



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

FIRST VOTES AND PROCEEDINGS

Wednesday, 8 May, 2019

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1. The House met at 11.32 a.m. Mr Speaker read the Prayers.
 2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Second Votes and Proceedings* of Tuesday, 7 May, 2019.

The Votes and Proceedings was adopted by unanimous consent.
 3. **Announcement**
Visitor in the Gallery:
Mr Speaker recognised the presence of Staff and Students of *Royal Touch International School* (ROTIS), Kubwa, Abuja.
 4. **Presentation of Bills**
The following Bills were read the *First Time*:
 - (1) National Board for Technical Education (Repeal and Enactment) Bill, 2019 (HB.1634).
 - (2) Electric Power Reform Act (Amendment) Bill, 2019 (HB. 1635).
 - (3) Federal University of Agriculture, Zuru, Kebbi State (Establishment, etc.) Bill, 2019 (HB. 1637).
 - (4) Police Reform Bill, 2019 (HB.1636).
 - (5) Federal Colleges of Education Act (Repeal and Enactment) Bill, 2019 (HB. 1638).
 - (6) National Health Insurance Act (Repeal and Enactment) Bill, 2019 (HB. 1639).

5. Presentation of Report

Conference Committee on Proceeds of Crime Bill, 2019:

Motion made and Question proposed, "That the House do receive the Report of the Conference Committee on a Bill for an Act to make Comprehensive Provisions for the Confiscation, Forfeiture and Management of Properties Derived from unlawful activities; and for Related Matters" (Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency).

Agreed to.

Report laid.

6. A Bill for an Act to Provide for the Establishment of the Federal University of Technology, Ogoja; and for Related Matters (HB. 1293) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Federal University of Technology, Ogoja; and for Related Matters (HB. 1293) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

7. A Bill for an Act to Amend the Provisions of the Electoral Act, No. 6, 2010; and for Related Matters — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Amend the Provisions of the Electoral Act, No. 6, 2010; and for Related Matters be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

8. A Bill for an Act to Establish the National Institute of Credit Administration; and for Related Matters (HB. 425) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Establish the National Institute of Credit Administration; and for Related Matters (HB. 425) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

9. A Bill for an Act to Amend the Federal Character Commission (Establishment, Etc.) Act, Cap. F7, Laws of the Federation of Nigeria, 2004, to give Married Women Option of Indigeneship; and for Related Matters (HB. 1190) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Amend the Federal Character Commission (Establishment, Etc.) Act, Cap. F7, Laws of the Federation of Nigeria, 2004, to give Married Women Option of Indigeneship; and for Related Matters (HB. 1190) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

10. A Bill for an Act to Establish the 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) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Establish the 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) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

11. 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 Materials Research and Development Council Bill; and for Related Matters (HB. 1220) — *Third Reading*

Motion made and Question proposed, "That 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 Materials Research and Development Council Bill; and for Related Matters (HB. 1220) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

12. A Bill for an Act to Establish the Chartered Institute of Directors of Nigeria to Provide Training for Persons serving as Directors in both Public and Private Sectors to ensure Professionalism, Promote Corporate Governance Values by the Directors, Efficient Service Delivery; and for Related Matters (HB. 1352) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Establish the Chartered Institute of Directors of Nigeria to Provide Training for Persons serving as Directors in both Public and Private Sectors to ensure Professionalism, Promote Corporate Governance Values by the Directors, Efficient Service Delivery; and for Related Matters (HB. 1352) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

13. A Bill for an Act to Amend the National Biosafety Management Agency Act, 2015 to enlarge the scope of its Application and include other evolving aspects of the applications of Modern Biotechnology in Nigeria with a view to preventing any adverse effects on Human Health and the Environment; and for Related Matters (HB.1578) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Amend the National Biosafety Management Agency Act, 2015 to enlarge the scope of its Application and include other evolving aspects of the applications of Modern Biotechnology in Nigeria with a view to preventing any adverse effects on Human Health and the Environment; and for Related Matters (HB.1578) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

14. A Bill for an Act to Amend the Usman Dan Fodio University, Sokoto Act, Cap. U14, Laws of the Federation of Nigeria, 2004 to specify the Minimum Qualification for the Chairman of the Governing Council, Ownership of Intellectual Property and to Provide for Pre-action Notice to the University Authority; and for Related Matters (HB.1110) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Amend the Usman Dan Fodio University, Sokoto Act, Cap. U14, Laws of the Federation of Nigeria, 2004 to specify the Minimum Qualification for the Chairman of the Governing Council, Ownership of Intellectual Property and to Provide for Pre-action Notice to the University Authority; and for Related Matters (HB.1110) be now read the Third Time" (*Hon. Femi Gbajabiamila — House Leader*).

Agreed to.

Bill read the Third Time and passed.

15. A Bill for an Act to Provide for the Establishment of the National Agency for Technology Management; and for Related Matters (HB. 1366) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the National Agency for Technology Management; and for Related Matters (HB. 1366) be now read the Third Time" (*Hon. Femi Gbajabiamila — House Leader*).

Agreed to.

Bill read the Third Time and passed.

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

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Nigeria Arabic Language Village as an Inter-University Centre for Arabic Language Studies; and for Related Matters (HB. 1489) be now read a Second Time" (*Hon. Femi Gbajabiamila — 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.

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

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Nigeria French Language Village as an Inter-University Centre for French Language Studies; and for Related Matters (HB. 1490) be now read a Second Time" (*Hon. Femi Gbajabiamila — 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.

18. A Bill for an Act to Amend the National Orientation Agency Act, Cap. N100, Laws of the Federation of Nigeria, 2004 to provide for an Operational Framework for the Global initiative for Harmony Corps in Order to Promote Inter-Ethnic Integration, Mediation, Peace-Building, Mutual Understanding, Patriotism for Peaceful Co-Existence; and for Related Matters (HB.1629) — *Second Reading*

Motion made and Question proposed, "That a Bill for an Act to Amend the National Orientation Agency Act, Cap. N100, Laws of the Federation of Nigeria, 2004 to provide for an Operational Framework for the Global initiative for Harmony Corps in Order to Promote Inter-Ethnic Integration, Mediation, Peace-Building, Mutual Understanding, Patriotism for Peaceful Co-Existence; and for Related Matters (HB.1629) be now read a Second Time" (*Hon. Femi Gbajabiamila — House Leader*).

Debate.

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

19. A Bill for an Act to amend the Industrial Development (Income Tax Relief) Act, Cap.17 Laws of the Federation of Nigeria, 2004 by allowing Companies that Expand their Operations in a Pioneer Industry or Product to Apply for a new Pioneer Status; and for Related Matters (HB. 1369) — *Second Reading*

Motion made and Question proposed, "That a Bill for an Act to amend the Industrial Development (Income Tax Relief) Act, Cap.17 Laws of the Federation of Nigeria, 2004 by allowing Companies that Expand their Operations in a Pioneer Industry or Product to Apply for a new Pioneer Status; and for Related Matters (HB. 1369) be now read a Second Time" (*Hon. Edward Pwajok Gyang — 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.

20. Re-Committal:

A Bill for an Act to Repeal the Companies and Allied Matters Act, Cap. C20, LFN, 2004 and Enact the Companies and Allied Matters Act, 2019 to Provide for the Incorporation of Companies, Limited Liability Partnerships, Limited Partnerships, Registration of Business Names together with Incorporation of Trustees of Certain Communities, Bodies, Associations and for Related Matters (HB. 1576)

Motion made and Question proposed:

The House:

Recalls that the Companies and Allied Matters Bill, 2019 was passed by both the Senate and the House of Representatives and forwarded to the President for assent;

Aware that the President made some observations which are germane to the full implementation of the Bill, when assented to;

Resolves to:

Re-commit same to the Committee of the Whole for reconsideration and passage, and rescind its decisions on Clauses 2 and 40 of the Bill and (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

21. Need for Intervention in the Illegal Oil Exploration, Environmental Pollution, Epidemic Outbreak and Communal Clash as a Result of Operation of Sterling Global Oil Company at Ogwu Ikpele in Ogbaru Federal Constituency of Anambra State

Motion made and Question proposed:

The House:

Notes that Ogwu Ikpele in Anambra State with huge deposit of Crude Oil shares boundary with Omoku, Okpai and Uchi in Rivers State;

Also notes that the people of Ogwu Ikpele and environs in particular, and Ogbaru in general are predominantly farmers and fishermen;

Aware that unknown to the people of Ogwu Ikpele, Sterling Global Oil Exploration and Energy Company is operating in their lands without Environmental Impact Assessment, Baseline Survey, Socio-Economic Impact Assessment and Corporate Social Responsibility;

Informed that the Oil Company has no site liaison office in Ogwu Ikpele or in any other place known to the people and its representatives schedule meetings with the people of Ogwu Ikpele only in Hotels;

Concerned that the activities of the oil company are causing environmental, air and water pollution in the area, thereby resulting in outbreak of respiratory tract infections, cholera, water borne diseases, coastal erosion and destruction of the ecosystem;

Also concerned that the Management of the Oil Company is instigating communal clashes capable of leading to loss of lives and destruction of properties in Ogwu Ikpele Community and its environs;

Resolves to:

- (i) Urge Sterling Global Oil Exploration and Energy Company to cease operations in Ogwu Ikpele pending the visit by the Committees;
- (ii) Mandate the Committees on Petroleum Resources (Downstream) and Environment and Habitat to visit the Community and the Exploration Sites of the Sterling Global Oil Exploration and Energy Company at Ogwu Ikpele in Ogbaru Federal Constituency, Anambra State with a view to ascertaining their legality and operational agreement in compliance with extant laws of the Federal Republic of Nigeria and report back within three weeks (*Hon. Chukwuka Onyema — Ogbaru Federal Constituency*).

Debate.

Amendment Proposed:

Leave out Prayer (ii), and *insert* a new Prayer (i) as follows:

“Constitute an *Ad-hoc* Committee to visit the Community and the Exploration Sites of the Sterling Global Oil Exploration and Energy Company at Ogwu Ikpele in Ogbaru Federal Constituency, Anambra State with a view to ascertaining their legality and operational agreement in compliance with extant laws of the Federal Republic of Nigeria and report back within two (2) weeks” (*Hon. Binta Bello — Kaltungo/Shangam Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that Ogwu Ikpele in Anambra State with huge deposit of Crude Oil shares boundary with Omoku, Okpai and Uchi in Rivers State;

Also noted that the people of Ogwu Ikpele and environs in particular, and Ogbaru in general are predominantly farmers and fishermen;

Aware that unknown to the people of Ogwu Ikpele, Sterling Global Oil Exploration and Energy Company is operating in their lands without Environmental Impact Assessment, Baseline Survey, Socio-Economic Impact Assessment and Corporate Social Responsibility;

Informed that the Oil Company has no site liaison office in Ogwu Ikpele or in any other place known to the people and its representatives schedule meetings with the people of Ogwu Ikpele only in Hotels;

Concerned that the activities of the oil company are causing environmental, air and water pollution in the area, thereby resulting in outbreak of respiratory tract infections, cholera, water borne diseases, coastal erosion and destruction of the ecosystem;

Also concerned that the Management of the Oil Company is instigating communal clashes capable of leading to loss of lives and destruction of properties in Ogwu Ikpele Community and its environs;

Resolved to:

- (i) constitute an *Ad-hoc* Committee to visit the Community and the Exploration Sites of the Sterling Global Oil Exploration and Energy Company at Ogwu Ikpele in Ogbaru Federal Constituency, Anambra State with a view to ascertaining their legality and operational agreement in compliance with extant laws of the Federal Republic of Nigeria and report back within two (2) weeks; and
- (ii) urge Sterling Global Oil Exploration and Energy Company to cease operations in Ogwu Ikpele pending the visit by the Committee (HR. 28/05/2019).

Ad-hoc Committee on the Need for Intervention in the Illegal Oil Exploration, Environmental Pollution, Epidemic Outbreak and Communal Clash as a result of Operation of Sterling Global Oil Company at Ogwu Ikpele in Ogbaru Federal Constituency of Anambra State:

Mr Speaker announced membership of the Ad-hoc Committee as follows:

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|-----|-----------------------------|---|-----------------|
| (1) | Hon. Yakubu Barde | — | <i>Chairman</i> |
| (2) | Hon. Binta Bello | — | <i>Member</i> |
| (3) | Hon. Bamgbose Joseph | — | <i>Member</i> |
| (4) | Hon. Hassan Saleh Anthony | — | <i>Member</i> |
| (5) | Hon. Danburam Abubakar Nuhu | — | <i>Member</i> |
| (6) | Hon. Uduyok Francis Charles | — | <i>Member</i> |
| (7) | Hon. Chukwuemeka Ujam | — | <i>Member</i> |
| (8) | Hon. Chukwuka Onyema | — | <i>Member</i> |

22. Need to Provide Budgetary Appropriations in Lieu of Compensation Owed Deffino Anthonio-Da Meranda and Family Members for the Acquisition of their Land by the University Of Lagos, Akoka, Lagos State

Motion made and Question proposed:

The House:

Recalls that it adopted a Resolution on the Report of the Committee on Public Petitions concerning the lingering issue of non-payment of compensation by the University of Lagos to the families of Delfino Anthonio-Da Meranda and Ogunbode Eleye for the acquisition of their land;

Informed that the Committee on Legislative Compliance communicated to the Federal Ministry of Power, Works and Housing which is expected to implement provisions of the House Resolution on behalf of the Federal Government, vide a letter referenced NASS/HR/8/CT.63/5 and dated 17 April, 2019;

Also informed that the Federal Ministry of Power, Works and Housing acknowledged receipt of the correspondence in this regard and thereby reverted its decision to comply with the directives of the House, particularly to pay the reviewed compensation to the families, vide a letter referenced E71/4/VOL.1/198 and dated 11 December, 2018;

Notes that the recommendations which provide, among others, the payment of the reviewed amount as compensation to the affected families has not been implemented, and the said compensation is not captured under the Ministry's sub-head in the Appropriations Bill, 2019 recently passed by the National Assembly;

Also notes that the failure of the University of Lagos to pay compensation to Delfino Anthonio-Da Meranda and Ogunbode Eleye Families has lingered since 1962, thus making current payment of the initial cost of the land, which was ₦118,637,118.83 (One Hundred and Eighteen Million, Six Hundred and Thirty-Seven Thousand, One Hundred and Eighteen Naira, Eighty-Three Kobo) only, a disservice to the affected families given that the current market value of the land is put at ₦5,300,000,000 (Five Billion, Three Hundred Million Naira) only;

Believes that the continuous non-payment of compensation to the families raises questions on the integrity of the federal government and also violates the intent and purposes of the Public Lands Acquisition Act;

Desirous to put an end to this lingering issue, so as to avoid further denting of the Federal Government's image as well as ensure peace and harmonious co-existence between the two parties.

Resolves to:

- (i) urge the Federal Ministry of Power, Works and Housing to make provision for the sum of ₦2,000,000,000 (Two Billion Naira) only (considering the current market value of the land) in a subsequent supplementary budget, being reasonable amount of funds for payment of compensation to the families of Delfino Anthonio-Da Meranda and Ogunbode Eleye; and
- (ii) also urge the Federal Ministry of Power, Works and Housing to make provision for the sum of ₦2,000,000,000 (Two Billion Naira) only (considering the current market value of the land) in its 2020 Budget proposal, being reasonable amount of funds for payment of compensation to the families of Delfino Anthonio-Da Meranda and Ogunbode Eleye (*Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West Federal Constituency*).

Debate.

Agreed to.

