



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

FIRST VOTES AND PROCEEDINGS

Thursday, 23 May, 2019

1. The House met at 11.25 a.m. Mr Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 22 May, 2019.
The Votes and Proceedings was adopted by unanimous consent.
3. **Message**
Mr Speaker read a message from the President of the Federal Republic of Nigeria:



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

22nd May, 2019

Rt. Hon. Yakubu Dogara
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Rt Hon. Y. Dogara,

FEDERAL CAPITAL TERRITORY (FCT), ABUJA,
2019 STATUTORY BUDGET PROPOSAL

Pursuant to Sections 120 - 122 and 299 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), I forward herewith, the 2019 Budget Proposal of the Federal Capital Territory Administration, for the kind consideration and passage by the House of Representatives.

While hoping that this submission will receive the usual expeditious consideration of Honourable House of Representatives, please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours sincerely,

(Signed)

Muhammaduy Buhari

4. Announcement

(a) Visitors in the Gallery:

Mr Speaker recognised the presence of the following:

- (i) Hon. Clarence Massaguol, Member of Districts Lofa Region, Liberia; and
- (ii) Hon. Muhammed Magassy, Member of The Bassey Constituency, Upper River Region, Gambia.

(b) Conference Committee on a Bill for an Act to Repeal the Money Laundering (Prohibition) Act, 2011 and Enact the Money Laundering (Prevention and Prohibition); and for Related Matters (HB. 391 and HB. 410):

Mr Speaker announced membership of the Conference Committee as follows:

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|-----|---------------------------|---|----------|
| (1) | Hon. Edward Pwajok Gyang | — | Chairman |
| (2) | Hon. Kayode Oladele | — | Member |
| (3) | Hon. Uzoma Nkem-Abonta | — | Member |
| (4) | Hon. Mohammed Nur Sheriff | — | Member |
| (5) | Hon. D'au Aliyu Magaji | — | Member |
| (6) | Hon. Jonathan Gaza Gbefwi | — | Member |
| (7) | Hon. Johnson Oghuma | — | Member |

(c) Conference Committee on a Bill for an Act to Establish the Chartered Institute of Forensic and Investigative Professionals of Nigeria for Effective Regulation, Registration of Members and Determination of what Knowledge and Skills that a Practitioner is Required to Attain in order to Qualify to Practice as a Forensic and Investigative Professional; and for Related Matters (HB. 1621):

Mr Speaker announced membership of the Conference Committee as follows:

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|-----|---------------------------|---|----------|
| (1) | Hon. Hassan Saleh Anthony | — | Chairman |
| (2) | Hon. Uzoma Nkem-Abonta | — | Member |
| (3) | Hon. Olabode Ayorinde | — | Member |
| (4) | Hon. Mark Gbilla Terseer | — | Member |
| (5) | Hon. Aminu Tukur | — | Member |
| (6) | Hon. Lawal Abubakar | — | Member |
| (7) | Hon. Shadinu Mutiu Alao | — | Member |

(d) Conference Committee on the National Tobacco Regulations, 2019:

Mr Speaker announced membership of the Conference Committee as follows:

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|-----|------------------------------|---|----------|
| (1) | Hon. Simon Arabo Yakubu | — | Chairman |
| (2) | Hon. Razaq Atunwa | — | Member |
| (3) | Hon. Ogun Sergius Oseasochie | — | Member |
| (4) | Hon. Uzoma Nkem-Abonta | — | Member |
| (5) | Hon. Mohammed Tahir Monguno | — | Member |
| (6) | Hon. Babajimi Benson | — | Member |

5. Petition

A petition from Kingsley Torru, on the non-payment of an outstanding contract sum of ₦9,375,616,700.00 to Riverman Technologies by the Department of Petroleum Resources (DPR), was presented and laid by Hon. Chidi Frank Wihioke (*Ikwerre/Emoha Federal Constituency*).

Petition referred to the Committee on Public Petitions.

6. Presentation of a Bill

Federal Capital Territory Appropriation Bill, 2019 was read the *First Time*.

7. Presentation of Reports

(i) *Committee on Aids, Loans and Debt Management:*

Motion made and Question proposed, "That the House do receive the Report of the Committee on Aids, Loans and Debt Management on Promissory Note Programme and a Bond Issuance to Settle Inherited Local Debts and Contractual Obligations on Refund to State Governments, Pursuant to Order Eighteen, Rule 12 (2) (c) of the Standing Orders of the House of Representatives" (*Hon. Adeyinka Ajayi — Odo-Otin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

Report laid.

(ii) *Committee on Aids, Loans and Debt Management:*

Motion made and Question proposed, "That the House do receive the Report of the Committee on Aids, Loans and Debt Management on Proposed External Borrowing Request for Niger State Government under the 2016 -2018 External Borrowing (Rolling) Plan, Pursuant to Order Eighteen, Rule 12 (2)(C) of the Standing Orders of the House of Representatives" (*Hon. Adeyinka Ajayi — Odo-Otin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

Report laid.

(iii) *Committee on National Security and Intelligence:*

Motion made and Question proposed, "That the House do receive the Report of the Committee on National Security and Intelligence on a Bill for an Act to make Provisions for Offences Relating to Terrorism, Prohibit the Financing of Terrorism and Consolidate all Acts Relating to Terrorism and a Bill for an Act to Amend the Terrorism Act of 2011 for the Purpose of Applying Stringent Prison Terms for Offences of Terrorism and Remove the Ambiguities in the Act, and for Other Related Matters (HB. 333 and HB. 447)" (*Hon. Gyang Istifanus Dung — Barikinladi/Riyom Federal Constituency*).

Agreed to.

Report laid.

(iv) *Committee on Women Affairs and Social Development:*

Motion made and Question proposed, "That the House do receive the Report of the Committee on Women Affairs and Social Development on the National Legislative Summit on the Domestication of the Violence against Persons Prohibition (VAPP) Act, 2015, held on Tuesday April 16, 2019 at NICON Luxury Hotel, Garki Abuja" Pursuant to Order Eighteen, Rule 96 (2) of the Standing Orders of the House of Representatives" (*Hon. Stella Ngwu — Igbo-Etiti/Uzo-Uwani Federal Constituency*).

Agreed to.

Report laid.

(v) *Committee on Public Accounts:*

Motion made and Question proposed, "That the House do receive the Report of Committee on Public Accounts on the End of Assembly Report of the 8th House of Representatives" Pursuant to Order Eighteen, Rule 6 (2)(i) of the Standing Orders of the House of Representatives" (Hon. Kingsley Chinda — Obio/Akpor Federal Constituency).

Agreed to.

Report laid.

(vi) *Ad-hoc Committee on the Non-Compliance with Provisions of the Maritime Academy of Nigeria Act:*

Motion made and Question proposed, "That the House do receive the Report of the Ad-hoc Committee on the Non-Compliance with Provisions of the Maritime Academy of Nigeria Act (H.R. 123/2017)" (Hon. Hassan Yuguda Kila — Gwaram Federal Constituency).

Agreed to.

Report laid.

(vii) *Committee on Public Petitions:*

Petition by Ajets Survey on Behalf of Five Thousand Internally Displaced Persons:

Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by Ajets Survey on behalf of Five Thousand Internally Displaced Persons against the Nigeria National Petroleum Corporation on Land Grabbing, Illegal Properties, Demolition, Business Devastation, unlawful Eviction and Evacuation of over Five Thousand People from Oke Oyi en route Tanke Pipeline Road to Babaode, Ilorin, Kwara State" (Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West Federal Constituency).

Agreed to.

Report laid.

(viii) *Committee on Public Petitions:*

Petition by Seliwei Willy Baidi & Co:

Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by Seliwei Willy Baidi & Co on the Environmental Degradation, Economic Depreciation and Sustainable Development Neglect and Crude Oil Pollution: Save Our Souls Call by the Ogbudugbudu Community in Warri North Local Government Area of Delta State" (Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West Federal Constituency).

Agreed to.

Report laid.

(ix) *Committee on Public Petitions:*

Petition by Chief F. A. Eneawaji (Icherene-Ugane):

Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by Chief F. A. Eneawaji (Icherene-Ugane) against Mobil Producing Unlimited (Now Exxon Mobil Corporation) on the various Incidents of Crude Oil Spillage Emanating from Exxon Mobil and the Non-payment of Compensation to the affected Victims" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

8. A Bill for an Act to Repeal the Money Laundering (Prohibition) Act, 2011 and Enact the Money Laundering (Prevention and Prohibition) Bill; and for Related Matters (HB. 391 and HB. 410) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Repeal the Money Laundering (Prohibition) Act, 2011 and Enact the Money Laundering (Prevention and Prohibition) Bill; and for Related Matters (HB. 391 and HB. 410) be now read the Third Time" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

9. A Bill for an Act to Amend the Energy Commission of Nigeria Act, Cap. E10, Laws of the Federation of Nigeria, 2004 to establish a Renewable and Alternative Energy Development and Utilization Fund, Grant Priority to the Promotion and Development of Renewable and other Alternative Energy; and for Related Matters (HB.72) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Amend the Energy Commission of Nigeria Act, Cap. E10, Laws of the Federation of Nigeria, 2004 to establish a Renewable and Alternative Energy Development and Utilization Fund, Grant Priority to the Promotion and Development of Renewable and other Alternative Energy; and for Related Matters (HB.72) be now read the Third Time" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

10. A Bill for an Act to Establish the Chartered Institute of Mediators and Conciliators of Nigeria to determine what Standards of Knowledge and Skills to be attained by Persons seeking to become Registered Members of the Mediation and Conciliation Profession; and for Related Matters (HB 1605) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Establish the Chartered Institute of Mediators and Conciliators of Nigeria to determine what Standards of Knowledge and Skills to be attained by Persons seeking to become Registered Members of the Mediation and Conciliation Profession; and for Related Matters (HB 1605) be now read the Third Time" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

11. A Bill for an Act to Repeal the National Commission for Colleges of Education Act, No. 3 of 1998 and Establish the National Commission for Teacher Education; and for Related Matters (HB. 1641) — *Second Reading*
Motion made and Question proposed, "That a Bill for an Act to Repeal the National Commission for Colleges of Education Act, No. 3 of 1998 and Establish the National Commission for Teacher Education; and for Related Matters (HB. 1641) be now read a Second Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).
- Debate.*
- Question that the Bill be now read a Second Time — Agreed to.*
- Bill read the Second Time.*
- Bill referred to the Committee of the Whole.*
12. A Bill for an Act to Establish the Nigerian Council of Food Science and Technology; and for Related Matters (HB. 1647) — *Second Reading*
Motion made and Question proposed, "That a Bill for an Act to Establish the Nigerian Council of Food Science and Technology; and for Related Matters (HB. 1647) be now read a Second Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).
- Debate.*
- Question that the Bill be now read a Second Time — Agreed to.*
- Bill read the Second Time.*
- Bill referred to the Committee of the Whole.*
13. A Bill for an Act to Provide for the Establishment of Federal Co-operative Colleges; and for Related Matters (HB.1642) — *Second Reading*
Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of Federal Co-operative Colleges; and for Related Matters (HB.1642) be now read a Second Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).
- Debate.*
- Question that the Bill be now read a Second Time — Agreed to.*
- Bill read the Second Time.*
- Bill referred to the Committee of the Whole.*
14. A Bill for an Act to Establish the Chattered Institute of Finance and Control of Nigeria charged with Responsibility to, among other things, set up Ethical Standard for Professionals in Finance Control; and for Related Matters (HB.1645) — *Second Reading*
Motion made and Question proposed, "That a Bill for an Act to Establish the Chattered Institute of Finance and Control of Nigeria charged with Responsibility to, among other things, set up Ethical Standard for Professionals in Finance Control; and for Related Matters (HB.1645) be now read a Second Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).
- Debate.*
- Question that the Bill be now read a Second Time — Agreed to.*

Bill read the Second Time.

Bill referred to the Committee of the Whole.

15. A Bill for an Act to Provide for the Establishment of the Federal University of Oil and Gas Technology, Bonny, Rivers State; and for Related Matters (HB. 1632) — *Second Reading*
Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Federal University of Oil and Gas Technology, Bonny, Rivers State; and for Related Matters (HB. 1632) be now read a Second Time" (*Hon. Randolph Iwo Oruene Brown — Degema/Bonny Federal Constituency*).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee of the Whole.

Motion made and Question proposed, "That the House do suspend Order Twelve, Rule 3 (1) to enable it take the second reading of a Bill for an Act to Authorise the Issue from the Federal Capital Territory Administration Statutory Revenue Fund of the Federal Capital Territory Administration Account, the total sum of ₦243,374,511,077.00 (Two Hundred and Forty-Three Billion, Three Hundred and Seventy-Four Million, Five Hundred and Eleven Thousand and Seventy-Seven Naira) only, of which the sum of ₦55,043,425,247.00 (Fifty-Five Billion and Forty-Three Million, Four Hundred and Twenty-Five Thousand, Two Hundred and Forty-Seven Naira) only, is for Personnel Costs and the sum of ₦57,610,188,661.00 (Fifty-Seven Billion, Six Hundred and Ten Million, One Hundred and Eighty-Eight Thousand, Six Hundred and Sixty-One Naira) only, is for Overhead Costs whilst the Balance of ₦130,720,897,169.00 (One Hundred and Thirty Billion, Seven Hundred and Twenty Million, Eight Hundred and Ninety-Seven Thousand, One Hundred and Sixty-Nine Naira) only, is for Capital Projects for the service of the Federal Capital Territory, Abuja, for the Financial Year commencing from 1st January and ending on 31st December, 2019" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

16. A Bill for an Act to Authorise the Issue from the Federal Capital Territory Administration Statutory Revenue Fund of the Federal Capital Territory Administration Account, the total sum of ₦243,374,511,077.00 (Two Hundred and Forty-Three Billion, Three Hundred and Seventy-Four Million, Five Hundred and Eleven Thousand and Seventy-Seven Naira) only, of which the sum of ₦55,043,425,247.00 (Fifty-Five Billion and Forty-Three Million, Four Hundred and Twenty-Five Thousand, Two Hundred and Forty-Seven Naira) only, is for Personnel Costs and the sum of ₦57,610,188,661.00 (Fifty-Seven Billion, Six Hundred and Ten Million, One Hundred and Eighty-Eight Thousand, Six Hundred and Sixty-One Naira) only, is for Overhead Costs whilst the Balance of ₦130,720,897,169.00 (One Hundred and Thirty Billion, Seven Hundred and Twenty Million, Eight Hundred and Ninety-Seven Thousand, One Hundred and Sixty-Nine Naira) only, is for Capital Projects for the service of the Federal Capital Territory, Abuja, for the Financial Year commencing from 1st January and ending on 31st December, 2019 — *Second Reading*
Motion made and Question proposed, "That a Bill for an Act to Authorise the Issue from the Federal Capital Territory Administration Statutory Revenue Fund of the Federal Capital Territory Administration Account, the total sum of ₦243,374,511,077.00 (Two Hundred and Forty-Three Billion, Three Hundred and Seventy-Four Million, Five Hundred and Eleven Thousand and Seventy-Seven Naira) only, of which the sum of ₦55,043,425,247.00 (Fifty-Five Billion and Forty-Three Million, Four Hundred and Twenty-Five Thousand, Two Hundred and Forty-Seven Naira) only, is for Personnel Costs and the sum of ₦57,610,188,661.00 (Fifty-Seven Billion, Six

Hundred and Ten Million, One Hundred and Eighty Eight Thousand, Six Hundred and Sixty One Naira) only, is for Overhead Costs whilst the Balance of ₦130,720,897,169.00 (One Hundred and Thirty Billion, Seven Hundred and Twenty Million, Eight Hundred and Ninety-Seven Thousand, One Hundred and Sixty-Nine Naira) only, is for Capital Projects for the service of the Federal Capital Territory, Abuja, for the Financial Year commencing from 1st January and ending on 31st December, 2019 be now read a Second Time” (*Hon. Ahmed Idris — Deputy House Leader*).

Debate.

Question that the Bill be now read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee of the Whole for Supply.

17. Discharge of Committee from Referral on a Bill, Pursuant to Order Seventeen, Rule 3 (1) (g) of the Standing Orders of the House of Representatives

Order read; deferred by leave of the House.

18. Re-Committal:
Petroleum Industry Governance Bill, 2019, the National Research and Innovation Council Bill, 2019 and the Stamp Duties Act (Amendment) Bill, 2019:
Motion made and Question proposed:

The House:

Notes that the Petroleum Industry Governance Bill, 2019, the National Research and Innovation Council Bill, 2019 and the Stamp Duties Act (Amendment) Bill, 2019 were separately passed by the National Assembly and transmitted to the President for assent but were returned with some observations which need to be addressed;

Aware that the observations are germane for the smooth operations of the Bills if eventually assented to;

Resolves to:

Rescind its decisions on the affected Clauses of the Petroleum Industry Governance Bill, 2019, Clauses 2 and 7, the National Research and Innovation Council Bill, 2019 and Clauses 8 and 88 of the Stamp Duties Act (Amendment) Bill, 2019 and re-commit same to the Committee of the Whole for reconsideration and passage (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

19. Consideration of Reports

- (i) *Committee on Aids, Loans and Debt Management:*

Motion made and Question proposed, “That the House do consider the Report of the Committee on Aids, Loans and Debt Management on the Promissory Note Programme and a Bond Issuance to Settle Inherited Local Debts and Contractual Obligations on Refund to State Governments and approve the recommendation therein” (*Hon. Adeginka Ajayi — Odo-Otin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

Question that the House do resolve into the Committee of Supply to consider the Report — Agreed to.

(HOUSE IN COMMITTEE OF SUPPLY)

(Mr Speaker in the Chair)

Recommendation:

"That the Promissory Note Programme and Bond Issuance in the sum of (₦14,623,031,107.51) Fourteen Billion, Six Hundred and Twenty- Three Million, Thirty-One Thousand, One Hundred and Seven Naira, Fifty-One Kobo be refunded to Bauchi State for Projects executed on behalf of the Federal Government" (*Hon. Adeyinka Ajayi — Odo-Otin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of Supply considered the Report of the Committee on Aids, Loans and Debt Management on the Promissory Note Programme and a Bond Issuance to Settle Inherited Local Debts and Contractual Obligations on Refund to State Governments and approved the only Recommendation of Report.

Question that the House do adopt the Report of the Committee of Supply — Agreed to.

(ii) *Committee on Aids, Loans and Debt Management:*

Motion made and Question proposed, "That the House do consider the Report of the Committee on Aids, Loans and Debt Management on the Proposed External Borrowing Request for Niger State Government under the 2016-2018 External Borrowing (Rolling) Plan and approve the recommendations therein" (*Hon. Adeyinka Ajayi — Odo-Otin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

Question that the House do resolve into the Committee of Supply to consider the Report — Agreed to.

(HOUSE IN COMMITTEE OF SUPPLY)

(Mr Speaker in the Chair)

Recommendation (i):

"Approve the ongoing negotiation on the External Borrowing not exceeding the sum of \$266m for Niger State for the dualisation of Minna-Bida Road under the 2016-2018 Medium Term External Borrowing (Rolling) Plan" (*Hon. Adeyinka Ajayi — Odo-Otin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

Recommendation (ii):

"That the terms and conditions of the loan from the Islamic Development Bank, be forwarded to the National Assembly prior to the execution of same for proper documentation and concurrence" (*Hon. Adeyinka Ajayi — Odo-Otin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF
THE NIGERIA ARABIC LANGUAGE VILLAGE AS AN INTER-UNIVERSITY
CENTRE FOR ARABIC LANGUAGE STUDIES; AND FOR RELATED MATTERS

PART I — ESTABLISHMENT OF THE NIGERIA ARABIC LANGUAGE VILLAGE

Clause 1: Establishment of the Nigerian Arabic Village.

- (1) There is hereby established a Language Centre to be known as the Nigeria Arabic Language Village (in this Bill referred to as “the Arabic Village”).
- (2) The Arabic Village shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

*Question that Clause 1 stands part of the Bill — Agreed to.***Clause 2: Objectives of the Arabic Village.**

The objects of the Arabic Village shall be to —

- (a) to promote the study and use of the Arabic language in Nigeria;
- (b) explore all relevant and available avenues, potentials and resources to make the Arabic Village:
 - (i) an active teaching and learning Centre for the study of Arabic;
 - (ii) a resource Centre for specialized professional services to the public and private sectors of the Nigerian economy;
 - (iii) a Nigerian Inter-University Centre for Arabic Studies (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

*Question that Clause 2 stands part of the Bill — Agreed to.***Clause 3: Establishment and composition of the Governing Council.**

- (1) There is hereby established for the Arabic Village a governing body, which shall be known as the Council of the Nigeria Arabic Language Village (in this Bill referred to as “the Council”).
- (2) The Council shall consist of —
 - (a) a Chairman;
 - (b) one representative of the Federal Ministry of Education;
 - (c) one person to represent the National University Commission;
 - (d) one person to represent the National Commission for Colleges of Education;
 - (e) two persons with relevant knowledge and experience selected on individual merit to represent public interest;

- (f) the Executive Director of the Village;
 - (g) the Deputy Executive Director of the Village;
 - (h) the Registrar of the Village who shall also serve as Secretary to the Council;
 - (i) one representative of the Arabic Village Congregation for one term of two years at a time;
 - (j) one representative of the Arabic Village Academic Board for one term of two years at a time.
- (3) The Chairman and members of the council, other than ex-officio shall be appointed by the President on the recommendation of the Minister.
- (4) The President, during a long absence or temporary incapacity by illness of the Chairman, may appoint a person to act in the place of the Chairman and that person while so acting may exercise the functions of the Chairman.
- (5) If any other member is incapacitated by illness or long absence from performing his official duties, a temporary member may be appointed, in the same manner and in accordance with the same procedure under which the incapacitated member was appointed, and while the appointment subsists, he may exercise all the functions of a member.
- (6) The supplementary provisions set out in the schedule to this Bill shall have effect with respect to the proceedings of the Council and other matters contained therein (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Tenure of Office.

- (1) The Chairman shall hold office for a single term of 4 years only.
- (2) A member of the Council, other than ex-officio, shall hold office for 4 years only.
- (3) A member of the Council shall not appoint another person to represent him at a meeting (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Remuneration of a member.

- (1) The Chairman shall be paid such emolument as may be specified in his letter of appointment.
- (2) The allowances payable to members shall be in accordance with such rates as may be approved by the Government, from time to time (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Removal from office.

- (1) If it appears to the Council that the Chairman or any other member other than ex-officio should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to the President through the Minister.
- (2) If the President after making such inquiries as he considers necessary, approves the recommendation, the Minister shall, in writing, declare the Office of the Chairman or of such a member vacant.
- (3) Notwithstanding subsection (1) of this section, the President, may remove a member if he is satisfied that it is in the public interest to do so (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

PART II — FUNCTIONS AND POWERS**Clause 7: Functions of the Arabic Village.**
The Village shall —

- (a) encourage the learning of the Arabic Language in an environment that will prepare the students in the Village to —
 - (i) Speak Arabic fluently;
 - (ii) acquire proficiency in Arabic;
 - (iii) acquire competence in the writing of the Arabic Language;
 - (iv) translate to and from the Arabic Language with reference to the English languages; and
 - (v) interpret simultaneously and consequently to and from Arabic language with reference to the English and Nigerian languages.
- (b) hold out to all persons without distinction to race, creed, sex or political conviction the opportunity of acquiring proficiency in the use of Arabic Language;
- (c) provide courses of instructions and other facilities for the pursuit of learning Arabic Language;
- (d) develop appropriate curricular to suit the needs of the various users of the Village;
- (e) award Testimonials, Certificates, and Diplomas to persons who complete the courses of study undertaken in the Village;
- (f) provide an environment, having all the socio-cultural, physical and psychological facilities, that will facilitate the learning of Arabic language, through a coordinated stimulated process that allows the learner to achieve the linguistic and cultural immersion that is indispensable for communicative competence in Arabic;

- (g) operate with the multi-dimensional and omni-directional strategy of language acquisition for the benefit of —
- (i) University undergraduates, for their statutory Arabic Language Immersion Programme;
 - (ii) students of Colleges of Education, for their compulsory Arabic Language acculturation Programme;
 - (iii) secondary school teachers and students; primary school teachers and pupils; and
 - (iv) Government and non-Governmental personnel;
- (h) serve as a centre for the exchange of information of Arabic studies and of sourcing researches in the area of Arabic studies;
- (i) encourage research into problems of learning and teaching of Arabic as a foreign language in Nigeria, with a view to carrying out research into those problems and finding solutions to them;
 - (j) encourage the development and publication of materials, including books, journals and teaching aids for proficiency programmes and for primary, secondary and tertiary institutions;
 - (k) compile, assemble and publish the results of researches in Arabic studies in Nigeria and popularize those findings where their general recognition, in the opinion of the Village, is of importance to Nigeria and to Arabic studies in Nigeria; and
 - (l) carry out other activities as are necessary or expedient for the performance of its functions under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Functions of the Council.

Subject to the provisions of this Bill, the Council shall —

- (a) be charged with the general control and superintendence of the policies, finances and property of the Arabic Village;
- (b) ensure that the Arabic Village is staffed by persons with high communicative competence in Arabic;
- (c) ensure that proper accounts of the Arabic Village are kept and that those accounts are audited annually as specified in this Bill;
- (d) organize and control the course of study at the Arabic Village and the examinations held in conjunction with those courses;
- (e) organize and control the halls of residence and other facilities provided by the Arabic Village; and

- (f) perform such other duties as the President, may, from time to time, assign to it (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Powers of the Village.

The village shall have power to —

- (a) establish such units within the Village as may, from time to time, be necessary or desirable;
- (b) recruit and engage competent and qualified teaching and non-teaching staff needed for the smooth running of the Arabic Village at all times in line with extant government regulations and the Village conditions of service;
- (c) institute and grant professorships, readerships, lectureship and other posts and offices and to make appointment thereto;
- (d) institute and award fellowships, scholarships, bursaries, medals, prizes and other titles distinctions, award and other forms of assistance;
- (e) provide for the residence, discipline and welfare of members of staff of the Village;
- (f) hold examinations and grant diplomas, certificates and other distinctions to persons who have pursued course of study approved by the Village and have satisfied such other requirements as the Village lay down;
- (g) grant fellowships or titles to deserving individuals;
- (h) demand and receive from any student or any other person attending the Village for the purpose of instruction such fees as the Village may, from time to time, determine;
- (i) acquire, hold, grant, charge or otherwise dealt with or dispose of moveable and immovable property wherever situate;
- (j) accept gifts, legacies and donations, but without obligation to accept them for a particular purpose unless it approves the terms and conditions attaching thereto;
- (k) enter into contracts, establish trusts, act as trustee solely or jointly with any other persons, and employ and act through agents;
- (l) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports ground, playing fields and other building or things necessary or suitable or convenient for the objectives of the Village;
- (m) hold public lectures and to undertake publishing and bookselling;
- (n) subject to the provisions of this Bill —

- (i) invest any money accruing to the Village by way of endowment, whether for general or special purposes, and such other money may not be immediately required for current expenditure, in investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments; and
- (ii) deposit any money, for the time being uninvested, with a bank approved by the Federal Government, on deposit or current account;
- (o) to make gifts for any charitable purposes;
- (p) to do anything which it is authorized or required by this Bill or any other law to do; and
- (q) to do all such acts or things, whether or not incidental to the foregoing powers as may advance the objects of the Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Power of the President to give directives.

The President may give to the Village or to the Council directives of a general nature or relating generally to matters of policy with regards to the performance of the Village or the Council of its functions under this Bill and it shall be the duty of the Village or the Council to comply with these directives (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Power of the Minister to give directives.

Subject to the provisions of this Bill, the Minister may give to the Council such directives of a general nature with regard to the exercise by the Council of its functions under this Bill and it shall be the duty of the Council to comply with such directives (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

PART III — STAFF OF THE ARABIC VILLAGE

Clause 12: Appointment of Principal officers.

(1) The Village shall have the following officers —

- (a) the Executive-Director of the Village;
- (b) the Deputy Executive Director of the Village;
- (c) the Registrar of the Village;
- (d) the Bursar of the Village;
- (e) the Village Librarian;

(2) The principal officers, other than the Executive Director, shall —

- (a) be appointed by the Council; and

- (b) subject to section 12 of this Bill, hold office for such period and on such terms, as to emoluments of their offices and otherwise as may be specified in their letter of appointment (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: Appointment of the Executive Director.

- (1) The President shall, on the recommendation of the Minister, appoint an Executive Director who shall be the Chief Executive and Chief Academic Officer of the Village.
- (2) The Executive Director shall be —
 - (a) a PhD Degree holder in Arabic Language from a recognized university as well as have been a full professor of Arabic for at least 8 years;
 - (b) hold office for a term of five years only and no more; and
 - (c) be paid such emoluments as may be specified in his letter of appointment (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: Appointment of a Deputy Executive Director.

- (1) There shall be a Deputy Executive Director of the Village who shall assist the Executive Director in his duties and act in the place of the Executive Director when the office of Executive Director is vacant or the Executive Director is for any reason absent or otherwise unable to perform his functions as Executive Director.
- (2) The Deputy Executive Director —
 - (a) a Deputy Executive Director appointed pursuant to sub-section 2 of this section shall be a Ph.d Degree holder in relevant area Arabic from recognized university and must spent a minimum of 8 years as a senior lecturer;
 - (b) shall be appointed by the Council on the recommendation of the Executive Director;
 - (c) shall hold office for a period of two years beginning with the date of his appointment, and on such terms as to the emolument of his office and otherwise as maybe specified in his instrument of appointment; and
 - (d) may be eligible for re-appointment for a further term of two years only.
- (3) A person who had held office as Deputy Executive Director for a continuous period of four years or longer, or would so have held office but for his resignation, shall not be eligible for appointment as Deputy Executive Director during the two years immediately following the end of that period (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: The Registrar.

- (1) There shall be a Registrar who shall be the Chief Administrative Officer of the Village and shall be responsible to the Executive Director for the day-to-day administrative work of the Village except as regard financial matters for which the bursar is responsible in accordance with the terms specified below.
- (2) The Registrar shall be the Secretary to the Council.
- (3) The Registrar shall be a graduate of Arabic.
- (4) The Registrar shall hold office for a term of 5 years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment. Notwithstanding the Council may on satisfactory performance extend the tenure for a further period of one year only and thereafter the Registrar shall relinquish his post and be assigned to other duties (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: The Bursar.

- (1) The Bursar shall be the Chief Financial Officer of the Village and shall be responsible to the Executive Director for the day-to-day administration and control of the financial affairs of the Village.
- (2) The Bursar must possess a good honour degree in Accounting, Finance or Economics from a recognized institution of higher learning.
- (3) The Bursar shall hold office for a term of 5 years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment. Notwithstanding the Council may on satisfactory performance extend the tenure for a further period of one year only and thereafter the Bursar shall relinquish his post and be assigned to other duties (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: The Village Librarian.

- (1) The Village Librarian shall be responsible to the Executive Director for the administration of the Village Library and the co-ordination of the Library services of the Village.
- (2) The Librarian of the Arabic Language shall be very proficient in Arabic Language and shall be a Ph.D. Degree holder in Library Science.
- (3) The Librarian shall hold office for a term of 5 years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment. Notwithstanding the Council may on satisfactory performance extend the tenure for a further period of one year only and thereafter the Librarian shall relinquish his post and be assigned to other duties (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

Clause 18: Scope of Responsibility.

A question arising as to the scope of the responsibilities of the principal officers shall be determined by the Council (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Appointment of other employees.

- (1) The Council may appoint such other persons as employees of the Village, as the Council may determine, to assist the Executive Director in the discharge of his functions.
- (2) The remuneration and tenure of office of employees of the Village other than the Executive Director shall be determined by the Council and in consonance with what obtains in similar institutions in Nigeria (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Conditions of Service.

The Village shall operate under the ambit of the National Universities Commission and the salary structures and conditions of service of the employees of the Village shall be same as those obtainable in the Federal University (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

PART IV — DISCIPLINE

Clause 20: Removal of the Executive Director.

If it appears to the Council that the Executive Director should be removed from office, the Council shall make a recommendation to the Minister and if the Minister, after making such inquiries as may be considered necessary, approves the recommendation, the Minister may, with the written approval of the President, declare the office of the Executive Director vacant (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Removal and discipline of Senior Staff.

