FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
SECOND SESSION
NO. 89

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA
VOTES AND PROCEEDINGS

Wednesday, 15 May, 2013

1. The House met at 11.43 a.m. Mr Deputy Speaker read the Prayers.

2. **Votes and Proceedings:**
Mr Deputy Speaker announced that he had examined and approved the *Votes and Proceedings* of Tuesday, 14 May, 2013.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcement:**
***Visitors in the Gallery*:**
Mr Deputy Speaker recognized the presence of the following visitors:

(*a*) Members of the Parliament, Student Union Government, Kogi State University, Anyigba;

(*b*) Staff and Pupils of Glory International School, Karu, Abuja.

4. **A Bill for an Act to Repeal the Pension Reform Act (Act No. 2) 2004 and Enact the Pension Reform Act 2013 to make Provision for Contributory Pensions Scheme and for Connected Matter (HB. 487) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Repeal the Pension Reform Act (Act No. 2) 2004 and Enact the Pension Reform Act 2013 to make Provision for Contributory Pensions Scheme and for Connected Matter (HB. 487) be now read a Second Time" (*Hon. Mulikat Akande-Adeola — House Leader*).

Debate:

Debate adjourned, pursuant to Order XII, Rule 79 (3).

5. **Consideration of Reports:**
(*i*) ***Committees on Federal Capital Territory Administration, Federal Capital Territory Area Councils and Ancillary Matters, and Finance*:**
That this House do consider the Report of the Committees on Federal Capital Territory, Federal Capital Territory Area Councils and Ancillary Matters, and Finance on a Bill for an Act to Authorise the Issue from the Federal Capital Territory Administration Statutory Revenue Fund of the Federal Capital Territory Administration Account, the Total Sum of ₦259,649,520,705 (Two Hundred and Fifty-Nine Billion, Six Hundred and Forty-Nine Million, Five Hundred and Twenty Thousand, Seven Hundred and Five Naira) only, of Which the Sum of ₦48,600,837,245 (Forty-Eight Billion, Six Hundred Million, Eight Hundred and Thirty-Seven Thousand, Two Hundred and Forty-Five Naira) only, is for Personnel Costs and the Sum of ₦50,581,234,058 (Fifty Billion, Five and Eighty One Million, Two Hundred and Thirty-Four Thousand, Fifty Eight Naira) only, is for Overhead Costs Whilst the Balance of ₦160,467,449,402 (One Hundred and Sixty Billion, Four Hundred and Sixty-Seven Million, Four

Hundred and Forty-Nine Thousand, Four Hundred and Two Naira) only, is for Capital Projects for the Service of the Federal Capital Territory, Abuja, for the Financial Year Commencing from 1st January and Ending on 31st December, 2013 (HB. 428) and approve the Recommendations therein.

Order deferred, by the leave of the House.

(*ii*) **A Bill for an Act to Repeal the National Assembly Service Commission Act, Cap. N7, Laws of the Federation of Nigeria, 2004 and Re-Enact a National Assembly Service Administrative Structure Bill for Improved Service Delivery; and for Other Related Matters (HB. 425) — (*Committee of the Whole*) — (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).**

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO REPEAL THE NATIONAL ASSEMBLY SERVICE COMMISSION ACT, CAP. N7, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND RE-ENACT A NATIONAL ASSEMBLY SERVICE ADMINISTRATIVE STRUCTURE BILL FOR IMPROVED SERVICE DELIVERY; AND FOR OTHER RELATED MATTERS

Clause 1: Repeal.
The National Assembly Service Commission Act, Cap. N7 Laws of the Federation of Nigeria, 2004 is repealed and re-enacted as the National Assembly Service Act, 2013 with the following provisions (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 2: Appointment of the Clerk to the National Assembly.
There shall be a Clerk to the National Assembly who shall be —

(*a*) the head of the National Assembly Service;

(*b*) the accounting officer of the National Assembly; and

(*c*) responsible for the day-to-day administration of the affairs of the National Assembly (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 3: Removal from office of the Clerk to the National Assembly.
Notwithstanding the provisions of section 11 (2) of this Bill, a person holding the office of the Clerk to the National Assembly shall only be removed by the Commission acting on an address supported by a simple majority of each House of the National Assembly praying that he be removed for inability to discharge his functions due to infirmity of mind or body or any other cause or for misconduct (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Amendment Proposed:
In line 3, *leave out* the words "Simple majority" and *insert* the word "Resolution" instead thereof (*Hon. Albert T. Sam -Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

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

Clause 4: **Appointment of Acting Clerk to the National Assembly.**
Except by Resolution of each House of the National Assembly, no person shall act in the office of the Clerk to the National Assembly for a period exceeding 6 months (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 5: **Staff of the National Assembly.**
The staff of the National Assembly shall comprise of —

(*a*) the Clerk to the National Assembly;

(*b*) the Deputy Clerk to the National Assembly;

(*c*) the Clerk of the Senate;

(*d*) the Clerk of the House of Representatives;

(*e*) the Deputy Clerk of the Senate;

(*f*) the Deputy Clerk of the House of Representatives;

(*g*) Secretaries to the Directorates;

(*h*) the Directors; and

(*i*) holders of other offices that shall be created by the Commission on the recommendation of the Clerk to the National Assembly (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 6: **Pensions Cap. 346 LFN.**

(1) Notwithstanding the provisions of the Pensions Reform Act, it is declared that service in the National Assembly shall be service in the public service of the Federation for the purposes of the Pension Reform Act, officers and other staff of the National Assembly are entitled to such pensions, gratuities and other retirement benefits as are prescribed in that Act.