The House:

Recalled that it adopted a Resolution on the Report of the Committee on Public Petitions concerning the lingering issue of non-payment of compensation by the University of Lagos to the families of Delfino Anthonio-Da Meranda and Ogunbode Eleye for the acquisition of their land;

Informed that the Committee on Legislative Compliance communicated to the Federal Ministry of Power, Works and Housing which is expected to implement provisions of the House Resolution on behalf of the Federal Government, vide a letter referenced NASS/HR/8/CT.63/5 and dated 17 April, 2019;

Also informed that the Federal Ministry of Power, Works and Housing acknowledged receipt of the correspondence in this regard and thereby reverted its decision to comply with the directives of the House, particularly to pay the reviewed compensation to the families, vide a letter referenced E71/4/VOL.1/198 and dated 11 December, 2018;

Noted that the recommendations which provide, among others, the payment of the reviewed amount as compensation to the affected families has not been implemented, and the said compensation is not captured under the Ministry's sub-head in the Appropriations Bill, 2019 recently passed by the National Assembly;

Also noted that the failure of the University of Lagos to pay compensation to Delfino Anthonio-Da Meranda and Ogunbode Eleye Families has lingered since 1962, thus making current payment of the initial cost of the land, which was ₦118,637,118.83 (One Hundred and Eighteen Million, Six Hundred and Thirty-Seven Thousand, One Hundred and Eighteen Naira, Eighty-Three Kobo) only, a disservice to the affected families given that the current market value of the land is put at ₦5,300,000,000 (Five Billion, Three Hundred Million Naira) only;

Believed that the continuous non-payment of compensation to the families raises questions on the integrity of the federal government and also violates the intent and purposes of the Public Lands Acquisition Act;

Desirous to put an end to this lingering issue, so as to avoid further denting of the Federal Government's image as well as ensure peace and harmonious co-existence between the two parties.

Resolved to:

- (i) urge the Federal Ministry of Power, Works and Housing to make provision for the sum of ₦2,000,000,000 (Two Billion Naira) only (considering the current market value of the land) in a subsequent supplementary budget, being reasonable amount of funds for payment of compensation to the families of Delfino Anthonio-Da Meranda and Ogunbode Eleye;
- (ii) also urge the Federal Ministry of Power, Works and Housing to make provision for the sum of ₦2,000,000,000 (Two Billion Naira) only (considering the current market value of the land) in its 2020 Budget proposal, being reasonable amount of funds for payment of compensation to the families of Delfino Anthonio-Da Meranda and Ogunbode Eleye (HR. 29/05/2019).

23. Need to Investigate the Fraudulent Activities in the Presidential Amnesty Programme

Motion made and Question proposed:

The House:

Notes that the Presidential Amnesty Programme is a lofty initiative introduced by the Federal Government to quell armed struggles by Niger Delta Agitators for a better deal in the Nation's Oil producing areas;

Aware that the Programme's cardinal objective is to grant pardon to Agitators and to rehabilitate them through productive ventures in order to build capacity, capabilities and competence in the Youths of the Nigeria Delta;

Informed that since the proclamation of the Amnesty Programme, the Federal Government has spent a lot of resources in training many Youths of the Area both locally and internationally; and recently, the Federal Government paid the sum N8.5 Billion into the Presidential Amnesty Programme's TSA Account for the execution of this lofty idea;

Concerned by Media reports and outcry of massive looting at the Kaiama Amnesty Centre between 14 and 16 February, 2019, where Security Agents, the Coordinator of the Centre and unknown persons were alleged to have carted away equipment worth billions of Naira in the Starter Pack Warehouse allegedly to the Knowledge of the Special Adviser on Amnesty to the President;

Also concerned about media reports of massive corruption and outright embezzlement of funds meant for the execution of the Programme's objectives, hence it has become imperative to investigate these allegations for the good of the Niger Delta people and the Nation at large;

Further concerned that failure of the House to act timeously could lead the Amnesty Programme to suffer wreckage and the essence of the programme eroded;

Resolves to:

Set up an *Ad-hoc* Committee to investigate the allegations and report back within two (2) weeks (*Hon. Tajudeen Adekunle Obasa — Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the Presidential Amnesty Programme is a lofty initiative introduced by the Federal Government to quell armed struggles by Niger Delta Agitators for a better deal in the Nation's Oil producing areas;

Aware that the Programme's cardinal objective is to grant pardon to Agitators and to rehabilitate them through productive ventures in order to build capacity, capabilities and competence in the Youths of the Nigeria Delta;

Informed that since the proclamation of the Amnesty Programme, the Federal Government has spent a lot of resources in training many Youths of the Area both locally and internationally; and recently, the Federal Government paid the sum ₦8.5 Billion into the Presidential Amnesty Programme's TSA Account for the execution of this lofty idea;

Concerned by Media reports and outcry of massive looting at the Kaiama Amnesty Centre between 14 and 16 February, 2019, where Security Agents, the Coordinator of the Centre and unknown persons were alleged to have carted away equipment worth billions of Naira in the Starter Pack Warehouse allegedly to the Knowledge of the Special Adviser on Amnesty to the President;

Also concerned about media reports of massive corruption and outright embezzlement of funds meant for the execution of the Programme's objectives, hence it has become imperative to investigate these allegations for the good of the Niger Delta people and the Nation at large;

Further concerned that failure of the House to act timeously could lead the Amnesty Programme to suffer wreckage and the essence of the programme eroded;

Resolved to:

Set up an *Ad-hoc* Committee to investigate the allegations and report back within two (2) weeks (HR. 30/05/2019).

Ad-hoc Committee on the Need to Investigate the Fraudulent Activities in the Presidential Amnesty Programme):

Mr Speaker announced membership of the Committee as follows:

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| (1) | Hon. Sheriff Mohammed | — | Chairman |
| (2) | Hon. Uchechukwu Nnam-Obi | — | Member |
| (3) | Hon. Abiante Awaji-Inombek Dagomie | — | Member |
| (4) | Hon. Randolph Brown Iwo Oruene | — | Member |
| (5) | Hon. Diri Douye | — | Member |
| (6) | Hon. Agbedi Frederick | — | Member |
| (7) | Hon. Sunday Marshall Katung | — | Member |

24. Suspension of Order Seven, Rule 2 (2)

Motion made and Question proposed, "That the House do suspend Order Seven, Rule 2 (2) to enable Mr Speaker preside in the Committee of the Whole" (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

Agreed to.

25. Consideration of Reports

- (i) *A Bill for an Act to Provide for the Establishment of Data Protection Commission charged with Responsibility for the Protection of Personal Data and Data Subjects' Rights and Regulation of the Processing of Personal Information; and for Related Matters (HB. 02) (Committee of the Whole):*

Motion made and Question proposed, "That the House do resume consideration of the Report on a Bill for an Act to Provide for the Establishment of Data Protection Commission charged with Responsibility for the Protection of Personal Data and Data Subjects' Rights and Regulation of the Processing of Personal Information; and for Related Matters (HB. 02)" (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE
DATA PROTECTION COMMISSION CHARGED WITH THE RESPONSIBILITY FOR
THE PROTECTION OF PERSONAL DATA AND DATA SUBJECTS' RIGHTS AND
THE REGULATION OF THE PROCESSING OF PERSONAL INFORMATION;
AND FOR RELATED MATTERS (HB. 02)

Clause 16: Removal and Discipline of Staff.

The removal and discipline of staff shall be in accordance with existing Public Service Rules and Regulations (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole resumed consideration of the Report on a Bill for an Act to Provide for Establishment of Data Protection Commission charged with Responsibility for the Protection of Personal Data and Data Subjects' Rights and Regulation of the Processing of Personal Information; and for Related Matters (HB. 02) and approved Clause 16 of the Bill.

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

(ii) Report of the Conference Committee on Proceeds of Crime Bill, 2019:

Motion made and Question proposed, "That the House do consider the Report of the Conference Committee on a Bill for an Act to make Comprehensive Provisions for the Confiscation, Forfeiture and Management of Properties Derived from unlawful activities; and for Related Matters and approve the recommendations therein"(Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency).

Part I — Objectives and Application of the Bill: House Version adopted.

Part II — Proceeds of Crimes Recover and Management Agency: Senate Version adopted.

Part III— Civil Forfeitures: Senate version adopted.

Part IV — Additional Investigation Powers of Civil Recovery: House Version adopted

Part V — Recover of Cash being Imported or Exported: House Version adopted.

Part VI — Criminal Forfeiture and Confiscation: House Version adopted.

Part VII — Investigation, Search and Seizure: House Version adopted.

Part VIII — Administration: Senate Version adopted.

Part IX — Confiscated and Forfeited Properties Account: Senation Version adopted.

Part X — Jurisdiction: House Version adopted.

Part XI — General Provisions Relating to Legal Proceedings: House Version Adopted.

Part XII — Miscellaneous: House Version adopted (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 Speaker in the Chair)

A BILL FOR AN ACT TO MAKE COMPREHENSIVE PROVISIONS FOR THE
CONFISCATION, FORFEITURE AND MANAGEMENT OF PROPERTIES
DERIVED FROM UNLAWFUL ACTIVITIES; AND FOR RELATED MATTERS

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Conference Committee on a Bill for an Act to make Comprehensive Provisions for the Confiscation, Forfeiture and Management of Properties Derived from unlawful activities; 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.

- (iii) *A Bill for an Act to Amend the Provisions of the River Basins Development Authorities Act, Cap. R9, LFN, 2004 for Equitable Distribution of River Basin Development Authorities in Nigeria; and for Related Matters (HB. 1485) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the Provisions of the River Basins Development Authorities Act, Cap. R9 LFN, 2004 for Equitable Distribution of River Basin Development Authorities in Nigeria; and for Related Matters (HB. 1485)" (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE PROVISIONS OF THE RIVER BASINS DEVELOPMENT AUTHORITIES ACT, CAP. R9, LFN, 2004 FOR EQUITABLE DISTRIBUTION OF RIVER BASIN DEVELOPMENT AUTHORITIES IN NIGERIA AND OTHER MATTERS CONNECTED THEREWITH (HB. 1485)

- Clause 1:** **Amendment of River Basins Development Authorities Act, Cap. R9, LFN, 2004.**
The River Basins Development Authorities Act Cap R9 LFN, 2004 (Amendment) Bill 2018 (in this Bill referred to as the "Principal Act") is amended as set out in 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:** **Amendment of Section 1.**
Section 1 (1) of the Principal Act is amended by substituting the word "twelve" in line 1 with the word "thirteen":

There are hereby established "Thirteen" authorities to be known by the names specified in column 1 of the First Schedule to this Bill which shall have powers and exercise such functions as are specified in this Bill. [First Schedule] (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

- Clause 3:** **Amendment of Section 2.**
Section 2 (1) (b) of the Principal Act is amended by substituting the words "General Manager" with the words "Managing Director".

- (b) the "Managing Director" of the Authority; and (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 4: Amendment of Section 3.

Section 3 of the Principal Act is amended by substituting the word "three" with the word "four" in subsection (1) and inserting the words "not being a public officer" between the words "member" and "may" in line 1 of subsection (2):

- (1) A member shall hold office for a period of "four" years from the date of his appointment and shall be eligible for re-appointment for one further term of three years and thereafter he shall no longer be eligible for re-appointment.
- (2) A member "not being a public officer" may resign his appointment by a letter addressed to the Minister (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 5: Insertion of new Section 4.

Inserting a new Section 4 "Remuneration":

"4. Remuneration.

- (1) Members of the Board shall be paid such remuneration and allowances as may be determined by the Salaries and Wages Commission.
- (2) The Minister may make recommendations to the President which if approved shall empower the Minister to declare in writing the position of a member vacant, where:
- (a) it appears to the Minister that a member of the Board be removed from office on grounds of misconduct or inability to perform the functions of his/her office;
- (b) the Minister is satisfied that the continued presence on the Board of any member is not in the national interest or interest of the authority" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 6: Amendment of section 6.

Section 6 (1) of the Principal Act is amended by renumbering it as new Section 7 (1) and substituting the words "General Manager" with the words "Managing Director":

For each Authority there shall be a "Managing Director" who shall be the Chief Executive and who shall be appointed by the President (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 7: Amendment of Second Schedule.

The Second Schedule to this Bill has been amended:

Proceedings of the Authorities

Number (1) by deleting "Section 27" after the word "Act" in line 1 and deleting (Cap. I23) and substituting it with "1964 No.1" at the end of the Section:

Subject to the provisions of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of its members and for the person presiding to have a casting vote) each Authority may make standing orders regulating the proceedings of the Authority or any committee thereof. 1964 No. 1.

Number (4) by substituting the word "three" with the word "four" in line 1:

The quorum for meeting of each Authority shall be the chairman and Four other members and the quorum for any meeting of a committee of the Authority shall be determined by the Authority.

Number (5) by substituting the word "two" with the word "four" in line 1:

Each Authority shall meet not less than four times in each year and on such other occasions as the Authority may consider necessary.

Advisory Committee and Other Committees

Number (7) (1) (a) by substituting the words "General Manager" with the words "Managing Director".

- (b) by substituting the words "Federal Department of Water Resources" with the words "Federal Ministry of Water Resources".
- (c) by inserting the words "Ministries of Water Resources, Agriculture" immediately after the word "the " in line 1.
- (d) by inserting the words "as may be determined by the Authority", immediately after the word Authority, in line 2:

"(1) Each Authority shall establish an Advisory Committee which shall consist of —

- (a) the Managing Director of the Authority who shall be chairman;
- (b) the Zonal Officer of the Federal Ministry of Water Resources;
- (c) the heads of the following Divisions of the Ministries of Water Resources, Agriculture and Natural Resources of each State in the area of operation of the Authority —
 - (i) Agriculture;
 - (ii) Irrigation;
 - (iii) Fisheries;

(iv) Veterinary Services and Livestock.

(d) the directors of research institute conducting research relevant to the work of the Authority, as may be determined by the Authority, or their representatives;"

Number 7 (3) (a) by deleting the number 4 and replacing it with the number 5 after the words "mentioned in" in line 1:

(c) by deleting the words "Ministry of Agriculture and Natural Resources" and substituting for it the words "Ministry of Water Resources".

"(3) It shall be the function of the Advisory Committee to advise the Authority with respect to —

(a) the matters mentioned in Section 5 of this Bill generally;

(b) the co-ordination of the activities of the Authority and the Ministry of Water Resources, operation of the Authority; and" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 8: Short Title.

This Bill may be cited as the River Basins Development Authorities Act (Amendment) Bill, 2019 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

<i>Name of Authority</i>	<i>Area of Operation</i>	<i>Headquarters</i>
Anambra RBDA	The whole of Anambra, Enugu and Ebonyi States	Enugu
Benin-Owena RBDA	The whole of Edo, Ekiti, Ondo states and area of Delta State drained by the Benin, Escravos, Forcados and Ramos Rivers creek systems	Benin
Chad Basin RBDA	The whole of Borno and Yobe States and area of Adamawa State drained by the Yedseram and Goma Rivers system	Maiduguri
Cross River RBDA	The whole of Akwa Ibom and Cross River States	Calabar
Hadejia Jama'are RBDA	The whole of Jigawa, and Kano States, and the area of Bauchi State drained by the Jama'are and Misau Rivers systems.	Kano
Imo River RBDA	The whole of Abia and Imo States	Owerri
Lower Benue RBDA	The whole of Benue, Nasarawa and Plateau State	Makurdi
Lower Niger RBDA	The whole of Kwara and Kogi States	Ilorin

Niger Delta RBDA	The whole of Rivers, Bayelsa and part of Delta States	Port Harcourt
Ogun-Osun RBDA	The whole of Lagos, Ogun, Osun and Oyo States	Abeokuta
Sokoto-Rima RBDA	The whole of Katsina, Kebbi, Sokoto and Zamfara States.	Sokoto
Upper Benue RBDA	The whole of Gombe and Taraba States and the area of Bauchi State drained by the Gongola River system and the whole of Adamawa excluding the area drained by the Yedseram River system	Yola
Upper Niger RBDA	The whole of Niger and Kaduna States and the Federal Capital Territory (<i>Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency</i>).	Minna

Agreed to.