- (1) If it appears to the Council that there are reasons for believing that a person employed as a senior staff, other than the Executive Director, should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council, through its appropriate committee shall —
 - (a) give notice of those reasons to the person concerned;
 - (b) afford him an opportunity of making representations on the matter to the Council in person;
 - (c) if the person concerned or any three members of the Council so request, within the period of one month beginning with the date of the notice, make arrangements —

- (i) for the Appointment and Promotion Committee of the Council or an ad hoc committee of Council to investigate the matter and to report on it to the Council; and
 - (ii) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee on the matter.
- (2) If the Council, after considering the report of the investigating Committee is satisfied that the person in question should be removed as aforesaid, the Council may remove the person concerned by an instrument in writing signed by the Chairman of the Council in the case of a Principal Officer, or the Registrar in case of other members of staff.
- (3) The Executive Director may in a case of misconduct by a member of the staff other than principal officers which in the opinion of the Executive Director is prejudicial to the interest of the Arabic Village, interdict or suspend that member, and interdiction or suspension shall forthwith be reported to the Council for ratification.
- (4) For good cause, an employee may be interdicted or suspended from office or his appointment may be terminated by the Council and for the purpose of this subsection 'good cause' means —
 - (a) physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as render the person concerned unfit for the discharge of the functions of his office; or
 - (b) conduct of a scandalous or other disgraceful nature which the Council considers to be such as render the person concerned unfit to continue to hold his office; or
 - (c) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (5) A person suspended pursuant to subsection (3) and or (4) of this section shall not be entitled to any salary or emolument while the person interdicted shall only be entitled to half of his/her salary and the Council shall before the expiration of a period of three months after the date of interdiction or suspension consider the case against that person and come to decision as to —
 - (a) whether to continue that person's interdiction or suspension and if so, on what terms;
 - (b) whether to re-instate that person to his office if exculpated in which case the Council shall restore his full emoluments to him with effect from the date of the interdiction;
 - (c) whether to terminate that person's appointment, in which case the person shall not be entitled to the proportion of his emolument withheld during the period of the interdiction;

- (d) whether to take such lesser disciplinary action against that person (including the restoration of the proportion of his emoluments that might have been withheld) as Council may determine.
- (6) In any case where the Council, pursuant to this section, decides to continue person's suspension or decides to take further disciplinary action against that person, the Council shall, before the expiration of the period of three months from that decision, come to a final determination in respect of the case concerning the person as to whether to dismiss, terminate, retire or downgrade the officer concerned.
- (7) It shall be the duty of the person who signed the instrument of removal by virtue of subsection (2) of this section to serve or cause it to be served on the person concerned, a copy of the instrument.
- (8) Nothing in this section shall prevent the Council from making such regulation for the discipline of other categories of employees and workers of that Arabic Village as it may think fit (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Discipline of Junior Staff.

- (1) If a junior staff is accused of misconduct or inefficiency, the Executive Director may suspend him for not more than fourteen days and forthwith shall refer the matter to the Junior Staff Disciplinary Committee —
- (a) to consider the case; and
- (b) to make recommendations as to the appropriate action to be taken by the Executive Director.
- (2) In all cases under this section, the junior member of staff shall be informed in writing of the charges against him and be given reasonable opportunity to defend himself.
- (3) The Executive Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or downgrade the junior officer concerned.
- (4) A person aggrieved by the decision of the Executive Director under subsection (3) of this section may within a period of 21 days from the date of the receipt of the letter communicating the decision to him, address a petition to the Council to reconsider his case and the Council's decision therein shall be final (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Discipline of Students.

- (1) Subject to the provisions of this section, where it appears to the Executive Director that any student of the Village has been guilty of misconduct, the Executive Director may without prejudice to any other disciplinary powers conferred on him by regulations or by law, direct —

- (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Village, or make use of such facilities of the Village, as may be so specified; or
 - (b) that the activities of the student shall, during such period as may be specified; or
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the Village.
- (2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal from the direction to the council and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit.
- (3) The fact that an appeal from a direction is brought in pursuance of the last foregoing subsection shall not affect the question, of the direction while the appeal is pending.
- (4) The Executive Director may delegate his powers under this section to student disciplinary committee consisting of such members of the Village as may be appointed by the Executive Director.
- (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the Village otherwise than on ground of misconduct.
- (6) It is declared that a direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

PART V — ACADEMIC BOARD OF THE ARABIC VILLAGE

Clause 25: Establishment of the Academic Board.

- (1) There is established for the Village an Academic Board which shall consist of —
- (a) the Executive Director as Chairman;
 - (b) the Deputy Executive Director;
 - (c) the Registrar;
 - (d) all deans;
 - (e) all heads of departments;
 - (f) heads of academic units;
 - (g) all professors;

- (h) the Librarian;
 - (i) two members of the Congregation;
 - (j) the head of academic affairs unit who shall be secretary to the Board.
- (2) The Executive Director shall preside over the meeting of the Academic Board and in his absence the Deputy Executive Director shall preside.
 - (3) The Academic Board shall meet at least once in a semester.
 - (4) Subject to subsection (2) and (3) of this section, the Academic Board shall regulate its own procedure (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Functions of the Academic Board.
The Arabic Village Academic Board —

- (1) Subject to section 7 of this Bill and subsections (2) of this section and the provisions of this Bill relating to the Function of the Arabic Village, it shall be the general function of the Arabic Village Academic Board to organize and control the teaching, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the Arabic Village.
- (2) Without prejudice to the generality of subsection (9) of this section and subject as therein mentioned, it shall in particular be the function of the Arabic Village Academic Board to make provision for —
 - (a) the establishment, organization and control of Arabic Village and other teaching and research activities of the Arabic Village and the allocation of responsibilities for different branches of learning;
 - (b) the organization and control of courses of study in the Arabic Village and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of Diploma and certificates, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - (d) the establishment, organization and control of halls of residence and similar hostels facilities of the Arabic Village;
 - (e) the supervision of the welfare of students in the Arabic Village and the regulation of their conduct;
 - (f) the granting of scholarships, prizes and similar awards in so far as the awards are within the control of the Arabic Village;

- (g) determining what descriptions of dress shall be academic dress for the purposes of the Arabic Village, and regulating the use of academic dress.
- (3) Subject to this Bill and the statutes, the Arabic Village Academic Board may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- (4) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study in the Arabic Village is not a teacher in the Arabic Village but is a teacher of the branch of learning to which the course relates at some other recognized institutions or a person engaged in practicing the profession in a reputable organization or institution.
- (5) Subject to right of appeal to the Council from a decision of the Arabic Village Academic Board under this sub-section, the Arabic Village Academic Board may deprive any person of any diploma, certificate or other award of the Arabic Village which has been conferred upon him if after due enquiry he is shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the Arabic Village or obtaining that award (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

PART VI — COMMITTEES OF THE COUNCIL

Clause 27: Establishment of the Finance, General Purpose and Tenders Committee and Appointment and Promotion Committee.

The Council shall establish the following committees —

- (a) Finance and General Purpose Committee;
- (b) Appointments and Promotion Committee;
- (c) Tenders Committee (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

Clause 28: Composition and functions of the Finance and General Purpose Committee.

- (1) The Finance and General Purpose Committee shall consist of —
- (a) the Chairman of the Council as Chairman;
- (b) the Executive Director of the Village;
- (c) two members of the Council to be selected by the Council;
- (d) the Registrar as Secretary;
- (e) one member of the Village academic board to be elected by the Board;
- (f) the Bursar;

- (g) one National Universities Commission representative; and
 - (h) one representative of Federal Ministry of Education.
- (2) The Finance and General Purpose Committee shall, subject to the direction of the Council —
 - (a) exercise control over the property and expenditure of the Village;
 - (b) be responsible for elaborating the general plans of the Village and co-ordinating the work of such other Committee of the Council as the Council may direct;
 - (c) perform such other functions of the Council as the Council may, from time to time, delegate, to it.
- (3) The Finance and General Purpose Committee shall meet as and when necessary for the performance of this functions under this Bill and shall regulate its own procedure.
- (4) The Finance and General purpose Committee shall regulate its procedure (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 28 stands part of the Bill — Agreed to.

Clause 29: Composition and function of the Appointments and Promotion Committee:

- (1) The Appointments and Promotions Committee shall consist of —
 - (a) the Executive Director of the Village as Chairman;
 - (b) the Deputy Executive Director;
 - (c) three Members of the Council to be selected by the Council;
 - (d) the Head of the Department concerned;
 - (e) the Bursar; and
 - (f) the Registrar who shall also serve as Secretary.
- (2) Subject to such policies as may be laid down, from time to time, by the Council, the Appointments and Promotions Committee shall —
 - (a) co-ordinate and regulate the appointments and promotions of members of staff of the Village;
 - (b) Consider applications for special training and sabbatical leaves, leave of absence and for fellowships;
 - (c) perform such other functions ancillary to those in paragraphs (a) and (b) of this subsection as the Council may, from time to time, assign to it.

- (4) The Appointments and Promotions Committee shall meet as and when necessary for the performance of its functions under this Bill and shall regulate its own procedure (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 29 stands part of the Bill — Agreed to.

Clause 30: Tenders Board and Procurement Planning Committee.

The Tenders Board and Procurement Planning Committee shall be constituted as provided for in appropriate Acts, Regulation and Rules (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 30 stands part of the Bill — Agreed to.

Clause 31: Appointment of other Committees.

- (1) The Council may, subject to its standing orders, appoint such other standing and ad-hoc committees as the Council may think fit to consider and report on any matter with which the Village is concerned.
- (2) Subject to the provisions of subsection (1) of this section, a committee appointed shall be presided over by a member of the Council, and shall consist of such number of persons, not necessarily members of the Council, as the Council may determine (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 31 stands part of the Bill — Agreed to.

PART VI — CONGREGATION

Clause 32: Congregation.

- (1) The Congregation shall consist of —
- (a) the Executive Director of the Village as the Chairman;
 - (b) the Deputy Executive Director;
 - (c) the Registrar who shall be the Secretary;
 - (d) the Bursar;
 - (e) the Librarian;
 - (f) members of the academic Board; and
 - (g) every member of staff who holds a Bachelor degree of any university recognized for the purpose of this Bill nor being a honorary degree.
- (2) the Executive Director shall be the Chairman at all meetings of congregation when he is present and in his absence the Deputy Executive Director, and in the absence of both officers, such other member of the congregation present at the meeting as congregation may appoint for that meeting, shall be the chairman at the meeting.

- (3) The quorum of the congregation shall be one-third (or the whole number nearest to one-third) of the total number of members of the congregation whichever less.
- (4) Subject to the foregoing provisions of this Bill the Congregation may regulate its own procedure.
- (5) The Congregation shall be entitle to express by resolution or otherwise its opinions on all matters affecting the interest and welfare of the Arabic Village and shall have such other functions in addition to the function of electing a member of the Council (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 32 stands part of the Bill — Agreed to.

PART VII — FINANCIAL PROVISIONS

Clause 33: Fund of the Arabic Village.

- (1) The Village shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Village.
- (2) There shall be paid and credited to the fund established pursuant to subsection (1) of this section —
 - (a) such moneys as may, from time to time, be lent or granted to the Village by the Government of the Federation or of a State or any of their agencies or foreign intervention;
 - (b) all moneys raised for the purposes of the Village by way of gift, grant in-aid, testamentary disposition or otherwise;
 - (c) all subscription or fees and charges for services rendered by the Village;
 - (d) all interest received in respect of moneys invested by the Village; and
 - (e) all other assets, from time to time, accruing to the Village.
- (3) The fund shall be managed in accordance with guidelines given by the Minister through the National Universities Commission, and without prejudice to the generality of the power to give guidelines under this subsection, the guidelines shall in particular contain provisions specifying the manner in which the assets of the fund are to be held, and regulating the making of payments into and out of the fund (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 33 stands part of the Bill — Agreed to.

Clause 34: Expenditure of the Arabic Village.

- (1) The Village may, from time to time, apply the funds at its disposal —
 - (a) to the cost of the administration of the Village and of any research institute under the village's administration;

- (b) for reimbursing a member of any Committee set up by the Village for expenses expressly authorized by the Village;
 - (c) to the provision of scholarship and other awards for the training of staff of the Village;
 - (d) to the payment of salaries, fees or other remuneration, allowances, pensions and gratuities or superannuation payable to the employees of the Village (including the Executive Director);
 - (e) for the maintenance of any property vested in the Village; and
 - (f) in connection with all or any of the functions of the Village under this Bill or any other enactment.
- (2) Except as provided for in subsection (1) of this section, no other remuneration shall be paid to any member of any Committee appointed by the Village pursuant to this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 34 stands part of the Bill — Agreed to.

Clause 35: Annual estimates, account and audit.

- (1) The Council shall cause to be prepared, not later than 30th September in each year, an estimate of the expenditure and income of the Village during the next succeeding year and when prepared, shall be submitted to the Minister.
- (2) The Council shall cause to be kept proper accounts of the Village in respect of each year and proper records in relation thereto and shall cause its accounts to be audited not less than six months after the end of each year.
- (3) The Council shall appoint auditors from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation *Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 35 stands part of the Bill — Agreed to.

Clause 36: Annual Report.

The Council shall, not later than 31st July in each year, submit to the Minister a report, in such form as the President may, from time to time, direct, on the activities of the Village during the preceding year and shall include in the report the audited accounts of the Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 36 stands part of the Bill — Agreed to.

PART VIII — LEGAL PROCEEDINGS

Clause 37: Limitation of suit against the Arabic Village.

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against an officer or employee of the Arabic Village.

- (2) Notwithstanding anything contained in any other enactment, no suit against a member of the Council or the Registrar or any other officer or employee of the Arabic Village done in pursuance or execution of this Bill or any enactment or law, or of any public duty authority in respect of any other enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced —
- (a) within three months next after the act, neglect or default complained of; or
- (b) in the case of continuation of damage or injury, within six months next after ceasing thereof (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 37 stands part of the Bill — Agreed to.

Clause 38: Pre-action notice.

- (1) No suit shall be commenced against a member of the Council or the Registrar or any other officer or employee of the Arabic Village before the expiration of a period of one month after written notice of the intention to commence the suit shall have been served on the Arabic Village by the intending plaintiff or his agent.
- (2) The notice referred to in subsection (1) 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 (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 38 stands part of the Bill — Agreed to.

Clause 39: Service of documents.

A notice, summons or other document required or authorized to be served on the Arabic Village under the provisions of the Act or any other enactment or law may be served by delivering it to the Registrar or by sending it by registered post addressed to the Registrar at the principal office of the Arabic Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 39 stands part of the Bill — Agreed to.

Clause 40: Restriction on execution against property of the Arabic Village.

In any action or suit against the Arabic Village, no execution or attachment of process in the nature therefore shall be issued against the Arabic Village unless not less than three months' notice of the intention to execute or attach has been given to the Arabic Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 40 stands part of the Bill — Agreed to.

Clause 41: Indemnity of Members, Registrar, Officers, etc.

A member of the Council or the Registrar or any officer or employee of the Arabic Village shall be indemnified out of the assets of the Arabic Village 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 of Council, Registrar or other officer or employees of the Arabic Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 41 stands part of the Bill — Agreed to.

Clause 42: Payment of judgment debt.

In action or suit against the Arabic Village, no execution or attachment or process in the nature thereof shall be issued against the Arabic Village, but any sums of money which may, by the judgment of the court, be awarded against the Arabic Village shall, subject to any directives given by the Arabic Village, be paid from the general reserve of the Arabic Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 42 stands part of the Bill — Agreed to.

PART IX — MISCELLANEOUS AND GENERAL.

Clause 43: Exclusion of discrimination on account of race, religion, etc.

No person shall be required to satisfy requirements as to any of the following matter that is to say, race (including ethnic grouping), sex, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the Village, the holder of any certificate or degree of the Village or of any appointment or employment at the Village and no person shall be subject to any disadvantage or accorded any advantage in relation to the Village by reference to any of those matters:

PROVIDED that nothing in this section shall be construed as preventing the Village from imposing any disability or restriction on any of the aforementioned persons. Where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the Village reasonably justified in the national interest (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 43 stands part of the Bill — Agreed to.

Clause 44: Compulsory acquisition of land.

For the purposes of the land use Act (which provided for the compulsory acquisition of land for public purposes) the purposes of the Village shall be public purposes of the federation and where an estate or interest in any land is acquired by the Government in pursuance to this section, the Government may by a certificate under hand and seal of the registrar of Deeds, transfer it to the Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 44 stands part of the Bill — Agreed to.

Clause 45: Offices and premises.

(1) For the purpose of providing offices and premises necessary for the performance of its functions, the Village may subject to the Lands Use Act —

(a) purchase or take on lease any interest in land, building or property;

(b) build, equip and maintain offices and premises.

(2) The Village may, subject to the Land Use Act, sell or lease out any land, office or premises held by it, which is no longer required for the performance of its functions under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 45 stands part of the Bill — Agreed to.

Clause 46: Power to borrow.

- (1) The Village may, with the approval of the Minister from time to time, borrow by overdraft or otherwise such sums as may require for the performance of its functions under this Bill.
- (2) The Village shall not, without the approval of the Minister borrow money which exceeds, at any time, the limit set by the Minister.
- (3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Village shall not borrow the sum without the prior approval of the Minister (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 46 stands part of the Bill — Agreed to.

Clause 47: Power to accept gifts.

The Village may accept gift of land, money or other property, upon such terms and conditions, if any, as may be specified by the person or organization making the gift, provided that such gift is not inconsistent with the objectives and functions of the Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 47 stands part of the Bill — Agreed to.

Clause 48: Power to make bye-law.

- (1) The Council may, make regulations relating to internal domestic matters placed by this Bill under its control and superintendence other than matters for which provision is to be made by standing orders under paragraph 1 of the Schedule to this Bill.
- (2) Nothing in subsection (1) of this section shall make it obligatory for the Council to publish regulation in the Gazette.
- (3) The Council may, with the approval of the Minister make regulations for giving effect to the provisions of this Bill and without prejudice to the foregoing, regulation shall provide for —
 - (a) the entry into and the type of courses and programmes approved for the Village;
 - (b) the duration of the courses and programmes; and
 - (c) the certificates, if any, to be awarded by the Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 48 stands part of the Bill — Agreed to.

Clause 49: Retirement age of Arabic Village Staff.

- (1)
 - (a) Notwithstanding anything to the contrary in the Pensions Reform Act, the compulsory retirement age of the Arabic Village staff shall be 65 years.
 - (b) Any law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to staff of the Village.

- (2) For academics on Professorial cadre or its equivalent, the retirement age shall be 70 (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 49 stands part of the Bill — Agreed to.

Clause 50: Interpretation.
In this Bill —

"Chairman" means the Chairman of the Council of the Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Chairman" be as defined in the interpretation to this Bill — Agreed to.

"Council" means the Governing Council of the Village (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.

"Fund" means the fund of the Village established under section 33 of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Fund" be as defined in the interpretation to this Bill — Agreed to.

"Government" means Federal Government of Nigeria (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Government" be as defined in the interpretation to this Bill — Agreed to.

"Member" means a member of the Council and includes the Chairman (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Member" be as defined in the interpretation to this Bill — Agreed to.

"Principal officers" means the principal officers of the Village appointed under Part III of this Bill; (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "Principal officers" be as defined in the interpretation to this Bill — Agreed to.

"Village" means the Nigeria Arabic Language Village established by section 1 of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Village" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 50 stands part of the Bill — Agreed to.

Clause 51: Short Title.

This Bill may be cited as the Nigeria Arabic Language Village Bill, 2019. (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 51 stands part of the Bill — Agreed to.

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

Proceedings of the Council

1. Subject to the provision of the Act and section of 27 of the Interpretation Act, the Council shall have power to regulate its proceedings and may make standing Orders with respect to the holding of its meetings and of those of its committee, the notice to be given the proceedings thereat, the keeping of minutes of those proceedings and the custody and production for inspection of the minutes.
2. The quorum of the Council shall be five and the quorum of a Committee of the Council shall be determined by the Council.
3. At a meeting of the Council, the Chairman or person appointed by the Council to act in that behalf shall preside but if neither of them is present, the members present at the meeting shall elect one of their number to preside at the meeting.
4. The Permanent Secretary of the Federal Ministry of Education and the Executive Secretary of the National Universities Commission may attend a meeting of the Council and may take part in the deliberations of the Council but shall not be entitled to vote and shall not count towards a quorum.
5. The Council shall meet at least once in a quarter and as and when necessary for the performance of its functions under this Bill.
6. Any three members of the Council may by notice in writing signed by them request the Chairman to convene as special meeting of the Council. The request shall specify the business to be considered at the meeting and matters not so specified shall not be considered at the meeting.
7. A question put before the Council at a meeting shall be decided by consensus; and where this is not possible, by a majority of the votes of members present and voting.
8. The Chairman shall in the case of an equality of votes have a casting vote in addition to this deliberative vote.
9. Where the Council desires to seek the advice of any person on a particular matter, the Council may co-opt the person as a member of the Council for such period as it thinks fit; but a person who is a member by virtue of this paragraph shall not be entitled to vote at any meeting of the Council and shall not count towards the quorum.

Committees

10. *Ex-officio* Members of Committee:

By *ex-officio* members is meant the —

- (a) Bursar;

(b) Librarian;

(c) Director of Works;

(d) Dean of Studies.

11. The Council may appoint one or more committees to carry out on behalf of the Council such of its functions as the Council may determine.
12. A Committee of the Council shall consist of such number of persons (not necessarily all members of the Council) as may be determined by the Council; and a person other than a member of the Council shall hold office on the committee accordance with the terms of his appointment.
13. A decision of a committee of the Council shall be of no effect unless it is confirmed by the Council.

Miscellaneous

14. The fixing of the seal of the Village shall be authenticated by the signature of the Chairman or of some other persons authorized generally to act for that purpose.
15. Any document purporting to be a document executed under the seal of the Village shall be received in evidence and shall, unless the contrary is proved be deemed executed.
16. A contract or an instrument which, if under or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Village by the Executive Director and a person generally or specially authorized to act for that purpose by the Council.
17. The validity of a proceeding of the Council its Committee shall not be affected by —
 - (a) a vacancy in the membership of the Council or of the Committee; or
 - (b) reason that the a person not entitled to do so took part in the proceedings; or
 - (c) a defect in the appointment of a member.
18. A member of the Council and a person holding office on a Committee of the Council, who has a personal interest in any contract or arrangement entered into proposed to be considered by the Council or a Committee shall —
 - (a) forthwith disclose his interest to the Council or committee, as the case may be; and
 - (b) not vote on any question relating to the contract or arrangement.
19. The certificate issued by the Arabic Village to a 300 level University undergraduate or College of Education student shall be evidence of satisfactory completion of the requisite mandatory language immersion programme.
20. Any Language immersion programme certificate not issued by Nigeria Arabic Language Village must be validated by the Village. The Nigeria Village Language Certificate or any other equivalent certificate validated by the Village shall be required for further studies in Arabic in Nigeria Institutions of Higher education, for the National Youth Service Scheme (NYSC) or for employment of a graduate of Arabic in the Nigeria Public Service (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the provisions of the Schedule stand part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to establish the Nigeria Arabic Language Village in order to promote the study and use of the Arabic Language in Nigeria by exploring all relevant and available avenues, potentials and resources (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for the Establishment of the Nigeria Arabic Language Village as an Inter-University Centre for Arabic Language Studies; and for Related Matters (HB. 1489) and approved Clauses 1 - 51, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

A Bill for an Act to Provide for the Establishment of the Nigeria Arabic Language Village as an Inter-University Centre for Arabic Language Studies; and for Related Matters (HB. 1489) — Third Reading

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Nigeria Arabic Language Village as an Inter-University Centre for Arabic Language Studies; and for Related Matters (HB. 1489) be now read the Third Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

(iv) **A Bill for an Act to Provide for the Establishment of the Nigeria French Language Village as an Inter-University Centre for French Language Studies; and for Related Matters (HB. 1490) (Committee of the Whole);**

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide for the Establishment of the Nigeria French Language Village as an Inter-University Centre for French Language Studies; and for Related Matters (HB. 1490) and approve the recommendations therein" (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

**A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF
THE NIGERIA FRENCH LANGUAGE VILLAGE AS AN INTER
UNIVERSITY CENTRE FOR FRENCH STUDIES; AND
FOR OTHER RELATED MATTERS (HB. 1490)**

PART I — ESTABLISHMENT OF THE NIGERIA
FRENCH LANGUAGE VILLAGE

Clause 1: Establishment of the Nigerian French Village.

- (1) There is hereby established a Language Centre to be known as the Nigeria French Language Village (in this Bill referred to as "the French Village").
- (2) The French Village shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Objectives of the French Village.

The objects of the French Village shall be to —

- (a) promote the study and use of the French language in Nigeria;
- (b) explore all relevant and available avenues, potentials and Resources to make the French Village —
 - (i) an active teaching and learning Centre for the study of French;
 - (ii) a resource Centre for specialized professional services to the public and private sectors of the Nigerian economy; and
 - (iii) a Nigerian Inter-University Centre for French studies (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Establishment and Composition of the Governing Council.

- (1) There is established for the Village a governing body which shall be known as the Council of the Nigeria French Language Village (in this Bill referred to as the "the Council").
- (2) The Council shall consist of —
 - (a) a Chairman;
 - (b) one representative of Federal Ministry of Education;
 - (c) one person to represent the National University Commission;
 - (d) one person to represent the National Commission for Colleges of Education;
 - (e) two persons with relevant knowledge and experience selected on individual merit to represent public interest;
 - (f) the Executive Director of the Village;
 - (g) the Deputy Executive Director of the Village;
 - (h) the Registrar of the Village who shall also serve as Secretary to the Council;

- (i) one representative of the French Village Congregation for one term of two years at a time;
- (j) one representative of the French Village Academic Board for one term of two years at a time.
- (3) The Chairman and members of the council, other than *ex-officio* shall be appointed by the President on the recommendation of the Minister.
- (4) The President, during a long absence or temporary incapacity by illness of the Chairman, may appoint a person to act in the place of the Chairman and that person while so acting may exercise the functions of the Chairman.
- (5) If any other member is incapacitated by illness or long absence from performing his official duties, a temporary member may be appointed, in the same manner and in accordance with the same procedure under which the incapacitated member was appointed, and while the appointment subsists, he may exercise all the functions of a member.
- (6) The supplementary provisions set out in the schedule to this Bill shall have effect with respect to the proceedings of the Council and other matters contained therein (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Tenure of office.

- (1) The Chairman shall hold office for a single term of 4 years only.
- (2) A member of the Council, other than *ex-officio*, shall hold office for 4 years only.
- (3) A member of the Council shall not appoint another person to represent him at a meeting (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Remuneration of Members.

- (1) The Chairman shall be paid such emolument as may be specified in his letter of appointment.
- (2) The allowances payable to members shall be in accordance with such rates as may be approved by the Government, from time to time (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Removal from Office.

- (1) If it appears to the Council that the Chairman or any other member other than *ex-officio* should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to the President through the Minister.

- (2) If the President after making such inquiries as he considers necessary, approves the recommendation, the Minister shall, in writing, declare the Office of the Chairman or of such a member vacant.
- (3) Notwithstanding subsection (1) of this section, the President, may remove a member if he is satisfied that it is in the public interest to do so (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

PART II — FUNCTIONS AND POWERS

Clause 7: Functions of the Village.
The Village shall —

- (a) encourage the learning of the French Language in an environment that will prepare the students in the Village to —
 - (i) speak French fluently;
 - (ii) acquire proficiency in French;
 - (iii) acquire competence in the writing of the French Language;
 - (iv) translate to and from the French Language with reference to the English languages; and
 - (v) interpret simultaneously and consequently to and from French language with reference to the English and Nigerian languages.
- (b) hold out to all persons without distinction to race, creed, sex or political conviction the opportunity of acquiring proficiency in the use of French Language;
- (c) provide courses of instructions and other facilities for the pursuit of learning French Language;
- (d) develop appropriate curricular to suit the needs of the various users of the Village;
- (e) award Testimonials, Certificates, Diplomas and Degrees to persons who complete the courses of study undertaken in the Village;
- (f) provide an environment, having all the socio-cultural, physical and psychological facilities, that will facilitate the learning of French language, through a coordinated stimulated process that allows the learner to achieve the linguistic and cultural immersion that is indispensable for communicative competence in French;
- (g) operate with the multi-dimensional and omni-directional strategy of language acquisition for the benefit of —
 - (i) University undergraduates, for the their statutory French Language Immersion Programme,

- (ii) students of Colleges of Education, for their compulsory Summer French Language Immersion Programme,
- (iii) secondary school teachers and students, primary school teachers and pupils, and
- (iv) Government and non-Governmental personnel;
- (h) serve as a centre for the exchange of information of French studies and of sourcing researches in the area of French studies;
- (i) encourage research into problems of learning and teaching of French as a foreign language in Nigeria, with a view to carrying out research into those problems and finding solutions to them;
- (j) encourage the development and publication of materials, including books, journals and teaching aids for proficiency programmes and for secondary and tertiary institutions;
- (k) compile, assemble and publish the results of researches in French studies in Nigeria and popularize those findings where their general recognition, in the opinion of the Village, is of importance to Nigeria and to French studies in Nigeria; and
- (l) carry out other activities as are necessary or expedient for the performance of its functions under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Functions of the Council.

The Council shall —

- (a) subject to the provisions of this Bill, be charged with the general control and superintendence of the policies, finances and property of the Village;
- (b) ensure that the Village is staffed by persons with high communicative competence in French;
- (c) ensure that proper accounts of the Village are kept and that those accounts are audited annually as specified in this Bill;
- (d) organize and control the course of study at the Village and the examinations held in conjunction with those courses;
- (e) organize and control the halls of residence and the other facilities provided by the Village; and
- (f) perform such other duties as the President, may, from time to time, assign to it (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Powers of the Village.

The Village shall have power to —

- (a) establish such units within the Village as may, from time to time, be necessary or desirable;
- (b) recruit and engage competent and qualified teaching and non-teaching staff needed for the smooth running of the French Village at all times in line with extant government regulations and the Village conditions of service;
- (c) institute and grant professorships, readerships, lectureship and other posts and offices and to make appointment thereto;
- (d) institute and award fellowships, scholarships, bursaries, medals, prizes and other titles distinctions, award and other forms of assistance;
- (e) provide for the residence, discipline and welfare of members of staff of the Village;
- (f) hold examinations and grant diplomas, certificates and other distinctions to persons who have pursued course of study approved by the Village and have satisfied such other requirements as the Village lay down;
- (g) grant fellowships or titles to deserving individuals;
- (h) demand and receive from any student or any other person attending the Village for the purpose of instruction such fees as the Village may, from time to time, determine;
- (i) acquire, hold, grant, charge or otherwise deal with or dispose of moveable and immovable property wherever situate;
- (j) accept gifts, legacies and donations, but without obligation to accept them for a particular purpose unless it approves the terms and conditions attaching thereto;
- (k) enter into contracts, establish trusts, act as trustee solely or jointly with any other persons, and employ and act through agents;
- (l) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports ground, playing fields and other building or things necessary or suitable or convenient for the objectives of the Village;
- (m) hold public lectures and to undertake publishing and bookselling;
- (n) subject to the provisions of this Bill —
 - (i) invest any money accruing to the Village by way of endowment, whether for general or special purposes, and such other money may not be immediately required for current expenditure, in investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments, and
 - (ii) deposit any money, for the time being uninvested, with a bank approved by the Federal Government, on deposit or current account;

- (o) to make gifts for any charitable purposes;
- (p) to do anything which it is authorized or required by this Bill or any other law to do; and
- (q) to do all such acts or things, whether or not incidental to the foregoing powers as may advance the objects of the Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Power of the President to give directives.

The President, may give to the Village or to the Council directives of a general nature or relating generally to matters of policy with regard to the performance by the Village or the Council of its functions under this Bill and it shall be the duty of the Village or the Council to comply with these directives (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Power of the Minister to give directives.

Subject to the provisions of this Bill, the Minister may give to the Council such directives of a general nature with regard to the exercise by the Council of its functions under this Bill and it shall be the duty of the Council to comply with such directives (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

PART III — STAFF OF THE VILLAGE

Clause 12: Appointment of Principal Officers.

