court does not issue an interim protection order in terms of subsection (2) of this section, the court shall direct the registrar of the court to cause certified copies of the application concerned and any supporting affidavit to be served on the respondent in the prescribed manner, together with a prescribed notice calling on the respondent to show cause on the return date as specified in the notice why a protection order should not be issued.

(5) The return dates referred to in subsections (3) (*a*) and (4) of this section may not be less than 5 days after service has been effected upon the respondent (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 28 *stand part of the Bill, put and agreed to.*

Clause 29: **Issuing of Protection Order.**

(1) If the respondent does not appear on a return date contemplated in section 32 (3) or (4), and if the court is satisfied that —

(*a*) proper service has been effected on the respondent; and

(*b*) the application contains prima facie evidence that the respondent has committed, is committing or that there is an imminent likelihood that he may commit an act of domestic violence, the court shall issue a protection order in the prescribed form.

(2) If the respondent appears on the return date in order to oppose the issuing of a protection order, the court shall proceed to hear the matter and —

(*a*) consider any evidence previously received in terms of section 31 (l); and

(*b*) consider such further affidavits or oral evidence as it may direct, which shall form part of the record of the proceedings.

(3) The court may, on its own accord or on the request of the complainant, if it is of the opinion that it is just or desirable to do so, order that in the examination of witnesses, including the complainant, a respondent who is not represented by a legal practitioner —

(*a*) is not entitled to cross-examine directly a person who is in a domestic relationship with the respondent; and

(*b*) shall put any question to such a witness by stating the question to the court, and the court is to repeat the question accurately to the witness.

(4) The court shall after a hearing as contemplated in subsection (2) of this Section, issue a protection order in the prescribed form if it finds, on a balance of probabilities, that the respondent has committed, is committing or that there is an imminent likelihood that he may commit an act of domestic violence.

(5) Upon the issuing of a protection order the registrar of the court shall forthwith in the prescribed manner cause —

(*a*) the original of such order to be served on the respondent; and

(*b*) a certified copy of such order, and the original warrant of arrest contemplated in section 34 (l) (*a*), to be served on the complainant.

(6) The registrar of the court shall forthwith in the prescribed manner forward certified copies of any protection order and of the warrant of arrest contemplated in section 35 (l) (*a*) to the police station of the complainant's choice.

(7) Subject to the provisions of section 33 (7), a protection order issued in terms of this section remains in force until it is set aside, and the execution of such order shall not be automatically suspended upon the filing of an appeal (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 29 stand part of the Bill, put and agreed to.

Clause 30: Court's Powers in respect of Protection Order.

(1) The court may, by means of a protection order referred to in section 31 or 32, prohibit the respondent from —

(*a*) committing any act of domestic violence;

(*b*) enlisting the help of another person to commit any such act;

(*c*) entering a shared household:

Provided that the court may impose this prohibition only if it appears to be in the best interests of the complainant;

(*d*) entering a specified part of such a shared household;

(*e*) entering the complainant's residence;

(*f*) entering the complainant's place of employment;

(*g*) preventing the complainant from entering or remaining in the shared household or a specified part of the shared household;

(*h*) alienating or disposing the shared household or encumbering same;

(*i*) renouncing his rights in the shared household except in favour of the complainant; or

(*j*) committing any other act as specified in the protection order.

(2) The court may impose any additional conditions, which it deems reasonably necessary to protect and provide for the safety, health or well being of the complainant, including an order —

(*a*) to seize any arm or dangerous weapon in the possession or under the control of the respondent;

(*b*) that a police officer must accompany the complainant to a specified place to assist with arrangements regarding the collection of personal property; or

(*c*) directing the respondent to secure alternative accommodation for the complainant; or

(*d*) order a temporal relocation to any safe place as may be deem fit in the interest of the complainant;

(*e*) approve a mediation channel upon submission by the complainant.

(3) In ordering a prohibition contemplated in subsection (l) (*c*) of this section, the court may impose on the respondent obligations as to the discharge of rent or mortgage payments having regard to the financial needs and resources of the complainant and the respondent.

(4) The court may order the respondent to pay emergency monetary relief having regard to the financial needs and resources of the complainant and the respondent, and such order has the effect of a civil judgment of a court.

(5) The court may issue any directions to ensure that the complainant's physical address is not disclosed in any manner, which may endanger the safety, health or well being of the complainant.

(6) If the court is satisfied that it is in the best interests of any child it may —

(*a*) refuse the respondent contact with such child; or

(*b*) order contact with such child on such conditions as it may consider appropriate.

(7) The court may not refuse to issue a protection order; or to impose any condition or make any order which it is competent to impose or make under this section, merely on the grounds that other legal remedies are available to the complainant.

(8) If the court is of the opinion that any provision of a protection order deals with a matter that should, in the interests of justice, be dealt with further in terms of any other relevant law, including the Matrimonial Causes Act, 1970, Cap. M7 Laws of the Federation, 2004, Child Right Act, 2003 the court must order that such a provision shall be in force for such limited period as the court determines, in order to afford the party concerned the opportunity to seek appropriate relief in terms of such law (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 30 *stand part of the Bill, put and agreed to.*

Clause 31: Police Powers.

