



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

FIRST VOTES AND PROCEEDINGS

Wednesday, 15 May, 2019

1. The House met at 11.29 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 Tuesday, 14 May, 2019.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcement**

- (a) **Defection:**

Mr Speaker read communication from Hon. Mukaila Olayiwola Kazzim (*Abeokuta North/Obafemi Owode/Odeda Federal Constituency*), announcing his defection from the Allied Peoples' Movement (APM) to the All Progressives Congress (APC).

- (b) **Bereavement:**

Mr Speaker read a communication from Hon. Uchechukwu Nnam-Obi (*Ahoada West/Ogba/Egbema/Ndoni Federal Constituency*), announcing the death of His Majesty, Eze, Flight Lieutenant Robinson O. Robinson (*rt'd*), the Eze Ekpeye Logbo of Ekpeye land, Ahoada West Local Government Area, Rivers State. He eulogized Eze Robinson as a man of courage and bravery, who served meritoriously in the Nigeria Air Force before his coronation as Eze of Ekpeye land. He was a vocal disciplinarian, bridge builder and a consummate traditional ruler who contributed immensely to his community and country at large. He prayed for the repose of the soul of the deceased and fortitude for his successors to bear the irreparable loss.

A minute silence was observed in honour of the deceased.

4. **Presentation of Reports**

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

That the House do receive the Report of the Conference Committee on a Bill for an Act to

Repeal the National Commission for Refugees Act, Cap. N21, Laws of the Federation of Nigeria, 2004 and Enact the National Commission for Refugees, Migrants and Internally Displaced Persons; and for Related Matters.

Order read; deferred by leave of the House.

- (ii) ***Conference Committee on a Bill for an Act to Establish the National Roads Fund for the Purpose of Financing Routine and Periodic Maintenance of National Roads and for Related Matters:***

Motion made and Question proposed, "That the House do receive the Report of the Conference Committee on a Bill for an Act to Establish the National Roads Fund for the Purpose of Financing Routine and Periodic Maintenance of National Roads and for Related Matters" (Hon. Toby Okechukwu — Aninri/Agwu/Orji-River Federal Constituency).

Agreed to.

Report laid.

- (iii) ***Committee on Agricultural Production and Services:***

Motion made and Question proposed, "That the House do receive the Report of the Committee on Agricultural Production and Services on a Bill for an Act to Prohibit the Killing and Exportation of Donkeys or its Carcasses or Derivatives out of Nigeria given their Depletion in Numbers; the Threat of Extinction, and other Aesthetic, Ecological, Historical, Recreational, and Scientific Values to the Nigerian Nation and its People in order to preserve them for use particularly in Transportation; and for Related Matters (HB. 1306)" (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

Agreed to.

Report laid.

5. **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) — Third Reading.**

Motion made and Question proposed, "That 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) be now read the Third Time" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

6. **A Bill for an Act to Establish the Nigeria Police Trust Fund; and for Related Matters (HB. 894) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish the Nigeria Police Trust Fund; and for Related Matters (HB. 894) be now read the Third Time" (Hon. Ahmed Idris — Deputy House Leader).

Agreed to.

Bill read the Third Time and passed.

7. **A Bill For an Act to Provide for the Establishment of Federal University of Technology, Auchi, Edo State; and For Related Matters (HB.1303) — Third Reading**
Motion made and Question proposed, "That a Bill For an Act to Provide for the Establishment of Federal University of Technology, Auchi, Edo State; and For Related Matters (HB.1303) be now read the Third Time" (*Hon. Ahmed Idris — Deputy House Leader*).

Agreed to.

Bill read the Third Time and passed.

8. **A Bill for an Act to Establish the Federal College of Education, Akwete, Abia State to Provide Full-time Courses, Teaching, Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and for Related Matters (HB. 1218) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish the Federal College of Education, Akwete, Abia State to Provide Full-time Courses, Teaching, Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and for Related Matters (HB. 1218) be now read the Third Time" (*Hon. Ahmed Idris — Deputy House Leader*).

