7TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 70

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 27th March, 2014

1. The Senate met at 10:40 a.m. The Deputy Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 26th March, 2014.

Question was put and the Votes and Proceedings were approved.

3. **Announcement:**
Acknowledgment:
The Deputy Senate President acknowledged the presence of the following who were in the gallery to observe Senate Proceedings:

(*a*) Staff and Students of Treasure Field Academy, Karu, Nasarawa State; and

(*b*) Members of the National Association of Northern Nigerian Universities Students, Abuja.

4. **Presentation of Bills:**
(*i*) 2014 Federal Capital Territory (FCT) Appropriation Bill 2014 (SB 465) — *Read the First Time.*

(*ii*) Public Procurement Act No. 14 2007 (Amendment) Bill 2014 (SB. 466) — *Read the First Time.*

(*iii*) Tobacco Smoking (Control) Act Cap T6 LFN 2011 (Amendment) Bill 2014 (SB. 267) — *Read the First Time.*

5. **Committee on Banking, Insurance and Other Financial Institutions:**
Report on the screening of nominee:
Motion made: That the Senate do receive and consider the Report of the Committee on Banking, Insurance and Other Financial Institutions on the screening of Mr. Adelabu Adebayo Adekola for appointment as Deputy Governor of the Central Bank of Nigeria (*Senator Bassey E. Otu — Cross River South*).

Question put and agreed to.

Report presented and Laid.

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Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report *(Senate Leader)*.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Banking, Insurance and Other Financial Institutions on the screening of Mr. Adelabu Adebayo Adekola for appointment as Deputy Governor of the Central Bank of Nigeria.

Nominee recommended for confirmation:
Mr. Adelabu Adebayo Adekola — *Agreed to.*

Chairman to report progress.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Banking, Insurance and Other Financial Institutions on the screening of Mr. Adelabu Adebayo Adekola as Deputy Governor of the Central Bank of Nigeria and approved the nomination.

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

Confirmation of nomination:

Question:
"Will the Senate confirm the nomination of Mr. Adelabu Adebayo Adekola as Deputy Governor of the Central Bank of Nigeria?" — *Resolved in the Affirmative.*

Nomination of Mr. Adelabu Adebayo Adekola as Deputy Governor of the Central Bank of Nigeria accordingly confirmed.

6. **Committee on Ethics, Privileges and Public Petitions:**
Report on the intimidation coupled with threat of removal of seventeen employees of the National Security and Civil Defence Corps (NSCDC):
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a petition from Mr. S. A. Adeyanju, on his intimidation coupled with threat of removal of seventeen employees of the National Security and Civil Defence Corps (NSCDC) (*Senator Ayo P. Akinyelure — Ondo Central*).

Question put and agreed to.

Report Laid.

7. **Committee on Ethics, Privileges and Public Petitions:**
Report on the unlawful dismissal of Inspector Nathaniel Itelimo from the Nigeria Police Force:
Motion made: That the Senate do receive the Report of the Committee on Ethics, Privileges and Public Petitions in respect of a petition from Inspector Nathaniel Itelimo, on his unlawful dismissal from the Nigeria Police Force (*Senator Ayo P. Akinyelure — Ondo Central*).

Question put and agreed to.

Report Laid.

8. Joint Committee on Petroleum Resources; Downstream Petroleum Sector; Gas and Judiciary Human Rights and Legal matters:
Report on the Petroleum Industry Bill 2014 (SB. 205):

Presentation of Report deferred to another Legislative Day.

9. Confirmation of Nominations:
Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation, for the confirmation of the following nominees for appointment as Members of the National Population Commission:

S/No.	*Name*	*Position*	*State*
1.	*Hon. Lanre Fayemi*	*Member*	*Ekiti*
2.	*Alhaji Baba Makau*	*Member*	*Yobe*
3.	*Alhaji Hassan Bashir*	*Member*	*Bauchi*
4.	*Alhaji Yusuf Mohammed Anka*	*Member*	*Zamfara*
5.	*Alhaji Abdullahi Abarshi*	*Member*	*Kebbi*

(Senate Leader)

Question put and agreed to.

Request accordingly referred to the Committee on National Identity and National Population to report within two(2) weeks.

10. Joint Committee on Sports and Social Development; and Women Affairs and Youth Development:
Report on the Discrimination against Persons with Disabilities (Prohibition) Bill 2014 (SB.102):
Motion made: That the Senate do consider the Report of the Joint Committee on Sports and Social Development; and Women Affairs and Youth Development on the Discrimination against Persons with Disabilities (Prohibition) Bill 2014 (*Senator Adamu I. Gumba — Bauchi South*).

Question put and agreed to.

Report presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report *(Senate Leader)*.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ENSURE FULL INTEGRATION OF PERSONS WITH DISABILITIES INTO THE SOCIETY AND TO ESTABLISH A NATIONAL COMMISSION FOR PERSONS WITH DISABILITIES AND VEST IT WITH THE RESPONSIBILITIES FOR THEIR EDUCATION, HEALTH CARE AND THE PROTECTION OF THEIR SOCIAL, ECONOMIC, CIVIL RIGHTS, (ESTABLISHMENT, ETC.) BILL 2014.

Clause 1: Prohibition of Discrimination and Penalty.

(1) A person with disability shall not be discriminated against on the ground of his disability by any person or institution in any manner or circumstance whatsoever.

(2) A person who contravenes subsection (1) of this section commits an offence and is liable on conviction to, if the person is
(a) a body corporate, a fine of ₦1,000,000.00; and

(b) an individual, a fine of ₦100,000 or 6 months imprisonment or both.

(3) Notwithstanding the prosecution, convictions or otherwise of any person for any offence under this Bill the person against whom any such crime or wrong is committed may maintain a civil action against any such person committing the offence or causing the injury without prejudice to any conviction or acquittal.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

PART II — AWARENESS

Clause 2: **Awareness Programmes.**
The Federal Ministry of Information shall make provisions for promotion of awareness regarding—

Amendment Proposed:
Immediately after the word "Information" *insert* the words "and National Orientation Agency(NOA)" (*Senator Ayogu Eze — Enugu North*).

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

(a) the rights, respect and dignity of persons with disabilities;

(b) the capabilities, achievements and contributions of persons with disabilities to the society (*Senator Adamu I. Gumba — Bauchi South*).

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

PART III — ACCESSIBILITY OF PHYSICAL STRUCTURES

Clause 3: **Right of access to public premises, etc.**
A person with disabilities shall have the right to access the physical environment and buildings on an equal basis with others.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 4: **Accessibility aids in public building.**
A public building shall be constructed with the necessary accessibility aids such as lifts (where necessary), ramps and any other facility that shall make them accessible and usable to persons with disability.

Committee's Recommendation:
That the provision in Clause 4 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 5: **Accessibility to roads and sidewalk.**
Road side-walk, pedestrian crossing and all other facilities made for public use shall be made accessible to and useable by persons with disabilities including those on wheelchairs and the visually impaired.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 6: **Transitory period.**
From the commencement of this bill all future public buildings and structures either moveable or immovable should be made accessible to persons with disability (*Senator Adamu I. Gumba — Bauchi South*).

Amendment Proposed:
Leave out the provision in Clause 6 and *insert* the following instead thereof:
"From the date of the commencement of this Bill, there shall be a transitory period of 5 years within which all public buildings and structures, whether immovable, movable or automobile, which were inaccessible to persons with disability shall be modified to be accessible to and usable by persons with disability including those on wheelchairs" (*Senator Bello H. Gwarzo — Kano North*).

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

Question that Clause 6 as amended do stand part of the Bill, put and agreed to.

Clause 7: **Building plan.**
(1) Before erecting any public structure, its plan shall be scrutinised by the relevant authority to ensure that the plan conforms with the provisions of clause 6.

(2) No government or government agency, or body or individual responsible for the approval of building plans shall approve the plan of a public building if the plan does not make provision for accessibility facilities for disable persons.

(3) Any officer or officers who approve(s) or direct(s) the approval of a building plan that does not make provision for accessibility facilities for disable persons shall be liable to a fine of a minimum of ₦1,000,000 or two years imprisonment or to both such fine and imprisonment.

Committee's Recommendation:
That the provision in Clause 7 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 8: **Complaint of inaccessibility.**

(1) Subject to section 7, in the event of existence of a state of inaccessibility or barrier to access of a person with disability to the environment that he or she has a right or duty to access, he may, without prejudice to his or her right to seek redress in court, notify the relevant authority in charge of the environment of the existence of the state of inaccessibility or barrier to accessibility of the environment, and it shall be the duty of the relevant authority in charge to take immediate and necessary steps to remove the barrier and make the environment accessible to the person with disability, if the building was constructed after the coming into force of this act.

(2) If the relevant authority in charge receives the notice in subsection (1) of this section but fails to comply, shall be liable to, if a corporate body, ₦100,0000 damages payable to the affected person for each day of default; or

Committee's Recommendation:
That the provision in Clause 8 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

PART IV — ROAD TRANSPORTATION

Clause 9: **Goods, services and facilities.**

It is unlawful for a person (the provider) who (whether for payment or not) provides goods or services, or makes facilities available, to discriminate against another person with disability—

(a) by refusing to provide those goods or services or make those facilities available to him; or

(b) on such terms or conditions on which the provider provides those goods or services or makes those facilities available to him; or

(c) in a manner in which the provider provides those goods or services or makes those facilities available to him.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 10: **Accessibility of vehicles.**

(1) Government Transport services providers shall make provisions for lifts, ramps and other accessibility aids to enhance the accessibility of their vehicles, parks and bus-stop to persons with disabilities including those on wheel chairs.

(2) Every public vehicle should have functional audible and visual display of their destination within 5 years from the commencement of this Bill.

Committee's Recommendation:
That the provision in Clause 10 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 11: **Waiver of charges on assistive.**
Wheelchairs, crutches, guide canes (for blind), braces and any other mobility aid and appliance or assistive devices used by a person with disability shall not be subject to charges, provided they are not carried in commercial quantities and for commercial purposes.

Committee's Recommendation:
That the provision in Clause 11 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 12: **Reserved spaces.**

(1) At public parking lots, suitable spaces shall be properly marked and reserved for persons with disabilities.

(2) For a person with disability to be entitled to the use of the reserved space in subsection (1) of this section, his car shall have been properly identified with the necessary insignia.

(3) A person, organisation or corporate body in control of a public parking lot who fails to provide for the reserved spaces in subsection (1) of this section commits an offence and is liable on conviction to a fine of ₦10,000

(4) A person without disability who parks a vehicle in the reserved space in subsection (1) of this section commits an offence and is liable on conviction to a fine of ₦5,000.