(2) For the purpose of the application of the provisions of the Pension Reform Act, any power exercisable by a National Pension Commission, Fund Administrators and Custodians, or other authority of Government of the Federation (not being the power to make regulations under section 21 of that Act) are vested in and shall be exercisable by the National Assembly Service Commission and not by any other person or authority.

(3) Nothing in the provisions of this section shall prevent the appointment of a person to any office in the National Assembly on terms which preclude the grant of a pension or gratuity in respect of service in that office (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 7: **Establishment of the National Assembly Service Commission.**

(1) There is established the National Assembly Service Commission in this Bill referred to as "the Commission").

(2) The Commission shall be a body corporate with perpetual succession and shall have power to sue and be sued (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 8: **Membership of the Commission.**

(1) The Commission shall comprise a chairman and 12 other members.

(2) The Chairman shall be the Chief Executive of the Commission.

(3) The President of the Senate shall, upon consultation with the Speaker of the House of Representatives, submit to the President of the Federal Republic of Nigeria a proposed list out of which the President of the Federal Republic of Nigeria shall nominate for appointment, a chairman and members of the Commission.

(4) The President of the Federal Republic of Nigeria shall appoint the Chairman and members of the Commission from the list submitted to him in accordance with the provision of subsection (3) of this section subject to the confirmation of the Senate.

(5) At least 2 members of the Commission shall be drawn from each of the six geopolitical zones of Nigeria.

(6) A member of the Commission shall hold office for a period of 5 years from the date of his appointment and he may be reappointed for another term of 5 years and no more.

First Schedule.

(7) The provision in the First Schedule to this Bill shall have effect with respect to the proceedings of the Commission or its Committees and other matters.

(8) Where a vacancy occurs in the membership of the Commission, it shall be filled by the appointment of a successor in accordance with the provisions of section 7 (4) of this Bill to hold office for the remainder of the term of office of his predecessor and such a successor shall represent the same geopolitical interest.

(9) The composition of the Commission, the staffing and the conduct of its affairs shall reflect the Federal Character of Nigeria as enshrined in section 14 (3) of the Constitution of the Federal Republic of Nigeria (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 9: **Qualification for membership.**

(1) No person shall be considered for appointment as a member of the Commission, if —

(*a*) he is not qualified to be elected as a member of the House of Representatives;

(*b*) within the preceding 10 years, he has been removed as a member of any of the bodies established by section 153 of the Constitution of the Federal Republic of Nigeria, or as the holder of any other office on the ground of misconduct; and

(*c*) he has no requisite experience in Public Service matters.

(2) Any person employed in the Public Service of the Federation or of a State shall not be disqualified for appointment as a chairman or member of the Commission.

(3) Where such person has been duly appointed on full time basis, he shall, on his appointment, be deemed to have resigned or retired from his former office as from the date of his appointment (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Amendments Proposed:

(*i*) *Leave out* all the words in subclause (1) (*a*), (*Hon. Patrick Ikhariale — Esan Central/West/Igueben Federal Constituency*).

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

(*ii*) In subclause (3), line 3, *leave out* the word "appointment" and *insert* the words "assumption of duty" instead thereof (*Hon. Andrew Uchendu — Ikwerre/Emoha Federal Constituency*).

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

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

Clause 10: Removal from office.

(1) The Chairman or any member of the Commission shall be removed from that office by the President acting upon an address supported by a simple majority of each House of the National Assembly praying that he be so removed for inability to discharge the functions of the office (whether arising from infirmity of mind or body or any other cause) or for misconduct.

(2) Notwithstanding the provision of subsection (1) of this section, the Chairman or any member of the Commission shall be removed from office by the National Assembly upon a resolution by simple majority of the members of each House for inability to discharge the function of the office or for misconduct.

(3) Upon the coming into force of this Bill, or upon the expiration of the life of the Commission at any time or upon a vacancy occurring in the membership of the Commission, the President shall send the appropriate nominations to the National Assembly within thirty days of being requested to do so (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Amendments Proposed:

(*i*) In subclause (1), line 2, *leave out* the words "simple majority" and *insert* instead thereof the word "Resolution" (*Consequential amendment*) — *Agreed to.*

(*ii*) In subclause (2), line 3, *leave out* the words "simple majority" and *insert* instead thereof the word "Resolution" (*Consequential amendment*) — *Agreed to.*

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

Clause 11: Appointment of a Secretary to the Commission.

(1) There shall be a Secretary to the Commission who shall be appointed by the Commission and shall—

(*a*) be a senior officer not below the rank of a Director in the Public Service;

(*b*) be the accounting officer of the Commission; and

(*c*) hold office on such terms and conditions of service as approved by the Commission.

(2) The Secretary shall, subject to the general direction of the Commission, be responsible for —

(*a*) the day-to-day administration of the Commission; and

(*b*) keeping the books and proper records of proceedings of the Commission (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Amendment Proposed:
In subclause (2), *insert* a new paragraph (*c*), as follows:
"keep custody of the seal of the Commission" (*Hon. Udo Ibeji — Umuahia North/South Federal Constituency*).

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

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

Clause 12: Functions of the Commission.