Agreed to.

Bill read the Third Time and passed.

9. **A Bill for an Act to Establish the Federal Polytechnic, Koko, Delta State to Provide for Equity and Access to Tertiary Education in the Country, Make Comprehensive Provisions for its Due Management and Administration; and for Related Matters (HB. 1217) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish the Federal Polytechnic, Koko, Delta State to Provide for Equity and Access to Tertiary Education in the Country, Make Comprehensive Provisions for its Due Management and Administration; and for Related Matters (HB. 1217) be now read the Third Time" (*Hon. Ahmed Idris — Deputy House Leader*).

Agreed to.

Bill read the Third Time and passed.

10. **A Bill for an Act to Repeal the National Board for Technical Education Act and Enact the National Commission for Technical, Vocational and Entrepreneurial Education as a Body Corporate to Advise the Federal Government on all Aspects of Technical, Vocational and Entrepreneurial Education Which Fall Outside the Scope of Universities; and for Related Matters (HB. 1634) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Repeal the National Board for Technical Education Act and Enact the National Commission for Technical, Vocational and Entrepreneurial Education as a Body Corporate to Advise the Federal Government on all Aspects of Technical, Vocational and Entrepreneurial Education Which Fall Outside the Scope of Universities; and for Related Matters (HB. 1634) be now read a Second Time" (*Hon. Ahmed Idris — Deputy House Leader*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

11. **A Bill for an Act to Repeal the National Health Insurance Scheme Act, Cap. N42, LFN 2004 and Enact the National Health Insurance Commission; and for Related Matters (HB. 1639) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Repeal the National Health Insurance Scheme Act, Cap. N42, LFN 2004 and Enact the National Health Insurance Commission; and for Related Matters (HB. 1639) be now read a Second Time" (*Hon. Ahmed Idris — Deputy House Leader*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

12. **A Bill for an Act to Repeal the Federal Capital Territory, Abuja Area Courts, Act, 2010 and Enact the Federal Capital Territory, Abuja Area Courts, Bill to, Among Other Things, Expand the Jurisdiction of the Area Courts to Entertain Both Civil and Criminal Matters; and for Related Matters (HB. 1558) — Second Reading**

Order read; deferred by leave of the House.

13. **Consideration of Reports**

(i) **Committee on Financial Crimes:**

Motion made and Question proposed, "That the House do consider the Report of the Committee on Financial Crimes on 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) and approve the recommendations therein" (*Hon. Kayode Oladele — Egbado North/Imeko Afon 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 MONEY LAUNDERING (PROHIBITION) ACT, 2011
AND ENACT THE MONEY LAUNDERING (PREVENTION AND PROHIBITION) BILL;
AND FOR RELATED MATTERS (HB. 391 AND HB. 410)**

Consideration deferred, to enable Members study the Bill.

Ordered: Committees on Rules and Business, and Financial Crimes to examine the Bill with a view to harmonise their positions on the Bill.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole deferred consideration of the Report of the Committee on Financial Crimes on 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).

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

- (ii) **A Bill for an Act to Eradicate the Age Discrimination against Job Seekers in Federal Government Agencies; and for Related Matters (HB. 1502) (Committee of the Whole):** *Motion made and Question proposed, "That the House do consider the Report of the Committee of the Whole on a Bill for an Act to Eradicate the Age Discrimination against Job Seekers in Federal Government Agencies; and for Related Matters (HB. 1502)" (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).*

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO ERADICATE THE AGE DISCRIMINATION
AGAINST JOB SEEKERS IN FEDERAL GOVERNMENT AGENCIES;
AND FOR RELATED MATTERS (HB. 1502)

Clause 1: Objectives of the Bill.