(5) Subsection (4) of this section does not apply if a person with disability is a passenger in the vehicle.

Committee's Recommendation:
That the provision in Clause 12 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

PART V — SEAPORTS AND RAILWAYS

Clause 13: **Seaports and railways.**

(1) Seaports and facilities therein as well as vessel shall be made accessible to persons with disabilities.

(2) Railway stations, trains and facilities therein shall be made accessible to persons with disabilities.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 14: **Transitory period for railways and seaports.**
The provisions of clause13 shall be subjected to the transitory provision contained in clause(6).

Committee's Recommendation:
That the provision in Clause 14 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

PART VI — AIRPORT FACILITIES

Clause 15: **Assistive service and airline.**
(1) All airlines operating in Nigeria shall —
(a) ensure the accessibility of their aircraft to persons with disabilities;

(b) make available presentable and functional wheelchairs for the conveyance of persons with disabilities who need it to and from the aircraft;

(c) ensure that persons with disabilities are assisted to get on and off board in safety and reasonable comfort;

(d) ensure that persons with disabilities are accorded priority while boarding and disembarking from the aircraft.

(2) All airports shall make available for the conveyance of persons with disabilities who need it to and from the aircraft, a presentable and functional assistive and protective device.

Committee's Recommendation:
That the provision in Clause 15 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 16: **Special safety briefing of person with disabilities.**
Any general information shall be translated into the accessible format appropriate to the person with disability present.

Committee's Recommendation:
That the provision in Clause 16 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

PART VII — RIGHT TO FIRST CONSIDERATION
IN QUEUES AND IN EMERGENCIES

Clause 17: **Situation of risk and humanitarian emergencies.**
In all situations of risk, including situations of violence, emergencies and the occurrences of natural disasters, government shall take all necessary steps to ensure the safety and protection of persons with disabilities taking cognisance of their peculiar vulnerability.

Committee's Recommendation:
That the provision in Clause 17 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 18: **Service at queues.**
(1) In queues, persons with disabilities shall be given first consideration, and as much as possible should be attended to outside the queue.

Penalty.
(2) Any person in breach of this section shall be liable on conviction to 6 months imprisonment or fine of ₦50, 000.00.

Committee's Recommendation:
That the provision in Clause 18 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

PART VIII — LIBERTY

Clause 19: **Prohibition of use of Person with disabilities in soliciting for alms and penalty.**
Subject to the provision of social security benefits to disable persons in Nigeria;
(1) No person shall—
(a) Employ, use or involve a person with disability in begging;

(b) parade persons with disabilities in public with intention of soliciting alms;

(c) use condition of disability as a guise for the purpose of begging in public.

Penalty
(2) A person who contravenes subsection (1) of this section commits an offence and is liable on conviction to 6 months imprisonment or a fine of ₦100, 000 or both.

Committee's Recommendation:
That the provision in Clause 19 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

PART IX — COMMUNAL LIFE

Clause 20: **Freedom of movement.**
Persons with disabilities shall have the liberty of movement within or out of the Country and freedom to choose their residence on an equal basis with others.

Committee's Recommendation:
That the provision in Clause 20 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 21: **Prohibition of segregation.**
Except on medical grounds or in accordance with the provisions of the Constitution of the Federal Republic of Nigeria, a person with disability shall not be isolated or segregated from the community or compelled to live in a particular area.

Committee's Recommendation:
That the provision in Clause 21 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 22: **Right to free education.**
(1) Every person with disability shall have an unfettered right to education without discrimination or segregation in any form.

(2) Persons with disability shall be entitled to free education to secondary school level. The Commission shall provide educational assistive devices.

Committee's Recommendation:
That the provision in Clause 22 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 23: **Inclusiveness of education.**
(1) All public schools, whether primary, secondary or tertiary shall be run to be inclusive of and accessible to persons with disabilities, accordingly every school shall have—
(a) at least a trained personnel to cater for the educational development of persons with disabilities;

(b) special facilities for the effective education of persons with disabilities.

(2) Braille, sign language and other skills for communicating with person with disabilities shall form part of the curricula of primary, secondary and tertiary institutions.

Committee's Recommendation:
That the provision in Clause 23 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 24: **Free education for special education personnel.**
The education of special education personnel beyond secondary school level shall be highly subsidized.

Committee's Recommendation:
That the provision in Clause 24 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 25: **Appropriate mode of education for persons with disabilities.**
Government shall ensure that the education of persons with disabilities, particularly children, who are blind, deaf or with multiple disabilities, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximizes academic and social development.

Committee's Recommendation:
That the provision in Clause 25 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 26: **Free healthcare.**
(1) Government shall guarantee that persons with disabilities have unfettered access to adequate health care without discrimination on the basis of disability.

(2) A person with mental disability shall be entitled to free medical and health service in all public health institutions.

Committee's Recommendation:
That the provision in Clause 26 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 27: **Certificate of disability.**
(1) Every person with disability shall obtain a Permanent Certificate of disability from the Commission.

(2) Where a doctor suspects disability in the course of treatment of a person who hitherto was not a person with disability, the Doctor may with the approval of the Commission issue a Temporary Certificate of Disability which shall last for not longer than 180 days.

(3) If the state of disability persists beyond 180 days, the Commission on the recommendation of a doctor shall issue the person a Permanent Certificate of Disability, which shall last as long as the state of the disability persists.

(4) Any person issued with a Permanent Certificate of Disability, shall be entitled to all rights and privileges in this Bill.

Unlawful procurement of certificate of disability.

(5) Any person who unlawfully issues or unlawfully obtains certificate of disability shall be liable to a fine of ₦200,000.00 or 1 year imprisonment or both.

Committee's Recommendation:
That the provision in Clause 27 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 28: **Provision of special communication at hospitals.**
Any public hospital where a person with communicational disabilities is medically attended to shall ensure provision for special communication

Committee's Recommendation:
That the provision in Clause 28 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 29: **Equal right to work.**

(1) Persons with disabilities shall have the right to work, on an equal basis with others; this includes the right to opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open.

(2) A person in breach of this section shall be liable on conviction to a fine of ₦250, 000.00.

(3) Where a company is in breach of this section —

(a) the company shall be liable to a fine of ₦500,000.00.

(b) any principal officer of the company involved in the violation shall be liable to a fine of ₦50,000.00.

Committee's Recommendation:
That the provision in Clause 29 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 30: **Job security.**
All employers of labour in public organisation shall as much as possible have persons with disabilities in their employment(*Senator Adamu I. Gumba — Bauchi South*).

Amendment Proposed:
Leave out the provision in Clause 30 and *insert* the following instead thereof:
"All employers of labour in public organisation shall as much as possible have person with disabilities constituting at least 5% of their employment" (*Senator Bello H. Gwarzo — Kano North*).

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

Question that Clause 30 as amended do stand part of the Bill, put and agreed to.

PART XII — ADEQUATE STANDARD OF LIVING AND SOCIAL PROTECTION

Clause 31: **Accommodation.**
Where accommodation is being provided by schools for their students, employers for their employees, service providers for their customers, organisations for their members, government for the people and in any other circumstance whatsoever, persons with disabilities shall be given first consideration.

Committee's Recommendation:
That the provision in Clause 31 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

PART XIII — PARTICIPATION IN POLITICS AND PUBLIC LIFE

Clause 32: **Participation in politics.**
(1) Persons with disabilities shall be encouraged to fully participate in politics and public life.

(2) Government shall actively promote an environment in which persons with disabilities can effectively and fully participate in —
(a) the conduct of public affairs without discrimination;

(b) Non-governmental organizations and associations concerned with the public and political life of the country; and

(c) activities and administration of political parties.

Committee's Recommendation:
That the provision in Clause 32 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

PART XIV — ESTABLISHMENT OF THE COMMISSION

Clause 33: **National Commission.**
(1) There is hereby established a body to be known as the National Commission for persons with disability (in this Bill referred to as "the Commission") to be supervised by the Ministry responsible for Social Development.

Committee's Recommendation:
That the provision in Clause 33 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 34: Membership of Governing Council.

(1) There is hereby established a Governing Council for the Commission (in this Bill referred to as the "the Council") which shall conduct the affairs of the Commission.

(2) The Council shall consists of —

(a) a part-time Chairman who shall be a person with disability.

(b) One representative each from the six Nigerian geopolitical zones who shall be persons with disability;

(c) a representative each from:

(i) Federal Ministry of Education;

(ii) Federal Ministry of Health;

(iii) Federal Ministry of Sports;

(iv) Federal Ministry of Women Affairs;

(v) Federal Ministry of Housing;

(vi) Federal Ministry of Transport;

(vii) Federal Ministry of Environment;

(viii) Federal Ministry of Labour and Productivity;

(ix) Federal Ministry of Justice;

(x) National Human Rights Commission and the National Planning Commission; and

(xi) Federal Ministry of Finance.

(3) The Chairman of the Council and One representative each of the Nigerian geopolitical zones shall be appointed by the President.

(4) The Chairman and other members of the Council shall be persons of proven integrity, honour and ability with genuine concern for an interest in the protection and integration of persons with disability.

Committee's Recommendation:
That the provision in Clause 34 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 35: **Proceeding of Council.**
The supplementary provisions set out in the schedule to this bill shall have effect with respect to the proceeding of the Council and the other matter contained therein.

Committee's Recommendation:
That the provision in Clause 35 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 36: **Tenure of office.**
Subject to section 37 of this Act, the Chairman and members of the Council shall each hold office, for a term of 4 years and may be re-appointed for a further term of 4 years and no more; and

Committee's Recommendation:
That the provision in Clause 36 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 36 *do stand part of the Bill, put and agreed to.*

Clause 37: **Cessation of office.**
(1) A person shall cease to hold office as a member of the Council on the occurrences of any of the following —

(*a*) if he becomes bankrupt; or compounds with his creditors; or

(*b*) he is convicted of a felony or any offence involving dishonesty or fraud; or

(*c*) he is disqualified of his professional qualification;

(*d*) he is guilty of a serious misconduct in relation to his duties;

(*e*) he resigns his appointment by a letter addressed to the President.

(2) Where a member of the Council ceases to hold office for any reason whatsoever before the expiration of the term for which he is appointed, another person representing the same interest as that member shall be appointed to the Council for the unexpired term.

(3) A member of the council may be removed by the president on the recommendation of council if he is satisfied that it is not in the interest of the commission or the interest of the public that the member continue in office.