(1) The Commission shall —

(*a*) formulate and implement guidelines for its functions; and

(*b*) appoint persons to hold or act in the offices of —

(*i*) the Clerk to the National Assembly,

(*ii*) the Deputy Clerk to the National Assembly,

(*iii*) the Clerk of the Senate,

(*iv*) the Clerk of the House of Representatives,

(*v*) the Deputy Clerk of Senate,

(*vi*) the Deputy Clerk of the House of Representatives,

(*vii*) Secretaries to the Directorates, and

(*viii*) holders of other offices that shall be created by the Commission on the recommendation of the Clerk to the National Assembly.

(2) The Commission may —

(*a*) make appointments on promotion and transfer and confirm such appointments; and

(*b*) dismiss and exercise disciplinary control over persons holding or acting in such offices.

(3) Where the Commission considers it expedient that any vacancy in the staff of the National Assembly should be filled, the Commission shall cause to be advertised internally and externally in accordance with the laws and regulations governing appointments into Public Service of the Federation.

(4) Where the Commission thinks it expedient that any vacancy in the staff of the National Assembly should be filled by a person holding office in the Civil Service of the Federation or of a State, it shall notify the appropriate Civil Service Commission to that effect and the Commission may, after consultation with the Civil Service Commission concerned, cause such vacancy to be filled by way of secondment or transfer.

(5) Where any member of a civil service is seconded under subsection (4) of this section, he shall be notified of the terms and conditions of the secondment and the secondment shall be without prejudice to any pension rights which, but for the secondment, would still accrue to him.

(6) A person seconded pursuant to subsection (4) of this section, may elect subject to the approval of the Commission to be transferred to the service of the National Assembly, in which case any previous service in the Civil Service concerned shall count as service for the purposes of the pension subsequently payable by the Commission.

(7) Any member of staff of the National Assembly may elect to transfer or be seconded to any other Public Service of the Federation and such right of transfer or secondment shall not operate to the disadvantage of the officer concerned.

(8) In exercising its powers to make appointments or exercise disciplinary control over persons, the Commission shall not be subject to the direction or control of any authority or person.

(9) The Commission shall have power to pay its staff such remunerations as are approved by the National Assembly (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 13: Power of delegation and certain restriction thereon.

(1) The Commission may, subject to such conditions as it may think fit, delegate any of its powers under section 11 of this Bill to —

(*a*) any of its members; and

(*b*) a committee consisting of such persons (one of whom shall be named as Chairman) as may be prescribed by the Commission; or

(*c*) the Clerk to the National Assembly or to any other officer in the service of the National Assembly; but no such delegation shall prevent the exercise by the Commission of any power vested in it by this Bill.

(2) Notwithstanding subsection (1) of this section, or any other provision of this Bill, the Commission shall not delegate any of its powers in respect of offices of the Clerk to the National Assembly, Deputy Clerk to the National Assembly, the Clerk of the Senate, the Clerk of the House of Representatives, Deputy Clerk Senate, Deputy Clerk House of Representatives, Secretaries to the Directorates and such other staff not below Grade Level 07 (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 14: Directorates in the National Assembly Service. Second Schedule.

(1) The Directorates of the National Assembly are as set out in the Second Schedule to this Bill.

(2) The Secretaries to the Directorates shall be appointed by the Commission, on the recommendation of the Clerk to the National Assembly.

(3) The Secretaries to the Directorates shall exercise general superintendence over the affairs of their respective Directorates.

(4) Notwithstanding the provision of subsection (1) of this section, the Commission, on the recommendation of the Clerk to the National Assembly shall establish such Directorates, Departments and Divisions as exigencies may demand for effective and efficient administration of the Service.

(5) In exercising the power to make appointments pursuant to the provisions of sections 4 and 13, consideration shall be given to seniority, cognate experience, competence or Federal character (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Amendment Proposed:
In subclause (4), *leave out* the word "Clerk" and *insert* the word "Management" instead thereof (*Hon. Olamilekan Adeola — Alimosho Federal Constituency*).

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

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

Clause 15: **Fund of the Commission.**

(1) There is established a fund for the Commission and the provision for the Fund shall be made in the annual budget of the National Assembly.

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

(*a*) such monies as may from time to time, be granted or deposited with the Commission by the National Assembly, anybody or institution within the country;

(*b*) all monies raised for the purposes of the Commission by way of gifts, loans, grants in aid, testamentary dispositions or otherwise; and

(*c*) proceeds from all other assets that may from time to time accrue to it.

(3) The Commission shall defray from the Fund all expenditures incurred by it and shall include —

(*a*) the cost of administration;

(*b*) the payment of salaries, fees or other remunerations or allowances and pensions and gratuities payable to members and employees of the Commission; and

(*c*) anything done in connection with any of its functions under this Bill (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 16: **Annual estimates and expenditure.**

(1) The Commission shall, not later than 30th September in each year, submit to the National Assembly an estimate of the income and expenditure of the Commission during the succeeding year.