(1) A police officer at the scene of an incident of violence or as soon thereafter as reasonably possible or to whom a report of violence has been made shall have the duty of —

(*a*) assisting a victim of violence to file a complaint regarding the violence;

(*b*) providing or arranging safe transport for the victim to an alternative residence, safe place or shelter where such is required;

(*c*) providing or arranging transportation for the victim to the nearest hospital or medical facility for treatment of injuries where such treatment is needed;

(*d*) explaining to the victim his/her rights to protection against violence and remedies available in terms of this Bill;

(*e*) explaining to the victim that he/she has the right to lodge a criminal complaint in addition to any remedy provided under this Bill;

(*f*) accompanying the victim to victim's residence to collect personal belongings.

(2) Any police officer may, without an order from the Court or a warrant of arrest, arrest —

(*a*) any person whom he or she suspects upon reasonable grounds to have committed any of the offences under Part 1; and

(*b*) any person against whom a complaint has been made for having committed any of the offences under Part 1.

(3) A police officer in carrying out his or her duties under this Bill shall have the power:

(*a*) to remove or supervise the removal of a person excluded from a shared residence where the court has issued such an order under this Bill;

(*b*) to remove or supervise the removal of any dangerous weapon used in order to commit an act of violence as contemplated in this Bill.

(*c*) to perform any other act considered necessary in order to ensure the safety and well-being of the complainant (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 31 *stand part of the Bill, put and agreed to.*

Clause 32: Warrant of arrest upon issuing of Protection Order.

(1) Whenever a court issues a protection order, the court shall make an order —

(*a*) authorizing the issue of a warrant for the arrest of the respondent, in the prescribed form; and

(*b*) suspending the execution of such warrant subject to compliance with any prohibition, condition, obligation or order imposed in terms of section 33.

(2) The warrant referred to in subsection (l) (*a*) remains in force unless the protection order is set aside, or it is cancelled after execution.

(3) The registrar of the court shall issue the complainant with a second or further warrant of arrest, if the complainant files an affidavit in the prescribed form in which it is stated that such warrant is required for her or his protection and that the existing warrant of arrest has been —

(*a*) executed and cancelled; or

(*b*) lost or destroyed.

(4) (*a*) A complainant may hand the warrant of arrest together with an affidavit in the prescribed form, wherein it is stated that the respondent has contravened any prohibition, condition, obligation or order contained in a protection order, to any police officer.

(*b*) If it appears to the police officer concerned that, subject to subsection (5), there are reasonable grounds to suspect that the complainant may suffer imminent harm as a result of the alleged breach of the protection order by the respondent, the police officer shall forthwith arrest the respondent for allegedly committing the offence referred to in Part I.

(*c*) If the police officer concerned is of the opinion that there are insufficient grounds for arresting the respondent in terms of paragraph (*b*), he or she shall forthwith hand a written notice to the respondent which —

(*i*) specifies the name, the residential address and the occupation or status of the respondent;

(*ii*) calls upon the respondent to appear before a court, and on the date and at the time specified in the notice, on a charge of committing the offence referred to in section 33 (1); and

(*iii*) contains a certificate signed by the police officer concerned to the effect that he or she handed the original notice to the respondent and that he or she explained the import thereof to the respondent.

(*d*) The police officer shall forthwith forward a duplicate original of a notice referred to in paragraph (*c*) to the registrar of the court concerned, and the mere production in the court of such a duplicate original shall be prima facie proof that the original thereof was handed to the respondent specified therein.

(5) In considering whether or not the complainant may suffer imminent harm, as contemplated in subsection(4) (*b*), the police officer shall take into account —

(*a*) the risk to the safety, health or well being of the complainant;

(*b*) the seriousness of the conduct comprising an alleged breach of the protection order; and

(*c*) the length of time since the alleged breach occurred.

(6) Whenever a warrant of arrest is handed to a police officer in terms of subsection (4) (*a*), the police officer shall inform the complainant of his or her right to simultaneously lay a criminal charge against the respondent, if applicable, and explain to the complainant how to lay such a charge (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 32 *stand part of the Bill, put and agreed to.*

Clause 33: Variation or setting aside of Protection Order.

(1) A complainant or a respondent may, upon written notice to the other party and the court concerned, apply for the variation or setting aside of a protection order referred to in section 32 in the prescribed manner.

(2) If the court is satisfied that good cause has been shown for the variation or setting aside of the protection order, it may issue an order to this effect, provided that the court shall not grant such an application to the complainant unless it is satisfied that the application is made freely and voluntarily.

(3) The registrar of the court shall forward a notice as prescribed to the complainant and the respondent if the protection order is varied or set aside as contemplated in subsection(1) of this section (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 33 *stand part of the Bill, put and agreed to.*

Clause 34: Discharge.

(1) Where a protection order has been made, any of the following persons may apply to have it discharged:

(*a*) if the application for the order was made by a Commissioner in respect of any dependent person by —

(*i*) the Commission,

(*ii*) the person who brought the application;

(*iii*) the respondent to that application;

(*b*) if the application for the order was made by a Commissioner in any other case by virtue of section 31 —

(*i*) the Commission,

(*ii*) the person who was the applicant for the order, or

(*iii*) the respondent to that application;

(*c*) In any other case —

(*i*) the person who was the applicant for the order, or

(*ii*) the person who was the respondent to the application for the order and the court upon hearing any such application shall make such order, as it considers appropriate in the circumstances (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 34 *stand part of the Bill, put and agreed to.*

Clause 35: Offences relating to Protection Orders.