Committee's Recommendation:
That the provision in Clause 37 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 38: **Allowances of members.**
Members of the Council shall be paid allowances and expenses as the Government may direct from time to time.

Committee's Recommendation:
That the provision in Clause 38 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 39: **Power of the Council.**
The Council shall have power to —

(*a*) manage and superintend over the affairs of the Commission;

(*b*) make rules and regulations for the effective running of the Commission;

(*c*) employ the staff of the Commission on such remuneration or allowance as payable to persons in similar organisation in the Country;

(*d*) enter into such contract as may be necessary or expedient for the discharge of its function and ensure efficient performance of the functions of the Commission provided that you have 50 employees; and

(*e*) receive, disburse and account for funds of the Commission.

Committee's Recommendation:
That the provision in Clause 39 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

PART XV — FUNCTIONS AND POWERS OF THE COMMISSION

Clause 40: **Functions of the Commission.**
The functions of the Commission shall be —

(*a*) to formulate and implement policies and guidelines as appropriate for the education and social development of persons with disability;

(*b*) to prepare schemes designed to promote social welfare of person with disability and the estimate of cost of implementing such schemes;

(*c*) to promote and uplift the general social well-being of persons with disability by encouraging the public to change their attitude toward person with disability;

(*d*) to make available not less than 5% of the work force to qualified persons with disability;

(*e*) to enlighten the public and encourage persons with disability;

(*f*) to collect data and records on special education of persons with disabilities, which shall be a regular exercise so that the persons with disability are identified, and enumerated for planning and treatment;

(*g*) to ensure that all facilities in each community all over the federation shall be built or modified (where and when feasible) to accommodate the special need of persons with disabilities;

(*h*) to ensure the monitoring, evaluation and realisation of government policy objectives on persons with disabilities;

(*i*) to facilitate the procurement of scholarship awards for persons with disabilities up to university level;

(*j*) establishing and promoting inclusive schools, vocational and rehabilitation centres for the development of persons with disabilities;

(*k*) liaising with the public and private sectors as well as other bodies to ensure that the peculiar interests of person with disabilities are taken into consideration in every government policy, programme and activity;

(*l*) issue insignia of identification of persons with disabilities;

(*m*) enforcement of compliance of public buildings codes and imposing necessary sanctions and make appropriate orders;

(*n*) receiving of complaints of persons with disabilities on the violation of their rights;

(*o*) support an individual's right to seek redress in court, investigation, prosecution or sanctioning (in appropriate cases) the violation of the provision of this Bill;

(*p*) ensuring research development and education on disability issues and disable persons;

(*q*) to collaborate with the media to make information available in accessible format for person with disabilities;

(*r*) procuring of assistive devices for all disability types.

Committee's Recommendation:
That the provision in Clause 40 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 41: **Powers of the Commission —**

(1) The Commission has power to do any lawful thing, which will facilitate carrying out of its functions and in particular may —

(*a*) sue and be sued in its corporate names;

(*b*) acquire, hold and manage movable and immovable property;

(*c*) enter into contract for the education and welfare of persons with disability;

(*d*) purchase or acquire any assets, business or property considered necessary for the proper conduct of its functions;

(*e*) sell, let, lease or dispose of any of its property;

(*f*) undertake or sponsor research where necessary for the performance of its functions; and

(*g*) train managerial, technical or other category of staff for the purpose of running the affairs of the Commission.

(2) The power conferred on the Commission may be exercised by it or through any of its employees or agent authorised in that behalf by the Commission.

(3) The Commission shall not be subjected to direction, control or suspension by any other authority or person in the performance of its function under this bill other than the President.

Committee's Recommendation:
That the provision in Clause 41 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 42: Appointment and duties of the Executive Secretary of the Commission.

(1) There shall be an Executive Secretary.

Amendment Proposed:
Immediately after the word "Secretary" *insert* the words "who shall hold office for a term of four years in the first instance and shall be eligible for re-appointment for another term of four years and no more" (*Senator Philip A. Tanimu — FCT*).

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

(2) The Executive Secretary shall: —

(*a*) have such qualification and experience as appropriate for a person required to perform the functions of that office; and

(*b*) be responsible to the council for the execution of the policies and the administration of the daily affairs of the Commission.

(*c*) be a person with disability (*Senator Adamu I. Gumba — Bauchi South*).

Question that Clause 42 *as amended do stand part of the Bill, put and agreed to.*

Clause 43: Resignation of the Executive Secretary.
The Executive Secretary may resign his office by writing under his hand to the President.

Committee's Recommendation:
That the provision in Clause 43 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 43 *do stand part of the Bill, put and agreed to.*

Clause 44: **Staff of the Commission and their remuneration.**
The Council shall appoint for the Commission such number of employees as may in the opinion of the Council be expedient and necessary for the proper and efficient performance of the function of the Commission.

Committee's Recommendation:
That the provision in Clause 44 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 44 *do stand part of the Bill, put and agreed to.*

Clause 45: **Appointment, secondment from Public Service.**
(1) The Council shall have power to appoint for the Commission either directly or by secondment from any public service in the federation, such number of employees as may, in the opinion of the Council be required to assist the Commission in the discharge of any of its function under this Bill.

(2) The person seconded under this section may elect to be transferred to the service of the commission, and any previous service he may have rendered in the public service shall count as service to the Commission for the purpose of any pension subsequently payable by the Commission.

Committee's Recommendation:
That the provision in Clause 45 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 45 do stand part of the Bill, put and agreed to.

Clause 46: **The structure of the Commission.**
There shall be established in the head office of the Commission, such department as may be deemed necessary for the effective and efficient functioning of the Commission.

Committee's Recommendation:
That the provision in Clause 46 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 46 *do stand part of the Bill, put and agreed to.*

Clause 47: **Pension and Gratuity.**
The staff of the Commission shall be entitled to pension, gratuity, and any other retirement benefit in accordance with the Pension Reform Act.

Committee's Recommendation:
That the provision in Clause 47 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 47 *do stand part of the Bill, put and agreed to.*

Clause 48: Funds of the Commission.

(1) The Commission shall establish and maintain a fund herein referred to as a Fund into which money accruable to the Commission shall be paid and from which all the activities of the Commission shall be funded.

(2) The funds of the Commission shall be disbursed according to the approved formula.

(3) The Council shall cause the account of the Commission to be audited quarterly and shall be externally audited once every year.

Committee's Recommendation:
That the provision in Clause 48 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 49: Power to accept gifts.

(1) The Commission may accept gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift, provided such terms and conditions are not inconsistent with any prevailing law.

(2) The Commission shall not accept any gift if the conditions attached are inconsistent with the functions of the Commission under this Bill.

Committee's Recommendation:
That the provision in Clause 49 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 49 do stand part of the Bill, put and agreed to.

Clause 50: Power to borrow.

The Commission may, from time to time borrow such sums as it may require to execute or complete some special projects of the Commission.

Committee's Recommendation:
That the provision in Clause 50 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 51: Annual estimate and expenditure.

(1) Cause to be kept accounts and records of transaction and affairs of the Commission and ensure that all payments out of its moneys are currently made and properly authorised.

(2) Ensure that adequate control is maintained over the assets of, or in the custody of, the Commission and over its incurring of liabilities.

(3) Prepare annual Budget estimate for the commission.

Committee's Recommendation:
That the provision in Clause 51 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

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

Clause 52: Audit.

(1) The Auditor-General of the Federation shall —

(*a*) inspect and audit the account and records of financial transactions of the Commission;

Amendment Proposed:
Leave out the words "inspect and" in line 1, and *insert* the words "cause to" instead thereof (*Senator Ahmad I. Lawan — Yobe North*).

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

(*b*) inspect records relating to assets of the Commission; and

(*c*) draw the attention of the Secretary to the Government of the Federation to any irregularities disclosed by the inspection and audit.

(2) The Auditor-General may dispense with all or any part of detailed inspection and audit of any account or record referred to in subsection (1).

(3) The Auditor or an officer authorised by him is entitled at all reasonable time to a full and free access to all account records, documents and papers of the Commission relating directly or indirectly to the receipt or payment of money by the Commission or to the acquisition received, custody or disposal of assets by the Commission (*Senator Adamu I. Gumba — Bauchi South*).

Question that Clause 52 *as amended do stand part of the Bill, put and agreed to.*

Clause 53: Annual report.
The Commission shall submit an annual report to the Presidency through the Minister responsible for social Development not later than 30th June, of each financial year and it shall include the copy of audited accounts of the commission of that year and a copy of Auditors report on it.

Committee's Recommendation:
That the provision in Clause 53 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 53 *do stand part of the Bill, put and agreed to.*

Clause 54: **Power to acquire Land, Cap, 202 LFN.**
The Commission may subject to the Land Use Act acquire any land for the purpose of discharging its functions.

Committee's Recommendation:
That the provision in Clause 54 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 54 *do stand part of the Bill, put and agreed to.*

PART XVII — MISCELLANEOUS PROVISIONS

Clause 55: **Service of documents.**
A notice, summons or other documents required or authorized to be served upon the Commission under the provisions of this Bill or any other law or enactment may be served by delivering it to the Executive Secretary or by sending it by registered post and address it to the Executive Secretary at the principal office of the Commission.

Committee's Recommendation:
That the provision in Clause 55 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 55 *do stand part of the Bill, put and agreed to.*

Clause 56: **Payment of Judgment.**
Any such money which may be the judgment of any court awarded against the Commission shall be paid from the general reserved fund of the Commission.

Committee's Recommendation:
That the provision in Clause 56 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 56 *do stand part of the Bill, put and agreed to.*

Clause 57: **Indemnity of officers.**
A member of the Council, the Executive Secretary, any officer or employee of the Commission shall be indemnified against any proceeding, whether civil or criminal, in which judgment is given in his favour or in which is acquitted, if any such proceeding is brought against him in his capacity as a member of the Council, the Executive, officer or the employee of the Commission.

Committee's Recommendation:
That the provision in Clause 57 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 57 *do stand part of the Bill, put and agreed to.*

Clause 58: **Engagement of professional other than staff.**
The Executive Secretary may with the approval of the Governing Council engage persons with relevant knowledge to the function of the Commission to assist otherwise than on the basis of full time employment.

Committee's Recommendation:
That the provision in Clause 58 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 58 *do stand part of the Bill, put and agreed to.*

Clause 59: **Regulations**
The governing council may make regulations for the purpose of carrying out or giving full effect to the provisions of the Bill.