(2) The Commission shall cause to be kept proper accounts of the Commission in respect of each year and proper records of such accounts which shall be audited not later than 6 months after the end of each year by Auditors appointed by the Commission from the list and in accordance with the guideline supplied by the Auditor-General of the Federation (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 17: **Borrowing.**

The Commission may, subject to the approval of each House of the National Assembly, borrow by way of loan or overdraft from any source within the country, any sum required by the Commission for meeting its obligations and discharging its functions under this Bill (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 18: **Offices and premises of the Commission. Cap. L5 LFN, 2004.**
For the purpose of providing offices and premises necessary for the performance of its functions under this Bill, the Commission may, subject to the Land Use Act —

(*a*) purchase or take on lease any interest in land, or other property; and

(*b*) equip and maintain same subject to the approval of the National Assembly (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 19: **Staff Regulations.**
(1) Subject to the provisions of this Bill, the Commission may make staff regulations relating generally to the conditions of service, including the power to fix salaries and allowances, of the staff of the National Assembly and, without prejudice to the generality of the foregoing, such regulations may provide for —

(*a*) the composition of membership of the committee referred to in section 12 (*b*) of this Bill;

(*b*) the appointment, promotion, and disciplinary control (including dismissal) of staff of the National Assembly; and

(*c*) appeals by such staff against dismissal or other disciplinary measures and until such regulations are made, any instrument relating to the conditions of service of persons in the public service of the Federation shall, with such modification as may be necessary, be applicable to the staff of the National Assembly.

(2) Any regulation made under subsection (1) of this section, need not be published in the Federal Gazette but the Commission shall cause them to be laid before each House of the National Assembly and to be brought to the notice of all affected persons through the publication in the House Journal of either the Senate or the House of Representatives or in such manner as it may from time to time determine (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 20: **Savings.**
Anything done or purported to have been done under the National Assembly Service Commission Act, Cap. N7, Laws of the Federation of Nigeria, 2004 remains valid subject to the provisions of this Bill (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Clause 21: **Interpretation.**
In this Bill —

"the Chairman" means the Chairman of the Commission or of a Committee set out by the Commission (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

"the Commission" means the National Assembly Service Commission established by section 6 of this Bill (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

"member" means any member of the Commission appointed under section 7 of this Bill, including the Chairman; and (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

"the Secretary" means the Secretary to a Directorate or the Commission (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

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

Clause 22: **Citation.**
This Bill may be cited as the National Assembly Service Bill, 2013 (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

SCHEDULES

Section 7 (7)

FIRST SCHEDULE

PROCEEDINGS OF THE COMMISSION

1. At any meeting of the Commission, the Chairman shall preside and in his absence such member of the Commission as the other members may elect from among themselves for that purpose, shall preside.

2. The quorum for meetings of the Commission shall be 7 members.

3. The Commission shall have power to regulate its own proceedings and may make standing orders for that purpose and subject to such standing orders and paragraph (2) of this Schedule, may function despite any vacancy in its membership or the absence of any member.

4. The Commission may appoint one or more committees to carry out on its behalf such functions as the Commission may determine but no decision of any such Committee shall have effect unless ratified by the Commission.

5. The Commission may co opt persons who are not members of the Commission to any meeting of the Commission or any Committee and such persons may take part in the deliberations of the Commission or any committee but shall not be entitled to vote (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

SECOND SCHEDULE

Section 13 (1)

DIRECTORATES

(*a*) Corporate Affairs

(*b*) Legal Services

(*c*) Finance and Accounts

(*d*) Procurement, Estate and Works (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

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

Long Title:
A Bill for an Act to Repeal the National Assembly Service Commission Act, Cap. N7, Laws of the Federation of Nigeria, 2004 and Re-Enact a National Assembly Service Administrative Structure Bill for Improved Service Delivery; and for Other Related Matters (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum 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 considered the Report on a Bill for an Act to Repeal the National Assembly Service Commission Act, Cap. N7, Laws of the Federation of Nigeria, 2004 and Re-Enact a National Assembly Service Administrative Structure of the National Assembly for Improved Service delivery; and for Other Related Matters (HB. 425) and approved Clauses 1 and 2, approved Clause 3 as amended, approved Clauses 4 - 8, approved Clauses 9 - 11 as amended, approved Clauses 12 and 13, approved Clause 14 as amended, approved Clauses 15 - 22, approved the Schedules 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.

(*iii*) ***Committees on Justice, Police Affairs and Human Rights:***
Motion made and Question proposed, "That this House do consider the Report of the Committees on Justice, Police Affairs and Human Rights on a Bill for an Act to Prohibit Kidnapping and Hostage taking; Prescribe Punishment for its contravention and to Provide for Other Matters Relating Thereto (HB. 76) and approve the Recommendation therein" (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO PROHIBIT KIDNAPPING, HOSTAGE TAKING, AND UNLAWFUL CONFINEMENT OR DETENTION OF A PERSON IN FCT, ABUJA AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO

Committee Recommendation:
Clause 1: **Application of Act.**
This Bill shall apply to the Federal Capital Territory, Abuja (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

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

Committee Recommendation:
Clause 2: **Kidnapping.**
(1) A person commits an offence under this section, if he carries or takes away another person or deprives another person of his or her right to move to a place of his choice, either by force or deceit, and without the consent of the person or in the case of a minor or a mentally impaired person, without the consent of his or her guardian or without legal authority, with the intention of detaining or concealing such a person from having access to the public

(2) A person that contravenes subsection (1) of this section is guilty of kidnapping and shall on conviction be sentenced to life imprisonment or in case where the victim dies, sentenced to death (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

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

***Committee Recommendation*:**

Clause 3: Hostage Taking.

(1) A person commits an offence under this section, if he detains andthreatens to kill or injure or continue to detain another person, in order to compel a third person or a government organization to do or abstain from doing any act as a condition for the release of the person detained.

(2) A person that contravenes this section is guilty of Hostage Taking and if convicted shall be sentence to life imprisonment or in case where the victim dies, sentenced to death (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

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

Old Clause 3: Ransom money.

