

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL POVERTY ERADICATION COMMISSION AND FOR OTHER MATTERS CONNECTED THEREWITH BILL, 2016 (SB.23)

LONG TITLE	A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL POVERTY ERADICATION COMMISSION AND FOR OTHER MATTERS CONNECTED THEREWITH Bill, 2015 (SB. 23)	A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL POVERTY ERADICATION COMMISSION AND FOR OTHER MATTERS CONNECTED THEREWITH Bill, 2016 (SB. 23)	REMARKS
CLAUSES	PROVISIONS OF THE BILL	JOINT COMMITTEE'S RECOMENDATION	
1.	PART 1--ESTABLISHMENT OF NATIONAL POVERTY ERADICATION COMMISSION (NPEC) 1.-(1) There is hereby established a body to be known as the National Poverty Eradication Commission, (hereinafter in this Act refer to as "the Commission"). (2) The Commission shall be a body corporate with perpetual succession and a common seal; and may sue, and be sued in its corporate name.	PART1 --ESTABLISHMENT OF NATIONAL POVERTY ERADICATION COMMISSION (NPEC) 1.-(1) There is hereby established a body to be known as the National Poverty Eradication Commission, (hereinafter in this Act <i>referred</i> to as "the Commission"). (2) Retained	
2.	ESTABLISHMENT AND COMPOSITION OF THE NATIONAL COORDINATION COUNCIL 2.-(1) There is hereby established National Coordination Council (in this Act, referred to as "the Council") that is shall consist of: (a) Chairman; (b) Six other members representing each of the six	ESTABLISHMENT AND COMPOSITION OF THE NATIONAL COORDINATION COUNCIL 2.-(1) There is hereby established National Coordination Council (in this Act, referred to as "the Council") which shall consist of: 2-(a) - (e) (i)-(viii) Retained	

	geo-political zones of the country; (c) the Special Adviser to the President on matters relating to Poverty Eradication; (d) the President of the National Association of Small Scale Industrialists; and (e) one representative of each of the following poverty eradication or reduction ministries and agencies who shall not be below the rank of a Director, that is; (i) The Federal Ministry of Agriculture and Rural Development; (ii) The Federal Ministry of Labour and Productivity; (iii) The Federal Ministry of Finance; (iv) The Federal Ministry of Health, (v) The Federal Ministry of Information and Culture; (vi) The Federal Ministry of Science and Technology; (vii) The Federal Ministry of Women affairs;		
--	---	--	--

	(viii) The Federal Ministry of Youth and Social Development;	NEW INSERTION (ix) <i>The Federal Ministry of Budget and National Planning;</i> (x) <i>The Federal Ministry of Trade and Investment;</i> (xi) <i>The Federal Ministry of Works, Power and Housing;</i> (xii) <i>The Ministry of Water Resources;</i> (xiii) <i>The Federal Ministry of Environment;</i> (xiv) <i>The Federal Ministry of Solid Minerals Resources;</i> (xv) <i>Federal Ministry of Education; and</i> (xvi) <i>Small and Medium Scale Enterprises Development of Nigeria</i>	The Joint Committee deliberated and unanimously resolved to recommend these Poverty Eradication Ministries in addition to the ones contained in the proposed Bill. This is consistent with the provision of Section 2 of the Small and Medium Scale Enterprises Development Agency Act of Nigeria Act LFN 2014
3.	APPOINTMENT OF MEMBERS OF THE COUNCIL 3.-(1) Members of the Council other than ex-officio members shall be appointed by the President, Commander-in-Chief of the Armed Forces subject	APPOINTMENT OF MEMBERS OF THE COUNCIL 3.-(1) and (2)Retained	

	to confirmation by the Senate. (2) Ex-officio members of the Council shall be appointed by the organizations they represent.		
4.	TENURE OF OFFICE 4.-(1) The Chairman and members of the Council other than ex-officio members shall hold office for a term of four years in the first instance and may be reappointed for a further term of four years and no more. (2) If a member of the Council dies or vacates his office for whatever reason before the expiration of the term for which he is appointed, a fit and proper person shall be appointed for the remaining term of office of the predecessor. However, that successor shall represent the same interest.	TENURE OF OFFICE <i>4.(1) and (2) Retained.</i>	
5.	REMOVAL FROM OFFICE 5-(1)Notwithstanding the provisions of section 3 of this Act, a member of the Council shall cease to hold office as a member if: (a)He resigns his appointment as a member of the Council by a notice under his hand addressed to the President; or (b) he is removed from office by the President for	REMOVAL FROM OFFICE 5 (1) Retained. <i>5(a) He resigns his appointment as a member of the Council by a notice addressed to the President; or</i>	Clause 5 (b) is consistent with

	inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misconduct.	5 (b) Retained	the provisions of Sections 66 (b) and 161 (d) of the 1999 Constitution (as amended)
6.	EMOLUMENTS, ETC. 6. The Chairman and members of the Council shall be paid such emoluments, allowances and benefits as the president may from time to time as approved.	EMOLUMENTS, ETC. 6. The Chairman and members of the Council shall be paid such emoluments, allowances and benefits as the President may from time to time be approved <i>in accordance with their commendation of the Revenue Mobilization, Allocation and Fiscal Commission.</i>	This is consistent with the provision of Section 6 (1) (d) of the RMAFCA Act, Cap. R7 Laws of the Federation of Nigeria, 2004.
7.	PART II- FUNCTIONS OF THE COMMISSION Functions of The Commission. 7.-(1) The functions of the Commission shall be: (a) coordinate and monitor all poverty eradication activities; (b) coordinate, monitor and advise on all social protection activities of Government; (c) assist in formulating and reviewing policies on poverty eradication; (d) provide technical expertise and sensitize all levels of government and organizations on poverty	PART II FUNCTIONS OF THE COMMISSION <i>Functions of The Commission.</i> 7. (1) Retained <i>(a) implement all policies, projects, programmes, plans and international commitments related to poverty eradication or reduction"</i> (b)-(i) Retained	

	eradication issues; (e) evaluate and monitor the level of social amenities throughout the country with direct impact on the poor; (f) act as government agency for catalyzing, mobilizing and synergizing resources at all tiers of Government and throughout the economy for the purpose of eradicating poverty for mass participation in the economic development process; (g) maintain a data bank on all poverty issues; (h) periodically extend palliative intervention projects as contained in the Schedule' to this Act, as a cushioning measure for the poor to ensure their overall social protection; and (i) maintain an outreach to International Donor Agencies and Development Partners.		
8.	POWERS OF THE COUNCIL. 8. -(1) The Council shall have powers to: (a) ensure the implementation of the policies and decisions of the Commission; (b) ensure that the programmes and projects as budgeted for and implemented by the Ministries are monitored and co-ordinated multisectorally;	POWERS OF THE COUNCIL. 8 (a) Retained. (b) ensure that the programmes and projects as budgeted for are implemented by the <i>Commission</i>.	

	(c) review all poverty eradication and reduction activities in the Federation; (d) relate with Community Based Organisations (CBOs), Non-Governmental Organisations (NGOs), International Donor Agencies (IDAs) and all other major stakeholders in order to facilitate the development of their capabilities as well as foster partnership among them; (e) strategize and formulate intervention programmes and projects based on needs and with a view to complementing the efforts of the implementing Ministries and Agencies; (f) undertake a periodic assessment of programme implementation and prepare reports accordingly for submission to the Federal Executive Council through the Minister; (g) set attainable targets periodically for all poverty reduction and eradication activities of Government; (h) set up such other sub-committees to undertake special assignments as may be required; and (i) do such other things and carry out such other directives as may be given from time to time by the Federal Executive Council.	8. (d)-(i) Retained	

9.		NEW PARTIII-NATIONAL CO-ORDINATION COMMITTEE <i>National Coordination Committee</i> <i>9-(1) There is hereby established a National Coordination Committee (in this Bill, referred to as "the Committee") which shall have the Director-General of the Commission who shall serve as the Chairman of the Committee; and</i> <i>(a) the Commission shall approve the inclusion of any other Office or Agency as a member of the Committee if its activities are relevant to the Committee's mandate.</i> <i>(2) the National Coordination Committee shall consists of the following as members:</i> <i>(a) Directors from each of the Ministries, Departments and Agencies (MDAs)that are members of the Council;</i> <i>(b) the Director-General, Small and Medium Enterprises Development Agency of Nigeria;</i> <i>(c) the Director-General, National Directorate of Employment;</i> <i>(d) the Managing Director/ Chief Executive Officer, Bank of Industry;</i> <i>(e) the Managing Director/ Chief Executive Officer, Bank Of Agriculture;</i> <i>(f) the Governor, Central Bank of Nigeria;</i>	<i>New Insertion</i> <i>The Joint Committee deliberated and unanimously resolved to establish the National Coordination Committee to widen its scope</i>
----	--	---	--