(1) A respondent who contravened an interim protection order or a protection order, or while an interim protection order is in force refuses to permit the applicant or a ny dependent person to enter and remain in the place to which the order relates or does any act for the purpose of preventing the applicant or such dependent person fr om so entering or remaining shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ₦300,000.00 or to imprisonment for a term not exceeding 6 months or both such fine and imprisonment.

(2) The provisions of subsection (1) shall be without prejudice to any punishment or sanction as to contempt of court or any other liability, whether civil or criminal that may be incurred by the respondent concerned.

(3) Any person who in an affidavit referred to in this section, wilfully makes a false statement in a material respect shall be liable upon conviction to a fine of not exceeding ₦200,000.00 or, at the discretion of the court, to imprisonment for a term not exceeding 6 months (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 35 *stand part of the Bill, put and agreed to.*

Clause 36: Application and forms of Protection Order.

The affidavit, application and forms of Protection Order referred to in this Part of the Act shall be in accordance with the First Schedule to this Bill (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 37 *stand part of the Bill, put and agreed to.*

Clause 37: Rights of Victims.

(1) In addition to the rights guaranteed under Chapter IV of the Constitution of the Federal Republic of Nigeria, 1999, or any other international human rights instruments to which Nigeria is a party, every victim of violence as defined in section 1 of this Bill, is entitled to the following rights:

Right to Assistance.

(*i*) (*a*) every victim is entitled to receive the necessary materials, medical, psychological, social and legal assistance through governmental agencies and/or non governmental agencies providing such assistance

(*b*) victims are entitled to be informed of the availability of legal, health and social services and other relevant assistance and be readily afforded access to them;

(*c*) victims are entitled to rehabilitation and re-integration programme of the State to enable victims to acquire, where applicable and necessary, pre-requisite skills in any vocation of the victim's choice and also in necessary formal education or access to micro credit facilities

(*ii*) (*a*) any rules and or regulations made by any institution or organization prohibiting or restraining the reporting of offences or complaint with the provisions of this Bill, shall to the extent of the inconsistencies be null and void

Right to Protection against Expulsion.

(*b*) no complainant of any offence under this Bill shall be expelled, disengaged, suspended or punished in any form whatsoever by virtue of the action of compliance with the provisions of this Bill

(*c*) any head of institution who violates the provisions of this subsection is guilty of an offence under this Bill and shall be liable on conviction to imprisonment for six months or a fine of ₦200,000 or to both such fine and imprisonment.

Reproductive Health Right.

(*iii*) every woman shall have a right to health, which shall be understood to mean the enjoyment of the highest level of physical, mental and social well-being, health care services, including those related to family planning in particular rural women shall have the right to have access to adequate health care facilities, including information, counselling and services in family planning. Every woman shall have the right to take decisions about her health needs and requirements. In particular, she shall have the right to determine the processes concerning reproduction in her body. Every woman shall have the right to enjoy reproductive rights including the right to medical abortion in cases of sexual assault, rape, incest and where the continued pregnancy endangers the life or the physical, mental, psychological or emotional health of the mother.

Attendance of Proceedings.

(*iv*) (1) (*a*) No person may be present during any proceedings in terms of this Bill except —

(*i*) Officers of the court;

(*ii*) the parties to the proceedings;

(*iii*) any person bringing an application on behalf of the complainant in terms of section 31 (3);

(*iv*) any legal practitioner representing any party to the proceedings;

(*v*) accredited service provider;

(*vi*) witnesses;

(*vii*) not more than three persons for the purpose of providing support to the complainant;

(*viii*) not more than three persons for the purpose of providing support to the respondent; and

(*ix*) any other person whom the court permits to be present provided that the court may, if it is satisfied that it is in the interests of justice, exclude any person from attending any part of the proceedings.

(*b*) Nothing in this subsection limits any other power of the court to hear proceedings in camera or to exclude any person from attending such proceedings.

Prohibition of Publication of Certain information.

(2) (*a*) No person shall publish in any manner any information which might, directly or indirectly, reveal the identity of any party to the proceedings.

(*b*) The court, if it is satisfied that it is in the interests of justice, may direct that any further information relating to proceedings held in terms of this Bill shall not be published provided that no direction in terms of this subsection applies in respect of the publication of a bona fide law report which does not mention the names or reveal the identities of the parties to the proceedings or of any witness at such proceedings.

(3) Any person who contravenes the provisions of this subsection is guilty of an offence and is liable upon conviction to imprisonment for a term not exceeding one year or to fine not exceeding ₦200,000.00or to both such fine and imprisonment (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Amendment Proposed:

Leave out the provision of subclause (1) (*iii*) (*Hon. Sekonte Davis — Degema/Bonny Federal Constituency*).

Question that the amendment be made, put and agreed to.

Question that Clause 37 *as amended, stand part of the Bill, put and agreed to.*

PART 3 — SERVICE PROVIDERS

Clause 38: Registration and powers of service providers.

(1) Subject to such rules as may be made, any voluntary association registered under the Companies and Allied Matters Act 1990 by the Corporate Affairs Commission or any other law for the time being in force with the objective of protecting the rights and interests of victims of violence by any lawful means including providing of legal aid, medical, financial or other assistance shall register itself with the State Government as a service provider for the purposes of this Bill.

(2) The appropriate government ministry shall —

(*a*) keep a register of all accredited service providers and circulate same to all police stations, protection officers and the courts; and

(*b*) draw up guidelines for the operation of the accredited service providers.