Any person who receives, possesses, or disposes of any money or other property, or any portion thereof, which has at any time been delivered as ransom or reward in connection with an offence under this act, knowing the same to be money or property which has been at any time delivered as such ransom or reward commits an offence and is liable on conviction to imprisonment for a term of not more than Five years or a fine not exceeding Five Hundred Thousand Naira (₦500,000) or to both.

***Committee Recommendation*:**

Leave out the provision of Old Clause 3 (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

Amendment Proposed:

Retain the provision of Clause 3 and renumber it as Clause 4 (*Hon. Christopher S. Eta — Boki/Ikom Federal Constituency*).

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

Old Clause 4: Application.

This Acts does not apply to any person who steals, takes, entices away, detains, conceals, or harbors any child, if that act is taken to protect the child from danger of imminent harm.

***Committee Recommendation*:**

Leave out the provision of Old Clause 4 (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

Amendment Proposed:

Retain the provision of Old Clause 4 as Clause 5 (*Hon. Evelyn Omarowan Oboro — Okpe/Sapele Federal Constituency*).

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

Old Clause 5: Jurisdiction.

The Federal High Court shall have jurisdiction for trying offences under this Bill.

***Committee Recommendation*:**

Leave out the provision of Old Clause 5 and *insert* the following instead thereof and retain it as Clause 6:
"Any person who puts forward himself overtly or covertly to another to be kidnapped for the purpose of exacting money, ransom or for any other reason shall on conviction, be liable to a term of imprisonment of not more than ten years" (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

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

Question that Old Clause 5 as amended, stand part of the Bill, put and agreed to.

Old Clause 6: **Repeal.**

6. Repeal.

Section 364 and 365 of the Criminal Code, Cap C38 of the Laws of the Federation 2004 are hereby repealed and the act accordingly renumbered.

***Committee Recommendation*:**

Leave out the provision of Old Clause 4 (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*) — *Agreed to.*

***Committee Recommendation*:**

Clause 7: **Citation.**

This Bill may be cited as the Federal Capital Territory, Abuja, Kidnapping and Hostage Taking (Prohibition) Bill, 2013 (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

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

Long Title:

A Bill for an Act to Prohibit Kidnapping, Hostage Taking, and Unlawful Confinement or Detention of a Person in FCT, Abuja and to Provide for Other Matters Relating Thereto (*Hon. Ali Ahmad — Ilorin East/Ilorin South 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 considered the Report of the Committees on Justice, Police Affairs and Human Rights on a Bill for an Act to Prohibit Kidnapping and Hostage taking; Prescribe Punishment for its contravention and to Provide for Other Matters Relating Thereto (HB.76) and approved Clause 1, amended Clause 2, retained Old Clauses 3 and 4 of the Bill, rejected Clause 5, approved a new Clause 5, rejected Old Clause 6, approved Clause 7 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.

(iv) ***Committee on Justice*:**

Motion made and Question proposed, "That this House do consider Report of the Committee on Justice on a Bill for an Act to Repeal the National Economics Intelligence Committee (Establishment, etc.) Act, Cap. N31 LFN, 2004 and for Other Related Matters (HB. 386) and approve the Recommendations therein" (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO REPEAL THE NATIONAL ECONOMIC INTELLIGENCE COMMITTEE (ESTABLISHMENT, ETC.) ACT, CAP. N31 LFN, 2004 AND FOR OTHER RELATED MATTERS

***Committee Recommendation*:**

Clause 1: (1) The National Economic Intelligence Committee (Establishment, etc) Act (Cap. N31 LFN, 2004) is repealed and the National Economic Intelligence Committee established under the repealed Act is consequentially dissolved.

(2) The repeal of the enactment specified in subsection (1) of this section does not affect anything done or purported to have been done under the enactment (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

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

***Committee Recommendation*:**

Clause 2: **Citation.**

This Bill May be cited as the National Economic Intelligence Committee (Establishment, etc.) (Repeal) Bill, 2013 (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

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

Long Title:

A Bill for an Act to Repeal the National Economic Intelligence Committee (Establishment, etc.) Act, Cap. N31 LFN, 2004 and for Other Related Matters (*Hon. Ali Ahmad — Ilorin East/Ilorin South 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 considered the Report of the Committee on Justice on a Bill for an Act to Repeal the National Economics Intelligence Committee (Establishment, etc.) Act, Cap. N31 LFN, 2004 and for Other Related Matters (HB. 386) and approved Clauses 1 and 2 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.

(iv) ***Committees on Power and Water Resources*:**

Motion made and Question proposed, "That this House do consider the Report of the Committees on Power and Water Resources on a Bill for an Act to Amend the Hydro-Electric Power Producing Areas Development Commission (Establishment, etc.) Act, 2010 and for Other Matters Connected Therein (HB. 284) and approve the Recommendations therein" (*Hon. Patrick A. Ikhariale — Esan Central/Esan West/Igueben Federal Constituency*).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE HYDRO-ELECTRIC POWER PRODUCING AREAS DEVELOPMENT COMMISSION (ESTABLISHMENT, ETC.) ACT, 2010

***Committee Recommendation*:**

Clause 1: **Amendment of the Hydro-Electric Power Producing Areas Development Commission (Establishment, etc) Act 2010.**

The provision of the Hydro-Electric Power Producing Areas Development Commission (Establishment, etc.) Act 2010 (hereinafter referred to as the "Principal Act") is amended as set out in this Bill (*Hon. Patrick A. Ikhariale — Esan Central/Esan West/Igueben Federal Constituency*).