Explanatory Note:

(This note does not form part of the above act, but is intended to explain its power)

This Bill repeals the River Basin Development Authorities Decree No. 35 of 1987 and establishes the River Basin Development Authorities listed in Schedule 1 thereto.

The Authorities are among other things to undertake Comprehensive development of both surface and underground water resources for multi-purpose use (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Provisions of the River Basins Development Authorities Act, Cap. R9, LFN, 2004 for Equitable Distribution of River Basin Development Authorities in Nigeria and Other Matters Connected Therewith (HB. 1485) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Provisions of the River Basins Development Authorities Act, Cap. R9 LFN, 2004 for Equitable Distribution of River Basin Development Authorities in Nigeria; and for Related Matters (HB 1485) and approved Clauses 1 - 8, 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 Establish the Nigerian Council for Psychologists; and for Related Matters (HB. 1620) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish the Nigerian Council for Psychologists; and for Related Matters (HB 1620)" (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

**A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN COUNCIL FOR
PSYCHOLOGISTS, AND FOR OTHER RELATED MATTERS (HB. 1620)**

**PART I — ESTABLISHMENT OF THE NIGERIAN COUNCIL FOR
PSYCHOLOGIST, POWERS AND FUNCTIONS, ETC.**

Clause 1: Establishment of the Council.

- (1) There is established the Nigerian Council for Psychologists (in this Bill referred to as "the Council") which shall be a body corporate under that name and be charged with the general duty of:
- (2) The Council:
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name; and
 - (c) may acquire, hold and dispose of any property, movable and immovable (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 2: Functions of the Council.

The Council shall be responsible for:

- (a) determining the standards of knowledge and skill to be attained by persons seeking to become registered members of the Psychology profession (in this Bill referred to as the "the profession") and reviewing those standards as circumstances may require;
- (b) securing, in accordance with the provisions of this Bill, the establishment and maintenance of registers of persons entitled to practice as members of the profession; and the publication of lists of these persons;
- (c) preparing and reviewing a statement as to the Code of Conduct which the Council considers desirable for the practise of psychology profession;
- (d) regulating and controlling the practice of the profession in all its aspects and ramifications; and
- (e) performing such other functions as may be required of the Council under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 3: Membership of the Council.

- (1) Subject to the provisions of this Bill, persons admitted to membership of the Council shall be registered as members in any of the following in the category of:
 - (a) Fellow;
 - (b) Associate Fellow;
 - (c) Chartered Member;
 - (d) Member; or
 - (e) Graduate Member.
- (2) Subject to the fulfillment of all other conditions set out by the Council, persons registered under the Bill as members are entitled to be enrolled as:
 - (a) Fellow, if for the period of not less than five years immediately preceding the date of admission as an Associate Fellow, he/she still practices as a Psychologist.
 - (b) Associate Fellow, if for the period of not less than five years immediately preceding the date of admission as a Chartered Member, he/she is still actively involved in practice as a Psychologist.
 - (c) Chartered Member, if for the period of not less than five years immediately preceding the date of admission as a Member, he/she is still actively involved in the practice as a Psychologist.
 - (d) Member, if for the period of not less than two years immediately preceding the date of admission as a Graduate Member, he/she is still actively involved in practice.
 - (e) Graduate Member, for those who have successfully completed the programme for Master of Science in Psychology in any recognised institution and are fit to be enrolled shall apply to the Council apply for same through their Department and be admitted on the next induction ceremony (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART II — ESTABLISHMENT OF THE GOVERNING BOARD OF THE COUNCIL**Clause 4: Establishment of the Governing Board.**

- (1) There is established for the Council a Governing Board (in this Bill referred to as "the Board") consisting of:
 - (a) the Chairman and a Vice Chairman who shall be qualified Fellows of the Nigerian Council for Psychologists of not less than 17 years post-registration or qualification experience and shall be elected at the Annual General Meeting (AGM) of the Council;
 - (b) the representative of the Federal Ministry of Health who shall be a fully registered Psychologist;

- (c) 12 members of the Nigerian Psychological Association, representing the six (6) geopolitical zones of Nigeria, with two persons representing each zone respectively on rotational basis, and the two of them shall not come from a particular State at the same time;
- (d) three registered members representing the Nigerian Universities offering any field of psychology as an option in their Master's programme, on a rotational basis;
- (e) two representatives of the private practitioners in Psychology who shall be registered with the Association;
- (f) three representatives of the Association (President, Vice-President and Secretary);
- (g) three representatives of the Armed Forces Medical Services who shall be registered psychologists;
- (h) a registered psychologist, each to represent the:
 - (i) Nigerian Prisons Service,
 - (ii) Nigeria Police,
 - (iii) State Security Service,
 - (iv) Nigerian Immigration Service, and
 - (v) Nigerian Custom Service;
- (i) five representatives of the Hospitals which include Teaching Hospitals, Psychiatric Hospitals, and other Specialist Hospitals where Psychology Department, Unit or Section exists and take part in the training of Psychologists and such representation shall have national spread; and
- (j) 10 members representing different Divisions of the Nigerian Psychological Association, who shall be registered as Psychologists, and not less than Chartered Member - section 3 (2) (c) of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 5: Tenure of office of the Chairman and Vice Chairman.

- (1) The Chairman and the Vice Chairman shall each hold office for a term of three years from the date of appointment and shall be eligible for re-appointment for one more term and no more.
- (2) The Chairman shall preside over all meetings of the Council, but in the event of death, incapacity or inability or for other reason, a new Chairman shall be appointed for the unexpired portion of the term of office of the erstwhile Chairman.

- (3) The provisions of the First Schedule to this Bill shall have effect with respect to the qualifications and tenure of office of members of the Council and other matters mentioned in the Schedule (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Amendment Proposed:

In Clause 5 (1), line 2, immediately after the words " term of", *leave out* the word "three" and *insert* the word "four" (*Hon. Zakari Mohammed — Baruten/Kaima Federal Constituency*).

Question that the amendment be made — Agreed to.

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

PART III — FINANCIAL PROVISIONS

Clause 6: Funds of the Council.

- (1) The Council shall establish and maintain a fund (in this Bill referred to as "the Fund") for the purpose of this Bill.
- (2) There shall be paid into the Fund:
- (a) all fees and other money payable to the Council under this Bill; and
- (b) such money as may be payable to the Council, whether in the course of the performance of its functions or otherwise.
- (3) There shall be paid out of the Fund of the Council:
- (a) the remuneration and allowances of the Registrar and other employees of the Council;
- (b) such reasonable travelling and subsistence allowance of members of the Council in respect of the time spent on the business of the Council as the Council may approve.
- (c) any other expenses incurred by the Council in the discharge of its functions under this Bill.
- (4) The Council may invest moneys in the fund in any security created or issued by or on behalf of the Federal Government or in any other securities in Nigeria approved by the Council.
- (5) The Council may, from time to time, borrow money for the purposes the Council and any interest payable on money so borrowed shall be paid out of the fund (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 7: Accounts, records and audit.

The Council shall keep proper accounts and records in respect of each year and shall cause its accounts to be audited, as soon as may be after the end of the year to which the accounts relate, by a firm of auditors appointed from the list and in accordance with guidelines supplied by the Auditor-General of the Federation (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART IV — APPOINTMENT OF THE REGISTRAR, DUTIES AND
FUNCTIONS AND THE PREPARATION OF THE REGISTER

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

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

Clause 8: Appointment of the Registrar, his duties and functions.

- (1) The Council shall appoint a fit and proper person to be the Registrar for the purposes of this Bill, and such other persons as the Council may, deems think necessary to assist the Registrar in the performance of his function under this Bill on terms and conditions of service determined by the Council.
- (2) The Registrar shall:
 - (a) be a citizen of Nigeria;
 - (b) possess a minimum qualification of second degree in psychology or in any relevant field from a recognised institution of higher learning; and
 - (c) have at least 10 years cognate experience and possess any professional qualification as the Council may deem fit.
- (3) If the Registrar retires or resigns from office, a qualified member of the Council shall be appointed by the Board as the Registrar of the Council.

The Deputy Registrars.

- (4) There shall be the offices of the Deputy Registrars who shall be administrative heads in each of the six geopolitical zones of Nigeria for the purposes of smooth administration of the Council at the zones and for such other duties that may be important and assigned by either the Council or Registrar.
- (5) The Deputy Registrars shall fulfill the conditions stipulated under subsection (2) of this section to qualify for appointments.
- (6) The Registrar shall be the Secretary to the Council and to the Disciplinary Tribunal.
- (7) The Registrar shall prepare and maintain, in accordance with rules made by the council:
 - (a) a register of the names, addresses, approved qualifications, and of such other qualifications and particulars as may be specified in the rules of all persons who are entitled, in accordance with the provisions of this Bill to be enrolled as Fellow, Associate Fellow, Chartered Member, Member, Graduate Member, and who, in the manner prescribed by such rules, applies to be so registered; and
 - (b) a register of the institutions or organisations where members of the profession engage in their practice.

- (8) The register shall consist of six parts :
- (a) first part shall be in respect of Fellow;
 - (b) second part shall be in respect of Associate Fellow;
 - (c) third part shall be in respect of Chartered Member
 - (d) fourth part shall be in respect of Member;
 - (e) fifth part shall be in respect of Graduate Member; and
 - (f) sixth part shall be in respect of the premises of members.
- (9) Subject to the provisions of this section, the Council shall make rules with respect to the form, keeping of the register and the making of entries therein, and in particular:
- (a) regulate the making of applications for enrolment of registration, as the case may be, and providing for the evidence to be produced in support of such applications;
 - (b) provide for the notification to the Registrar, by the person to whom the registered particulars relate, of any change in those particulars;
 - (c) authorise a registered person to have any qualification which is in relation to the profession, whether an approved qualification or an accepted qualification for the purposes of this Bill, registered in relation to name in addition to, or as he or she may elect, in substitution for any other qualification so registered;
 - (d) specify the fees, including any annual subscription, to be paid to the Council in respect of the entry of names on the register, and authorising the Registrar to refuse to enter a name on the register until the fee specified for the entry has been paid;
 - (e) specify anything not specified under this section, but rules made for the purposes of paragraph (d) of this subsection shall not come into force until they are confirmed at the Annual General Meeting of the Nigerian Psychological Association.
- (10) The Registrar shall:
- (a) to correct, in accordance with the Council's directions, any entry in the register which the Council directs him or her to correct as being in the Council's opinion an entry which was incorrectly made;
 - (b) to make any necessary alteration to the registered particulars of registered persons and institution or organisation;
 - (c) to remove from the register the name of any registered person who has died or the person whose temporary registration has ceased; and

- (d) to record the names of registered persons who are in default for more than six months in the payment of annual dues, and take such action in relation the default (including removal of the names of defaulters from the register) as the Council may direct or require.
- (11) The Registrar may remove the particulars relating to the person in question from the register if the Registrar:
 - (a) sends by post to any registered person a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within six months from the date of posting it, and
 - (b) upon the expiration of that period, sends, in the like manner to the person in question, a second similar letter and receives no reply to that letter within three months from the date of posting it,

the Registrar may remove the particulars relating to the person in question from the relevant part of the register; and
- (12) Notwithstanding the provisions of subsection (a) and (b) of this subsection notwithstanding, the Council may direct the Registrar to restore to the appropriate part of the register any particulars removed
- (13) When a person's name is entered on the register of Psychologists maintained under this section, that person shall thereupon be taken to become a member of the Nigerian Council for Psychologists (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 9: Publication of the Register.

- (1) The Registrar shall:
 - (a) cause the register to be printed, published and put on sale to members of the public, not later than two years from the commencement of this Bill;
 - (b) thereafter in each year, cause to be printed, published and put on sale, either a corrected edition of the register or a list of connections made to the register, since it was last printed;
 - (c) cause a print of each edition of the register and of each list of corrections to be deposited at the principal offices of the Council; and
 - (d) keep the register and lists so deposited open to members of the public at all reasonable times for inspection.
- (2) A document purporting to be a print of an edition of the register published under this section by authority of the Registrar in the current year, or documents purporting to be prints of an edition of the register so published in the current year and of the list of corrections to that edition so published,

is (without prejudice to any other mode of proof) admissible in any proceeding as evidence that any person specified in the document, or the documents read together as being registered, was so registered at the date of the edition, or of the list of corrections, as the case may be, that any person not so specified was not so registered.

- (3) Where, in accordance with subsection (2), a person is, in any proceeding, shown to have been or not to have been registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those proceedings as having at all material times thereafter continued to be, or not to be so enrolled or registered (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART V — REGISTRATION

Clause 10: Registration of Members of the Council.

- (1) A person shall not hold any appointment or practise as a Psychologist in Nigeria, unless he is registered with and licensed by the Council under the provisions of this Bill.
- (2) A registered Psychologist shall be licensed, and is entitled to practise as a Psychologist in Nigeria either as:
- (a) a clinician;
 - (b) a researcher;
 - (c) scientist- practitioner;
 - (d) restricted or limited licensee.
- (3) Subject to section 12 of this Bill and rules made under section 8 (10) of this Bill, a person is entitled to be:
- (a) fully registered as a Psychologist under this Bill, if he:
 - (i) is a Nigerian citizen,
 - (ii) is of good character and a fit and proper person,
 - (iii) has attended a course of training approved by the Council under section 15 of this Bill, or the course was conducted at an institution approved by the Council,
 - (iv) holds a qualification approved by the Council,
 - (v) has undergone the statutory continuous internship training for not less than one year under a registered Psychologist approved by the Council for the purpose of internship or in an institution approved for that purpose by the Council and has obtained a certificate of experience,
 - (vi) holds a certificate of experience issued in pursuance of section 11 (1) (c) of this Bill, and

- (vii) pays the prescribed fee;
- (b) registered as a Fellow, if:
 - (i) he has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
 - (ii) he holds a qualification approved by the Council,
 - (iii) he has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose,
 - (iv) he shall have spent five years as Associate fellow, and
 - (v) pays the prescribed fee;
- (c) registered as an Associate Fellow, if:
 - (i) he has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
 - (ii) he holds a qualification approved by the Council,
 - (iii) he has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose,
 - (iv) he shall have spend five years as Chartered Member, and
 - (v) pays the prescribed fee;
- (d) registered as a Chartered Member, if:
 - (i) he has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
 - (ii) he holds a qualification approved by the Council,
 - (iii) he has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose,
 - (iv) he shall have spend five years as Member, and
 - (v) pays the prescribed fee.

- (e) registered as a Member, if:
 - (i) he has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
 - (ii) he holds a qualification approved by the Council,
 - (iii) he has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose, and
 - (iv) he shall have spend two years as Graduate Member, and
 - (v) pays the prescribed fee;
- (f) registered as a Graduate Member, if:
 - (i) he has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
 - (ii) he holds a qualification approved by the Council,
 - (iii) he is undergoing or has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose, and
 - (iv) pays the prescribed fee (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 11: Registration of Nigerians who are qualified outside Nigeria.

- (1) Subject to the provisions of section 10 of this Bill, a Nigerian citizen who qualified in an approved institution outside Nigeria is entitled to be fully registered under this Bill, if he satisfies the Council that:
 - (a) he holds a qualification granted outside Nigeria and for the time being accepted by the Council for the purposes of this subsection as regards the profession;
 - (b) in the country in which the qualification was granted he was under no legal disability in the practice of Psychology;
 - (c) he holds a certificate of registration as a Psychologist from the country of study;
 - (d) in addition to any other condition that may be prescribed by the Council, he had received instructions in an approved institution in Nigeria and passed such examination as the Council may prescribe;
 - (e) he pays the prescribed fee.