(3) A service provider so registered under subsection (1) shall have the power to —

(*a*) record the violence incidence report in the prescribed form if the aggrieved person so desires and forward a copy thereof to the Magistrates and the Protection Officer having jurisdiction in the area where the violence took place;

(*b*) get the aggrieved person medically examined and forward a copy of the medical report to the Protection Officer and the Police station within the locality of which the violence act took place.

(*c*) ensure that the aggrieved person is provided shelter in a shelter home, if she so requires and forward a report of the lodging of the aggrieved person in the shelter home to the police station within the locality of which the violence act took place.

(4) No suit, prosecution or other legal proceeding shall lie against any service provider who is, or who is deemed to be acting or purporting to act under this Bill, for anything which is in good faith done or intended to be done in the exercise of powers or discharge of functions under this Bill towards the prevention of the commission of violence (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 38 *stand part of the Bill, put and agreed to.*

Clause 39: **Protection Officers.**

(1) The appropriate government ministry shall appoint such number of protection officers in each Area Council as it may consider necessary, to assist the court in the discharge of its duties under this Bill to co-ordinate the activities of the police and the accredited service providers in his Area Council to ensure that the victims/survivors of violence:

(*a*) has easy access to accredited service providers;

(*b*) has easy access to transportation to an alternative residence or a safe shelter, the nearest hospital or medical facility for treatment, if the complainant so requires;

(*c*) is able to collect her belongings or properties from a shared household or her residence, if the complainant so requires;

(*d*) is able to access the court for orders under this Bill; or

(*e*) has access to every possible assistance in the service of interim protection order on the respondent, and the enforcement of any order that may have been made by the court under this Bill.

(2) The protection officer may, upon the failure of the respondent to make payment ordered by the court under this Bill, direct an employer or a debtor of the respondent or any bank in which the respondent operates any account, to directly pay to the complainant or deposit with court a portion of the wages or salaries or debt due to or accrued to the credit of respondent or monies in any bank account operated by the respondent, which amount may be adjusted towards the emergency monetary relief payable by the respondent (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 39 *stand part of the Bill, put and agreed to.*

Clause 40: **Coordinator for Prevention of Domestic Violence.**

The body vested with the regulation of this Bill shall appoint a person as the coordinator for the prevention of domestic violence who shall submit annual report to the Federal Government on the implementation of this Bill a copy of which would be deposited with the national Bureau for Statistics (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 40 *stand part of the Bill, put and agreed to.*

Clause 41: **Dangerous Sexual Offenders.**

A court may declare a person who has been convicted of a sexual offence a dangerous sexual offender if such person has:

(*a*) more than one conviction for a sexual offence;

(*b*) been convicted of a sexual offence which was accompanied;

(*c*) been convicted of a sexual offence against a child (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 41 *stand part of the Bill, put and agreed to.*

PART 4 — REGULATORY BODY

Clause 42: **Regulatory/Implementing body.**

(1) There is hereby established a body to be known as Agency on Violence Against Persons (herein referred to as "the Agency").

(2) The Agency shall be —

(*a*) a body corporate with perpetual succession and a common seal;

(*b*) capable of suing and being sued in its corporate name;

(*c*) capable of acquiring, holding or disposing of any property, movable or immovable, for the purpose of carrying out its functions.

Clause 43: **Functions of the Agency.**

(1) The Agency shall:

(*a*) monitor and supervise the implementation of the provisions of this Bill;

(*b*) administer the operations of the Trust Fund;

(*c*) provide and manage victims crisis centres;

(*d*) register accredited service providers, draw up guidelines for their operations and supervise their activities;

(*e*) perform such other functions as may be specified by any law or enactment; and

(*f*) create directories of services

(*g*) recruit staff for the Agency;

(*h*) undertake such other activities as are necessary or expedient for giving full effect to the provisions of this Bill.

(2) The Agency shall also co-ordinate the activities of the police and the accredited service providers to ensure that the victim:

(*a*) has easy access to accredited service providers;

(*b*) has easy access to transportation to an alternative residence or a safe shelter, the nearest hospital or medical facility for treatment, if the victim so requires;

(*c*) is able to collect his/her belongings or properties from a shared household or his/her residence, if the victim so requires;

(*d*) is able to access the court for order under this Bill; or

(*e*) has access to every possible assistance in the service of interim protection order on the respondent, and the enforcement of any order that may have been made by the court under this Bill.

(3) The Agency may, upon the failure of the respondent to make payment ordered by the court under this Bill, direct an employer or a debtor of the respondent or any bank in which the respondent operates any account, to directly pay to the victim or deposit with court a portion of the wages or salaries or debt due to or accrued to the credit of respondent or monies in any bank account operated by the respondent, which amount may be adjusted towards the emergency monetary relief payable by the respondent.

(4) The Agency, to facilitate performance of its function may appoint such number of its officers in each Area Council as it may consider necessary, to assist the court in the discharge of its duties under this Bill.

Clause 44: Composition of the Agency.

(1) The Agency shall consist of the following members:

(*a*) a Chairperson (or chair) who shall be appointed by the President and being a person who by reason of his or her ability, experience, specialized knowledge or professional attainment or outstanding contributions;

(*b*) the representative of —

(*i*) the Inspector-General of Police, not below the rank of an Assistant Commissioner of Police;

(*ii*) the Ministry of Justice;

(*iii*) the Ministry of Health; and

(*iv*) the Nigeria Prisons Service;

(*c*) two representatives of the Ministry of Women Affairs;

(*d*) an Officer of the National Human Rights Commission;

(*e*) an Officer of the Legal Aid Council;

(*f*) 10 persons from the Legislative Advocacy Coalition on Violence Against Women;

(*g*) two representatives from religious organizations;

(*h*) the Director-General, a woman, who shall be the administrative head of the Agency.

