



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

FIRST VOTES AND PROCEEDINGS

Tuesday, 21 May, 2019

1. The House met at 11: 28 a.m. Mr Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Thursday, 16 May, 2019.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcement**

(a) **Visitors in the Gallery:**

Mr Speaker recognised the presence of the following:

- (i) Staff and Students of *Sacred Heart Primary School*, Independent Way, Kaduna; and
- (ii) Staff and Students of *Progress Dynamic International Academy*, Lugbe, Abuja.

(b) **Defection:**

Mr Speaker read a communication from Hon. Hassan A. Omale (*Ankpa/Omale/Olamaboro Federal Constituency*), announcing his defection from the Advance Democratic Congress (ADC), to the All Progressives Congress (APC).

(c) **Conference Committee on a Bill for an Act to Repeal the Raw Materials Research and Development Council Act, Cap R3, Laws of the Federation of Nigeria, 2004 and Enact the Raw Material Research and Development Council Bill; and for Related Matters (HB. 1220):**

Mr Speaker announced membership of the Conference Committee as follows:

- | | | | |
|-----|------------------------------|---|----------|
| (1) | Hon. Nkem Abonta-Uzoma | — | Chairman |
| (2) | Hon. Daniel Henry Ofongo | — | Member |
| (3) | Hon. Ashiru Aminu Mani | — | Member |
| (4) | Hon. Lam-Adeshina Adedapo | — | Member |
| (5) | Hon. Jisalo Bitrus Zephaniah | — | Member |
| (6) | Hon. Sadiq Ibrahim | — | Member |
| (7) | Hon. Beni Lar | — | Member |

- (d) *Conference Committee on a Bill for an Act to Establish Federal Institute for Industrial Research, to Conduct Industrial Research for the Development of Micro, Small, Medium and Large Industries aimed at Rapid Industrialization and Socio-Economic Development of Nigeria; and for Related Matters (HB. 1221):*

Mr Speaker announced membership of the Conference Committee as follows:

- | | | | |
|-----|-------------------------------|---|----------|
| (1) | Hon. Gyang Istifanus Dung | — | Chairman |
| (2) | Hon. Gideon Lucas Gwani | — | Member |
| (3) | Hon. Suleiman Hussein Kangiwa | — | Member |
| (4) | Hon. Kayode Oladele | — | Member |
| (5) | Hon. Ikon Samuel Okon | — | Member |
| (6) | Hon. Nwawuba Henry Ndochukwu | — | Member |
| (7) | Hon. Beni Lar | — | Member |

- (e) *Conference Committee to Harmonize Differences with the Senate on a Bill for an Act to Amend the Economic and Financial Crimes Commission Act, Cap. E1, Laws of the Federation of Nigeria, 2004 to Provide for Quick Recovery Procedures for Stolen Assets, Implement Active Pursuit of Cases, Build Capacity and Improve Trust and Cooperation with Foreign Counterparts, ensure Adequate Funding of the Commission, more Independent and Effective in the Enforcement of Economic and Financial Crimes and to Enhance Effectiveness of the Bill; and for Related Matters (HB. 393, HB. 326, HB. 617 and HB. 871):*

Mr Speaker announced membership of the Conference Committee as follows:

- | | | | |
|-----|---------------------------|---|----------|
| (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 Gbafwi | — | Member |
| (7) | Hon. Johnson Oghuma | — | Member |

4. Petition

A petition from Mr Harron Omelihu Akoli, on the unlawful detention of his wife by the Nigeria Police, was presented and laid by Hon. Onuigbo Samuel Ifeanyi (*Ikwunano/Umuahia North/Umuahia South Federal Constituency*).

Petition referred to the Committee on Public Petitions.

5. Presentation of Reports

- (i) *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 receive 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 — Yamaltu/Deba Federal Constituency).

Agreed to.

Report laid.

- (ii) *Ad-hoc Committee to carry out Investigation on the Approach for Reparations and Repatriation of Historical Artifacts carted away from Nigeria:*

Report of the Ad-hoc Committee to carry out Investigation on the Approach for Reparations and Repatriation of Historical Artifacts carted away from Nigeria (HR. 24/2/2016).

Order read; deferred by leave of the House.

(iii) *Committee on Basic Education and Services:*

Report of the Committee on Basic Education and Services on a Bill for an Act to Amend the Compulsory, Free Universal Basic Education Act, Cap. A113, Laws of the Federation of Nigeria, 2004 to make Provisions for Rehabilitation of Delinquent Children, Enhancement of the Welfare of Teachers before States Access the Federal Government Grant, Increase Block Grant of the Federal Government and Reduce that of the States Governments; and for Related Matters (HB.994, HB.995 and HB.1312).

Order read; deferred by leave of the House.

6. **A Bill for an Act to Provide for Establishment of Federal University of Health Science, Oturkpo; and for Related Matters (HB 1535) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Federal University of Health Science, Oturkpo; and for Related Matters (HB 1535) be now read the Third Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

7. **A Bill for an Act to Abolish and Prohibit Dichotomy and Discrimination between First Degrees and Higher National Diplomas in the same Profession; and for Related Matters (HB. 798) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Abolish and Prohibit Dichotomy and Discrimination between First Degrees and Higher National Diplomas in the same Profession; and for Related Matters (HB. 798) be now read the Third Time" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

8. **A Bill for an Act to Repeal the Federal Colleges of Education Act, 1986 and Enact the Federal Colleges of Education Bill; and for Related Matters (HB. 1638) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Repeal the Federal Colleges of Education Act, 1986 and Enact the Federal Colleges of Education Bill; and for Related Matters (HB. 1638) 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.

9. **A Bill for an Act to Amend the Education (Minimum Standards and Establishment of Institutions) Act, Cap. E3, LFN, 2004; and for Related Matters (HB. 1627) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the Education (Minimum Standards and Establishment of Institutions) Act, Cap. E3, LFN, 2004; and for Related Matters (HB. 1627) 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.

10. **A Bill for an Act to Repeal the Maintenance Order Act, Cap. M1, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 305) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Repeal the Maintenance Order Act, Cap. M1, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 305) be now read a Second Time" (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency and 1 other).

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.

11. **A Bill for an Act to Provide for the Establishment of the Federal Polytechnic, Langtang, Plateau State; and for Related Matters (HB. 1607) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Federal Polytechnic, Langtang, Plateau State; and for Related Matters (HB. 1607) be now read a Second Time" (Hon. Edward Gyang Pwajok — Jos South/Jos East 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 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) — Second Reading**

Mr Speaker recalled that the House had adjourned debate on the Bill to enable the Committee on Rules and Business examine the provisions of the Bill to determine whether it is similar to a Bill for an Act to Establish the Chartered Institute of Forensic and Investigative Auditors of Nigeria for Effective Registration of Members and determination of what Knowledge and Skills that a Practitioners is Required to attain in Order to Qualify to Practice as a Forensic and Investigative Auditor; and for Related Matter (HB. 1340) and report back. He invited the Chairman, Committee on Rules and Business address the House on the matter.

The Chairman, Committee on Rules and Business, Hon. Edward Pwajok, informed the House that having examined the provisions of the Bill confirmed that there were no similarities with the provisions of the Forensic Auditors Bill, 2019, and therefore recommends that the House do proceed with the Second Reading debate of the Bill.

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 a Second Time" (Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West Federal Constituency and 2 others).

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. Rescission:

Clauses 2 (2) of 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), Pursuant to Order Nine, Rule 1(6) of the Standing Orders of the House of Representatives

Motion made and Question proposed:

The House:

Notes that on Wednesday, 15 May, 2019, consideration of the Report on the Money Laundering (Prevention and Prohibition) (Repeal and Enactment) Bill was resumed;

Aware that a key phrase in Clause 2(2) which reads "ought reasonably to have known or suspects" was deleted;

Informed that the deleted Clause is the very essence of criminal investigation and if deleted, would significantly compromise criminal investigation, particularly with regard to money laundering;

Also notes that investigation is different from prosecution as investigation may or may not lead to prosecution;

Also aware that a suspect can be invited for questioning by the Police but it is only when there is sufficient evidence that the suspect is charged to court as an accused person;

Cognizant that citizens have a duty to report to law enforcement agencies when anyone is suspected of committing a crime, and this phrase is contained in most crime - fighting laws, an example of which is Section 25(2)e of the National Drug Law Enforcement Agency Act;

Resolves to:

Rescind its decision to delete Clause 2 (2) of the Bill and recommit same to the Committee of the Whole for reconsideration (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

Agreed to.

14. **Need for the National Assembly to Approve the Proposal of the Independent National Electoral Commission (INEC) to Create Two State Constituencies from Ushongo State Constituency of Benue State**

The House:

Notes that Section 91 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that "subject to the provisions of this Constitution, a House of Assembly of a State shall consist of three or four times the number of seats that State has in the House of Representatives divided in a way to reflect, as far as possible, nearly equal population";

Also notes that the same Section provides that a House of Assembly of a State shall consist of not less than twenty-four and not more than forty Members;

Further notes that Section 112 of the 1999 Constitution provides that "subject to the provisions of Sections 91 and 113 of the 1999 Constitution, the Independent National Electoral Commission (INEC) shall divide every State in the Federation into such number of the State Constituencies as is equal to three or four times the number of Federal Constituencies within that State";

Aware that Section 113 of the 1999 Constitution provides that "the boundaries of each State Constituency shall be such that the number of inhabitants thereof is as nearly equal to the population quota as is reasonably practicable";

Also aware that Section 114 of the 1999 Constitution provides that "the Independent National Electoral Commission shall review the division of every State into Constituencies at intervals of not less than ten years, and may alter such Constituencies in accordance with the provisions of this Section to such extent as it may consider desirable in the light of the review";

Cognizant that Benue State has 11 Federal Constituencies and 29 State Constituencies;

Also cognizant that by the constitutionally prescribed threshold of minimum number of State constituencies per State, Benue State should have a minimum of 33 State Constituencies;

Further aware that the Federal High Court sitting in Abuja had, on 13 January, 2005 in the case of Ushongo Local Government Council & 3ors vs. The Independent National Electoral Commission (INEC), Suit No. FHC/ABJ/CS/562/2004 delivered a consent judgment orderely the Independent National Electoral Commission (INEC) to restore the suppressed State Constituency in Ushongo Local Government;

Equally aware that on 19 November 2015, the Federal High Court, in Suit No. FHC/MKD/CS/39A/2015 between Ushongo Local Government & 3 ors vs. The Independent National Electoral Commission (INEC) gave an enforcement order directing INEC to comply with its judgment of 13/01/2005 by conducting elections in each of the two Constituencies by whatever name called;

Equally notes that the persistent refusal of INEC to obey the Court orders led to a petition being laid in the House of Representatives on 21 April, 2016 which petition was referred to the Committee on Public Petitions, which in turn laid its report on 27 September, 2016;

Informed that the Report of the Committee on Public Petitions was considered on 29 September, 2016 and the single recommendation in the said Report was to "Urge the Independent National Electoral Commission (INEC) to restore the two State Constituencies and conduct elections as ordered by the Court within Ninety (90) days of the Resolution being adopted and by the House and a resolution was passed to that effect;

Concerned by the seeming unwillingness of the Independent National Electoral Commission (INEC) to comply with the resolution to conduct elections into the restored two State Constituencies, i.e Ushongo 1 (Mata) and Ushongo I (Mbagwa) in Benue State, during the 2019 General Elections;

Acknowledges that even though INEC did not timeously take steps to fully comply with the orders of the Court and the Resolution of the House, it has however taken steps to comply with the Court judgment by consulting all stake holders and undertaking trothing exercise to map the boundaries of the area concerned;

Also acknowledges the receipt of a Proposal from INEC dated 27 November, 2018, requesting the National Assembly to approve the creation of two State Constituencies from USHONGO State Constituency of Benue State;

Resolves to:

- (i) Approve the Proposal by the Independent National Electoral Commission (INEC) that the boundaries of Ushongo State Constituency be altered by creating Two State Constituencies as designated below;

(1) Mata State Constituency, Comprising:

- (i) Ikov (2);
- (ii) Mbagba (07);
- (iii) Mbagwaza (08);
- (iv) Mbayegh (10); and
- (v) Utange (11).

(2) Mbagwa State Constituency, Comprising:

- (i) Artikyese (01);
- (ii) Lessel (03);
- (iii) Mbaaka (04);
- (iv) Mbaanyam (05);
- (v) Mbaawe (06); and
- (vi) Mbakuha (09).

- (ii) Seek concurrence of the Senate (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency and 1 other*).

Debate.

Agreed to.

The House:

Noted that Section 91 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that "subject to the provisions of this Constitution, a House of Assembly of a State shall consist of three or four times the number of seats that State has in the House of Representatives divided in a way to reflect, as far as possible, nearly equal population";

Also noted that the same Section provides that a House of Assembly of a State shall consist of not less than twenty-four and not more than forty Members;

Further noted that Section 112 of the 1999 Constitution provides that "subject to the provisions of Sections 91 and 113 of the 1999 Constitution, the Independent National Electoral Commission (INEC) shall divide every State in the Federation into such number of the State Constituencies as is equal to three or four times the number of Federal Constituencies within that State";

Aware that Section 113 of the 1999 Constitution provides that "the boundaries of each State Constituency shall be such that the number of inhabitants thereof is as nearly equal to the population quota as is reasonably practicable";

Also aware that Section 114 of the 1999 Constitution provides that "the Independent National Electoral Commission shall review the division of every State into Constituencies at intervals of not less than ten years, and may alter such Constituencies in accordance with the provisions of this Section to such extent as it may consider desirable in the light of the review";

Cognizant that Benue State has 11 Federal Constituencies and 29 State Constituencies;

Also cognizant that by the constitutionally prescribed threshold of minimum number of State constituencies per State, Benue State should have a minimum of 33 State Constituencies;

Further aware that the Federal High Court sitting in Abuja had, on 13 January, 2005 in the case of Ushongo Local Government Council & 3ors vs. The Independent National Electoral Commission (INEC), Suit No. FHC/ABJ/CS/562/2004 delivered a consent judgment orderely the Independent National Electoral Commission (INEC) to restore the suppressed State Constituency in Ushongo Local Government;

Equally aware that on 19 November 2015, the Federal High Court, in Suit No. FHC/MKD/CS/39A/2015 between Ushongo Local Government & 3 ors vs. The Independent National Electoral Commission (INEC) gave an enforcement order directing INEC to comply with its judgment of 13/01/2005 by conducting elections in each of the two Constituencies by whatever name called;

Equally noted that the persistent refusal of INEC to obey the Court orders led to a petition being laid in the House of Representatives on 21 April, 2016 which petition was referred to the Committee on Public Petitions, which in turn laid its report on 27 September, 2016;

Informed that the Report of the Committee on Public Petitions was considered on 29 September, 2016 and the single recommendation in the said Report was to "Urge the Independent National Electoral Commission (INEC) to restore the two State Constituencies and conduct elections as ordered by the Court within Ninety (90) days of the Resolution being adopted and by the House and a resolution was passed to that effect;

Concerned by the seeming unwillingness of the Independent National Electoral Commission (INEC) to comply with the resolution to conduct elections into the restored two State Constituencies, i.e Ushongo 1 (Mata) and Ushongo I (Mbagwa) in Benue State, during the 2019 General Elections;

Acknowledged that even though INEC did not timeously take steps to fully comply with the orders of the Court and the Resolution of the House, it has however taken steps to comply with the Court judgment by consulting all stake holders and undertaking trothing exercise to map the boundaries of the area concerned;

Also acknowledged the receipt of a Proposal from INEC dated 27 November, 2018, requesting the National Assembly to approve the creation of two State Constituencies from USHONGO State Constituency of Benue State;

Resolved to:

- (i) approve the Proposal by the Independent National Electoral Commission (INEC) that the boundaries of Ushongo State Constituency be altered by creating Two State Constituencies as designated below;

- (1) Mata State Constituency, Comprising:

- (i) Ikov (2);
- (ii) Mbagba (07);
- (iii) Mbagwaza (08);
- (iv) Mbayegh (10); and
- (v) Utange (11).