		(g) the Director-General, Universal Basic Education Commission; (h) the Director-General, Raw Materials Research and Development Council; (i) the Director-General/Chief Executive Officer, Agricultural Research Council of Nigeria; (j) the Director-General/Chief Executive Officer, National Agricultural Extension, Research and Liaison Services; (k) the Managing Director/ Chief Executive Officer, Federal Roads Maintenance Agency; (l) the Managing Director/ Chief Executive Officer, Federal Housing Authority; (m) the Managing Director/ Chief Executive Officer, Rural Electrification Agency; (n) the Executive Secretary, National Primary Health-Care Development Agency; and (o) Representative of Ministry of Water Resources. (p) the Executive Vice Chairman, Nigerian Communication Commission; and (q) Representatives of local and the International Donor Agencies operating in Nigeria.	
--	--	--	--

		(3) FUNCTIONS OF THE NATIONAL COORDINATION COMMITTEE. <i>(a) The Committee shall be responsible for the technical coordination of all poverty eradication programmes in Nigeria; and</i> <i>(b) The Committee shall submit reports of its regular meetings to the Council.</i>	<i>New insertion.</i> <i>The function of the National Coordination Committee is newly created.</i>
10.	APPLICATION TO STATES AND LOCAL GOVERNMENTS 9. -(1) In implementing their poverty eradication and reduction programmes, States and Local Governments may adopt the provisions of this Act with such modifications as may be appropriate and necessary. (2) The Federal Government may provide technical and discretionary financial assistance to States and Local Governments that give effect to the provisions of sub-section (1) of this section.	APPLICATION TO STATES AND LOCAL GOVERNMENTS 10.(1)and (2) Retained. <i>(3) The Deputy Governors or the Chairmen of the State Poverty Eradication Councils, shall meet with the Vice President atleast once a year to assess and evaluate the progress made on the implementation of all poverty related programmes being executed by all tiers of Government.</i>	<i>New insertion</i>

11.	PART III– STRUCTURE OF THE COMMISSION Directorates of the Commission 11.The Commission shall be structured into such number of departments as may be necessary or expedient for the effective discharge of its functions and in particular, the structure of the Commission shall include the following Directorates: (a) Directorate of Research Monitoring and Evaluation (DRM&E) (b) Directorate of Coordination and Programmes Development (CPD); (c) Directorate of Finance and Accounts (DFA); (d) Directorate of Administration and Supplies (DA&S); and (e) such other Departments or units as may be determined by the Commission.	PART IV -STRUCTURE OF THE COMMISSION Directorates of the Commission 11.The Commission shall be structured into such number of <i>Directorates</i> as may be necessary or expedient for the effective discharge of its functions and in particular, the structure of the Commission shall include the following Directorates: (a)-(d) Retained (e) such other <i>Directorates</i> or units as may be determined by the Commission.	
12.	PART IV - STAFF OF THE COMMISSION Director-General 12.-(1) There shall be for the Commission, a Director-General who shall be appointed by the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria subject to	PART V - STAFF OF THE COMMISSION Director-General 12. Retained	

	the confirmation by the Senate.		
13.	FUNCTIONS OF THE DIRECTOR-GENERAL. 13. The Director-General shall be: (a) the accounting officer of the Commission; (b) responsible for the execution of policies, programmes and the day to day administration of the affairs of the Commission; (c) responsible for liaison with international donors for funding and transfer of best practices; (d) a person 'with cognate experience and skills in related fields in accounting, economics, economic development, micro-finance; banking, human and social development studies, etc.; and (e) responsible to the Chairman of the Commission,	FUNCTIONS OF THE DIRECTOR-GENERAL. 13.(a) and (b) Retained <i>(c) responsible for liaison with international donors for funding;</i> (d) a person 'with cognate experience and skills in related fields; (e)Retained	
14.	TENURE OF OFFICE, ETC. 14.-(1) The Director-General shall hold office for a term of four years in the first instance and may be reappointed for a further term of four years and no more, (2) The terms and conditions of his service shall be as contained in the letter of appointment.	TENURE OF OFFICE, ETC. 14. Retained.	