(2) The representatives of the ministries shall be public servants not below the cadres of Grade Level 14 officers.

(3) A person appointed as a member of the Agency shall hold office for a term of four years only and shall not be eligible for re-appointment.

(4) A member of the Agency shall cease to hold office if the person:

(*i*) he or she becomes of unsound mind or is incapable of carrying out his or her duties;

(*ii*) he or she becomes bankrupt;

(*iii*) he or she is convicted of a felony or any offence involving dishonesty; or

(*iv*) he or she is guilty of serious misconduct relating to his or her duties.

(5) Members of the Agency appointed under this section shall be paid such remuneration and allowances as the President, on the recommendation of the Revenue Mobilization Allocation and Fiscal Commission may direct.

(6) Subject to Section 27 of the Interpretation Act, the Agency may make standing orders regulating its proceedings.

Clause 45: **Quorum.**
The quorum of the Agency shall be one-third of the members; and the validity of its proceedings shall not be affected by any defect in the appointment of any member or by reason that a person not entitled to do so took part in the proceedings.

Clause 46: **Management of the Agency.**
The Agency shall be empowered to:

(*a*) disburse funds;

(*b*) appoint external auditors;

(*c*) oversee its own administration;

(*d*) engage in fund raising for the purpose of carrying out its functions

Clause 47: **Establishment of Trust Fund.**
(1) There is hereby established for the Agency a Trust Fund for victim of Violence Against Persons.

(2) The Trust Fund shall be set up primarily for the purpose of providing aid for the victim of Violence Against Persons through:

(*a*) rehabilitation of victim, individually or as a group;

(*b*) reintegrating the victim into the society;

(*c*) provision of shelter;

(*d*) provision of legal aid;

(*e*) programmes on violence against persons;

(*f*) provision of guidance and counselling;

(*g*) payment of medical expenses for victim; and

(*h*) support of organizations which give direct assistance to victim of violence against persons (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Leave out the provisions of Part 4 *of the Bill* (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*) — *Agreed to.*

NEW PART 4 — REGULATORY BODY

Clause 48: **Regulatory Body.**
The National Agency for the Prohibition of Trafficking in Persons and Other related Matters (NAPTIP) is hereby mandated to administer the provisions of this Bill and collaboration with the relevant stakeholders including faith based organisations (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 48 *stand part of the Bill, put and agreed to.*

PART 5 — CONSEQUENTIAL AMENDMENT

Clause 49: **General Savings and Repeal.**
(1) Any offence committed or proceedings instituted before the commencement of this Bill under the provisions of the —

Cap. 77 LFN 1990
(*a*) Criminal Code;

Cap. 89 LFN 1963

(*b*) Penal Code;

(*c*) Criminal Procedure Code;

(*d*) any other law in regulation relating to any act of violence defined by this Bill shall as the case may require be enforced or continue to be enforced by the provisions of this Bill.

Cap. 77 LFN 1990, Cap. 89 LFN 1963.

(2) The Provisions of the Criminal Code, Penal Code and Criminal Procedure Code as it relates to offences provided for in this Bill are hereby repealed (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Amendment Proposed:

Leave out all the words in the subclause (2), and *insert* the following words instead thereof:

"Any Provisions of this Bill shall supersede any other Provision on similar offences in the Criminal Code, Penal Code and Criminal Procedure Code" instead thereof (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

Question that the amendment be made, put and agreed to.

Question that Clause 49 *as amended, stand part of the Bill, put and agreed to.*

PART 6 — INTERPRETATION

Clause 50: **Interpretation.**

In this Bill —

"Abandonment of women, children and other persons" means deliberately leaving women, children and other persons under the perpetrator's care, destitute and without any means of subsistence (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Abandonment of women, children and other persons" be as defined in the interpretation to this Bill, put and agreed to.

"Accredited service provider" means governmental, non-governmental, faith based, voluntary and charitable associations or institutions providing shelter, homes, counselling, legal, financial, medical or other assistance to victims of domestic violence and are registered with the appropriate government ministry under the provisions of this Bill (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Accredited service provider" be as defined in the interpretation to this Bill, put and agreed to.

"Circumcision of a girl or woman" means cutting off all or part of the external sex organs of a girl or woman other than on medical ground (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Circumcision of a girl or woman" be as defined in the interpretation to this Bill, put and agreed to.

"Civil proceedings" means —

(*i*) proceedings for the making, variation or discharge of a protection order, safety order or interim protection order;

(*ii*) proceedings by way of appeal or case stated which are related to proceedings to which paragraph (*i*) applies;

(*iii*) proceedings under this Bill for compensation or award (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Civil proceedings" be as defined in the interpretation to this Bill, put and agreed to.

"Court" means both the Magistrates Court and High Court (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the word "Court" be as defined in the interpretation to this Bill, put and agreed to.

"Damage to property" means the wilful destruction or causing of mischief to any property belonging to a person or in, which a person has, a vested interest (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Damage to property" be as defined in the interpretation to this Bill, put and agreed to.