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

Committee Recommendation:

Clause 2: **Amendment of section 3.**

Section 3 of the Principal Act is amended in:

(*a*) subsection (1) paragraph (*b*) by inserting a new "(*i*) Benue" and re-numbering sequentially as follows —

(*i*) Benue;

(*ii*) Kebbi;

(*iii*) Kogi;

(*iv*) Kwara;

(*v*) Niger;

(*vi*) Plateau; and

(*vii*) any other State where hydroelectric power is generated;

(*b*) subsection (3) by substituting the existing subsection with the following:

"(3) The office of the Chairman shall rotate among the member States of the Commission in the following alphabetical order —

(*i*) Benue;

(*ii*) Kebbi;

(*iii*) Kogi;

(*iv*) Kwara;

(*v*) Niger;

(*vi*) Plateau; and

(*vii*) any other State where hydroelectric power is generated" (*Hon. Patrick A. Ikhariale — Esan Central/Esan West/Igueben Federal Constituency*).

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

Committee Recommendation:

Clause 3: **Amendment of section 14.**

Section 14 (2) (*a*) of the Principal Act is amended thus by deleting the words "30% of the total revenue generated by any company or authority from the operation of any hydroelectric dams in any member State of the Commission" and inserting the words "10% of the total Federal Government's revenue derived from concessioning of the hydro plants and royalties paid to the Federal Government" (*Hon. Patrick A. Ikhariale — Esan Central/Esan West/Igueben Federal Constituency*).

Amendment Proposed:

In line 3, *leave out* the figure "10%" and *insert* the figure "30%" (*Hon. Mohammed Sani U. Kalgo — B Kebbi/Kalgo/Bunza Federal Constituency*).

Question that the amendment be made, put and negatived.

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

***Committee Recommendation*:**

Clause 4: **Citation.**

This Bill may be cited as Hydroelectric Power Producing Areas Development Commission Act (Amendment) Bill, 2013 (*Hon. Patrick A. Ikhariale — Esan Central/Esan West/Igueben Federal Constituency*).

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

Long Title:

A Bill for an Act to Amend the Hydro-Electric Power Producing Areas Development Commission (Establishment, etc.) Act, 2010 (*Hon. Patrick A. Ikhariale — Esan Central/Esan West/Igueben 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 considered the Report of the Committees on Power and Water Resources on a Bill for an Act to Amend the Hydro-Electric Power Producing Areas Development Commission (Establishment, etc.) Act, 2010 and for Other Matters Connected Therein (HB. 284) and approved Clauses 1 - 4 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.

(*iv*) ***Committees on Interior, Police Affairs and Justice*:**

Motion made and Question proposed, "That this House do consider the Report of the Committees on Interior, Police Affairs and Justice on a Bill for an Act to Provide for the Establishment of a National Convict and Criminal Records Registry and for Other Matters Connected Therewith (HB. 57) and approve the Recommendations therein" (*Hon Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NATIONAL CONVICT AND CRIMINAL RECORDS REGISTRY AND FOR OTHER MATTERS CONNECTED

PART I — ESTABLISHMENT, ETC. OF THE NATIONAL CONVICT AND CRIMINAL RECORDS REGISTRY, ETC.

***Committee Recommendation*:**

Clause 1: **Establishment of the Registry.**

(1) There is hereby established body to be known as the National Convict and Criminal Records Registry (in this Bill referred to as "the Registry").

(2) The Registry shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

Committee Recommendation:

Clause 2: **Objectives of the Registry.**

The objectives of the Registry shall be to —

(*a*) provide a central record of information of persons convicted of criminal offences whether in Nigeria or in other countries;

(*b*) liaise with and demand from the various courts in Nigeria vested with criminal jurisdiction, information and records of persons convicted of criminal offences.

(*c*) liaise with and demand from the Prison Authorities and other remand homes and centres, information and records of persons serving or have served any term of imprisonment as convicts

(*d*) liaise with and demand from Nigerian missions abroad, police authorities and such other relevant institutions, information and records relating to Nigerians that have been convicted of criminal offences in other countries or are serving or have served any term imprisonment in such countries.

(*e*) formulate, initiate and implement such policies, programmes and measures that will enhance information and record-keeping or persons convicted of criminal offences with a view to having and maintaining an efficient and reliable data-base system of criminal records in Nigeria;

(*f*) do anything which in its opinion may advance the objects for which the registry is set up (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

Committee Recommendation:

Clause 3: **Establishment of the Management Board.**

(1) There is hereby established a board to be known as the management Board for the Registry which shall, subject to this Bill, have general control of the Registry.

(2) The Management Board shall consist of —

(*a*) Chairman, who shall be retired judicial officer;

(*b*) one representative each of the following:

(*i*) the Federal Ministry of Justice,

(*ii*) the Federal Ministry of Interior,

(*iii*) Inspector-General of Police or his nominee not below the rank of a Commissioner of Police,

(*iv*) Comptroller-General of Prisons or his nominee not below the rank of an Assistant Comptroller of Prison,

(*v*) Nigerian Bar Association,

(*vi*) six other members appointed from each of the six geopolitical zone in the country with relevant public service or professional experience, and

(*vii*) the representative of the State Security Service.