Committee's Recommendation:
That the provision in Clause 59 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 59 *do stand part of the Bill, put and agreed to.*

Clause 60: **Waivers of proof of special damages.**

(1) To be entitled to the damages specifically provided in this Bill, it shall be sufficient for a plaintiff or claimant as the case may be, in a court proceeding, to prove the violation of the relevant section of this Bill without specific proof of damages.

(2) Nothing in this Bill shall prevent a court from accessing and awarding general and special damages in addition to the normal damages provided for in this Bill.

Committee's Recommendation:
That the provision in Clause 60 be deleted (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Clause 61: **Interpretation.**
In this Act —

"Accessibility aid" includes any fixture and device that aids accessibility;

Question: That the word "Accessibility" be as defined in the Interpretation to this Act, put and agreed to.

"Accommodation" (in the context of housing) include residential or business accommodation;

Question: That the word "Accommodation" be as defined in the Interpretation to this Act, put and agreed to.

"Assistive Device" means any device that assist, increases or improves the functional capabilities of person with disabilities;

Question: That the words "Assistive Device" be as defined in the Interpretation to this Act, put and agreed to.

"Closed Captioning" is a term describing several systems developed to display text on a television or video screen to provide additional or interpretive information to viewers who wish to access it;

Question: That the words "Closed Captioning" be as defined in the Interpretation to this Act, put and agreed to.

"Commission Agent" means the person who does work for another person as the agent of that other person and who is remunerated, whether in whole or in part by the Commission;

Question: That the words "Commission Agent" be as defined in the Interpretation to this Act, put and agreed to.

"Commission" means National Commission for people with Disability;

Question: That the word "Commission" be as defined in the Interpretation to this Act, put and agreed to.

"Disable" means having a disability;

Question: That the word "Disable" be as defined in the Interpretation to this Act, put and agreed to.

"Disability" includes long term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder full and effective participation in society on equal basis with others;

Question: That the word "Disability" be as defined in the Interpretation to this Act, put and agreed to.

"Discrimination" means differential treatment and its verbs and infinite form (discriminate, to discriminate) have the corresponding signification;

Question: That the word "Discrimination" be as defined in the Interpretation to this Act, put and agreed to.

"Document" includes any book register or other record of information, however compiled, record or stored;

Question: That the word "Document" be as defined in the Interpretation to this Act, put and agreed to.

"Educational Authority" means a body of person(s) administering an education institution;

Question: That the words "Educational Authority" be as defined in the Interpretation to this Act, put and agreed to.

"Educational Institution" means a school college, University or other institution at which education or training is provided;

Question: That the words "Educational Institution" be as defined in the Interpretation to this Act, put and agreed to.

"Employee" includes applicant or prospective employee, Commission agent, contract worker, independent contractor, or person applying to the commission agent, contract worker or independent contractor;

Question: That the word "Employee" be as defined in the Interpretation to this Act, put and agreed to.

"Employer" includes prospective employer, principal and a person who engages or proposes to engage a commission agent, contract worker or independent contractor;

Question: That the word "Employer" be as defined in the Interpretation to this Act, put and agreed to.

"Employer of Labour" means "Employer" as interpreted by the workmen's Compensation Act;

Question: That the word "Employer of Labour" be as defined in the Interpretation to this Act, put and agreed to.

"Function" includes duty;

Question: That the word "Function" be as defined in the Interpretation to this Act, put and agreed to.

"Government employee" means a person who is appointed, employed or engaged in the public service of, or by a public authority of the Federation, a State, the Federal Capital Territory or a Local government, or holds an administrative office;

Question: That the words "Government employee" be as defined in the Interpretation to this Act, put and agreed to.

"Person" includes natural, artificial, juristic or judicial persons, companies, enterprises firms, organisations, association, government departments, ministries, parastatals;

Question: That the word "Person" be as defined in the Interpretation to this Act, put and agreed to.

"Person with Disabilities" means —

(a) a person who has received preliminary or permanent certificate of disability to have condition which is expected to continue permanently or for a considerable length of time which can reasonably be expected to limit the person's functional ability substantially, but not limited to seeing, hearing, thinking, ambulating, climbing, descending, lifting, grasping, rising, and includes any related function or any limitation due to weakness or significantly decreased endurance so that he cannot perform his everyday routine, living and working without significantly increased hardship and vulnerability to everyday obstacles and hazards;

(b) a person with long term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder their full and effective participation in society on equal basis with others;

Question: That the words "Person with Disabilities" be as defined in the Interpretation to this Act, put and agreed to.

"President" means President and Commander in Chief of the Armed Forces of the federal Republic of Nigeria;

"Premises" include a structure, building, aircraft, vehicle, train or vessel; a place (whether enclosed or built on or not); and a part of any premises;

Question: That the word "Premises" be as defined in the Interpretation to this Act, put and agreed to.

"Principal" means —

(a) in relation to Commission agent - a person for whom the Commission agent does work as a Commission agent;

(b) in relation to contract worker - a person for whom the contract worker does work under a contract between the employer of the contract worker and the person;

Question: That the word "Principal" be as defined in the Interpretation to this Act, put and agreed to.

"Public Building" means a building owned or used by government or government agency or a building available for the use of members of the public;

Question: That the words "Public Building" be as defined in the Interpretation to this Act, put and agreed to.

"Relative" in relation to a person, means a person who is related to the first mentioned person by blood, marriage affinity or adoption;

Question: That the word "Relative" be as defined in the Interpretation to this Act, put and agreed to.

"Subtitles Caption" means caption displayed at the bottom of a movie or television screen that translate or transcribe the dialogue or narrative;

Question: That the words "Subtitles Caption" be as defined in the Interpretation to this Act, put and agreed to.

"Special Communication" means special means (including sign language augmentative and alternative communication) of communicating with person with speech or hearing disability;

Question: That the words "Special Communication" be as defined in the Interpretation to this Act, put and agreed to.

"Special Facilities" means any provision whether movable or immovable that will enhance easy access and enjoyment in public buildings by persons with disability; significantly decreased endurance so that he cannot perform his everyday' routine, living and working without significantly increased hardship and vulnerability to everyday obstacles and hazards;

Question: That the words "Special facilities" be as defined in the Interpretation to this Act, put and agreed to.

"State" means each of the State of the Federation, and includes the Federal Capital Territory;

Question: That the word "State" be as defined in the Interpretation to this Act, put and agreed to.

"Student" in relation to an education institution, includes a candidate or applicant for admission into that education institution;

Question: That the word "Student" be as defined in the Interpretation to this Act, put and agreed to.

"Undue hardship" means significant difficulty or expense, when considered in light of such factor as —

(a) the nature and cost of the accommodation needed to take care of a disabled person's special needs;

(b) the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility;

(c) the effect on expenses and resources or the impact otherwise of such accommodation upon the operation of the facility;

(d) the overall finances of the person or organisation having to deal with person with disability, with the overall size of his or its business with respect to the number of its employees; the number, type, and location of its facilities; and

(e) the type of operation or operations of such person or organisation, including the composition, structure and function of his or its workforce; the geographic, separateness, administrative, or fiscal relationship of the facility or facilities in question to such person or organisation.

Question: That the words "Undue Harship" be as defined in the Interpretation to this Act, put and agreed to.

Committee's Recommendation:
That the provision in Clause 61 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 61 *do stand part of the Bill, put and agreed to.*

Clause 62: Citation.
This Bill may be cited as Discrimination Against Persons with Disabilities (Prohibition) Bill, 2014.

Committee's Recommendation:
That the provision in Clause 62 be retained (*Senator Adamu I. Gumba — Bauchi South*) — *Agreed to.*

Question that Clause 62 *do stand part of the Bill, put and agreed to.*

SCHEDULES

Section 18 (2)

Special Facilities

1. Wheel Chairs: Clear floors or ground space on wheel chairs, Wheel chair passage and turning space

2. Crutches, guide canes, etc.

3. Hearing Aid

4. Curb ramps

5. Ramps

6. Handrails, grab bars

7. Stain-shopping stairs

8. Elevators/Lifts

9. Windows

10. Entrance Doors

11. Drinking fountains and water cookers

12. Toilet facilities

13. Door protective and Re-opening Devices maneuvering entrances at Doors

14. Parking spaces and passenger loading zones

15. Accessible routes including walk ways, halls, windows, aisles and spaces

16. Alarm:
— Audible Alarms

— Visual Alarms

— Auxiliary Alarms

Question that the Head "Special Facilities" stand part of the Schedule to the Bill, put and agreed to.

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Proceeding of the Council

1. (1) Subject to this bill and section 27 of the interpretation Act, the Council may make standing orders regulating its proceeding or those of any of its Committees.

(2) The quorum of the Council shall be the Chairman or the person presiding at the meeting and five other members of the Council, one of whom shall be ex-officio member, and the quorum of any committee of the Council shall be as determined by the Council.

2. (1) The Council shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than 8 other members, he shall summon a meeting of the Council to be held within 14 days from the date on which the notice was given.

(2) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him to the Council for such period as it deems fit, but a person who is in attendance by virtue of this paragraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.

3. (1) the council may appoint one or more Committees to carry out, on behalf of the Council such functions as the Council may determine.

(2) A Committee appointed under this paragraph shall consider such number of persons as may be determined by the Council and a person shall hold office in the Committee in accordance with the terms of his appointment.

(3) A decision of a Committee of the Council shall be of no effect until its confirmed by the Council.

4. (1) The fixing of the seal of the Commission shall be authenticated by the signatures of the Chairman or any other member of the Council generally or specifically authorised by the Council to act for that purpose and the Executive Secretary.

(2) Any contract or instrument, which, if made or executed by any person not being a body corporate, would not be required to be under seal may be executed on behalf of the Commission by the Executive Secretary or any person generally authorised by the Council to act for that purpose.

(3) A document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless and until the contrary is proved be presumed to be so executed.

5. The validity of any proceedings of the Council or Committee shall not be adversely affected by —

(a) a vacancy in the membership of the Council or Committee; or

(b) a defect in the appointment of a member of the Council or Committee;

(c) reason that a person not entitled to do so took part in the proceedings of the Councilor Committee.

Question that the Head "Proceedings of the Council" stand part of the Schedule to the Bill, put and agreed to.

FIRST SCHEDULE

Section 5

Compliance Order

Notice has been taken of the fact that your programme is not inclusive of Disabilities Issues.

In particular: .....

This contravenes section 5 of persons with disabilities Act, you are hereby ordered to immediately comply with the said law.

Take note that if after 3 months from receipt of this order, you still remain in default; your operational licence shall be withdrawn.

Signed

Question that the Head "Compliance Order" stand part of the First Schedule to the Bill, put and agreed to.