- (2) Mbagwa State Constituency, Comprising:

- (i) Artikyese (01);
- (ii) Lessel (03);
- (iii) Mbaaka (04);
- (iv) Mbaanyam (05);
- (v) Mbaawe (06); and
- (vi) Mbakuha (09).

- (ii) Seek concurrence of the Senate (HR. 34/05/2019).

15. Consideration of Reports

- (i) *Report of the Conference Committee on a Bill for an Act to Regulate the Manufacture, Importation, Distribution and Quality Control of Fertilizer in Nigeria; 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 Regulate the Manufacture, Importation, Distribution and Quality Control of Fertilizer in Nigeria; and for Related Matters" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai 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 Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REGULATE THE MANUFACTURE, IMPORTATION,
DISTRIBUTION AND QUALITY CONTROL OF FERTILIZER IN NIGERIA;
AND FOR OTHER RELATED MATTERS

Clause 1: Object of the Bill.

The object of the Bill shall be to safeguard the interest of —

- (a) the farmer against nutrient deficiencies, adulteration, misleading claims and short weight; and
- (b) fertilizer enterprises and contribute to the creation of an enabling environment for private sector investment in the fertilizer industry (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

PART I — PERMIT OF CERTIFICATE OF REGISTRATION

Clause 2: Application for permit or certificate of registration.

- (1) A person shall not carry on business as a manufacturer, blender or importer of fertilizer in Nigeria without obtaining a permit or certificate of registration from the Prescribed Authority.
- (2) A person shall not carry on business as a distributor of fertilizer in Nigeria without obtaining from the Prescribed Authority a certificate of registration.
- (3) An application for a permit or certificate of registration under subsection (1) or (2) of this section shall be made on such form and in such manner as may be specified by the Prescribed Authority.
- (4) An application for permit or certificate of registration shall be accompanied by a non-refundable fee as may be prescribed in regulations made pursuant to this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 3: Issuance of permit or certificate of registration. Cap, C20, LFN, 2004.

- (1) (b) the applicant is incorporated under the Companies and Allied Matters Act,

the Prescribed Authority shall issue permits and certificates of registration to the applicant within 30 days of the receipt of an application (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 4: Keeping of records by Prescribed Authority.

The Prescribed Authority shall keep accurate records containing all the issued permits and certificates of registration (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 5: Validity of permit or certificate of registration.

The Prescribed Authority may suspend or cancel a permit or certificate of registration where —

- (b) the circumstances under which it was issued no longer exists;
- (c) any of the conditions or undertakings under which it was issued has been contravened; or (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 6: Fees.

The holder of a permit or certificate of registration shall pay-

- (a) a renewal of permit or certificate of registration fee every three years;
- (b) inspection fee for fertilizer manufactured, blended, imported or distributed every year as may be specified by regulations; and
- (c) an appeal fee pursuant to section 7 of this Bill, if the need arises and other fees as may be specified by regulations made under this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 7 Cancellation of permit or certificate of registration.

- (1) Where a permit or certificate of registration is cancelled, an appeal may be lodged with the Minister within 30 days of the cancellation.
- (2) An appeal made under subsection (1) of this section shall be in writing and be accompanied by such information as may be necessary to support the appeal (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

PART II — PROHIBITED ACTIVITIES**Clause 8: Operating with an expired permit or certificate of registration.**

A person shall not operate or carry on business as a manufacturer, blender, importer or distributor of fertilizer in Nigeria with an expired permit or certificate of registration (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

- Clause 9: Destructive ingredients or harmful properties.**
A person shall not sell any fertilizer or fertilizer supplement that contains destructive ingredients or properties harmful to plant growth when used according to the accompanying instructions or in accordance with the instructions contained on the label of the package in which the fertilizer or the fertilizer supplement is contained (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

- Clause 10: Conversion or diversion of fertilizer.**
A person engaged in the sale, distribution, transportation of fertilizer or who keeps custody of fertilizer shall not, without lawful authority, divert or convert the fertilizer to his own use or the use of another person (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

- Clause 11: Obstruction of authorised officers.**
A person shall not obstruct, hinder or prevent a duly authorized officer of the Prescribed Authority from carrying out the duties and responsibilities assigned to such officer under this Bill or regulations made pursuant to this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

PART III — INSPECTION AND ENFORCEMENT POWERS

- Clause 13: Power of entry.**
(1) (a) enter and inspect any premises, building, vehicle, plant or equipment that is used in the manufacture, blending, importation, distribution, sale, storage or transportation of fertilizer; and

First Schedule.

- (b) take official samples from the fertilizer found during an inspection for laboratory analysis for the purpose of ascertaining the quality of the fertilizer as specified in the First Schedule.
- (3) An Authorised Officer is vested with the power to —
- (a) inspect, during regular business hours, any premises where fertilizers are manufactured, stored or sold;
- (b) inspect any person or a vehicle or receptacle used to move fertilizers from one location to another;
- (c) draw official samples of fertilizers for analysis; and

seize and detain any fertilizer in violation of this Bill as well as any equipment, package, document, or means of transportation associated with such fertilizer (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 14: Display of permits or certificates of registration.

A manufacturer, blender, importer or distributor of fertilizer shall conspicuously display his original permit or certificate of registration at his company or point of sale (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 16: Allowable variation in fertilizer weight.

The acceptable deviation of measured fertilizer bag weight from the value claimed on the label shall not be more than 500mg per 50kg bag or 1% across all bag weights (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 17: Labels.

Second Schedule.

The minimum requirement for all fertilizer labels is as specified in the Second Schedule to this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

PART IV — OFFENCES AND PENALTIES

Clause 18: Offences relating to manufacture, importation and distribution of fertilizer.
First Schedule.

- (a) manufactures, blends, imports or distributes fertilizer that is deficient in plant nutrient as specified in the First Schedule to this Bill;
- (b) manufactures, blends, imports or distributes unbranded or misbranded fertilizer;
- (d) offers for sale, fertilizer that is underweight;
- (g) flouts a stop sale order;

commits an offence under this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 19: Penalty for offences under section 18.

A person who commits any of the offences listed in section 18 of this Bill or regulations made under this Bill is on conviction, liable to a term of imprisonment of not less than 5 years without option of fine (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 20: Penalty for offence relating to manufacture, importation and distribution of fertilizer.

- (1) A person who contravenes the provisions of section 2 or 8 of this Bill commits an offence under this Bill and is on conviction:

- (a) in the case of a manufacturer, blender or importer, to a fine of at least ₦10,000,000 or ₦5,000,000; and
 - (b) in the case of a distributor of fertilizer to a fine of ₦500,000 for each day the offence persists.
- (2) Any director, employee or agent of the manufacturer, blender, importer or distributor who contravenes the provisions of sections 2 or 8 of this Bill commits an offence unless the director, employee or agent proves that the offence was committed without his knowledge or connivance (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 21: Penalty for use of destructive ingredient and conversion or diversion, etc. of fertilizer.

A person who contravenes the provisions of section 9 or 10 of this Bill commits an offence and is liable on conviction to a fine of at least ₦1,000,000 or to a term of imprisonment of not less than six months or to both (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 22: Penalties for obstruction of authorised officers.

A person who contravenes the provision of section 11 of this Bill commits an offence and is liable on conviction to a fine of at least ₦200,000 or a term of imprisonment of not more than Six months or to both (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 23: Jurisdiction.

The Court shall have jurisdiction to try offences under this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 24: Compensation.

- (1) Where an offender is convicted of an offence under this Bill, the court may order that the offender pays compensation in addition to any other punishment imposed by the court.
- (2) In awarding compensation, the court shall consider awards aimed at remedying any injury caused to —
 - (a) the farmer or end user;
 - (b) the manufacturer or blender; and
 - (c) the affected community (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

PART V — MISCELLANEOUS

Clause 25: Power to make Regulations.

- (1) The Minister may by regulations make provisions for carrying into effect the provisions of this Bill and for its due administration, such as the appointment of a National Fertilizer Technical Committee (in the Bill referred to as "the NFTC"), as an advisory body to the prescribed authority.
- (2) Without prejudice to the generality of the power to the Minister, the regulations may provide for —
 - (a) the fertilizer regulatory system including inspection, sampling and analysis, registration requirements, labelling requirements, and inspection fee collection procedures (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 26: Repeal of Cap. N39, LFN, 2004 and Cap F25, LFN, 2004.
The following Acts are repealed —

- (a) the National Fertilizer Board Act Cap. N39, Laws of the Federation of Nigeria, 2004; and
- (b) the Fertilizer (Control) Act, 1991, Cap F25, Laws of the Federation of Nigeria, 2004 (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 27: Savings and Transition.

Without prejudice to section 6 of the Interpretation Act, the repeal of the Acts specified in section 26 of this Bill, shall not affect anything done under those Acts (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

Clause 28: Interpretation.
In this Bill —

"adulterated fertilizer" means fertilizer —

- (a) containing any deleterious substance in sufficient amount as to affect or alter the true and original quality of the fertilizer when applied in accordance with directions for use on the label or if adequate warning statements or directions for use which may be necessary to protect plant life, animals, humans, aquatic life, soil, or water are not shown upon the label; or
- (b) the composition of which falls below or differs from that which it is purported to possess by its label (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the words "adultrated fertilizer" be as defined in the interpretationto this Bill — Agreed to.

"applicant" includes a body corporate or legal person (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"application" means the request for an approval by an applicant to produce, import, blend or sell fertilizer in Nigeria (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"authorized officer" means an officer of the Farm Inputs Supply Services Department of the Federal Ministry of Agriculture duly appointed or designated and notified under the present Bill to draw official samples of fertilizers to get their quality tested in a laboratory identified for this purpose, to inspect the fertilizer records being maintained by manufacturers, importers and distributors, and to launch prosecution against the violators of any of the provisions of the Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"brand" means design, trade mark, or other specific designation of the Manufacturer, blender or importer under which fertilizer is distributed (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"director" means the Director in charge of the Farm Inputs Supply Services Department in the Federal Ministry of Agriculture (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"director of a manufacturer, blender, importer or distributor" means a principal officer of a company engaged in manufacturing, importing, blending or distribution of fertilizer (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the words "director of a manufacturer, blender, importer or distributor" be as defined in the interpretation to this Bill — Agreed to.

"distribute" means to consign, offer for sale, sell, barter, or otherwise supply fertilizer (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"employee" means any person being paid to work for a fertilizer manufacturer, importer, blender, distributor or dealer (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"fertilizer" means any organic or inorganic substance or mixture of substances containing one or more recognized plant nutrient that is used to improve plant nutrient content and is designed for use in promoting plant growth (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"Court" includes Federal High Court, State High Court and Magistrate Court where applicable (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"holder of a permit or a certificate of registration" means a person who has obtained a permit or a certificate of registration pursuant to the provisions of this Bill and as prescribed by regulations made under this Bill (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the meaning of the words "holder of a permit or a certificate of registration" be as defined in the interpretation to this Bill — Agreed to.

"label" includes —

- (a) all written, printed, marked symbols or graphic matter displayed upon the immediate container used in promoting the sale of fertilizers;
- (b) statements accompanying a fertilizer, supplement or package used in promoting the sale of fertilizer; or
- (c) advertisements, brochures, posters, television, radio, or internet announcements used in promoting the sale of fertilizer (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"lawful authority" means by the authority of any law, rule or regulation or power exercisable by a person pursuant to any public power to command or act in the name of the public (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"manufacture" means produce or blend fertilizer (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"Minister" means the Minister responsible for Agriculture (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"Ministry" means the Ministry responsible for Agriculture (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"misbranding" includes —

- (a) the use of the name or trademark of another manufacturer in a way that is likely to deceive the public;
- (b) false declaration of the nutrient content of a fertilizer (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"nutrient deficient" means a fertilizer is deemed "nutrient deficient" if the analysis of any nutrient is below the guarantee indicated on the bag by an amount exceeding the investigational allowance listed in schedule 1 of this Bill, or if the overall index value of the fertilizer is below 98% (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"official sample" means a sample of fertilizer taken for analysis and designated official by the prescribed authority (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"person" means a corporate body, individual, partnership, association, firm, or corporation (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"Prescribed Authority" means the Department responsible for fertilizer in the Federal Ministry of Agriculture (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

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

"sell" includes to trade, offer for sale, expose for sale, or have in possession for sale any quantity of fertilizer (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

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

"short weight" means deviation in weight of fertilizer content below the claimed weight on the label (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

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

"supplement" means any substance or mixture of substances other than fertilizer, that is manufactured, imported or sold for use in the improvement of the physical condition of soil or to aid plant growth or crop yield (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

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

"unbranded" means the absence of the name, logo, trademark or other means of identification of a fertilizer and its importer, blender or manufacturer (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

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

"underweight" means fertilizer content with short weight which exceeds the 0.6% of the weight claimed on the label; and (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

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

"violation" means a breach of any provision of this Bill or regulations made under this Bill (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

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

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

Clause 29: Citation.

This Bill may be cited as the National Fertilizer Quality (Control) Bill, 2019 (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

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

SCHEDULES

FIRST SCHEDULE

Sections 13 (1) (b)

- (2) Where the chemical forms of Nitrogen are claimed or required, the form shall be guaranteed in the format shown in paragraph (c) of subsection (1) and the percentages of the individual forms shall add up to the total nitrogen percentage as follows-

available phosphate (P205) _____ %

soluble potassium (K20) _____ %

(other nutrients, elemental basis) _____ % (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

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

Explanatory Memorandum:

This Bill repeals the National Fertilizer Board Act Cap N39 LFN 2004, the Fertilizer (Control) Act, Cap F25 LFN 2004, and re-enacts the National Fertilizer Quality Control Bill, 2019, to provide an improved regulatory framework for the manufacture, importation, sale and distribution of fertilizer in Nigeria (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Conference Committee on a Bill for an Act to Regulate the Manufacture, Importation, Distribution and Quality Control of Fertilizer in Nigeria; 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.

- (ii) *A Bill for an Act to Repeal the Prisons Act, Cap. P29, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Correctional Service Bill to Provide for the Administration of Prisons and Non-Custodial Measures in Nigeria; and for Related Matters (HB. 487, HB. 516 and HB. 517) (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 Prisons Act, Cap. P29, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Correctional Service Bill to Provide for the Administration of Prisons and Non-Custodial Measures in Nigeria; and for Related Matters (HB. 487, HB. 516 and HB. 517) 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 Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE PRISONS ACT, CAP. P29, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NIGERIAN CORRECTIONAL SERVICE BILL, TO PROVIDE FOR THE ADMINISTRATION OF PRISONS AND NON-CUSTODIAL MEASURES IN NIGERIA; AND FOR RELATED MATTERS

- Clause 17: (5) If the Controller - General receives an order from a court of competent jurisdiction or subpoena, that the presence of an inmate is required at any place in Nigeria he shall in writing:
- (a) order the inmate to be taken to that place, in compliance with the order after being satisfied that the order is from a court of competent jurisdiction;
 - (b) order the inmate to be taken to that place forthwith, in the case of a subpoena (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 70: 44. (d) 5% of all fines paid to the Federal Courts.

Committee Recommendation:

Leave out the provision of Clause 44 (d) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Repeal the Prisons Act, Cap. P29, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Correctional Service Bill to Provide for the Administration of Prisons and Non-Custodial Measures in Nigeria; and for Related Matters (HB. 487, HB. 516 and HB. 517) and approved Clause 17 of the Bill.

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

- (iii) *A Bill for an Act to Provide for the Establishment of the Federal University of Education, Aguleri; and for Related Matters (HB.1617) (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 Federal University of Education, Aguleri; and for Related Matters (HB.1617) 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 Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE
FEDERAL UNIVERSITY OF EDUCATION, AGULERI; AND FOR
OTHER RELATED MATTERS (HB. 1617)

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
FEDERAL UNIVERSITY OF EDUCATION, AGULERI, ANAMBRA STATE

Clause 1: Establishment and Objectives of the Federal University of Education, Aguleri.