15.	OTHER STAFF OF THE COMMISSION. 15.-(1) The Commission shall appoint such officers and other employees as it may deem fit. (2) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of officers and employees of the Commission shall be determined by the Commission in conformity with the National Salaries, Income and Wages Commission. (3) Without prejudice to the generality of subsection (1) of this section, the Commission shall have power to appoint either on transfer or on secondment from any public service in the Federation, such number of employees as may in the opinion of the Commission, be required to assist the Commission in the discharge of any of its functions under this Act and shall have the power to pay to persons so employed such remuneration (including allowances) as may be determined by the National Income, Salaries and Wages Commission.	OTHER STAFF OF THE COMMISSION. 15. (1)-(3) Retained.	
16.	STAFF REGULATIONS. 15.-(1) The Commission may, subject to the provisions of this Act, make staff regulations relating generally to the conditions of service of the employees of the Commission and without	STAFF REGULATIONS. 16. Retained.	

17.	prejudice to the generality of the foregoing, such regulations may provide for: (a) the appointment, promotion and disciplinary control (including dismissal) of employees of the Commission; and (b) appeals by such employees against dismissal or other disciplinary measures and until such regulations are made, any instrument relating to the conditions of service of officers in the public service of the Federation shall be applicable. (2) Staff regulations made under subsection (1) of this section shall not have effect until approved by the Commission and when so approved they need not be published in the Federal Gazette but the Commission shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine. PENSION REFORM ACT 2004 17.-(1) Service in the Commission shall be approved service for purposes of the Pension Reform Act, 2004 and accordingly, employees of the Commission shall be entitled to pension, gratuities and other retirement benefits as are prescribed under the Pension Reform Act, 2004.	STAFF PENSION 17.-(1) Service in the Commission shall be an approved service for purposes of the Staff Pension, 2014 and accordingly, employees of the Commission shall be entitled to pension, gratuities and other retirement benefits as are prescribed under the Pension, 2014.	<i>The Joint Committee deliberated on clause 17 and unanimously resolved to change the title from the existing Pension Reform</i>
------------	--	--	--

	(2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill shall prevent the appointment of a person to any office on the terms which preclude the grant of a pension, gratuity or other retirement benefits in respect of that office. (3) For the purposes of the application of the provisions of the Pension Reform Act, any power exercisable by a Minister or other authority of the Federal Government, other than the power to make regulations under section 97 of the Pension Reform Act, 2004, is hereby vested in and shall be exercisable by the Commission and not by any other person or authority.	(2) Retained (3) Deleted	<i>Act, 2014, to read "Staff Pension".</i> <i>The Joint Committee deliberated on sub-clause (3) and unanimously resolved to delete it since its provision is inconsistent with the provision of section 1 (3) of the 1999 Constitution (as amended)</i>
18.	PART V - FINANCIAL PROVISIONS Funds of the Commission 18-(1) There shall be established and maintained for the Commission a fund into which shall be paid and credited:	PART VI - FUNDS OF THE COMMISSION <i>Fund of the Commission</i> 18-(1) There shall be established and maintained a National Poverty Eradication Commission Fund (hereinafter referred to as the "NPEC-FUND") from which shall be defrayed all expenditure incurred by the Commission;	<i>The Joint Committee deliberated and unanimously resolved to widen the revenue generation scope of the</i>

19. 20.	(a) annual budgetary allocation from the Federal Government; (b) all sums accruing to the Commission by way of gifts, endowments, bequest, grants or other contributions by persons and organisations; (c) foreign aid and assistance from bilateral and international donor agencies; and (d) all other sums which may, from time to time, accrue to the Commission.	(2) There shall be paid and credited into the fund established in pursuance of sub-clause (1) of this clause. (a) Retained. (b) such other sums as may be given to the Commission by the Federal Government for any newly introduced Poverty Alleviation Programmes; (c) all monies accruing to the Commission, including grants-in-aid, endowments and donations; (d) all charges, dues, fees or other amounts collected by the Commission; (e) all interests on money invested by the Commission; (F) Contributions from Companies as corporate social responsibilities. 19. the Commission shall, when necessary, apply the funds at its disposal for the purpose of the Commission; 20. The Commission may borrow according to the provisions of the Debt Management Act;	Commission. <i>This is believed to guarantee its financial autonomy in view of the high level of poverty in the Country that the Commission is expected to eradicate</i> New insertion
-----------------------	---	---	---