SECOND SCHEDULE

PART I — CERTIFICATE OF TEMPORARY DISABILITY

This is to certify that ..... of ..... was examined by me ..... on this day of ..... and found to be temporarily incapacitated.

Signed

Question that the Head "Certificate of Temporary Disability" stand part of the Second Schedule to the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Joint Committee on Sports and Social Development; and Women Affairs and Youth Development on the Discrimination against Persons with Disabilities (Prohibition) Bill 2014 and approved as follows:

Clause 1	—	As Recommended
Clause 2	—	As Amended
Clauses 3-5	—	As Recommended
Clause 6	—	As Amended
Clauses 7-29	—	As Recommended
Clause 30	—	As Amended
Clauses 31-41	—	As Recommended

Clause 42	—	As Amended
Clauses 43-51	—	As Recommended
Clause 52	—	As Amended
Clauses 53 -59	—	As Recommended
Clause 60	—	Deleted
Clause 61	—	As Recommended
Schedules	—	As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

Motion made: That the Bill be now Read the Third Time *(Senate Leader).*

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. Committee on Establishment and Public Services:
Report on the Pension Reform Act CAP P4 LFN 2011 (Repeal and Re-enactment) Bill 2014 (SB. 288):

Motion made: That the Senate do consider the Report of the Committee on Establishment and Public Services, on the Pension Reform Act CAP P4 LFN 2011 (Repeal and Re-enactment) Bill 2014 (*SenatorAloysius A. Etok — Akwa Ibom North West*).

Question put and agreed to.

Report presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report *(Senate Leader).*

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF 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 PENSION SCHEME AND FOR CONNECTED MATTERS

PART I — OBJECTIVE AND APPLICATION

Clause 1: Objectives:
The objectives of this Act are to —
(*a*) establish a uniform set of rules, regulations and standards for the administration and payments of retirement benefits for the Public Service of the Federation, the Public Service of the Federal Capital Territory, the Public Service of the State Governments, the Public Service of the Local Government Councils and the Private Sector;

(*b*) make provision for the smooth operations of the Contributory Pension Scheme

(*c*) ensure that every person who worked in either the Public Service of the Federation, Federal Capital Territory, States and Local Governments or the Private Sector receives his retirement benefits as and when due; and

(*e*) assist improvident individuals by ensuring that they save in order to cater for their livelihood during old age.

Committee's Recommendation:
That the provision in Clause 1 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 2: **Application:**

(1) The provisions of this Act shall apply to any employment in the Public Service of the Federation, the Public Service of the Federal Capital Territory, the Public Service of the States, the public service of the Local Governments and the Private Sector.

(2) In the case of the Private Sector, the Scheme shall apply to employees who are in the employment of an organization in which there are 15 or more employees.

(3) Notwithstanding the provisions of subsection (2) of this section, employees of organisations with less than three employees as well as self-employed persons shall be entitled to participate under the Scheme in accordance with Guidelines issued by the Commission.

Committee's Recommendation:
That the provision in Clause 2 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

PART II — ESTABLISHMENT OF A CONTRIBUTORY PENSION SCHEME

Clause 3: **Establishment of a Contributory Pension Scheme.**

(1) There is established for any employment in the Federal Republic of Nigeria, a Contributory Pension Scheme (in this Act referred to as "the Scheme") for payment of retirement benefits of employees to whom the Scheme applies under this Act.

(2) The Scheme established under subsection (1) of this section shall apply to all employees in the Public Service of the Federation, the Federal Capital Territory, States, Local Governments and the Private Sector subject to the provisions of section 5 of this Act.

Committee's Recommendation:
That the provision in Clause 3 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 4: Rate of contribution to the scheme.

(1) The contribution for any employee to which this Act applies shall be made in the following rates relating to his monthly emoluments —

(*a*) a minimum of ten per cent by the employer; and

(*b*) a minimum of eight per cent by the employee.

(2) The rates of contribution mentioned in subsection (1) of this section may, upon agreement between any employer and employee, be revised upwards, from time to time, and the Commission shall be notified of such revision.

(3) *(a)* Any employee to whom this Act applies may, in addition to the total contributions being made by him and his employer, make voluntary contributions to his retirement savings account; and

(b) Every pensioner under this Act shall contribute 1% of the monthly pension as dues to the Nigeria Union of Pensioners which shall be deducted at source by the Pension Funds Administrator and remitted to the Nigeria Union of Pensioners through the National Pension Commission.

(4) Notwithstanding any of the provisions of this Act, an employer may agree—

(*a*) on the payment of additional benefits to the employee upon retirement; or

(*b*) elect to bear the full responsibility of the Scheme provided that in such a case, the employer's contribution shall not be less than 20 percent of the monthly emoluments of the employee.

(5) In addition to the rates specified in sub-section (1) of this section, every employer shall maintain a Group Life Insurance Policy in favour of each employee for a minimum of three times the annual total emolument of the employee and premium shall be paid not later than the date of commencement of the cover. Where however the employer failed, refused or omitted to make payment as and when due, the employer shall make arrangement to effect the payment of claims arising from the death of any staff in its employment during such period.

(6) Subject to such guidelines as may be issued, from time to time by the Commission, the categories of persons covered under section 2(3) of this Act or persons exempted under section 5 of this Act shall be entitled to make voluntary contributions under the Scheme.

Committee's Recommendation:
That the provision in Clause 4 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 5: **Exemption from the Contributory Pension Scheme.**

(1) The categories of persons exempted from the Contributory Pension Scheme are —

(*a*) the categories of persons mentioned in section 291 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) including members of the Armed Forces, the intelligence and secret services of the Federation;

(*b*) any employee who is entitled to retirement benefits under any pension scheme existing before the 25th day of June 2004, being the commencement of the Pension Reform Act, 2004, but as at the aforementioned date had 3 or less years to retire;

(2) Any person who falls within the provisions of subsection (1) of this section shall continue to derive benefit under existing pension scheme in accordance with the formula provided for in the Second Schedule to this Act or under the provisions of enabling laws.

(3) Nothing in this Act shall preclude the right of any person mentioned in subsections (1) and (2) of this Act to be paid his pension as and when due.

(4) Where an officer exempted under Section 5(1)(b) of this section dies in service or in the course of duty, the Federal Government Pension Transitional Arrangements Department and the Federal Capital Territory Pension Transitional Arrangements Directorate shall cause to be paid, en bloc, his next-of-kin or designated survivors a gratuity and pension to which the officer would have been entitled at the date of his death calculated in accordance with section 46 of this Act.

(5) Where an officer exempted under this section is retired by his employer as a result of mental or physical incapacity, the officer shall be paid gratuity and pension in accordance with section 46 of this Act.

(6) For the purpose of subsection (5) of this section, a properly constituted medical board shall advise the employer on the officer's state of incapacity.

Committee's Recommendation:
That the provision in Clause 5 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 6: **Supervision of retirement benefits of employees exempted from the Scheme.**

(1) The administration of the retirement benefits of the categories of employees exempted from the Scheme under section 5(1)(b) of this Act shall be subject to the supervision and regulation of the Commission.

(2) In the case of Professors covered by the Universities (Miscellaneous Provisions) (Amendment) Act, 2012 and category of political appointees entitled by virtue of their terms and conditions of employment to retire with full benefits, the Commission shall issue Guidelines to regulate the administration of their retirement benefits provided that any shortfall shall be funded from budgetary allocations by the employer.

(3) The Accountant-General of the Federation and the FCT Treasury as the case may be, subject to the framework developed jointly with the Commission shall make payments of retirement benefits directly into individual bank accounts of retired persons covered under section 5(1)(b) of this Act and details of such payment shall be submitted to the Commission and the Pension Transitional Arrangements Directorate of the Federation and Federal Capital Territory established under sections 42 and 44 of this Act respectively.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) — *Agreed to.*

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

PART III — RETIREMENT BENEFITS

Clause 7: **Retirement benefits.**

(1) A holder of a retirement savings account shall upon retirement or attaining the age of 50 years, whichever is later, utilize the amount credited to his retirement savings account for the following benefits —

(*a*) withdrawal of a lump sum from the total amount credited to his retirement savings account provided that the amount left after the lump sum withdrawal shall be sufficient to procure a programmed fund withdrawals or annuity for life; in accordance with extant Guidelines issued by the Commission, from time to time; or

(*b*) programmed monthly or quarterly withdrawals calculated on the basis of an expected life span; or

(c) annuity for life purchased from a life insurance company licensed by the National Insurance Commission with monthly or quarterly payments in line with Guidelines jointly issued by the Commission and National Insurance Commission;

(d) Professors covered by the Universities (Miscellaneous Provisions (Amendment) Act, 2012; and

(e) other categories of employees entitled by virtue of their terms and conditions of employment to retire with full retirement benefits.

(2) Where an employee voluntarily retires, disengages or is disengaged from employment as provided for under subsections (2) and (5) of section 16 of this Act, the employee may with the approval of the Commission, withdraw an amount of money not exceeding 25 per cent of the total amount credited to his retirement savings account, provided that such withdrawals shall only be made after four months of such retirement or cessation of employment and the employee does not secure another employment.

(3) Where an employee has accessed the amount standing in his retirement savings account pursuant to subsection (2) of this section, such employee shall subsequently access the balance in the retirement savings account in accordance with subsection (1) of this section.

Committee's Recommendation:
That the provision in Clause 7 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) — *Agreed to.*

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

Clause 8: **Death of an employee.**

(1) Where an employee dies, his entitlements under the life insurance policy maintained under subsection (5) of section 4 of this Act shall be paid by an underwriter to the named beneficiary in line with Section 57 of the Insurance Act 2003.

(2) Upon receipt of a valid Will admitted to Probate or a letter of administration confirming the beneficiaries under the estate of the deceased employee, the pension fund administrator shall, with the approval of the Commission, release the amount standing in the retirement savings account of the personal representative of the deceased or to any other person as may be directed by a court of competent jurisdiction, in accordance with the terms of the Will or the personal law of the deceased employee, as the case may be.

Committee's Recommendation:
That the provision in Clause 8 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) — *Agreed to.*

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

Clause 9: **Missing employees.**

Where an employee is missing and is not found within a period of one year from the date he was declared missing, and a board of inquiry set up by the Commission makes a determination that having regards to available information and all relevant circumstances, it is reasonable to presume that the employee is dead, the provisions of section 8 of this Act shall apply.