- (1) There is hereby established the Federal University of Education, Aguleri, Anambra State.
- (2) The University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The University shall be a training institution for the development of teacher education in the country.
- (4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who shall be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.
- (5) The objects of the University shall be:
 - (a) to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;
 - (b) to develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate research, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in education, technology, applied science, agriculture, commerce, arts, social science, humanities, management and allied professional disciplines;
 - (c) to produce socially mature educational men and women with capabilities not to only understand educational need of Nigeria as a nation, but also to exploit existing educational infrastructure and improve on it to develop new ones;
 - (d) to act as agents and catalysts for effective educational system, through post graduate training , research and innovation, for effective economic utilization and conservation of the country's human resources;
 - (e) to bring quality change in education by focusing on teacher education through teaching and learning innovations;

- (f) to collaborate with other national and international institutions involved in training, research and development of education with a view to promoting governance, leadership and management skills among educational managers;
- (g) to identify educational needs of the society with a view to finding solutions to them within the context of overall national development;
- (h) to provide and promote sound basic education training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;
- (i) to provide higher education and foster a systematic advancement of the science and art of teacher education;
- (j) to provide for instruction in such branches of teacher education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;
- (k) to provide teachers with operational competence for teaching in pre-tertiary institutions, basic, senior secondary schools and non-formal education institutions;
- (l) to undertake any other activities that is appropriate for a university of education of the highest standard (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 2: Constitution and Principal Officers of the University.

(1) The University shall consist of:

- (a) a Chancellor;
- (b) a Pro-Chancellor and a Council;
- (c) a Vice-Chancellor and a Senate;
- (d) a Deputy Vice-Chancellor(s);
- (e) a body to be called Congregation;
- (f) a body to be called Convocation;
- (g) the campuses and colleges of the University;
- (h) the colleges, institutes and other teaching and research units of the University;
- (i) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
- (j) all graduates and undergraduates of the University; and

- (k) all other persons who are members of the University in accordance with provisions made by statute in that behalf.
- (2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.
- (3) Subject to section 5 of this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 3: Powers of Federal University of Education, Aguleri and its exercise.

- (1) For the carrying out of its objects as specified in section 1 of this Bill, Federal University of Education, Aguleri shall have power:
 - (a) to offer courses of instruction, training and research in education and allied areas for the production of quality and skilled teachers required to teach at lower, middle and higher levels of education in Nigeria in particular and the world at large;
 - (b) to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of National Universities Commission;
 - (c) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;
 - (d) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - (e) to provide for the discipline and welfare of members of the University;
 - (f) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
 - (g) to grant honorary degrees, fellowships or academic titles;
 - (h) to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;
 - (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;

- (j) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;
 - (k) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
 - (l) to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
 - (m) to hold public lectures and to undertake printing, publishing and book selling;
 - (n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment to it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land, with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;
 - (o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
 - (p) to make gifts for any charitable purpose;
 - (q) to do anything which it is authorized or required by this Bill or by statute to do; and
 - (r) to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 7(2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by the statute.
- (3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 4: Functions of the Chancellor and Pro-Chancellor.

- (1) The Chancellor shall, in relation to the University, take precedence before all other members of the University, and when he is present, shall preside at all meetings of Convocation held for conferring degrees.

- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 5: Composition, Tenure and Powers of the Council of the University.

- (1) The Council of the University shall consist of:
- (a) the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor(s);
 - (d) one person from the Ministry responsible for education;
 - (e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from:
 - (i) the Teacher's Registration Council,
 - (ii) Tertiary Education Trust Fund, and
 - (iii) two other persons, one of whom shall be a representative of the University host community.
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by Congregation from among its members;
 - (h) one person appointed by Convocation from among its members; and
 - (i) two persons representing the community appointed by the President.
- (2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
- (3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.
- (5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.

- (6) The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for:
- (a) personnel cost;
 - (b) overhead cost;
 - (c) research and development;
 - (d) library developments; and
 - (e) the balance in expenditure between academic vis-à-vis non-academic activities (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 6: Functions of the Council and its Finance and General Purpose Committee.

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.
- (2) There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.
- (5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under sub-section (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.
- (7) There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.

- (9) If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- (10) Any request made under sub-section (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 7: Functions of the Senate of the University.

- (1) Subject to section 6 of this Bill and subsections (3) and (4) of this section and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:
 - (a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
 - (b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
 - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
 - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
 - (f) the supervision of the welfare of students at the university and the regulation of their conduct;
 - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the university, or any hall of residence or similar institution at the University without the approval of the Council.

- (4) Subject to this Bill and the statutes, the Senate 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.
- (5) 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 at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- (6) Subject to right of appeal to the Council from a decision of the Senate under this sub-section, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*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 Vice Chancellor.

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and subject to section 4 of this Bill except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise of directing the activities of the University and shall be the Chief Executive and Accounting Officer of the University and *ex-officio* Chairman of the Senate.
- (3) The Vice Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold from time to time.
- (4) It shall be the responsibility of the Vice Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

**PART II — GENERAL FUND, TRANSFER OF PROPERTY, ETC. TO THE
UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES**

Clause 9: General fund of the University.

- (1) There shall be a general fund of the university which shall consist of the following:
 - (a) grants-in-aid;
 - (b) fees;

- (c) income derived from investments;
 - (d) gifts, legacies, endowments and donations not accepted for a particular purpose;
 - (e) income derived from the exercise of any functions conferred or imposed on the University by this Bill;
 - (f) any other amounts, charges or dues recoverable by the University;
 - (g) revenue, from time to time, accruing to the University by way of subvention;
 - (h) interests on investments;
 - (i) donations and legacies accruing to the University from any source for the general or special purposes of the University; and
 - (j) regular TETFund interventions.
- (2) The general fund shall be applied for the purposes of the University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 10: Transfer of Property.

- (1) All property held by or on behalf of the Provisional Council of the University shall, by virtue of this sub-section and without further assurance, vest in the University and be held by it for the purpose of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this section and with respect to the other matters mentioned in that Schedule (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART III — STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make Statutes.

- (1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to say:
 - (a) making provision with respect to the composition and constitution of any authority of the University;
 - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
 - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
 - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or

- (e) making provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) Subject to section 25(6) of this Bill, the Interpretation Act shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 28 (1) of that Act.
- (3) The statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
- (4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Third Schedule to this Bill or any subsequent statute (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 12: Mode of exercising power to make statutes.

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved:
 - (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies or the other.
- (4) A statute which:
 - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
 - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within subsection (4) of this section, on the date on which it is approved by the President.
- (6) In the event of any doubt or dispute arising at any time:
 - (a) as to the meaning of any provision of a statute; or

- (b) as to whether any matter is for the purposes of this Bill an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under sub-section (6) of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- (8) Nothing in sub-section (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 13: Proof of Statute.

A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Vice-Chancellor or the Secretary to the Council to the effect that the copy is a true copy of a statute of the University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART IV — SUPERVISION AND DISCIPLINE

Clause 14: The Visitor.

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.
- (4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 15: 15. Removal of certain Members of Council.

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and the President, after making such

enquiries (if any) as he may consider appropriate approves the recommendation, he may direct the removal of the person in question from office.

- (2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 16: Removal and discipline of academic, administrative and professional staff.

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of professional inability to perform the functions of his office or employment, the Council shall:
 - (a) give notice of those reasons to the person in question;
 - (b) afford him an opportunity of making representations in person on the matter by the Council; and
 - (c) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and 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 so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means:
 - (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
 - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
 - (c) 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;

- (d) 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;
 - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as:
 - (a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
 - (b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;
 - (c) whether to terminate the appointment of the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.
- (5) 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 such decision come to a final determination in respect of the case concerning any such person.
- (6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (7) Nothing in the foregoing provisions of this section shall:
 - (a) apply to any directive given by the Visitor in consequence of any visitation; or
 - (b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 17: Removal of examiners.

- (1) If, on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, except in such cases as may be prescribed by the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.
- (2) Subject to the provisions of regulations made in pursuance of section 7(5) of this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed in pursuance of subsection (1) of this section.
- (3) It shall be the duty of the Vice-Chancellor on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it is related (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 18: Participation and Discipline of Students.

- (1) The Students shall be:
 - (a) represented in the University's Students Welfare Board and other committees that deal with the affairs of students;
 - (b) participate in various aspects of curriculum development;
 - (c) participate in the process of assessing academic staff in respect of teaching; and
 - (d) be encouraged to be more self-assured as part of the national development process.
- (2) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct:
 - (a) that the student shall not, during such period as may be specified in the directions, participate in such activities of the University, or make use of such facilities of the University, as may be so specified, or
 - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so 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 University.

- (3) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal 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.
- (4) The fact that an appeal from a direction is brought in pursuance to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending:
 - (a) the Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate;
 - (b) nothing in this section shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct;
 - (c) a direction under subsection (2) (a) of this section may be combined with a direction under subsection (2) (b) of this section (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART V — MISCELLANEOUS AND GENERAL

Clause 19: Exclusion of discrimination on account of race, religion, etc.

- (1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, account of race, 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 university, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue of this Bill; and no person shall be subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters.
- (2) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subsection where such person wilfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 20: Restriction on disposal of land by University.

Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Bill) except with the prior written consent, either general or special, of the Governor:

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 21: Quorum and procedure of bodies established by this Bill.

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of any body of persons established by this Bill shall be as determined by that body (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 22: Appointment of committee, etc.

- (1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body, and to authorize a committee established by it:
 - (a) to exercise, on its behalf, such of its functions as it may determine;
 - (b) to co-opt members, and
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section, shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- (4) Nothing in the provisions of subsection (1), (2) and (3) of this section shall be construed as:
 - (a) enabling the statutes to be made otherwise than in accordance with section 1 of this Bill; or
 - (b) enabling the Senate to empower any other body to make regulations of the award degrees or other qualifications.
- (5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question); and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 23: Retiring age of academic staff.

- (1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:
 - (a) Academic Staff of the University in the non-Professorial cadre shall be 65 years;
 - (b) Academic Staff of the University in the Professorial Cadre shall be 70 years;
 - (c) Non-academic staff of the University shall be 65 years.
- (2) A 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 University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 24: Special Provisions relating to Pension of Professors.

An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 25: Miscellaneous Administrative Provisions.

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) 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 University by any person generally or specially authorized to do so by the Council.
- (4) The validity of any proceedings of anybody established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the preceding.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance to this Bill.

- (7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or any regulation by a subsequent statute or as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.
- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Bill or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 26: Pre-Action Notice: Restriction of suits and execution.

- (1) (a) No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party;
- (b) The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims;
- (c) For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent;
- (d) In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

Service of Notices.

- (2) Service upon the University of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 27: Interpretation.

(1) In this Bill, unless the context otherwise requires:

"Campus" means any campus which may be established by the University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"College" means the College established pursuant to section 2 (1) (b) of this Bill for the University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Council" means the Governing Council of the University established by section 5 of this Bill (*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.

"Functions" includes powers and duties (*Hon. Edward Gyang Pwajok — 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.

"Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the University and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Minister" means the Hon. Minister of Education (*Hon. Edward Gyang Pwajok — 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.

"Notice" means notice in writing (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Officer" does not include the Visitor (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Prescribed" means prescribed by statute or regulations (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Professor" means a person designated as a Professor of the University in accordance with provisions made in that behalf by statute or by regulations (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Property" includes rights, liabilities and obligations (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Provisional Council" means the provisional council appointed for the University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Regulations" means regulations made by the Senate or the Council (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Senate" means the Senate of the University established pursuant to section 2 (1) (e) of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"School" means a unit of closely related academic programmes (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Statute" means a statute made by each University under section 10 of this Bill and in accordance with the provisions of section 11 of this Bill; and (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"the statutes" means all such statutes as are in force from time to time (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Undergraduate" means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"University" means Federal University of Education, Aguleri established and incorporated by section 1 of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

- (2) It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 28: Short Title.

This Bill may be cited as the Federal University of Education Aguleri, Anambra State (Establishment, etc.) Bill, 2019.

SCHEDULES

FIRST SCHEDULE

[Section 2(2)]

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

1. The Chancellor shall be appointed by and hold office at the pleasure of the President.

The Pro-Chancellor

2. (1) The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by Mr President upon recommendation by the Minister of Education.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his appointment.

The Vice-Chancellor

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.
- (2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall:
 - (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying:
 - (i) the qualities of the persons who may apply for the post; and
 - (ii) the terms of conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration:
 - (b) constitute a Search Team consisting of:
 - (i) a member of the Council, who is not a member of the Senate, as chairman;
 - (ii) two members of the Senate who are not members of the Council, one of whom shall be a Professor;
 - (iii) two members of Congregation who are not members of the Council, one of whom shall be a Professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they felt that it is not proper to do so.
- (3) A Joint Council and Senate Selection Board consisting of:
 - (a) the Pro-Chancellor, as chairman;
 - (b) two members of the Council, not being members of the Senate;
 - (c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.
- (4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subsection (3) of this section and thereafter inform the Visitor.

- (5) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
- (6) The Vice-Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- (7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:
 - (i) three members of the Council, one of whom shall be the Chairman of the committee; and
 - (ii) two members of the Senate,Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- (8) The committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.
- (9) The Council may where the allegations are proved remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have right of appeal to the Visitor.
- (10) There shall be no sole administrator in the University.
- (11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.
- (12) An acting Vice-Chancellor in all circumstances shall not be in office for more than 6 months.

Deputy Vice-Chancellor

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the University.
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph and forward his name to the Council for confirmation.
- (4) A Deputy Vice-Chancellor shall:
 - (a) assist the Vice-Chancellor in the performance of his functions;
 - (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and

- (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) A Deputy Vice-Chancellor:
 - (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
 - (b) may be reappointed for one further period of two years and no more.
 - (c) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate; and
 - (d) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Deputy Vice-Chancellor

- 4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the University.
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph and forward his name to the Council for confirmation.
- (4) A Deputy Vice-Chancellor shall:
 - (a) assist the Vice-Chancellor in the performance of his functions;
 - (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
 - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) A Deputy Vice-Chancellor:
 - (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may be reappointed for one further period of two years and no more.
 - (c) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.

- (d) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

Office of the Registrar

5. (1) There shall be for the University, a Registrar, who shall be the chief administrative officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this Schedule.
- (2) The person holding the office of the Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

Other Principal Officers of the University

6. (1) There shall be for the University the following principal officers, in addition to the Registrar, that is:

- (a) the Bursar; and
- (b) the University Librarian,

who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.

- (2) The Bursar shall be the Chief Financial Officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of the library services in the University and its campuses, colleges, schools, departments, institutes and other teaching or research units.
- (4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor.

Selection Board for other Principal Officers

7. (1) There shall be, for the University, a Selection Board for the appointment of principal officers, other than the Vice Chancellor or Deputy Vice-Chancellor, which shall consist of:

- (a) the Pro-Chancellor, as chairman;
- (b) the Vice-Chancellor;
- (c) four members of the Council not being members of the Senate; and
- (d) two members of the Senate.

- (2) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) of this paragraph shall be as the Council may, from time to time, determine.

- (3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.
- (4) Notwithstanding subsection (3) of this section, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year only and thereafter such principal officer shall relinquish his post and be assigned to other duties in the University.

Resignation and Re-appointment

8. (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office:
 - (a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
 - (b) in any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.
- (2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

SECOND SCHEDULE

TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

Transfer of Property to University

1. Without prejudice to the generality of section 9 (1) of this Bill:
 - (a) the reference in that subsection to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council;
 - (b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University.
2. (1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University had been a party thereto in place of the Provisional Council.
- (2) Documents not falling within subsection (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that sub-section so far as applicable.
- (3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the University.

Registration of transfers

3. (1) If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter) apply, with necessary modifications, to the property aforesaid.
- (2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.

Transfer of Functions, etc.