22.		<i>of this Bill and conditions of any trust created in respect of any property, invest all or any of its funds in accordance with clause 11(1) of this Bill;</i> <i>22. The Commission may invest any of its surplus fund in such securities as may be permitted by law;</i> <i>23. The Commission shall submit to the President, in accordance with the prescription in the annual budget cycle each year, its programme of work and estimates of its income and expenditure for the following year;</i> <i>24. The Director General shall keep proper Accounts of the Commission and proper records in relation and to those accounts;</i> <i>25. The account of the Commission shall be audited after the end of the year to which the audit relates, by auditors appointed by the commission from among the list and in accordance with the guidelines supplied by the Auditor-General of the Federation; and</i> <i>26. The Commission shall prepare and submit to the President through the Minister not later than 6</i>	
23.			
24.			
25.			
26.			

		<i>months after the end of the year a report, in such form as the President may directs on the activities of the Commission during the immediate preceding year and shall include in the report a copy of the audited accounts of the Commission of that year and the auditor's reports thereon.</i>	
27.	EXPENDITURE OF THE COMMISSION 27. (1) The Commission shall, from time to time, apply the funds at its disposal to: (a) publicize and promote the activities of the Commission; (b) to defray cost of acquisition and upkeep of premises belonging to the Commission and any other capital expenditure of the Commission; (c) pay allowances, expenses and other benefits of members of the Commission or of any Committee set up by this 'Act or as may be set up by the council; (d) pay the salaries, allowances and benefits of staff of the Commission; (e) pay other overheads, allowances, benefits and other administrative costs of the commission; and	EXPENDITURE OF THE COMMISSION 27. (1) (a)-(f) Retained.	

	(f) any other payment for anything incidental to the foregoing provisions or in connection with or incidental to any other functions of the commission under or pursuant to this Act.		
28.	POWER TO ACCEPT GIFTS 28.-(1) The Commission may accept gift of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organizations making the gift. (2) The Commission shall not accept any gift if the conditions attached by the person or organization making the gift inconsistent with the functions of the commission under this Act.	POWER TO ACCEPT DONATIONS 28.-(1) The Commission may accept <i>donation</i> of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organizations making the <i>donation</i> (2) The Commission shall not accept any <i>donation</i> if the conditions attached by the person or organization making the <i>donation</i> is inconsistent with the functions of the commission under this <i>Bill</i>.	
29.	POWER TO BORROW 29.-(1) The Commission may, from time to time, borrow by overdraft or otherwise such sums as it may require for the performance of its functions under this Act. (2) The Commission shall not, without the approval of the Minister, borrow money, which exceeds, at any time, the limit set by the general guidelines on borrowing.	POWER TO BORROW 29. Retained. (2) The Commission shall not, without the approval of the Minister, borrow money, which exceeds, at any time, the limit set by the general guidelines on borrowing <i>in accordance with the provisions of extant laws of Nigeria</i>.	

	(3) not withstanding sub-section (1) of this section, where the sum to be borrowed is in foreign currency, the Commission shall not borrow the sum without the prior approval of the Minister.	(3) Deleted	<i>The Joint Committee deliberated sub-clause (3) and unanimously resolved to delete it,</i> <i>Reason being that all Federal Agencies in Nigeria are being funded by the Federal Govt. of Nigeria. Therefore, an Agency should only be allowed to borrow in line with the provisions of Sections 19 and 20 of the Debt Management Office Act, Cap. D.12 LFN 2004 which must also be approved by the National Assembly.</i>
30.	ANNUAL ESTIMATES AND AUDIT 30.-(1) The Commission shall cause to be prepared not later than 30th September in each year an estimate of the expenditure and income of the Commission during the next succeeding year and when prepared, they shall be submitted through the Minister to the Federal Executive Council.	ANNUAL ESTIMATES AND AUDIT 30.-(1) and (2)Retained.	.

	(2) The Commission shall cause to be kept accounts of the Commission and proper records in relation thereto and when certified by the Council, the Auditor-General of the Federation shall audit the accounts.		
31.	ANNUAL REPORTS 31.- (1) The Commission shall, not later than 30th June in each succeeding year, submit to the Minister, a report on the activities and administration of the Commission during the immediate preceding year and shall include in the report, the audited accounts of the Commission and the auditor's report on those accounts. (2) The Commission shall report to the national Assembly on their achievement so far on poverty reduction.	ANNUAL REPORTS 31 (1) Retained. <i>(2)the Commission shall submit copies of same annual reports to the National Assembly.</i>	
32.	PART VI - LEGAL PROCEEDING Limitation of suit Against the Commission, etc. 32.-(1) Subject to the provisions of this Act, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Commission (2) Notwithstanding anything contained in any other law or enactment, no suit shall lie or be	PART VII - LEGAL PROCEEDING Limitation of suit Against the Commission, etc. 32 (1) and (2) Retained.	