(3) The Chairman and other members shall be appointed by the President subject to the confirmation of the National Assembly (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

Amendment Proposed:
In subclause (2) (*a*), *leave out* the words "judicial officer" and *insert* the words "High Court Judge" (*Hon. Eddie Mbadiwe — Ideato North/Ideato South Federal Constituency*).

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

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

***Committee Recommendation*:**
Clause 4: **Tenure of Office of Members.**

(1) Subject to the provisions of this section, a member of the Board 26 shall hold office for four years and shall be eligible for re-appointment for another four years except if appointed on zonal basis under section 3 (2) (*vi*) of this Bill in which case the appointment shall terminate at the end of the first four years.

(2) Notwithstanding the provisions of subsection (1) of this section, the President may at any time remove a member of the Board, if the President is of the opinion that it is not in the national interest or the interest of the Board for member to continue in office, and shall notify the member in writing to that effect.

(3) Any member may, in writing under his hand addressed to the President at any time, resign his appointments.

(4) The office of a member of the Board shall become vacant if —

(*a*) the period of his appointment has expired;

(*b*) he is guilty of misconduct in his office as a member and a resolution of the Board approves the termination of his membership; and

(*c*) he dies, resigns or he is removed from office (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

***Committee Recommendation*:**
Clause 5: Soon after the office of a member becomes vacant, the authority by whom he was appointed shall appoint another person in his place in accordance with the provisions of this Bill (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

***Committee Recommendation*:**
Clause 6: Members of the Board shall be paid out of the moneys at the disposal of the Board such remunerations and allowances the Board shall fix subject to the approval of the Revenue Mobilization and Allocation Commission (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

***Committee Recommendation*:**
Clause 7: **Procedure of the Board.**
The provisions contained in the schedule to this Bill shall have effect with respect to the proceedings of the Board and other matters contained therein (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

PART II — FUNCTIONS AND POWERS OF THE REGISTRY

Committee Recommendation:

Clause 8: The Registry shall —

(*a*) develop and evolve an efficient and reliable database of criminal records and information of persons convicted of criminal offences in and outside Nigeria;

(*b*) create a central National register and documentation system capable of receiving and storing information and records relating to all persons convicted in Nigeria or anywhere in the world of criminal offences and/or have served or are serving any term of imprisonment whether in or outside Nigeria;

(*c*) promote and undert ake research programmes that will enhance its functions generally;

(*d*) create and maintain offices in each State of the federation and the Federal Capital Territory of Abuja and in such other places to assist facilitate or enhance its performance of the task of ensuring that there exists an efficient, functional and reliable documentation and record keeping procedures of criminal records and information in the country;

(*e*) liaise and collaborate with all relevant institutions;

(*f*) acquire and hold movable and immovable properties;

(*g*) charge and receive fees and other payments for services rendered to the public;

(*h*) receive or accept gifts from governments and other bodies whether in cash or kind that may enable it to efficiently and effectively discharge its functions in the National interest; and

(*i*) do or cause to be done anything which in its opinion may advance the objects for which the Registry was set up (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

Committee Recommendation:

Clause 9: **Powers to co-opt members.**

(1) The Board may, from time to time, co-opt any person or persons not exceeding two in number, to assist the Registry to carry out the objects for which it was set up under this Bill.

(2) Any person co-opted under subsection (1) of this section, may take part in the deliberation of the Board but shall not be deemed a member for this purpose of voting at a meeting or forming a quorum (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

Committee Recommendation:

Clause 10: **Appointment, etc. of the Registrar.**

(1) There shall be a Registrar who shall be appointed by the President on the recommendation of the Minister.

(2) The Registrar shall be a retired Police/Military Office and not below the rank of Commissioner/Colonel as the case may be.

(3) The Board shall not exercise any disciplinary control over the Registrar without the approval of the Minister.

(4) Subject to the provisions of this Bill and the control of the Board over matters affecting the finance of the Registry, the Registrar shall be the Chief Executive of the Registry and shall be charged with the general responsibility for the day to day running and the management of the affairs of the Registry and in particular shall —

(*a*) be charged with the execution of the policies and decisions of the Board;

(*b*) keeping proper records of proceedings of the Board; and

(*c*) the direction and control of all other employees.

(5) The Registrar shall hold office —

(*a*) for a term of 5 years and no more; and

(*b*) on such terms and conditions as to emoluments and otherwise as may be specified in his letter of appointment.

(6) Without prejudice to the provisions of subsection (1) of this section, the Board may appoint persons as employees of the Registry either by way of transfer or secondment from any of the public service of the States or of the public service of the Federation, may also appoint qualified persons as employees of the Registry from the public.

(7) Service in the Registry shall be approved service for the purposes of the Pensions Reform Act and the employees of the Registry shall be entitled to pensions, gratuities and other retirement benefit as prescribed in the Act (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

Amendment Proposed:
Leave out all the words in subclause (2) and *insert* the following words instead thereof:
"The Registrar shall be a retired Police/Military Officer and not below the rank of Commissioner/Colonel and judicial officer of the rank of High Court Judge" (*Hon Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

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

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

***Committee Recommendation*:**
Clause 11: Fund of the Registry.

(1) The Registry shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Registry.

(2) There shall be paid and credited to the fund in pursuance section (1) of this section —

(*a*) all moneys as my be granted to the Registry by the Federal Government;

(*b*) all monies accruing to the Registry by any means including grants-in-aid, endowments and donations; and

(*c*) all charges, clues, fees or amounts collected and received by the Registry.