4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
- (2) The persons who were members of the Provisional Council shall be deemed to constitute the Council until the date when the Council as set up under the Third Schedule to this Bill shall have been duly constituted.
- (3) The first meeting of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.
- (4) The persons who were members of the Academic Board immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule to this Bill shall have been duly constituted.
- (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the schools, school boards and students of the University immediately before the coming into force of this Bill shall on that day become schools, school boards and students of the University as constituted by this Bill.
- (6) Persons who were Deans of schools and Heads of Academic Departments shall continue to be Deans or HODs of the corresponding School/Department, until new appointments are made in pursuance of the statutes.
- (7) Any person who was a member of the staff of the University as established or was otherwise employed by the Provisional Council shall become the holder of an appointment at the University with the status, designation and functions which correspond as nearly as may be to those which appertained to him as member of that staff or as such an employee (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

THIRD SCHEDULE

[Section 9 (3)]

FEDERAL UNIVERSITY OF EDUCATION, AGULERI STATUTE NO. 1

ARRANGEMENT OF ARTICLES

Articles:

1. The Council
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation
14. Short title

The Council

1. (1) The composition of the Council shall be as provided in section 5 of this Bill.
- (2) Any member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the Council, resign his office.
- (3) A member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from 1 August in the year which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.
- (7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to section 4 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.

- (8) Where the Council desires to obtain advice with respect to any particular matter may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

The Finance and General Purposes Committee

2. (1) The Finance and General Purposes Committee of the Council shall consist of:
- (a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;
 - (b) the Vice-Chancellor and Deputy Vice-Chancellors;
 - (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;
 - (d) the Permanent Secretary of the Federal Ministry of Education, or in his absence, such member of his Ministry as he may designate to represent him; and
 - (e) the Executive Secretary of the Petroleum Technology Development Fund, or in his absence, such member of the Fund as he may designate to represent him.
- (2) The quorum of the Committee shall be five.
- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

Annual budget and estimates, etc.

- (4) (i) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year:
- Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure.
- (ii) The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct.

Gifts, donations, etc.

- (5) (i) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve.
- (ii) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given:

Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attaching to such donation.

- (iii) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

Payment into bank

- (6) All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account:

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

Audit

3. (1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.
- (2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute

The Senate

4. (1) The Senate shall consist of:
- (i) the Vice-Chancellor;
 - (ii) Deputy Vice-Chancellors;
 - (iii) the Deans of respective Colleges;
 - (iv) the Professors in the University;
 - (v) Heads of Academic Departments and Units;
 - (vi) the University Librarian;
 - (vii) one elected representative of each College;
 - (viii) two members of Academic Staff elected by the Congregation;
 - (ix) one elected representative of each department;
 - (x) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor;
 - (xi) Registrar — Secretary.
- (2) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.

- (3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- (4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (3) of this Article, the Senate may regulate its own procedure.
- (5) An elected member may, by notice to the Senate, resign his office.
- (6) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- (7) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance to paragraph (6) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- (8) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance to paragraph (11) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (7) of this article.
- (9) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as all elected member.
- (10) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Vice-chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

Congregation

5. (1) Congregation shall consist of:
 - (i) Vice-Chancellor;
 - (ii) the Deputy Vice-Chancellors;
 - (iii) the full-time members of the academic staff
 - (iv) the Registrar;

- (v) the Librarian
 - (vi) every member of the administrative staff who holds a degree, other than honorary degree, of any University recognized for the purposes of this statute by the Vice-Chancellor.
- (2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present; and in his absence any of the Deputy Vice Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.
 - (3) The quorum of Congregation shall be one third or the whole number nearest to one third of the total number of members of Congregation of fifty, whichever is less.
 - (4) A certificate signed by the Vice-Chancellor specifying:
 - (a) the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
 - (5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.
 - (6) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.
 - (7) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

Convocation

- 6. (1) Convocation shall consist of:
 - (i) the officers of the University mentioned in the First Schedule to this Bill;
 - (ii) all teachers within the meaning of this Bill;
 - (iii) all other persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of convocation if:
 - (a) he is either a graduate of a University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - (b) he applies for the registration of his name in the prescribed manner and pay the prescribed fees.

- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph (4) of this article may provide for the payment, from time to time, of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
- (4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal times of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of Convocation shall be fifty or one third or the whole number nearest to one third or the whole number of members of Convocation whichever is less.
- (8) Subject to section 4 of the Act, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his absence the Vice-chancellor shall be the chairman at the meeting.
- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

Division of Colleges

7. Each College shall be divided into such number of branches as may be prescribed.

College Boards

8. (1) There shall be established in respect of each College, a Board of Studies which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall:
 - (a) regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the college;
 - (b) deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate; and
 - (c) advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.
- (2) Each College Board of Studies shall consist of:
 - (a) the Vice-Chancellor;
 - (b) the Dean;

- (c) the persons severally in charge of the branches of the school;
 - (d) the College Examination Officer;
 - (e) such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and
 - (f) such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.
- (3) The quorum of the Board shall be eight members or one quarter, whichever is greater, of the members for the time being of the board; and subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

Deans of the Colleges

9. (1) The Board of each College shall, at a meeting in the last term of any academic year which the term of office of the Dean expires, nominate one of its members, being one of the Professors assigned to that teaching unit, for appointment by the Senate as Dean of the College
- (2) The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.
- (3) The Dean shall hold office for two years and shall be eligible for re-appointment one further period of two years. Thereafter he shall not be eligible for re-appointment until two years have elapsed.
- (4) The Dean of a College shall exercise general superintendence over the academic and administrative affairs of the College.
- (5) It shall be the function of the Dean to present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.
- (6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.
- (7) The Dean of a College may be removed from office for good cause by the College Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor:
- Provided that at the next College Board meeting an election shall be held for a new Dean.
- (8) In this article "good cause" has the same meaning as in section 15(3) of the Act.

Departmental Board of Studies

10. (1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department;
- (2) It shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity;
- (3) For a Professor the term is for 3 years while 1 year is for acting capacity.
- (4) The Board shall superintend over all teachings and examinations in the Department;
- (5) The Board shall handle all disciplinary matters in the Department and make recommendations to the College where necessary;
- (6) Allocation of courses in the department shall be done by the Departmental Board on recommendation of the Head of Department.

Selection of Directors of Physical Planning and Development, Works and Services and Health

11. (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of:
- (a) the Pro-Chancellor;
- (b) the Vice-Chancellor;
- (c) two members appointed by the Council, not being members of the Senate;
- (d) two members appointed by the Senate.
- (2) The Selection Board after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.

Tenure of Directors

12. A Director shall hold office on such terms and conditions as may be specified in his letter of appointment subject to the extant Regulations.

Creation of Academic Posts

13. Recommendations for the creation of academic posts other than principal officers shall be made by the Senate to the Council through the Finance and General Purposes Committee.

Appointment of Academic Staff

14. (1) Subject to the Act and statutes, the filling of vacancies in academic posts (including newly created ones) shall be the responsibility of the Council through the Departments and Colleges.

- (2) For the purpose of filling such vacancies, suitable selection boards to select and make appointments on behalf of the Council shall be set up.
- (3) For appointment to Professorships, Associate Professorship or Readerships or equivalent posts, a Board of Selection, with power to appoint, shall consist of:
 - (a) the Vice-Chancellor — Chairman;
 - (b) Deputy Vice-Chancellor — Member;
 - (c) the Dean of the College — Member;
 - (d) Head of Department — Member ;
 - (e) Registrar — Secretary;
 - (f) such other person(s), not exceeding two in number, deemed capable of helping the Board in assessing both the professional and academic suitability of a candidate under consideration, as the Senate may from time to time appoint.
- (4) For other academic posts, a Selection Board, with power to appoint, shall consist of:
 - (a) the Vice-Chancellor or his representative — Chairman;
 - (b) The Dean of the College —Member;
 - (c) Head of the Department concerned — Member;
 - (d) an internal member of Council (not below the Rank of Senior Lecturer from the sister college in the Candidate's subject-area) — Member;
 - (e) Registrar or his representative — Secretary.
- (5) All appointments to senior library posts shall be made in the same way as equivalent appointments in the academic cadre; and for all such posts other than that of the Librarian, the Librarian shall be a member of the Selection Board.
- (6) Boards of Selection may interview candidates directly or consider the reports of specialist interviewing panels and shall in addition, in the case of Professorships, Associate Professorship, Readerships or equivalent Posts, consider the reports of External Assessors relevant to the area in which the appointment is being considered. Quorum shall be three (3) including the Chairman.

Appointment of Administrative and Professional Staff

15. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council or on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.
- (2) a Selection Board, with power to appoint, shall consist of:
 - (i) Vice Chancellor;
 - (ii) Deputy Vice Chancellor;

- (iii) Registrar;
 - (iv) Bursar;
 - (v) University Librarian;
 - (vi) the Head of Department concerned;
 - (vii) Establishment and Human Resources Officer who shall serve as Secretary
- Quorum shall be three (3) including the Chairman.

Interpretation

16. In this Statute, the expression "the Act" means the Federal University of Education, Aguleri Act and any word or expression defined in the Act has the same meaning in this Statute.

Short Title

17. This Statute may be cited as the Federal University of Education, Aguleri Statute No.1 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to upgrade the Federal College of Education, Aguleri to Federal University of Education, Aguleri (*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 Federal University of Education, Aguleri; and for Other Related Matters (HB. 1617) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for the Establishment of the Federal University of Education, Aguleri; and for Related Matters (HB.1617) and approved Clauses 1 - 28, 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.

- (iv) *A Bill for an Act to Provide for the Domestication and Enforcement in Nigeria of the Avoidance of Double Taxation Agreement between the Federal Republic of Nigeria and the Republic of South Korea and for Related Matters (HB. 445) (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 Domestication and Enforcement in Nigeria of the Avoidance of Double Taxation Agreement between the Federal Republic of Nigeria and the Republic of South Korea and for Related Matters (HB. 445) 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 Deputy Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR THE DOMESTICATION AND
ENFORCEMENT IN NIGERIA OF THE AVOIDANCE OF DOUBLE TAXATION
AGREEMENT BETWEEN THE FEDERAL REPUBLIC OF NIGERIA AND
THE REPUBLIC OF KOREA; AND FOR RELATED MATTERS (HB. 445)

Clause 1: Replace the words "Republic of Korea" wherever the words "Republic of South Korea" appeared in the Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 2: Replace the word "Prohibition" as used in the Title, Explanatory Memorandum, Arrangement of Sections, Preamble, Section 1 and 3 of the Bill with the word "Avoidance" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Article 2

TAXES COVERED

1. The taxes to which this Agreement shall apply are:

(a) In the case of Nigeria:

- (i) the Personal income tax;
- (ii) the Companies income tax;
- (iii) the Petroleum Profit tax;
- (iv) the Capital gains tax; and
- (v) the Education tax.

CHAPTER V — SPECIAL PROVISIONS

Article 24

NON - DISCRIMINATION

1. Nationals of a Contracting State shall not be subjected in the other Contracting State to any taxation or any requirement connected therewith, which is other or more burdensome than the taxation and connected requirements to which nationals of that other State in the same circumstances are or may be subjected. This provision shall, notwithstanding the provisions of Article 1, also apply to persons who are not residents of one or both of the Contracting States.

2. The taxation on a permanent establishment which an enterprise of a Contracting State has in the other Contracting State shall not be less favourably levied in that other State than the taxation levied on enterprises of that other carrying on the same activities.
3. Nothing contained in this Article shall be construed as obliging either Contracting State to grant to individuals not resident in that State any of the personal allowances, reliefs and deductions for tax purposes which are granted to individuals as residents.
4. Except where the provisions of Article 9, paragraph 7 and 8 of Article 11, or paragraph 6 of Article 12, apply, interest, royalties and other disbursement paid by an enterprise of a Contracting State to a resident of the other Contracting State shall, for the purpose of determining the taxable profits of such enterprise, be deductible under the same conditions as if they had been paid to a resident of the first-mentioned State.
5. Enterprises of a Contracting State, the capital of which is wholly or partly owned or controlled, directly or indirectly, by one or more residents of the other Contracting State, shall not be subjected in the first-mentioned State to any taxation or any requirement connected therewith which is other or more burdensome than the taxation and connected requirements to which other similar enterprises of the first-mentioned State are or may be subjected.
6. The provisions of this Article shall, notwithstanding the provisions of Article 2, apply to taxes of every kind and description (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for the Domestication and Enforcement in Nigeria of the Avoidance of Double Taxation Agreement between the Federal Republic of Nigeria and the Republic of South Korea and for Related Matters (HB. 445) and approved Clauses 1 - 2, and the Schedule of the Bill.

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

- (v) *A Bill for an Act to, among other things, Prohibit the Use, Manufacture and Importation of all Plastic Bags used for Commercial and Household Packaging in order to Address their Harmful Impacts on the Oceans, Rivers, Lakes, Forests, Environment, Wildlife as well as Human Beings and also to Relieve Pressure on Landfills and Waste Management; and for Related Matters (HB. 1437) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to, among other things, Prohibit the Use, Manufacture and Importation of all Plastic Bags used for Commercial and Household Packaging in order to Address their Harmful Impacts on the Oceans, Rivers, Lakes, Forests, Environment, Wildlife as well as Human Beings and also to Relieve Pressure on Landfills and Waste Management; and for Related Matters (HB. 1437) 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 Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO AMONG OTHER THINGS PROHIBIT THE USE, MANUFACTURE AND IMPORTATION OF ALL PLASTIC BAGS USED FOR COMMERCIAL AND HOUSEHOLD PACKAGING IN ORDER TO ADDRESS ITS HARMFUL IMPACTS TO OCEANS, RIVERS, LAKES, FORESTS, ENVIRONMENT, WILDLIFE AS WELL AS HUMAN BEINGS AND ALSO TO RELIEVE PRESSURE ON LANDFILLS AND WASTE MANAGEMENT AND FOR OTHER RELATED MATTERS

Clause 1: Prohibition of Plastic bag.

- (1) The use, manufacturing, importation or sale of plastic bag is prohibited.
- (2) A Retailer shall offer a paper bag to the customer at a point of sale.
- (3) Any —
 - (a) retailer who provides customer with the plastic bag at a point of sale is guilty of an offence;
 - (b) person who manufacture plastic bag for the purpose of selling is guilty of an offence;
 - (c) person who import plastic bag whether as a carryout bag or for sale is guilty of an offence (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 2: Penalties.

- (1) Any person found guilty of the offences under Clause 1 shall be liable on conviction to a fine not exceeding Five Hundred Thousand Naira (₦500,000) or to imprisonment for a term not exceeding Three years or to both such fine and imprisonment.
- (2) Any company or organization found guilty of the offence provided in Clause 1 shall on conviction be liable to a fine not exceeding Five Million Naira (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 3: Citation.

This Bill may be cited as Plastic Bags (Prohibition) Bill, 2019 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Explanatory Memorandum:

This bill seeks to among other things prohibit the use, manufacture and importation of all plastic bags used for commercial and household packaging in order to address its harmful impacts to oceans, rivers, lakes, forests, environment, wildlife as well as human beings and also to relieve pressure on landfills and waste management (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Among Other Things Prohibit the Use, Manufacture and Importation of All Plastic Bags Used for Commercial and Household Packaging in Order to Address its Harmful Impacts to Oceans, Rivers, Lakes, Forests, Environment, Wildlife as Well as Human Beings and also to Relieve Pressure on Landfills and Waste Management and for Other Related Matters (HB. 1437) (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to, among other things, Prohibit the Use, Manufacture and Importation of all Plastic Bags used for Commercial and Household Packaging in order to Address their Harmful Impacts on the Oceans, Rivers, Lakes, Forests, Environment, Wildlife as well as Human Beings and also to Relieve Pressure on Landfills and Waste Management; and for Related Matters (HB. 1437) and approved Clauses 1 - 3, 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.