(1) The Village shall have the following officers-

- (a) the Executive-Director of the Village;
- (b) the Deputy Executive Director of the Village;
- (c) the Registrar of the Village;
- (d) the Bursar of the Village; and
- (e) the Village Librarian;

(2) The principal officers, other than the Executive-Director, shall —

- (a) be appointed by the Council; and
- (b) subject to section 14 of this Bill, hold office for such period and on such terms, as to emoluments of their offices and otherwise as may be specified in their letter of appointment (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: Appointment of the Executive Director.

- (1) The President shall, on the recommendation of the Minister, appoint a Executive Director who shall be the Chief Executive Officer and Chief Academic Officer of the Village.
- (2) The Executive Director shall —
 - (a) a Ph.d Degree holder in French Language from a recognized university as well as haven been a full professor of French for at least 8 years;
 - (b) hold office for a term of five years only and no more; and
 - (c) be paid such emoluments as may be specified in his letter of appointment (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: Deputy Executive Director.

- (1) There shall be a Deputy Executive Director of the Village who shall assist the Executive Director in his duties and act in the place of the Executive Director when the office of Executive Director is vacant or the Executive Director is for any reason absent or otherwise unable to perform his functions as Executive Director.
- (2) The Deputy Executive Director —
 - (a) appointed pursuant to sub-section 2 of this section shall be a Ph.d Degree holder in relevant area French from recognized university and must spent a minimum of 8 years as a senior lecturer;
 - (b) shall be appointed by the Council on the recommendation of the Executive Director;
 - (c) shall hold office for a period of two years beginning with the date of his appointment, and on such terms as to the emolument of his office and otherwise as maybe specified in his instrument of appointment; and
 - (d) may be eligible for re-appointment for a further term of two years only.
- (3) A person who had held office as Deputy Executive Director for a continuous period of four years or longer, or would so have held office but for his resignation, shall not be eligible for appointment as Deputy Executive Director during the two years immediately following the end of that period (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Registrar.

- (1) There shall be a Registrar who shall be the Chief Administrative Officer of the Village and shall be responsible to the Director-General for the day-to-day administrative work of the Village except as regard matters for which the bursar is responsible in accordance with the terms specified below.
- (2) The Registrar shall be the Secretary to the Council.
- (3) The Registrar shall be a graduate of French.
- (4) The Registrar shall hold office for a term of 5 years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment. Notwithstanding the Council may on satisfactory performance extend the tenure for a further period of one year only and thereafter the Registrar shall relinquish his post and be assigned to other duties (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: The Bursar.

- (1) The Bursar shall be the Chief Financial Officer of the Village and shall be responsible to the Executive Director for the day-to-day administration and control of the financial affairs of the Village.
- (2) The Bursar must possess a good honours degree in Accounting, Finance or Economics from a recognized institution of higher learning.
- (3) The Bursar shall hold office for a term of 5 years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment. Notwithstanding the Council may on satisfactory performance extend the tenure for a further period of one year only and thereafter the Bursar shall relinquish his post and be assigned to other duties (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: The Village Librarian.

- (1) The Village Librarian shall be responsible to the Executive Director for the administration of the Village Library and the co-ordination of the Library services of the Village.
- (2) The Librarian of the French Language shall be very proficient in French Language and shall be a Ph.d Degree holder in Library Science.
- (3) The Librarian shall hold office for a term of 5 years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment. Notwithstanding the Council may on satisfactory performance extend the tenure for a further period of one year only and thereafter the Librarian shall relinquish his post and be assigned to other duties (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

- Clause 18: **Scope of responsibilities.**
A question arising as to the scope of the responsibilities of the principal officers, shall be determined by the Council (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

- Clause 19: **Appointment of other employees.**
- (1) The Council may appoint such other persons as employees of the Village, as the Council may determine, to assist the Director-General in the discharge of his functions.
 - (2) The remuneration and tenure of office of employees of the Village other than the Director-General shall be determined by the Council and in consonance with what obtains in similar institutions in Nigeria (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

- Clause 20: **Conditions of Service.**
The Village shall operate under the ambit of the National Universities Commission and the salary structures and conditions of service of the employees of the Village shall be similar to those obtainable in the Federal University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

PART IV — DISCIPLINE

- Clause 21: **Removal from office of the Executive Director.**
If it appears to the Council that the Executive Director should be removed from office, the Council shall make a recommendation to the Minister and if the Minister, after making such inquiries as considered necessary, approves the recommendation, the Minister may, with the written approval of the President in writing declare the office of the Executive Director vacant (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

- Clause 22: **Removal and discipline of Senior Staff.**
- (1) If it appears to the Council that there are reasons for believing that a person employed as a senior staff, other than the Director-General, should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council, through its appropriate committee shall —
 - (a) give notice of those reasons to the person concerned;
 - (b) afford him an opportunity of making representations on the matter to the Council in person;
 - (c) if the person concerned or any three members of the Council so request, within the period of one month beginning with the date of the notice, make arrangements —

- (i) for the Appointments and Promotion Committee of the Council or an *ad-hoc* Committee of Council, to investigate the matter and to report on it to the Council; and
 - (ii) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee on the matter.
- (2) If the Council, after considering the report of the Investigating Committee is satisfied that the person in question should be removed as aforesaid, the Council may remove the person concerned by an instrument in writing signed by the Chairman of the Council, in the case of a principal officer and the Registrar in the case of other staff.
- (3) The Executive Director may, in a case of conduct by a member of the staff which in the opinion of the Executive Director is prejudicial to the interest of the Village, suspend that member, and suspension shall forthwith be reported to the Council for ratification.
- (4) For good cause, an employee may be suspended from office or his appointment may be terminated by the Council and for the purpose of this subsection "good cause" means —
 - (a) physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as render the person concerned unfit for the discharge of the functions of his office; or
 - (b) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (c) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (5) A person suspended pursuant to subsection (3) and or (4) of this section shall not be entitled to any salary or emolument, while the person interdicted shall only be entitled to half of his/her salary and the Council shall before the expiration of a period of three months after the date of interdiction or suspension consider the case against that person and come to decision as to —
 - (a) whether to continue that person's interdiction or suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
 - (b) whether to re-instate that a person to his office, in which case the Council shall restore his full emoluments to him with effect from the date of the interdiction;
 - (c) whether to terminate that person's appointment, in which case the person shall not be entitled to the proportion of his emolument withheld during the period of the interdiction; and

- (d) whether to take such lesser disciplinary action against that person (including the restoration of the proportion of his emoluments that might have been withheld) as the Council may determine.
- (6) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall, before the expiration of a period of three months from that decision, come to a final determination in respect of the case concerning the person as to whether to dismiss, terminate, retire or downgrade the officer concerned.
- (7) It shall be the duty of the person who signed the instrument of removal by virtue of subsection (2) of this section to serve or cause it to be served on the person concerned, a copy of the instrument.
- (8) Nothing in this section shall prevent the Council from making such regulation for the discipline of other categories of employees and workers of the Village as it may think fit (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Discipline of Junior Staff.

- (1) If a junior staff is accused of misconduct or inefficiency, the Executive Director may suspend him for not more than three months and forthwith shall refer the matter to the Junior Staff Disciplinary Committee —
 - (a) to consider the case; and
 - (b) to make recommendations as to the appropriate action to be taken by the Executive Director.
- (2) In all case under this section, the junior member of staff shall be informed in writing of the charges against him and be given reasonable opportunity to defend himself.
- (3) The Executive Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or downgrade the junior officer concerned.
- (4) A person aggrieved by the decision of the Executive Director under subsection (3) of this section may within a period of 21 days from the date of the receipt of the letter communicating the decision to him, address a petition to the Council to reconsider his case and the Council's decision therein shall be final (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Discipline of Students.

- (1) Subject to the provisions of this section, where it appears to the Executive Director that any student of the Village has been guilty of misconduct, the Executive Director may without prejudice to any other disciplinary powers conferred on him by regulations or by law, direct —

- (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Village, or make use of such facilities of the Village, as may be so specified; or
 - (b) that the activities of the student shall, during such period as may be specified; or
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the Village.
- (2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal from the direction to the council and where such as appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the council considers just, either confirm or set aside the direction or modify it in such manner as the Council thinks fit.
- (3) The fact that an appeal from a direction is brought in pursuance of the last foregoing subsection shall not affect the question of the direction while the appeal is pending.
- (4) The Executive Director may delegate his powers under this section to a student disciplinary committee consisting of such members of the Village as may be appointed by the Executive Director.
- (5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the Village otherwise than on ground of misconduct.
- (6) It is declared that a direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

PART V — ACADEMIC BOARD OF THE VILLAGE

Clause 25: Establishment of the Academic Board.

- (1) There is established for the Village an Academic Board which shall consist of —
- (a) the Executive Director as Chairman;
 - (b) the Deputy Executive Director;
 - (c) the Registrar;
 - (d) all deans;
 - (e) all heads of departments;
 - (f) heads of academic units;
 - (g) all professors;

- (h) the Librarian;
 - (i) two members of the congregation;
 - (j) the head of academic affairs unit who shall be Secretary to the Board.
- (2) The Executive Director shall preside over the meeting of the Academic Board and in his absence the Deputy Executive Director shall preside.
- (3) The Academic Board shall meet at least once in a semester.
- (4) Subject to subsection (2) and (3) of this section, the Academic Board shall regulate its own procedure (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: **Functions of the Academic Board.**
The French Village Academic Board —

- (1) Subject to section 7 of this Bill and subsections (2) of this section and the provisions of this Bill relating to the Function of the French Village, it shall be the general function of the French Village Academic Board to organize and control the teaching, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the French Village.
- (2) Without prejudice to the generality of subsection (9) of this section and subject as therein mentioned, it shall in particular be the function of the French Village Academic Board to make provision for:
- (a) the establishment, organization and control of French Village and other teaching and research activities of the French Village and the allocation of responsibilities for different branches of learning;
 - (b) the organization and control of courses of study in the French Village and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of Diploma and certificates, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - (d) the establishment, organization and control of halls of residence and similar hostels facilities of the French Village;
 - (e) the supervision of the welfare of students in the French Village and the regulation of their conduct;
 - (f) the granting of scholarships, prizes and similar awards in so far as the awards are within the control of the French Village; and

- (g) determining what descriptions of dress shall be academic dress for the purposes of the French Village, and regulating the use of academic dress.
- (3) Subject to this Bill and the statutes, the French Village Academic Board may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- (4) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study in the French Village is not a teacher in the French Village but is a teacher of the branch of learning to which the course relates at some other recognized institutions or a person engaged in practicing the profession in a reputable organization or institution.
- (5) Subject to right of appeal to the Council from a decision of the French Village Academic Board under this sub-section, the French Village Academic Board may deprive any person of any diploma, certificate or other award of the French Village which has been conferred upon him if after due enquiry he is shown to have been guilty of dishonourable or scandalous conduct in gaining admission into the French Village or obtaining that award (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

PART VI — COMMITTEES OF THE COUNCIL

Clause 27: Establishment of the Finance, General Purpose, Tenders and the Appointment and Promotion Committees.

The Council shall establish the following Committees —

- (a) Finance and General Purposes Committee;
- (b) Appointments and Promotion Committee; and
- (c) Tenders Committee (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

Clause 28: Composition and functions of the Finance and General Purpose Committee.

(1) The Finance and General Purpose Committee shall consist of —

- (a) the Chairman of the Council as Chairman;
- (b) the Executive Director of the Village;
- (c) two members of the Council to be selected by the Council;
- (d) the Registrar as Secretary;
- (e) one member of the Village academic board to be elected by the Board;

- (f) the Bursar;
 - (g) one National Universities Commission representative; and
 - (h) one representative of Federal Ministry of Education.
- (2) The Finance and General Purpose Committee shall, subject to the direction of the Council —
 - (a) exercise control over the property and expenditure of the Village;
 - (b) be responsible for elaborating the general plans of the Village and co-ordinating the work of such other Committee of the Council as the Council may direct;
 - (c) perform such other functions of the Council as the Council may, from time to time, delegate, to it.
- (3) The Finance and General Purpose Committee shall meet as and when necessary for the performance of this functions under this Bill and shall regulate its own procedure.
- (4) The Finance and General purpose Committee shall regulate its procedure
(Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

Question that Clause 28 stands part of the Bill — Agreed to.

Clause 29: Composition and functions of the Appointment and Promotion Committee.

- (1) The Appointment and Promotions Committee shall consist of —
 - (a) the Executive Director of the Village as Chairman;
 - (b) the Deputy Executive Director;
 - (c) three members of the Council to be selected by the Council;
 - (d) the Head of the Department concerned;
 - (e) the Bursar; and
 - (f) the Registrar as Secretary.
- (2) Subject to such policies as may be laid down, from time to time, by the Council, the Appointment and Promotions Committee shall —
 - (a) co-ordinate and regulate the appointment and promotion of members of staff of the Village;
 - (b) consider applications for special training and sabbatical leaves, leave of absence and for fellowships;
 - (c) perform such other functions ancillary to those in paragraphs (a) and (b) of this subsection as the Council may, from time to time, assign to it.

- (3) The Appointment and Promotion Committee shall meet as and when necessary for the performance of its functions under this Bill and shall regulate its own procedure (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 29 stands part of the Bill — Agreed to.

Clause 30: Tenders Board and Procurement Planning Committee.

The Tenders Board and Procurement Committee shall be constituted as provided for in the appropriate Act, regulations and rules (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 29 stands part of the Bill — Agreed to.

Clause 31: Appointment of other Committees.

- (1) The Council may, subject to its standing orders, appoint such other standing and ad-hoc committees as the Council may think fit to consider and report on any matter with which the Village is concerned.
- (2) Subject to the provisions of subsection (1) of this section, a committee appointed shall be presided over by a member of the Council, and shall consist of such number of persons, not necessarily members of the Council, as the Council may determine (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 31 stands part of the Bill — Agreed to.

PART VII — CONGREGATION

Clause 32: Congregation.

- (1) Congregation shall consist of:
- (a) the Executive Director of the Village as the Chairman;
 - (b) the Deputy Executive Director;
 - (c) the Registrar who shall be the Secretary
 - (d) the Bursar;
 - (e) the Librarian;
 - (f) members of the academic Board; and
 - (g) every member of staff who holds a Bachelor degree of any university recognized for the purpose of this Bill nor being a honorary degree.
- (2) The Executive Director shall be the Chairman at all meetings of congregation when he is present and in his absence the Deputy Executive Director, and in the absence of both officers, such other member of the congregation present at the meeting as congregation may appoint for that meeting, shall be the chairman at the meeting.

- (3) The quorum of the congregation shall be one-third (or the whole number nearest to one-third) of the total number of members of the congregation whichever less.
- (4) Subject to the foregoing provisions of this Bill congregation may regulate its own procedure.
- (5) Congregation shall be entitle to express by resolution or otherwise its opinions on all matters affecting the interest and welfare of the French Village and shall have such other functions in addition to the function of electing a member of the council (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 32 stands part of the Bill — Agreed to.

PART VIII — FINANCIAL PROVISIONS

Clause 33: Fund of the Village.

- (1) The Village shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Village.
- (2) There shall be paid and credited to the fund established pursuant to subsection (1) of this section —
 - (a) such moneys as may, from time to time, be lent or granted to the Village by the Government of the Federation or of a State or any of their agencies or foreign intervention;
 - (b) all moneys raised for the purposes of the Village by way of gift, grant in-aid, testamentary disposition or otherwise;
 - (c) all subscription or fees and charges for services rendered by the Village;
 - (d) all interest received in respect of moneys invested by the Village; and
 - (e) all other assets, from time to time, accruing to the Village.
- (3) The fund shall be managed in accordance with guidelines given by the Minister through the National Universities Commission, and without prejudice to the generality of the power to give guidelines under this subsection, the guidelines shall in particular contain provisions specifying the manner in which the assets of the fund are to be held, and regulating the making of payments into and out of the fund (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 33 stands part of the Bill — Agreed to.

Clause 34: Expenditure of the Village.

- (1) The Village may, from time to time, apply the funds at its disposal —
 - (a) to the cost of the administration of the Village and of any research institute under the village's administration;

- (b) for reimbursing a member of any Committee set up by the Village for expenses expressly authorized by the Village;
 - (c) to the provision of scholarship and other awards for the training of staff of the Village.
 - (d) to the payment of salaries, fees or other remuneration, allowances, pensions and gratuities or superannuation payable to the employees of the Village (including the Executive Director);
 - (e) for the maintenance of any property vested in the Village; and
 - (f) for in connection with all or any of the functions of the Village under this Bill or any other enactment.
- (2) Except as provided for in subsection (1) of this section, no other remuneration shall be paid to any member of any Committee appointed by the Village pursuant to this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 35: Annual Estimates, Accounts and Audit.

- (1) The Council shall cause to be prepared, not later than 30th September in each year, an estimate of the expenditure and income of the Village during the next succeeding year and when prepared, shall be submitted to the Minister.
- (2) The Council shall cause to be kept proper accounts of the Village in respect of each year and proper records in relation thereto and shall cause its accounts to be audited not less than six months after the end of each year.
- (3) The Council shall appoint auditors from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 35 stands part of the Bill — Agreed to.

Clause 36: Audited Accounts.

The Council shall, not later than 31st July in each year, submit to the Minister a report, in such form as the President may, from time to time, direct, on the activities of the Village during the preceding year and shall include in the report the audited accounts of the Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 36 stands part of the Bill — Agreed to.

PART IX — LEGAL PROCEEDINGS

Clause 37: Limitation of suit against the French Village.

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against an officer or employee of the French Village.

- (2) Notwithstanding anything contained in any other enactment, no suit against a member of the Council or the Registrar or any other officer or employee of the French Village done in pursuance or execution of this Bill or any enactment or law, or of any public duty authority in respect of any other enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced —
- (a) within three months next after the act, neglect or default complained of; or
- (b) in the case of continuation of damage or injury, within six months next after ceasing thereof (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 37 stands part of the Bill — Agreed to.

Clause 38: Pre-Action Notice.

- (1) No suit shall be commenced against a member of the Council or the Registrar or any other officer or employee of the French Village before the expiration of a period of one month after written notice of the intention to commence the suit shall have been served on the French Village by the intending plaintiff or his agent.
- (2) The notice referred to in subsection (1) 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 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 38 stands part of the Bill — Agreed to.

Clause 39: Service of documents.

A notice, summons or other document required or authorized to be served on the French Village under the provisions of the Act or any other enactment or law may be served by delivering it to the Registrar or by sending it by registered post addressed to the Registrar at the principal office of the French Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 39 stands part of the Bill — Agreed to.

Clause 40: Restriction on execution against property of the French Village.

In any action or suit against the French Village, no execution or attachment of process in the nature thereof shall be issued against the French Village unless not less than three months' notice of the intention to execute or attach has been given to the French Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 40 stands part of the Bill — Agreed to.

Clause 41: Indemnity of Members, Registrar, Officers, etc.

A member of the Council or the Registrar or any officer or employee of the French Village shall be indemnified out of the assets of the French Village 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 of Council, Registrar or other officer or employees of the French Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 41 stands part of the Bill — Agreed to.

Clause 42: Payment of judgment debt.

In action or suit against the French Village, no execution or attachment or process in the nature thereof shall be issued against the French Village, but any sums of money which may, by the judgment of the court, be awarded against the French Village shall, subject to any directives given by the French Village, be paid from the general reserve of the French Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 42 stands part of the Bill — Agreed to.

PART X — MISCELLANEOUS AND GENERAL

Clause 43: Exclusion of discrimination on account of race, religion, etc.

No person shall be required to satisfy requirements as to any of the following matter that is to say, race (including ethnic grouping), sex, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the Village, the holder of any certificate or degree of the Village or of any appointment or employment at the Village and no person shall be subject to any disadvantage or accorded any advantage in relation to the Village by reference to any of those matters —

PROVIDED that nothing in this section shall be construed as preventing the Village from imposing any disability or restriction on any of the aforementioned persons. Where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the Village reasonably justified in the national interest (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 43 stands part of the Bill — Agreed to.

Clause 44: Compulsory acquisition of land.

For the purposes of the Land Use Act (which provided for the compulsory acquisition of land for public purposes) the purposes of the Village shall be public purposes of the federation and where an estate or interest in any land is acquired by the Government in pursuance to this section, the Government may by a certificate under hand and seal of the registrar of Deeds, transfer it to the Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 44 stands part of the Bill — Agreed to.

Clause 45: Offices and premises.

(1) For the purpose of providing offices and premises necessary for the performance of its functions, the Village may subject to the Land Use Act —

(a) purchase or take on lease any interest in land, building or property;

(b) build, equip and maintain offices and premises.

(2) The Village may, subject to the Land Use Act, sell or lease out any land, office or premises held by it, which is no longer required for the performance of its functions under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 45 stands part of the Bill — Agreed to.

Clause 46: Power to borrow.

- (1) The Village may, with the approval of the Minister from time to time, borrow by overdraft or otherwise such sums as may require for the performance of its functions under this Bill.
- (2) The Village shall not, without the approval of the Minister borrow money which exceeds, at any time, the limit set by the Minister.
- (3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Village shall not borrow the sum without the prior approval of the Minister (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 46 stands part of the Bill — Agreed to.

Clause 47: Power to accept gifts.

The Village may accept gift of land, money or other property, upon such terms and conditions, if any, as may be specified by the person or organization making the gift, provided that such gift is not inconsistent with the objectives and functions of the Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 47 stands part of the Bill — Agreed to.

Clause 48: Power to make bye-laws.

- (1) The Council may, make regulations relating to internal domestic matters placed by this Bill under its control and superintendence other than matters for which provision is to be made by standing orders under paragraph 1 of the Schedule to this Bill.
- (2) Nothing in subsection (1) of this section shall make it obligatory for the Council to publish regulation in the Gazette.
- (3) The Council may, with the approval of the Minister make regulations for giving effect to the provisions of this Bill and without prejudice to the foregoing, regulation shall provide for —
 - (a) the entry into and the type of courses and programmes approved for the Village;
 - (b) the duration of the courses and programmes; and
 - (c) the certificates, if any, to be awarded by the Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 48 stands part of the Bill — Agreed to.

Clause 49: Retirement age of French Village Staff.

- (1)
 - (a) Notwithstanding anything to the contrary in the Pensions Reform Act, the compulsory retiring age of an academic staff shall be 65 years.
 - (b) Any law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the Village.

- (2) For academics on Professorial cadre or its equivalent, the retirement age shall be 70 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 49 stands part of the Bill — Agreed to.

Clause 50: Interpretation.
In this Bill —

"Chairman" means the Chairman of the Council of the Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Chairman" be as defined in the interpretation to this Bill — Agreed to.

"Council" means the Governing Council of the Village (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.

"Fund" means the fund of the Village established under section 32 of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Fund" be as defined in the interpretation to this Bill — Agreed to.

"Government" means Federal Government of Nigeria (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Government" be as defined in the interpretation to this Bill — Agreed to.

"Member" means a member of the Council and includes the Chairman (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Member" be as defined in the interpretation to this Bill — Agreed to.

"Principal officers" means the principal officers of the Village appointed under Part III of this Bill; and (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "Principal officers" be as defined in the interpretation to this Bill — Agreed to.

"Village" means the Nigeria French Language Village established by section 1 of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Village" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 50 stands part of the Bill — Agreed to.

Clause 51: Citation.

This Bill may be cited as the Nigeria French Language Village Bill, 2019 (*hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 51 stands part of the Bill — Agreed to.

SCHEDULE

Section 3 (6)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

Proceedings of the Council

1. Subject to the provision of the Act and section of 27 of the Interpretation Act, the Council shall have power to regulate its proceedings and may make standing Orders with respect to the holding of its meetings and of those of its committee, the notice to be given the proceedings thereat, the keeping of minutes of those proceedings and the custody and production for inspection of the minutes.
2. The quorum of the Council shall be five and the quorum of a Committee of the Council shall be determined by the Council.
3. At a meeting of the Council, the Chairman or person appointed by the Council to act in that behalf shall preside but if neither of them is present, the members present at the meeting shall elect one of their number to preside at the meeting.
4. The Permanent Secretary of the Federal Ministry of Education and the Executive Secretary of the National Universities Commission may attend a meeting of the Council and may take part in the deliberations of the Council but shall not be entitled to vote and shall not count towards a quorum.
5. The Council shall meet at least once in a quarter and as and when necessary for the performance of its functions under this Bill.
6. Any three members of the Council which must include one external member may by notice in writing signed by them request the Chairman to convene a special meeting of the Council. The request shall specify the business to be considered at the meeting and matters not so specified shall not be considered at the meeting.
7. A question put before the Council at a meeting shall be decided by consensus; and where this is not possible, by a majority of the votes of members present and voting.
8. The Chairman shall in the case of an equality of votes have a casting vote in addition to this deliberative vote.
9. Where the Council desires to seek the advice of any person on a particular matter, the Council may co-opt the person as a member of the Council for such period as it thinks fit; but a person who is a member by virtue of this paragraph shall not be entitled to vote at any meeting of the Council and shall not count towards the quorum.

Committees

10. *Ex-officio* members of committee

By ex-officio members is meant:

- (a) the Bursar;
- (b) the Librarian;
- (c) the Director of Works;
- (d) the Dean of Studies.

11. The Council may appoint one or more committees to carry out on behalf of the Council such of its functions as the Council may determine.
12. A Committee of the Council shall consist of such number of persons (not necessarily all members of the Council) as may be determined by the Council; and a person other than a member of the Council shall hold office on the committee accordance with the terms of his appointment.
13. A decision of a committee of the Council shall be of no effect unless it is confirmed by the Council.

Miscellaneous

14. The fixing of the seal of the Village shall be authenticated by the signature of the Chairman or of some other persons authorized generally to act for that purpose.
15. Any document purporting to be a document executed under the seal of the Village shall be received in evidence and shall, unless the contrary is proved be deemed executed.
16. A contract or an instrument which, if under or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Village by the Director-General and a person generally or specially authorized to act for that purpose by the Council.
17. The validity of a proceeding of the Council or its Committee shall not be affected by —
 - (a) a vacancy in the membership of the Council or of the Committee; or
 - (b) reason that the a person not entitled to do so took part in the proceedings; or
 - (c) a defect in the appointment of a member.
18. A member of the Council and a person holding office on a Committee of the Council, who has a personal interest in any contract or arrangement entered into proposed to be considered by the Council or a Committee shall —
 - (a) forthwith disclose his interest to the Council or committee, as the case may be; and
 - (b) not vote on any question relating to the contract or arrangement.
19. The certificate issued by the French Village to a 300 level University undergraduate or College of Education student shall be evidence of satisfactory completion of the requisite mandatory language immersion programme.

20. Any Language immersion programme certificate not issued by Nigeria French Language Village must be validated by the Village. The Nigeria Village Language Certificate or any other equivalent certificate validated by the Village shall be required for further studies in French in Nigeria Institutions of Higher education, for the National Youth Service Scheme (NYSC) or for employment of a graduate of French in the Nigeria Public Service (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the provisions of the Schedule stand part of the Bill — Agreed to.

Explanatory Note:

This Bill seeks to establish the Nigeria French Language Village in order to promote the study and use of the French Language in Nigeria by exploring all relevant and available avenues, potentials and resources (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Provide for the Establishment of the Nigeria French Language Village as an Inter University Centre for French Studies; and for Other Related Matters (HB. 1490) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for the Establishment of the Nigeria French Language Village as an Inter-University Centre for French Language Studies; and for Related Matters (HB. 1490) and approved Clauses 1 - 51, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

A Bill for an Act to Provide for the Establishment of the Nigeria French Language Village as an Inter-University Centre for French Language Studies; and for Related Matters (HB. 1490) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Nigeria French Language Village as an Inter-University Centre for French Language Studies; and for Related Matters (HB. 1490) be now read the Third Time" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

- (v) A Bill for an Act to Establish the Minimum Standards for Health Care Facilities; and for Related Matters (HB. 1480) (*Committee of the Whole*):

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish the Minimum Standards for Health Care Facilities; and for Related Matters (HB. 1480) and approve the recommendations therein" (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

- (a) provide and maintain an equipped forensic laboratory, a library, comprising books and publications for the promotion and advancement of knowledge of the profession, and such other books and publications as the Council may think necessary for that purpose; and
- (b) encourage research into forensic auditing and forensic investigations methods and allied subjects to the extent that the Council may, from time to time, determine.
- (c) offer relevant courses in collaboration with tertiary institutions in Nigeria and internationally to graduate students in their desire fields (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

Clause 18: Regulations and Rules.

Rules made for the purposes of this Bill shall be subject to confirmation by the Institute at its next annual general meeting or at any special meeting of the Institute convened for the purpose, and if then annulled shall cease to have effect on the day after the date of annulment, but without prejudice to anything done in pursuance or intended pursuance of any such rules (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Offences and Penalties.

- (1) If any person, for the purpose of procuring the registration of any name, qualification or other matter:
 - (a) makes a statement which he believes to be false in a material particular; or
 - (b) recklessly makes a statement which is false in a material particular, he shall be guilty of an offence.
- (2) If, on or after the coming into force of this Bill, any person who is not a member of the Institute practices as a member of the Chartered Institute of Forensic and Investigative Professionals or uses any name, title, addition or description implying that he is a member of the Institute, he is guilty of an offence.
- (3) In the case of a person referred to in section 14 of this Bill —
 - (a) the provisions of subsection (2) of this section shall not apply in respect of anything done by him during the period of three months mentioned in that section; and
 - (b) if within that period he duly applies for membership of the Institute, then unless within that period he is notified that his application has not been approved, the provision of subsection (2) of this section shall not apply in respect of anything done by him between the end of that period and the date which he is registered or is notified as aforesaid.

- (4) If any person employed by or on behalf of the Institute willfully makes any falsification in any matter relating to the register, he commits an offence.
- (5) A person guilty of an offence under this section is liable ---
- (a) on summary conviction, to a fine of an amount not exceeding ₦50,000:00; or
 - (b) on conviction on indictment, to a fine of an amount not exceeding ₦100,000:00; or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment.
- (6) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any such capacity, he, as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Transfer to the Institute of Certain Assets and Liabilities.

- (1) On the commencement of this Bill —
- (a) all assets and liabilities held or incurred immediately before that day by or on behalf of the Incorporated Institute shall, by virtue of this Bill and without any further assurance, vest in the Institute and be held by it for the purposes of the Institute established;
 - (b) the Incorporated Institute shall cease to exist; and
 - (c) subject to subsection (2) of the section, any act or thing made or done by the Incorporated Institute shall be deemed to have been made or done by the Institute established by this Bill.

Third Schedule.

- (2) The provisions of the Third Schedule to this Bill shall have effect with respect to matters arising from the transfer by this section to the Institute of the property of the Incorporated Institute and with respect to the other matters mentioned therein (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Clause 21: Interpretation.
In this Bill:

"Council" means the Governing Council of the Institute established under section 4 of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.

"Audit" means to analyze and evaluate something. An Auditor used in this Bill is forensic analysis and evaluation as applies to a broad spectrum of human endeavors to wit (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Audit" be as defined in the interpretation to this Bill — Agreed to.

"approved qualification" means a university degree or its equivalent in Computer Forensics, Cyber Forensics, Accountancy, Forensic Auditing, Finance, Economics, Cyber Security, Law, Criminal Law, Criminology, Psychology, Criminal Justice Administration or such other disciplines as may be approved by the Council (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "approved qualification" be as defined in the interpretation to this Bill — Agreed to.

"fees" includes annual practicing fees payable by members of the Institute pursuant to the provisions of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "fees" be as defined in the interpretation to the Bill — Agreed to.

"Forensic and Investigative professional" means and includes any person registered as a Fellow, Chartered member, Associate, graduate or student member, honorary member pursuant to the provisions of this Bill and who deploys cutting edge technologies or other forensic skills to investigate and procure or unravel concealed evidence necessary for the prosecution of fraud or other crimes (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "Forensic and Investigative professional" be as defined in the interpretation to this Bill — Agreed to.

"Registrar" means the Registrar of the Institute appointed by the Council pursuant to the provisions of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Registrar" be as defined in the interpretation to this Bill — Agreed to.

"register" means the Register of Members of the Institute maintained under this Bill and "registered" shall be construed accordingly (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "register" be as defined in the interpretation to this Bill — Agreed to.

"the Institute" means Chartered Institute of Forensic and Investigative Professionals of Nigeria (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "the Institute" be as defined in the interpretation to this Bill — Agreed to.