- (2) A person aggrieved by a decision of the Council made under this section may appeal to the Minister of Health within one month after notification of the refusal is communicated to him (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 12: Registration of non-citizens of Nigeria.

- (1) A person who is not a citizen of Nigeria may be registered as a Psychologist under this Bill if the country of which he is a citizen or national, as the case may be, grants reciprocal registration facilities to Nigerian citizens and if:
- (a) he holds a qualification approved by the Council;
 - (b) he has passed the Council's examination in law and ethics governing the practice of psychology in Nigeria and such other examinations as the Council may prescribe and before being registered acquires the required experience in accordance with section 11 (1) (a) of this Bill.
 - (c) has been resident in Nigeria for not less than 24 calendar months and must have enrolled or undergoing internship in Nigeria.
- (2) An applicant for registration shall, in addition to evidence of qualification, satisfy the Council that:
- (a) he is of good character;
 - (b) he has attained the age of 21 years;
 - (c) he has not been convicted in Nigeria or elsewhere of any offence involving fraud or dishonesty; and
 - (d) he has paid the prescribed fee.
- (3) The Council may, in its discretion, provisionally accept a qualification produced in respect of an application for registration under this section or direct that the application be renewed within such period as may be specified in the direction.
- (4) Any entry directed to be made in the register under sub-section (iii) of this section shall show that such registration is provisional and no entry so made shall be converted to full registration without the consent of the Council signified in writing in that respect (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 13: Public Registration in the Gazette.

The Council shall publish in the Official Gazette particulars of qualifications for the time being accepted for registration under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 14: Rules as to Practice.

- (1) No registered person shall practise as a Psychologist in any year unless he has paid to the Council in respect of that year the appropriate practising fee which shall be due every January as prescribed under this section:
 - (a) in the case of a Psychologist of not less than 15 years post-registration experience, ₦25,000.
 - (b) in the case of a Psychologist of less than 15 years but more than ten (10) years post-registration experience, ₦20,000.
 - (c) in the case of a Psychologist of ten (10) years post-registration experience and below, ₦10,000.
 - (d) in the case of a Psychologist undergoing internship training, ₦5,000.
 - (e) in the case of a Psychologist trained abroad and currently holding Bachelor of Psychology and masters in any field of Psychology who is back in Nigeria for the purpose of National Service Youth Corps (NYSC), during his year in the National Service Youth Corps scheme, ₦5,000.
- (2) Without prejudice to being fully registered, any Psychologist with at least 50 years post registration experience shall not pay practising fee.
- (3) Every fully registered Psychologist who has paid his registration fee as prescribed in subsection (1) or is exempted from payment of registration fee as in subsection (2) is entitled to an annual practising license authorising him subject to any regulation in force to practise in Nigeria.
- (4) The Council may, with the confirmation of the Minister of Health, vary the practising fees prescribed in subsection (1).
- (5) The Council shall share the aggregate amount collected as practising fees as follows:
 - (a) 70% to the Nigerian Psychological Association; and
 - (b) 30% to the Council.
- (6) Any Psychologist who, in respect of any year without paying the practising fee, practises as such commits an offence and is liable on conviction by a competent board of enquiry or court of law:
 - (a) in the case of a first offence, to a fine of twice the prescribed practicing fee; and
 - (b) in the case of second or subsequent offence to a fine of not less than ten times the prescribed practicing fee and if the Psychologist is in the employment of any person, the employer is also guilty of an offence punishable in like manner as the Psychologist if it is proved that the failure to pay the practicing fee was with his knowledge, consent and connivance (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 15: Approval of qualifications.

- (1) The Council may approve any institution (accredited by a recognised regulatory body such as the National Universities Commission) for the purposes of this Bill and may for those purposes approve:
 - (a) any course of training at any approved institution which is intended for persons seeking to become or are already Psychologist and which in the opinion of the Council is designed to confer on persons completing it sufficient knowledge and skill for the practice of the profession.
 - (b) any qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section is granted to candidates who reached a standard at the examination indicating in the opinion of the Council that the candidates have sufficient knowledge and skill to practice as a Psychologist.
- (2) The Council may, if it deems fit, withdraw any approval given under this section in respect of any course, qualification or institution, but before withdrawing such an approval, the Council shall:
 - (a) give notice that it proposes to do so to such person in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be;
 - (b) afford each such person an opportunity to make representation to the Council with regard to the proposal; and
 - (c) take into consideration any representation made as regards the proposal;
- (3) A course, qualification or institution shall not be treated as approved during the period the approval is withdrawn under subsection (2).
- (4) Notwithstanding the provisions of subsection (3), the withdrawal of an approval under subsection (2), shall not prejudice the registration or eligibility for registration of any person who, by virtue of the approval, was registered or eligible for registration (either unconditionally or subject to his obtaining a certificate of experience) immediately before the approval was withdrawn.
- (5) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving, or withdrawal of the approval, as the Council may specify in the instrument, and the Council shall:
 - (a) publish a copy of every such instrument in the Official Gazette; and
 - (b) not later than seven days before its publication as aforesaid, send a copy of the instrument to the Minister of Health (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 16: Supervision of instructions and examinations leading to approved qualifications.

- (1) The Council shall keep itself informed of the nature of the:
 - (a) instruction given at approved institutions to persons attending approved courses of training; and
 - (b) examination as a result of which approved qualifications are granted;
- (2) For the purposes of discharging that duty, the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions or to attend such examinations.
- (3) A Visitor under this section shall report to the Council on:
 - (a) the adequacy of the instruction given to persons attending approved courses of training at institutions visited by him;
 - (b) the adequacy of the examinations attended by him; and
 - (c) any other matters relating to the institutions or examinations on which the Council may, either generally or in a particular case, request him to report,but no such person shall interfere with the giving of any instructions or the holding of any examination.
- (4) On receiving, a report made under this section, the Council may, if it deems fit, and shall, if so required by the instructions, send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examinations to which the report relates, requesting that person to make observation on the report to the Council within such period as may be specified in the request, not being more than one month beginning with the date of the request.
- (5) There shall be established a College of Psychology (in this Bill referred to as "the College"), which shall be the training arm of the Nigerian Council for Psychologists where prospective members shall undergo training for a specified period of time and pass relevant examinations before induction into membership.
- (6) The College shall be headed by a Director-General who shall be appointed by the Board and the activities of the College shall be regulated by the Board.
- (7) There shall be other Directors and other relevant officers to be appointed by the Director-General with the approval of the Board for the smooth running of the College.
- (8) The conditions of service and the tenure of office of the Director-General and other Directors of the College shall be specified in their letters of appointment and be determined by the Board (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART VI — DUTIES OF PSYCHOLOGISTS

Clause 17: Duties of a Psychologist.

It is the exclusive duties of the psychologists, as defined by this Bill, to provide such professional services in line with their training and such duties include:

- (a) provision of psychological services involving psychological assessment using psychological tests;
- (b) provision of psychological treatment including psychotherapy, behaviour therapy, cognitive behaviour therapy psychoprophylaxis, psycheducation and all other treatment that are psychological in nature;
- (c) development, custody and use of psychological tests;
- (d) development and use of personality tests and assessment thereof for clinical, industrial or organisational, personnel evaluation and placement, educational, or for other uses where psychological variables of individuals are needed for relevant decisions;
- (e) conduct of psychological fitness to work tests;
- (f) development and use of intelligence test batteries; and
- (g) all other duties where certification as psychologists is required for effective competent performance and for public good in line with global practices (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART VII — PROFESSIONAL DISCIPLINE

Clause 18: Establishment of Investigating Panel and Disciplinary Tribunal.

- (1) There is established the Nigerian Council for Psychologists Investigating Panel (in the Bill referred to as "the Panel") charged with the duty of:
 - (a) conducting preliminary investigations into any case where it is alleged that a person registered has misbehaved in his capacity as a Psychologist or should for any other reason be the subject of proceedings before the Tribunal; and
 - (b) deciding whether the case should be referred to the Tribunal.
- (2) The Panel shall be constituted by the Board and shall consist of six members of the Council and one member of the Board who shall be the Chairman of the Panel.
- (3) There is established the Nigerian Council for Psychologists Disciplinary Tribunal (in this Bill referred to as "the Tribunal") charged with the duties of considering and determining any case referred to it by the Investigating Panel, established under subsection (3) and any other case, which the Tribunal takes cognizance of, under the provisions of this Bill.
- (4) The Tribunal shall consist of the Chairman of the Council and eight members of the Council appointed by the Board.

- (5) The provision of the Second Schedule to this Bill shall, so far as applicable to the Tribunal and Panel respectively, have effect with respect to those bodies.
- (6) The Council may make rules consistent with this Bill as to acts which constitute professional misconduct.
- (7) The Panel shall act independently in receiving and investigating allegations under subsection (3) (a) and shall have power to receive complaints directly from any individual or organisation.
- (8) A person shall not be appointed as a member of the Tribunal or Panel unless such a person is a Fellow of the Council (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 19: Penalties for professional misconduct.

- (1) Where:
 - (a) a person registered under this Bill is judged by the Tribunal to be guilty of infamous conduct in any professional respect, or
 - (b) a person registered under this Bill is convicted by any court or Tribunal in Nigeria or elsewhere having power to award imprisonment, of an offence (whether or not an offence punishable with imprisonment) which, in the opinion of the Tribunal, is incompatible with the status of a Psychologist.
 - (c) the tribunal is satisfied that the name of any person has been fraudulently registered,the Tribunal may, if it deems fit, give any of the directions specified in subsection (2).
- (2) The Tribunal may give a directive under subsection (1) of this section:
 - (a) ordering the Registrar to strike the person's name off the relevant register or registers; or
 - (b) suspend the person from practice by ordering him not to engage in practice as Psychologist for such period not exceeding three years as may be specified in the direction; or
 - (c) admonishing that person.
- (3) The Tribunal may, if it deems fit, defer or further defer its decision as to the giving of a direction under subsection (1) of this section until a subsequent meeting of the Tribunal, but no:
 - (a) decision shall be deferred under this subsection for periods exceeding two years in the aggregate; and

- (b) person shall be a member of the Tribunal for the purposes of reaching a decision which has been deferred or further deferred, unless he was present as a member of the Tribunal where the decision was deferred.
- (4) For the purposes of subsection (1) (b), a person shall not be treated as convicted, unless the conviction stands at a time when to appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.
- (5) When the Tribunal gives a direction under subsection (1), the Tribunal shall cause notice of the direction to be served on the person to whom it relates.
- (6) A person to whom a direction relates may, at any time within 28 days from the date of service on him of notice of the direction, appeal against the direction to the Federal High Court and the Tribunal may appear as respondent to the appeal and, for the purpose of enabling directions to be given as to the costs of the appeal and of proceedings before The Tribunal, and the Tribunal is deemed to be a party thereto whether or not it appears on the hearing of the appeal.
- (7) A direction of the Tribunal under subsection (1) takes effect where:
 - (a) no appeal under this section is brought against the direction within the time limited for such an appeal, or on the expiration of that time;
 - (b) an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal; and
 - (c) an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed and shall not take effect in accordance with the foregoing provisions of this subsection.
- (8) A person whose name is struck off the register in pursuance of a direction of the Tribunal under this section is not entitled to be registered in that register again except in pursuance of a direction in that behalf given by the Tribunal on the application of that person.
- (9) A direction under subsection (8) for the striking off of a person's name from the register may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application, as may be specified in the direction) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART VIII — MISCELLANEOUS

Clause 20: Application of the Bill to un-enrolled Persons.

Any person who is not a member of the Nigerian Psychological Association (in this Bill referred to as "the Association") but, for this the purpose of this Bill would have been qualified to apply for and obtain membership of the Association may, within the

period of three months beginning from the commencement of this Bill, apply for membership of the profession in such manner as may be prescribed by rules made by the Council, and if approved, he shall be registered, according to his qualification (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 21: Persons deemed to practice as Professional Psychologists.

- (1) Subject to subsection (2) of this section, a person is deemed to practise as a Psychologist if, in consideration of remuneration received or to be received and whether by himself or in partnership with any other person he:
 - (a) engages himself in the practice of psychology or holds himself out to the public as a psychologist after being duly certified by the Council to have met all necessary requirements;
 - (b) renders professional service or assistance in or about matters of principle or detail relating to psychology; or
 - (c) renders any other service or assistance in or about matters of principle or detail relating to psychology (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 22: Rules as to practice.

- (1) The Council may make rules for the:
 - (a) training of suitable persons in any field of Psychology methods and practice; and
 - (b) supervision and regulation of the engagement, training and transfer of such persons.
- (2) The Council may also make rule:
 - (a) prescribing the form of licence to practice to be issued annually or; if the Council thinks fit, by endorsement of an existing licence;
 - (b) restricting the right to practice as a Psychologist in default of payment of the amount of the annual subscription where the default continues for longer than such period as may be prescribed by the rules; and
 - (c) restricting the right to practice as a Psychologist if the qualification granted outside Nigeria does not entitle the holder to practice as a Psychologist.
- (3) Rules when made under this section shall, if the Chairman of the Council so directs, be published in the Official Gazette (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 23: Provision of Library Facilities.

The Council shall:

- (a) provide and maintain a library comprising books and publications for the advancement of knowledge of Psychology and such other books and publications as the Council may think necessary for the purpose; and
- (b) encourage research into psychology disciplines and allied subjects to the extent that the Council may consider necessary (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 24: Offences and Penalties.

- (1) A person who is not a registered Psychologist commits an offence if:
 - (a) for or in expectation of reward, practices or holds himself out to practice as a Psychologist; or
 - (b) take or use the title Psychologist; or
 - (c) without reasonable excuse, takes or uses any name, title addition or description implying that he is authorized by law to practice as a Psychologist.
- (2) A person who, for the purpose of procuring the registration of any name, qualification or other matter;
 - (a) makes a statement which he believes to be, or
 - (b) recklessly makes a statement;he commits an offence.
- (3) If, on or after the relevant date, any person who is not a member of the profession practises or holds himself out to practise for or in expectation of reward or takes or uses name, title, addition or description implying that he is authorised by law to practice as a Psychologist, commits an offence.
- (4) In the case of a person falling within section 20 of this Bill:
 - (a) the provisions of subsection (3) does not apply in respect of anything done by him during the period of three months mentioned in section 20;
 - (b) if, within that period, he duly applies for membership of the profession then, unless within that period he is notified that his application has not been approved, the provision of subsection (3) does not apply in respect of anything done by him between the end of that period and the date on which he is registered or is notified; and
 - (c) if the Registrar, or any other person employed by or on behalf of the Council, willfully makes any falsification in any matter relating to the register, he commits an offence.

- (5) A person commits an offence under this section is liable:
- (a) on summary conviction, to a fine of an amount not exceeding ₦100,000;
 - (b) on conviction or indictment, to a fine of an amount not exceeding ₦100,000 or to imprisonment for a term not exceeding four years, or to do both such fine and imprisonment.
- (6) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any such capacity, he and the body corporate, are deemed to be guilty of that offence and are liable to be prosecuted against and punished accordingly by a constituted disciplinary committee by the Council or court of law (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 25: Regulations and Rules.