(1) This Act seeks to —

- (a) eradicate the age barriers on employment into Federal Government agencies;
- (b) ensure that no citizen of the Federal Republic of Nigeria is deprived of employment into Federal Government agencies on the basis of age;
- (c) prohibit all Federal Government agencies from disqualifying qualified and competent youths seeking employment, who may be above the specified age, but not above forty-five (45) years;
- (d) enable all qualified Federal Government job seekers get employment into the agencies of the government of their country (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Amendment Proposed:

Leave out Subclause 1 (c) (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Question that the amendment be made — Agreed to.

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

Clause 2: General Principles.

- (1) No citizen of the Federal Republic of Nigeria shall be deprived of employment into any of the agencies of the Federal Government, on grounds that he/she is above thirty (30) years of age.
- (2) That any citizen of Nigeria that is thirty years (30) and above but not above forty-five (45) years, shall be entitled to gainful employment within any of the agencies of the Federal Government of Nigeria.
- (3) That the provisions of the above subsections shall be subject to the provisions of the laws establishing security agencies and armed forces, with regards to age for enlistment in the relevant security agencies.
- (4) That where a person to be employed into any of the Federal Government's agencies is found to be qualified but of an age that is above the age limit specified for such employment, the abilities and/or qualification of such person shall be had recourse to and his age shall not operate as a disqualification (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Amendments Proposed:

- (i) In Subclause 2 (1), line 2, immediately after the words "on grounds", *leave out* the words "that he/she is above thirty (30) years of" (*Hon. Chinda Kingsley — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) *Leave out* all the words in Subclause 2 (2) and (3) (*Hon. Razak Atunwa — Ilorin West/Asa Federal Constituency*).

Question that the amendment be made — Agreed to.

- (iii) *Insert* a new Subclause 2 (2) as follows:
"The provisions of this Act does not apply to recruitment into military and paramilitary organisations in Nigeria" (*Hon. Chinda Kingsley — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

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

Committee Recommendation:**Clause 3: Interpretation.**

In this Bill —

"Federal Government Agencies" means any establishment of the federal government of Nigeria (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "Federal Government Agencies" be as defined in the interpretation to the Bill — Agreed to.

"Age Discrimination" refers to a situation where a person who is ordinarily qualified for employment, is disqualified by reason of being of an age above the age specified in the recruitment conditions (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

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

"Job Seekers" refers to a person(s) seeking to be gainfully employed in any establishment of the federal government of Nigeria (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

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

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

Committee Recommendation:

Clause 4: Short Title.

This Bill shall be cited as the Age Discrimination (Eradication) Bill, 2019 (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to eradicate the age discrimination against job seekers in Federal Government agencies, so as to lift the age barrier standing against qualified youths from being gainfully employed in Federal Government agencies on the basis of their age and for allied matters (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee of the Whole on a Bill for an Act to Eradicate the Age Discrimination against Job Seekers in Federal Government Agencies; and for Related Matters (HB. 1502) and approved Clause 1, approved Clauses 2 and 3 as amended, approved Clauses 4 and 5, 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.

(iii) Committee on Pensions:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Pensions on a Bill for an Act to Establish the Defence Intelligence Agency Pensions Board to Handle Pension Matters for Civilian Personnel of the Agency; and for Related Matters (HB. 1557) and approve the recommendations therein" (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa 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 ESTABLISH THE DEFENCE INTELLIGENCE AGENCY
CIVILIAN PENSIONS BOARD TO HANDLE PENSION MATTERS FOR PERSONNEL
OF THE AGENCY AND FOR RELATED MATTERS (HB. 1557)

PART I — GENERAL

Committee Recommendation:

Clause 1: Establishment of a pension's board for personnel of the Defence Intelligence Agency.

- (1) There is established a Pensions Board (in this Bill referred to as "the Board") which shall be charged with the responsibility of managing payment of pensions and gratuities to Civilian personnel of the Agency.

Application of the Bill to personnel who retired before the commencement of this Bill

- (2) This Bill shall apply to all personnel of the Agency including those who had retired before the commencement of this Bill.
- (3) The retirement benefits of personnel referred to in subsection (2) above shall be adjusted to be commensurate with the provisions of this Bill (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 2: Computation of pension or gratuity.