"Forensic" means application of scientific methods and techniques to the prevention, detection and investigation of crime or fraud to come up with evidential report tenable in the court of competent jurisdiction (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Forensic" be as defined in the interpretation to this Bill — Agreed to.

"Investigative" means an activities that involves getting to the root and the truth or gathering facts in forensic (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Investigative" be as defined in the interpretation to this Bill — Agreed to.

"Professionals" means persons competent or skilled in forensic investigation in all ramifications in Nigeria (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Professionals" be as defined in the interpretation to this Bill — Agreed to.

"Incorporated Institute" means the Chartered Institute of Forensic and Investigative Professionals of Nigeria incorporated under the Companies and Allied Matters Act: [Cap. C20.] (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "Incorporated Institute" be as defined in the interpretation to this Bill — Agreed to.

"Member" means a member of the Council and includes the President and Vice-Presidents (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Member" be as defined in the interpretation to this Bill — Agreed to.

"SFIP" means student Forensic and Investigative Professional (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the abbreviation "SFIP" be as defined in the interpretation to this Bill — Agreed to.

"GFIP" means Graduate Forensic Investigative Professional (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the abbreviation "GFIP" be as defined in the interpretation to this Bill — Agreed to.

"AFIP" means Associate of Forensic Investigative Professional (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the abbreviation "AFIP" be as defined in the interpretation to this Bill — Agreed to.

"CFIP" means Chartered Forensic Investigative Professional (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the abbreviation "CFIP" be as defined in the interpretation to this Bill — Agreed to.

"FCFIP" means Fellow Chartered Forensic Investigative Professionals (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the abbreviation "FCFIP" be as defined in the interpretation to this Bill — Agreed to.

"HFFIP" means Honorary Fellow Forensic Investigative Professionals (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the abbreviation "HFFIP" be as defined in the interpretation to this Bill — Agreed to.

"Panel" has the meaning assigned thereto by section 12 of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Panel" be as defined in the interpretation to this Bill — Agreed to.

"President" and "Vice President" mean respectively the office holders under those names in the Institute *Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "President" and "Vice President" be as defined in the interpretation to this Bill — Agreed to.

"Register" means the register maintained in pursuance of section 9 of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Register" be as defined in the interpretation to this Bill — Agreed to.

"Tribunal" has the meaning assigned thereto by section 12 of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Tribunal" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Citation.

This Bill may be cited as the Chartered Institute of Forensic and Investigative Professionals of Nigeria (Establishment, etc.) Bill, 2019 (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

SCHEDULES

FIRST SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL,
QUALIFICATIONS AND TENURE OF OFFICE OF MEMBERS*Qualifications and tenure of office of members of the Council*

- I. (1) Subject to the provisions of this paragraph, a member of the Council shall hold office for a period of two years beginning with the date of his nomination.
- (2) A Council member shall be a holder of M.Sc. or MBA in Accounting or Finance or related fields, a fellow of the Institute and professional qualification in forensic body from oversea and must have been a financial member of the Institute for at least not less than 10 years or as may be determined by the Council from time to time.
- (3) Any pioneer council member who has contributed substantially to the growth of the institute by way of financial contributions from the inception shall hold office for a period of three tenures.
- (4) Any pioneer/Founding members (trustees) shall have veto power or vote in any question of removal of any principal officer of the Institute. Two veto votes of any of the two pioneer/founding trustees shall override the general assembly vote on removal of any of the principal officers.
- (5) Any member of the Institute who ceases to be a member thereof shall, if he is also a member of the Council cease to hold office on the Council.
- (6) Any member may, by notice in writing under his hand addressed to the President of the Institute, resign his office.
- (7) A person, who retires from or otherwise ceases to be an elected member of the Council, shall be eligible again to become a member of the Council and any appointed member maybe re-appointed.
- (8) The pioneer President/the founder of the institute shall be entitled to allowances and remuneration even after her tenure, so long as the institute exists as will be determined by the council.
- (9) Members of the Council shall at its meeting next before the annual meeting of the Institute arrange for the two members of the Council appointed or elected and longest in office to retire at that annual general meeting.
- (10) President shall be nominated from the principal officers of the Institute according to the arrangement.
- (11) Elections or nomination to the Council shall be held in such manner as may be prescribed by rules made by the Council, and until so prescribed; they shall be decided by a show of hands.
- (12) If for any reason there is a vacation of office by a member and —
 - (a) such member was appointed by the Council or any other body, the Council or that body may appoint another fit and proper person from the area in respect of which the vacancy occurs; or

- (b) such member was elected, the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Institute appears to warrant the filling of the vacancy, co-opt some fit and proper person for such time as aforesaid.

Power of the Council

2. The Council shall have power to do anything, which in its opinion is calculated to facilitate the carrying on of the activities of the Institute.

Standing orders

3. (1) Subject to the provisions of this Bill, the Council may in the name of the Institute make standing orders regulating the proceedings of the Institute or of the Council, and in the exercise of its powers under this Bill, may set up committees in the general interest of the Institute and make standing orders thereof.
- (2) The standing orders shall provide for decisions to be taken by a majority of the members, and in the event of equality of votes, the President of the Institute or the Chairman, as the case may be, shall have a second of casting vote.
- (3) The standing orders made for a committee shall provide for committee to report back to the Council on any matter referred to it by the Council.
- (4) The quorum of the Council shall be five and the quorum of a committee of the Council shall be determined by the Council.
- (5) The Council shall make bye law for the institute which shall be used by the council and the state branches.
- (6) The Council shall establish offices and forensic laboratory in the thirty six states of the Federation and Abuja as the headquarters.
- (7) The Council shall approve fund for the official residence/car of the president and vehicles for the institute.

General Meeting of the Institute

4. (1) The Council shall convene the annual meeting of the Institute on 30th June in every year or on such other day as the Council may, from time to time, appoint so however, that if the meeting is not held within one year after the previous annual meeting, not more than fifteen months shall elapse between the respective dates of the two meetings:

Provided that, notice of the annual general meeting shall be given to all members of the Association not later than twenty-one days from the date of the meeting.

- (2) A special meeting of the Institute may be convened by the Council at any time; and if not less than twenty members of the Institute so require, by notice in writing addressed to the Chairman of the Council setting out the objects of the proposed meeting, the Chairman of the Council shall convene a special meeting of the Institute:

Provided that, notice of the annual general meeting shall be given to all members of the Institute not later than twenty-one days from the date of the meeting.

- (3) The quorum of any annual general meeting and shall be twenty members and that of any special meeting of the Institute shall be ten members.

Meetings of the Council

5. (1) Subject to the provisions of any standing orders of the Council, the Council shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice in writing given to him by not less than five other members, he shall summon a meeting of the Council to be held within fourteen days from the date on which the notice is given.
- (2) At any meeting of the Council, the Chairman or, in his absence, the 1st Vice Chairman shall preside; or in the absence of the 1st Vice Chairman, the 2nd Vice Chairman as stated in section 5 (2) (b) of this Bill shall preside.
- (3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him as a member for such period as the Council thinks fit; but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.
- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the President of the Institute.
- (5) The executive meeting shall consist of the President, the two vice, the Treasurer, the Secretary and the legal adviser of the institute.

Committees

6. (1) The Council may appoint one or more committees to carry out on behalf of the Institute or of the Council, such functions as the Council may determine.
- (2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council, of whom not more than one third shall be persons who are not members of the Council and a person other than a member of the Council shall hold office on the Committee in accordance with the terms of the instrument by which he is appointed.
- (3) A decision of a committee of the Council shall be of no effect until it is confirmed by the Council.

Miscellaneous

7. (1) The fixing of the seal of the Institute shall be authenticated by the signature of the President of the institute or the pioneer president or of some other member of the Council authorized generally or specially by the Institute to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Institute or of the Council as the case may require, by any person generally or specially authorized to act for that purpose by the Council.
- (3) Any document purporting to be a document duly executed under the seal of the Institute shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

8. The validity of any proceedings of the Institute or the Council or of a committee of the Council shall not be adversely affected by any vacancy in membership, or by any defect in the appointment of a member of the Institute or of the Council or of a person to serve on the Committee or by reason that a person not entitled to do so, took part in the proceedings.
9. Any member of the Institute or of the Council, and any person holding office on a committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council on behalf of the Institute, or on behalf of the Council or a committee thereof, shall forthwith disclose his interest to the President of the Institute or to the Council, as the case may be, and shall not vote on any question relating to the contract or arrangement.
10. A person shall not by reason only of his membership of the Institute be treated as holding an office in the public service of the Federation (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that provisions of the First Schedule stand part of the Bill — Agreed to.

SECOND SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL

The Disciplinary Tribunal

1. The quorum of the Tribunal shall be four of whom at least two shall be members of the profession.
2. (1) The Governing Council of the Institute shall make rules as to the selection of members of the tribunal for the purposes of any proceedings and as to the procedure to be followed and the rules of evidence to be observed in proceedings before the Tribunal.
(2) The rules shall in particular provide —
 - (a) for securing that notice of the proceedings shall be given at such time and in such manner as may be specified by the rules, to the person who is the subject of the proceedings;
 - (b) for determining who in addition to the person aforesaid, shall be party to the proceedings;
 - (c) for securing that any party to the proceedings shall, if so required, be entitled to be heard by the Tribunal;
 - (d) for enabling any party to the proceedings to be represented by a legal practitioner;
 - (e) subject to the provisions of section 13 (6) of this Bill, as to the costs of proceedings before the Tribunal;
 - (f) for requiring in a case where it is alleged that the person who is subject of the proceedings is guilty of unprofessional conduct in any professional respect, that where the Tribunal adjudges that the allegation has not been proved, it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates;

- (g) for publishing notice of any direction of the Tribunal which has taken effect providing that a person's name shall be struck off the register.
3. For the purposes of any proceedings before the Tribunal, any member of the Tribunal may administer Oaths and any party to the proceedings may issue out of the registry of the Court of Federal High Courts writs of subpoena ad testificandum and duces tecum; but no person appearing before the Tribunal shall be compelled —
- (a) to make any statement before the Tribunal tending to incriminate himself; or
- (b) to produce any document under such a writ which he could not be compelled to produce at the trial of an action.
4. (1) For the purpose of advising the Tribunal on questions of law arising in the proceedings before it, there shall in all such proceedings be an Assessor to the Tribunal who shall be appointed by the Council and shall be a legal practitioner of not less than seven years standing.
- (2) The Council shall make rules as to the functions of the Assessor appointed under this paragraph, and in particular, such rules shall contain provisions for securing that —
- (a) where an assessor advises the Tribunal on any question of law as to evidence, procedure or any other matters specified by the rules, he shall do so in the presence of every party or person representing a party to the proceedings who appears thereat or, if the advice is tendered while the Tribunal is deliberating in private, that every such party or person as aforesaid shall be informed what advice the Assessor has tendered;
- (b) every such party or person as aforesaid shall be informed if in any case the Tribunal does not accept the advice of the assessor on such a question as aforesaid.
- (3) An Assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceeding and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

The Investigative Panel

5. The quorum of the Investigating Panel shall be three.
6. (1) The Panel may, at any meeting of the Panel attended by all the members of the Panel, make standing orders with respect to the Panel.
- (2) Subject to the provisions of any such standing orders, the Panel may regulate its own proceedings.

Miscellaneous

7. (1) A person ceasing to be a member of the Disciplinary Tribunal or the Investigating Panel shall be eligible for re-appointment as a member of the Panel or Tribunal as the case may be; however, nobody shall serve in the Panel for more than two consecutive terms.
- (2) A person may, if otherwise eligible, be a member of both the Tribunal and the Panel; but no person who acted as a member of the Panel with respect to any case shall act as a member of the Tribunal with respect to that case.

8. The Tribunal or the Panel may act notwithstanding any vacancy in its membership, and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body, or subject to paragraph 7 (2) of this Schedule by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
9. Any document authorized or required by virtue of this Bill to be served on the Tribunal or the Panel shall be served on the Registrar.
10. Any expenses of the Tribunal or the Panel shall be defrayed by the Institute (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the provisions of the Second Schedule stand part of the Bill — Agreed to.

THIRD SCHEDULE

TRANSITIONAL PROVISIONS AS TO ASSETS AND LIABILITIES

Transfer of Assets and Liabilities

1. (1) Every agreement to which the Incorporated Institute was a party immediately before the commencement of this Bill, whether in writing or not and whether or not of such a nature that the rights, liabilities and obligations there under could be assigned by the Incorporated Institute, shall, unless its terms or subject matter make it impossible that it should have effect as modified in the manner provided by these sub-paragraphs, have effect from the commencement of this Bill so far as it relates to assets and liabilities transferred by this Bill to the Institute, as if —
 - (a) the Institute had been a party to the agreement;
 - (b) for any reference, however worded and whether expressed or implied, to the Incorporated Institute, there were substituted as respects anything falling to be done on or after the commencement of this Bill a reference to the Institute;
 - (c) for any reference, however worded and whether express or implied, to a member or members of the Council of the Incorporated Institute or an officer of the Incorporated Institute, there were substituted, as respects anything falling to be done on or after the commencement of this Bill, a reference to a member or members of the Council under this Bill or the officer of the Incorporated Institute corresponds as nearly as may be to the member or officer in question of the Incorporated Institute.
- (2) Other documents which refer, whether specially or generally, to the Incorporated Institute shall be considered in accordance with subparagraph (1) of this paragraph so far as applicable.
- (3) Without prejudice to the generality of the foregoing provisions of this Schedule, where, by the operation of section 19 of this Bill, any right, liability or obligation vests in the Institute, the Institute and all other persons shall, as from the commencement of this Bill, have the same rights, powers and remedies (and, in particular, the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing that right, liability or obligation as they would have if it had at all times been a right, liability or obligation of the Institute.

- (1) Any legal proceeding or application to any authority pending on the commencement of this Bill by or against the Incorporated Institute and relating to assets or liabilities transferred by this Bill to the Institute may be continued on or after that day by or against the Institute.
2. At the commencement of this Bill, any person holding any paid appointment in the Incorporated Institute shall hold a corresponding appointment in the Institute on the same terms and conditions as to tenure and otherwise but shall not be entitled to receive remuneration both from the Incorporated Institute and from the Institute in respect of the same period of service (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the provisions of the Third Schedule stand part of the Bill — Agreed to.

FOURTH SCHEDULE

PROFESSIONAL BODIES

Affiliations

The Chartered Institute of Forensic and Investigative Professionals of Nigeria is affiliated with the following Forensic Professional Bodies outside Nigeria:

1. International Institute of Certified Forensic Accountants (IICFA) United States of America.
2. International Institute of Certified Forensic Investigation Professionals (IICFIP) United States of America.
3. Chartered Institute of Professional Financial Managers USA (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the provisions of the Fourth Schedule stand part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to establish the Chartered Institute of Forensic and Investigative Professionals of Nigeria and provide a regulatory framework, aimed at promoting and advancing forensic science and technology in investigations with the utilization of forensic auditing system, forensic investigation, techniques and mechanisms in auditing, fraud prevention, detection and investigation through a well-structured study programmes for practitioners to qualify and be certified to practice as Forensic investigators in Nigeria (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish the Chartered Institute of Forensic and Investigative Professionals of Nigeria for Effective Regulation, Registration of Members and Determination of what Knowledge and Skills that a Practitioner is Required to Attain in order to Qualify to Practice as a Forensic and Investigative Professional; and for Related Matters (HB. 1621) and approved Clauses 1 - 2, approved Clause 3 as amended, approved Clauses 4 - 22, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

A Bill for an Act to Establish the Chartered Institute of Forensic and Investigative Professionals of Nigeria for Effective Regulation, Registration of Members and Determination of what Knowledge and Skills that a Practitioner is Required to Attain in order to Qualify to Practice as a Forensic and Investigative Professional; and for Related Matters (HB. 1621) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Establish the Chartered Institute of Forensic and Investigative Professionals of Nigeria for Effective Regulation, Registration of Members and Determination of what Knowledge and Skills that a Practitioner is Required to Attain in order to Qualify to Practice as a Forensic and Investigative Professional; and for Related Matters (HB. 1621) be now read the Third Time" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

(viii) *Report of the Conference Committee on a Bill for an Act to Repeal the National Commission for Refugees Act, Cap. N21, Laws of the Federation of Nigeria, 2004 and Enact the National Commission for Refugees, Migrants and Internally Displaced Persons Bill; and for Related Matters:*

Motion made and Question proposed, "That the House do consider the Report of the Conference Committee on a Bill for an Act to Repeal the National Commission for Refugees Act, Cap. N21, Laws of the Federation of Nigeria, 2004 and Enact the National Commission for Refugees, Migrants and Internally Displaced Persons Bill; and for Related Matters and approve the recommendations therein" (*Hon. Namdas Abdulrazak Sa'ad — Mayo Behwa/Gnaye/Jada/Tounghe Federal Constituency*).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE NATIONAL COMMISSION FOR REFUGEES ACT (CAP. N21, LFN, 2004) AND TO ENACT THE NATIONAL COMMISSION FOR REFUGEES, MIGRANTS AND INTERNALLY DISPLACED PERSONS AND OTHER RELATED MATTERS

Clause 1: Objectives.

The objectives of this Bill are to —

- (a) safeguard the interest of refugees, migrants and internally displaced persons in Nigeria by ensuring that the sanctity of human person is protected.
- (b) ensure proper co-ordination of the activities of all agencies of government as it relates to Refugees, Migrants and Internally Displaced Persons; and
- (c) implement the following conventions —
 - (i) United Nations Convention Relating to the status of Refugees;

- (ii) Protocol relating to the status of Refugees;
- (iii) Organization of African Unity Convention Governing the specific aspects of Refugee problems in Africa;
- (iv) Convention on the Protection of the Rights of all Migrant Workers and Members of their Families; and
- (v) Other Treaties and Conventions in relation to Refugees, Migrants and Internally Displaced Persons, which is adopted by Nigeria (*Hon. Namdas Abdulrazak Sa'ad -- Mayo Belwa/Gnaye/Jada/Toungue Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 3: Establishment of the National Commission for Refugees, Migrants and Internally Displaced Persons.

- (1) There is established a Commission to be known as the National Commission for Refugees, Migrants and Internally Displaced Persons (in this Bill referred to as "the Commission").
- (2) The Commission —
 - (a) shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name; and
 - (b) may acquire, hold or dispose of any property, movable or immovable for the purpose of carrying out any of its functions under this Bill (*Hon. Namdas Abdulrazak Sa'ad -- Mayo Belwa/Gnaye/Jada/Toungue Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: The Governing Board of the Commission.

- (1) There is established for the Commission a Governing Board, (in this Bill referred to as "the Board").
- (2) The Board shall consist of:
 - (a) a Chairman;
 - (b) one representative of the following organisations, who shall not be below the rank of a Director —
 - (i) Office of the Secretary to the Government of the Federation,
 - (ii) Office of the National Security Adviser,
 - (iii) Federal Ministry of Foreign Affairs,
 - (iv) Federal Ministry of Justice,
 - (v) Nigeria Immigration Service,
 - (vi) National Population Commission,

- (vii) National Human Rights Commission;
- (c) a representative of the Civil Society Organisations.
- (3) The Federal Commissioner shall serve as the Secretary of the Board.
- (4) The Chairman and Members shall be appointed by the President and Commander-In-Chief of the Federal Republic of Nigeria.
- (5) The members of the Board referred to in subsection (2) paragraphs (a) - (c) shall be part-time members.
- (6) The supplementary provisions set out in the Schedule to this Bill, shall apply with regard to the proceedings of the Board and the other matters contained therein (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Functions and Powers of the Board.

- (1) The Board shall —
 - (a) formulate policy and guidelines for the Commission;
 - (b) monitor and ensure the implementation of policies and programmes of the Commission; and
 - (c) carry out such other functions as may be necessary for the attainment of the objectives and efficient performance of the functions of the Commission under this Bill.
- (2) The Board shall have powers to —
 - (a) approve rules and regulations relating to appointment, promotion and discipline of staff of the Commission; and
 - (b) regulate the proceedings of its meeting and make standing orders with respect to keeping of minutes of its proceedings, and such other matters as the Board may from time to time determine, subject to extant circular of the Federal Government on number of meetings of the Board (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Tenure, resignation, cessation or removal from membership of the Board.

- (1) Members of the Board other than the Federal Commissioner shall hold office on part time basis.
- (2) Subject to the provisions of subclause (1) of this Clause, members of the Board shall hold office as follows —
 - (a) Federal Commissioner for a term of 4 years renewable for another term and no more; and

- (b) all other members of the Board shall hold office for a term of 4 years and no more.
- (3) The Chairman may resign his appointment by notice in writing addressed to the President.
- (4) A member of the Council may cease membership if the member —
 - (a) becomes of unsound mind;
 - (b) becomes bankrupt;
 - (c) is convicted of a felony or of any offence involving dishonesty; and
 - (d) is guilty of serious misconduct in relation to the office.
- (5) Subject to any other provisions of this Bill, a member of the Board shall hold office on such terms and conditions as may be specified in his letter of appointment.
- (6) Where a vacancy occurs in the Board's composition at any time, the Chairman of the Board shall formally notify the President through the Secretary to the Government of the Federation of the vacancy and shall make recommendations towards ensuring that the Board maintains a balance of skills, expertise, diversity and representation of relevant stakeholder groups
- (7) A member of the Board may resign his membership by giving 2 months' notice in writing or such other period as may be specified in his letter of appointment to the Board Chairman who shall forward same to the Secretary to the Government of the Federation for onward transmission to the President.
- (8) Membership of the Board shall be terminated where a member ceases to hold office on the basis of which he became a member (*Hon. Nandas Abdulrazak Sa'ad — Mayo Behwa/Ghaye/Jada/Toungé Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

Clause 7: Functions of the Commission.

- (1) The functions of the Commission shall be to —
 - (a) advise the Federal Government on policy matters relating to refugees, migrants and internally displaced persons;
 - (b) promote Donors' commitments to humanitarian response by organising missions;
 - (c) liaise on a sustainable basis the development and funding requirements for humanitarian interventions, targeting refugees, migrants and internally displaced persons;
 - (d) interface and sustain relationship with relevant government Ministries, Departments and Agencies (MDAs) and where required, give necessary advice and capacity support towards meeting the needs of refugees, migrants and internally displaced persons;

- (e) ensure that integration approaches for the protection and provision of assistance to refugees, migrants, internally displaced persons and host communities are mainstreamed into government policies and practices of relevant MDA's and local authorities;
- (f) undertake comprehensive multi-agency appraisal by using participatory assessment methodologies to identify threats to the rights of refugees, migrants and internally displaced persons and their host communities;
- (g) assess the protection risks, assistance gaps, resources and opportunities available and offered locally, nationally and internationally by stakeholders;
- (h) identify, mobilise and coordinate refugees, migrants and internally displaced person's camp management agencies and other sectoral partners towards ensuring effective co-ordination of other sectors responding to the provision of assistance and needs;
- (i) evaluate the performance of refugees, migrants, returnees and internally displaced person's camp management agencies with a view to addressing issues relating to under-performing agencies, misuse of assets, political and religious factors in an objective and transparent manner;
- (j) monitor and regularly review the implementation of protection mechanisms and assistance programmes targeted at refugees, migrants and internally displaced persons;
- (k) identify and promote best practices in the management of camps of refugees, migrants and internally displaced persons by harmonising protection and assistance standards in camps, taking into consideration the host communities;
- (l) facilitate the restoration of communities displaced due to ecologically induced occurrences;
- (m) develop and ensure compliance by government, civil society organisation and humanitarian agencies workers, to guidelines, standard operating procedures and codes of conduct for working with various groups of refugees, returnees, migrants and internally displaced persons, including women, children, the elderly, persons with disabilities and such other groups with special needs;
- (n) create humanitarian coordination sections to prescribe the composition and responsibility of each technical sections in addition to or in modification of the sections recommended in the relevant National Framework and Policies on refugees, migrants and internally displaced persons;
- (o) coordinate the activities of all agencies on refugee, migration and internal displacement issues in Nigeria;

- (p) designate a lead agency to coordinate each of the humanitarian sectors responding to issues of refugees, migrants and internally displaced persons in Nigeria and such other sectors as may be created for the wellbeing, safety and security of the affected persons, taking into consideration the mandate, capacity of the relevant intervening agencies and institutions;
- (q) develop standard procedures, in conjunction with relevant Ministries, Departments, Agencies and Inter-Governmental or Humanitarian Agencies to return, re-admit and re-integrate, excluded migrants in line with extant legal instruments to protect and promote the human rights and well-being of migrants;
- (r) ensure that internally displaced persons are protected during and after displacement, as well as during return or resettlement and reintegration;
- (s) develop a policy framework to encourage and promote voluntary return of internally displaced persons to their respective homes or places of habitual residence or to resettle voluntarily in another part of the country with dignity;
- (t) proffer long-lasting solutions to the problems of internally displaced persons through reconstruction and renovation of destroyed homes and properties;
- (u) partner with relevant government and humanitarian agencies in the implementation of national and international legal obligations relating to its functions under this Bill;
- (v) facilitate negotiation on voluntary repatriation of Nigerian irregular migrants in conjunction with the Ministry of Foreign Affairs, Nigerian Immigration Service, National Agency for the Prohibition of Trafficking in Persons, security agencies or organisations and other stakeholders;
- (w) encourage and ensure capacity building and skill acquisition through training programmes to Nigerians who are being repatriated in order to be self-dependent and gainfully engaged upon their return;
- (x) collaborate with the Ministry of Foreign Affairs to negotiate and facilitate the implementation of bilateral agreements with nations repatriating Nigerian citizens with a view to providing adequate time for the deportees to secure, convey and wind-up their activities in the departing countries, including the opportunity to arrange for banking and conclude financial transactions;
- (y) consider such other matters that the Secretary to the Government of the Federation may, from time to time refer to it for recommendations; and
- (z) do such other things as may be necessary for the performance of its functions under this Bill.

- (2) Where there is a large-scale influx of persons claiming to fall within the meaning of refugees under this Bill or massive internal displacement or in situations of mass return of deportees, the Commission shall, in consultation with other relevant stakeholders, provide emergency remedial measures and advise the Federal Government on the appropriate measures to be taken (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungue Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Powers of the Commission.

The Commission shall have powers to —

- (a) setup appropriate advisory committees composed of administrative, technical and other experts in humanitarian, refugee, migration, internal displacement and development issues as may be necessary for the effective carrying out of its functions under this Bill.
- (b) delegate its powers to any specific person or committee and to grant such person or Committee general or specific powers of sub-delegation.
- (c) setup appropriate advisory committees composed of administrative, technical and other experts in humanitarian, refugee, migration, internal displacement and development issues, which may be necessary for the carrying out of its functions under this Bill.
- (d) delegate any of its powers under this Act to any specific person or committee with general or specific powers of sub-delegation (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungue Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Appointment of the Federal Commissioner.

- (1) There shall be appointed by the President, a Federal Commissioner for Refugees, Migrants and Internally Displaced Persons (in this Bill referred to as "the Federal Commissioner") who shall —
- (a) be the Chief Executive Officer of the Commission;
- (b) be a person with not less than 10 years post-graduate experience; and
- (c) hold office for a period of 4 years and may be re-appointed for another period of 4 years and no more.
- (2) The Federal Commissioner shall —
- (a) grant refugee status to applicants on the recommendations of the Eligibility Committee constituted under section 11 of this Bill;
- (b) preside over the committees on refugees, migrants and internally displaced persons as may be set from time to time;
- (c) represent the Commission and enter contract agreements on its behalf;

- (d) ensure the provision of adequate facilities and services for the reception and well-being of refugees, migrants or returnees and internally displaced persons in Nigeria;
- (e) exercise such other powers and duties relating to refugees, migrants and internally displaced persons, as may be assigned to the Commission from time to time by the Board; and
- (f) take such steps as may be necessary to ensure compliance with the provisions of this Bill in consultation with the Board (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounga Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Appointment of Federal Commissioner and Staff of the Commission.

- (1) There shall be appointed by the President a Federal Commissioner of the Commission who shall be answerable to the Minister of Interior —
 - (a) the chief executive of the Commission; and
 - (b) she should have cognate experience of no less than 10 years in humanitarian or legal practice.
- (2) The Federal Commissioner shall —
 - (a) grant refugee status to applicants on the recommendations of the Eligibility Committee constituted under Clause 9 of this Bill;
 - (b) represent the Commission and enter contracts on its behalf;
 - (c) ensure the provision of adequate facilities and services for the reception and care of internally displaced persons, refugees, Stateless Persons and other Persons of Concern in Nigeria;
 - (d) exercise such other powers and perform such other duties relating to internally displaced persons, refugees, Stateless Persons and other Persons of Concern as may be assigned to him from time to time, by the Board; and
 - (e) take such steps necessary to ensure compliance with the provisions of this Bill.
 - (f) take such steps as he considers necessary to ensure compliance with the provisions of this Bill.
- (3) The Board shall have power to appoint directly or request for the deployment from the Public Service of the Federation, such number of staff as may be necessary for the proper and efficient performance of its functions under this Bill.
- (4) The terms and conditions of service including remunerations, allowances and benefit of staff of the Commission shall be as determined by the Board in consultation with the National Salaries, income and Wages Commission, subject to extant Government Rules (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounga Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Eligibility Committee for Refugees.

- (1) There is established for the Commission, a Committee to be known as the Eligibility Committee for Refugees (in this Bill referred to as "the Eligibility Committee"), which shall be under the supervision of the Federal Commissioner.
- (2) The Eligibility Committee shall consist of —
 - (a) the Permanent Secretary, Ministry of Foreign Affairs or his representative, as the Chairman;
 - (b) a representative of the Secretary to the Government of the Federation;
 - (c) the Comptroller General of Nigeria Immigration Service or his representative;
 - (d) a representative of the Office of the National Security Adviser;
 - (e) one representative of non-governmental organisations with relevant expertise in humanitarian affairs;
 - (f) a representative of the Office of the United Nations High Commission for Refugees in Nigeria, who shall be an observer.
- (3) The functions of the Eligibility Committee shall be to —
 - (a) consider and process applications for refugee status and make appropriate recommendations on the application to the Federal Commissioner;
 - (b) consider cases for cancellation and revocation of refugee status that may be referred to it by the Federal Commissioner; and
 - (c) carry out any other functions as may be assigned to it, from time to time, by the Federal Commissioner or the Secretary to the Government of the Federation.
- (4) Secretariat of the Eligibility Committee shall be provided by the Commission (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Clause 12: Refugees appeal panel.

- (1) There is established for the Commission, the Refugee Appeal Board (in this Bill referred to as "the Appeal Board").
- (2) The Appeal Board shall —
 - (a) be set up by the Secretary to the Government of the Federation in consultation with the Attorney-General of the Federation and Minister of Justice;

- (b) consists of not more than three legal practitioners, one of whom shall be a retired Judge with requisite knowledge in International Humanitarian Law, International Human Rights Law or International Comparative Law; and
 - (c) have as its Chairman, the retired Judge referred to under paragraph (b) of this subsection.
 - (3) The representative of the United Nations High Commissioner for Refugees in Nigeria may be invited to participate in the proceedings of the Appeal Board and may be given an opportunity to make either oral or written representation on behalf of any person concerned in any appeal that is being heard by the Appeal Board.
 - (4) The Appeal Board shall meet at the instance of the Federal Commissioner or the Secretary to the Government of the Federation.
 - (5) Subject to the provisions of section 21 of this Bill, the Appeal Board shall hear any appeal against the decisions of the Eligibility Committee on any case referred to it by the Secretary to the Government of the Federation or by the Federal Commissioner.
 - (6) The Appeal Board shall give due consideration to any representations made by or on behalf of an appellant before giving its final decision on the appeal.
 - (7) The Appeal Board shall invite any appellant for an oral interview and may allow him to be represented by a legal practitioner of his choice, if so desired.
 - (8) The Secretariat of the Appeal Board shall be provided by the Commission (*Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounga Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: National Consultative Committee on Migration.