- (1) In this section, "the relevant date" means the second anniversary of the coming into force of this Bill or such earlier date as may be prescribed for the purposes of this section by order of the Minister published in the Official Gazette.
- (2) Any regulation made under this Bill shall be published in the Official Gazette as soon as may be after there are made, a copy of such regulations shall be sent to the Minister not later than seven days before they are so published.
- (3) Rules made for the purposes of this Bill are subject to confirmation by the Nigerian Psychological Association at its next meeting or at any special meeting of the Association for that purpose, and if then annulled, shall cease to have effect on the day after the date of annulment, but without prejudice to anything done in pursuance or intended to be done in pursuance of such rules (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 26: Interpretation.

In this Bill:

"Association" means the Nigerian Psychological Association (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Board" means the Governing Board of the Council established under section 4 (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.

"Council" means the Nigerian Council for Psychologists established under section 1 (1) 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.

"Disciplinary Tribunal" means the Nigerian Council for Psychologists Disciplinary Tribunal established under section 18 (3) of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Fees" include annual subscription (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Investigating Panel" means the Nigerian Council for Psychologists Investigating Panel established under section 18 (1) of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Member" means a registered member of the profession, which includes Graduate Members, Members, Chartered Members, Associate Fellows and Fellows (*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 charged with the responsibility for matters relating to health (*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.

"profession" means the practice of Psychology; and (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"register" means the register prepared and maintained under section 8 (8) of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

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

Clause 27: Citation.

This Bill may be cited as the Nigerian Council for Psychologists (Establishment) Bill, 2019 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

SCHEDULES**FIRST SCHEDULE****SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL***Qualifications and Tenure of Office of Members of the Council*

1. (1) A person shall not be a member of the Council unless he or she is a Nigerian citizen fully registered under this Bill as a Psychologist and at the date of his appointment, has had not less than 17 years registration experience in Psychology profession.
- (2) Subject to the provision of this paragraph, a member of the Council shall hold office for a period of three years beginning with the date of his or her appointment or election.
- (3) Any member of the Board, other than a member appointed by the office, may, by notice in writing under his hand addressed to the Chairman, resign his office.
- (4) A person who retires or ceases to be an elected member of the Council is eligible again to become a member of the Council; and any appointed member may be re-appointed.
- (5) If for any reason there is a vacation of office by a member; and
 - (a) such member was appointed by the Minister or any other body, the Minister or that body may appoint another fit person to fill that vacancy; or
 - (b) such member was elected, the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Council appears to warrant the filling of the vacancy, co-opt a fit person for such time as aforesaid.

Proceedings of the Council

2. (1) Subject to the provisions of this Bill, the Council may make standing orders regulating its proceedings or any of its committee thereof.
- (2) Questions for determinations shall be decided by a majority of the members present and voting thereon and, in the event of equality of votes, the Chairman shall have a second or cast a vote.
- (3) Standing orders made for a committee shall provide for the committee to report back to the Council on any matter referred to it by the Council.
- (4) The quorum of the Council shall be two third and the quorum of a committee of the Council shall be fixed by the Council.

Meeting of the Council

3. (1) Subject to the provisions of any standing orders of the Council, the Council shall meet whenever it is summoned by the Chairman and, if the Chairman is required to do so by notice in writing given to him by not less than five other members, he shall summon a meeting of the Council to be held within fourteen days from the date on which the notice is given. The Council shall meet at least twice a year.
- (2) At any meeting of the Council, the Chairman shall preside and in his absence, the Vice Chairman shall preside, but in their absence, the members present at the meeting shall appoint one of their members to preside at the meeting.
- (3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him as a member for such period as the Council thinks fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.
- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the Minister.
4. (1) The Council may appoint one or more committees to carry out on behalf of the council such functions as the Council may determine.
- (2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council of whom not more than two-third may be persons who are not members of the Council.
- (3) A person other than a member of the Council shall hold office on the committee in accordance with the terms of the letter by which he is appointed.
- (4) A decision of a committee of the Council shall be of no effect until it is confirmed by the Council.

Miscellaneous

5. (1) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman and the Registrar who is the Secretary of the Board of the Council.
- (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 Council by any person generally or specifically authorised to act for that purpose by the Council.
- (3) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- (4) The validity of any proceedings of the Board or of a committee of the Council shall not be adversely affected by any vacancy in membership of the Board or by any defect in the appointment of a member of the Board or of a person to serve on the committee, or by reason that a person not entitled to do so took part in the proceedings.

- (5) Any member of the Council and any person holding office of a committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee thereof shall disclose his interest, and shall not vote on any question relating to the contract or arrangement.
- (6) A person shall not by reason only of his membership of the Council be treated as holding an office in the public service of the Federation (*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

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL

The Disciplinary Tribunal

1. The quorum of the Disciplinary Tribunal shall be four members.
2.
 - (1) The Attorney-General of the Federation shall make rules as to the selection of members of the Disciplinary Tribunal for the purpose of any proceeding, the procedure to be followed and the rules of evidence to be observed in proceedings before the Disciplinary Tribunal.
 - (2) The rules shall in particular provide:
 - (a) for securing that notice of the proceedings shall be given at such time and in such manner, as may be specified by the rules, to the person who is the subject of the proceedings;
 - (b) for determining who, in addition to the person aforesaid, shall be party to the proceedings;
 - (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Disciplinary Tribunal.
 - (d) for securing that any party to the proceedings may be represented by a legal practitioner;
 - (e) subject to the provisions of section 18 (4) of this Bill, as to the costs of proceedings before the Disciplinary Tribunal;
 - (f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Disciplinary Tribunal adjudges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and
 - (g) for publishing in the Gazette notice of any direction of the Disciplinary Tribunal which has taken effect providing that a person's name shall be struck off a register.

3. For the purposes of any proceedings before the Disciplinary Tribunal any member of the Disciplinary Tribunal may administer oaths and any party to the proceedings may issue out of the registry of the Federal High Court writs of subpoena ad testificandum and decestecum but no person appearing before the Disciplinary tribunal shall be compelled:
 - (a) to make any statement before the Disciplinary Tribunal tending to incriminate himself; or
 - (b) to produce any document under such a writ which he could not be compelled to produce at the trial of an action.
4.
 - (1) For the purpose of advising the Disciplinary Tribunal on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the Disciplinary Tribunal who shall be appointed by the Council on the nomination of the Attorney-General of the Federation and shall be a legal practitioner of not less than seven years standing.
 - (2) The Attorney-General of the Federation shall make rules as to the functions of assessors appointed under this paragraph and in particular such rules shall contain provisions for securing:
 - (a) that where an assessor advises the Disciplinary Tribunal on any question of law as to evidence, procedure or any other matters specified by rules, he shall do so in the presence of every party or person representing a party to the proceedings who appear there or, if the advice is tendered while the Disciplinary Tribunal is deliberating in private, that every such party or person as aforesaid shall be informed what advise the assessor has tendered; and
 - (b) that every such party or person as aforesaid shall be informed if in any case the Disciplinary Tribunal does not accept the advice of the assessor on such a question as aforesaid.
 - (3) An assessor may be appointed under this paragraph either generally or for any particular class or proceedings and shall hold and vacate office in accordance with the terms of the letter by which he is appointed.

The Investigating Panel

5. The quorum of the Investigating Panel shall be three, all of whom must be Clinical Psychologist.
6.
 - (1) The Investigating Panel may, at any of its meetings attended by all the members of the Investigating Panel, make standing orders with respect to the Investigating Panel.
 - (2) Subject to the provisions for any such standing orders, the Investigating Panel may regulate its own procedure.
7.
 - (1) A person ceasing to be a member of the Disciplinary Tribunal or the Investigating Panel shall be eligible for appointment as a member of that body.
 - (2) A person may, if otherwise eligible, be a member of both the Disciplinary Tribunal and the Investigating Panel; but no person who acted as member of the Investigating Panel with respect to any case shall act as a member of the Disciplinary Panel with respect to that case.

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

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

Explanatory Memorandum:

This Bill seeks to establish the Nigerian Council for Psychologists to be charged with the responsibility for the registration of persons aspiring to become professional Psychologists and set regulations and standard procedures to effectively control the practice of the profession in Nigeria (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Nigerian Council for Psychologists, and for Other Related Matters (HB. 1620) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish the Nigerian Council for Psychologists; and for Related Matters (HB 1620) and approved Clauses 1 - 4, approved Clause 5 as amended, approved Clauses 6 - 27, 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.

- (v) ***A Bill for an Act to Establish the Abuja Geographic Information Systems Agency; and for Related Matters (HB. 639) (Committee of the Whole):***
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish the Abuja Geographic Information Systems Agency; and for Related Matters (HB. 639)" (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

**A BILL FOR AN ACT TO ESTABLISH THE ABUJA GEOGRAPHIC INFORMATION
SYSTEMS AGENCY AND FOR RELATED MATTERS (HB. 639)**

PART I — ESTABLISHMENT, MEMBERSHIP, ETC.

Clause 1 Establishment of the Agency.

- (1) There is hereby established, an agency to be known as Abuja Geographic Information Systems Agency (in this Bill referred to as "the Agency") to exercise the functions and powers, and pursue the objectives assigned to it by this Bill.
- (2) The Agency shall be a body corporate with perpetual succession and a common seal and may:
 - (a) sue and be sued in its corporate name; and
 - (b) hold, acquire and dispose of any property or interest in property, moveable or immovable (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 2: Composition and proceedings.

- (1) There is hereby established for the Agency, a Governing Board which shall consist of:
 - (a) a Chairman to be appointed by the Minister, who shall be a person of proven integrity and ability;
 - (b) nine persons who shall be appointed by the Minister as members, each being members of or representing the interests of the following:
 - (i) each of the six Area Councils in Abuja;
 - (ii) the Federal Capital Development Authority; and
 - (iii) the Abuja Metropolitan Management Authority;
 - (c) the Director-General of the Agency, who shall also be the Registrar of Deeds in the FCT.
- (2) All Members other than the Director-General shall be part-time members.
- (3) Members shall hold office for a period of four years renewable once for a further period of four years only, provided however that:
 - (a) any Member may resign his appointment at any time by notice in writing under his hand addressed to the Minister.

- (b) if a Member dies or resigns or otherwise vacates his office before the expiration of the term for which he is appointed, the Minister shall appoint a fit and proper person for the remainder of the term of office of that Member, and the successor shall represent the same interest as that Member.
- (c) a Member may be removed from office by the Minister if he is satisfied that it is not in the interest of the Agency or the interest of the public that the Member should continue in office.
- (4) There shall be paid to every Member, such emoluments, allowances and benefits as the Minister may, from time to time, determine.
- (5) The provisions of the Schedule to this Bill shall have effect with respect to the proceedings of the Agency and other matters mentioned therein (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART II — FUNCTIONS AND POWERS

Clause 3: Functions.

- (1) The Agency shall have the responsibility for management and administration of land matters in the FCT including all issues relating to title, registration, searches, approvals and other such responsibilities as may from time to time be prescribed by the Minister.
- (2) In discharging its general responsibility under sub-clause (1) above, the Agency shall undertake of the following duties:
 - (a) introduce, implement and sustain best practices for land ownership and title certification in the FCT;
 - (b) receive, conduct due diligence on, and verify applications for issuance of Certificates of Occupancy for land or the grant of other rights over land or subsequent transactions in land, within the FCT and forward same to the Minister for approval and or grant of consent in accordance with the Land Use Act;
 - (c) develop and maintain a database of all land within the FCT particularly with respect to title and title history, location, size, use and other related indicators;
 - (d) permit access to existing data on land for the purpose of conducting title searches for members of the public at a fee to be prescribed from time to time ; and
 - (e) undertake all such other activities as are required for efficient management and administration of land matters in the FCT.
- (3) The Agency shall have the power to develop and maintain a geographic information system or such other appropriate system and structures in the FCT for research, land management and development planning.
- (4) In discharging its responsibilities pursuant to sub-clause (3) of this clause, the Agency may pursue all or any of the following objectives:

- (a) acquire, provide, deploy and manage software and hardware for storing, assembling, manipulating and displaying geographically referenced material;
- (b) establish a central geographic information clearinghouse to maintain map inventories, information on current and planned geographic and spatial information systems applications, information on grants available for the acquisition or enhancement of geographic information resources;
- (c) plan, establish and manage a directory of geographic information and the resources available within the FCT;
- (d) coordinate geographic information system projects, including overseeing the development and maintenance of base maps and geographic information systems within the FCT;
- (e) provide consulting services and technical assistance, and education and training, on the application and use of geographic information technologies;
- (f) maintain, update, and interpret geographic information and geographic information systems standards;
- (g) provide geographic information system services, as requested, to persons wishing to augment their geographic information systems capabilities;
- (h) in cooperation with other relevant agencies of government, evaluate, participate in pilot studies, and make recommendations on geographic information systems hardware and software;
- (i) assist with review of agency information resource plans and participate in special studies as are requested or delegated by the Minister;
- (j) provide staff support and technical assistance to the Minister on geographic information systems and policies;
- (k) provide cost effective and efficient means of assembling and distributing relevant information among interested persons;
- (l) coordinate and provide overview of geographic information systems activities within the FCT;
- (m) review and submit to the Minister for approval, all proposed geographic information systems projects within the FCT;
- (n) pursue funding strategies to continually develop and maintain up-to-date geographic information systems solutions for the FCT;
- (o) advise the Minister in respect of trends, developments and solutions in geographic information systems ;

- (p) provide technical support to assist other agencies of the FCT or other persons within the FCT who wish to incorporate geographic information systems capabilities in their activities and systems; and
- (q) undertake all other steps and initiatives as are required for the proper administration of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 4: General powers.

- (1) The Agency shall have the power to:
 - (a) do all things which by this Bill or any other enactment or administrative directive are required or permitted to be done by the Agency;
 - (b) monitor any matter that may affect the functions of the Agency; and
 - (c) do such other things as are necessary or expedient for the full discharge of its functions under this Bill.
- (2) Subject to any limitation imposed by law, the Agency may delegate any of its powers to any Member or official of the Agency and authorize any such Member or official to perform any of its functions (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 5: Power to borrow.

Subject to the approval of the Minister, the Agency may from time to time, borrow by way of overdraft or otherwise, such sums as it may require for the effective discharge of its functions under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 6: Power to Accept Gifts.

- (1) The Agency may accept any gift, grant or donation of land, money or other property from any person upon such terms and conditions (acceptable to the Agency), if any, as may be specified by the person making the gift or donation.
- (2) The Agency shall not accept any gift or donation if the conditions attached thereto by the person making the gift or donation are inconsistent with the functions of the Agency (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 7: Power to Obtain Information.

- (1) For the purpose of carrying out the functions conferred on the Agency under this Bill, the Director-General, or any employee of the Agency duly authorized in that behalf

- (a) shall have a right of access to all relevant geographic information records of any person within the FCT; and
 - (b) may by notice in writing, served on any person require such person to furnish or cause to be furnished geographic information or other similar information held by or available to such persons, on such matters as may be specified in the notice.
- (2) It shall be the duty of any person required to furnish information pursuant to sub-clause (1) of this clause to comply with the notice within the period specified in the notice or where no period is specified, within a reasonable period (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART III — DEPARTMENTS OF THE AGENCY

Clause 8 Departments.

- (1) Subject to subclause (2) of this clause, the Secretariat shall comprise the following departments:
 - (a) Geographic Information Systems;
 - (b) Land Administration;
 - (c) Planning and Research; and
 - (d) Administration and Accounts.
- (2) For the effective conduct of the functions of the Agency, the Minister may issue regulations prescribing additional departments for the Agency or altering the departments listed in sub-clause (1) of this clause in any manner whatsoever.
- (3) Notwithstanding the provisions of sub-clause (2) of this clause, the Agency shall have power to set up any technical committees to assist in the performance of its duties and functions under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 9: Director-General of the Agency.