	(2) Notwithstanding anything contained in any other law or enactment, no suit shall lie or be instituted in any court of law against any member of the Commission, the Director-General, or any other officer or employee of the Commission for any act done in pursuance or execution or any public duty or authority in respect of any alleged neglect or default in the execution of this Act or such law or enactment, duty or authority unless: (a) it is commenced within three months after the act, neglect or default complained of: or (b) in the case of a continuation of damage or injury, within 6 months after the ceasing thereof. (3) No suit shall be commenced against a member of the Commission, the Director-General, officer or employee of the Commission before the expiration of one month after written notice of the intention to commence the suit shall have been served upon the Commission by the intending plaintiff or his agent (4) The notice referred to in subsection	(a) it is commenced within <i>a reasonable</i> time in <i>accordance with the provision of the law of Nigeria</i> after the act, neglect or default complained of: or (b) in the case of a continuation of damage or injury, within <i>a reasonable</i> time in <i>accordance with the provision of the law of Nigeria</i> after the ceasing thereof. (3) and (4) deleted	<i>The Joint Committee deliberated on sub-clauses (3) and (4), unanimously resolved to recommend for their deletion because the sub-clauses contained provisions that are inconsistent with the provision of Section 1 (3) of the 1999 Constitution (as amended)</i>
--	--	---	---

		(5) Retained	
	(5) of this section shall clearly and explicitly state the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.		
33.	SERVICE OF DOCUMENTS 33.. A notice, summons or other documents required or authorized to be served upon the Commission under the provisions of this Act or any other law or enactment may be served by delivering it to the Director-General or by sending it by registered post and addressed to the National Coordinator at the principal office of the Commission.	SERVICE OF DOCUMENTS 33. A notice, summons or other documents required or authorized to be served upon the Commission under the provisions of this Act or any other law or enactment may be served by delivering it to the Director-General of the Commission or by sending it by registered post and addressed to the Director-General at the Head Office of the Commission.	
34.	RESTRICTION ON EXECUTION AGAINST PROPERTY OF THE COMMISSION 34.-(1) In any action or suit against the Commission, no execution or attachment of process in any nature thereof shall be issued against the Commission. (2) Any sum of money which may by the judgment of any court be awarded against the Commission shall, subject to any direction given by court where	RESTRICTION ON EXECUTION AGAINST PROPERTY OF THE COMMISSION 34.(1) and (2) Deleted	<i>Joint Committee deliberated and unanimously resolved to delete Clause 34 entirely because it is inconsistent with the provision of Section 1 (3) of the 1999 Constitution (as amended)</i>

35.	INDEMNITY OF OFFICER 26. A member of the Commission or the Director - General or any officer or employee of the Commission shall be indemnified out of the assets of the Commission against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member, Director - General, officer or other employee of the Commission.	INDEMNITY OF OFFICER 35. Retained.	
36.	DIRECTIVES BY THE PRESIDENT, ETC. 36. The President may through the Minister give to the Commission or the Director-General such directives of a general nature or relating generally to matters of policy with regards to the exercise of its or his functions as he may consider necessary and the Commission or the National coordinator shall comply with the directives if they are not inconsistent with its functions as prescribed under this Act.	DIRECTIVES BY THE PRESIDENT, ETC. 36. The President may through the Minister give to the Commission or the Director-General such directives of a general nature or relating generally to matters of policy with regards to the exercise of its or his functions as he may consider necessary and the Commission or the <i>Director-General</i> shall comply with the directives if they are not inconsistent with its functions as prescribed under this Act.	
37.	REGULATIONS 37. The Commission may, with the approval of the Minister, make such regulations as in its opinion are necessary or expedient for giving full effect to the provisions of this Act and for the due administration of its provisions.	REGULATIONS 37. Retained.	