- (1) There is established for the Commission, a Committee to be known as the National Consultative Committee on Migration, (in this Bill referred to as "the Consultative Committee").
- (2) The Consultative Committee shall consist of the Solicitor-General of the Federation and Permanent Secretary of Federal Ministry of Justice, as Chairman and a representative of each of the following —
 - (a) the Secretary to the Government of the Federation;
 - (b) Federal Ministry responsible for —
 - (i) Foreign Affairs,
 - (ii) Interior,
 - (iii) Labour and Employment,
 - (iv) Women Affairs and Social Development,

- (v) Finance, and
 - (vi) Budget and National Planning;
 - (c) Office of the National Security Adviser;
 - (d) National Population Commission;
 - (e) National Bureau of Statistics;
 - (f) Nigeria Immigration Service;
 - (g) National Agency for the Prohibition of Trafficking in Persons;
 - (h) Small and Medium Scale Enterprises Development Agency of Nigeria; and
 - (i) an observer from the —
 - (i) International Organization for Migration in Nigeria,
 - (ii) United Nations High Commissioner for Refugees,
 - (iii) Civil Society Organisations, and
 - (iv) International Labour Organisation.
- (3) The Consultative Committee shall —
- (a) formulate, review and make necessary recommendations on the National Policy on Migration;
 - (b) monitor and facilitate the implementation of bilateral agreements regarding migration;
 - (c) make recommendations to the Commission on situations where new bilateral agreements are required to ensure that repatriated Nigerians from abroad are treated humanely, fairly and ensure that their basic human rights are respected;
 - (d) monitor and recommend to the Commission on action to be taken, aimed at ensuring that human, economic, labour and civil rights of Nigerians resident abroad are well protected in their host countries including those guaranteed by existing International Conventions, Customary Laws and General Principles and such other agreements concluded on bilateral and multi-lateral basis;
 - (e) suggest policies and guidelines to the Commission on strategies for a well-managed labour migration issues that would be of benefits to Nigeria and reduce the adverse impact arising from the loss of skilled citizens;
 - (g) monitor, advise and ensure protection of migrants in Nigeria and Nigerian migrants in other countries pursuant to International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families;

- (i) support the Commission to liaise with technical partners in implementing technical cooperation in identified areas of need; and
 - (ii) advise the Commission on general migration issues, ratification and implementation of relevant Migration Treaties, Protocols and Conventions.
- (4) The Secretariat of the Consultative Committee shall be provided by the Commission (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungie Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 15: Application for Refugee Status in Nigeria.

- (1) Application for the grant of a refugee status shall be made to the Federal Commissioner or through a competent officer or the Office of the United Nations High Commissioner for Refugees in Nigeria to the Federal Commissioner.
- (2) The competent officer to whom a person seeking asylum first presents himself shall, where he is not an immigration officer, promptly notify the Commission that a person seeking a refugee status has entered into or is present in Nigeria.
- (3) An application received by the Office of the United Nations High Commissioner for Refugees shall be forwarded to the Federal Commissioner for consideration.
- (4) The Eligibility Committee may invite any applicant to appear before it.
- (5) The recommendation of the Eligibility Committee shall be communicated in writing to the applicant by the Federal Commissioner.
- (6) Where the Eligibility Committee recommends that the applicant shall not be granted refugee status, it shall give reasons for its decision.
- (7) In the case of a refusal to grant refugee status, the applicant may appeal against the decision of the Eligibility Committee to the Appeal Board, established under section 12 of this Bill within 30 days of being notified of the refusal.
- (8) Pursuant to sections 15 and 16 of this Bill, an applicant shall be allowed to remain in the country while waiting for the final decision of the Appeal Board.
- (9) Where an applicant is finally refused a refugee status by the Appeal Board, the applicant shall be given 30 days to seek admission as a refugee into another country (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungie Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 21: Right of Appeal to the Secretary to the Government of the Federation.

- (1) Any person who is aggrieved by the decision of the Federal Commissioner to revoke the grant of refugee status, may, within 7 days of being notified of such revocation, appeal in writing to the Secretary to the Government of the Federation.
- (2) In any appeal under subsection (1) of this section, the Secretary to the Government of the Federation, may either confirm or set aside the decision of the Federal Commissioner and shall communicate his decision on the matter to the complainant.
- (3) Notwithstanding the provisions of subsection (2) of this section, the Secretary to the Government of the Federation may, before reaching a decision on any appeal —
 - (a) invite the representative of the United Nations High Commissioner for Refugees in Nigeria to make oral or written representation on the matter;
 - (b) refer the matter back to the Eligibility Committee or the Appeal Board for further inquiry and investigation; or
 - (c) make such further inquiry or investigation into the matter as may be necessary.
- (4) Where the Federal Commissioner revokes the grant of refugee status under section 20 of this Bill, the refugee and other persons who became refugee by virtue of being a member of his family, shall cease to be a refugee with effect from —
 - (a) 7 days after he was served the refugee status revocation notice by the Federal Commissioner; or
 - (b) the date on which the Secretary to the Government of the Federation notifies him of his confirmation of the decision of the Federal Commissioner.
- (5) The person or the refugee referred to in subsection (4) of this section shall within 30 days, leave Nigeria for another country of choice.
- (6) A family member may apply for the grant of a refugee status on the revocation of the principal grant (*Hon. Namdas Abdulrazak Sa'ad — Mayo Behwa/Gnaye/Jada/Tounge Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Treatment of family members of Refugees.

- (1) The Federal Commissioner and all competent officers shall ensure that members of the family of a refugee —
 - (a) benefit from the same treatment as provided for refugees in this Bill,
 - (b) are permitted to enter and remain in Nigeria as long as the refugee concerned is permitted to remain in Nigeria under this Bill.

- (2) Subject to the provision of clause 19 of this Bill, a change in family status or ties resulting from marriage of the dependant family member, divorce or legal separation, death of the principal applicant or attainment of age of majority by a minor dependant shall not affect the refugee status of such family members (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungo Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Rights and duties of a Refugee.

A person granted refugee status in Nigeria shall be entitled to the rights and subject to the duties contained in the Articles, Protocol, Conventions ratified by Nigeria and any other law in force in Nigeria (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungo Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Offences by a refugee.

- (1) A refugee may be detained or expelled for reasons of national security or public order.
- (2) No refugee shall be expelled pursuant to this section, to a country where he has reason to fear persecution.
- (3) Any refugee who has been notified of his expulsion, may appeal to the Appeal Board or the Secretary to the Government of the Federation, for re-consideration of his position in accordance with the provisions of sections 12 and 21 of this Bill (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungo Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Assistance to refugees.

Subject to the provisions of this Bill or any other Law in Nigeria, the Federal Commissioner shall assist any refugee who has satisfied the criteria to achieve —

- (a) citizenship by naturalization;
- (b) voluntary repatriation;
- (c) reintegration; or
- (d) resettlement (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungo Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Rights of internally displaced persons.

The Commission shall —

- (a) develop procedures to be followed by any competent officer for the purposes of facilitating entry and residence in Nigeria of any refugee and members of his family;
- (b) assist in the training of family members of refugees, particularly for unaccompanied children;

- (c) seek co-operation with non-governmental organisations on matters relating to any refugee and his family members;
- (d) give relief assistance to refugees while they are awaiting a final decision of the Appeal Panel or the Secretary to the Government of the Federation; and
- (e) assist in seeking employment or education for any refugee and any members of his family (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Protection and Assistance to Internally Displaced Persons.

- (1) The Commission shall, in collaboration with relevant agencies of government, ensure compliance with the provisions of the African Union Convention for the Protection and Assistance of Internally Displaced Persons (in this Bill referred to as "the Kampala Convention").
- (2) The Commission shall be the designated agency of government responsible for coordinating activities aimed at protecting and assisting internally displaced persons and shall collaborate with other relevant ministries, departments and agencies of Government where desirable to render such protection and assistance.
- (3) The Commission shall discharge its obligations and collaborate with relevant international organisations or agencies and civil society organisations, in matters relating to internally displaced persons.
- (4) The Commission shall put in place, policies, strategies and mechanisms that —
 - (a) prevent arbitrary displacement of persons in Nigeria by state and non-state actors;
 - (b) prevent political, social, cultural and economic exclusion and marginalization, that are likely to cause displacement of persons by virtue of their social identity, ethnicity, religion or political opinion;
 - (c) guarantee respect for the principles of humanity, human dignity and the protection of the rights of internally displaced persons, including humane treatment, non-discrimination, equality and equal protection by law;
 - (d) guarantee respect for international humanitarian law regarding the protection of internally displaced persons;
 - (e) ensure respect for the humanitarian law for the protection and assistance to internally displaced persons, including, ensuring that such persons do not engage in subversive activities;
 - (f) ensure individual responsibility for acts of arbitrary displacement, in accordance with applicable domestic and international criminal law;

- (g) enforce the accountability of non-state actors concerned, including multinational companies and private security companies, for acts of arbitrary displacement or complicity in such acts, including non-state actors involved in the exploration and exploitation of economic and natural resources leading to displacement;
 - (h) protect and render assistance to internally displaced persons by meeting their basic needs in a gender responsive manner, as well as allowing and facilitating rapid and unimpeded access by humanitarian organisations and personnel; and
 - (i) promote self-reliance and sustainable livelihoods amongst internally displaced persons, provided that such measures shall not be used as a basis for neglecting the provision of protection and assistance to internally displaced persons, without prejudice to other means of assistance.
- (5) Subject to the relevant laws in force in Nigeria and overriding public interest, the Commission shall protect communities with special attachment or dependency on land; due to their particular culture and spiritual values, from being displaced from such lands and affected communities may seek redress by petitioning the Secretary to the Government of the Federation through the Internally Displaced Persons Committee of the Commission.
- (6) Notwithstanding any provision of this Bill, any act of arbitrary displacement that amounts to genocide, war crimes or crimes against humanity, shall constitute an offence in accordance with the provisions of International Humanitarian Laws and Conventions to which Nigeria is a signatory to.
- (7) The Commission shall uphold and respect the principles of neutrality, impartiality and independence of humanitarian actors while providing assistance and support to internally displaced persons in Nigeria.
- (8) The Commission shall, collaborate with other agencies of government charged with protection of human rights and duties, regardless of the cause of displacement, by ensuring that intervening actors and host communities do not —
 - (a) discriminate against persons in the enjoyment of any right or freedom on the grounds that they are internally displaced persons;
 - (b) promote genocide, crimes against humanity, war crimes and other violations of international humanitarian law against internally displaced persons;
 - (c) promote arbitrary killing, summary execution, arbitrary detention, abduction, enforced disappearance or torture and other forms of cruel, inhumane or degrading treatment or punishment;
 - (d) promote sexual and gender-based violence in all forms, notably rape, prostitution, sexual exploitation, slavery;
 - (e) recruit children and use them for hostilities, forced labour, human trafficking and smuggling; and

- (f) encourage the denial of healthcare services, education, food, water supply and other basic social necessities of life.
- (9) The Commission in collaboration with relevant agencies shall —
 - (a) take necessary measures to ensure that internally displaced persons are received without discrimination of any kind and live in satisfactory conditions of safety, dignity and security;
 - (b) ensure that relevant emergency management agencies and the humanitarian community, promptly provide internally displaced persons, with food, water, shelter, health services, sanitation, education, and other necessary social services and where appropriate, extend such assistance to local and host communities;
 - (c) provide special protection for and assistance to internally displaced persons with special needs, including separated and unaccompanied children, female heads of households, pregnant women, mothers with young children, the elderly, and persons with disabilities, mental disorder or with communicable diseases;
 - (d) take special measures to protect and provide for the reproductive and sexual health of internally displaced women as well as appropriate psycho-social support for victims of sexual and other related abuses;
 - (e) respect and ensure the right to seek safety in another part of the State or Country and protect internally displaced persons against forcible return to or resettlement in any place where their life, safety, liberty and health would be at risk;
 - (f) ensure freedom of movement and choice of residence of internally displaced persons, except where restrictions on such movement and residence are necessary, justified and proportionate to the requirements of ensuring security for internally displaced persons or maintaining public security, public order and public health;
 - (g) ensure respect and maintenance of the civil and humanitarian character of the places where internally displaced persons are sheltered, and where necessary, request the support of relevant security agencies in safeguarding such locations against infiltration by armed groups or elements and disarm or separate them from internally displaced persons;
 - (h) ensure the setting up of a specialised mechanism to trace and reunite families that are separated during displacement and facilitate the re-establishment of family ties;
 - (i) take necessary measures to protect individual, collective and cultural properties left behind by displaced persons as well as in areas where internally displaced persons are located;
 - (j) take necessary measures to safeguard environmental degradation in areas where internally displaced persons are located within Nigeria or territories under the effective control of Nigeria;

- (k) consult with internally displaced persons along with other intervening agencies by allowing them to participate in any decision-making process relating to their protection and assistance;
- (l) take necessary measures to ensure that internally displaced persons who are Nigerian citizens enjoy their civic and political rights, particularly in public participation and the right to vote and be voted into public office; and
- (m) put in place measures to monitor and evaluate the effectiveness and impact of the humanitarian assistance provided for internally displaced persons in accordance with relevant practices and standards (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungie Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

Clause 32: Compensation.

- (1) Where a case of arbitrary displacement is established by the Commission and where accused parties, whether state or non-state actors are guilty of not conducting necessary or required Environmental Impact Assessment prior to execution of a development project including exploration of natural resources resulting to forced or arbitrary displacement, the party or parties that commissioned the project shall provide persons affected by displacement with effective remedies.
- (2) Where persons affected or internally displaced arbitrarily are not compensated or inadequately compensated by the perpetrators of the displacement caused by an act or omission not attributable to any foreseeable act of nature, the affected persons shall petition to the Internally Displaced Persons Committee of the Commission to seek Just and fair compensation and other forms of reparations, where appropriate, for damages incurred as a result of displacement, in accordance with international standards.
- (3) Where it is established by a court of competent jurisdiction that a party willfully engaged in activities that led to -
 - (a) environmental pollution or degradation;
 - (b) violence;
 - (c) conflict; or
 - (d) other act of omission resulting in arbitrary or forced displacement of persons from their places of habitual residence, the party shall be liable to make reparation to internally displaced persons for damage (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungie Federal Constituency*).

Question that Clause 32 stands part of the Bill — Agreed to.

Clause 33: Registration and Documentation of Internally Displaced Persons.

- (1) The Commission shall support state governments in the creation and maintenance of an up-to-date register of all internally displaced persons within their jurisdiction.

- (2) Pursuant to subsection (1) of this section, the Commission shall collaborate with State Governments, National Population Commission, National Identity Management Commission, National Emergency Management Agency, International Organisations, Humanitarian Agencies and Civil Society Organisations in the registration and documentation of internally displaced persons within the State, and such registered persons shall be issued identity cards.
- (3) The registration and personal documentation of internally displaced persons by State Governments, shall be conducted in a manner that respects their integrity and sense of personal dignity and shall not be a condition for accessing protection or assistance by such persons (*Hon. Namdas Abdulrazak Sa'ad — Mayo Behwa/Gnaye/Jada/Tounge Federal Constituency*).

Question that Clause 33 stands part of the Bill — Agreed to.

Clause 34: Management and Protection of Migrants.

- (1) The Commission shall be responsible for the coordination of migration issues, protection of migrants and their families, including other nationals resident in Nigeria or Nigerians resident in other countries, pursuant to the provisions of international conventions, protocols and treaties guiding the protection of rights and promotion of the welfare of migrants.
- (2) The Commission shall —
 - (a) through the National Consultative Committee on Migration established under section 13 of this Bill, provide a platform for uniform administration policy on migration in Nigeria, coordinate all stakeholders in the field of migration, formulate, review and implement national policy on migration and development;
 - (b) collaborate with other agencies to collect, collate and publish data on migration statistics in conjunction with the National Population Commission;
 - (c) work towards eliminating irregular migration and encourage orderly and regular migration of Nigerians through the provision of timely and adequate information to the public; and
 - (d) collaborate with the Ministry of Foreign Affairs and state governments to establish at every State, Migration Information Centres, where prospective migrants leaving Nigeria may be counselled and provided with regular requirements for work and survival in their intended destination countries (*Hon. Namdas Abdulrazak Sa'ad — Mayo Behwa/Gnaye/Jada/Tounge Federal Constituency*).

Question that Clause 34 stands part of the Bill — Agreed to.

Clause 35: Protection of Migrants' Rights.

The Commission shall —

- (a) subject to section 13 of this Bill, protect the rights of all migrants in Nigeria as provided for under the International Convention on the Protection of the Rights of Migrant Workers and Members of their Families;

- (b) work in collaboration with other relevant agencies to ensure that the welfare, safety and dignity of Nigerians resident abroad are not violated and negotiate their safe return to Nigeria, where the host country has legitimate cause to return them or where they decide to return voluntarily;
- (c) in consultation with the Ministry of Foreign Affairs and other relevant agencies, put in place policies, standards and procedures for the return, readmission and reintegration of excludable migrants in line with relevant international legal instruments, provided that —
 - (i) Nigeria shall within the context of bilateral agreements, accept the return and readmission of any of its national who is illegally present in the territory of a foreign country,
 - (ii) Nigeria shall not require further formality beyond the contents of agreements entered into on a bilateral basis, and
 - (iii) return shall be at the request of the sending country;
- (d) ensure adequate protection of the human rights of the returnees, especially in cases of mandatory return and honour international and regional co-operation in the area of return and readmission agreements;
- (e) ensure that repatriation, where required, is carried out with respect to the principle of non-refoulement and ensure physical safety of the returnee; and
- (f) work with the Ministry of Foreign Affairs to ensure that return is done in a manner that respects the human rights, safety, dignity and honour of migrants in the process and actual phase of return (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungie Federal Constituency*).

Question that Clause 35 stands part of the Bill — Agreed to.

Clause 36: Funds of the Commission.

- (1) The Commission shall establish and maintain a Fund into which shall be paid —
 - (a) such sums as may be appropriated to it by the Federal Government of Nigeria;
 - (b) such sums that may accrue to it from time to time in connection with any of its functions and obligations under this Bill; and
 - (c) 10 percent of the Ecological Fund of Nigeria to be used for the rehabilitation of persons displaced by ecologically induced calamities.
- (2) In the application of the Fund under subsection (1) of this section, notwithstanding the provisions of section 5 of this Bill, the Board shall regulate the utilisation of any fund above the threshold of the Federal Commissioner (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungie Federal Constituency*).

Question that Clause 36 stands part of the Bill — Agreed to.

Clause 38: Establishment of Humanitarian Trust Fund.

- (1) There is established for the Commission a Fund to be known as the Humanitarian Trust Fund (in this Bill, referred to as "the Trust Fund") into which shall be paid the -
 - (a) grant from the Federal Government;
 - (b) donations, gifts or endowment from individuals, corporate entities, international donor agencies and other developmental partners; and
 - (c) such other funds that may accrue to the Humanitarian Trust Fund.
- (2) There shall be a Board of Trustees for the Trust Fund established under subsection (1) of this section, to be headed by the Chairman of the Board of the Commission, with the following membership —
 - (a) the Federal Commissioner, who shall serve as the Secretary to the Trust Fund; and
 - (b) 3 other members knowledgeable in refugee, migrants or internally displaced persons matters to be appointed by the Secretary to the Government of the Federation.
- (3) The Management of the Trust Fund shall be vested in the Board of Trustees.
- (4) The Trust Fund shall be utilised in cases —
 - (a) where there is an influx of persons or such other situations of mass voluntary or involuntary displacement or migration; and
 - (b) of return, resettlement, reconstruction, rehabilitation and reintegration of refugees, migrants or internally displaced persons (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounga Federal Constituency*).

Question that Clause 38 stands part of the Bill — Agreed to.

Clause 39: Annual Estimates, Accounts and Audit.

- (1) The Commission shall not later than 30th September of each year, submit its estimates of income and expenditure for the next financial year through the Board to the Secretary to the Government of the Federation for approval.
- (2) The Commission shall —
 - (a) keep proper records of all accounts of its income and expenditure; and
 - (b) prepare statement of account in respect of each financial year.
- (3) The Commission shall, not later than 30th June of each financial year, submit its accounts to auditors appointed from the list of qualified auditors in accordance with guidelines laid down by the Auditor-General for the Federation (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounga Federal Constituency*).

Question that Clause 39 stands part of the Bill — Agreed to.

Clause 40: Annual Report.

- (1) The Commission shall not later than 30th June of each financial year, submit to the President and Commander-In-Chief, in respect of the preceding financial year, an annual report on the activities of the Commission in such form as the Board may direct.
- (2) The report referred to in subsection (1) of this section shall include —
 - (a) information on the activities of the Commission for the year;
 - (b) a copy of the audited accounts of the Commission for that year, together with the Auditor-General's report on the accounts of the Commission; and
 - (c) such other information as the Board may request (*Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungé Federal Constituency*).

Question that Clause 40 stands part of the Bill — Agreed to.

Clause 41: Power to accept Gifts.

- (1) The Commission may accept any 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.
- (2) The Commission shall not accept any gift where the conditions attached by the person or organisation making the gift are inconsistent with the functions and objectives of the Commission.
- (3) Any gift or donation to the Commission for its project shall be made directly to the Commission and be utilized only for the purpose for which it was made (*Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungé Federal Constituency*).

Question that Clause 41 stands part of the Bill — Agreed to.

Clause 42: Power to Borrow.

The Commission may, with the approval of the Secretary to the Government of the Federation, borrow by way of overdraft or such sums, as it may require on such terms and conditions for the performance of its functions under this Bill (*Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungé Federal Constituency*).

Question that Clause 42 stands part of the Bill — Agreed to.

Clause 43: Power to make Regulations.

The Commission may, with the approval of the Secretary to the Government of the Federation, make regulations necessary for giving effect to the provisions of this Bill (*Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Toungé Federal Constituency*).

Question that Clause 43 stands part of the Bill — Agreed to.

Clause 44: Power to Give Directives to the Commission by the Secretary to the Government of the Federation.

The Secretary to the Government of the Federation may give directives of a general character to the Commission, relating to its policies and functions (*Hon. Namdas Abdulrazak Sa'ad — Mayo Behwa/Gnaye/Jada/Toungé Federal Constituency*).

Question that Clause 44 stands part of the Bill — Agreed to.

Clause 46: Transitional provisions and savings.

- (1) Anything made or done or having effect before the commencement of this Bill by the National Commission for Refugees, Migrants and Internally Displaced Persons, which have any resulting or continuing effect, shall be treated as from the commencement of this Bill, as if it were made or done by the Commission.
- (2) From the commencement of this Bill, any staff or officer who immediately before the commencement of this Bill, holds office in the National Commission for Refugees, existing before the commencement of this Bill, shall be deemed to have been transferred to the Commission, established under this Bill on such terms and conditions no less favourable than those obtaining immediately before the commencement of this Bill.
- (3) Service or employment in any Department of the Commission shall be deemed to be service or employment in the Commission established pursuant to this Bill.
- (4) All assets, rights, liabilities and obligations of the National Commission for Refugees, before the commencement of this Bill shall, by virtue of this Bill, be deemed to be that of the Commission (*Hon. Namdas Abdulrazak Sa'ad — Mayo Behwa/Gnaye/Jada/Toungé Federal Constituency*).

Question that Clause 46 stands part of the Bill — Agreed to.

Clause 47: Interpretation.

In this Bill:

"Chairman" means Chairman of the Governing Board of the Commission (*Hon. Namdas Abdulrazak Sa'ad — Mayo Behwa/Gnaye/Jada/Toungé Federal Constituency*).

Question that the meaning of the word "Chairman" be as defined in the interpretation to this Bill — Agreed to.

"Arbitrary Displacement" includes —

- (a) displacement as a result of ethno-religious/communal crisis and in the execution of projects, including exploration of natural resources or other similar practices;
- (b) individual or mass displacement of civilians in situations of armed conflict, unless the security of the civilians involved or imperative military reasons so demand, in accordance with International Humanitarian Law;
- (c) displacement intentionally used as a method of warfare or due to other violations of International Humanitarian Law in situations of armed conflict;

- (d) displacement caused by generalized violence or violations of human rights and
- (e) displacement as a result of harmful practices —
 - (i) caused by forced evacuations in cases of natural or man-made disasters or other causes where the evacuations are not required by the safety and health of those affected,
 - (ii) used as a collective punishment, and
 - (iii) caused by such other act, event, factor, or phenomenon of comparable gravity which is not justified under international law, including human rights and international humanitarian law (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounghe Federal Constituency*).

Question that the meaning of the words "Arbitrary Displacement" be as defined in the interpretation to this Bill — Agreed to.

"Armed Groups" means dissident armed forces or other organised armed groups that are distinct from the armed forces of the Federal Republic of Nigeria (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounghe Federal Constituency*).

Question that the meaning of the words "Armed Groups" be as defined in the interpretation to this Bill — Agreed to.

"competent officer" means immigration officer, customs officer, police officer, Liaison officer of the National Commission for Refugees, Migrants and Internally Displaced Persons or any other relevant security officer (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounghe Federal Constituency*).

Question that the meaning of the words "competent officer" be as defined in the interpretation to this Bill — Agreed to.

"country of nationality" in relation to a person who has more than one nationality, means each of the countries of which that person is a national (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounghe Federal Constituency*).

Question that the meaning of the words "country of nationality" be as defined in the interpretation to this Bill — Agreed to.

"emigrant and immigrant" refer respectively to migrants from the perspective of the Country of origin or departure and the Country of destination or settlement (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounghe Federal Constituency*).

Question that the meaning of the words "emigrant and immigrant" be as defined in the interpretation to this Bill — Agreed to.

"frontier" means land-frontier, sea-frontier, port or airport of entry;

"Minister" means Minister of Foreign Affairs (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounghe Federal Constituency*).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"Internal displacement" means the involuntary or forced movement, evacuation or relocation of persons or group of persons within internationally recognised state borders (Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency).

Question that the meaning of the words "Internal displacement" be as defined in the interpretation to this Bill — Agreed to.

"internally displaced persons" are persons or groups of persons who have been forced or obliged to flee or leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed any of Nigeria's internationally recognised borders (Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency).

Question that the meaning of the words "internally displaced persons" be as defined in the interpretation to this Bill — Agreed to.

"members of the family" in relation to a refugee means spouse or spouses, unmarried children under the age of maturity and any other relative of the refugee, migrant or internally displaced person who is dependent on him (Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency).

Question that the meaning of the words "members of the family" be as defined in the interpretation to this Bill — Agreed to.

"migrant" means a person undergoing a semi-permanent change of his social, economic or cultural environment (Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency).

Question that the meaning of the word "migrant" be as defined in the interpretation to this Bill — Agreed to.

"Non-state actors" means private actors who are not public officers of Nigeria, including other armed groups not referred to under this Bill and whose acts cannot be officially attributed to the Nigerian Government (Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency).

Question that the meaning of the words "Non-state actors" be as defined in the interpretation to this Bill — Agreed to.

"persons of concern" means refugees, asylum seekers, returnees, stateless persons, migrants, Nigerian migrants abroad, internally displaced persons or such other persons affected by voluntary or involuntary displacement or migration (Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency).

Question that the meaning of the words "persons of concern" be as defined in the interpretation to this Bill — Agreed to.

"President" means the President of the Federal Republic of Nigeria (Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency).

Question that the meaning of the word "President" be as defined in the interpretation to this Bill — Agreed to.

"Refugee" means a person who falls within the definition provided by —

- (a) Article 1 of the 1951 United Nations Convention;
- (b) Article 1 of the 1967 Protocol Relating to the Status of Refugee; and
- (c) Convention Governing the Specific Aspects of Refugee Problems in Africa (*Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounghe Federal Constituency*).

Question that the meaning of the word "Refugee" be as defined in the interpretation to this Bill — Agreed to.

"State" means any State in Nigeria and the Federal Capital Territory as enshrined in the Constitution of the Federal Republic of Nigeria 1999, as amended (*Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounghe Federal Constituency*).

Question that the meaning of the word "State" be as defined in the interpretation to this Bill — Agreed to.

"State Governments" means institutions, agencies and machinery of government within the constitutionally recognised states of the Federation, including the Federal Capital Territory of the Federal Republic of Nigeria (*Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounghe Federal Constituency*).

Question that the meaning of the words "State Governments" be as defined in the interpretation to this Bill — Agreed to.

"Vice President" means the Vice-President of the Federal Republic of Nigeria (*Hon. Nandas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounghe Federal Constituency*).

Question that the meaning of the words "Vice President" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 47 stands part of the Bill — Agreed to.

SCHEDULE

[section 4(3)]

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

1. (1) Subject to the provisions of this Bill and section 27 of the Interpretation Act the Board may make standing orders regulating its proceedings or those of any of its committees.
- (2) (a) The quorum of the Board shall be the Chairman or the person presiding at the meeting, the Federal Commissioner and one third of other members of the Board.
- (b) The quorum of any Committee of the Commission shall be as determined by the Board.

2. (1) The Board shall meet at least once every quarter and whenever it is summoned by the Chairman or if the Chairman is required to do so by notice given to him by not less than 7 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting.
- (3) The Board may, at any time co-opt any person to act as an adviser at any of its meetings, but such co-opted person shall not be entitled to vote at any meeting.
- (4) All matters arising at a meeting of the Board shall be decided by a simple majority of the votes cast by members present and voted at the meeting, each member shall have one vote.
- (5) In the event of an equality of votes, the person presiding at the meeting shall have a casting vote.
3. (1) The Board may appoint one or more committees to carry out, on behalf of the Board such functions as the Board may determine.
- (2) A Committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.
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 Board generally or specifically authorised by the Board to act for that purpose and the Federal Commissioner.
- (2) 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. The validity of any proceedings of the Board or of a Committee shall not be adversely affected by —
 - (a) a vacancy in the membership of the Board;
 - (b) a defect in the appointment of a member of the Board or committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Board or Committee (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency*).

Question that the provisions of the Schedule stand part of the Bill — Agreed to.

Long Title:

A Bill for an Act to Repeal the National Commission for Refugees Act (Cap. N21, LFN, 2004) and to Enact the National Commission for Refugees, Migrants and Internally Displaced Persons and Other Related Matters (*Hon. Namdas Abdulrazak Sa'ad — Mayo Belwa/Gnaye/Jada/Tounge Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Conference Committee on a Bill for an Act to Repeal the National Commission for Refugees Act, Cap. N21, Laws of the Federation of Nigeria, 2004 and Enact the National Commission for Refugees, Migrants and Internally Displaced Persons Bill; and for Related Matters and adopted the Conference Committee Report.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(ix) *Committee on Banking and Currency:*

Motion made and Question proposed, "That the House do consider the Report of the Committee on Banking and Currency on a Bill for an Act to Amend the Asset Management Corporation Act, Cap. A24A, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 1083)" (Hon. Jones Chukwudi Onyereri — Nkwere/Iso/Nwangele/Njaba Federal Constituency).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE ASSET MANAGEMENT CORPORATION ACT, CAP. A24A, LAWS OF THE FEDERATION OF NIGERIA, 2004; AND FOR RELATED MATTERS (HB. 1083)

Clause 1: **Amendment of the Principal Act.**

The Asset Management Corporation of Nigeria Act (in this Bill referred to as the "Principal Act") is hereby amended as set out in this Bill (*Hon. Jones Chukwudi Onyereri — Nkwere/Iso/Nwangele/Njaba Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: **Amendment of Section 6.**

Section 6 of the Principal Act is amended by inserting a new sub-section (1) (v) immediately after paragraph (u) and new sub-section (6) immediately after sub-section (5):

"6. Powers of the Corporation.

(1) The Corporation shall have powers to:

"(v) The Corporation shall pursuant to an order of the Federal High Court obtained ex parte be entitled to do the following:

(i) to place any bank account or any other account comparable to a bank account of a debtor of an eligible financial institution, under surveillance.

- (ii) obtain access to any computer system component, electronic or mechanical device of any debtor with a view to establishing the location of funds belonging to the said debtor.
 - (iii) obtain information in respect of any private account together with all bank financial and commercial records of any debtor of any eligible financial institution.
 - (iv) banking secrecy and the protection of customer confidentiality shall not be a ground for the denial of the power of the Corporation under this section."
- (6) The Corporation shall furnish the Federal Government of Nigeria and Ministries, Departments and Agencies with a list of its recalcitrant debtors and then impose an obligation to seek clearance on the Federal Government of Nigeria and the Ministries, Departments and Agencies when the Federal Government of Nigeria and any Ministries, Departments and Agencies proposes to contract with, or pay, debtors on the list furnished by the Corporation" (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Amendment of Section 9.