- (vi) *A Bill for an Act to Provide for the Establishment of the Federal Capital Territory Health Insurance Agency, to Institute the Federal Capital Territory Health Insurance Scheme for all Residents of the Federal Capital Territory; and for Related Matters (HB. 1545) (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 Federal Capital Territory Health Insurance Agency, to Institute the Federal Capital Territory Health Insurance Scheme for all Residents of the Federal Capital Territory; and for Related Matters (HB. 1545) 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 Deputy Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR ESTABLISHMENT OF THE
FEDERAL CAPITAL TERRITORY HEALTH INSURANCE AGENCY,
TO INSTITUTE THE FEDERAL CAPITAL TERRITORY HEALTH INSURANCE
SCHEME TO PROVIDE COMPREHENSIVE, QUALITY AND AFFORDABLE
HEALTH CARE SERVICES FOR ALL RESIDENTS OF THE FEDERAL
CAPITAL TERRITORY AND FOR RELATED MATTERS (HB. 1545)

PART I — ESTABLISHMENT OF THE FCT HEALTH INSURANCE AGENCY**Clause 1: Establishment of the FCT Health Insurance Agency.**

- (1) There is hereby established in the Federal Capital Territory (FCT) a body to be known as FCT Health Insurance Agency (in this Bill referred to as "the Agency").

- (2) The Agency:
- (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name;
 - (c) may acquire, hold or dispose of any moveable or immoveable property for the purpose of its functions under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 2: Principal Objective of the Agency.

The principal objective of the Agency shall be to, supervise and ensure the effective administration of the FCT Health Insurance Scheme (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 3: Establishment of the Board.

- (1) There is hereby established for the FCT Health Insurance Agency Governing Board (in this Bill referred to as "the Board").
- (2) The Board shall comprise of:
 - (a) a Chairman;
 - (b) the Chairman of Association of Local Governments of Nigeria (ALGON), FCT Chapter;
 - (c) Chairman of the FCT Traditional Council;
 - (d) one representative each of:
 - (i) the Health and Human Services Secretariat, not below the rank of a Director,
 - (ii) the FCT Hospitals Management Board, not below the rank of a Director,
 - (iii) the Executive Secretary, FCT Primary Health Care Board,
 - (iv) the Department of FCT Economic Planning, Research and Statistics, not below the rank of a Deputy Director,
 - (v) the Department of Treasury, not below the rank of a Deputy Director,
 - (vi) the Nigeria Employers Consultative Association, FCT Chapter,
 - (vii) Nigeria Labour Congress, FCT Chapter,
 - (viii) Trade Union Congress, FCT Chapter,

- (ix) Health Care Providers Association of Nigeria, FCT Chapter,
 - (x) FCT Co-ordinator, National Health Insurance Scheme, and
 - (xi) at least two of the members of the Board should be female;
 - (e) the Executive Secretary of the Agency, who shall also be the Secretary to the Board.
- (3) The Board members other than the Executive Secretary shall be on part-time and to be appointed by the Minister on the recommendation of the Secretary Health and Human Services Secretariat (HHSS).
- (4) The Chairman shall be a person of integrity with a minimum qualification of first degree or its equivalent and a minimum of ten (10) years professional experience.
- (5) The other members of the Board shall be persons of proven integrity.

Schedule.

- (6) The supplementary provisions set out in the schedule to this Bill shall have effect with respect to the proceedings of the Board and the 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 of Board Members and Cessation of Membership of the Board.

- (1) All Members of the Board shall hold office for a term of four years and may be re-appointed for another term of four years only;
- (2) The office of a Member of the Board shall become vacant if the Member:
- (a) resigns by notice in writing under his hand, addressed to the Minister and submitted through the Secretary of the Board to the Secretary HHSS, which resignation shall take effect only on acknowledgement by the Minister;
 - (b) becomes bankrupt or enters into composition with creditors;
 - (c) is convicted of a criminal offence; or
 - (d) becomes incapable of discharging duties assigned by reason of mental or bodily infirmity.
- (3) A Member of the Board may be removed from office by the Minister, if he is satisfied that it is in the interest of the Agency or the interest of the public that the member should not continue in office.
- (4) Where a vacancy occurs in the membership of the Board, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, provided that the successor shall represent the same interest as the predecessor (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART II — OBJECTIVES, FUNCTIONS AND POWERS

Clause 5: Objective of the Agency.

The Agency shall:

- (1) regulate, supervise, implement and ensure effective administration of the FCT Social Health Insurance Scheme;
- (2) ensure that all residents of the FCT have financial protection, physical access to quality and affordable health care services;
- (3) regulate the cost of healthcare services provided under the scheme;
- (4) ensure equitable distribution of health care costs across all residents of the FCT;
- (5) maintain high standard of health care delivery services within the Health Scheme;
- (6) ensure efficiency in health care service delivery provided under the scheme;
- (7) improve and harness private sector participation in the provision of health care services;
- (8) facilitate adequate distribution of health facilities within the FCT;
- (9) ensure appropriate patronage at all levels of the health care delivery system;
- (10) ensure the availability of alternative sources of funding to the health sector for improved services;
- (11) in cases where residents do not have available medical and other health services, to take such measures as are necessary to plan, organize and develop medical and other health services commensurate with the needs of the residents; and
- (12) facilitate access to emergency ambulance or ancillary services, with emergency services provider or under a private public partnership arrangement for the benefit of residents of the FCT (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 6: Functions of the Agency.

The Agency shall:

- (1) ensure the effective implementation of the policies and procedures of the health scheme;
- (2) issue appropriate regulations and guidelines, as approved by the Board, to maintain the viability of the health scheme;
- (3) manage the health scheme in accordance with the provisions of this Bill;

- (4) approve formats of contracts for the Third-Party Administrations and all Health Care Providers;
- (5) carry out public awareness and education on the establishment and management of the health scheme;
- (6) promote the development of other programs for wider participation in the scheme including developing new Health Plans;
- (7) implementation of the basic minimum benefit package as defined under the National Health Act, 2014;
- (8) the definition of benefit packages to be provided under the Health Plans as provided in Section 5 of this Bill;
- (9) registering National Health Insurance Scheme (NHIS) accredited Third-Party Administrations, FCT accredited health care facilities and other relevant institutions;
- (10) classify healthcare facilities and providers in a manner that shall help improve health outcomes in the FCT as required under the National Health Act;
- (11) reimburse health care providers in line with services delivered under the scheme
- (12) determining the percentage of the premiums or other contributions from private health plans that shall be payable as cross subsidy to the Fund for the purpose of financing the Health Equity Plan under Section 16 for the poor and vulnerable;
- (13) approving format of contracts for the Third-Party Administrations and all health care providers;
- (14) determine, after due consideration capitation, fee-for service and other payment mechanisms due to health care providers, by the Third-Party Administrators.
- (15) advise the relevant bodies on inter-relationship of the agency with other social security services;
- (16) coordinate research and statistics;
- (17) establish quality assurance for all stakeholders;
- (18) ensure the collection, collation, analysis, and reporting on quarterly returns from the Third-Party Administrations and other scheme stakeholders;
- (19) exchange information and data with the National Health Insurance Scheme, FCT Health Management Information System, relevant financial institutions development partners, Non-governmental organisations; and other relevant bodies;
- (20) ensure the training and development of staff of the Agency;

- (21) receive and investigate complaints of impropriety leveled against any Third-Party Administrations, Health Care Provider Enrollee and other relevant institutions and ensure appropriate sanctions are given; and
- (22) carry out such other activities as are necessary or expedient for the purpose of achieving the objectives of the Agency under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 7: Powers of the Agency.

- (1) The Agency shall have powers to regulate, implement and issue guidelines for:
 - (i) the registration of employers and employees liable to contribute under this Act;
 - (ii) the registration of dependents of employees covered by the Agency;
 - (iii) the compulsory payment of contributions by employers and employees,
 - (iv) the amount of contributions to be paid by each employee;
 - (v) the compulsory payment of contributions by self-employed persons and other persons and rates of such contributions;
 - (vi) the maintenance of the records to be kept for the Agency and the records to be kept by employers in respect of contributions payable under this Bill and in respect of their employees;
 - (vii) the methods of receiving contributions under this Law;
 - (viii) the imposition of surcharges in respect of late payment of contributions by employers or employees;
 - (ix) the manner and circumstances under which contributions may be remitted and refunded;
 - (x) negotiated fees and charges payable for medical, dental, pharmaceutical and all other health services provided under the scheme;
 - (xi) the nature and amount of benefits to be provided under this Scheme, the circumstances and the manner under which the benefits shall be provided;
 - (xii) the nature and amount of capitation, fee-for-service, per-diem or other payment options under this Scheme.
 - (xiii) the reduction, suspension or withdrawal of any payment under this Scheme;
 - (xiv) the submission of returns by employers regarding the employers and their employees; and

- (xv) the procedure for assessment of contributions made under this Scheme.
- (2) Any other matter whatsoever on which, in the opinion of the Agency, is necessary or desirable to make regulation and issue guidelines for giving effect to this Bill.
- (3) The guidelines issued under subsection (i), (iii) and (iv) of this Section may provide for different levels of contributions payable by different classes of persons (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 8: Functions and Powers of the Board.

For the purpose of carrying out the functions of the Agency, the Board shall, subject to the direction of the Minister, have powers to:

- (i) determine the organizational structure of the Agency;
- (ii) approve for the Agency private health maintenance, organizations operating in the FCT and their private health plans;
- (iii) determine the overall policies of the Health Scheme, including the financial and operative procedures of the Scheme;
- (iv) ensure the effective implementation of the policies and procedures of the Scheme;
- (v) regulate and supervise the Scheme established under this Bill;
- (vi) establish standards, rules and guidelines for the management of the Health Scheme under this Bill;
- (vii) approve, License, Regulate and supervise Third-Party Administrators and other institutions relating to the Health Plan as the Agency may from time to time determine;
- (viii) develop or approve mechanisms for identification of the poor and vulnerable persons who will benefit from the Health Equity Plan as provided under Section 15 of this Bill;
- (ix) issue guidelines and approval for the administration and release of funds under the Scheme;
- (x) approve Health Plans as might be determined and put forward by the Agency from time to time;
- (xi) approve the recommendation of the Agency relating to research, consultancy and training in respect of the Scheme;
- (xii) keep and update a database on all scheme activities;
- (xiii) perform such other duties which, in the opinion of the Agency, are necessary or expedient for the discharge of its functions under this Bill;

- (xiv) determine the remuneration and allowances of all staff of the Agency;
- (xv) engage the various Ministries and levels of government, stakeholders and the public during strategy development, policies and procedures of the health scheme; and
- (xvi) approve Annual Reports and Statement of accounts of the Agency (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART III — ADMINISTRATIVE STRUCTURE AND CONTROL

Clause 9: Qualification and Tenure of the Executive Secretary.

The Executive Secretary shall:

- (a) be the Chief Executive and Accounting Officer of the Agency and shall be responsible for the day-to-day management of the affairs of the Agency;
- (b) be a person of integrity with relevant qualifications in Health Management, Health Economics or Public Health with a minimum of ten (10) years professional experience; and
- (c) hold office for a term of four years on such terms and conditions as may be specified in their letters of appointment and may be reappointed for another term of four years only (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 10: Organogram.

The Agency shall have the power to establish and maintain such Departments, Offices, Subsidiary Divisions, Sections and Units and make other administrative arrangements as may, in its opinion, be necessary or expedient for the performance of its functions (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 11: Employees of the Agency.

Without prejudice to extant legislation, Public Service Rules, Scheme of Service and Operational Guidelines of the Agency, the Agency shall:

- (a) have the power to appoint or employ such contract or permanent employees whether professional or non-professional, including reputable and competent external consultants, as it may require to carry out its functions; and
- (b) determine the allowances and other terms and conditions of service of staff (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 12: Pensions.

- (1) Employment in the Agency shall be scheduled service for purposes of the Pensions Act.

- (2) Employees of the Agency shall be entitled to pensions and other retirement benefits in accordance with the Pension Reform Act, 2014 or such other Act as may be in force to regulate pension matters (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 13: Confidentiality and Non-Disclosure.

- (1) Members of the Board, employees and other persons engaged to work for the Agency shall:
- (a) not make use of any information which may come to their knowledge in the exercise of their powers or which may be obtained by them in the ordinary course of duty for personal gain or otherwise than for the purpose of their functions under this Bill;
 - (b) treat as confidential any information which may be obtained by them in the performance of their functions under this Bill; and
 - (c) not disclose any information referred to under paragraph (a) of this subsection except when required to do so by an Arbitration, litigation or similar panel of the Court or in such other circumstances as may be prescribed by the Board, 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 penalties contained in Section 43 (3) of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART IV — ESTABLISHMENT OF THE FCT HEALTH INSURANCE SCHEME

Clause 14: Establishment of the FCT Health Insurance Scheme.

There is hereby established the FCT Health Insurance Scheme (in this Act referred to as the "Scheme") (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 15: Components of the FCT Health Insurance Scheme.

- (1) The FCT Health Insurance Scheme shall comprise of the following:
- (a) the FCT Equity Health Plan (EHP) — This shall be a basic plan for vulnerable groups as defined in this Bill. Other criteria for eligibility into the health plan shall be as approved by the FCT Executive Committee on the recommendation of the Agency. The point of entry shall be designated Primary Health Care Facilities;
 - (b) the Informal Health Plan (IHP) — This shall be an 'affordable' Plan providing a prescribed package of healthcare services at an agreed contribution accessible to all residents of the FCT employed or engaged in the informal sector. The point of entry shall be designated Public and Private health facilities;

- (c) the Formal Health Plan (FHP) — This shall be a contributory plan for all public and organized private formal sector employees wherein the employer and employees shall make contributions as determined by the Board.
- (d) any other component as may be developed by the Agency with the approval of the Board.
- (2) The operational guideline shall explicitly define the content of each Health plan (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 16: Applicability of the Scheme.

The Scheme shall be compulsory and apply to all residents of the FCT except those already covered by the National Health Insurance Scheme (NHIS) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 17: Appointment of Licenses Actuary for the Agency.

- (1) The Agency shall appoint a licensed actuary on such terms and conditions as the Board may determine.
- (2) The actuary shall review the services package and evaluate it actuarially, including the rates of contributions payable for the service and make appropriate recommendation to the Agency.
- (3) If having regard to the review and evaluation carried out by the Actuary under subsection (2) of this section, the Agency considered that the rates of contributions have not retained their value in relation to the general level of earning in Nigeria, the Agency shall in consultation with the Actuary modify the rates to the extent considered appropriate and bring the new rates to the notice of the persons affected by the modification (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 18: Registration of all FCT Residents.

Subject to such guidelines and regulations as may be made under this Bill:

- (a) all residents of the FCT shall be registered under the Scheme; and
- (b) all employers and their employees in both public and private sectors shall register with the Agency and obtain a Corporate Identification Number (CIN) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 19: Registration and Services of Health Care Providers.

- (1) Without prejudice to existing legislations regulating the Professional Practices of Health Care Providers:

- (a) the accreditation and registration of participating Health Care Providers under the Scheme shall be in accordance with guidelines as the Agency shall issue under the Bill; and
 - (b) only the Health Care Providers registered with the Health and Human Services Secretariat shall be accredited and registered to participate under this Scheme.
- (2) A Health Care Provider registered under subsection (1) of this section shall, in consideration for an approved capitation payment or fee for service and any other form of payment, to the extent and manner prescribed herein, provide services in accordance with:
 - (a) the approved Health Plan as shall be actuarially determined and reviewed annually by the Board;
 - (b) approved Treatment Guideline; and
 - (c) approved Drug Formulary (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 20: Registration of Third Party Administrators and other Health Insurance Agents.

- (1) The Agency shall register NHIS accredited Third-Party Administrators (TPAs) and other Health Insurance Agents (HIA).
- (2) Approval for the registration of a TPA or HIA and other allied Agency under the Agency shall be in accordance with guidelines issued by the Board, requiring the TPA, and other HIA to:
 - (a) be financially viable before and after registration;
 - (b) have a track record of sustained relationship with private healthcare providers;
 - (c) make a complete disclosure of the ownership structure and composition of the organization;
 - (d) have account(s) with one or more banks as maybe designated by the Agency;
 - (e) comply with other accreditation requirements of the NHIS (in the case of HMOs);
 - (f) give an undertaking that the organization shall perform activities outsourced to it pursuant to this Act in accordance with the guidelines to be issued, by the Agency.
 - (g) the organization must be registered with the Corporate Affairs Commission (CAC) or other legislations.
- (3) Registration of TPA, and other HIAs shall be renewed annually (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 21: Refusal of License.