38.	POWER TO INTERVENE SCHEDULE 38. The targets of the core Poverty Eradication and Reduction Ministries, Departments and Agencies set out in the Schedule to this Act shall have effect with respect to the intervention powers of the Commission.	POWER TO INTERVENE SCHEDULE 38. Retained.	
39.	INTERPRETATION 39. In this Act, unless the context otherwise requires: "Commission" means the National Poverty Eradication Commission established under section 1 of this Act; "Council" means the National Poverty Eradication Council of Nigeria; "Functions" includes powers and duties; "Minister" means the Minister in charge of National Planning by whatever name called; "President" means the President, Commander-in-Chief of the Federal Republic of Nigeria; "Public Service" has the meaning assigned to it in the Constitution of the Federal Republic of Nigeria,	INTERPRETATION 39. Retained.	<i>The Interpretation clause is very explicit, it is therefore retained.</i>

	"Public Service" has the meaning assigned to it in the Constitution of the Federal Republic of Nigeria, 1999;		
40.	SHORT TITLE 31. This Act may be cited as the National Poverty Eradication Commission (Establishment, etc.) Bill, 2015.	SHORT TITLE 40. This <i>Bill</i> may be cited as the National Poverty Eradication Commission (Establishment, etc.) Bill, 2016.	
	SCHEDULES FIRST SCHEDULE SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC. Proceedings of the Council 41.-(1) Subject to this Act and Section 27 of the Interpretation Act, the Council may make standing orders regulating its proceedings or those of any of its Councils. (2) The quorum of the Council shall be the <i>Chairman</i> or the person presiding at the meeting and seven other members of the Council and the quorum of any committee of the Council shall be determined by the Council. (3) The Council shall meet not less than four times in each year and subject thereto, the Council shall meet whenever it is summoned by the Chairman	SCHEDULES FIRST SCHEDULE SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC. Proceedings of the Council. 41. – (1) Retained. (2) <i>For the purpose of conducting a meeting</i>, the quorum of the Council shall be one - third of all the members of the Council. (3) The Council shall meet not less than four times in each year and subject thereto, the Council shall meet whenever it is summoned by the Chairman	<i>The Joint Committee deliberated on Clause 40 (2) (3)</i>

	and if the Chairman is required to do so by notice given to him by not less than four other members, he shall summon a meeting of the Council to be held within 28 days from the date on which the notice is given. (4) At any meeting of the Council, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their member to preside at that meeting. (5) 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 subparagraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.	and if the Chairman is required to do so by notice to not less than one - third of all the members of the Council, he shall summon a meeting to be held within 28 days from the date of the notice. (4) At any meeting of the Council, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of them to preside over the meeting. (5) Retained.	and (4), unanimously resolved that One-Third of all the members of the Council is enough to form a quorum for the purpose of conducting a meeting and taking decision. <i>This is consistent with the Provisions of Sections 54 and 159 of the 1999 Constitution of the Federal Republic of Nigeria (as amended).</i>
	COMMITTEES (1) The Council may appoint one or more committees to carry out, on behalf of the Committee, such functions as the Council may determine. (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Council and a person shall hold office on the committee in accordance with the terms of his appointment.	COMMITTEES 1. (1)-(3) Retained.	

	(3) A decision of a committee shall be of no effect until it is confirmed by the Council.		
	MISCELLANEOUS (1) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman, Director General or any other person generally or specifically authorized by the Committee to act for that purpose. (2) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed. (3) The validity of any proceedings of the Council or of a 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; or (c) the reason that a person not entitled to do so took part in the proceedings of the Council or committee.	MISCELLANEOUS 1-(1)-(3) (a)-(c) Retained.	

	SECOND SCHEDULE Section-7 The Poverty Eradication Schemes (1) Subject to the provisions of this Act, the Council shall periodically extend intervention projects to complement the existing and traditional efforts of the implementing Ministries, Departments and relevant Parastatals through the creation of major schemes such as: (a) Youth Empowerment Scheme (YES); (b) Farmers Empowerment Scheme (FES); (c) Women Empowerment Scheme (WES); (d) Rural \Infrastructures Development Scheme (RIDS); (e) Social Welfare Services Scheme (SQWESS); (f) Natural Resources Development and, Conservation Scheme (~RDCS). (2) Subject to the provisions of this Act, the Council shall in addition to its regular budgetary allocation, have the power to mobilize resources for poverty eradication through the following partnership arrangements;	SECOND SCHEDULE Clause. 7 The Poverty Eradication Schemes <i>(1)-(7) Retained.</i>	
--	---	--	--