"Dangerous weapon" means any instrument and/or machine directed toward a person with the intention of inflicting bodily harm on such person and includes, but is not limited to, a gun, knife, stick, whip or other household appliance capable of inflicting bodily harm on a person (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Dangerous weapon" be as defined in the interpretation to this Bill, put and agreed to.

"Domestic relationship" means a relationship between any person and a perpetrator of violence constituted in any of the following ways:

(*i*) they are or were married to each other, including marriages according to any law, custom or religion;

(*ii*) they live or have lived together in a relationship in the nature of marriage, although they are not or were not married to each other;

(*iii*) they are the parents of a child or children or are the persons who have or had a parental responsibility for that child or children;

(*iv*) they are family members related by consanguinity, affinity or adoption;

(*v*) they are or were in an engagement, dating or customary relationship, including actual or perceived romantic, intimate or sexual relationship of any duration; or

(*vi*) they share or recently shared the same residence (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Domestic relationship" be as defined in the interpretation to this Bill, put and agreed to.

"Domestic Violence" means any act perpetrated on any person in a domestic relationship where such act causes harm or may cause imminent harm to the safety, health or well-being of any person and this includes the following acts (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Domestic Violence" be as defined in the interpretation to this Bill, put and agreed to.

"Economic abuse" means forced financial dependence; denial of inheritance or succession rights, the unreasonable deprivation of economic or financial resources to which any person is entitled or which any person requires out of necessity, including household necessities, mortgage bond repayments or payment of rent in respect of a shared residence; the unreasonable disposal or destruction of household effects or other property in which any person has an interest (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Economic abuse" be as defined in the interpretation to this Bill, put and agreed to.

"Emergency monetary relief" means compensation for monetary losses suffered by any person arising from an act of violence and does not in any way constitute a maintenance order, including —

(*a*) loss of earnings;

(*b*) medical and dental expenses;

(*c*) relocation and accommodation expenses;

(*d*) household necessities; or

(*e*) legal fees related to obtaining and serving the protection order (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Emergency monetary relief" be as defined in the interpretation to this Bill, put and agreed to.

"Emotional, verbal and psychological abuse" means a pattern of degrading or humiliating conduct towards any person, including repeated insults, ridicule or name calling; repeated threats to cause emotional pain; or the repeated exhibition of obsessive possessiveness, which is of such a nature as to constitute a serious invasion of such person's privacy, liberty, integrity or security (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Emotional, verbal and psychological abuse" be as defined in the interpretation to this Bill, put and agreed to.

"Forced isolation from family and friends" includes but is not limited to preventing a person from leaving the home or from having contact with family, friends or the outside community (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Forced isolation from family and friends" be as defined in the interpretation to this Bill, put and agreed to.

"Harassment" means engaging in a pattern of conduct that induces fear of harm or impairs the dignity of a person including stalking; repeatedly making telephone calls or inducing another person to make telephone calls to a person, whether or not conversation ensues; repeatedly sending, delivering or causing delivery of information such as letters, telegrams, packages, facsimiles, electronic mail, text messages or other objects to any person (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the word "Harassment" be as defined in the interpretation to this Bill, put and agreed to.

"Harmful traditional practices" means all traditional behaviour, attitudes and/or practices, which negatively affect the fundamental rights of women, girls, or any person and includes harmful widowhood practices, denial of inheritance or succession rights, female genital mutilation or female circumcision, forced marriage and forced isolation from family and friends (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Harmful traditional practices" be as defined in the interpretation to this Bill, put and agreed to.

"Perpetrator" means any person who has committed or allegedly committed an act of violence as defined above (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the word "Perpetrator" be as defined in the interpretation to this Bill, put and agreed to.

"Incest" means an indecent act or an act which causes penetration with a person who is to his/her knowledge his/her daughter/son, granddaughter/son, sister/brother, mother/father, niece/nephew, aunt/uncle, grandmother/granduncle (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the word "Incest" be as defined in the interpretation to this Bill, put and agreed to.

"Indecent exposure" means the intentional exposure of the genital organs, or a substantial part thereof, with the intention of causing distress to the other party (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Indecent exposure" be as defined in the interpretation to this Bill, put and agreed to.

"Intimidation" means the uttering or conveying of a threat or causing any person to receive a threat, which induces fear, anxiety or discomfort (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the word "Intimidation" be as defined in the interpretation to this Bill, put and agreed to.

"Physical abuse" means acts or threatened acts of physical aggression towards any person such as slapping, hitting kicking and beating (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Physical abuse" be as defined in the interpretation to this Bill, put and agreed to.

"Political violence" means any act or attempted act of violence perpetrated in the course of political activities, such as elections, and includes any of the following acts: thuggery, mugging, use of force to disrupt meetings, or the use of dangerous weapons that may cause bodily harm or injury (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Political violence" be as defined in the interpretation to this Bill, put and agreed to.

"Protection officer" means an officer appointed under section 41 of this Bill in relation to and for the purpose of this Bill (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Protection officer" be as defined in the interpretation to this Bill, put and agreed to.

"Sexual abuse" means any conduct, which violates, humiliates or degrades the sexual integrity of any person (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Sexual abuse" be as defined in the interpretation to this Bill, put and agreed to.

"Sexual assault" means the intentional and unlawful touching, striking or causing of bodily harm to an individual in a sexual manner without his/her consent (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Sexual assault" be as defined in the interpretation to this Bill, put and agreed to.