- (1) The Agency may refuse to issue a license to any applicant pursuant to an application made under Section 20 of this Act if it is satisfied that:
 - (a) the information contained in the application for a license is false in any material particular; or
 - (b) the application does not meet the requirements prescribed by the Agency for grant of a license;
- (2) Where the Agency refuses to register any organization, it shall forthwith notify the applicant in the prescribed form, specifying the reasons for such refusal if need be. However, such an organization may re-apply at a time it has fulfilled all the necessary conditions for registration (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 22: Revocation of License.

- (1) The Agency may revoke a license issued to an organization, if:
 - (a) it discovers after the grant of license that a statement was made in connection with the application thereof which the applicant knew to be false in any material particular;
 - (b) the organization is subject to any insolvency proceedings or is to be wound up or otherwise dissolved;
 - (c) the conduct of affairs of the organization does not conform with the provisions of this Bill or any regulations made pursuant to or any directive issued under this Bill;
 - (d) any event occurs which renders the organization ineligible to perform its duties;
 - (e) the organization is in breach of any condition attached to its license, and
 - (f) the organization fails or neglects to disclose the accurate data of its private health plan enrollee to the Agency.
- (2) The Agency shall, before revoking the license of thirty (30) days' notice of its intention and shall consider any representations made to it in writing by the organization within that period before the revocation (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 23: Functions of Third Party Administrators (TPAs) and Health Insurance Agents (HIAs).

- (1) The organizations referred to in subsection (1) of section 20 of this Bill shall have responsibility for:
 - (a) sensitization of the populace on the scheme;
 - (b) management of their Private Health Plan;

- (c) remittance of one percent (1 %) of total collection from their Private Health Plan to the FCT Health Insurance Scheme Fund;
- (d) supervision of healthcare providers;
- (e) processing of claims;
- (f) the payment approved by the TPAs, Health Care Providers which shall be in accordance with operational guidelines released by the Scheme;
- (g) rendering to the Agency, returns on its activities as may be required by the Board;
- (h) contracting only with the health care providers approved under the Scheme for the purpose of rendering health care services as provided by this Bill;
- (i) ensuring that all monies received from the commission, are kept in accordance with guidelines issued by the Board; and
- (j) establishing and maintaining of a quality assurance (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 24: Direct Delivery of Health Care Services.

Notwithstanding anything contained in this Bill, TPAs shall not be involved in the direct delivery of health care services (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 25: Contribution to be Inalienable.

Contributions payable under this Bill 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 organization (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 26: Provisions of the Companies and Allied Matters Act (CAMA) 1990 on Liabilities.

Where, under Section 591 of the Companies and Allied Matters Act (CAMA) 1990, an order is made by a Court under subsection (3) of that section of mergers which include the transfer to the company of the whole the property and liabilities of a transferor 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 Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 27: Role of the FCT Executive Committee.

The FCT Executive Committee shall collaborate with relevant Federal Government Agencies in the realization of the set objective of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 28: Professional Indemnity.

Health care providers shall be required to take professional indemnity cover from a list of insurance companies as may be designated by the Agency in consultation with NHIS (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 29: Immediate access to the Fund of Uninsured Individuals with pre-existing conditions.

Any person who is proven to be indigent in the FCT and who is not insured with the Agency and has a pre-existing critical medical condition which he/she cannot pay for shall have access to the fund of the Agency to the extent (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 30: Reinsurance for early Retirees.

Early retirees shall have access to the fund to the extent of available fund Retirees (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 31: Non-Discrimination.

No person or group of persons in the FCT with a pre-existing medical condition shall be discriminated against to the extent of allotted funds (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 32: Participation of Area Councils through the appointment of focal persons.

An Area Council Chairman may in consultation with the Primary Healthcare Board respectively appoint focal persons who shall be senior serving officers in the services of the Area Council's Department of Health to coordinate and collaborate with the Agency (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART V — FINANCIAL PROVISIONS

(*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 33: Establishment of the FCT Health Insurance Scheme Fund (PHISF).

(1) There is hereby established the FCT Health Insurance Scheme Fund (hereinafter referred to as 'the Fund').

(2) The fund shall consist of:

- (a) the scale up grant from the FCT Administration for operational expenses and administration of the Agency;
 - (b) equity fund contribution of not less than 2% of the consolidated revenue of the FCT Administration on behalf of vulnerable persons;
 - (c) 1% of the total value of each contract executed by/for the Federal Capital Territory Administration;
 - (d) Funds from NHIS;
 - (e) Funds from the Basic Health Care Provision Fund (BHCPF);
 - (f) such money as may be due from HMOs;
 - (g) contributions received from the formal and informal enrollees and their employers including the Federal Capital Territory Administration (FCTA) and Area Councils for public sector enrollees;
 - (h) fees, fines and commission charged by the Agency;
 - (i) donations or grants-in-Aid from private organizations, philanthropists, International donor organizations and Non-Governmental organizations;
 - (j) interests from investments; and
 - (k) all other monies which may accrue to the Agency.
- (3) The fund shall be ring-fenced from other government funds and not subject to virement for other purposes other than listed below in section 35.
- (4) The funds will be rolled over at the end of the financial year and not subject to refund to the treasury (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 34: Disbursement of Fund.

- (1) The Agency shall disburse at least 80% of premium funds directly to the Health Care Providers from the fund.
- (2) The Agency shall on approval of the Governing Board, apply administrative funds at its disposal —
 - (a) for and in connection with the non-medical objectives of the Agency under this Bill;
 - (b) to the cost of administration of the Agency;
 - (c) to the payment of fees, allowances and benefits of members of the Board;
 - (d) marketing and distribution costs directly or indirectly payable to health insurance agents;

- (e) reserve to cater for future liabilities (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 35: Investment of Funds.

- (1) All contributions not immediately required shall be invested by the Agency in non-speculative short-term instruments with the objectives of safety and maintenance of fair returns on amount invested and in accordance with the regulations and guidelines issued by the Agency.

Modes of Investment of Funds.

- (2) Subject to guidelines issued by the Agency, the fund shall be invested in any of the following:
- (a) bonds, bills and other securities issued or guaranteed by the Federal Government and the Central bank of Nigeria;
 - (b) bonds, bills and other securities issued by the FCT and Area Councils;
 - (c) bank deposits (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 36: Powers to accept gifts.

- (1) The Agency may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Agency 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 Agency under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 37: Annual estimates, Accounts and external audit.

- (1) The Board shall cause to be prepared, not later than the 30th day of September in each year, an estimate of the income and expenditure of the Agency during the next succeeding year and when prepared, they shall be submitted to the FCT Treasury/Department of Economic Planning through the Health and Human Services Secretariat (HHSS) Secretary.
- (2) The Board shall cause to be kept proper accounts of the Agency and proper records in relation thereto and when certified by the Board, the accounts shall be audited by external auditors appointed by the Board (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 38: Inspection of Audit and record books of Health Care Providers (HCPs) and Health Insurance Agents (HIAs).

The Agency through her appointed Officers may enter, inspect and audit any premises, books, accounts and records of any HCP, HIAs that have received payments under this Bill at any time and may require the scheme stakeholder to verify in a manner prescribed, any information submitted to the Agency (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 39: Failure to keep record books.

Where a HCP or HIA fails to keep the books, records and returns required under this Bill or any Regulations made there under, the Agency may levy appropriate sanction against the HCP or HIA including withholding payments due to it until the HCP or HIA complies with the provisions of this Bill and the registration made here under (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 40: Pooling of contribution under the Scheme.

(1) The FCT Health Insurance Scheme Fund (FHISF) shall be administered through carefully selected banks as approved by the Board, for the pooling of all contributions.

(2) The Agency shall cause HIA's to pay or remit contributions or agreed proportions of contributions received from private health plans to designated Agency bank accounts.

(2) The Agency shall cause HIAs to produce, in a recognized format and subject to guidelines to be issued by it performance/security bond from accredited banks or insurance companies (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

**PART VI — MISCELLANEOUS RESOLUTIONS, OFFENCES AND PENALTIES,
PROCEEDINGS IN COURT, PROCEEDINGS OF THE BOARD, ETC.**

Clause 41: Dispute Resolution.

(1) Whenever there is a dispute amongst parties under this Bill, it shall first be referred to Arbitration, Mediation or Conciliation before resorting to litigation.

(2) The membership of the panel and the applicable Arbitration and Conciliation Act, Laws of the Federation of Nigeria, 2004 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 42: Offences and Penalties.

(1) Any person who produces to an admitting official of a healthcare facility or a Medical Practitioner or a member of his staff or to a person authorized by Bill to provide other health services or a member of his staff, a registration card:

- (a) knowing that the person named therein is at the time of the production thereof, not covered under the Bill commits an offence, and is liable on conviction, to a fine of not less than One Hundred Thousand Naira (₦100,000.00) or imprisonment for a term not exceeding two years or both.
 - (b) knowing that the person on behalf of whom and to facilitate whose treatment it is produced is not the person named therein or a dependent of that person; commits an offence, and shall on conviction, pay a fine of One Hundred Thousand Naira (₦100,000.00) or such sum as may be specified by the Board, in addition to the bills incurred.
- (2) Any member or agent of the Agency who fails, without reasonable cause, to comply with a requirement of an auditor under Section 39 of this Bill, commits an offence and is liable on conviction to a fine not exceeding N100,000 or imprisonment for a term not exceeding three months or both.
- (3) A person guilty of an offence under subsection (1) of Section 13 (1) of this Bill is liable on conviction:
 - (a) in the case of a first offender, to a fine of not less than One Hundred Thousand Naira (₦100,000.00) or imprisonment for a term not exceeding two years or both; and
 - (b) in the case of a second or subsequent offender, to a fine of not less than Two Hundred and Fifty Thousand Naira not exceeding five years or less than two years or both (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 43: Offences by Bodies.

- (1) Where an offence under this Act 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 association; or
 - (b) was purporting to act in the capacity of an officer or the body corporate, firm or other association, is deemed to have committed the offence and liable to be prosecuted and punished for the offence in like manner as if he had himself committed the offence.
- (2) In this section, "officer" includes:
 - (a) in the case of Ministries, Departments and Agencies (MDAs) the accounting officer;
 - (b) in the case of a body corporate, Chief Executive, a Director, 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 involved in the management of the affairs of the association (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 44: Prosecution by the Agency.

Any person who contravenes any of the provisions of this Bill shall be prosecuted by the legal officers of the Agency with the necessary fiat of the Attorney General of the Federation (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 45: Jurisdiction.

The High Court of the FCT shall have jurisdiction:

- (a) to try offenders under this Bill; and
- (b) to impose the penalties provided for the offences in this Bill, notwithstanding anything to the in other enactment (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 46: Commencement of Proceedings.

Proceedings for an offence under this Bill may be commenced at any time after the commission of the offence (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 47: Limitation of Suits against the Agency.

- (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 Agency.
- (2) No suit shall be commenced against the Agency, a member of the Board, the Executive Secretary, officer or employee of the Agency before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Agency by the intending plaintiff or his agent.
- (3) The notice referred to in subsection (2) of this Section shall clearly and explicitly state the cause of the action, the particulars of the claims, the name and place of abode of the intended plaintiff and the relief which he claims (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 48: Court Order.

The 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 fund of the Scheme the amount of any contributions or other payments together with interest and

penalty thereon, certified by the Agency to be due and payable at the date of the conviction and such amount shall be paid into the Fund (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 49: Notices, Summons and other Documents.

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

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

Clause 50: Restriction of Execution on the Property of the Agency.

- (1) In any action or suit against the Agency no attachment or process in the nature thereof shall be issued against the Agency unless 90 days' notice of intention to execute or attach has been given to the Agency.
- (2) Any sum of monies which may by the judgment of any court be awarded against the Agency shall, subject to any directions given by the court where notice of appeal of the said judgment has been given, be paid from the general reserve fund of the Agency.
- (3) No judgment sum or debt shall be attached or issued against the funds of the Health Scheme established under section 33 (1) of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 51: Interpretation.

In this Bill, unless the context otherwise requires:

"Actuary" means a professional who calculates risk and probabilities for payment plan (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Administrative Charge" means a portion of the fund pooled by the FCT Health Insurance Scheme, dedicated to managing the operations of the Scheme (*Hon. Edward Gyang Pwajok — 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.

"Agency" means FCT Health Insurance Agency (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

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

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

"Basic Health Plan" means an affordable plan providing a prescribed benefit package of accessible healthcare services (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"BPHCF" means Basic Health Care Provision Fund (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Board" means the Governing Board established under Section 4 of this Bill for the Agency (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Capitation" means a payment to a health care provider in respect of covered services to be provided to an insured person registered with the healthcare provider, whether the person uses the services or not (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Contribution" means a premium payable to Third Party Agent (TPA's) and FCT Health Insurance Scheme Fund (FHISF) or any other funds under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Executive Secretary" means the Executive Secretary of the Agency (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Employee" means any person who is ordinarily resident in FCT and is employed in the public service or private sector (*Hon. Edward Gyang Pwajok — 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, FCT and Area Council, 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 person (*Hon. Edward Gyang Pwajok — 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.

"FCT" means Federal Capital Territory (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

"Fee-for-service" means payment made directly by TPAs, MHAs for completed healthcare services, not included in the capitation fees paid to healthcare providers following approved referrals and/ or professional services (specialist consultation, pharmaceuticals, laboratory and radiological investigations, optometric service and similar services under the Health Scheme) (Hon. Edward Gyang Pwajok — 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.

"FHIS" means FCT Health Insurance Scheme (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

"Formal Sector" means the Public and the organized Private Sector Workers (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

"Health Care Provider (HCP)" means any government or private healthcare facility, hospital, maternity Centre, community pharmacies, and all other service providers registered by the Agency for the provision of prescribed health services for insured persons and their dependents under this Scheme (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

"HIA" means Health Insurance Agents, which refers to organizations tasked with discrete functions by the FHIS. Such functions may relate to serving as intermediaries between the FHIS and residents, enrollees or healthcare providers (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

"Informal Sector" means workers not part of the Formal Sector (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

"Insured person" means any person and eligible dependent who pays the required contribution under this Scheme (*Hon. Edward Gyang Pwajok — 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.

"Marketing and Distribution charge" means a portion of the funds pooled by the FCT Health Insurance Scheme, dedicated to marketing and distribution of health plans to residents (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "Marketing and Distribution charge" be as defined in the interpretation to this Bill — Agreed to.

"Medical Practitioner" means a person with a degree registered with the Medical and Dental Council of Nigeria (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"MHA" means a Mutual Health Association registered under Section 20 of this Bill to provide healthcare services through healthcare providers approved by the Agency (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Minister" means the Minister of FCT, Abuja (*Hon. Edward Gyang Pwajok — 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.

"NHIS" means National Health Insurance Scheme as defined in the National Health Insurance Act of the Laws of the Federation of Nigeria (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Persons" means any person corporate or individual (*Hon. Edward Gyang Pwajok — 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.

"Premium" means the contribution from the persons covered under any benefit package of this scheme (*Hon. Edward Gyang Pwajok — 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.

"Staff" means staff of the Agency (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"TPA" means Third Party Administrators (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Vulnerable Group" refers to pregnant women, children under the age of 5, the aged as defined by the FCT HIS operational guidelines, the disabled, the poor and others in need of special care, support, or protection because of health status, age, disability, socio-economic status or risk of abuse or neglect (*Hon. Edward Gyang Pwajok — 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.

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

Clause 52: Citation.

This Bill may be cited as the FCT Health Insurance Agency Bill, 2019 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that Clause 52 stands part of the Bill— Agreed to.

SCHEDULE

(Section 4 (6))

SUPPLEMENTARY PROCEEDINGS RELATING TO THE BOARD

Quorum

1. (1) Subject to this Act and Section 27 of the Interpretation Act, the Agency may make standing orders regulating its proceedings and those of any of its committees.
- (2) The quorum of the Board shall be the Chairman or the member presiding at the meeting and five (5) other members and the quorum of any Committee of the Board shall be determined by the Board.