Committee's Recommendation:
That the provision in Clause 9 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) — *Agreed to.*

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

Clause 10: **Exemption from taxes.**

(1) Notwithstanding the provisions of any other law, contributions to the Scheme under this Act shall form part of tax deductible expenses in the computation of tax payable by an employer or employee under the relevant income tax law.

(2) All interests, dividends, profits, investment and other income accruable to pension funds and assets under this Act shall not be taxable.

(3) Any amount payable as a retirement benefit under this Act shall not be taxable.

(4) Without prejudice to the provisions of subsection (2) of this section, any income earned on any voluntary contribution made under section 4 (3) of this Act shall be subject to tax at the point of withdrawal where the withdrawal is made before the end of 5 years from the date the voluntary contribution was made.

Committee's Recommendation:
That the provision in Clause 10 be retained (*SenatorAloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

PART IV — RETIREMENT SAVINGS ACCOUNT

Clause 11: Retirement savings account and remittance of contributions.

(1) Every employee to whom this Act applies shall maintain an account, (in this Act referred to as "retirement savings account") in his name with any Pension Fund Administrator of his choice.

(2) The employee shall notify his employer of the Pension Fund Administrator chosen and the identity of the retirement savings account opened under subsection (1) of this section.

(3) The employer shall —

(*a*) deduct at source the monthly contribution of the employee; and

(*b*) not later than 7 working days from the day the employee is paid his salary; remit an amount comprising the employee's contribution under paragraph (a) of this subsection and the employer's contribution to the Pension Fund Custodian specified by the Pension Fund Administrator of the employee.

(4) Upon receipt of the contributions remitted under subsection (3) (b) of this section, the Pension Fund Custodian shall notify the Pension Fund Administrator who shall cause to be credited the retirement savings account of the employee for whom the employer had made the payment.

(5) Where an employee fails to open such Retirement Savings Account within a period of six months after assumption of duty, his employer shall, subject to Guidelines issued by the Commission, request a Pension Fund Administrator to open a nominal retirement savings account for such employee for the remittance of his pension contributions.

(6) Any employer who fails to deduct or remit the contributions within the time stipulated in subsection (3) (b) of this section shall, in addition to making the remittance already due, be liable to a penalty to be stipulated by the Commission.

(7) The penalty referred to in subsection (6) of this section shall not be less than 2 percent of the total contribution that remains unpaid for each month or part of each month the default continues and the amount of the penalty shall be recoverable as a debt owed to the employee's retirement savings account as the case may be.

(8) An employee shall not have access to his retirement savings account or have any dealing with the Pension Fund Custodian with respect to the retirement savings account except through the Pension Fund Administrator.

(9) The Commission shall determine the cost of recovery of unremitted contributions and the sources to defray the cost, which may include the amount recovered as penalty pursuant to subsection (6) of this section.

Committee's Recommendation:
That the provision in Clause 11 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 12: Contributions of the Federal Government and the Federal Capital Territory Administration.

(1) The contributions of the Federal Government to the retirement benefits of employees of the Public Service of the Federation under subsection (3) of section 11 of this Act shall be a charge on the Consolidated Revenue Fund of the Federation.

(2) The contributions of the Federal Capital Territory Administration to the retirement benefits of employees of the Federal Capital Territory under subsection (3) of section 11 of this Act shall be a charge on the Revenue Fund of the Federal Capital Territory.

(3) The Accountant-General of the Federation shall make the deductions of the Contributions mentioned in subsection (1) of this section.

(4) The Federal Capital Territory Treasury shall make the deductions of the Contributions mentioned in subsection (2) of this section.

Committee's Recommendation:
That the provision in Clause 12 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 13: Transfer of account from one Pension Fund Administrator to another.
Subject to guidelines issued by the Commission, a holder of a Retirement Savings Account maintained under this Act not more than once in a year.

Committee's Recommendation:
That the provision in Clause 13 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 14: **Transfer from one employment to another.**

Where an employee transfers his employment from one employer or organization to another, the same retirement savings account shall continue to be maintained by the employee or be transferred subject to section 13 of this Act.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 15: **Transfer of entitlement from defined benefits scheme into the Scheme.**

(1) As from 25 June, 2004, being the commencement of the Pension Reform Act, 2004 the accrued pension right to retirement benefits of any employee who is already under any pension scheme existing before the commencement of that Act and has over 3 years to retire shall —

(*a*) in the case of employees of the Public Service of the Federation where the scheme is unfunded, be recognized in the form of an amount acknowledged through the issuance of Federal Government Retirement Benefits Bonds by the Debt Management Office in favour of the employees and the bond issued under this subsection shall be redeemed upon the retirement of the employee in accordance with section 39 of this Act and the amount so redeemed shall be added to the balance of the retirement savings account of the employee and applied in accordance with the provisions of section 7 of this Act;

(*b*) in the case of employees of the Federal Capital Territory where the scheme is unfunded, be recognised in the form of an amount acknowledged through the issuance of a bond to be known as Federal Capital Territory Retirement Benefits Bonds, in favour of the employees and the bond issued under this subsection shall be redeemed upon retirement of the employee in accordance with section 39 of this Act and the amount so redeemed shall be added to the balance in the retirement savings account of the employee and applied in accordance with the provisions of section 7 of this Act; and

(*c*) in the case of the employees of the Public Service of the Federation, Federal Capital Territory or in the Private Sector, where the scheme is funded, credit the Retirement Savings Accounts of the employees with any funds to which each employee is entitled and in the event of an insufficiency of funds to meet this liability the shortfall shall immediately become a debt of the relevant employer and shall have priority over any other claim.

(2) Where there is such a debt the employer shall immediately issue a written acknowledgment of the debt to the relevant employee and take steps to meet the shortfall and such debt shall not be affected by the provisions of any limitation law in force for the time being.

(3) The employer shall notify the Commission of any written acknowledgment that arises under paragraph (c) of subsection (1) of this section and any steps taken or planned to meet the shortfall.

(4) The accrued pension rights and entitlements of employees of the Public Service of the Federation as provided for under subsection (1) of this section shall be reviewed by the Federal Government of Nigeria from time to time in line with the provisions of section 173(3) of the Constitution of the Federal Republic of Nigeria 1999 (as amended), provided that the variation so derived from the salary reviews shall be provided by the Federal Government and credited directly into retirement savings account of individual retirees.

(5) The accrued pension rights and entitlements of employees of the Federal Capital Territory as provided for under subsection (1) of this section shall be reviewed by the Federal Capital Territory from time to time in line with the provisions of section 173(3) of the Constitution of the Federal Republic of Nigeria 1999 (as amended), provided that the variation so derived from respective salary reviews shall be provided by the Federal Capital Territory and credited directly into retirement savings account of individual retirees.

Committee's Recommendation:
That the provision in Clause 15 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 16: Withdrawal from retirement savings account.

(1) An employee shall not be entitled to make any withdrawal from his retirement savings account opened under section 11(1) of this Act, before attaining the age of 50 years.

(2) Notwithstanding the provisions of subsection (1) of this section, any employee who retires, disengages or is disengaged from employment—

(*a*) on the advice of a suitably qualified physician or a properly constituted medical board certifying that the employee is no longer mentally or physically capable of carrying out the functions of his office;

(b) due to total or permanent disability either of the mind or body; or

(c) before the age of 50 years in accordance with the terms and conditions of his employment;

shall be entitled to make withdrawals in accordance with section 7 of this Act —

(3) Persons who retire under subsection (2) of this section shall be reintegrated into the Scheme upon securing another employment, subject to guidelines to be issued by the Commission from time to time

(4) For the purpose of subsection (1) of this section, the authentic age of an employee entering the public service or any other employment shall be that submitted by him on entering the service or taking up the employment.

(5) Without prejudice to subsection (1) of this section, any employee who disengages or is disengaged from employment before the age of 50 years and is unable to secure another employment within four months of such disengagement may make withdrawal from his retirement savings account in accordance with the provisions of sections 7(2) and 7(3) of this Act.

Committee's Recommendation:
That the provision in Clause 16 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

PART V—THE NATIONAL PENSION COMMISSION

Clause 17: Establishment of the National Pension Commission.

(1) There is established a body to be known as the National Pension Commission (in this Act referred to as "the Commission").

(2) The Commission —

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

(*b*) may sue or be sued in its corporate name.

(3) The Commission may acquire, hold or dispose of any moveable or immoveable property for the purpose of its functions under this Act.

(4) The Commission shall have its head office in the capital of the Federal Republic of Nigeria and may open offices and branches in any part of Nigeria as may be approved by the Board.

(5) The Commission shall report directly to the President of the Federal Republic of Nigeria.

Committee's Recommendation:
That the provision in Clause 17 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 18: Objects of the Commission.

The principal objects of the Commission shall be to —

(*a*) enforce and administer the provisions of this Act;

(b) co-ordinate and enforce all other laws on Pension and retirement benefits; and

(c) regulate, supervise and ensure the effective administration of pension matters and retirement benefits in Nigeria.

Committee's Recommendation:
That the provision in Clause 18 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 19: Governing Board of the Commission.

(1) There is established a Governing Board for the Commission (in this Act referred to as "the Board").

(2) The Board shall consist of —

(*a*) a part-time chairman who shall be a fit and proper person with adequate cognate experience in pension matters cognate experience in pension matters;

(b) the Director-General of the Commission;

(*c*) four full-time Commissioners of the Commission;

(*d*) a representative each of the following Agencies and Institutions—

(*i*) Head of the Civil Service of the Federation,

(*ii*) Federal Ministry of Finance,

(*iii*) Nigeria Labour Congress,

(*iv*) Trade Union Congress of Nigeria

(v) Nigeria Union of Pensioners,

(*vi*) Nigeria Employers Consultative Association,

(*vii*) Central Bank of Nigeria;

(*viii*) Securities and Exchange Commission;

(*ix*) Nigerian Stock Exchange; and

(*x*) National Insurance Commission.

(3) The Chairman, the Director-General and the Commissioners shall be appointed by the President subject to the confirmation of the Senate.

(4) The Chairman, Commissioners and the Director - General of the Commission shall each represent each of the six geo-political zones of Nigeria

(5) The Chairman and members of the Board of the Commission shall not—

(a) own controlling shares in any Pension Fund Administrator or Pension Fund Custodian prior to and during their tenure of office as Chairman or members of the Board; or

(b) be directors or shareholders in any Pension Fund Administrator or Pension Fund Custodian before the expiration of three years after ceasing to be a Chairman or member of the Board.