- (1) The Minister shall appoint a Director-General as the Chief Executive Officer of the Agency.
- (2) The Director-General shall hold office for the term specified in sub-clause (3) of clause 2 of this Bill provided that the said term may be renewed for another term or more as the Minister deems it fit.
- (3) The Director-General shall be person with professional qualifications and at least 15 years' experience in geographic information systems, or land administration matters.

- (4) The Director-General shall be responsible for the day-to-day administration of the Secretariat, keeping the books and records of the Agency and the execution of the policy and practice of the Agency and shall be subject to the supervision and control of the Board.
- (5) The Director-General shall hold office on such terms as to emoluments and otherwise as may be specified in his letter of appointment (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 10: Staff of the Agency.

- (1) The Agency may from time to time, appoint such other employees as it may deem necessary, to enable the Agency effectively perform its functions under this Bill.
- (2) The staff of the Agency appointed under sub-clause (1) of this clause shall be appointed upon such terms and conditions of service as the Agency may, after consultation with the Federal Capital Public Service Commission, determine.
- (3) The power of the Agency under this clause shall include the power to:
 - (a) promote and control the staff of the Agency as may appear to the Agency necessary or expedient; and
 - (b) dismiss, terminate, consider the resignation or withdrawal of appointment and exercise disciplinary control over the staff of the Agency, other than the Director-General.
- (4) The Board may specifically delegate to the Director-General, the power to appoint such categories of staff of the Agency as the Board may from time to time specify.
- (5) The staff of the Agency shall be Public Officers of the FCT, as defined in the Public Service Commission Act.
- (6) The Agency may engage such consultants and advisers as it may require for the effective discharge 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: Staff Regulations.

- (1) The Agency may, subject to the provisions of this Bill and in consultation with FCT Civil Service Commission, make staff regulations relating generally to the conditions of service of its employees and without prejudice to the generality of the foregoing, such regulations may provide for:
 - (a) the appointment, promotion and disciplinary control (including dismissal) of the employees of the Agency; and
 - (b) appeals by employees against dismissal on other disciplinary measures.

- (2) Pending the release of the regulations described in sub-clause (1) of this clause, the employment of the staff of the Agency shall be governed by the terms and conditions generally applicable to officers in the public service of the FCT.
- (3) Staff regulations issued by the Agency under sub-clause (1) of this clause shall not have effect until approved by the Minister and published in the Gazette (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART IV — FINANCIAL PROVISIONS

Clause 12: Fund of the Agency.

- (1) The Agency shall establish and maintain a fund ("the Fund") which shall consist of:
 - (a) the initial take-off grant from the FCT Administration;
 - (b) such sums as may be provided by the FCT Administration by way of annual subvention or otherwise;
 - (c) fees and other charges received by the Agency pursuant to this Bill ;
 - (d) subject to Clause 11 of this Bill, all other sums accruing to the Agency by way of grants, gifts, testamentary dispositions, endowments, bequests and donations made to the Agency;
 - (e) income from any investment or other property acquired by or vested in the Agency; and
 - (f) such other sum as may accrue from time to time to the Agency.
- (2) The Fund shall be managed in accordance with rules prescribed by the Minister, provided the rules shall contain provisions:
 - (a) specifying the manner in which the assets of the Fund are to be held;
 - (b) regulating payments into the Fund and the matters to which the assets of the Fund may be applied; and
 - (c) requiring the keeping of proper accounts and records for the purpose of the Fund in such form as may be prescribed (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 13: Annual estimates, accounts and audits.

- (1) The Agency shall, not later than 30 September in each year, submit to the Minister an estimate of its expenditure and income (including estimates of expected payments into the Fund) during the next succeeding year.

- (2) The Agency shall keep proper accounts in a form which conforms to accepted accounting standards, and proper records in relation thereto and the accounts shall be audited as provided in subclause (3) of this clause.
- (3) The accounts of the Agency shall be audited at the end of each calendar year by auditors appointed by the FCT Administration from the list and in accordance with the Financial Guidelines and the fees of the auditors and the expenses for the audit generally shall be paid from the Fund (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 14: Annual reports.

The Agency shall, not later than 30 June in each year, submit to the Minister, a report on the activities of the Agency and its administration during the immediately preceding year and shall include in the report the audited accounts of the Agency and the auditors' report thereon (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART V — REGULATIONS AND SUPPLEMENTARY PROVISIONS

Clause 15: Regulations.

The Minister may make regulations for the effective operation of this Bill and the due administration thereof (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 16: Obstruction of the Agency or its authorized officers.

Any person who:

- (a) willfully obstructs the Agency or any authorised officer of the Agency in the exercise of any of the powers conferred on the Agency by this Bill; or
- (b) fails to comply with any lawful enquiry or requirements made by an authorised officer in accordance with the provisions of this Bill, shall be guilty of an offence and shall be liable upon conviction to a fine of Two Hundred and Fifty Thousand Naira, or imprisonment for a term not exceeding six months or to both such fine and imprisonment (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 17: Pre-action notice.

- (1) No suit shall be commenced against 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 and the notice shall clearly and explicitly state:
 - (a) the cause of action;
 - (b) the particulars of claim; and
 - (c) the relief which he claims.

- (2) The notice referred to in sub-clause (1) of this clause and any summons, notice or other documents required or authorized to be served upon the Agency in connection with any suit by or against the Agency shall be served by delivery of same to the Director-General (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 18: Indemnity for employees of the Agency.

Every Member, agent or staff of the Agency shall be indemnified out of the assets of the Agency against any liability incurred by him in defending any proceedings, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted if any such proceeding is brought against him in his capacity as such Member, agent or staff as aforesaid (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 19: Interpretation.

In this Bill, unless the context otherwise requires:

"Agency" means the Abuja Geographic Information Systems 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.

"Board" means the Governing Board of 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.

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

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

"FCT" means the 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.

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

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

"Financial Guidelines" means the guidelines issued from time to time for the accounting and financial reporting functions of the FCT by the Auditor General of the Federation or the Department of Audit in the FCT (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"the Fund" means the fund established for the Agency pursuant to clause 12 (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

"Member" means member of the Governing Board of the Agency (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 for the time being charged with responsibility for the FCT (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.

"Person" includes any individual, partnership, firm, company, corporation (statutory or otherwise), joint venture, trust, association, organisation or other entity, in each case whether or not having separate legal personality (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

"Prescribe" means prescribe by regulations (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

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

Clause 20: Citation.

This Bill may be cited as the Abuja Geographic Information Systems Agency Bill, 2019 (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

SCHEDULE

Clause 2 (5)

SUPPLEMENTARY PROVISIONS RELATING TO THE AGENCY

Proceedings of the Agency

1. Subject to this Bill and Section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of its members and for the Chairman to have a second or casting vote), the Board may make standing orders regulating the proceedings of the Agency and any committee thereof.

2. If at any time, the office of the Chairman is vacant or the Chairman is in the opinion of the Board permanently or temporarily unable to perform the function of his office, the Board may appoint one of its members to perform such functions for the period of the vacancy in the office of the Chairman and references in this schedule to the Chairman shall be construed accordingly.
3. Every meeting of the Board shall be presided over by the Chairman and if the Chairman is unable to attend a particular meeting, the Members present at the meeting shall elect one of their Members to preside at the meeting.
4. The quorum at a meeting of the Board shall consist of a Chairman (or in the appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule) and three other members.
5. Where upon any specific issue or occasion, the Board desires to obtain the advice of any person on any particular matter, the Board may co-opt that person to be a member for as many meetings as may be necessary, and that person while so co-opted shall have all the rights and privileges of a member, except that he shall not be entitled to vote or count towards a quorum.

Committees

6.
 - (1) Subject to its standing orders, the Board may appoint such number of standing ad hoc committees as it thinks fit to consider and report on any matter with which the Agency is concerned.
 - (2) Every committee appointed under the provisions of sub paragraph (1) of this paragraph, shall be presided over by a member of the Board and shall be made up of a number of persons, not necessarily members of the Board, as the Board may determine in each case.
7. The decision of the Committee shall have no effect until it is confirmed by the Board.

Miscellaneous

8. The fixing of the seal of the Agency shall be authenticated by the signature of the Chairman and of the Executive Secretary of the Board or such other member authorised generally or specifically by the Board to act for that purpose.
9. Any contract or instrument, which if made by a person not being a body corporate, would not be required to be made under seal, may be made or executed on behalf of the Agency by the executive secretary or by any other person generally or specifically authorised by the Board to act for that purpose.
10. Any document purporting to be a contract, instrument or other document signed or sealed on behalf of the Agency shall be received in evidence and, unless the contrary is proved, be presumed, without further proof to have been so signed or sealed.
11. The validity of any proceedings of the Board or a committee thereof, shall not be adversely affected by:
 - (a) any vacancy in the membership of the Board; or
 - (b) any defect in the appointment of a Member of the Board or committee; or
 - (c) reason that a person not entitled to do so, took part in the proceedings.

12. Any Member of the Board or a committee thereof, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or committee, shall forthwith disclose his interest to the 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.

Long Title:

A Bill for an Act to Establish the Abuja Geographic Information Systems Agency and for Related Matters (HB. 639) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish the Abuja Geographic Information Systems Agency; and for Related Matters (HB. 639) and approved Clauses 1 - 20, 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.

- (vi) *A Bill for an Act to Establish the National Institute of Construction Technology and Management, Uromi, Edo State to Provide Full-Time and Part-Time Courses and Man Power Training in Construction Technology, Engineering Technology, Applied Sciences, Management Sciences and Other Fields of Study and to Make Provisions for General Administration of the Institute; and for Related Matters (HB. 1350) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish the National Institute of Construction Technology and Management, Uromi, Edo State to Provide Full-Time and Part-Time Courses and Man Power Training in Construction Technology, Engineering Technology, Applied Sciences, Management Sciences and Other Fields of Study and to Make Provisions for General Administration of the Institute; and for Related Matters (HB. 1350)" (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE NATIONAL INSTITUTE OF CONSTRUCTION TECHNOLOGY AND MANAGEMENT, UROMI, EDO STATE TO PROVIDE FULL-TIME AND PART-TIME COURSES AND MAN POWER TRAINING IN CONSTRUCTION TECHNOLOGY, ENGINEERING TECHNOLOGY, APPLIED SCIENCES, MANAGEMENT SCIENCES AND OTHER FIELDS OF STUDY AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF THE INSTITUTE AND FOR RELATED MATTERS (HB. 1350)

PART I — ESTABLISHMENT OF NATIONAL INSTITUTE OF CONSTRUCTION TECHNOLOGY AND MANAGEMENT, UROMI, EDO STATE

Clause 1: Establishment of National Institute of Construction Technology and Management, Uromi, Edo State.

- (1) As from the commencement of this Bill, the National Institute of Construction Technology, Uromi, Edo State (in this Bill referred to as "the Institute") shall be known and referred to as National Institute of Construction Technology and Management.
- (2) There is established a Polytechnic to be known as the National Institute of Construction Technology and Management (in this Bill referred to as the Institute) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 2: Establishment and Composition of the Council of the Institute.

- (1) There shall be established a Council for the Institute (in this Bill referred to as "the Council") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.
- (2) The Council shall consist of a Chairman and the following other members, that is:
 - (a) the Rector of the Institute;
 - (b) one representative of the Academic Board of the Institute elected by the Board;
 - (c) one representative of Manufacturer's Association of Nigeria. MAN (to be coordinated by NBTE);
 - (d) one representative of Universities (to be submitted by NUC);
 - (e) one representative of Professional Bodies (to be coordinated by NBTE);
 - (f) one representative of a Federal Utility Statutory Corporation;
 - (g) one representative of the community where the polytechnic is situated (to be coordinated by the Polytechnic);
 - (h) one representative of the Minister charged with responsibilities for matters relating to polytechnics;
 - (i) one representative of the Permanent Secretary, Federal Ministry of Education (to be coordinated by the FME);
 - (j) one representative of the Permanent Secretary, Federal Ministry of Industry, Trade and Investment (to be coordinated by the NBTE);
 - (k) one representative of the State Ministry of Education;
 - (l) five (5) other persons, at least one of whom must be a woman to be selected each on personal merit based on contributions to development of industry, technology or commerce or special interest in technical education;

- (m) the Registrar (non-member) shall be Secretary to the Governing Council.
- (3) The Chairman and members for the Council other than ex-officio members shall be appointed by the President on the recommendation of the Minister of Education.
- (4) The provision of the Schedule to this Bill shall have effect with respect to the proceedings of the Council and the other matters mentioned therein (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 3: Visitation.

- (1) The Minister of Education shall be the Visitor to the polytechnic
- (2) The Visitor shall not less than once in every five (5) years conduct a visitation to the polytechnic by appointing a Visitation Panel.
- (3) The Visitation Panel shall consist of not less than five (5) experts relevant areas as provided in clause 6 (1) (a) of this Bill to:
 - (a) evaluate academic and administrative performance of the polytechnic; and
 - (b) for such other purpose as the Visitor may deem fit (*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 Council Members.

- (1) The Chairman and other members of the Governing Council shall hold office for a period of three (3) years from the date of appointment and may be eligible for re-appointment for a further term of three (3) years and thereafter he shall no longer be eligible for re-appointment.
- (2) Where a vacancy exists due to resignation, death, or removal of a member, a successor representing the same interest group shall be appointed to hold office for the remaining tenure of his predecessor, so however, that the successor shall represent the same interest as his predecessor.
- (3) Every member shall be paid appropriate stipends during his tenure in office in accordance with rates specified from time to time by the National Council of Ministers.
- (4) A member of Council may resign his appointment by a notice in writing addressed to the Minister of Education (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Amendment Proposed:

In Subclause (1), lines 2 and 3, immediately after the word “of”, *leave out* the word “three (3)”, and *insert* the word “four (4)” (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

Question that the amendment be made — Agreed to.

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

PART II — FUNCTIONS AND POWERS

Clause 5: Functions of the Institute.

- (1) The functions of the Institute shall be:
- (a) to provide Full-time and Part-time courses in Construction Technology, Engineering Technology, Applied Sciences, Management Sciences and other fields of study leading to the award of Ordinary National Diploma, Higher National Diploma, and Certificates in specialised programmes;
 - (b) to provide facilities and encourage research in all its area of focus to aid the development of Nigeria in the areas of Industry, Commerce, Technology and Engineering, etc.;
 - (c) to arrange conferences, seminars and study groups relevant to the fields of learning specified in subsection (1) (a) in this section;
 - (d) to perform such other functions which in the opinion of the Institute, may serve to promote its objectives;
 - (e) to provide a well-developed and articulate technical education through consistent research, development and constant contact with renowned institutions and appropriate industries;
 - (f) to provide appropriate training and vocational dexterity for a self-reliant and focused Nigerian student, and also to provide industrial skills for those who want to be employers of labour or gainfully employed;
 - (g) to perform such other functions as in the opinion of the Council, may serve to promote the objectives of the Institute; and
 - (h) to carry out other activities as are necessary and expedient for the full discharge of any of its functions pursuant to this Bill (*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 Governing Council.

- (1) Subject to the provisions of this Bill, the Council:
- (a) shall be responsible for the general management of the affairs of the Institute and in particular, the control of the property and finances of the Polytechnic;
 - (b) shall have power to do anything which in its opinion is calculated to facilitate the carrying out of activities of the polytechnic and promote its best interest;
 - (c) shall set up committees for the purpose of working on specific matters and making recommendations to the Board for necessary action;
 - (d) shall provide pieces of advice as may be necessary, for the interest of the Institute on any matter referred to it;

- (e) may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of the Federal Polytechnics Act;
 - (f) shall perform such other functions as in the opinion of the Council may serve to promote the objectives of the Institute.
- (2) The Minister may give to the Institute directives of a general character or relating generally to matters of policy with regard to the exercise by the Institute of its functions under this Bill and it shall be the duty of the Institute to comply with such directives (*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 Institute.