Meeting of the Board

2. (1) The Board shall meet quarterly in a year, and subject thereto, the Board shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so, by notice given to him by not less than seven (7) other members, he shall summon a meeting of the Board to be held within fourteen (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.

Power to Co-opt

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

Committee

4. (1) The Board may constitute one or more committees to carry out, on behalf of the Board such of its functions as it may determine.
- (2) A committee appointed under this Paragraph shall consist of such number of persons (not necessarily members of the Board as may be determined by the Board), and a person other than a member of the Board shall hold office on the Committee in accordance with the terms of his appointment.

Miscellaneous

5. (1) The seal of the Agency shall be authenticated by the signature of the Executive Secretary.
- (2) That 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 Board by the Executive Secretary or any person authorized to for that purpose by the Board.
- (3) Any document purporting to be a document duly executed under the seal of the Agency shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
- (4) The validity of any proceeding of the Board or of a committee thereof shall not be adversely affected by any vacancy in the membership of the Board or committee, or by reason that a person not entitled to do so took part in the proceedings of the Board or committee (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to provide for the establishment of the Federal Capital Territory Health Insurance Agency, to institute the Federal Capital Territory Health Insurance Scheme to Provide comprehensive, quality and affordable health care services for all residents of the Federal Capital Territory (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Provide for Establishment of the Federal Capital Territory Health Insurance Agency, to Institute the Federal Capital Territory Health Insurance Scheme to Provide Comprehensive, Quality and Affordable Health Care Services for All Residents of the Federal Capital Territory and for Related Matters (HB. 1545) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for the Establishment of the Federal Capital Territory Health Insurance Agency, to Institute the Federal Capital Territory Health Insurance Scheme for all Residents of the Federal Capital Territory; and for Related Matters (HB. 1545) and approved Clauses 1 - 52, the Schedule, and the Long Title of the Bill.

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

- (vii) ***A Bill for an Act to Provide for the Establishment of the Federal Capital Territory Primary Health Care Board; and for Related Matters (HB. 1546) (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 Federal Capital Territory Primary Health Care Board; and for Related Matters (HB. 1546) 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 Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE
 FEDERAL CAPITAL TERRITORY PRIMARY HEALTH CARE BOARD
 AND FOR RELATED MATTERS (HB. 1546)**

PART I — ESTABLISHMENT OF THE FCT PRIMARY HEALTH CARE BOARD

Clause 1: Establishment of the FCT Primary Health Care Board.

- (1) There is hereby established for the FCT a body to be known as FCT Primary Health Care Board.
- (2) The Board —
 - (a) shall be a body corporate with perpetual succession and a common seal with power to sue and be sued in its corporate name;
 - (b) may acquire, hold or dispose of any moveable or immoveable property; and
 - (c) shall seek to achieve the objectives set out in section 2 and perform the functions listed in section 5 of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 2: The objectives of the Board.

- (a) To ensure the development and operations of Primary Health Care structure and services in FCT;

- (b) To ensure equitable distribution of Primary Health Care facilities and effective access to services within the FCT;
- (c) To work with other relevant bodies to facilitate the implementation of the Health Insurance scheme in the FCT (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 3: Composition of the Governing Board.

- (1) The Governing Board shall consist of:
 - (a) a part-time Chairman, who shall be an accomplished Nigerian of good character and proven integrity with cognate experience in the health sector, the public or private sector;
 - (b) a representative of Federal Capital Development Authority not below the rank of a Director;
 - (c) one representative of FCTA Area Council Services Secretariat not below the rank of a Director;
 - (d) the Chairman of Association of Local Government of Nigeria, FCT Chapter;
 - (e) the Director of FCT Treasury;
 - (f) the General Manager, FCT Hospitals Management Board;
 - (g) the Executive Secretary, FCT Health Insurance Scheme;
 - (h) the Chairman of Nigerian Medical Association, FCT Branch;
 - (i) the Chairman of Joint Health Sector Union, FCT Branch;
 - (j) the Executive Secretary of the Board who shall also serve as the Secretary;
 - (k) two persons with relevant experience resident in Federal Capital Territory (FCT); and
 - (l) at least two of the members of the Board should be female.
- (2) The Chairman and all members of the Governing Board shall, on the recommendation of the Secretary HHSS, FCTA be appointed by the Minister (*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 and Cessation of Membership of the Governing Board.

- (1) Subject to the provisions of this Bill, the Chairman and members of the Governing Board, other than an ex-officio member, shall hold office for a term of four years in the first instance and may be reappointed for a further term of four years and no more.

- (2) The office of a member of the Governing Board shall become vacant if —
- (a) he resigns his appointment by notice in writing to the Minister;
 - (b) he dies;
 - (c) the period of his appointment expires;
 - (d) is convicted of an offence involving fraud by a court of competent jurisdiction;
 - (e) he is adjudged or declared bankrupt;
 - (f) he is sentenced to death or imprisoned;
 - (g) he is a member of a secret society; and
 - (h) the Governing Board passes a resolution declaring that —
 - (i) he has become incapable by reasons of mental or bodily infirmity or unable to discharge his duties,
 - (ii) he has become unfit for membership of the Board by reason of the fact that he has interest in contract entered into by the Board and has not disclosed that fact, or
 - (iii) he has become unfit for membership by reason of having contravened the provisions of this Bill or any regulations made generally for the carrying into effect the purpose of this Bill.
- (3) Where a vacancy occurs in the membership of the governing board, it shall be filled by the appointment of a successor to represent the same interest as and for the unexpired term of the member concerned (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART II — FUNCTIONS AND POWERS OF THE FCT PHCB GOVERNING BOARD

Clause 5: Functions and Powers of the Governing Board.

- (1) The Governing Board shall:
- (a) provide guidance and oversight for the provision and efficient running of Primary Health Care systems for all residents of the FCT;
 - (b) approve all Annual Work plans, Budgets, Programs, Capital Expenditures and Projects, any other major undertaking, that may be necessary to enhance the function of the Board;
 - (c) approve budget for submission to the Health and Human Services Secretariat to be included in FCTA Budget estimate proposals to the National Assembly;

- (d) mobilize funds necessary for the provision of effective and efficient PHC services;
 - (e) undertake Capital Projects as needed to improve Primary Health Care services in the FCT; and
 - (f) perform such functions as assigned to it by the Minister of the FCT.
- (2) The Governing Board shall not be involved in the day-to-day running of the Board (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 6: Proceedings of Governing Board.

The supplementary provisions contained in the Schedule to this Bill shall have effect with respect to the proceedings of the Governing Board and other matters mentioned in those provisions (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 7: Protecting of Members of Governing Board.

No member of the Board may be personally liable for any act or omission, provided that such act or omission occurred in the course of discharge of his/her official duties and was done in good faith (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART III — ADMINISTRATIVE STRUCTURE AND COORDINATION

Clause 8: Appointment of the Executive Secretary.

There shall be appointed by the Minister, an Executive Secretary for the Board upon recommendation by the Honorable Secretary of Health and Human Services Secretariat of FCTA, upon the conclusion of internal competitive screening process (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 9: Qualifications of the Executive Secretary.

The Executive Secretary shall be a Health professional, not below the rank of a Director or its equivalent, and of good character and proven integrity, with additional qualification in public health and cognate experience of not less than fifteen years, five of which must be in Primary Health Care in the FCT (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 10: Responsibility.

The Executive Secretary shall:

- (i) be the Chief Executive and Accounting Officer of the Board;
- (ii) be responsible for the day-to-day administration of the Board; and

- (iii) ensure the implementation of the decisions of the Governing Board (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 11: Tenure.

The Executive Secretary shall hold office for a period of four years and shall be eligible for reappointment for a final term of four years (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 12: Remuneration.

The Executive Secretary shall be paid such salary and allowances as may be determined by the Salaries, Incomes and Wages Commission (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 13: Vacancy.

The Minister may declare the office of the Executive Secretary vacant if:

- (a) the Executive Secretary resigns his appointment by notice in writing under his hand to the Minister; or
- (b) the Minister is satisfied that the Executive Secretary —
 - (i) has been convicted of an offence involving fraud or dishonesty,
 - (ii) is incapacitated by physical or mental illness from performing his functions,
 - (iii) has become bankrupt or made arrangements with his creditors, or
 - (iv) has such financial or other interest in the operations of the Board, which is likely to prejudicially affect the discharge of his functions (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 14: Management Team.

The Management team shall be comprised of the Executive Secretary and such number of Directors as may be appointed in accordance with the operational guideline as approved by the Minister (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 15: Meeting of Management Team.

The Management Team shall meet weekly and shall, through the Executive Secretary prepare, present and submit Quarterly Progress Report to the Governing Board during the latter's Quarterly Review Meeting (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 16: Roles of the Management Team.

The Board shall:

- (a) take responsibility for the day-to-day running of the PHCB as outlined in the structures of the Departments that make up the Board;
- (b) be responsible for the development and implementation of all aspects of PHC human resources and services within the FCT in line with the principles of Primary Health Care under One Roof (PHCUOR);
- (c) take into cognizance the Primary Health Care operational guideline in the execution of its mandate;
- (d) be responsible for planning and implementation of Primary Health Care services and programs in the FCT;
- (e) ensure budgetary provision, monitoring and evaluation of all Primary Health Care services in the FCT;
- (f) advise the Minister of the FCT and guide Area Councils Health Authorities in the FCT on any matter regarding Primary Health Care Services in the FCT;
- (g) ensure the development and establishment of policies with respect to the implementation of Primary Health Care Services and programs in the FCT;
- (h) recruit, promote, deploy, train and discipline of all Staff in line with Public Service Rules;
- (i) appoint program and deputy or sub program officers for each Area Council;
- (j) pay salaries and allowances to Primary Health Care staff;
- (k) manage Funds provided to it by the National Primary Health Care Development Agency and other sources;
- (l) ensure annual medical and financial auditing of Primary health Care facilities in all Area Council Health Authorities; and
- (m) ensure compliance with minimum standard and issue annual certificate as appropriate to public and private Primary Health Care facilities in the FCT (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 17: Departments within the Board.

The Board shall have Departments headed by Directors based on operational guidelines as follows:

- (i) Department of Administration and Human Resources;
- (ii) Department of Accounts and Finance (DAF);
- (iii) Department of Community Health Services (DCHS);
- (iv) Department of Disease Control and Immunization (DDCI);

- (v) Department of Essential Drugs System, Equipment and Logistics (DEDSSEL);
- (vi) Department of Planning, Research and Statistics (DPRS).
- (vii) Department of Legal Services:

PROVIDED that changes in departmental structures may be recommended by the management to the Governing board for approval (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 18: Establishment of the Inter-Agency Technical Committee.

There shall be established an Inter-Agency Coordinating Committee that will provide technical advice to the Board. The composition and function shall be in line with national guidelines (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 19: Establishment of the minimum services Package for FCT Primary Health Care.

- (a) There shall be Established a costed Minimum Services Package (MSP) for FCT primary Health Care Services;
- (b) The MSP and guidelines for its implementation shall be published by the Board (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 20: Establishment of Area Council Health Authority.

There shall be established for each Area Council of FCT an Area Council Health Authority (ACHA). It consists of an advisory committee and a management team both reporting to the Executive Secretary (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 21: Members of Area Council Advisory Committee.

The ACAC Advisory Committee shall consist of the following:

- (i) Executive Chairman of the Area Council - who shall be the Chairman;
- (ii) Area Council Supervisory Councillor for Health;
- (iii) Directors of other departments in the Area Councils (Works, Agriculture, Finance, Education, Community Development, Personnel, and Environment);
- (iv) one representative of National Orientation Agency in the Area Council;
- (v) one representative of Traditional Council;
- (vi) one representative of Religious Leaders;

- (vii) head of one secondary public hospital in the Area Council;
- (viii) one representative of private health sector;
- (ix) one representative of women leaders;
- (x) one representative of health training institutions where available;
- (xi) one representative of CSOs/CBOs;
- (xii) two representatives of Ward Health Committee (WHC) (on rotational basis);
- (xii) Director PHC, who shall be the secretary of the Committee (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 22: Roles of Advisory Committee.

The ACHA Advisory Committee shall:

- (i) primarily advise the Board and the AGHA Management Team;
- (ii) set the overall vision and mission of the ACHA;
- (iii) provide strategic direction to ACHA Management team;
- (iv) mobilize and allocate resources;
- (v) hold implementers to account for effective and efficient use of resources;
- (vi) develop effective working relationship with the management team and communities;
- (vii) receive and deliberate on health reports of AC and advise ACHAMT on decisions to improve health outcomes;
- (viii) support ACHAMT on implementation of PHC in the AC; and
- (ix) identify and fund the PHC capital projects (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 23: Composition of ACHA Management Team.

The ACHA Management Team (ACHAMT) shall be composed of the following:

- (i) Director of PHC;
- (ii) two Deputy Directors;
- (iii) Programme Officer, Planning, Research and M & E
- (iv) Programme Officer, Disease Control;
- (v) Programme Officer, Immunization
- (vi) Programme Officer, Essential Drugs and Logistics;

- (vii) Programme Officer, Health Promotion;
- (viii) Programme Officer, Nutrition;
- (ix) Programme Officer, Reproductive, Maternal & Child Health;
- (x) Administrative Officer;
- (xi) Finance and Accounts Officer (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 24: Appointment and Qualification of Area Council PHC Coordinator.

The PHC department shall be headed by a PHC Coordinator/HOD Health who shall be The Medical Officer of Health (MOH) for the Area Council. A Medical Doctor, who shall not be below Grade Level 16 in the continuous services of the FCT, shall be appointed by the Board to occupy the office. Where there is no Medical Officer on Grade level 16, any Health Officer with a minimum of a University Degree in the Health Profession and not below Grade Level 15, shall be appointed to head the office in Acting capacity (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 25: Appointment of Deputies.

The PHC Coordinator/HOD shall be assisted by suitable qualified officers with relevant qualifications designated as Deputies/Program Officers to head relevant units of the Dept (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 26: Ward Health Committee.

- (1) The implementation of PHC services within the Area Councils shall be based on the principle of the Ward Health Services system.
- (2) The Ward Health Services in the FCT shall consist of the Ward Health Committee (WHC) at the ward level and the Community Health Committee (CHC) or Village Health Committee (VHC) at the urban (community) and rural (village) levels respectively (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART IV — FINANCE, ANNUAL ACCOUNTS AND AUDIT REPORTS

Clause 27: Funding for the Board.

A basket fund will be provided and maintained for the implementation of the Board's activities and programs. This fund shall comprise of:

- (i) FCT Annual Statutory Budgetary Allocation for Primary Health Care;
- (ii) annual grants of not less than two percent (2%) of FCTA Consolidated Revenue Fund from the FCTA/ACs Joint Account or any other similar account that may be operated from the FCTA/ACs;

- (iii) allocation from the National Basic Health Care Provision fund as provided by the National Basic Health Act; and
- (iv) grants and donation from development partners and philanthropists (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 28: Proper Record and Statement.

The Board shall keep proper record and statements of accounts of all its transactions and shall cause to be prepared a report on or before 45 days after the closure of each financial year (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 29: External Audit of Statement of Account.

The statement of account referred to in section 28 of this Section shall be verified by the Governing Board and Audited by a firm of Auditors appointed by the Governing Board shall be published in the Annual Report of the Board (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART V — REGULATIONS AND MISCELLANEOUS PROVISIONS

Clause 30: Regulations.

The Governing Board may, subject to the approval of the Minister make regulations for the purpose of carrying out its functions (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 31: Pension and Gratuity.

The staff of the Board shall be subject to the provisions of the Pension Reform Act (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 32: Provisions of the Area Council Bye Laws.