Section 9 of the Principal Act is amended by the inclusion of Section 9(3) as follows

- "9. (3) The Board of Directors of the Corporation shall exercise the discretion in respect of all questions relating to whether an application or request brought pursuant to the provisions of the Freedom of Information Act is in the overriding public interest or otherwise".

Committee Recommendation:

Leave out the provision of Clause 3 (Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency).

Agreed to.

Clause 4: Amendment of Section 10.

"10. Composition and tenure of the Board.

- (1) The Board shall consist of the following members to be appointed by the President subject to the confirmation of the Senate:
 - (a) a part-time Chairman who shall be a Deputy Governor in the Central Bank of Nigeria to be nominated by the Central Bank of Nigeria.
 - (e) the 5 other non-Executive Directors under sub-paragraph (d) of this Sub-section (1), and the part-time Chairman shall each be from a different geopolitical zone" (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Amendment of Section 19.

Section 19 of the principal Act is hereby amended by the inserting of the following new sub sections (3), (4) and (5):

"PART III — FUNDS, FINANCES, ACCOUNTS, AUDIT, ETC.

19. Funds, Finances, Accounts, Audit, etc. of the Corporation.

- (3) No enforcement proceedings or execution in respect of a money judgment shall be commenced, or shall issue against the Corporation unless the prior written consent of the Attorney-General of the Federation has been obtained"
- (4) All monies standing to the credits of the Corporation in any Bank account shall be deemed to be in the custody and control of the Corporation.
- (5) Where any proceeding is pending in any court of competent jurisdiction by or against the Corporation, the grant of any interim, interlocutory or preservative order of attachment against the Corporation's funds in any bank is hereby prohibited" (*Hon. Jones Chukwudi Onyereji — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Amendment of Section 31.

- "31. (1) Where the Corporation has acquired an eligible bank asset, the eligible financial institution from which the eligible bank asset was acquired shall deliver to the Corporation or its nominee all its books and records in relation to the eligible bank asset concerned and any document of title that the eligible financial institution holds in respect of any property that is subject to a security which is part of the eligible bank asset and execute all such instruments necessary to properly document the acquisition.
- (2) The Corporation may, as it may deem necessary or expedient, require any eligible financial institution from which it has acquired an eligible bank asset or any director, manager or officer of such eligible financial institution to furnish information, and/ or to produce documents, books, accounts and records in relation to any eligible bank asset acquired by the Corporation from such eligible financial institution or in relation to the borrower or other obligor connected with such eligible bank asset.
 - (3) The power conferred on the Corporation by Sub-section (2) of this Section shall be exercisable by the Corporation in respect of all eligible bank assets acquired by the Corporation either before or after the coming into force of Sub-section (2) of this Section.
 - (4) Any eligible financial institution which fails to deliver to the Corporation or its nominees any of its books and records and documents of title or to execute any instrument as required by Sub-section (1) of this Section or any eligible financial institution, or any director, manager or officer of an eligible financial institution

as may be applicable, that fails to furnish to the Corporation any information or produce any document, book, account or record, required by the Corporation in pursuance of Sub-section (2) of this Section in accordance with the requirement of the Corporation and within the time specified by the Corporation shall be severally liable to a fine, payable to the Corporation, of ₦1,000,000 and a further ₦50,000 for each day that the failure to deliver the books, records and documents of title or to execute an instrument or to furnish or produce the required information, document, book, account or record continues.

- (5) If an eligible financial institution required by Sub-Section (1) of this Section to deliver to the Corporation or its nominees any of its books and records and documents of title, or if an eligible financial institution or a director, manager or officer of an eligible financial institution, required by the Corporation in pursuance of Sub-Section (2) of this Section to furnish any information or produce any document, book, account or record, delivers, furnishes or produces to the Corporation any information, document, book, account or record which is false or misleading in any material particular, the eligible financial institution and/or its director, manager or officer as applicable shall be severally liable to a fine of ₦10,000,000, payable to the Corporation, in the case of an eligible financial institution and a fine of ₦2,000,000, payable to the Corporation, in the case of a director, or manager or officer of an eligible financial institution.
- (6) In addition to the fines stipulated in Sub-section (4) and (6) of this Section, or any director, manager or officer of an eligible financial institution, that fails to furnish to the Corporation any information or produce any document, book, account or record, required by the Corporation in pursuance of Sub-section (2) of this Bill in accordance with the requirement of the Corporation and within the time specified by the Corporation or that delivers, furnishes or produces to the Corporation any information, document, book, account or record which is false or misleading in any material particular shall be guilty of an offence and liable on conviction to a term of imprisonment of six (6) months.
- (7) Without prejudice, to the provisions of Sub-Section (4) and (5) of this Section, an eligible financial institution, shall, at the sole election of the Corporation, exercisable by the delivery of a written notice to the eligible financial institution, be liable to refund forthwith to the Corporation, the full purchase price paid by the Corporation to the eligible financial institution for the acquisition of an eligible bank asset together with interest at a rate equivalent to the average of the Federal Government of Nigeria treasury bills interest rate from the date of the acquisition of the eligible bank asset to the date of the full purchase price is repaid, if in relation to an eligible bank asset acquired by the Corporation from the eligible financial institution whether before or after the coming into force of this Sub-section (7):

- (a) where the eligible financial institution fails to deliver to the Corporation or its nominees any of its books and records and documents of title or to execute any instrument as required by Section 31A of this Bill; or
 - (b) where the eligible financial institution, or a director, manager or officer of an eligible financial institution as may be applicable, fails to furnish to the Corporation any information or produce any document, book, account or record, required by the Corporation in pursuance of Section 31B of this Bill in accordance with the requirement of the Corporation and/or within the time specified by the Corporation; or
 - (c) where the eligible financial institution which is required by Sub-section (1) of this Section to deliver to the Corporation or its nominees any of its books and records and documents of title or the eligible financial institution or a director, manager or officer of an eligible financial institution, which is required by the Corporation in pursuance of Sub-section (2) of this Section to furnish any information or produce any document, book, account or record, delivers, furnishes or produces to the Corporation any information, document, book, account or record which is false or misleading in any material particular;
 - (d) where the Corporation determines that in its reasonable opinion the eligible financial institution made, either before or the time of the acquisition of the eligible bank asset by the Corporation, a material misrepresentation as to the nature and value of the eligible bank asset or any assets or property by which the eligible bank asset is secured."
- (8) Where an eligible financial institution to which a written notice is delivered in pursuance of Sub-Section (7) of this Section fails or neglects to refund to the Corporation the amount stated in the written notice together with interest as stipulated under Sub-section (7) of this Section within 5 days from the date of delivery of the written notice, the Central Bank of Nigeria shall, upon written demand by the Corporation made at any time after the expiration of 5 days from the delivery of the written notice to the eligible financial institution, cause any account of the eligible financial institution maintained with the Central Bank of Nigeria to be debited forthwith with the amount stated in the written notice together with interest and cause the said amount and interest to be paid over to the Corporation forthwith"
- (Hon. Jones Chukwudi Onyineri — Nkwere/Isu/Nwangele/Njaba Federal Constituency).*

Question that Clause 6 stands part of the Bill — Agreed to.

Clause 7: Amendment of Section 33.

- "33. (1) As soon as possible, after the acquisition of an eligible bank asset from an eligible financial institution, the eligible financial institution shall notify the relevant debtor, associated debtor and guarantor or surety of the debtor and any other person that the Corporation directs, of the acquisition of the eligible bank asset by the Corporation.
- (2) The Corporation shall not be liable for any failure or delay in notifying any person under Sub-section (1) of this Section and such failure or delay shall not invalidate the acquisition of the eligible bank asset concerned.

34. Acquisition of Eligible bank asset Not to Give Rise to Cause of Action. No action or proceedings shall lie or be instituted or be maintainable against the Corporation or any of its directors or officers by reason only of the acquisition of an eligible bank asset by the Corporation in pursuance of the provisions of this Bill and any such actions or proceedings already existing shall cease and abate without any further assurance other than the provisions of this Sub-Section (1)" (*Hon. Jones Chukwudi Onyineri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Amendment of Section 34.

"35. Effect of acquisition of eligible bank asset by the Corporation.

- (1) Subject to the provisions of the Land Use Act and section 36 of this Bill, upon the acquisition of an eligible bank asset by the Corporation, without any other assurance other than the provision of this sub-section (1), the Corporation shall forthwith:
- (a) subject to sub-section (1) (c) (i) and (1) (d) of this section, become vested with and acquire legal title to the eligible bank asset and all assets or property tangible or intangible by which such eligible bank asset is secured and be vested with power, to the exclusion of all other creditors, to take possession of, manage, foreclose and/or sell, transfer, assign or otherwise dispose of the acquired eligible bank asset and any tangible or intangible assets or property by which such eligible bank asset is secured in full or partial satisfaction of the debt owed to the Corporation by reason of the acquisition of the eligible bank asset notwithstanding that the security interest in such asset or property is equitable only; and
- (b) in relation to an acquired eligible bank asset, the debtor, any guarantor or surety in connection thereto, become entitled, at the option of the Corporation, to exercise, to the exclusion of the eligible financial institution from which the eligible bank asset was acquired or any receiver or liquidator appointed by or at the instance of such eligible financial institution, all the rights and powers hitherto conferred on or exercisable by such eligible financial institution or a receiver or liquidator appointed by or at the instance of such eligible financial institution.

- (c) the vesting of an eligible bank asset and assets and property tangible or intangible in the Corporation by virtue of sub-section (1) (a) of this sub-section:
 - (i) shall be without prejudice to the rights of other secured creditors with a security interest in the assets or property which ranks equally or in priority to that held by the Corporation to be paid out of the proceeds of any realisation or receipts from the management of such assets or property in accordance with the priority ranking of their security interest in such assets or property; and
 - (ii) operates to extinguish any equity of redemption of the charge in relation to such assets or property.
 - (d) where the Corporation exercises the powers conferred by sub-section (1) (a) of this section in relation to any asset or property by which an eligible bank asset is secured, the Corporation shall apply the proceeds of such exercise of power first to pay any secured creditor with a valid prior ranking security interest in the asset or property in respect of which the power is exercised and next pro rata with other secured creditors with security interests that rank equally with the security interest acquired by the Corporation by reason of its acquisition of the eligible bank asset.
- (2)
 - (a) Subject to the provisions of the Land Use Act and section 36 of this Bill, the vesting of an eligible bank asset in the Corporation and the exercise of power by the Corporation in pursuance of subsection (1) of this section shall take effect and be effective notwithstanding the pendency of an action before a court of law in respect of the eligible bank asset."
 - (b) The provision of this section shall be applicable to all eligible bank assets including but not restricted to the assets acquired by the Corporation before May 2015.
 - (c) Upon the acquisition of rights by the Corporation in an eligible bank asset, the Corporation shall acquire all rights applicable to the assets notwithstanding that only equitable rights are created in the assets and the Corporation shall be entitled to exercise the powers of a legal estate holder in a charge or legal mortgage.
- (3) The power of sale, transfer and disposal conferred upon the Corporation by subsection (1) (a) of this section or by any other provision of this Bill including but not limited to Section 39 of this Bill, shall be exercisable by private treaty or other disposal method as may be approved by the Board of the Corporation.
- (4) No injunction, preservative or restorative order or like order, interim, interlocutory, perpetual or otherwise, howsoever described shall be granted against the Corporation or its directors or officers

in any action, suit or proceeding in relation to the exercise or intended exercise of power by the Corporation in pursuance of this Bill to recover debt owed to the Corporation or otherwise realise an eligible bank asset or any asset or property by which such eligible bank asset is secured and in particular in pursuance of sub-section (1) (a) of this section and Section 39 of this Bill, and the remedy of any claimant against the Corporation in any such action, suit or proceedings shall be limited to monetary compensation.

- (5) Monetary compensation for the purposes of sub-section (4) of this section excludes consequential, aggravated, punitive or exemplary damages."
- (6) Without prejudice to the provisions of subsections (1) and (2) of this section, the Corporation may direct all eligible financial institution to hold an eligible bank asset or relevant contract deemed vested in, or assigned to the Corporation by the provisions of subsection (1) of this section, and exercise any such right or power in relation thereto; and when so directed, the eligible financial institution shall hold the eligible bank asset and exercise such rights and powers in the relevant contract at the direction of the Corporation for the sole benefit of the Corporation and shall in relation thereto be subject to the duties, obligations and liabilities as nearly as possible corresponding to those of a trustee in relation to the eligible bank assets and any relevant contracts deemed assigned by the provisions of this subsection (1) of this section.
- (7) Any property, money or other pecuniary benefit received by an eligible financial institution in the course of holding any eligible bank asset acquired by the Corporation or any relevant contract relating thereto or in exercising any right pursuant to subsection (6) of this section shall be held as bare trustee, in trust for, and for the sole benefit of the Corporation and shall be turned over to the Corporation and shall not be taken to be an asset of the eligible financial institution, or accounted for as such in the books of the eligible financial institution" (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Amendment of Section 35.

"36. Corporation to have rights of creditors after acquisition of eligible bank asset.

- (1) For the avoidance of doubt, after the Corporation has acquired an eligible bank asset and subject to any exclusion stated in the purchase agreement relating thereto, the Corporation shall be entitled to exercise all rights and powers in relation to the eligible bank asset and any security interest connected to the eligible bank asset.
- (5) Any statute of limitation of a State or of the Federal Capital Territory or any like statutes or any rules or practice directions of any court limiting the time within which an action may be commenced shall not apply, or otherwise operate to bar or invalidate any claim brought by the Corporation in respect of an eligible bank

asset or brought to recover a debt or enforce any security or obligation of a guarantor or surety in connection with an eligible bank asset" (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Amendment of Section 39.

Section 39 is amended by renumbering the Section accordingly and the insertion of a new paragraph (c):

"40. Transfer, assignment, etc. by Corporation to override restriction on disposal.

The Corporation may transfer, assign, sell or otherwise dispose of any acquired eligible bank asset to any person notwithstanding:

- (c) the pendency of any action before a court of law in respect of the eligible bank asset".

Amendment of Section 43.

Section 43 is amended by deleting the phrase "for anything done, intended to be done or purported to be done in good faith in the execution of duties, powers and obligations imposed on the Corporation or any of its shareholders, directors or office." in Sub-section, replacing the words "30 days" immediately after the words "inspiration of the" with the word "90 days" and renumbered accordingly".

"44. Limitation on liability of Corporation.

- (3) If after the expiration of the 90 days notice stated in subsection (2) of this section, the Corporation has not responded, the party concerned may issue a writ or other originating process against the Corporation provided always that action shall not be commenced or maintained against the Corporation or any of its shareholders, officers and directors for anything done or intended to be done in good faith in the execution of duties, powers and obligations imposed on the Corporation or any of its shareholders, directors or officers" (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Amendment of Section 45.

Section 45 is amended by renumbering of same as Section 46(1) and by inserting a new Sub-section (2):

"46. Corporation not required to be registered as owner of security.

- (1) Where an eligible bank asset has been acquired by the Corporation notwithstanding anything contained in any law, the Corporation shall not be required to become registered as owner of any security that is part of the eligible bank asset acquired by it and shall nonetheless have the powers and rights of a registered owner of such security under any law for the time being in force:

Provided that the Corporation may, at its discretion, elect to register any interest capable of registration.

- (2) A certificate of judgment obtained in a proceeding shall constitute a registrable instrument of title of the interests of the Corporation in all land registries in the Federation of Nigeria" (*Hon. Jones Chukwudi Onyeneri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Clause 12: Amendment of Section 47.

Section 47 is amended by the renumbering of the existing Section 47 as Section 48 Sub-section (2) and insertion, immediately before same, of a new Section (1)

Treatment of assets upon dissolution of Corporation.

"48. Dissolution and Winding-Up of the Corporation.

- (1) (a) At dissolution date the Corporation shall stand dissolved and the Corporation's Board of Directors shall appoint upon such terms as it deems fit one or more liquidators to wind up the affairs of the Corporation, realise all assets of the Corporation to be dealt with and distributed in accordance with Section 48 (2) of this Bill
- (b) Upon dissolution of the Corporation —
- (i) all unresolved eligible bank assets then held by the Corporation shall be transferred by the liquidator or joint liquidators to such government agency, or for valuable consideration, to a third party asset management company or other entity, specified by the Central Bank of Nigeria; and
- (ii) all then existing staff of the Corporation shall be re-deployed to and/or absorbed into the Central Bank of Nigeria or the Nigeria Deposit Insurance Corporation.
- (iii) the provisions of sub-sections (2), (3), (4), (5) and (6) of Section 60R of this Bill, shall apply to this section as if the references therein to the Board of Trustees and the Resolution Cost Fund were respectively references to the Board of the Corporation and the Corporation.
- (2) The assets of the Corporation remaining after the redemption of all debt securities and discharge of all payment or repayment obligations shall at its eventual dissolution be transferred to the Fund of the Corporation and distributed by the Governor between the subscribers to the capital of the Corporation in proportion to their respective stake in the authorized capital of the Corporation" (*Hon. Jones Chukwudi Onyeneri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: New Amendment.

"PART V - SPECIAL POWERS OF THE CORPORATION

49. Powers of the Corporation to act as or appoint a receiver for a debtor company.

(3) The powers of a receiver acting under the provisions of this section, shall be exercisable over all the assets and entire undertaking of the debtor company notwithstanding that only a part of the assets of the debtor company was charged, mortgaged or pledged as security in relation to the eligible bank asset acquired by the Corporation:

(5) A receiver under this section that elects to manage the affairs of a debtor company or debtor entity, shall on the publication of the notice referred to in section 48 (4) become entitled to take over the management of the affairs of the debtor company or debtor entity in the name and on behalf of the debtor company or debtor entity for the benefit of the debtor company or debtor entity and the general body of creditors of the debtor company or debtor entity

(7) Subject to Sub-section (9) of this Section and upon the publication of the notice of election referred to in Subsection (4) of this section

(a) no action, suit or proceedings including any judgment enforcement proceedings shall be commenced or maintained against the debtor company or the receiver or in relation to the receiver's management of the affairs of the debtor company, and all claims, actions, suits or proceedings, including any judgment enforcement proceedings against the debtor company or receiver shall stand automatically suspended and stayed for a period of 1 year from the date of the publication of the notice of election to manage the affairs of the debtor company or such extended period as the Court may grant in pursuance of sub-section (10) of this section:

Provided that claims relating to wages and other entitlements of existing staff of the debtor company or debtor entity shall not be so suspended or stayed.

(b) no other secured creditor or judgment creditor shall appoint or apply to appoint a receiver or liquidator over any asset or part or the whole undertaking of the debtor company or debtor entity or take any steps towards enforcing or realizing any security which it may hold over the assets or undertaking of the debtor company or debtor entity or towards enforcing any judgment against the debtor company or debtor entity during the period referred to in paragraph (a) of this sub-section as may be extended by the Court in pursuance of sub-section (1) of this Section.

(8) A receiver acting under Sub-section (a) (iii) shall within 90 days of the publication of the notice referred to in section 49 (5) cause to be prepared and submitted to the Corporation a detailed and comprehensive plan for the rehabilitation of the debtor-company or debtor entity.

- (9) The Court shall have power, upon an ex-parte application by a receiver, before the expiration of the 1 year period specified in sub-section (7) (a) of this section to extend the 1 year period for a further period of 1 year if the Court is satisfied that the receiver has within the initial 1 year period significantly stabilized the affairs of the debtor company or debtor entity and that there is a reasonable prospect that the debtor company or debtor entity can be rehabilitated or restructured for the benefit of all secured creditors of the debtor company or debtor entity.
- (10) Subject to sub-section (11) of this section, a receiver managing the affairs of a debtor company or debtor entity under the provisions of this section shall manage the debtor company or debtor entity in the interest of the company's creditors as a whole and with the objective of rescuing the company as a going concern or achieving a better result for the company's creditors as a whole than would be likely if the company were wound up.
- (11) Notwithstanding the provisions of sub-section (10) of this section or any other provision of this Bill, a receiver managing the affairs of a debtor company or debtor entity under the provisions of this section shall have power, where he determines that the objectives in sub-section (10) of this section can no longer be achieved to —
- (a) realize property for the purpose of making a distribution to secured creditors or preferential creditors; and/or
 - (b) in the name and on behalf of all the secured creditors of a debtor company to restructure the debtor company by way of a hive down and for this purpose, shall have power to transfer the assets of the debtor company over which security exists, up to the value of the indebtedness of the debtor company to all its secured creditors, to a new company incorporated by the receiver for that purpose and to operate or lease the transferred assets through the new company or sell the new company to which the secured assets have been transferred for the benefit of secured creditors whose assets were transferred to the new company as part of the hive down:
- Provided that a receiver shall not operate the new company for more than a period of 1 year from the date of the transfer of the assets of the debtor company over which security exists except with the unanimous approval of all the secured creditors.
- (12) Where a receiver managing the affairs of a debtor company elects to undertake a restructuring by way of a hive down, the assets of the debtor company over which security exists which are to be transferred shall be independently valued and upon transfer to the new company established by the receiver, the new company shall be deemed to be capitalized to the tune of the value of the transferred assets and shares in the new company shall be allotted among the secured creditors in proportion to the value of assets over which they

hold a security interest taking account of the nature of the security interest and any security interest that may be held by other creditors in the same assets.

- (13) Upon the allotment of shares to the secured creditors in the new company in the manner contemplated in sub-section (12) of this section, the security interest held by the secured creditors in the assets transferred to the new company, as it relates to the new company, stand discharged and the hitherto secured creditors' only claim on the new company shall be the shares of the new company allotted to each secured creditor in accordance with sub-section (12) of this section".
- (14) No stamp duty or other tax, imposition or fee on share capital or on registration of share capital or on transfer of assets shall be chargeable on the share capital of a new company incorporated by a receiver in pursuance of the provisions of sub-section (10) of this section and capitalized in pursuance of sub-section (11) of this section" or in relation to the transfer of assets.
- (15) Whenever it deems it necessary, the Corporation acting in consultation with other secured creditors of a debtor company or debtor entity being managed by a receiver in pursuance of the provisions of this section, may direct such receiver to appoint an advisory committee consisting of no more than [3] persons with industry knowledge and expertise in the business being undertaken by the debtor company or debtor entity from among persons to be nominated by the Corporation, to advise such receiver and such receiver shall appoint the advisory committee within 7 days of the directive and regularly consult with, and take account of the advice of, such advisory committee" (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: New Amendment:

..... "50. Custody and possession of debtor's property.

- (1) Where the Corporation has reasonable cause to believe that a debtor or debtor company is the bona fide owner of any movable or immovable property, it may apply to the Court, before, or at the time of filing of action for debt recovery or other like action or at any time after the filing of action, and before or after the service of the originating process by which such action is commenced on the debtor(s) or debtor company(s), by motion ex-parte for an interlocutory order granting possession of the property to the Corporation pending the hearing and determination of the debt recovery or other action to abide the decision in such action.
- (2) The Corporation shall serve a certified true copy of the order of the Court issued pursuant to subsection (1) of this section on the debtor or debtor company.

- (3) Notwithstanding anything to the contrary in any enactment, an order made in pursuance of subsection (1) of this section shall subsist till judgment or a final determination of the action, unless expressly discharged by the Court" (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: New Amendment:

"51. Application for Interlocutory freezing Order.

- (1) Where the Corporation has reasonable cause to believe that a debtor or debtor company has funds in any account with any eligible financial institution, it may apply to the Court, before, or at the time of filing of action for debt recovery or other like action or at any time after the filing of action, and before or after the service of the originating process by which such action is commenced on the debtor(s) or debtor company(s), by motion ex-parte for an interlocutory order freezing the debtor or debtor company's account.
- (2) Notwithstanding anything to the contrary in any enactment, an order made in pursuance of Sub-section (1) of this Section shall subsist till judgment or a final determination of the action, unless expressly discharged by the Court" (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: New Amendment:

"52. Power to Obtain Information on Debtors.

- (1) Notwithstanding anything to the contrary in any enactment, rule of law, banking practice or rule, or contractual provision, the Corporation may, as it may deem necessary or expedient for the purposes of recovering any money owed to it by a debtor in pursuance of the Corporation's acquisition of an eligible bank asset, by written notice, require any eligible financial institution to disclose and/or furnish to the Corporation, within such time as may be specified in the written notice, details of, and balances in, all accounts, howsoever described maintained by such debtor with the eligible financial institution, and/or details of all investments by way of deposits or in financial instruments made by such debtor with or through the eligible financial institution, and/or the bank identification number or other unique identifier of the debtor.
- (2) (i) Any eligible financial institution which fails to comply with the requirement of a written notice issued to it by the Corporation in pursuance of sub-section (1) of this section within the time specified in such written notice shall be liable to a fine, payable to the Corporation, of ₦10,000,000 and a further ₦50,000 for each day that the failure to comply continues.
- (ii) The Directors of an eligible financial institution which fails to comply with the requirement of a written notice issued to it by the Corporation in pursuance of sub-section (1) of this section within the time specified in such written notice shall

- (6) A trustee appointed under this Bill shall have all the powers of a trustee of an adjudged bankrupt under the Bankruptcy Act and shall perform his duties in accordance with that Act.
- (7) An act, thing, directive or permission authorised or required to be done or given by the Committee of Inspection or by the creditors under the Bankruptcy Act may be done or given by the Court on the application of the trustee.
- (8) Any person adjudged a bankrupt under this Bill shall be deemed adjudged a bankrupt under the Bankruptcy Act which shall have effect with such modifications as are contained in this Bill, and a trustee appointed under this Bill may seek the directive of the court in respect of any act or thing to be done by anyone under the Bankruptcy Act". (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: New Amendment:

"55. Special powers in winding up proceeding.

Where a debtor that is a body corporate fails to comply in full, within 30 days, with a written demand notice issued by the Corporation requiring the body corporate debtor to pay a liquidated sum to the Corporation which liquidated sum the Corporation certifies on the face of the demand notice as being owed by the body corporate debtor to the Corporation in connection with an eligible bank asset acquired by the Corporation, the Court shall on the application of the Corporation, made by way of originating motion, make a winding-up order against the body corporate debtor, except where, at the hearing of the application, the body corporate debtor proves to the satisfaction of the Court that it does not owe any liquidated sum at all to the Corporation or that it has a counter-claim, set-off or cross-demand which equals or exceeds the liquidated sum owed to the Corporation" (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: New Amendment.

"PART VI — SPECIAL DEBT RECOVERY PROCEDURE

- 56. (1) The respective heads of the Courts shall designate, in their respective jurisdictions one or more courts solely and exclusively for hearing and determining civil causes or matters:
 - (a) connected with or pertaining to the acquisition, disposal or realisation of eligible bank assets and any collateral or security by which such eligible bank asset is secured in which the Corporation or a receiver appointed by the Corporation or the eligible financial institution from which the Corporation acquired the eligible bank asset is a party;
 - (b) relating to debt owed or alleged to be owed to the Corporation by reason of the Corporation's acquisition of an eligible bank asset;

- (c) connected with or pertaining to the exercise or intended exercise of power by the Corporation in pursuance of this Bill to recover debt owed to the Corporation or otherwise realise an eligible bank asset or take enforcement or realisation action in relation to any asset or property by which such eligible bank asset is secured
- (2) The number of courts to be designated in pursuance of sub-section (1) of this Section shall be determined by the relevant head of the relevant Courts having regard to the volume of such cases then pending or likely to be instituted in the relevant Court.
- (3) Each court specially designated in pursuance of sub-section (1) of this section shall hear and determined within 6 months in the case of existing actions, from date of the coming into force of this section and in the case new actions within 6 months from the date of filing of such new action.
- (4) Each head of Court shall issue or cause to be issued special practice directions applicable exclusively to the specially designated courts for the expedited and accelerated hearing and determination of causes and matters before the specially designated courts within the time limit stipulated in sub-section (4) of this section.
- (5) The Court of Appeal shall hear and determine all appeals emanating from the courts specially designated in pursuance of sub-section (1) of this section on an accelerated basis within 60 days and in priority to all other appeals, and for this purpose the President of the Court of Appeal shall issue or cause to be issued special practice directions for the Court of Appeal exclusively for the expedited and accelerated hearing and determination of appeals emanating from the specially designated courts.
- (6) The Supreme Court shall hear and determine all appeals emanating from the Court of Appeal in relation to appeals against the Court of Appeal's decisions on appeals to the Court of Appeal from the specially designated courts on an accelerated basis within 60 days and in priority to all other appeals and for this purpose the Chief Justice of Nigeria shall issue or cause to be issued special practice directions for the Supreme Court exclusively for the expedited and accelerated hearing and determination of such appeals.
- (7) The grant of stay of proceedings, stay of execution or injunction pending appeal, or leave to appeal in favour of any party other than by the Corporation or a receiver appointed by the Corporation in any matter within the scope of sub-section (1) of this Section shall:
 - (a) in the case of stay of proceedings, and leave to appeal in respect of interlocutory appeals be conditional upon the deposit by the applicant of the sum claimed by the Corporation in such action into an interest yielding account in the name of the registry of the relevant Court; and

- (b) in the case of stay of execution, injunction pending appeal or leave to appeal in respect of a final judgment, be conditional upon the deposit by the applicant of the judgment sum into an interest yielding account in the name of the registry of the relevant Court" (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Clause 21: Amendment of Section 55.

"58. Prosecution of offences.

- (1) The Federal High Court shall have jurisdiction, to the exclusion of all other courts, to try offences under this Bill.
- (2) Subject to the provisions of Section 174 of the 1999 Constitution of the Federal Republic of Nigeria (as amended), offences under this Bill may be prosecuted by legal practitioners appointed for that purpose by the Corporation" (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Amendment of Section 60.

Exemptions granted to the Corporation.

- (d) stamp duties
- (e) any and all taxes, fees, penalties, charges, levies or other like imposts payable to any institution, agency, department or authority of the Federal Government, State Government, Federal Capital Territory, Local Government and Area Councils of the Federal Capital Territory, save income tax by the staff of the Corporation and, value added tax and withholding tax which are payable by the Corporation's obligors (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Interpretation.

61. In this Bill:

"Board of the Bank" means the Board of Directors of the Central Bank of Nigeria (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that the meaning of the words "Board of the Bank" be as defined in the interpretation to this Bill — Agreed to.

"Corporation" means the Asset Management Corporation of Nigeria established pursuant to section 1 of this Bill (*Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Question that the meaning of the word "Corporation" be as defined in the interpretation to this Bill — Agreed to.

"Court", unless the context otherwise requires, means the Federal High Court, the High Court of a State or the High Court of the Federal Capital Territory or other superior court exercising original jurisdiction as may be applicable, save that for the purposes of Sections 49, 54 (1), 55 (1), and 58 (1) of this Bill, "Court" shall mean the Federal High Court (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that the meaning of the word "Court" be as defined in the interpretation to this Bill — Agreed to.

"Days" means working Days (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that the meaning of the word "Days" be as defined in the interpretation to this Bill — Agreed to.

"Debt" means any credit facility, loans, risk asset whether performing or non-performing, including interest thereon (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that the meaning of the word "Debt" be as defined in the interpretation to this Bill — Agreed to.

"Debtor" or "Debtor Company" means any borrower, beneficiary of an eligible bank asset and includes a guarantor of a debtor, guarantor or director of a debtor company (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that the meaning of the words "Debtor" or "Debtor Company" be as defined in the interpretation to this Bill — Agreed to.

"Dissolution Date" means the date falling on the day immediately following the dissolution of the Resolution Cost Fund or such other date falling after the dissolution of the Resolution Cost Fund not exceeding (5) years from the date of the dissolution of the Resolution Cost Fund as the may be prescribed by the National Assembly (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that the meaning of the words "Dissolution Date" be as defined in the interpretation to this Bill — Agreed to.

"Eligible bank assets" means assets or eligible financial institutions specified by the Governor as being eligible for acquisition by the Corporation pursuant to section 24 of this Bill. [AMCON Amendment Act, 2015] (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that the meaning of the words "Eligible bank assets" be as defined in the interpretation to this Bill — Agreed to.

"eligible equity" means shares, stock or other interest in the equity or share capital of an eligible financial institution [AMCON Amendment Act, 2015] (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that the meaning of the words "eligible equity" be as defined in the interpretation to this Bill — Agreed to.

"Eligible financial institution" means a bank duly licensed by the Central Bank of Nigeria to carry on the business of banking in Nigeria under the Banks and Other Financial Institutions Act; and shall include a bank or other financial institution, whose banking license has been revoked by the Central Bank of Nigeria, pursuant to the Banks and Other Financial Institutions Act (Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency).