(3) All sums of money received by the Registry as accruing to it, shall be paid into the Central Bank of Nigeria for the credit of the Registry (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

***Committee Recommendation*:**

Clause 12: Accounts and audit.

(1) The Registry shall keep proper accounts and shall cause to be prepared in each year —

(*a*) a statement showing the income and expenditure of the Registry for the immediately preceding year, and

(*b*) a statement of the assets and liabilities of the Registry as at the last day of the immediately preceding year.

(2) The Registry shall cause every statement prepared under this section to be audited within six months after the end of the year to which statement relates by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

***Committee Recommendation*:**

Clause 13: **Annual estimates.**

The Board shall cause to be prepared not later than 1st September in each year, an estimate of the expenditure necessary to carry out the programme approved by the Board for the next succeeding year and shall not later than 31st October in each year submit to the President an estimate of expenditure and that of its income during the next succeeding year (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

***Committee Recommendation*:**

Clause 14: **Annual Report.**

The Registry shall prepare and submit to the President once every year a report on the activities of the Registry during the immediately preceding year and shall include in the report a copy of the audited accounts of the Registry for that year and of the auditor's report thereon (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

***Committee Recommendation*:**

Clause 15: **Power of the Registry to issue Clearances Certificates, etc.**

(1) The Registry shall upon an application made to it by any person, issue or cause to be issued a clearance certificate stating among other things, that the applicant is not a convict and is not serving nor has served any term of imprisonment nor been indicted for a criminal offence for which he was found guilty and convicted either in Nigeria or in any other country.

(2) Any application made pursuant to the provision of subsection (l) of this section, shall as far as practicable, be accorded expeditious consideration and shall be within a period not exceeding fourteen working days

(3) Notwithstanding anything to the contrary in any other Law and subject to the provisions of this Bill, every person seeking election into any public office in Nigeria or seeking employment in the public service of the Federation or of any State, shall apply for a clearance certificate pursuant to the provisions of subsection (1) of this section.

(4) Non-compliance with the provisions of subsection (3) of this Section shall invalidate the election or employment of any person affected by the provisions of this Bill.

(5) It shall be lawful for the Registry to impose and collect fees and other charges for services rendered in accordance with the provisions of this Bill and in accordance with the regulations made by the Board prescribing such fees and charges.

(6) Any regulations made under subsection (5) of this section shall be published in the Federal Gazette (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

Committee Recommendation:

Clause 16: **Interpretation.**

In this Bill, unless the context otherwise requires —

"Board" means the management Board of the National Convict and Criminal Records Registry established under Section 3 (1) of this Bill (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

"Registry" means the National Convict and Criminal Records Registry established under section 1 (1) of this Bill (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

"Chairman" means the chairman of the Management Board (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

"Member" means a member of the Management Board and includes the chairman (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

"Registrar" means the Registrar of the Registry appointed under Section 9 (1) of this Bill (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

"President" means the President of the Federal Republic of Nigeria (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

"Minister" means the Minister charged with the responsibility for matters relating to the Federal Ministry of Interior (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

"Power" includes duties and functions (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

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

Committee Recommendation:

Clause 17: **Short Title.**

This Bill may be cited as the National Convict and Criminal Records (Registry) Bill, 2013 (*Hon. Umar Mohammed Bature — Sokoto North/South Federal Constituency*).

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

SCHEDULE

Section 3 (3)

1. Subject to this Bill and section 27 of the interpretation Act, the Board may make standing orders regulating the proceedings of the Board and any committee thereof (Cap. 123).

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

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

4. The Board may, on any special occasion, co-opt any person to be a member for as many meetings as may be necessary, and that person while so co-opted shall have all the rights and privileges of a member, except that he shall not be entitled to vote or count towards a quorum.

Committees

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

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

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

7. The fixing of the seal of the Registry shall be authenticated by the signature of the Chairman and of the Registrar of the Registry or such other member authorized generally or specially by the Board to act for that purpose.

8. A contract or an instrument which, if made by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Registry by the Registrar or by any other person authorized generally or specifically by the Board to act for that purpose.

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

10. The validity of a proceeding of the Board or of a committee thereof shall not be adversely affected —

(*a*) by a vacancy in the membership of the Board; or

(*b*) by a defect in the appointment of a member of the Board or committee; or

(*c*) by reason that a person not entitled to do so took part in the proceeding.

11. A member of the Board or committee who has a personal interest in a contract or an arrangement entered into or proposed to be considered by the Board or committee shall forthwith disclose his interest to the Board or committee and shall not vote on any question relating to the contract or arrangement (*Hon. Umar Mohammed Bature — Sokoto North/South 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 Provide for the Establishment of a National Convict and Criminal Records Registry and for Other Matters Connected (*Hon. Umar Mohammed Bature — Sokoto North/South 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 consider the Report of the Committees on Interior, Police Affairs and Justice on a Bill for an Act to Provide for the Establishment of a National Convict and Criminal Records Registry and for Other Matters Connected Therewith (HB. 57) and approved Clauses 1 and 2, approved Clause 3 as amended, approved Clauses 4 - 9, approved Clause 10 as amended, approved Clauses 11 - 17, 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.

6. **Adjournment:**
That the House do now adjourn till Thursday, 16 May, 2013 at 11.00 a.m. (*Hon. Leo Ogor — Deputy House Leader*).

The House adjourned accordingly at 2.22 p.m.

Chukwuemeka Nkem Ihedioha
Deputy Speaker