Provisions of the Area Council Bye-Laws shall not apply in relation to matters provided for by this Bill. Accordingly:

- (i) any matter concerning the appointment, promotion, discipline, transfer and retirement of Area Council PHC staff which were being handled by the FCT Area Council Service Commission (FCT ACSC) before the commencement of this Bill when enacted as Law is hereby transferred to the Board; and
- (ii) any person who, before the commencement of this Bill was appointed by the FCT Area Council Service Commission (FCT ACSC) shall be deemed to have been appointed by the Board pursuant to the provisions of this Bill provided such person satisfies the minimum requirements for such appointment (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 33: Power of the Board to enter into Agreements with Private Organisations.
The Board or AC Health Authority (through the Board) may enter into agreement with any Private practitioner, private health establishment or non-governmental organization in order to achieve the objectives of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 34: Dissemination of Service Provision Information.
All Area Council Health Authorities and private health establishments shall ensure that appropriate, and comprehensive service provision information is disseminated and displayed at facility level on the health services for which they are responsible, this shall include:

- (i) the types of health services available;
- (ii) the organization of health services;
- (iii) operating schedules and timetables of visits;
- (iv) procedures for laying complaints; and
- (v) the rights and duties of clients and health care professionals (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 35: Record Keeping.
Subject to applicable archiving legislation, the person in charge of a health establishment shall ensure that a health record containing such information as may be prescribed is created and available at the health establishment for every authorized user of health services (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 36: Primary Health Care Management Information System.
There shall be established a Primary Health Care Management Information System (PHCMIS) which is a sub-set of the NHMIS to guide strategic planning, management and operational functions of the PHC at all levels (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 37: Duties of Area Council.
Each Area Council, which provides health services shall establish and maintain a health information system, as part of the National Health Information System as specified under section 35(1) of the National Health Act (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 38: Duties of Private Health Care Providers.
All private health care providers shall:

- (a) establish and maintain a Health Information System as part of the National Health Information System as specified under section 35(1) of the National Health Act; and
- (b) ensure compliance with the provision of section 45 as a condition necessary for the grant or renewal of the Certificate of Standards (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 39: Limitation of suits against the Board, etc.

- (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 member, officer or employee of the Board.
- (2) Notwithstanding anything contained in any other law or enactment, no suit against the Executive Secretary, a member of the Governing Board, or any other officer or employee of the Board for any act done in pursuance or execution of this Bill or any other law or enactment, or of any public duty or authority or in respect of any alleged neglect or default in the execution of this Bill or any other law or enactment, 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 a continuation of damage or injury, within six months next after the ceasing thereof.
- (3) No suit shall be commenced against the Executive Secretary, a member of the Governing Board, or any other officer or employee of the Board 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 Service by the intending plaintiff or his agent (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 40: Restriction on Execution against Property of the Service.

- (1) In any action or suit against the Service, no execution or attachment of process in the nature thereof shall be issued against the Service unless not less than three months' notice of the intention to execute or attach has been given to the Service.
- (2) Any sum of money which by the judgement of any court has been awarded against the Service shall, subject to any direction given by the Court, where no notice of appeal against the judgement has been given, be paid from the fund of the Service (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 41: Indemnity.

The Executive Secretary, a member of the Governing Board, or any officer or employee of the Board shall be indemnified out of the assets of the Board 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 Executive Secretary, a member of the Governing Board, officer or other employee of the Board (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 42: Interpretation.

In this Bill, unless the context otherwise requires:

"ACHA" means Area Council Health Authority (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"ACSS" means Council Services Secretariat (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"ACSC" means Area Council Service Commission (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Area Councils" mean the FCT Area Councils (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"BHCPF" means Basic Health Care Provision Fund (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Board" means the FCT Primary Health Care Board, established under Section 1 of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Chairman" means the Chairman of the Governing Board appointed under Section 3 of this Bill (*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.

"Executive Secretary" means the Executive Secretary of the Board appointed under section 8 of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"FCT" means Federal Capital Territory, Abuja (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"FCTA" means the Federal Capital Territory Administration (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Functions" includes powers and duties (*Hon. Edward Gyang Pwajok — 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.

"Governing Board" means the Governing Board of the FCT Primary Health Care Board, established under section 3 of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"HHSS" means Health and Human Services Secretariat (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Member" means a Member of the Governing Board, 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.

"Minister" means the Minister of the Federal Capital Territory (*Hon. Edward Gyang Pwajok — 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.

"MSP" means Minimum Services Package; is an identified essential package of high impact health interventions that addresses the majority of prevailing health problems (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"PHCUOR" means Primary Health Care Under One Roof (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"PHERMC" means Private Health Establishment Regulatory and Monitoring Committee (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Private Health Establishment" includes privately owned or privately managed Hospitals, Dental Centers, Nursing Homes, Maternity Homes, Convalescent Homes, Medical Clinics, Medical Laboratory Centers, Physiotherapy Centers, Radio diagnostic Centers, Pharmacies, Patent Medicine Premises, Ophthalmology and Optical Centers that are supervised by qualified and registered practitioners and regulated by statutory bodies (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"PHC" means Primary Health Care and refers to essential health care that is based on scientifically sound and socially acceptable methods and technology made universally accessible to all individuals and families in a community, at an affordable cost and is the first level of care (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

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

Clause 43: Citation.

This Bill may be cited as the FCT Primary Health Care Board Bill, 2019 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

SCHEDULE

[Section 8]

SUPPLEMENTARY PROVISIONS RELATING TO THE GOVERNING BOARD, ETC.

Proceedings of the governing board

1. (1) Subject to this Bill and to section 27 of the Interpretation Act (which provides for the decisions of a statutory body to be taken by a majority of the members of the body and for the person presiding to have a second or casting vote) the Governing Board may make standing orders regulating the proceeding of the Governing Board or a Committee thereof.

- (2) The quorum of the Governing Board shall be the Chairman and six other members, and the quorum of any Committee of the Governing Board shall be determined by the Governing Board.
2.
 - (1) The Governing Board shall meet not less than four times in each year and, the Governing Board shall meet whenever it is summoned by the Chairman, and if the chairman is required to do so by notice given to him by not less than three other members, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.
 - (2) At any meeting of the Governing Board, the Chairman shall preside, but if he is absent, the members present at the meeting shall appoint one of their number to preside at that meeting.
 - (3) Where the Governing Board desires to obtain the advice of any person on a particular matter, the Governing Board may co-opt him as a member for such period as it 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 Governing Board and shall not count towards the quorum.
 - (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Governing Board shall be summoned by the Minister.

Committees

3.
 - (1) The Governing Board may appoint one or more Committees to carry out on behalf of the Governing Board such of its functions as the Governing Board may determine.
 - (2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily all members of the Governing Board) as may be determined by the Governing Board and a person other than a member of the Governing Board shall hold office on the Committee in accordance with the terms of his appointment.
 - (3) A decision of a Committee of the Governing Board shall be of no effect until it is confirmed by the Governing Board.

Miscellaneous

4.
 - (1) The fixing of the seal of the Governing Board shall be authenticated by the signature of the Executive Secretary and of some other member authorized generally or specially to act for that purpose by the Governing Board.
 - (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 Governing Board by the Executive Secretary or any person generally or specially authorized to act for that purpose by the Governing Board.
5. The validity of any proceedings of the Governing Board or of a Committee thereof shall not be affected by any vacancy in the membership of the Governing Board or of a Committee, or by reason that a person not entitled to do so took part in the proceedings.
6. A member of the Governing Board or of a Committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Governing Board or the Committee shall forthwith disclose his interest to the Governing Board or Committee and shall not vote on any question relating to the contract or arrangement (*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 Memorandum:

This Bill seeks to provide for the establishment of the Federal Capital Territory Primary Health Care Board (*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 Federal Capital Territory Primary Health Care Board and for Related Matters (HB. 1546) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for the Establishment of the Federal Capital Territory Primary Health Care Board; and for Related Matters (HB. 1546) and approved Clauses 1 - 43, 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.

(viii) Committee on Public Petitions:

Petition by Kehinde Yekeen:

Motion made and Question proposed, "That the House do consider the Report of the Committees on Public Petitions and Commerce on the Investigative Oversight visit to the Lagos International Trade Fair Complex on the Petition by Kehinde Yekeen and approve the recommendations therein" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West 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 Deputy Speaker in the Chair)

Urge the Federal Government as follows:

Recommendation (i):

"Respect and fully adhere to the terms of the valid and subsisting lease agreement with the different Associations consisting the Stakeholders of the Lagos International Trade Fair Complex, Lagos Expressway, Lagos" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Recommendation (ii):

"That the Lagos International Trade Fair Management Board be retained as the Agency saddled with the Management of the Complex, making its rôle to include suggesting the developmental needs of the complex, upon liaison with various Associations" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Recommendation (iii):

"That the vast areas not leased should be concessioned, including the Motels" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Recommendation (iv):

"That they should desist from concessioning already leased portion as it will amount to breach of contract" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Recommendation (v):

"That Messrs AULRIC Nig. Ltd which was appointed by the Bureau of Public Enterprises (BPE) be investigated by the Economic and Financial Crimes Commission (EFCC) and be made to refund the outstanding rent accrued to the Federal Government" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Recommendation (vi):

"That the Committees on Commerce and Legislative Compliance be mandated to monitor the implementation and compliance" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Amendment Proposed:

Leave out the word "Commerce" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question that the amendment be made — Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committees on Public Petitions and Commerce on the Investigative Oversight visit to the Lagos International Trade Fair Complex on the Petition by Kehinde Yekeen and approved Recommendations (i) - (v), and approved Recommendation (vi) as amended.

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

(ix) *Committee on Public Petitions:*

Petition by Iyiola Oyedepo and Company on behalf of Youth Farmers in Ejiba, Yagba West, Kogi State:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the petition by Iyiola Oyedepo and Company on behalf of Youth Farmers in Ejiba, Yagba West, Kogi State on the alleged Breach of Contract by Dangote Rice Limited (DRL) and approve the recommendations therein" (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West 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 Deputy Speaker in the Chair)

Recommendation (i):

"Urge the Leadership of the Unemployed Graduate Youth Farmers at Ejiba to tender an apology letter to Dangote Industries Limited (DIL) and Dangote Rice Limited (RL) and its staff" (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).

Agreed to.

Recommendation (ii):

"Urge Dangote Industries Limited to pursue vigorously more of the Graduate Youth Farmers Scheme aimed at empowering the Youths and encouraging Agricultural Development in Nigeria" (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).

Amendment Proposed:

Leave out all the words in the Recommendation and *insert* the following:

"Commend Dangote Industries Limited on their efforts in agriculture and also urge it to pursue vigorously more of the Graduate Youth Farmers Scheme aimed at empowering the Youths and encouraging Agricultural Development in Nigeria" (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).

Question that the amendment be made — Agreed to.

Question that Recommendation (ii) as amended, stands part of the Report — Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Iyiola Oyedepo and Company on behalf of Youth Farmers in Ejiba, Yagba West, Kogi State on the alleged Breach of Contract by Dangote Rice Limited (DRL) and approved Recommendation (i) and approved Recommendation (ii) as amended of the Report.

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

(x) **Committee on Public Petitions:**

Petition by Mac-Donald Memorial International Institute:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the petition by Mac-Donald Memorial International Institute against Diamond Bank, Skye Bank and First Bank on Financial Improprieties in the Institutions and approve the recommendation therein" (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West 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 Deputy Speaker in the Chair)

Recommendation:

"Discountenance the petition for lack of merit" (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Mac-Donald Memorial International Institute against Diamond Bank, Skye Bank and First Bank on Financial Improprieties in the Institutions and approve the only Recommendation of the Report.

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

(xi) **Committee on Public Petitions:**

Petition by Inibehe Effiong:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the petition by Inibehe Effiong against the Nigerian Army on Flagrant Disregard of Judgement of a Court in Suit No. FHC/L/789/05 between Chief Abayomi Akerele against the Nigeria Army Post Exchange (NAPEX) Limited and the National Inland Waterways Authority and approve the recommendations therein" (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West 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 Deputy Speaker in the Chair)

Recommendation (i):

"Urge the Nigerian Army Post Exchange (NAPEX) Limited and the Nigerian Army to obey the Court Order in Suit No. FHC/L/789/05 in favour of Chief Abayomi Akerele" (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).

Agreed to.

Recommendation (ii):

"That Chief Abayomi Akerele should recover possession of the said property from the Nigeria Army Post Exchange (NAPEX) Limited and the Nigerian Army and reinstate him back on the premises since the Court had unambiguously and unequivocally restrained the Nigerian Army Post Exchange (NAPEX) Limited from doing any act tantamount to exercising right of ownership, control and/or management of the land in issue" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Inibehe Effiong against the Nigerian Army on Flagrant Disregard of Judgement of a Court in Suit No. FHC/L/789/05 between Chief Abayomi Akerele against the Nigeria Army Post Exchange (NAPEX) Limited and the National Inland Waterways Authority and approved Recommendations (i) - (ii) of the Report.

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

(xii) Committee on Public Petitions:

Petition by Mive Legal's on behalf of Mr Haruna Gajere:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the petition by Mive Legal's on behalf of Mr. Haruna Gajere against the Nigeria Police Force on his brutal incapacitation by Ex-Sergeant Yusuf Momoh and approve the recommendation therein" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West 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 Deputy Speaker in the Chair)

Recommendation:

"Urge the Nigeria Police Force to pay Haruna Solomon Gajere the sum of N50, 000, 000. 00) Fifty Million Naira (for surgery, medication, accommodation, feeding and air ticket and that of his wife" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Amendment Proposed:

Insert a new Recommendation (ii) as follows:

"That Ex-Sergeant Yusuf Momoh be prosecuted for his reckless and negligent act" *Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the amendment be made — Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Mive Legal's on behalf of Mr Haruna Gajere against the Nigeria Police Force on his brutal incapacitation by Ex-Sergeant Yusuf Momoh and approved Recommendation (i) and approved a new Recommendation (ii) of the Report.

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

(xiii) Committee on Public Petitions:

Petition by Mr Edward Ngani Jim:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the petition by Mr. Edward Ngani Jim against the defunct National Electric Power Authority (NEPA) now Transmission Company of Nigeria (TCN) on the illegal and premature retirement of Edward Ngani and approve the recommendation therein" (Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West 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 Deputy Speaker in the Chair)

Recommendation:

"Urge the Transmission Company of Nigeria to reinstate Mr. Edward Ngani Jim immediately back to work and pay all his entitlements" (Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West Federal Constituency).

Agreed to.

Chairman to report Proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Mr. Edward Ngani Jim against the defunct National Electric Power Authority (NEPA) now Transmission Company of Nigeria (TCN) on the illegal and premature retirement of Edward Ngani and approved the only Recommendation of the Report.

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

(xiv) Committee on Public Petitions:

Petition by Ibrahim Mohammed Rabi:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the petition by Ibrahim Mohammed Rabi against the Nigeria Airforce on his wrongful dismissal from service and approve the recommendations therein" (Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West 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 Deputy Speaker in the Chair)

Recommendation (i):

"Urge the Minister of Defence to direct the Chief of Air Staff to follow due process and convert Mr Ibrahim Mohammed Rabi'u's dismissal to compulsory retirement to enable him apply for job elsewhere" (*Hon. Uzoma Nkem-Abonta — Ukwá East/Ukwá West Federal Constituency*).

Agreed to.

Recommendation (ii):

"That the Management of the Nigerian Air Force should pay him all his entitlements and retirement benefits to enable him start a new life" (*Hon. Uzoma Nkem-Abonta — Ukwá East/Ukwá West Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the petition by Ibrahim Mohammed Rabi'u against the Nigeria Airforce on his wrongful dismissal from service and approved Recommendations (i) - (ii) of the Report.

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

(xv) Committee on Public Petitions:**Petition by Theobena Nigeria Limited:**

Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the Petition by Theobena Nigeria Limited against Happiness International Trading Company Limited on the Sale of Substandard Products and approve the recommendation therein" (*Hon. Uzoma Nkem-Abonta — Ukwá East/Ukwá West 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 Deputy Speaker in the Chair)

Recommendation:

Discountenance the petition for lack of merit (*Hon. Uzoma Nkem-Abonta — Ukwá East/Ukwá West Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the Petition by Theobena Nigeria Limited against Happiness International Trading Company Limited on the Sale of Substandard Products and approved the only Recommendation of the Report.

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

16. Adjournment

That the House do adjourn till Wednesday, 22 May, 2019 at 11.00 a.m. (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

The House adjourned accordingly at 2: 26 p.m.

Yakubu Dogara
Speaker