Question that the meaning of the words "Eligible financial institution" be as defined in the interpretation to this Bill — Agreed to.

"Governor" means the Governor of the Central Bank of Nigeria (Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency).

Question that the meaning of the word "Governor" be as defined in the interpretation to this Bill — Agreed to.

"Hours" means working hours; and (Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency).

Question that the meaning of the word "Hours" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the Minister charged with responsibility for finance (Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"procuring entity" has the meaning ascribed thereto in the Public Procurement Act (Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency).

Question that the meaning of the words "procuring entity" be as defined in the interpretation to this Bill — Agreed to.

"tenor" when used in Part IX of this [Bill] means a period of 10 years from the calendar year 2010 but may be extended by not more than a maximum of 5 years by the National Assembly; and [AMCON Amendment Act, 2015] (Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency).

Question that the meaning of the word "tenor" be as defined in the interpretation to this Bill — Agreed to.

"total assets" when used in Part IX of this [Bill] means all assets of an eligible financial institution above and/or below the balance sheet line whether contingent or otherwise. [AMCON Amendment Act, 2015] (Hon. Jones Chukwudi Onyereri — Nkwerre/Isu/Nwangele/Njaba Federal Constituency).

Question that the meaning of the words "total assets" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Citation.

This Bill may be cited as the Asset Management Corporation of Nigeria (Amendment) Bill, 2019 (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Long Title:

A Bill for an Act to Amend the Asset Management Corporation Act, Cap. A24A, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 1083) (*Hon. Jones Chukwudi Onyereri — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Banking and Currency on a Bill for an Act to Amend the Asset Management Corporation Act, Cap. A24A, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 1083) and approved Clauses 1 - 2, rejected Clause 3, approved Clauses 4 - 24, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

A Bill for an Act to Amend the Asset Management Corporation Act, Cap. A24A, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 1083) — Third Reading
Motion made and Question proposed, "That a Bill for an Act to Amend the Asset Management Corporation Act, Cap. A24A, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 1083) be now read the Third Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

(x) **Ad-hoc Committee to Investigate the Non-Remittance of Trillions of Naira of Stamp Duties into the Federation Account:**

Motion made and Question proposed, "That the House do consider the Report of the Ad-hoc Committee to Investigate the Non-Remittance of Trillions of Naira of Stamp Duties into the Federation Account (HR. 23/04/2019)" (Hon. Abubakar Yunusa Ahmad — Yamattu/Deba Federal Constituency).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

Recommendation (i):

"That a machinery be put in place to allow recovery of under remittances after further reconciliation is carried out with the Banks concerned" (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Recommendation (ii):

"That all the Banks that had cases of delayed remittances should be penalized" (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Recommendation (iii):

"That in view of the apparent lack of transparency on the part of most Financial Institutions, the Central Bank of Nigeria (CBN) should strengthen its supervisory activity to ensure that Financial Institutions report and remit all Government revenues correctly and promptly. That the Central Bank of Nigeria should also ensure that directives sent to Financial Institutions are followed to the letter" (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Recommendation (iv):

"That the following Financial Institutions should be penalized and be made to pay, with interests, the amounts they under remitted for the period under review:

	<i>Bank</i>	<i>Under Remittance</i>
1.	GTB	₦198,326,300
2.	Standard Chartered Bank	₦3,658,193
3.	Citi Bank	₦1,860,850
4.	Standard IBTC	₦231,094,565
5.	Zenith Bank	₦265,635,650
6.	Provident Bank	₦646,650
7.	Fidelity Bank	₦32,888,400
8.	Keystone Bank	₦24,471,050
9.	UBA	₦81,087,149
10.	ECO Bank	₦78,527,004
11.	Diamond Bank	₦545,873,950
12.	Unity Bank	₦40,099,100
13.	Jaiz Bank	₦2,436,150

14. Access Bank ₦66,092,35015

15. Skye Bank ₦11,057,700

16. Polaris Bank ₦2,907,550

Total = ₦1, 586, 662, 611 (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Recommendation (v):

"That all Banks that were found not to have made full disclosure on Stamp Duties collections and remittances should be further investigated" (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Recommendation (vi):

"That Financial Institutions, especially the Deposit Money Banks (DMBs) should remit all collections with respect to government revenues promptly and correctly, and where remittances are not promptly done, the DMBs should be sanctioned" (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Recommendation (vii):

"That the following Institutions disregarded the Committee's summons and neither sent any submission nor appeared at the Public Hearing. The Committee therefore recommends that the listed Banks be further investigated:

(a) First Bank of Nigeria Plc;

(b) First City Monument Bank;

(c) Wema Bank; and

(d) Suntrust Bank (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Recommendation (viii):

"That the relevant agencies should give maximum cooperation to the School of Banking Honours (SBH) to enable it realize the goal of the assignment given to it, which is in the overall interest of the country" (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Recommendation (ix):

"That the School of Banking Honours (SBH) should intensify efforts to give accurate and timely information to the Federal Government in line with the Terms of its Appointment" (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Recommendation (x):

"That while emphasis has been on Stamp Duty, pursuant to the CBN Circular of January 2016, other forms of Stamp Duty should be explored to increase the Revenue Base of various tiers of Government in accordance with the provisions of the Stamp Duty Act, 2004" (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Recommendation (xi):

"That the Terms of Reference of the Committee should be expanded to enable it look into other forms of Stamp Duties as noted in Recommendation (x) above" (*Hon. Abubakar Yunusa Ahmad — Yamaltu/Deba Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the *Ad-hoc* Committee to Investigate the Non-Remittance of Trillions of Naira of Stamp Duties into the Federation Account and approved Recommendations (i) - (xi) of the report.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(xi) *Committee on Gas Resources:*

Motion made and Question proposed. "That the House do consider the Report of the Committee on Gas Resources on the Need to Investigate the Contract for the Modification of the EGP 3B Production Platform following the Joint Venture Agreement between the Nigerian National Petroleum Corporation and Chevron Nigeria Limited" (*Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency*).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(*Mr Speaker in the Chair*)

Recommendation (i):

"That a supposed entity called Diakrino Services Limited which was engaged by NNPC/NAPIMS to conduct a Value for Money (VFM) audit at the cost of USD\$1m was not a legal entity as was confirmed by the Committee from a search at the Corporate Affairs Commission" (*Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency*).

Agreed to.

Recommendation (ii):

"That the total contract sum awarded to Diakrino Services Limited should be paid back to the Federation Account" (*Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency*).

Agreed to.

*Recommendation (iii):**"That the following staff:*

- | | | | |
|-----|------------------------|---|---|
| (a) | Mr Oladipo Sowande | — | Project Manager (Retired); |
| (b) | Mr Paul Duru Ajisafe | — | GM, Gas (Retired); |
| (c) | Mr Ibrahim Bagudu | — | General Manager, NNPC; |
| (d) | Mr Ahmed Shehu | — | GM, Gas (Retired); and |
| (e) | Mrs Victoria Akpomudje | — | General Manager, Gas & Power of NNPC/NAPIMS involved in managing the contract awarded to Diakrino should be apprehended and prosecuted for violating the Procurement Act, 2007" (<i>Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency</i>). |

*Agreed to.**Recommendation (iv):**"That the NNPC/NAPIMS should ensure that contracts awarded meet the timeline of completion to avoid unnecessary financial burden on the Corporation" (Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency).**Agreed to.**Chairman to report proceedings.***(HOUSE IN PLENARY)**

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Gas Resources on the Need to Investigate the Contract for the Modification of the EGP 3B Production Platform following the Joint Venture Agreement between the Nigerian National Petroleum Corporation and Chevron Nigeria Limited and approved Recommendations (i) - (iv) of the Report.

*Question that the House do adopt the Report of the Committee of the Whole — Agreed to.**(xii) Committee on Gas Resources:**Motion made and Question proposed, "That the House do consider the Report of the Committee on Gas Resources on the Need to Investigate the Contract for the Upgrade of OML 58 Upgrade 1, the Execution of Obite-Ubeta-Rumuji (OUR) Pipeline and the Northern Option Pipeline Projects and approve the recommendations therein" (Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency).**Agreed to.**Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.***(HOUSE IN COMMITTEE)***(Mr Speaker in the Chair)*

Recommendation (i):

"That a forensic investigative audit into the cost overrun emanating from all change orders, including US\$2.2 billion on OML 58 Upgrade 1, US\$560 million on OUR Pipeline and US\$528 million on NOP1 Pipeline Projects be conducted" (*Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency*).

Agreed to.

Recommendation (ii):

"That a thorough investigation of the professional and/or personal relationship between NNPC/NAPIMS Management and TEPNG on the one hand and TEPNG and local contractors on the other hand in relation to this project, especially ZBJ be carried out to establish claims by parties and ensure fairness of purpose" (*Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency*).

Agreed to.

Recommendation (iii):

"That the actual cost of the projects as awarded by NNPC/NAPIMS and TEPNG be ascertained as it is difficult to ascertain the actual cost since all the parties do not agree on the cost" (*Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency*).

Agreed to.

Recommendation (iv):

"That the excess payment of US\$592 million should be recovered from TEPNG in consonance with the recommendations of Tabor VFM Audit Report" (*Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency*).

Agreed to.

Recommendation (v):

"That all contracts awarded in this sector should be subjected to Value for Money Audit" (*Hon. Frederick Agbedi — Ekeremor/Sagbama Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Gas Resources on the Need to Investigate the Contract for the Upgrade of OML 58 Upgrade 1, the Execution of Obite-Ubeta-Rumuji (OUR) Pipeline and the Northern Option Pipeline Projects and approved Recommendations (i) - (v) of the report.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (xiii) *A Bill for an Act to Repeal the National Health Insurance Scheme Act, Cap. N42, LFN 2004 and Enact the National Health Insurance Commission Bill; and for Related Matters (HB. 1639) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Repeal the National Health Insurance Scheme Act, Cap. N42, LFN 2004 and Enact the National Health Insurance Commission Bill; and for Related Matters (HB. 1639) and approve the recommendations therein" (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE NATIONAL HEALTH INSURANCE
SCHEME ACT, CAP. N42, LFN, 2004, AND TO ENACT THE
NATIONAL HEALTH INSURANCE COMMISSION (HB.1639)

PART I — ESTABLISHMENT OF THE NATIONAL
HEALTH INSURANCE COMMISSION

Clause 1: Establishment of the National Health Insurance Commission.

- (1) There is established a body to be known as the National Health Insurance Commission (in this Bill referred to as "the Commission").
- (2) The Commission —
 - (a) shall be a body corporate with perpetual succession and an official seal;
 - (b) may sue and be sued in its corporate name;
 - (c) may for the performance of its functions under this Bill acquire, hold, or dispose of any moveable and immovable property; and
 - (d) may enter into contract or any other transaction in pursuance of its powers and functions under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Object of the Commission.

- (1) The principal object of the Commission shall be to promote, regulate and integrate health insurance schemes in order to enhance access to healthcare services to all Nigerians.

Functions of the Commission.

- (2) For the purpose of achieving this object, the Commission shall:
 - (a) promote, integrate and regulate all health insurance schemes that operate in Nigeria;
 - (b) ensure that health insurance is mandatory for every resident in Nigeria;
 - (c) provide for the basic minimum package of health services to all Nigerians and eligible target groups of Nigerians, through accredited public and private primary and secondary health care facilities;

- (d) promote, support, collaborate with States through state-supported health insurance schemes to ensure that Nigerians have access to quality health care that meet national health regulatory standards;
- (e) ensure the implementation and utilization of the Basic Health Care Provision Fund as required under the National Health Act and any guidelines as approved by the Minister under that Act;
- (f) grant accreditation and re-accreditation to Health Maintenance Organisations, Mutual Health Associations, Third Party Administrators and healthcare facilities and monitor their performance;
- (g) subject to section 12, approve contributions to be made by members of the various health insurance schemes;
- (h) provide or require the establishment of mechanisms for receiving and resolving complaints by members of the schemes and healthcare facilities;
- (i) make proposals to the Council for the formulation of policies on health insurance;
- (j) provide technical and other relevant support to State health schemes;
- (k) seek and advocate for funds for the Basic Health Care Provision Fund;
- (l) provide and maintain information and communication technology (ICT) infrastructure and capability for the integration of all data on health schemes in Nigeria including but not limited to the State health schemes;
- (m) undertake on its own or in collaboration with other relevant bodies a sustained public education on health insurance;
- (n) devise a mechanism for ensuring that the basic healthcare needs of indigents are adequately provided for;
- (o) maintain a register of licensed health insurance schemes and accredited healthcare facilities;
- (p) evaluate any new proposals related to extending the coverage of a health insurance scheme to any group of Nigerians;
- (q) issue appropriate regulations and guidelines to ensure viability of health insurance schemes;
- (r) in conjunction with the States devise a mechanism for ensuring that the basic healthcare needs of vulnerable persons are adequately provided for, including through the Basic Health Care Provision Fund;
- (s) accredit insurance companies, insurance brokers and banks desirous of participating in health insurance schemes under the Commission;

- (t) maintain a national data bank on health insurance;
- (u) monitor compliance with this Bill, regulate and pursue actions to ensure compliance; and
- (v) regulating all health insurance schemes in Nigeria in accordance with the provisions of this Bill;
- (w) approving formats of contracts for health service purchasing proposed by the health maintenance organizations and the mutual health associations for all health care facilities;
- (x) approving, after negotiation, capitation and other payments due to health care facilities by the Health Maintenance Organizations, Mutual Health Associations, etc.;
- (y) undertake research and producing statistics on matters relating to the Commission;
- (z) ensure the continuous improvement in the quality of services provided by the various schemes through regulations and guidelines issued by the Governing Council;
- (za) exchange information and data with the National Health Management Information System, financial institutions, the Federal Inland Revenue Service, the State Internal Revenue Services, National Bureau of Statistics, professional regulatory bodies and other relevant bodies and individuals for research purposes upon their request;
- (zb) ensure manpower development of the Commission;
- (zc) carry out such other activities as are necessary or expedient for the purpose of achieving the objectives of the Commission under this Bill;
- (zd) provide a complaints mechanism through the establishment of an Ombudsman as required under this Bill; and
- (ze) provide an Information and Communication Technology (ICT) for capturing all relevant data (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Establishment of the Governing Council.

- (1) There is established a Governing Council (in this Bill referred to as "the Council") which shall consist of:
 - (a) the Chairman;
 - (b) one representative each of:
 - (i) the Federal Ministry of Health not below the rank of a Director;

- (ii) the Federal Ministry of Finance not below the rank of a Director;
 - (iii) the Nigeria Employers Consultative Association;
 - (iv) Organised Labour;
 - (v) the Armed Forces;
 - (c) one representative of the National Insurance Commission;
 - (d) Director General of the Commission who shall also serve as the Secretary to the Council;
 - (e) a representative of each geopolitical zone to represent the States, such representation to be rotated between States every two years within the zone;
 - (f) a representative of a Civil Society Organisation whose main activities focus on health.
- (2) Members of the Council, other than the Director General, shall be part- time members.
- (3) All members shall within one month of appointment declare in writing to the Council their personal interests as well as those of their family members or close associates known to them in any Organization under this Bill.
- (4) If upon declaration a member is found to hold personal interests in conflict with the object of this Bill in whatever form, the appointment shall be withdrawn.
- (5) The Chairman and other members of the Council shall be appointed by the President of the Federal Republic of Nigeria on the recommendation of the Minister, and shall be persons of relevant high education, experience and integrity (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Functions and powers of the Council.

The Council shall have the powers to :

- (a) approve and register for the Commission third party administrators in any form;
- (b) determine the overall policies of the Commission, including the financial and operational procedures of the Commission;
- (c) ensure the effective implementation of the policies and guidelines of the Commission;
- (d) regulate and supervise the various health insurance schemes established under this Bill;

- (e) promote, oversee collaboration with , and guidance to States Health Schemes;
- (f) issue guidelines for the administration of the funds under the Commission;
- (g) approve, license, regulate and supervise Health Maintenance Organisations, Mutual Health Associations and other institutions relating to the Commission as may be determined from time to time;
- (h) establish standards, rules and guidelines for the management of the various schemes under this Bill;
- (i) approve the organisational structure of the Commission as well as the appointments, promotions and discipline of all categories of the Commission's staff and also their remuneration;
- (j) receive and investigate complaints of impropriety levied against any Health Maintenance Organisation, Mutual Health Associations, and other relevant institutions;
- (k) discipline by way of temporary suspension, revocation of license or imposition of fines to any erring operator (HMOs, HMAs, facilities etc.);
- (l) appoint auditors other consultants of the Commission; and
- (m) to such other things which are necessary or expected for the performance of its functions under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Clause 5: Tenure of office of Council Members.

- (1) A member of the Council other than the Director General:
 - (a) shall hold office for a term of 4 years in the first instance, and
 - (b) may be re-appointed for a further term of 4 years and no more.
- (2) Where a member of the Council resigns, dies, is removed from office or is, for sufficient reason, unable to act as a member of the Council, the chairperson shall notify the President through the Minister, of the vacancy, and the President shall, on the advice of the nominating authority, where applicable, appoint another person to hold office for the unexpired portion of the member's term of office.
- (3) A member of the Council may at any time resign from office in writing addressed to the President through the Minister (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Clause 6: Meeting of Council.

- (1) The Council shall meet at least once every three months for dispatch of business.

- (2) The Chairman shall at the request, in writing, of not less than half of the membership of the Council convene an extraordinary meeting of the Council at the place and time determined by the Chairman.
- (3) The quorum at a meeting of the Council shall be one third of members of the Council including the Director General.
- (4) The Chairman shall preside at the meeting of the Council and, in the absence of the Chairman, a member of the Council elected by the members present from among their number shall preside.
- (5) Matters before the Council shall be decided by a simple majority of the members present and voting, and in the event of a tie of votes, the person presiding shall have the casting vote.
- (6) The Council may invite a person acting in an expert capacity, but that person is not entitled to vote on a matter for decision by Council.
- (7) Subject to the provisions of this section, the Council shall determine the procedure for its meetings.
- (8) Minutes in proper form of each meeting shall be kept and shall be adopted by the Council at the next meeting and signed by the Chairman and the Secretary of the meeting (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

Clause 7: Disclosure of interest.

A member of the Council who has an interest in a contract, or any other transaction proposed to be entered into with the Commission, or an application before the Council shall disclose in writing the nature of the interest and is disqualified from participating in the deliberations of the Council in respect of the contract, application or that transaction (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Clause 8: Committees of the Council.

The Council may, for the performance of its functions, appoint committees composed of members of the Council or non-members or both and assign to the committees any of its functions but a committee composed entirely of non-members may only advise the Council (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Clause 9: Remuneration of members.

- (1) The members of the Council shall be paid such remunerations and allowances as the Federal Government may, from time to time, determine for the Chairman and members of Governing Council generally.
- (2) The members of the Council, members of Committee of the Council and persons invited to attend meetings of the Council shall be paid the traveling and any other allowances as approved by the Government (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Clause 10: Cessation of membership.

- (1) A member of the Council ceases to hold office if he:
 - (a) becomes of unsound mind; or
 - (b) becomes bankrupt or makes a compromise with his creditors; or
 - (c) is convicted of a felony or of any offence involving dishonesty; or
 - (d) is guilty of serious misconduct in relation to his duties; or
 - (e) fails to declare his interests to the Council as required by section 7 of this Bill.
- (2) A member of the Council may be removed from office by the President, on the recommendation of the Minister if he is satisfied that it is not in the interest of the Commission or the interest of the public that the member should continue in office.
- (3) Where a vacancy occurs in the membership of the Council, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, however, the successor shall represent the same interest and shall be appointed by the President.
- (4) The Council may in the public interest be dissolved by the President and all its members, excluding the Director General, shall cease to hold office as Council members.
- (5) A member of the Council who is absent from three consecutive meetings of the Council without sufficient cause shall cease to be a member of the Council.
- (6) The Chairperson shall, through the Minister, notify the President in writing of a vacancy that occurs on the Council within thirty days of the occurrence of the vacancy.

Dissolution of the Council.

- (7) Upon dissolution of the Council and pending its reconstitution, the Minister shall exercise the powers and functions of the Council under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Clause 11: Ministerial Directives.

The Minister of Health may give to the Council directives of a general nature on matters of policy and the Council (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

PART II – TYPES OF HEALTH INSURANCE SCHEMES

Clause 12: Establishment of State Health Scheme.

- (1) Every State of the Federation and the Federal Capital Territory shall, for the purposes of providing access to health services to its residents, establish a State health scheme to cover all residents of the State and Federal Capital Territory.
- (2) The Commission may establish a scheme for the coverage of employees in the Federal Civil Service.
- (3) For the purpose of the implementation of a scheme provided for under subsection (2), the Commission shall, with the approval of the Council set out operational guidelines for the scheme.
- (4) State health schemes and the Federal Capital Territory Scheme established under subsection (1) shall comply with the requirements under this Bill, to ensure that any health maintenance organisations or mutual health associations or third party administrator employed in State schemes or the Federal Capital Territory Scheme are registered by the Agency in accordance with the provisions of this Bill.
- (5) Every State and the Federal Capital Territory Scheme shall establish an Information and Communication Technology (ICT) infrastructure for the management of data and such ICT infrastructure shall be integrated with and provide information in the requisite format to the FCT in the ICT infrastructure which shall be established by the commission.
- (6) A State and the Federal Capital Territory shall provide free coverage for vulnerable persons under the State health scheme and not require the payment of premiums for such coverage by vulnerable persons defined by this Bill under its State Health Scheme.
- (7) Every State which has established a State health scheme and which complies with the requirements of this section shall be eligible to participate in the Basic Health Care Provision Fund as established under the National Health Act and the guidelines established under the Act.
- (8) Every State shall obtain reinsurance for the coverage provided under the State health scheme.
- (9) Nothing under this Bill precludes an insurance company registered with the National Insurance Commission (NAICOM) from offering voluntary (private) Health Insurance Plans (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

Clause 13: Participation in Health Insurance to be Mandatory.

- (1) Subject to the provisions of this Bill, every person resident in Nigeria shall be required to obtain health insurance.
- (2) Residents under this Bill shall include all employers and employees into public and private sectors with five staff and above; informal sector employees and all other residents of Nigeria.

- (3) Subject to subsection (3), nothing under the provisions of this Bill shall be construed to preclude a resident in Nigeria from obtaining private health insurance provided such a person participates in any State mandated health scheme.
- (4) A person who obtains private health insurance shall not be eligible to receive free coverage as a vulnerable person as provided under section 12 of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

Clause 14: Qualification for Application.

- (1) Without prejudice to the power of a State to establish a health scheme, under section 12 of this Bill, a person shall not qualify to apply to operate any form of health insurance scheme in the country unless it is registered as a company limited by guarantee or a limited liability company and complies with the provisions of all relevant laws in Nigeria, including but not limited to the provisions of the Insurance Act.
- (2) A private health insurance scheme/plan shall cover interested individuals, employers or employees of organizations in the private sector who may want to buy the plans for supplementary benefits.
- (3) A body corporate registered as a limited liability company under the Company and Allied Matters Act, Cap.C20, LFN, 2004 and accredited by the Commission as a health managed care organisation may operate a private health insurance scheme, subject to compliance with the provisions of law, including but not limited to the Insurance Act.
- (4) A private health insurance scheme/plan shall be required as a condition for registration and licensing by the Commission to deposit with a Bank accredited by the Commission an amount of money in an interest yielding account that the Commission shall prescribe as security for its members
- (5) The security referred to under subsection (4) shall be maintained throughout the period that the business of the private health insurance is carried on
- (6) The Commission may review the level of the security deposit.
- (7) Where a private health insurance scheme/plan suffers a substantial loss, arising from liability to members and the loss cannot reasonably be met from its available resources, the Commission may, after ascertaining the nature of the claim, and on application made to it by the scheme, approve the withdrawal from the security deposit of the scheme of an amount sufficient to meet the liability, and an amount withdrawn shall be replaced by the scheme not later than ninety days after the date of the withdrawal.
- (8) The security deposit is the asset of the private health insurance scheme or plan, but except as provided in subsection (7), it shall be available to the scheme only in the event of the closure or winding up of the health insurance business for the discharge of the liabilities arising out of policies transacted by the insurer and remaining un-discharged at the time of the closure or winding up of the insurance business.

- (9) All Private Health Insurance Schemes or Plans shall be regulated by the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Clause 15: Application for Accreditation and License.

Without prejudice to the right of a State to establish a health scheme, application for accreditation and license to operate a health insurance scheme shall be made to the Commission in a form to be prescribed by the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Clause 16: Issuance of Licence.

Without prejudice to the right of a State to establish a health scheme under section 12 of this Bill, a person other than a State shall not operate a health scheme of any type in Nigeria unless it has:

- (a) obtained a licence from relevant statutory bodies;
- (b) been registered with the Commission ; and
- (c) been issued a licence for that purpose (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Clause 17: Fee for issuance of license.

Without prejudice to the provisions of section 15, the Commission, in consultation with the Minister, may by Regulations impose fees for the issuance of a license under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

Clause 18: Duration and renewal of a license.

- (1) A license to operate a health insurance scheme shall expire five years from the date of issuance of the license.
- (2) The license may on an application be renewed for further periods of three years at a time.
- (3) An application for renewal of a license shall be made not later than three months before the expiration of the license.
- (4) Where an application for renewal is made and the license expires before the Commission determines the application, the license shall be deemed to be in force until the application for renewal is determined by the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 18 stands part of the Bill — Agreed to.

Clause 19: Refusal to register and license a scheme.

- (a) The Commission may refuse to register and issue a license for a scheme, and it shall notify the applicant in writing of its decision, stating the reasons for the refusal.

- (b) Where the refusal to register and issue a license is as a result of non-material defect in the application, the Commission may in the notice require the applicant to rectify the application within six (6) months (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Suspension or revocation of license of a scheme.

- (1) The Commission may suspend or revoke the license of a scheme where the Commission is satisfied that the scheme:
- (a) has in any manner acted fraudulently;
 - (b) has lost its financial ability to continue to operate;
 - (c) is not operating in accordance with good administrative and accounting practices and procedures; or
 - (d) has failed to comply with a provision of this Bill, the Regulations or any other enactment applicable to the scheme.
- (2) The Commission shall before suspending or revoking the licence, give the scheme notice of the default and provide it an opportunity to make representations to the Commission within six months of the notice of such default.
- (3) Where a licence revoked, suspended or expires, the Commission shall take steps to protect and preserve the contribution of members and any other appropriate measures having regard to the best interest of members of the scheme (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Clause 21: Third Party Administrator.

- (1) A Third Party Administrator shall:
- (a) be a company duly incorporated as a limited liability company under the Companies and Allied Matters Act;
 - (b) be registered by the Commission to perform such functions as are specified under this Bill; and
 - (c) comply with all the requirements for Third Party Administrators under the regulations to be made by the Minister.
- (2) A health maintenance organisation may act as a Third Party Administrator if:
- (a) it meets the requirements for doing so under this Bill; and
 - (b) it is contracted to do so.
- (3) A Third Party Administrator established under this Bill shall perform the following functions:

- (a) accreditation of healthcare providers;
- (b) management of providers including continuous quality assurance;
- (c) ensuring patient satisfaction through relevant mechanisms, including the operation of call centres; and
- (d) any other administrative functions which they are required to carry out to facilitate implementation of a State health scheme or functions as required by the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Clause 22: Limitation to Provision of Health Insurance.

A health insurance scheme registered and licensed under this Bill shall not carry on any activity other than activities directly related to the provision of health insurance (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

Clause 23: Prohibition of provision of health insurance service without license.

A person shall not operate a health insurance scheme unless the scheme:

- (a) is registered with the Commission;
- (b) is issued with a license for that purpose by the Commission; and
- (c) complies with other requirements under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Clause 24: Display of license.

A licensed scheme, institutions or organizations, groups etc. shall display its license in a prominent place at its offices, where the license is visible to the general public (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Clause 25: Prohibition on use of name unless licensed.

- (1) Without prejudice to the right of a State to establish a health scheme, a person shall not conduct an activity under a name which includes "health scheme", "medical insurance scheme", "health maintenance organization", "health insurance scheme" or similar name which is calculated or likely to lead people to believe that person operates a health insurance scheme unless the scheme is registered and licensed and complies with other provisions under this Bill.
- (2) A person who acts contrary to subsection (1) commits an offence and is liable on conviction to a fine not less than ₦100,000 (One Hundred Thousand Naira) or to a term of imprisonment of not less than six months or both (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Clause 26: Transfer and Joint Operations.

- (1) Subject to the provisions of section 12 of this Bill, a health scheme licensed under this Bill shall not transfer its activities or operate its activities jointly with another scheme unless it has the prior written approval of the Commission.
- (2) An application for approval under subsection (1) shall be made jointly to the Commission by the schemes involved and shall contain the information prescribed by regulation made by the Commission under this Bill.
- (3) Before determining an application for approval under subsection (1), the Commission shall cause to be conducted an investigation into the desirability of the change having regard to the best interest of the members of the scheme.
- (4) The Commission may conduct a hearing before determining an application under this section and may hear the representatives of the scheme, members of the scheme and any person the Commission considers is sufficiently concerned in the matter to entitle that person to a hearing by the Commission.
- (5) The Commission after the hearing shall make a determination which shall be binding on the parties and their members.
- (6) A person dissatisfied with the decision of the Commission may apply to the Minister for a review of the decision (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

Clause 27: Gazette Notification.

On the licensing, suspension or revocation of the license of a scheme, the Commission shall publish the name and particulars of the scheme in the Gazette and/or newspapers of national circulation that the Commission shall determine (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

**PART III — ESTABLISHMENT OF HEALTH INSURANCE SCHEMES:
SPECIFIC PROVISIONS AND REGULATIONS**

Clause 28: Implementation of the Basic Health Care Provision Fund.

- (1) The Commission shall work in conjunction with the States to provide a basic minimum package of care to all residents of Nigeria.
- (2) For the purpose of subsection (1), the Commission shall implement the Basic Health Care Provision Fund as set out in the guidelines developed in that regard.
- (3) The Commission shall work in conjunction with the States to achieve the objectives of the Fund and to provide a basic minimum package of care as defined in the guidelines developed for the implementation of the Fund.
- (4) The Commission shall provide general guidance for the operation of the Fund. For this purpose, the Commission shall:

- (a) make regulations covering accreditation, quality of care and complaints handling;
 - (b) collaborate with the State Health Schemes and including through State-owned institutions, to accredit and empanel primary and secondary health care facilities using criteria as may be contained in relevant guidelines; and
 - (c) provide for the administration of an Ombudsman to handle complaints of enrolees under section 54.
- (5) States health schemes shall be responsible for disbursements, management of the Fund, and monitoring and evaluation of the implementation of the Fund in the State in line with the relevant guidelines issued by the Commission.
- (6) Where a State has not yet established a State Health Scheme, it may contact a Third Party Administrator, as defined in this Bill for a temporary period, prior to establishing a State Health Scheme (*Hon. Edward Pwajok Gyang -- Jos South/Jos East Federal Constituency*).

Question that Clause 28 stands part of the Bill — Agreed to.

Clause 29: Object of the Fund.

- (1) The object of this fund is to provide finance to subsidize the cost of provision of health care services to vulnerable persons in Nigeria.
- (2) For the purpose of implementing the object, the moneys from the Fund shall be expended to provide for the payment of health insurance premium for indigents (*Hon. Edward Pwajok Gyang -- Jos South/Jos East Federal Constituency*).

Question that Clause 29 stands part of the Bill — Agreed to.

Clause 30: Sources of money for the Fund.

- (1) The Sources of money for the Fund are as follows:
 - (a) Health insurance levy;
 - (b) Telecommunications tax;
 - (c) the money that may be allocated to the Fund by the Government(s);
 - (d) money that accrues to the fund from investments made by the council; and
 - (e) grants, donations, gifts and any other voluntary contributions made to the fund.
- (2) The Council may by regulations review the sources of funding to keep pace with development in the health insurance industry (*Hon. Edward Pwajok Gyang -- Jos South/Jos East Federal Constituency*).

Question that Clause 30 stands part of the Bill — Agreed to.

Clause 31: Formula for disbursement from the Fund.