"Sexual exploitation" occurs where a perpetrator, for financial or other reward, favour or compensation invites, persuades, engages or induces the services of a victim, or offers or performs such services to any other person (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Sexual exploitation" be as defined in the interpretation to this Bill, put and agreed to.

"Sexual harassment" means unwanted conduct of a sexual nature or other conduct based on sex or gender which is persistent or serious and demeans, humiliates or creates a hostile or intimidating environment. This may include physical, verbal or non-verbal conduct (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Sexual harassment" be as defined in the interpretation to this Bill, put and agreed to.

"Sexual intimidation" means:

(*a*) any action or circumstances which amount to demand for sexual intercourse with either a male or a female under any guise, as a condition for passing examination, securing employment, business patronage, obtaining any favour in any form whatsoever, as may be defined in this Bill or any other enactments;

(*b*) the actual demand for sexual intercourse with either a male or female under any guise, as a condition for passing examination, securing employment, business patronage and or obtaining any favour in any form whatsoever, as may be defined in this Bill or any other enactments;

(*c*) acts of deprivation, withholding, replacing and or short-changing of entitlements, privileges, rights, benefits, examination or test marks/scores, and any other form of disposition capable of coercing any person to submit to sexual intercourse for the purpose of receiving reprieve thereto;

(*d*) any other action or inaction construed as sexual intimidation/harassment under any other enactments in force in Nigeria (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Sexual intimidation" be as defined in the interpretation to this Bill, put and agreed to.

"Spousal/Partner battery" means the intentional and unlawful use of force or violence upon a person, including the unlawful touching, beating or striking of another person against his/her will with the intention of causing bodily harm to that person (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Spousal/Partner battery" be as defined in the interpretation to this Bill, put and agreed to.

"Stalking" means repeatedly watching, or loitering outside of or near the building or place where such person resides, works, carries on business, studies or happens to be; or repeatedly following, pursuing or accosting any person in a manner which induces fear or anxiety (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the word "Stalking" be as defined in the interpretation to this Bill, put and agreed to.

"Substance attack" means the exposure of any person to any form of chemical, biological or any other harmful liquid with the intention to cause grievous bodily harm, which includes but is not limited to acid attack, hot water, hot oil (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Substance attack" be as defined in the interpretation to this Bill, put and agreed to.

"Trafficking" means the supply, recruitment, procurement, capture, removal, transportation, transfer, harbouring, sale, disposal or receiving of a person, within or across the borders of the Federal Republic of Nigeria, for use in sexual acts, including sexual exploitation or pornography of any person (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the word "Trafficking" be as defined in the interpretation to this Bill, put and agreed to.

"Victim" means any person or persons, who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of this Bill and/or the criminal laws of the country. Victim also includes the immediate family or dependants of the direct victim and any other person who has suffered harm in intervening to assist victims in distress (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the word "Victim" be as defined in the interpretation to this Bill, put and agreed to.

"Violence" in this Bill, unless the context otherwise requires violence means any act or attempted act, which causes or may cause any person physical, sexual, psychological, verbal, emotional or economic harm whether this occurs in private or public life, in peace time and in conflict situations (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the word "Violence" be as defined in the interpretation to this Bill, put and agreed to.

"Violence in the private sphere" means any act or attempted act perpetrated by a member of the family, relative, neighbour or member of a community, which causes or may cause any person physical, sexual, psychological, verbal, emotional or economic harm (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Violence in the private sphere" be as defined in the interpretation to this Bill, put and agreed to.

"Violence in the public sphere" means any act or attempted act perpetrated by the State or non-State actors before, during and after elections, in conflict or war situations, which threatens peace, security and well being of any person or the nation as a whole (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Violence in the public sphere" be as defined in the interpretation to this Bill, put and agreed to.

"Violence perpetrated by non-state actors" includes:

(*i*) wrongful arrest and detention;

(*ii*) assault;

(*iii*) use of force without lawful authority;

(*iv*) unlawful entry into the premises;

(*v*) demolition of property without due processes (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Violence perpetrated by non-state actors" be as defined in the interpretation to this Bill, put and agreed to.

"Vulnerable groups" means women, children, persons living under extreme poverty, persons with disability, the sick and the elderly, ethnic and religious minority groups, refugees, internally displaced persons, migrants and persons in detention (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that the meaning of the words "Vulnerable groups" be as defined in the interpretation to this Bill, put and agreed to.

Question that Clause 50 *stand part of the Bill, put and agreed to.*

Clause 51: **Short Title.**
This Bill may be cited as Violence Against Persons (Prohibition) Bill, 2013 (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question that Clause 51 *stand part of the Bill, put and agreed to.*

SCHEDULE

AFFIDAVIT, APPLICATION AND FORMS OF PROTECTION ORDER

FORM 1

GENERAL FORM OF APPLICATION FOR PROTECTION ORDER

In the ..... Court.

In the ..... Division/District.

Suit No. .....

Between

A.B ..... Complainant

and

C.D ..... Respondent

APPLICATION FOR PROTECTION ORDER BY THE VICTIM

The Complainant applies that he/she be protected by the Honourable Court by the issuance of a protection order against the Respondent.

Dated this ..... day of .....

.....
Complainant/Complainant's Counsel

FORM 2

GENERAL FORM OF APPLICATION FOR PROTECTION ORDER BY A PERSON OTHER THAN THE VICTIM

In the ..... Court.

In the ..... Division/District.

Suit No. .....