	(a) Multi-Partner Micro- Finance (MP-MF) Scheme; (b) Promise Keeper Programme (PKP); (c) Give Back Programme (GBP); (d) Such other programmes as may be approved by the Committee. (3) The Youth Empowerment Scheme (YES), which is aimed at addressing issues of employment generation, skill acquisition and improvement, wealth generation and youth development is further sub-divided into the following programmes: (a) Capacity Acquisition Programme (CAP); (b) Mandatory Attachment Programme (MA); and (c) Micro Credit Delivery Programme (MCDP) (4) The Rural Infrastructures Development Scheme (RIDS), is aimed at addressing issues related at the provision and maintenance of basic rural infrastructure. This scheme has the following Programmes; (a) Rural Works and Transport Programme (RWTP); (b) Rural Energy Programme (REP)		
--	---	--	--

	(c) Rural Water Programme (RWP) (d) Rural Communication Programme (RCP); and (e) Rural Housing Programme (RHP); (5) The Social Welfare Service Scheme (SOWES), is aimed at addressing the issues related to the provision of needed core social and welfare services, under the following programmes: (a) Special Education Programme (SEP); (b) Primary Healthcare Programme (PHP) (c) Social Services and Recreational Programme (SSRP). (6) Natural Resources Development and Conservation Scheme (NDCS), is aimed at addressing the issue of appropriate tapping of the natural resources while maintaining adequate care for the environment. The programmes under this scheme are as follows: (a) Agricultural Resources Programme (ARP); (b) Water Resources Programme (WRP); (c) Solid Minerals Resources Programme (SMRP); and		
--	---	--	--

	(d) Environmental Protection Programme (EPP) (7) Notwithstanding the provisions of section 5 (1) and section 28 of this Act, each core poverty eradication/reduction Ministry/Agency, shall maintain its implementation/execution autonomy while recognizing the complementary needs of other Ministries/Agencies.	(7) Notwithstanding the provisions of Clauses 2 (1)(e)(i)-(viii) and 39 of this Bill, each core poverty eradication/reduction Ministry/Agency, shall maintain its implementation/execution autonomy while recognizing the complementary needs of other Ministries, Departments and Agencies (MDAs)	
	THIRD SCHEDULE SECTION. 29 The Federal core Poverty Eradication/Reduction\Ministries/ Agencies and their targets (1) Employment Federal Ministry of Employment; National Directorate of Employment (NDE). (2) Education Federal Ministry of Education; Universal Basic Education (UBE). (3) Agriculture and Food Security Federal Ministry of Agriculture and Water Resources; Nigerian Agricultural Cooperative and Rural Development Bank (NACRDB).	THIRD SCHEDULE Clause. 29 The Federal core Poverty Eradication/Reduction\Ministries/ Agencies and their targets (1) and (2) Retained (3) Federal Ministry of Agriculture, Federal Ministry of Water Resources; Nigerian Agricultural Cooperative and Rural Development Bank (NACRDB) and River Basin and Rural Development Agency (RBRDA)	

	(4) Energy Federal Ministry of Mines and Steel Development; Federal Ministry of Energy; Federal Ministry of Science and Technology; Power Holding Company of Nigeria (PHCN); Nigerian National Petroleum, Corporation (NNPC); and Energy Commission of Nigeria (ECN); (5) Healthcare, HIV/AIDS &STD Federal Ministry of Health; National Programme on Immunization (NPI) National Action Committee on AIDS (NACA); National Primary Healthcare Development Agency (NPHDA) (6) Women, Youth & Gender Dev. Federal Ministry of Women Affairs National Youth National Youth Service Corps (NYSC) (7)Federal Ministry of Industry, Investment and Tourism: Bank of Industry (BOI) and Small and Medium Enterprises Development Agency of Nigeria.	(4) and (5) Retained (6) Women, Youth & Gender Dev. Federal Ministry of Women Affairs <i>and</i> National Youth National Youth Service Corps (NYSC) (7) Federal Ministry of <i>Trade and Investments</i>; Bank Of Industry (BOI) <i>and Small and Medium Scale Enterprises Development Agency of Nigeria (SMEDAN)</i>	
	EXPLANATORY MEMORANDUM This Bill seeks to establish the National Poverty Eradication Commission and for other matters connected therewith	EXPLANATORY MEMORANDUM Retained.	<i>The Explanatory Memorandum is very explicit, it is therefore retained.</i>