(6) The Chairman and each member of the Board shall within one month of appointment declare personal shareholding as well as those of his family members or close associates in any Pension Fund Administrator or Pension Fund Custodian, in writing to the Board,

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

Committee's Recommendation:
That the provision in Clause 19 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 20: Tenure of office.

(a) A member of the Board shall hold office for a term of four years in the first instance and may be reappointed for another term of four years and no more subject to the provisions of subsection (1)(g) of section 21 of this Act.

(b) and on no account shall a person that has served for two consecutive terms on the Board be re-appointed as to serve for a third succeeding term.

Committee's Recommendation:
That the provision in Clause 20 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 21: Cessation of office.

(1) Notwithstanding the provisions of sections 20 and 26(3) of this Act, a member of the Board shall cease to hold office as a member of the Board if —

(*a*) he resigns his appointment as a member of the Board by a notice, under his hand, addressed to the President;

(*b*) his term of office expires;

(*c*) he dies;

(*d*) he becomes of unsound mind;

(*e*) he becomes bankrupt or makes a compromise with his creditors;

(*f*) he is convicted of a felony or of any offence involving dishonesty or corruption;

(*g*) he becomes incapable of carrying out the functions of his office either arising from an infirmity of mind or body;

(*h*) he is found to have contravened the provisions of subsections (5) or (6) of section 19 of this Act;

(*i*) in the case of an ex - officio member, he ceases to hold the office on the basis of which he became a member of the Board; or

(*j*) the President is satisfied that it is not in the interest of the Commission or in the interest of the public for the person to continue in office and notifies the member in writing to that effect.

(2) In the event of a vacancy, the President shall appoint a replacement from the geo-political zone of the immediate past member that vacated office to complete the remaining tenure.

Committee's Recommendation:
That the provision in Clause 21 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 22: **Emoluments.**
The Chairman and other members of the Board shall be paid such emoluments, allowances and incidental expenses as may be determined by the appropriate Agency of the Federal Government of Nigeria from time to time.

Committee's Recommendation:
That the provision in Clause 22 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

PART VI — FUNCTIONS AND POWERS OF THE COMMISSION

Clause 23: **Functions of the Commission.**
The Commission shall —

(*a*) regulate and supervise the Scheme established under this Act and other pension schemes in Nigeria;

(*b*) issue guidelines, rules and regulations for the investment and administration of pension funds;

(*c*) approve, licence, regulate and supervise pension fund administrators, custodians and other institutions relating to pension matters as the Commission may, from time to time determine;

(*d*) establish standards, benchmarks, guidelines, procedures, rules and regulations for the management of the pension funds under this Act;

(*e*) ensure the maintenance of a national data bank on pension matters;

(*f*) carry out public awareness, enlightenment and education on the establishment, operations and management of the Scheme;

(*g*) promote capacity building and institutional strengthening of Pension Fund Administrators and Pension Fund Custodians;

(*h*) receive, investigate and mitigate complaints of impropriety made against any Pension Fund Administrator, custodian, employer, staff or agent;

(i) promote and offer technical assistance in the application of the contributory pension scheme by the States and local government councils in accordance with the objectives of this Act; and

(j) perform such other duties which, in the opinion of the Commission, are necessary or expedient for the discharge of its functions under this Act.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 24: Powers of the Commission

The Commission shall have the power to —

(*a*) formulate, direct and oversee the overall policy on pension matters in Nigeria;

(*b*) fix the terms and conditions of service and remuneration of the employees of the Commission;

(*c*) request or call for information from any employer or Pension Fund Administrator or Pension Fund Custodian or any other person or institution on matters relating to retirement benefits;

(*d*) charge and collect such fees, levies or penalties, as may be necessary for the provision of services under this Act;

(*f*) establish, acquire offices and other premises for the use of the Commission in such locations as it may deem necessary for the proper performance of its functions under this Act;

(*h*) investigate any Pension Fund Administrator, Pension Fund Custodian or other party involved in the management of pension funds;

(*i*) impose administrative or civil sanctions or fines on erring employers or Pension Fund Administrators or Pension Fund Custodians;

(*j*) order the transfer of management or custody of all pension funds or assets being managed by a Pension Fund Administrator or held by a Pension Fund Custodian whose licence has been revoked under this Act or subject to insolvency proceedings to another Pension Fund Administrator or Pension Fund Custodian, as the case may be;

(*k*) move pension funds and assets from one Pension Fund Administrator or Pension Fund Custodian to another when the Commission believes that the funds and assets are endangered;

(*l*) appoint Management Committee in the resolution of failing pension operators;

(*m*) accredit any person, body corporate or institution that engages in any activity relating to pension matters in Nigeria pursuant to this Act;

(*n*) request the Accountant-General of the Federation to credit into the Federal Government Retirement Fund Account, Federal Government's obligation for the redemption of the Retirement Benefits Bonds issued to its employees for their past service; and

(*o*) set up technical committees, working groups and task forces to assist the Commission in the performance of its duties and functions under this Act;

(p) make changes to its structure with the approval of the Board; and

(q) do such other things which in its opinion are necessary to ensure the efficient performance of the functions of the Commission under this Act.

Committee's Recommendation:
That the provision in Clause 24 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 25: Functions and Powers of the Board.

(1) The Board shall —

(a) formulate and provide general policy guidelines for the discharge of the functions of the Commission;

(b) monitor and ensure the implementation of the policies and programmes of the Commission; and

(*c*) carry out such other functions as are necessary or expedient to ensure the efficient performance of the functions of the Commission under this Act.

(2) The Board shall have power to —

(a) approve rules and regulations relating to the appointment, promotion and disciplinary measures for the employees of the Commission;

(b) fix the remuneration, allowances and benefits of the employees of the Commission; and

(c) regulate its proceedings and make standing orders with respect to the holding of its meetings, notices to be given, the keeping of minutes of its proceedings and such other matters as the Board may, from time to time determine.

Committee's Recommendation:
That the provision in Clause 25 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

PART VII — MANAGEMENT AND STAFF OF THE COMMISSION

Clause 26: Appointment and tenure of the Director - General and Commissioners.

(1) There shall be for the Commission, a Director - General who shall be appointed by the President subject to confirmation by the Senate.

(2) The Director - General shall—

(*a*) be the chief executive and accounting officer of the Commission;

(b) be responsible for the day-to-day administration of the Commission; and

(c) keep the books and records of the Commission;

(d) possess a university degree, relevant professional qualification and adequate cognate experience in pension matters;

Amendment Proposed:
Leave out the provision in sub-clause 26(2)(d) and *insert* the following instead thereof:
"posses relevant and adequate professional qualification in pension matters with 15 years cognate experience" (*Senator Ganiyu O. Solomon — Lagos West*).

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

(3) The Director - General shall hold office for a term of five years in the first instance and shall be eligible for re-appointment for another term of five years and no more.

(4) There shall be appointed for the Commission, four full time Commissioners who shall each possess university degrees or its equivalent with adequate cognate experience in pension matters.

Committee's Recommendation:
That the provision in Clause 26 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 27: Secretary and Legal Adviser.

(1) There shall be for the Commission, a Secretary and Legal Adviser who shall —

(a) be appointed by the Commission;

(b) be responsible to the Director-General and the Board;

(c) be responsible for —

(i) taking the minutes of meetings of the Board,

(ii) keeping the corporate records of the Commission and conducting the correspondence of the Board,

(iii) issuing notices for the meetings of the Board,

(iv) keeping in safe custody, the common seal, documents and agreements of the Commission;

(d) be in-charge of the Legal Department of the Commission; and

(e) perform such other duties as may be assigned to him, from time to time, by the Board or the Director-General.

(2) The Secretary shall possess adequate professional qualifications, skills and cognate experience as a legal practitioner.

Committee's Recommendation:
That the provision in Clause 27 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 28: Other staff of the Commission.

(1) The Commission may, from time to time, appoint such other category of employees as may appear to it expedient and necessary for the proper and efficient performance of its functions under this Act.

(2) The staff of the Commission shall be public officers as defined in the Constitution of the Federal Republic of Nigeria.

(3) The staff of the Commission appointed under subsection (1) of this section shall be appointed on such terms and conditions of service as the Commission may determine.

(4) The Commission may make rules relating generally to the conditions of service of employees of the Commission, and without prejudice to the generality of the foregoing, the rules may provide for —

(a) the appointment, promotion and disciplinary control of all employees of the Commission

(b) appeals by employees against disciplinary measures; and

(c) such other matters to ensure the efficient performance of the functions of the Commission under this Act.

Committee's Recommendation:
That the provision in Clause 28 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) — *Agreed to.*

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

Clause 29: **Service in the Commission.**
Service in the Commission shall be public service for the purpose of this Act and accordingly, officers and other staff of the Commission shall in respect of their service in the Commission, be entitled to such pension and retirement benefits as are prescribed in this Act.

Committee's Recommendation:
That the provision in Clause 29 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) — *Agreed to.*

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

Clause 30: **Establishment of Departments, Divisions and Special Units.**

(1) There shall be established for the Commission/ Departments, Divisions and Special Units as may be approved by the Board from time to time

(2) The Departments shall be headed by the Commissioners.

(3) There shall be appointed for each of the Divisions and Special Units a Head who shall be known by such designation as the Commission may determine (*Senator Aloysius A. Etok — Akwa Ibom North West*).

Amendment Proposed:
Leave out the provision in sub-clauses 30(2) and (3) (*Senator Ita S. J. Enang — Akwa Ibom North-East*).

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

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

Clause 31: **Executive Committee of the Commission.**
There shall be an Executive Committee of the Commission consisting of the Director - General and the four Commissioners.

Committee's Recommendation:
That the provision in Clause 31 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) — *Agreed to.*

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

PART VIII — FINANCIAL PROVISIONS

Clause 32: Fund of the Commission.

(1) The Commission shall establish and maintain a fund into which shall be paid or credited —

(a) take off grants, annual subventions and budgetary allocations received from the Government of the Federation;

(b) monies as may be appropriated to the Commission from time to time by the National Assembly;

(c) monies as may from time to time be lent, deposited with or granted to the Commission by the Government of the Federation, States or Local Governments;

(d) fees, fines, charges and commissions made by the Commission;

(e) income from any investment made by the Commission;

(f) grants, gifts or donations from international organizations and donor agencies;

(g) all sums of money or income accruing to the Commission by way of testamentary dispositions and endowments; and

(h) other funds which may, from time to time, accrue to the Commission.

(2) The fund established pursuant to subsection (1) of this section shall be managed in accordance with extant Financial Regulations applicable in the Public Service of the Federation.