The Institute shall have power to:

- (a) award certificates for courses provided by it under clause 4 (1) (a) of this Bill;
- (b) enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Bill;
- (c) acquire, hold, lease, sell, mortgage or otherwise alienate or dispose of any property, movable, or immovable;
- (d) invest its funds in such manner and to such extent as it may deem necessary or expedient;
- (e) establish and maintain a library, comprising such books, journals, records, reports and other publications and information systems as may be required for the discharge of the functions conferred on the Institute by this Bill;
- (f) accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organisation making the gift; provided that the Institute shall not accept any gift if the terms and conditions attached thereto are inconsistent with its functions under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART III — STAFF OF THE INSTITUTE

Clause 8: Appointment of Principal Officers.

- (1) Appointment of the Rector:
 - (a) the President shall appoint for the Institute a Rector who shall be the chief academic and administrative officer of the Institute;
 - (b) where a vacancy occurs in the position of Rector, the Council shall advertise and follow such procedure as provided in sections 8 (2), (3), (4) and (5) of the Federal Polytechnics Act;
 - (c) the Rector shall be responsible for:
 - (i) the day-to-day administration of the Institute;

- (ii) the exercise of general authority over the employees of the Institute;
 - (iii) the discipline of students in the Institute.
 - (d) the Rector shall hold office for a period of four (4) years from the effective date of his appointment and on such terms and conditions as may be determined by the Minister as set out in his letter of appointment;
 - (e) the Rector may be re-appointed for a further period of four (4) years and no more.
- (2) Appointment of the Deputy Rector:
- (a) the Deputy Rector shall be appointed by the Council as specified in section 9 of the Federal Polytechnics Act;
 - (b) the Deputy Rector shall assist the Rector in the performance of his functions and shall act in the place of the Rector when the Rector is absent or unable to perform his functions or when the position of Rector is vacant;
 - (c) the Deputy Rector shall perform such other functions as the Rector may from time to time assign;
 - (d) the Deputy Rector shall hold office for the period of two (2) years from the effective date of his appointment and on such terms and conditions as may be specified in the letter of appointment. He may be re-appointed for a further period of two (2) years and no more.
- (3) Appointment of the Registrar:
- (a) the Council shall appoint a Registrar who shall be the secretary to the Council and attend all the meetings of the Council;
 - (b) the Registrar shall be answerable to the Rector for the day-to-day administration of the polytechnic and shall perform such other duties as the Council or Rector may direct;
 - (c) the Registrar shall be Secretary to the Council, Academic Board and any other committees of the Council and shall attend all meetings of these committees unless excused for good reasons by the Chairman of the Council;
 - (d) if the Registrar is for any reason unable to attend a meeting of the Council, the Chairman of the Council may, after consultation with the Rector, appoint a suitable person to act as secretary for the particular meeting;
 - (e) the Secretary to Council or a person appointed to act under sub clause (3) of this clause, shall not vote on any question before the Council or counts towards a quorum, unless he is so entitled as a member of the Council;

- (f) the Registrar shall hold office for a period of five (5) years beginning from the date of his appointment and on such terms and conditions as may be specified in the letter of his appointment. He may be re-appointed for a further period of five (5) years and no more.
- (4) Appointment of the Bursar:
 - (a) the Bursar shall be appointed by the Council on recommendation of the selection board constituted under section 9 (3) of the Federal Polytechnics Act;
 - (b) the Bursar shall be the Chief Financial Officer of the Institute and shall be responsible to the Rector for the day-to-day administration and control of the financial affairs of the polytechnic;
 - (c) the Bursar shall hold office for a period of five (5) years and may be re-appointed for a further period of five (5) years and no more;
- (5) Appointment of the Librarian:
 - (a) the Librarian shall be appointed by the Council on recommendation of the selection board constituted under section 9 (3) of the Federal Polytechnics Act;
 - (b) the Librarian shall be responsible to the Rector for the administration of the polytechnic library and the coordination of library services in the academic unit of the polytechnic;
 - (c) the Librarian shall hold office for a period of five (5) years in the first instance, and may be re-appointed for a further period of five (5) years and no more (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 9: Resignation of Appointment by Principal Officers.

A principal officer may resign his appointment:

- (a) in the case of the Rector, by notice to the Minister of Education;
- (b) in any other case, by notice to the Council (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 10: Other Staff of the Institute.

- (1) The Council may appoint such other persons to be employees of the Institute to assist the Rector or other principal officer in performance of their functions under the Federal Polytechnics Act.
- (2) The Power to appoint senior employees shall be exercised by the Council on the recommendation of the Appointments and Promotions Committee, Senior and in the case of junior employees, by the Council on the recommendation of the Appointments and Promotions Committee, Junior under the power vested in the Council pursuant to paragraph 3 of the Schedule of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 11: Staff Regulations.

- (1) The Council may, subject to the provisions of this Bill, make staff regulations relating generally to the conditions of service of the staff of the Institute and, without prejudice to the generality of the foregoing, such regulations may provide for:
 - (a) the appointment, promotion and discipline (including dismissal) of employees of the Institute; and
 - (b) appeals by such employees against dismissal or other disciplinary measures, and until such regulations are made, any instrument relating to the conditions of service of public officers in the polytechnic system shall be applicable with such modifications as may be necessary to employees of the Institute.
- (2) Staff regulations made under sub clause (1) of this clause shall not have effect until approved by the President and when so approved, they need not to be published in the Gazette but the Council shall cause them to be brought to the notice of all affected persons in such a manner as it may, from time to time, determine (*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) Pension service in the Institute shall be approved service for the purposes of the Pensions Act.
- (2) Officers and other persons employed in the Institute shall be entitled to pensions, gratuities and other retirement benefits as prescribed in the Pensions Act, so nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude that grant of a pension, gratuity or other retirement benefit in respect of that office.
- (3) For the purpose of the application of the provisions of the Pensions Act, any power exercisable thereunder by a Minister or other Authority of the Government of the Federation, other than the power to make regulations under clause 23 thereof, is vested in and shall be exercisable by the Council and not by any other person or authority (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART IV — DISCIPLINE

Clause 13: Removal of a Member of Council.

- (1) The President may, in writing, remove any member of the Council from office if it is established that his contributions run counter to the purpose, interest and objectives of the polytechnic.

- (2) If it appears to the Council that a member of Council (other than an *ex-officio* member) or the Rector should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to the President, and if the President after making such enquiries as he considers necessary, approves the recommendation, the President shall, in writing declare the office of such member vacant (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 14: Removal from Office of a Staff of the Institute.

- (1) If there are reasons for believing that any person employed as a member of the academic, administrative or technical staff of the polytechnic, other than the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall:
- (a) give notice to the person of the reasons in question;
 - (b) afford him an opportunity to make representations in person on the matter to the Council; and carry out such investigations and actions pursuant to section 17 (1) (c) of the Federal Polytechnics Act.
- (2) The Rector may, in a case of misconduct by a member of the staff which in the opinion of the Rector is prejudicial to the interests of the polytechnic, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of staff may be suspended from office or his appointment may be terminated by the Council by virtue of its power pursuant to section 17 (3) of the Federal Polytechnics Act (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 15: Discipline of Students.

- (1) Where it appears to the Rector that any student of the Institute has been guilty of misconduct, the Rector may, without prejudice to any other disciplinary powers conferred on him by this Bill or any regulations made thereunder, direct that:
- (a) the student shall not, during such periods as may be specified in the direction, participate in such activities of the Institute or make use of such facilities of the Institute, as he may specify;
 - (b) 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;
 - (c) the student be suspended for such period as may be specified in the direction; or
 - (d) the student be expelled from the Institute.

- (2) Where there is temporarily no Rector or where the Rector refuses to apply any disciplinary measures, the Council may, either directly or through some other staff, apply such disciplinary actions as are specified in sub clause (3) of this clause to any student of the Institute who is guilty of misconduct.
- (3) Where a direction is given under sub section (1) (c) or (d) of this section in respect of any student, the student may within 21 days from the date of the letter communicating the decision to him, appeal to the Council and 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 may deem fit.
- (4) The fact that an appeal from a direction is brought in pursuance of subclause (5) of this clause, shall affect the operation of the direction while the appeal is pending.
- (5) The Rector may delegate his powers under this clause to disciplinary committee, consisting of such staff of the Institute as he may nominate.
- (6) Nothing in this clause shall be construed as preventing the restriction or termination of a student's activities at the Institute otherwise than on the ground of misconduct.
- (7) It is declared that a direction under subclause (1) (a) of this clause may be combined with a direction under sub clause (1) (b) of this Clause (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART V — ACADEMIC BOARD

Clause 16: Establishment of Academic Board of the Institute.

- (1) There is established as an integral part of the Institute an Academic Board which shall consist of:
 - (a) the Rector of the Institute;
 - (b) the Deputy Rector;
 - (c) the Registrar as secretary;
 - (d) the Librarian;
 - (e) Deans/Directors of Schools;
 - (f) Heads of Academic Departments/Units;
 - (g) not more than two (2) members of the academic staff other than Heads of Departments/Units, to be appointed by the Academic Board.
- (2) The Academic Board shall:

- (a) give the direction and management of academic matters of the polytechnic including the regulation of admission of students, the award of certificates and diplomas, scholarships, prizes and other academic distinctions;
 - (b) formulate and continuously evaluate the academic programme of the Institute;
 - (c) make periodic reports to the Council on such academic matters as the Board may deem fit or as the Council may from time to time direct; and
 - (d) the discharge of any other functions which the Council may delegate to it.
- (3) The Rector shall be the Chairman at the meeting of the Academic Board and in his absence the Deputy Rector shall preside at such meeting, but in the absence of both, the members present at the meeting shall appoint one of their number to preside at the meeting.
- (4) Subject to subclause (3) of this clause, the Academic Board shall have the power to regulate its own procedure (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART VI — FINANCIAL PROVISIONS

Clause 17: Fund of the Institute.

- (1) The Institute shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Institute in the performance of its functions under this Bill.
- (2) The fund of the Institute shall include:
 - (a) such sums as may, from time to time, be granted to the Institute by the Federal Government;
 - (b) fees charged by and payable to the Institute in respect of students;
 - (c) any other amount charged or dues recoverable by the Institute;
 - (d) revenue from time to time accruing to the Institute by way of subvention, grants in-aid, endowment or otherwise;
 - (e) interest on investment; and
 - (f) donations and legacies accruing to the Institute from any source, for the general or special purposes of the Institute (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 18: Donations for particular purpose.

- (1) Donations of money to be applied for any particular purpose shall be placed to the credit of a special reserve account and may be invested in such securities or other investments as may be approved by the Minister, until such time as they may be expended in fulfilment of such purpose; provided that the Institute shall not accept a donation from a particular purpose, if the terms and conditions attached to such donation are inconsistent with the functions of Institute under this Bill.
- (2) The interest derived from the investments referred to in sub section (1) of this clause (unless the terms of the donations otherwise require) shall be deemed to be revenue of the Institute (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 19: Payment into Bank.

Payment of all sums of money accruable to the Institute except donations and gifts shall be made through the Federal Government recognized Remita online platform (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 20: Annual Estimate Accounts and Audit.

- (1) The Institute shall keep proper records and accounts and shall cause to be prepared not later than 1 October in each financial year, an estimate of its revenue and expenditure for the ensuing financial year and the estimate shall be submitted to the National Board for Technical Education for approval.
- (2) At the end of each financial year but not later than 30 June the Institute shall cause to be prepared a statement of its income and expenditure during the previous financial year.
- (3) The statement of accounts referred to in subsection (2) of this clause shall, when certified by the Rector, be audited by a firm of auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation and shall be published in the annual report of the polytechnic (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 21: Annual Report.

Each council shall cause to be prepared and presented to the president through the minister, a report of the activities during the-preceding financial year, inclusive of the audited accounts of the polytechnic in respect of the financial year and the auditors comment not later than 31 December in each year (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART VII — MISCELLANEOUS

Clause 22: Power to make bye-laws.

- (1) The Council may, within the scope of its authority under this Bill, make bye-laws relating to any internal domestic matters placed by this Bill under its control and superintendence other than matters for which provision is to be made by standing orders under paragraph 1 (1) of the Schedule to this Bill or in pursuance of paragraph 2 (2) of the said Schedule.
- (2) All such bye-laws shall be in writing and shall come into force when sealed with the seal of the Institute, unless some other date for commencement be therein prescribed.
- (3) Nothing in sub clause (2) of this Bill shall make it obligatory for the Council to publish any of the said bye-laws in the Gazette (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 23: Regulations.

The Council may, with approval of the Minister, make regulations for giving effect to the provisions of this Bill and without prejudice to the foregoing regulations shall provide:

- (a) the entry into and the type of courses approved for the Institute;
- (b) the duration of the courses and academic standards; and
- (c) the certificates, diplomas or degrees which may be awarded by the Institute (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 24: Interpretations.

In this Bill, unless the context otherwise requires:

"Bye-laws" means bye-laws made under clause 22 of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Council" means governing body of the Institute established under clause 2 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.

"Minister" means Minister charged with responsibility for matters relating to 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.

"Visitor" means Minister of Education (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the word "Visitor" 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.

"Registrar" means the Registrar of the Institute (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Institute" means National Institute of Construction Technology and Management established under clause 1 of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Staff" means all persons employed by the Council to serve at the Institute (*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.

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

Clause 25: Short Title.

This Bill may be cited as National Institute of Construction Technology and Management (Establishment) Bill, 2019 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

SCHEDULE

[Section 2 (4)]

PROCEEDINGS OF THE BOARD

1. (1) Subject to this Bill and section 27 of the Interpretation Act, the Council may make standing orders regulating the proceedings of the Council or any committee thereof.
- (2) The quorum of the Council shall be seven (7) and the quorum of any committee of the Council shall be as determined by the Council.
2. (1) The Council shall meet for the conduct of business at such times as the Chairman of the Council may appoint but shall meet not less than twice in a year and not more than four (4) times in each year and two (2) emergencies.
- (2) The Chairman shall preside over all meetings of the Board. Where the Chairman is absent, the members present shall appoint one of their number to preside over the meeting.

- (3) No meeting shall hold except a quorum is formed. Notice and Agenda of proposed meeting as well as minutes of prior regular meeting shall be circulated to members at least two (2) weeks to the scheduled date of meeting.
- (4) For a meeting of the Governing Council to hold, the Chairman and seven (7) other members shall be and constitute the quorum. Where the Chairman is absent, any five members including the Rector (or his representative) shall be and constitute the quorum.
- (5) In a situation where voting is required to reach a resolution on any matter, a decision shall be reached by simple majority through a poll or show of hand. Where there is a tie, the Chairman may cast a deciding vote.
- (6) Where the Council desires to obtain advice of any person on a particular matter, the Council may co-opt him as a member for such period as it deems fit; but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Council and shall not count towards the quorum.
- (7) The Registrar of the Polytechnic shall serve as the Secretary but non-member of Board. He shall not be considered for the purpose of a quorum and shall have no voting right.

Committee

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

Miscellaneous

4. (1) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman and of any other member authorized generally or specially by the Council to act for that purpose.
- (2) Any contract or instrument which, if made by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Institute by the Rector or any person generally or specially authorized to act for that purpose by the Council.
- (3) Any document purporting to be a document duly executed under the seal of the Institute shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (4) Members of the Council who are not public officers shall be paid off of moneys at the disposal of the Council such enumeration; fee or allowances in accordance with such scale as may be approved, from time to time, by the President.