Between

A.B ..... Complainant

and

C.D ..... Respondent

and

E.F ..... Guardian/Social Worker/Police Officer, etc.

APPLICATION FOR PROTECTION ORDER BY A PERSON OTHER THAN THE VICTIM

I, E.F. Guardian to A.B. the Complainant, hereby applies that AB be protected by the Honourable Court by the issuance of a Protection Order against the Respondent.

Dated this ..... day of .....

E.F

.....

Guardian/Police Officer/Social Worker, etc.

FORM 3

AFFIDAVIT IN SUPPORT OF APPLICATION FOR PROTECTION ORDER

In the ..... Court.

In the ..... Division/District.

Suit No. .....

Between

A.B ..... Complainant

and

C.D ..... Respondent

E.F ..... Respondent

I, A.B ..... of ..... hereby make oath and state as follows:

1. That I am the Complainant/Guardian of the Complainant/A Police Officer/A Protection Officer/An Accredited Service Provider/A Counsellor/A Health Service Provider/Social Worker/Teacher, etc.

.....
Depondent

Sworn to at ..... Court Registry

This ..... day of .....

BEFORE ME

COMMISSIONER FOR OATHS

FORM 4

CONSENT TO APPLICATION FOR PROTECTION ORDER IN RELATION TO A PERSON NOT BEING A MINOR, MENTALLY RETARDED PERSON, UNCONSCIOUS ORA PERSON WHO THE COURT IS SATISFIED IS UNABLE TO PROVIDE CONSENT

In the ..... Court

In the ..... Division/District

Suit No. .....

Between

A.B ..... Complainant

and

C.D ..... Respondent

EF ..... Guardian

CONSENT TO APPLICATION FOR PROTECTION ORDER

I, A.B ..... Complainant in this case hereby consent to the application by EF, for the issuance of a Protection Order on my behalf.

Dated this ..... day of .....

.....
Complainant

FORM 5

GENERAL FORM OF INTERIM PROTECTION ORDER

In the ..... Court.

In the ..... Division/District.

Suit No. .....

Between

A.B ..... Complainant

and

C.D ..... Respondent

and

E.F ..... Guardian/Police Officer, etc.

To: CD ..... Respondent

INTERIM PROTECTION ORDER

WHEREAS the Complainant/Guardian, etc. has applied that the Complainant be protected by this Honourable Court against you;

AND WHEREAS there is *prima facie* evidence that you have committed an act or acts of domestic violence against the Complainant, or that there is imminent likelihood of your committing such violence against the Complainant;

You are hereby commanded to show cause on the ..... day of ..... the return date, why a protection order should not be issued against you.

THIS ORDER shall serve as a protection order for the Complainant until the return date.

GIVEN under my hand this ..... day of .....

.....
Judge/Magistrate

FORM 6

GENERAL FORM OF PROTECTION ORDER

In the ..... Court.

In the ..... Division/District.

Suit No. .....

Between

A.B ..... Complainant

and

C.D ..... Respondent

and

E.F ..... Guardian/Police Officer, etc.

To: CD ..... Respondent

PROTECTION ORDER

WHEREAS the Complainant/Guardian, etc has applied that the complainant be protected by this Honourable Court against you;

AND WHEREAS there is prima facie evidence that you have committed an act or acts of domestic violence against the complainant, or that there is imminent likelihood of your committing such violence against the complainant;

You are hereby prohibited from:
(*insert whichever is appropriate*)

(*a*) committing any act of domestic violence;

(*b*) enlisting the help of another person to commit any such act;

(*c*) entering a shared household: Provided that the court may impose this prohibition only if it appears to be in the best interests of the complainant;

(*d*) entering a specified part of such a shared household;

(*e*) entering the complainant's residence;

(*f*) entering the complainant's place of employment;

(*g*) preventing the complainant from entering or remaining in the shared household or a specified part of the shared household;

(*h*) alienating or disposing the shared household or encumbering same;

(*i*) renouncing his rights in the shared household except in favour of the complainant;

(*j*) committing any other act as specified in the protection order; and/or

(*k*) as the court deems fit.

GIVEN under my hand this ..... day of .....

.....
Judge/Magistrate (Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency).

Question that the provisions of the Schedule stand part of the Bill, put and agreed to.

Long Title:
A Bill for an Act to Eliminate Violence in Private and Public Life, Prohibit All Forms of Violence Including Physical, Sexual, Psychological, Domestic, Harmful Traditional Practices; Discrimination Against Persons and to Provide Maximum Protection and Effective Remedies for Victims and Punishment of Offenders (*Hon. Abike Dabiri-Erewa — Ikorodu Federal Constituency*).

Question put and agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole resumed consideration of a Bill for an Act to Eliminate Violence in Private and Public life, Prohibit all forms of Violence including Physical, Sexual, Psychological, Domestic, Harmful Traditional Practices; Discrimination against Persons and to Provide Maximum Protection and effective Remedies for Victims and Punishment of Offenders (HB. 191) approved Clause 1 as amended, approved Clauses 2 - 36, approved Clause 37 as amended, approved Clauses 38 - 48, approved Clause 49 as amended, approved Clauses 50 - 51, approved the Schedule and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole, put and agreed to.

14. Adjournment:
That the House do now adjourn till Wednesday, 6 March, 2013 at 11.00 a.m. (Hon. Leo Ogor — Deputy House Leader).

The House adjourned accordingly at 3.15 p.m.

Aminu Waziri Tambuwal
Speaker