- (1) Subject to the provisions of this Bill, any pension or gratuity payable to any personnel under this Bill shall be computed in accordance with the provisions of the Agency's Regulations.
- (2) In computing pensionable service and qualifying service for the purpose of this Bill, any period of service over six months and not included in a completed year shall, for the purpose of the schedule to this Bill as it relates to personnel entitled to a pension, count as one year (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 3: Pension, etc. to be charged on revenue of Nigeria.

There shall be charged on and paid out of the Consolidated Revenue Fund of the Federation, all such sums of money as may, from time to time, be granted by the Federal Government by way of pension and gratuity in accordance with this Bill (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 4: Circumstances in which pension may be granted.

- (1) No pension or gratuity shall be granted under this Bill to any personnel except on his retirement from the Agency in any of the following circumstances —
- (a) after serving for thirty-five (35) years or attained the age of sixty (60) years, whichever is earlier;
- (b) upon voluntary retirement after serving for not less than ten years;

- (c) upon compulsory retirement under the provisions of Section 5 (1) of this Bill;
 - (d) upon compulsory retirement for the purpose of facilitating improvements in the Agency, so that greater efficiency or economy may be effected;
 - (e) at any time on medical evidence to the satisfaction of the Medical Board that he is incapable by reason of any infirmity of mind or body of discharging his duties and that such infirmity is likely to be permanent;
 - (f) on voluntary withdrawal after having put in not less than five years but less than ten years continuous service as a personnel: Provided that —
 - (i) in respect of paragraphs (c) to (e) above, if the personnel has served for not less than five years but less than ten years before his retirement, he shall be entitled only to a gratuity as specified in the appropriate column of the Table in the Agency Regulations;
 - (ii) if the personnel has served for a minimum of three years but less than five years before he is required to retire, he shall be entitled to an ex-gratia gratuity calculated on pro-rata basis at the rate of ten percent for every completed year of service.
- (2) Where a personnel retires pursuant to subsection (1) (i) above —
- (a) if he has completed five years but not up to ten years in service, he shall be entitled only to a gratuity;
 - (b) if he has served for not less than ten years, he shall be entitled to a pension;
 - (c) if he is required to retire after ten years qualifying service pursuant to the provisions of paragraphs (c) - (e) of subsection (1) above, he shall be entitled to pensions immediately on retirement even though he has not attained the age of forty five years (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 5: Compulsory retirement and retirement on compassionate grounds.

- (1) It shall be lawful for the Agency to require a personnel to retire from the Agency at any time after he has attained the age of forty-five years subject to three months' notice in writing of such requirement being given to the personnel.
- (2) A personnel may, on compassionate grounds, be allowed to resign, withdraw or retire from service, as the case may be, in accordance with the Agency Regulations (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 6: Minimum and maximum pension.

- (1) A pension granted to a personnel or other rank under this Bill shall not be less than forty percent of his total emolument.
- (2) For the purpose of this section, an additional pension granted in respect of injury shall not be taken into account; but where the personnel is granted such an additional pension under this Bill, the amount so granted together with the remainder of his pension under this Bill shall not exceed one hundred percent of his highest pensionable emolument at any time in the course of his service (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 7: Pension and gratuity to be paid to dependent, etc. where a pensioner dies in service.

- (1) Where a personnel dies in the course of official duty, there shall be paid to his next of kin a gratuity to which the personnel would have been entitled at the date of his death.
- (2) Where a personnel dies before completing the minimum period of qualifying service, his next of kin shall be paid a death gratuity of one year's salary only.
- (3) Any pension payable under subsection (1) above shall be paid to any person entitled thereto for a period expiring at the end of five years after the death of the personnel, however, a lump sum representing five years pensions may be paid immediately to the person entitled to it (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 8: Pension to run for five years after death within five years of retirement.