(3) The Commission shall be exempted from the payment of income tax under the Companies Income Tax Act or any other levies, duties or contributions that may be imposed by law or regulations (*Senator Aloysius A. Etok — Akwa Ibom North West*).

Amendment Proposed:
Leave out the provision in sub-clauses 32(3) (*Senator Ita S. J. Enang — Akwa Ibom North-East*).

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

Question that Clause 32 as amended do stand part of the Bill, put and agreed to.

Clause 33: Expenditures of the Commission.

The Commission may, from time to time, apply the proceeds of the fund established in pursuance of subsection (1) of section 32 of this Act for the following purposes—

(a) The cost of administration and operations of the Commission;

(b) the reimbursement of members of any committee set up by the Commission or the Board for such expenses as may be authorized in accordance with the rates approved by the Government of the Federation;

(c) the payments of salaries, fees and other remunerations or allowances, payable to employees, experts or professionals appointed by the Commission;

(d) The maintenance of any property acquired or vested in the Commission; and

(e) Any matter connected with all or any of the functions of the Commission under this Act.

Committee's Recommendation:
That the provision in Clause 33 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 34: **Annual Estimates.**
The Commission shall, not later than the 30th day of September in each year or any such time as may be required by the Financial Regulations, prepare an estimate of its income and expenditure for the next succeeding year.

Committee's Recommendation:
That the provision in Clause 34 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 35: **Accounts and Audit.**

(1) The financial year of the Commission shall start on the 1st day of January of each year and end on the 31st day of December of the same year or any such time as may be prescribed by Financial Regulations issued by the Federal Government of Nigeria from time to time.

(2) The Commission shall keep proper accounts and records of its receipts, payments, assets and liabilities in respect of each year in manual and electronic devices and shall cause the accounts to be audited within three months from the end of each financial year by an auditor appointed from the list and in accordance with guidelines issued by the Auditor-General for the Federation.

(3) An auditor appointed pursuant to subsection (2) of this section shall have access to all records relating to the accounts which are kept by the Commission or its agents and shall have the power to require from any employee or agent of the Commission such information and explanation as in the auditor's opinion are necessary for the purpose of the audit.

(4) Any employee or agent of the Commission who fails without reasonable cause to comply with a request or instruction of an auditor pursuant to subsection (3) of this section shall be guilty of an offence and is liable on conviction to a fine of ₦500,000.00 or 6 months imprisonment or both fine and imprisonment.

Committee's Recommendation:
That the provision in Clause 35 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 36: Annual Report.

(1) The Commission shall, not later than four months after the end of each year, submit to the President and the Public Account Committee of the National Assembly a report on the activities and administration of the Commission during the immediately preceding year and shall include in such report the audited accounts of the Commission and the auditors' report thereon for the preceding year.

(2) Without prejudice to subsection (1) of this section, the Commission may submit such other reports to the President on matters of expediency or urgency relating to its functions under this Act.

(3) The Commission shall not later than six months after the end of each year publish the annual report prepared under subsection (1) of this section in at least three national newspapers circulating in Nigeria.

Committee's Recommendation:
That the provision in Clause 36 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

Question that Clause 36 *do stand part of the Bill, put and agreed to.*

Clause 37: Power to borrow.

The Commission may, with the approval of the President, borrow money by way of overdraft or loan for the purpose of carrying out its functions under this Act.

Committee's Recommendation:
That the provision in Clause 37 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 38: Power to accept gift.

(1) The Commission may accept gift of land, money or other property or things on such terms and conditions, if any, as may be specified by the person or organization making the gift.

(2) The Commission shall not accept any such gift where the terms or conditions attached by the person or organization making the gift are inconsistent with the objectives and functions of the Commission, under this Act.

Committee's Recommendation:
That the provision in Clause 38 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

PART IX — TRANSITIONAL PROVISIONS FOR THE PUBLIC SECTOR

Clause 39: Federal Government Retirement Benefit Bond Redemption Fund.

(1) The Central bank of Nigeria shall establish, invest and manage a fund to be known as the Federal Government Retirement Benefit Bond Redemption Fund (in this Act referred to as "the Redemption Fund") in respect of the Federal Public Service.

(2) The Federal Government shall pay into the Redemption Funds an amount not less than 5 percent of the total monthly wage bill payable to employees in the public service of the Federation.

(3) Without prejudice to subsection (2) of this section, the Commission shall, by the end of every calendar year, determine the adequacy of the Redemption Fund against the projected pension liability of Government arising from voluntary and mandatory retirements, death of employees in service and the right of pensioners to pension review in line with section 173(3) of the 1999 Constitution (as amended), and advise the Budget Office of the Federation of shortfall, if any.

(4) The Budget Office of the Federation shall, on receipt of advice from the Commission pursuant to subsection (3) of this section, ensure adequate appropriation for the shortfall and subsequent payment.

(5) The amount in the Redemption Funds shall be used by the Central Bank of Nigeria, as prescribed by the Commission, to redeem any retirement benefit bonds issued pursuant to section 15 (1) (a) of this Act.

(6) Payments into the Redemption Fund shall cease after all the retirement benefit bonds issued under section 15 (1) (a) of this Act have been redeemed.

Committee's Recommendation:
That the provision in Clause 39 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 40: Government obligation to be a charge on the Consolidated Revenue Fund.

(1) Government obligation to the Federal Government Retirement Benefits Redemption Fund shall be a charge on the Consolidated Revenue Fund of the Federation.

(2) The Accountant-General of the Federation shall effect the deductions and payment into the Redemption Fund specified in subsection (1) of this section.

Committee's Recommendation:
That the provision in Clause 40 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 41: Federal Capital Territory Retirement Benefits Bond Redemption Fund.

(1) There shall be opened in the Central Bank of Nigeria, an account for the management and investment of funds to be known as the Federal Capital Territory Retirement Benefits Bond Redemption Fund (in this Law referred to as "the Federal Capital Territory Redemption Fund") in respect of the Federal Capital Territory.

(2) The Federal Capital Territory shall pay into the Redemption Fund an amount not less than 5 percent of the total monthly wage bill payable to employees in the service of the Federal Capital Territory provided that the Commission shall, by the end of every calendar year, determine the adequacy of the Redemption Fund against the projected pension liability of the Federal Capital Territory arising from normal, voluntary and mandatory retirements and death of employees in service and advise the Budget Office of the Federation of shortfall, if any.

(3) The Federal Capital Territory Treasury shall, on receipt of advice from the Commission pursuant to subsection (2) of this section, ensure adequate appropriation for the shortfall and subsequent payment.

(4) The amount in the Federal Capital Territory Redemption Fund shall be used by the Central Bank of Nigeria, as prescribed by the Commission, to redeem any retirement benefit bonds issued pursuant to section 15 (1) (b) of this Act.

(5) The obligation of the Federal Capital Territory to the Federal Capital Territory Retirement Benefits Redemption Fund shall be a charge on the Revenue Fund of the Federal Capital Territory.

(6) The Commission shall, upon the failure of the Federal Capital Territory to redeem any bond issued within one month of its due date, demand such redemption in writing from the Federal Capital Territory.

(7) Upon the failure of the Federal Capital Territory to redeem the bond within one month of the receipt of the Commission's demand, the Commission shall issue a request to the Accountant - General of the Federation who shall thereafter deduct directly from the Federal Capital Territory allocation from the Federation Account, the value of the bond and credit either the Redemption Fund Account with the Central Bank of Nigeria or the Retirement Savings Account maintained by the affected employee with his Pension Fund Administrator.

(8) Payments into the Redemption Fund shall cease after all the retirement benefit bonds issued under section 15 (1) (b) of this Act have been redeemed.

Committee's Recommendation:
That the provision in Clause 41 be retained (*Senator Aloysius A. Etok — Akwa Ibom North West*) *— Agreed to.*

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

Clause 42: Establishment of the Pension Transitional Arrangements Directorate for the Public Service of the Federation.

(1) There is established for the Public Service of the Federation, the Federal Government Pension Transitional Arrangements Directorate (in this Act referred to as "Pension Transitional Arrangements Directorate").

(2) The Federal Government Pension Transitional Arrangements Directorate shall be an extra ministerial Department under the Federal Ministry of Finance with Management Team to be appointed by the Minister.

(3) The Pension Transitional Arrangements Directorate shall be headed by an Executive Secretary, and shall be made up of representatives of the following Departments —

Amendment Proposed:

Leave out the provision in sub-clause 42(3) and *insert* the following instead thereof:

"(3) The Pension Transitional Arrangements Directorate shall be headed by an Executive Secretary, not below the level of a Permanent Secretary, and shall be made up of the following Departments to be represented by an officer not below the rank of a Director in the Public Service of the Federation" (*Senator Gamawa B. Garba — Bauchi North).*

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

(a) The Civil Service Pension Department;

(b) the Police Pension Department;

(c) The Customs, Immigration and Prison Pension Department;

(d) the Treasury Funded Parastatals Pension Department;

(e) the Pensioner Service Department;

(f) the Information Technology Department; and

(g) the Support Services Department.

(4) The Pension Transitional Arrangements Directorate shall also comprise of other relevant Departments as may be determined by the Commission, from time to time (*Senator Aloysius A. Etok — Akwa Ibom North West*).

Question that Clause 42 *as amended do stand part of the Bill, put and agreed to.*

Further consideration of the Bill deferred to another Legislative Day.

Chairman to report progress.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Establishment and Public Services, on the Pension Reform Act CAP P4 LFN 2011 (Repeal and Re-enactment) Bill 2014 and approved as follows:

Clauses 1-25	—	As Recommended
Clause 26	—	As Amended
Clauses 27-31	—	As Recommended
Clause 32	—	As Amended
Clauses 33-41	—	As Recommended
Clause 42	—	As Amended

Further consideration of the Bill deferred to another Legislative Day.

Question: That the Senate do approve the Report of the Committee of the Whole— *Resolved in the Affirmative.*

12. Joint Committee on Federal Capital Territory; and Finance:
Report on the Federal Capital Territory Internal Revenue Board Bill 2014 (SB. 203):

Consideration of Bill deferred to another Legislative Day.

13. Nigerian Railway Corporation Act Cap R129 LFN 2011 (Repeal and Re-enactment) Bill 2014 (SB. 329):

Consideration of Bill deferred to another Legislative Day.

14. Adjournment:
Motion made: That the Senate do now adjourn till Tuesday, 1st April, 2014 at 10.00 a.m. *(Senate Leader).*

Adjourned accordingly at 1:08 *p.m.*

Ike Ekweremadu, CFR
Deputy Senate President,
Senate of the Federal Republic of Nigeria.