- (1) The Council shall from time to time determine and submit to the Minister for approval, the criteria for disbursement of subsidies to be paid for the health care of the vulnerable in Nigeria.
- (2) The Council shall in disbursement of moneys from the Fund make specific provisions towards the health needs of indigents and prescribe the methods for determining who is indigent in Nigeria (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 31 stands part of the Bill — Agreed to.

Clause 32: Management of the Fund.

- (1) The Council shall give directives of a general nature to the Commission for the management of the Fund.
- (2) The Council in the Management of the Fund shall have the following functions;
 - (a) formulate and implement policies towards achieving the objects of the Fund;
 - (b) approve methods for the collection of monies lawfully due to the Fund;
 - (c) account for the money in the Fund;
 - (d) provide formula for the disbursement of moneys from the Fund;
 - (e) approve any other expenditure charge on the fund under this Bill or any other enactment;
 - (f) perform any other function ancillary to the object of the Fund (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 32 stands part of the Bill — Agreed to.

Clause 33: Investment of the Fund.

The Commission may invest a part of the Fund that it considers appropriate in the securities and deposits approved by the Council (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 33 stands part of the Bill — Agreed to.

Clause 34: Expenses of the Fund.

The expenses attendant to the management of the Fund shall be charged to the Fund (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 34 stands part of the Bill — Agreed to.

PART IV — CONTRIBUTIONS AND FUNDS OF
THE HEALTH INSURANCE SCHEMES

Clause 35: Payment of contributions.

- (1) Contributions shall be made by individuals, employers, and employees as required under State health schemes and any other schemes approved by the Council.
- (2) The contributions for the vulnerable person, as defined from time under guidelines made by the Council (including but not limited to the permanently disabled, the aged, prisoners, and those (children under 3 and pregnant women) not otherwise covered by other schemes, shall be made on their behalf by one or a combination of the three levels of government, development partners and/or non-governmental organisations.
- (3) Contributions from the Federal Government for vulnerable persons shall be made from the Basic Health Care Provision Fund defined in section 32 of the Bill.
- (4) State shall be eligible to access these funds upon establishing their State Health Schemes as required under sections 12, 32 and other relevant provisions of this bill and in compliance with guidelines drawn up by the Commission.
- (5) Individuals and or employers may pay additional premiums for voluntary supplementary or complementary private health insurance plans (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 35 stands part of the Bill — Agreed to.

Clause 36: Registration of employers, employees, etc.

- (1) Subject to such guidelines and regulations as may be made under this Bill, an employer shall register itself and its employees and pay into the account of States health scheme funds its contributions and the contributions in respect of its employees, at such time and in such manner as may be specified, from time to time, in the State health Scheme Laws and guidelines issued thereunder.
- (2) Subject to such guidelines and regulations as may be made under this Bill, an individual and/or employer may register himself or herself, and the people under him/her with a private health insurer pay into designated accounts of such insurer the necessary premium in respect of himself and others under supplementary or complementary private health private health insurance schemes (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 36 stands part of the Bill — Agreed to.

PART V — HEALTH MAINTENANCE ORGANISATIONS
AND HEALTH CARE PROVIDERS

Clause 37: Accreditation of Organisations.

- (1) The Commission shall accredit Health Maintenance Organisations, Mutual Health Associations and other prepaid health insurance organisations (in this Bill herein after referred to as "Organisations").

- (2) The accreditation of an Organisation shall be in such form and manner as may be determined by the Operational Guidelines of the Commission.
- (3) When the accreditation of an Organisation (purchasing organisation or health care provider) is withdrawn, the Commission shall decide on the best way to keep its activities going either temporarily or permanently to safeguard the interest of the enrollees (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 37 stands part of the Bill — Agreed to.

Clause 38: Functions of Health Maintenance Organisations, Mutual Health Associations, etc.

- (1) An HMO Organisation referred to in subsection (1) of Section 41 of this Bill shall have responsibility for:
 - (a) perform such roles as may be assigned to it by the State health schemes (SHS) including but not limited to the role of third party administrator;
 - (b) where employed to collect contributions, ensure prompt remittance of contributions to State pools;
 - (c) perform other administrative actions as required under this Bill;
 - (d) pay administrative charges to the Commission for purposes of regulation and related issues.
 - (e) for services rendered by healthcare providers accredited under the Commission in accordance with the Operational Guidelines.
 - (f) establish a Quality Assurance system to ensure that qualitative care is given by the healthcare providers to enrollees, and
 - (g) render to the Commission returns on its activities as may be required by the Council.
- (2) Notwithstanding any provisions contained in this Bill, a Health Maintenance Organisation shall not be involved in the direct delivery of health care services.
- (3) The Mutual Health Associations shall have the following responsibilities:
 - (a) continuous community mobilization and sensitisation;
 - (b) be responsible for the day to day administration of their mutual health insurance funds.
 - (c) registration of members and collection of contributions;
 - (d) negotiation with providers and purchasing of services from for its members and their families in consultation with the Commission.
 - (e) ensuring prompt payment for provider services;

- (f) gate keeping that is ensuring that services rendered are in compliance with the benefit package of the Commission; and
 - (g) defining benefit package or premium in consultation with the community members and the Commission.
- (4) Any prepaid private health insurance plans marketed by health maintenance organisations, shall be subject to approval by the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 38 stands part of the Bill — Agreed to.

Clause 39: Accreditation of healthcare providers.

- (1) The accreditation of health care providers shall be in such form and manner as may be determined by the Commission, from time to time, under this Bill.
- (2) A health care provider including telemedicine outlets (linked to a provider) accredited under the Commission shall, in consideration for a capitation payment in respect of each insured person registered with it, or for payment of approved fees for services rendered and to that extent and in the manner prescribed by this Bill, provide in accordance with:
 - (a) the approved benefit packages as shall be determined from time to time by the Commission; and
 - (b) the provisions of the Operational Guidelines (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 39 stands part of the Bill — Agreed to.

Clause 40: Quality Assurance.

The Commission shall endeavour through the means determined by the Commission, including accreditation, that healthcare providers put in place programmes that secure quality assurance, utilization review and technology assessment to ensure that:

- (a) the quality of healthcare services delivered are of reasonably good quality and high standard;
- (b) the basic healthcare services are of standards that are uniform, throughout the country;
- (c) the use of medical technology and equipments are consistent with actual need and standards of medical practice;
- (d) medical procedures and the administration of drugs are appropriate, necessary and comply with accepted medical practice and ethics; and
- (e) drugs and medication used for the provision of healthcare in the country are those included in the Essential Drug List of the Federal Ministry of Health (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 40 stands part of the Bill — Agreed to.

Clause 41: Appointment of Actuary.
The Council:

- (a) shall appoint an actuary to determine from time to time the successful implementation of the Bill or where it has reasonable grounds to believe that a licensed health insurance scheme or a manager of the scheme has contravened a provision of this Bill or of the Regulations and the contravention adversely affects the interest of the members, appoint an actuary; or
- (b) may at the request of a health scheme, appoint an actuary to investigate and report to the Council the activities and affairs of the scheme (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 41 stands part of the Bill — Agreed to.

Clause 42: Inspection of schemes.

- (1) The Commission may for the purposes of supervision of health insurance schemes carry out inspections as may be prescribed.
- (2) The Commission may employ suitably qualified and experienced persons to assist it or carry out an inspection on its behalf.
- (3) The Commission shall ensure that inspection of licensed health insurance schemes is carried out at intervals to be determined by the Council.
- (4) The Commission shall after an inspection compile a report stating the status of the scheme and shall submit a copy of the report including its recommendations to the scheme for compliance where applicable (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 42 stands part of the Bill — Agreed to.

Clause 43: Directives of the Commission.

The Commission may direct a scheme or an officer of a scheme to comply with the directives of the Commission specified in writing and where there is failure to comply, the Commission may apply sanctions as provided for in its Operational Guidelines (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 43 stands part of the Bill — Agreed to.

PART VI — STAFF OF THE COMMISSION

Clause 44: Director-General and other staff of the Commission.

- (1) The President shall appoint a Director - General for the Commission, subject to confirmation by the Senate.
- (2) The Director General shall —
 - (a) be a person of integrity with relevant professional qualifications and expertise..
 - (b) be the accounting officer of the Commission.

- (c) hold office:
 - (i) for a period of 5 years in the first instance and may be re-appointed for a further term of 5 years and no more; and
 - (ii) on such terms and conditions as may be specified in the letter of appointment.
- (3) The Director General shall:
 - (a) organize and direct the day-to-day operation of the Commission in accordance with the Bill;
 - (b) be responsible for the general direction and control of all other employees of the Commission;
 - (c) be responsible for the administration of the Secretariat of the Council; and
 - (d) be responsible for keeping of the books and proper records of the Commission.
- (4) The Director-General shall be a voting member of the Council as well as its Secretary
- (5) The Council shall:
 - (a) appoint, for the Commission, such number of directors and other employees as may, in the opinion of the Council, be required to assist the Council in the discharge of any of its functions under this Bill; and
 - (b) pay to persons so appointed such remuneration (including allowances) as the Council may, after consultation with the Federal Salaries and Wages Commission, determine (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 44 stands part of the Bill — Agreed to.

Clause 45: Employment in the Commission is pensionable

- (1) Employment in the Commission shall be in line with approved service for purposes of the Pension Reform Act.
- (2) Employees of the Commission shall be entitled to retirement benefits as provided under the Pension Act.
- (3) Nothing in subsections (1) and (2) of this section or in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.
- (4) For the purposes of the application of the provisions of the Pension Reform Act, any power exercisable there under by a Minister or other authority of the Government of the Federation, other than the power to make regulations under the existing Pension Act, is hereby vested in and shall be exercisable by the Council and not by any other person or authority (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 45 stands part of the Bill — Agreed to.

Clause 46: Employment in the Commission is pensionable.

- (1) Employment in the Commission shall be in line with approved service for purposes of the Pension Reform Act.
- (2) Employees of the Commission shall be entitled to retirement benefits as provided under the Pension Act.
- (3) Nothing in subsections (1) and (2) of this section or in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.
- (4) For the purposes of the application of the provisions of the Pension Reform Act, any power exercisable there under by a Minister or other authority of the Government of the Federation, other than the power to make regulations under the existing Pension Act, is hereby vested in and shall be exercisable by the Council and not by any other person or authority (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 46 stands part of the Bill — Agreed to.

Clause 47: Establishment of Zones and Zonal Offices of the Commission.

- (1) The Commission shall with the approval of the Council, establish in each geopolitical zone, a Zonal Office of the Commission.
- (2) The Administration, finances and other functions of the Zonal offices shall be determined by the Commission.

PART VII — FINANCIAL PROVISIONS

Clause 48: Establishment of fund for the Commission.

- (1) The Commission shall establish and maintain a fund from which all its expenses shall be defrayed.
- (2) The fund established under subsection (1) of this section shall consist of:
 - (a) annual subvention from the Federal Government;
 - (b) such monies as may be due to the Commission as administrative charge from private health insurance plans;
 - (c) fees, fines and commissions charged by the Commission;
 - (d) income from any investments of the Commission.
 - (e) such money as may be received from time to time or be from international or donor organisations and Non-Governmental organisations; and
 - (f) all other monies which may, from time to time, accrue to the Commission.
- (3) The Commission shall, from time to time, apply the funds at its disposal —
 - (a) to the cost of administration of the Commission;

- (b) to the payment of allowances and benefits of members of the Council.
 - (c) to the payment of salaries, allowances and benefits of officers and employees of the Commission.
 - (d) for the maintenance of any property vested in the Commission or under its administration; and
 - (e) for and in connection with the objectives of the Commission under this Bill.
- (4) The Commission shall invest any money not immediately required by it in the Federal Government securities or in such other securities and deposit as the Council may determine (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 48 stands part of the Bill — Agreed to.

Clause 49: Power to accept Gifts.

- (1) The Commission may accept gifts 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.
- (2) The Commission shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with the objectives and functions of the Commission under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 49 stands part of the Bill — Agreed to.

Clause 50: Annual Accounts.

- (1) The Council 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 to the Minister of Health for approval.
- (2) The Council shall cause to be kept proper accounts of the Commission and proper records in relation thereto and such accounts shall be audited by auditors appointed by the Council from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.
- (3) Any member, agent or employee of the Commission who fails, without reasonable cause, to comply with a requirement of an auditor under subsection (2) of this section, commits an offence and is liable on conviction to a fine not exceeding ₦500,000 or imprisonment for a term not exceeding one year or to both such fine and imprisonment (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 50 stands part of the Bill — Agreed to.

Clause 51: Annual Reports.

The Council shall not later than 6 months immediately following the end of a year —

- (a) submit to the Minister a report on the activities and the administration of the Commission during the immediately preceding year and shall include in the report the audited accounts of the Commission and the auditor's report on the accounts; and
- (b) present and publish the audited annual accounts, auditor's report on the accounts and reports on the activities of the Commission to Annual General Meeting comprising all stakeholders (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 51 stands part of the Bill — Agreed to.

Clause 52: Exemption from Tax.

- (1) The Commission shall be exempted from the payment of tax on any income accruing from investments made by the Council for the Commission or otherwise.
- (2) The provisions of any enactment relating to the taxation of companies or trust funds shall however not apply to the Commission or the Council (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 52 stands part of the Bill — Agreed to.

PART VIII — ARBITRATION

Clause 53: Establishment and functions of Arbitration Panel.

- (1) Whenever there is dispute amongst parties under this Bill, the dispute shall first be referred to arbitration, mediation or conciliation before resorting to litigation.
- (2) The parties referred to in subsection (1) include, the Organisations, the Health Care Providers, the contributors or the Commission or its agents.
- (3) The parties shall by mutual consent appoint a three person panel of arbitrators.
- (4) The applicable arbitral procedure shall be as provided in the Arbitration and Conciliation Act.
- (5) No action shall lie against the Commission without prior notice in writing given one month before the institution of a legal action against the Commission and the adoption of Arbitration as contained in the Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 53 stands part of the Bill — Agreed to.

Clause 54: Ombudsman.

- (1) An Ombudsman is established to consider complaints and disputes by enrolees in health schemes under this Bill.
- (2) The Ombudsman shall be composed of three persons, one of whom shall be a legal practitioner.

- (3) An enrollee, an employer whose staff are covered by a health scheme as established under this Bill or similar person who has a grievance against an insurance scheme established or recognised under this Bill may by himself or through his legal heirs, nominee or assignee or employer as the case may be, seek redress from the Ombudsman in regard to any grievance arising out of coverage under that scheme by making a complaint in writing to the Ombudsman.
- (4) Matters that shall be brought before the Ombudsman shall include:
- (a) complaints regarding failure to provide service after premiums have been paid;
 - (b) complaints about the quality and timing of service;
 - (c) issues relating to accessibility of service; and
 - (d) issues relating to failure to obtain services in sufficient time.
- (5) No complaint to the Ombudsman shall be valid unless —
- (a) the complainant makes a written representation to the health scheme and the scheme had rejected the complaint; or
 - (b) the complainant had not received any reply within a period of one month after the health scheme received his representation; or
 - (c) the complainant is not satisfied with the reply given to him by the health scheme or third party administrator.
- (6) The Ombudsman shall provide a determination to any health insurance scheme established pursuant to section 12 of this Bill after due consideration of complaints brought before it and the health scheme shall comply.
- (7) No complaint before the Ombudsman can be maintainable on the same subject matter on which proceedings are pending before or disposed of by any court or arbitrator or the Consumer Protection Council.
- (8) The Minister shall, by regulations, provide the procedure for the handling of complaints by the Ombudsman (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 54 stands part of the Bill — Agreed to.

PART IX — OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

Clause 55: Offences and penalties.

- (1) Any person who:
- (a) fails to pay into the account of the Commission and/or a State Health Scheme, or any health insurance fund under this Bill, or HMO and within the specified period any contribution liable to be paid under this Bill; or

- (b) deducts the contribution from the employee's wages and withholds the contribution or refuses or neglects to remit the contribution to the appropriate fund concerned within the specified time; or
 - (c) fails to remit capitation to Healthcare Providers within the specified period indicated in the Operational Guidelines; or
 - (d) fails to settle fee-for-service or other claims from the Healthcare Providers within the stipulated time allowed in the Operational Guidelines;
 - (e) deliberately manipulates the enrollee register for the benefit of other parties before or after the release of the register by the Health Insurance Schemes;
 - (f) deliberately refuses to provide care to a duly registered enrollee; or
 - (g) deliberately issues dud cheque(s),
- commits an offence.
- (2) A person commits an offence under subsection (1) under paragraph (g) is liable liable on conviction:
- (a) in the case of first offence, to a fine of not less than ₦1,000,000 or imprisonment for a term not exceeding two years or to both such fine and imprisonment; and
 - (b) in the case of a second or subsequent offence, to a fine of not less than ₦2,000,000 or for a term not exceeding five years or to both such fine and imprisonment.
- (3) A person who commits any offence in subsection 60 (g) is liable to prosecution under the relevant laws guiding financial transactions (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 55 stands part of the Bill — Agreed to.

Clause 56: Offences by Corporate Bodies.

- (1) Where an offence under this Bill has been committed by a body corporate or firm or other association of individuals, a person who at the time of the offence —
- (a) was an officer of the body corporate, firm or other associations; or
 - (b) was purporting to act in the capacity of an officer of the body corporate, firm or other association, is deemed to have committed the offence and shall be liable to be prosecuted and punished for the offence in like manner as if he had himself committed the offence, unless he proves that the commission or omission constituting the offence took place without his knowledge, consent or connivance.
- (2) 'Officers' of Government Ministries or Agencies or Parastatals in this section, includes:

- (a) in the case of Government, Ministry, Agency or Parastatals, the accounting officer;
- (b) in the case of a body corporate, a director, chief executive by whatever name called, manager and secretary of the body corporate;
- (c) in the case of a firm, a partner, manager and secretary of the firm; and
- (d) in the case of any other association of individuals, a person concerned in the management of the affairs of the association (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 56 stands part of the Bill — Agreed to.

Clause 57: Prosecution of offenders.

Any person who contravenes any of the provisions of this Bill shall be prosecuted by the Attorney General of the Federation (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 57 stands part of the Bill — Agreed to.

Clause 58: Jurisdiction.

The Federal High Court and the High Court of a State and Federal Capital Territory High Court, Abuja shall have :

- (a) jurisdiction to try offenders under this Bill; and
- (b) power, notwithstanding anything to the contrary in any other enactment, to impose the penalties provided for the offence under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 58 stands part of the Bill — Agreed to.

Clause 59: Court to order Payment of Contributions.

- (1) The High Court before which a person is convicted of an offence under this Bill may, without prejudice to any civil remedy, order a person to pay to the Commission the amount of any contributions together with interest and penalty thereon, certified by the Commission to be due and payable at the date of the conviction and such amount shall be paid into the account of the Commission for its credit, where applicable or of the employee concerned.
- (2) Any contribution paid into the Fund of the Commission under subsection (1) of this section shall be refunded to the Organisation entitled to receive the contribution (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 59 stands part of the Bill — Agreed to.

Clause 60: Commencement of Proceedings.

Proceedings for an offence under this Bill may be commenced at any time after the commission of the offence (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 60 stands part of the Bill — Agreed to.

Clause 61: Powers to Sanction.

Notwithstanding anything contained in any other provisions of the sections under Part VII of this Bill, the Commission shall at all times retain the power to sanction erring Health Maintenance Organizations, Health Care Providers, Mutual Health Associations, Insurance Brokers, Insurance Companies, Banks, or any other operator or Manager licensed or accredited person in line with the Operational Guidelines as may from time to time be issued by the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 61 stands part of the Bill — Agreed to.

Clause 62: Limitation of suit against the Commission.

- (1) Subject to the provisions of this Bill, 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) No suit shall be commenced against the Commission, a member of the Council, the Director General, officer or employee of the Commission before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Commission by the intending plaintiff or his agent(s).
- (3) The notice referred to in subsection (2) shall clearly and explicitly state the cause of action, the particulars of the claims, the name and place of abode of the intended plaintiff and the relief which he claims (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 62 stands part of the Bill — Agreed to.

Clause 63: Service of Documents.

A notice, summon or other document required or authorised to be served on the Commission under the provisions of this Bill or any other enactment of law may be served by delivering it to the Director General or by sending it by registered post and addressed to the Director General at the Head Office of the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 63 stands part of the Bill — Agreed to.

Clause 64: Restriction on Execution against Property of the Commission.

- (1) In any action or suit against the Commission no execution or attachment of process in the nature thereof shall be issued against the Commission unless not less than 3 months notice of intention to execute or attach has been given to the Commission.
- (2) Any sums of monies which may by the judgment of any court be awarded against the Commission shall, subject to any directions given by the court where notice of appeal of the said judgment has been given, be paid from the Fund of the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 64 stands part of the Bill — Agreed to.

Clause 65: Indemnity of officers.

A member of the Council, the Director General, 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 person such proceeding is brought against the person in his capacity as a member, Director General, officer or other employee of the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 65 stands part of the Bill — Agreed to.

Clause 66: Oath of Secrecy.

(1) A member of the Council, the Director General, officer or other employee of the Commission shall:

(a) not, for his personal gain, make use of any information which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of his duty under this Bill;

(b) treat as confidential any information which has come to his knowledge in the exercise of his powers or obtained by him in the performance of his functions under this Bill;

(c) not disclose any information referred to under paragraph (b) of this subsection except when required to do so by an Arbitration or similar panel or the court or in such other circumstances as may be prescribed by the Council, from time to time.

(2) Any person who contravenes the provisions of subsection (1) of this section commits an offence and is liable on conviction to a fine of not less than ₦20,000 or imprisonment for a term not exceeding two years or to both such fine and imprisonment (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 66 stands part of the Bill — Agreed to.

PART X — MISCELLANEOUS PROVISIONS**Clause 67: Contributions to be inalienable.**

Contributions payable to the Commission shall be inalienable and shall not be assets for the benefit of creditors in the event of the bankruptcy or insolvency of a contributor or an organisation (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 67 stands part of the Bill — Agreed to.

Clause 68: Contributions to Form Part of Tax Deductible Expense.

Notwithstanding anything in any law or enactment, contributions whether by an employer or an employee under this Bill shall form part of tax deductible expenses in the computation of tax payable by an employer or, as the case may be, by an employee, under any other relevant law applicable to Income Tax (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 68 stands part of the Bill — Agreed to.

Clause 69: Transfer of liability.

Where, under section 591 of the Companies and Allied Matters Act 1990, an order is made by a court under subsection (3) of that section which includes the transfer to the company of the whole or any part of the undertaking and of the property and liabilities of a transfer or company, the order shall include provisions for the taking over, as from such date as may be specified in the order, of any liability for any contribution which has become due and payable under this Bill (together with any accrued interest thereon) in respect of the employees concerned in the undertaking, property or liability transferred (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 69 stands part of the Bill — Agreed to.

Clause 70: Exclusion from the Trustee Investment Act.

The provisions of the Trustee Investment Act shall not apply to any investment made by the Commission under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 70 stands part of the Bill — Agreed to.

Clause 71: Reciprocal agreement with other countries.

The Federal Government may enter into a reciprocal agreement with the government of any other country in which a Commission similar to that establishment by this Bill has been established, and the provisions of the agreement shall be read in conformity with the provisions of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 71 stands part of the Bill — Agreed to.

Clause 72: Payment of Contributions of Members of the Armed Forces and the Police.

The Federal Government shall be responsible for payment of the full contributions in respect of members of the Armed Forces, the Nigeria police Force, Nigerian Customs Service, Nigeria Immigration Service, Nigeria Prisons Service and such other Federal uniformed services as the Minister may by order in the Federal Government Gazette specify (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 72 stands part of the Bill — Agreed to.

Clause 73: Insurance indemnity of Health Care Providers.

A Health Care Provider shall be required to take a professional indemnity cover from an insurance company approved by the Council (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 73 stands part of the Bill — Agreed to.

Clause 74: Powers of the Minister to give directives.

The Minister may, give to the Council directives of a general nature with respect to any of the functions of the Council and it shall be the duty of the Council to comply with such directives or cause them to be complied with (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 75: Commission to Issue Guidelines.

(1) The Commission shall make regulations and issue guidelines for the:

- (a) contributions by individuals, employers and employees, the rates of those contributions and the deductions under the mandatory State health schemes;
 - (b) voluntary payment of premiums by individuals, groups and employers for supplementary or complementary coverage for private health insurance and rates of such premiums;
 - (c) maintenance of the records to be kept for the Commission and the records to be kept by employers in respect of premiums payable under the public and organized private sector health insurance scheme;
 - (d) methods of payment of contributions into the health insurance fund;
 - (e) imposition of surcharges in respect of late payment of contributions by employers or employees;
 - (f) manner and circumstances in which contributions may be refunded;
 - (g) fees which may be charged for medical and dental examinations and services provided and other things done for the purpose of the Scheme;
 - (h) nature and amount of benefits to be provided under a Scheme, the circumstances and the manner in which the benefits shall be provided;
 - (i) nature and amount of capitation payment under a Scheme, the circumstances and the manner in which health care providers shall receive the capitation payment made under a Scheme;
 - (j) reduction, suspension or withdrawal of any payment under a Scheme;
 - (k) submission of returns by employers regarding the employers and their employees;
 - (l) the procedure for assessment of contributions made under a Scheme; and
 - (m) any other matter whatsoever for which, in the opinion of the Commission, it is necessary or desirable to make regulation and issue guidelines for giving effect to a Scheme.
- (2) The guidelines issued under subsection (1) (c) of this section may provide for different levels of contributions to be payable by different classes of persons.
- (3) The guidelines issued under this section may not be published in the Federal Government Gazette but the Commission shall ensure that they are brought to the notice of the persons affected by the regulations and guidelines (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 75 stands part of the Bill — Agreed to.

Clause 76: Interpretation.

In this Bill unless the context otherwise requires :

"Administrative Charge" means the deduction from contributions or premiums for the purpose of regulating by the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "Administrative Charge" be as defined in the interpretation to this Bill — Agreed to.

"Benefit" means a benefit or advantage of any kind whatsoever derived from a Scheme (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Benefit" be as defined in the interpretation to this Bill — Agreed to.

"Council" means the Governing Council established under section 3 of this Bill for the Commission (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.

"Commission" means the National Health Insurance Commission established under section 1 of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Commission" be as defined in the interpretation to this Bill — Agreed to.

"Premium" means a contribution payable for health coverage under this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Premium" be as defined in the interpretation to this Bill — Agreed to.

"Employee" means any person who is ordinarily resident in Nigeria and is employed in the public service or private service or an apprenticeship with an employer whether the contract is express or implied, oral or in writing (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Employee" be as defined in the interpretation to this Bill — Agreed to.

"Employer" means an employer with five or more employees which includes the Federal, State and Local Government or any Extra-Ministerial Department or a person with whom an employee has entered into a contract of service or apprenticeship and who is responsible for the payment of the wages or salaries of the employee including the lawful representative, successor or assignee of that persons (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Employer" be as defined in the interpretation to this Bill — Agreed to.

"Fee-For-Service" means payment made directly for completed health care services, not included in the capitation fees and paid to health care facility or prescription following appropriate referrals or professionals following appropriate referrals or prescriptions sent to them by health care providers under this Bill (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the words "Fee-For-Service" be as defined in the interpretation to this Bill — Agreed to.

"Functions" includes powers (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the word "Functions" be as defined in the interpretation to this Bill — Agreed to.

"Health Care Facility" means any government or private health care facility, hospital, maternity centre, pharmacy, physiotherapy, etc. and includes all primary healthcare facility, secondary healthcare facility and tertiary healthcare facility accredited by the Commission for the provision of prescribed health services for insured persons and their dependants under this Bill (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the words "Health Care Facility" be as defined in the interpretation to this Bill — Agreed to.

"HMO" means any Health Maintenance Organization accredited under section 41 of this Bill to purchase health care services through health care providers approved by the Commission (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the abbreviation "HMO" be as defined in the interpretation to this Bill — Agreed to.

"Informal Sector Programme" means health insurance plans designed to cover people not on regular income (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the words "Informal Sector Programme" be as defined in the interpretation to this Bill — Agreed to.

"Insured Person" means any person and eligible dependant who pays the required contribution or for whom contribution is made under this Bill (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the words "Insured Person" be as defined in the interpretation to this Bill — Agreed to.

"Mandatory Social Health Insurance Scheme" means social health insurance schemes designed to cover residents in a State (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the words "Mandatory Social Health Insurance Scheme" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the Minister charged with responsibility for matters relating to health (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"Ministry" shall be construed accordingly (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the word "Ministry" be as defined in the interpretation to this Bill — Agreed to.

"Mutual Health Association" means a group accredited by the Commission to perform such roles as may be assigned to it by State health schemes, such as collection of contributions from the informal sector (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the words "Mutual Health Association" be as defined in the interpretation to this Bill — Agreed to.

"Persons" means persons, organisations, institutions, groups, etc. (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the word "Persons" be as defined in the interpretation to this Bill — Agreed to.

"Public Service of the Federation" and "Public Service of State" have the meaning respectively assigned to them in the Constitution of the Federal Republic of Nigeria, 1999 (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the words "Public Service of the Federation" and "Public Service of State" be as defined in the interpretation to this Bill — Agreed to.

"Scheme" means any scheme approved by the Commission (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the word "Scheme" be as defined in the interpretation to this Bill — Agreed to.

"Third Party Administrators" means any organization with expertise and capability to administer all or a portion of the insurance claims process, including administration of claims, collection of premiums, enrolment and other administrative activities, and which is registered by the Commission (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the words "Third Party Administrators" be as defined in the interpretation to this Bill — Agreed to.

"Voluntary Contributors" means any individual(s), employer or persons who wish to buy private health insurance (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the words "Voluntary Contributors" be as defined in the interpretation to this Bill — Agreed to.

"Vulnerable Group" include children under 5, pregnant women, the aged, the physical and mentally challenged and the indigent, etc. (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the meaning of the words "Vulnerable Group" be as defined in the interpretation to this Bill — Agreed to.

"Wage" means remuneration in money paid to an employee under his contract of service or apprenticeship, as the case may be and whether agreed to be paid at fixed or determined intervals of time (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Wage" be as defined in the interpretation to this Bill — Agreed to.

"Zonal Office" means a Zonal National Health Insurance Commission Office established under section 48 of this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "Zonal Office" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 76 stands part of the Bill — Agreed to.

Clause 77: Repeal of NHIS Act.

- (1) The National Health Insurance Scheme Act, Cap. N42, Laws of the Federation of Nigeria, 2004 is repealed.
- (2) The repeal shall not:
 - (a) affect the previous operation of the enactment or anything duly done or suffered under the enactment;
 - (b) affect any right, privilege, obligation or liability accrued or incurred under enactment;
 - (c) affect any penalty, forfeiture or punishment incurred in respect of any offence committed under the enactment; or
 - (d) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment, and any such investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 77 stands part of the Bill — Agreed to.

Clause 78: Citation.

This Bill may be cited as the National Health Insurance Commission Bill, 2019 (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that Clause 78 stands part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to repeal the existing National Health Insurance Scheme Act, Cap. N42, Laws of the Federation of Nigeria, 2004 and to enact the National Health Insurance Commission Bill to ensure a more effective implementation of a national health insurance policy that enhances access to healthcare services to all Nigerians, as well as promote and effectively regulate health insurance schemes in Nigeria (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Repeal the National Health Insurance Scheme Act, Cap. N42, LFN, 2004, and to Enact the National Health Insurance Commission (HB. 1639) (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Repeal the National Health Insurance Scheme Act, Cap. N42, LFN, 2004 and Enact the National Health Insurance Commission Bill; and for Related Matters (HB. 1639) and approved Clauses 1 - 78, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

A Bill for an Act to Repeal the National Health Insurance Scheme Act, Cap. N42, LFN, 2004 and Enact the National Health Insurance Commission Bill; and for Related Matters (HB. 1639) — Third Reading

Motion made and Question proposed, "That a Bill for an Act to Repeal the National Health Insurance Scheme Act, Cap. N42, LFN, 2004 and Enact the National Health Insurance Commission Bill; and for Related Matters (HB. 1639) be now read the Third Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

20. Adjournment

That the House do adjourn till 3.38 p.m. (Hon. Ahmed Idris — Depury House Leader).

The House adjourned accordingly at 3.33 p.m.

Yakubu Dogara
Speaker