Where a personnel dies within five years after retirement, his next of kin shall continue to be paid, for a period which shall expire at the end of five years from the date of his retirement, the same pension which the deceased personnel was receiving prior of his death. But if the next of kin so elects, the balance of his pension at his death may be paid immediately to the said next of kin (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 9: Notice of intention to retire or withdraw from service.

- (1) A personnel who wishes to retire from the Agency after serving for ten years or more shall give three (3) months' notice or pay the Agency the equivalent of three (3) months' salary in lieu of notice.

- (2) A personnel who wishes to withdraw from the Agency after serving for not less than five years but not up to ten years shall give the Chief of Defence Intelligence one month's notice of his intention to withdraw from the Agency or he shall pay one month's salary in lieu of such notice (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

PART II — MISCELLANEOUS

Committee Recommendation:

Clause 10: Pension and gratuity not to be assignable.

- (1) A pension or gratuity granted under this Bill shall not be assignable or transferable or liable to be attached, sequestrated or levied upon for or in respect of any debt or claim whatsoever except for the purpose of satisfying —
- (a) a debt due to the Federal Government; or
- (b) an order of a Court for the payment of periodical sums of money towards the maintenance of the wife or former wife or minor child of the personnel to whom the pension or gratuity has been granted.
- (2) The Board shall secure and maintain a group life assurance policy for personnel of the Agency with reputable Insurance Companies.
- (3) The Board shall ensure budgetary allocation for this policy (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 11: Payment of public claims out of pension and gratuity.

Where the Board is satisfied that —

- (a) a sum is due to the Federal Government from a person to whom a pension or gratuity is due under this Bill;
- (b) an overpayment on account of any such pension or gratuity has been made to any such person by the Federal Government, the Board may authorize the deduction from the pension or gratuity, in respect of that sum or overpayment of such amounts at such times as it may think fit; and the amounts so deducted shall be applied in or towards paying or repaying that sum or overpayment (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 12: Delegation of power.

- (1) The Board may, by order published in the Gazette, delegate to another person or authority all or any of its powers under this Bill.

- (2) But the delegation of a power under the above subsection shall not prevent the Board from continuing to exercise the power if it thinks fit (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 13: Regulations.

- (1) The Management of the Agency may make provisions for the structure, personnel, etc. of the Board which in turn may make provisions for carrying into effect the provisions of this Bill.
- (2) Whenever the Board is satisfied that it is equitable that any regulation made under this section should have retrospective effect in order to confer a benefit upon or remove a disability attached to any person, that regulation may be given retrospective effect for that purpose (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 14: Interpretation.

In this Bill, unless the context otherwise requires —

"basic pay" means the daily rate of pay due and payable to a personnel, but does not include allowances (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"Chief of Defence Intelligence" means the Chief of Defence Intelligence of the Defence Intelligence Agency (DIA) (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"Federal Government" means the Federal Government of Nigeria (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"Gazette" means the official gazette of the Agency (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"last pay" in relation to a personnel whose appointment has been terminated, means the amount payable to him for a month (or if he was on a daily rate of pay, for thirty one days) multiplied by twelve in respect of the last substantive rank held by him immediately before the end of his employment (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"lodging" means the provision of furnished accommodation, fuel and light and personal service (Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency).

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

"medical board" means any medical board appointed by the Management of the Agency or by any other person pursuant to a delegation under section 12 of this Bill, to assess the degree of disablement of personnel (Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency).

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

"next of kin" means any person documented by the staff who can legitimately claim entitlements of the staff in the event of death on behalf of the beneficiaries (Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency).

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

"officer" means a personnel on the rank of Intelligence Officer (IO II) and above (Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency).

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

"Pension Account" means the pension account domiciled in the CBN and dedicated to the payment of pension and gratuities managed by personnel appointed by the Board (Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency).

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

"Pension Board" comprises a Chairman and members appointed by the Chief of Defence Intelligence (CDI) which members shall be beneficiaries under the Scheme.

"pensionable emoluments" in respect of a personnel, means the salary attached to the last substantive rank held by the personnel but does not include any allowance whatsoever (Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency).

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

"pensionable service" means service in the Defence Intelligence Agency (including service or employment under the Government of the Federation or of a State or any other employment approved by the Agency and which has been transferred to the Agency) which may be taken into account in determining whether an officer is eligible by length of service, for a pension or gratuity (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"personnel" means civilian officers and staff in the employment of the Agency (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"qualifying service" means service in the Defence Intelligence Agency (including service or employment in the public service or any other employment which may be approved by the Defence Intelligence Agency) which may be taken into account in determining whether an officer is eligible by length of service for a pension or gratuity (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"retirement" means cessation of service after an officer has served for a period of not less than five years or thereafter for a period of not less than ten years, being periods respectively appointed as qualifying an officer for gratuity and 24 pension (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"staff" means a personnel below the rank of Intelligence Officer II (IO II) in the Agency (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"termination" in relation to a personnel's employment, means termination of full pay service by retirement, discharge or otherwise however (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"the Board" means the body charged by the Management of the Agency with the responsibility for the administration of the pensions and gratuities of the personnel of the Agency (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

"the Agency" means the Defence Intelligence Agency (DIA) (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

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

Committee Recommendation:

Clause 15: Citation.

This Bill may be cited as the Defence Intelligence Agency Civilian Pensions Board (Establishment) Bill, 2019 (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

SCHEDULE

Section 2 (1)

COMPUTATION OF PENSION AND GRATUITIES

(Personnel to Whom and What Rates Pension May be Granted)

1. Subject to the provisions of this Bill, a personnel shall be granted, on retirement, a pension —
 - (a) if he has been in the service for ten years or more;
 - (b) if he has completed ten years' qualifying service; or
 - (c) if he has completed five years qualifying service if this retirement is on the ground that he is incapable by reason of any infirmity of mind or body of discharging his duties and such infirmity is likely to be permanent.

General Rules as to qualifying Service

2. (1) Subject to the provisions of this Bill, qualifying service shall be inclusive of the period between the date on which a personnel was enlisted into the Agency and the date of his leaving such Agency without deduction of any period during which he had been absent on leave.
 - (2) No period which is not qualifying service by virtue of the foregoing paragraphs shall be taken into account as pensionable service.

Continuity of Service

3. (1) Except as otherwise provided In this Schedule, only continuous service shall be taken into account as qualifying service or as pensionable service.
 - (2) A personnel who retires from the Agency and who is re-engaged in the Agency within a period of five years from the date of his retirement, may be granted the pension or gratuity for which he would have been eligible if any break in his service immediately prior to such re-engagement had not occurred, such pension or gratuity to be in lieu of any pension or gratuity granted to him from the Consolidated Revenue Fund of the Federation or of a State or any other approved

employment which is required to be refunded as a condition of the application to the personnel.

4. However, in calculating a pension or gratuity granted in accordance with the provisions of this paragraph, account shall not be taken for any purpose of the period during which the officer was not in the Agency.

Formula for calculation of pension and gratuity based on the percentage of last pay shall be in accordance with the Table in the Agency Regulations (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to establish the Defence Intelligence Agency Civilian Pensions Board to be charged with the responsibility of administering the pension's scheme for personnel of the Agency.

This Bill is in consequence of the exit of the Agency from the application of the Contributory Pensions Scheme under the Pensions Reform Act, 2014 (*Hon. Hassan Adamu Shekarau — Birnin Gwari/Giwa 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 Committee on Pensions on a Bill for an Act to Establish the Defence Intelligence Agency Pensions Board to Handle Pension Matters for Civilian Personnel of the Agency; and for Related Matters (HB. 1557) and approved Clauses 1 - 15, 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.

14. Adjournment

That the House do adjourn till Thursday, 16 May, 2019 at 11.00 a.m. (Hon. Ahmed Idris — Deputy House Leader).

The House adjourned accordingly at 1.33 p.m.

Yakubu Dogara
Speaker