- (5) The validity of any proceedings of the Council of a committee thereof shall not be adversely affected by a vacancy in the membership of the Council of a committee or by reason that a person not entitled to do so took part in the proceedings.
- (6) Any member of the Council or any person holding office in a committee of the Council who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or committee thereof shall forthwith disclose his interest to the Council 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 establish the National Institute of Construction Technology and Management to provide full-time and part-time courses of instruction and training in Construction Technology, Engineering Technology, Applied Sciences, Management Sciences and other fields of study and to make provisions for the general administration of the Institute (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the National Institute of Construction Technology and Management, Uromi, Edo State to Provide Full-Time and Part-Time Courses and Man Power Training in Construction Technology, Engineering Technology, Applied Sciences, Management Sciences and Other Fields of Study and to Make Provisions for the General Administration of the Institute and for Related Matters (HB. 1350) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish the National Institute of Construction Technology and Management, Uromi, Edo State to Provide Full-Time and Part-Time Courses and Man Power Training in Construction Technology, Engineering Technology, Applied Sciences, Management Sciences and Other Fields of Study and to Make Provisions for General Administration of the Institute; and for Related Matters (HB. 1350) and approved Clauses 1 -3, approved Clause 4 as amended, approved Clauses 5 - 25, 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.

(vii) Committee on Defence

Motion made and Question proposed, "That the House do consider the Report of the Committee on Defence on a Bill for an Act to Amend the Armed Forces Act, Cap. A20, Laws of the Federation of Nigeria, 2004 to, among other things, Provide for Specific Duties for Armed Forces Reserve in order to serve as a Rapid Response Mechanism with Capacity to Intervene in Emergency and Internal Security where the Nigerian Police were overwhelmed, Provide for the Appointment of the Chief of Defence Staff, to make the Appointment of Service Chiefs subject to Confirmation by the National Assembly; and for Related Matters" (HB.70, HB.411, HB.149 and HB.802)" (*Hon. Muktar Betara Aliyu — Biu/Bayo/Shani/Kwaya Kusar Federal Constituency*).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE ARMED FORCES ACT, CAP. A20, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO, AMONG OTHER THINGS, PROVIDE FOR SPECIFIC DUTIES FOR ARMED FORCES RESERVE IN ORDER TO SERVE AS A RAPID RESPONSE MECHANISM WITH CAPACITY TO INTERVENE IN EMERGENCY AND INTERNAL SECURITY WHERE THE NIGERIAN POLICE WERE OVERWHELMED, PROVIDE FOR THE APPOINTMENT OF THE CHIEF OF DEFENCE STAFF, TO MAKE THE APPOINTMENT OF SERVICE CHIEFS SUBJECT TO CONFIRMATION BY THE NATIONAL ASSEMBLY; AND FOR RELATED MATTERS" (HB.70, HB.411, HB.149 AND HB.802)

Consideration deferred.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole deferred consideration of the Report of the Committee on Defence on a Bill for an Act to Amend the Armed Forces Act, Cap. A20 Laws of the Federation of Nigeria, 2004 to, among other things, Provide for Specific Duties for Armed Forces Reserve in order to serve as a Rapid Response Mechanism with Capacity to Intervene in Emergency and Internal Security where the Nigerian Police were overwhelmed, Provide for the Appointment of the Chief of Defence Staff, to make the Appointment of Service Chiefs subject to Confirmation by the National Assembly; and for Related Matters" (HB.70, HB.411, HB.149 and HB.802).

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

(viii) 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 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, Establish the Economic and Financial Crimes Courts, make 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)"(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 Speaker in the Chair)

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 COUNTER PARTS, ENSURE ADEQUATE FUNDING OF THE COMMISSION, ESTABLISH THE ECONOMIC AND FINANCIAL CRIMES COURTS, MAKE THE COMMISSION MORE INDEPENDENT AND EFFECTIVE IN THE ENFORCEMENT OF ECONOMIC AND FINANCIAL CRIMES AND TO ENHANCE EFFECTIVENESS OF THE ACT AND FOR RELATED MATTERS (HB. 393, HB. 326, HB. 617 AND HB. 871)

Clause 1: Amendment of the Principal Act.

The Economic and Financial Crimes (Establishment) Act, 2004 (in this Bill referred to as "the Principal Act") is Amended as set out in this Bill (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 2: Amendment of Section 1 (2).

Section 1 (2) (c) of the Principal Act is hereby deleted (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 3: Insertion of Sub-Sections 3, 4, 5, & 6.

Section 1 of the principal Act is amended by inserting a new subsections (3), (4), (5) and (6) as follows:

- "(3) There shall be a unit domiciled in the Commission to be known as the Nigerian Financial Intelligence Unit (Hereinafter referred to as the "NFIU"), Which shall be the Central Authority in Nigeria responsible for requesting, receiving, analyzing and disseminating of Financial information to law enforcement Agencies, supervisory and regulatory Authorities.
- (4) The NFIU shall carryout such other functions as maybe prescribed in a regulation made by the Attorney General of the Federation pursuant to section 43 of this Bill and section 23 of the Money Laundering (prohibition) Act, 2011 (as amended).
- (5) In carrying out its functions the NFIU shall be operationally autonomous and independent, and shall not be subject to the direction or control of any other authority accept on matters of administration or policy oversight function of the commission.
- (6) The NFIU shall have power to —
 - (a) conduct analysis into any suspected cases of Money Laundering, terrorist Financing, financing of the proliferation of weapons of mass destruction, and non compliance with the provisions of the Money Laundering (prohibition) Act, the terrorism (prevention) Act, the Terrorist prevention (freezing of International Terrorist funds and other related measures) Regulation 2013;
 - (b) serve as the secretariat to the Nigerian Sanction Committee and the Inter-Ministerial Committee on Anti-Money Laundering/Countering the Financing of Terrorism Matter in Nigeria;

- (c) without hindrance, share information or intelligence with other Financial Intelligence Units ("FIUs") either in response to a request made to it or in a spontaneous manner;
- (d) receive request for information directly from other FIUs and domestic stakeholders Agencies and process the same in a confidential and secure manner;
- (e) demand for and obtain additional information from any entity within or outside Nigeria where it consider such additional information expedient to the effective performance of its duties;
- (f) enter into Memorandum Of Understanding or such other arrangement with domestic stakeholder agencies, other FIUs or Institutions worldwide as will enable it to carry out its functions effectively; and combating the financing of terrorism focused examination of financial Institutions and designated non-financial institutions".

Committee Recommendation:

Leave out the provisions of Clause 3 (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Agreed to.

Clause 4: Amendment of Section 2.

Section 2 (1) of the Principal Act is amended by deleting Section 2 (1); and substituting it with a new Section 2 (a), (i), (ii), and inserting a new sub-paragraph (iii) —

- (a) a Chairman, who shall —
 - (i) be a retired or Serving member of any government security or law enforcement agency not below the rank of Commissioner of Police (CP) or an equivalent and possessing not less than 15 years cognate experience.
 - (ii) a legal practitioner with at least 15 years post call experience; and renumbering Section 2 (1) (o) and (p) to read Section 2 (1) (p) and 2 (1) (q) respectively (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Amendments Proposed:

- (i) In Clause 4 (a) (i), line 6, immediately after the word "experience" insert the word "or" (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the amendment made — Agreed to.

- (ii) Renumber section 2 (1) (o) and (p) to read section 2 (1) (p) and 2 (1) (q) respectively (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the amendment made — Agreed to.

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

Clause 5: Amendment of Section 3.

Section 3 (1) of the Principal Act is amended by inserting the words: "the secretary and" between the words "than" and "*ex-officio*" to read as follows:

"The Chairman and Members of the Commission other than the Secretary and *Ex-officio* members shall hold office for a period of four years and maybe re-appointed for a further term of four years and no more" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 6: Amendment of Section 3.

Section 3 (2) of the Principal Act is amended by deleting the whole of section 3 (2) and substituting it with a new section 3 (2) as follows:

"a member of the commission may at any time be removed by the President for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misconduct if the president is satisfied that it is not in the interest of the commission or the interest of the Public that the member should continue in the office, provided that the Chairman shall only be removed subject to the approval of simple majority of the Senate" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Amendment Proposed:

Leave out all the words in Clause 6, and *insert* as follows:

"a member of the Commission may be removed by the President for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misconduct. Provided that the Chairman or a member shall only be removed subject to the approval of two-third majority of the Senate" (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the amendment be made — Agreed to.

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

Clause 7: Amendment of Section 6.

Section 6 of the Principal Act is amended by substituting Section 6 (a) with the following:

- (a) "Monitoring, supervising and regulating the activities of designated Non-Financial Institutions to ensure compliance with anti-money laundering and combating the financing of terrorism regime". (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 8: Amendment of Section 7.

Section 7 (2) (a) and (b) of the Principal Act is amended to read as follows:

- (a) the Money Laundering (Prohibition) Act 2011(as amended);2004; 2003 No.7; 1995 No. 13;
- (b) the Advance Fee Fraud and Other Related Offences Act 2006; 1995 (as amended)" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Amendment Proposed:

Leave out all the words in Clause 8 (a) and (b), and insert as follows:

- (a) "the Money Laundering (Prohibition) Act (as amended)"
- (b) "the advance fee fraud and other related offences Act (as amended)" (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the amendment made — Agreed to.

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

Clause 9: Amendment of Section 8.

Section 8 of the Principal Act is amended by inserting a new sub-paragraph (e):

- "(e) a person who is qualify to practice as a legal practitioner in Nigeria and has been so qualified for not less than 10years" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 10: Amendment of Section 9 (1)(b).

Section 9 (1) (b) of the Principal Act is amended by substituting with the following:

- "(b) appeals by such employees against dismissal or other disciplinary measures"; and deleting the rest of the sentence (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 11: Amendment of Section 9.

Section 9 of the Principal Act is amended by inserting a new subsection 9 (3) to read as follows:

- "where no provision is made in the Staff regulations regarding any issue the public Service Rules shall apply" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 12: Amendment of Section 12.

- (i) Section 12 of the Principal Act is amended by deleting the words "and Assets" in Section 12 (1) (a); 13 (1), and 13 (2) (b) of the Principal Act.

- (ii) Section 12 is amended by inserting a new sub-paragraph (f) to Section 12 (1):

- "(f) Special Control Units against Money Laundering" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 13: Amendment of Section 13.

Section 13 (3) of the Principal Act is amended by renumbering Section 13 (3) as 13 (5) and inserting new sub-sections 13 (3) and (4) as follows:

- “(3) The Special Control Unit against Money Laundering ("SCUML") shall:
- (a) monitor and supervise the activities of all designated non-financial institutions to ensure compliance with the provisions of this Bill, the Money Laundering (Prohibition) Act, 2011 (as amended), provisions of the Terrorism (Prevention) Act, 2011 relating to terrorism financing, and any rules or regulations made thereto;
 - (b) advise all designated non-financial institutions on their obligations and responsibilities under this Bill; The Money Laundering (Prohibition) Act, 2011 (as amended), the Terrorism (Prevention) Act, 2011 (as amended) and any rules or regulations made thereto;
 - (c) take necessary measures to ensure compliance by all designated non-financial institutions regarding their obligations and responsibilities under this Bill; the Money Laundering (Prohibition) Act, 2011 (as amended). The Terrorism (Prevention) Act, 2011 (as amended) and any rules or regulations made thereto.
- (4) Notwithstanding the provisions of Section 5 (1) (c) and (2) of the Money Laundering (Prohibition) Act 2011 (as amended):
- (a) all Designated Non-Financial Institutions shall forward all reports required from them under the said Money Laundering (Prohibition) Act, 2011(as amended) to the Commission.
 - (b) any reference to the "Minister" under the Money Laundering (Prohibition) Act, 2011 and reference to the Federal Ministry of Industry, Trade and Investment under Section 25 of the Money Laundering (Prohibition) Act 2011 (as amended) shall be deemed to be a reference to the "Attorney General of the Federation", and any regulations made by the "Minister" in exercise of the powers conferred on him under the said Money Laundering (Prohibition) Act, 2011 (as amended) shall continue to have effect as if they were made by the Attorney-General of the Federation" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Amendment Proposed:

Leave out all the words in Clause 13, and insert as follows:

“Notwithstanding any provisions of the Money Laundering (Prohibition) Act (as amended):

- (a) all designated non-financial institutions shall forward all report required from them under the said Money Laundering (Prohibition) Act (as amended) to the Commission;
- (b) any reference to the “Minister” under the Money Laundering (Prohibition) Act (as amended) and reference to the Federal Ministry of Industry, Trade and Investment under section 25 of the Money Laundering (Prohibition) Act (as amended) shall be deemed to be a reference to the “Attorney-General of the Federation” and any regulations made by the “Minister” in exercise of the powers confirmed on him under the said Money Laundering (Prohibition) Act (as amended), shall continue to have effect as if they were made by the Attorney-General of the Federation” (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Question that the amendment made — Agreed to.

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

Clause 14: Amendment of Section 14.

Section 14 (1) (a) of the Principal Act is amended by Inserting the words " any rules or regulations made pursuant to this Bill" after the word "Act" in Section 14 (1) (a) of the principal Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 15: Amendment of Section 14 (2).

Section 14 (2) of the Principal Act is amended by deleting the whole of Section 14 (2) of the Principal Act and substituting it with the following:

"Subject to the provisions of Section 174 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) (which relates to the power of the Attorney-General of the Federation to institute, continue, takeover or discontinue criminal proceedings against any person in any court of law), the commission may:

- (a) subject to full recovery of any proceeds, assets or property derived or involve in the commission of the offence compound any offence punishable under this Bill by accepting such sums of money as it thinks fit, exceeding the maximum amount to which that person would have been liable if he had been convicted of that offence; or
- (b) enter into any plea bargain arrangement with any person who is charged for an offence under this Bill in accordance with the Administration of Criminal Justice Act, 2015 or any other applicable law regulating plea bargain Arrangement (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 16: Amendment of Section 14.

Section 14 is amended by inserting a new subsection 14 (4) to read as follows:

"Notwithstanding the provisions of Section 14 (3); 20; 21; 22; and Section 31 (2) and (3), or any other provision in this Bill where the property, assets or money recovered belongs to:

- (a) the Government of a State it shall be paid or transferred to the Government of the State;
- (b) a person whether body corporate or not it shall be paid or transferred to the person;
- (c) an unidentifiable victims; and in any other case, the money or the proceeds from the sale of the property or assets when disposed of shall be paid into the Consolidated Revenue Fund of the Federation" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 17: Amendment of Section 26.

Section 26 (1) (a) of the Principal Act is amended by inserting the word "investigation " between the words "an" and "arrest" to read as follows:

- (a) the seizure is incidental to an investigation, arrest or search" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 18: Amendment of Section 26 (2).

Section 26 (2) is amended by inserting two new sub-section 26 (2) (c) and (d), to read as follows:

- "(c) manage or administer such property by itself or appoint any person or firm with reasonable or cognate knowledge in the management or administration of such property to do so and shall pay all monies realized from it to a designated account after settlement of all necessary costs incidental to the management or administration of such property including professional fees of the person or firm appointed;
- (d) where any movable property seized is liable to decay or deterioration, or is property which cannot be maintained without difficulty or unreasonable expenses, or which is not practicable to maintain, the Commission may:
- (i) by an order of court made pursuant to an ex-parte application sell or cause such property to be sold at the prevailing market value and shall keep in its custody the proceeds of the sale subject to the settlement of all incidental costs in the property;
- (ii) direct that the property be released on bond to the owner or person from whose custody or control it was seized subject to security being furnished in an amount not less than the market value of such property on the date on which it is released or such other security as the Commission may deem appropriate or reasonable pending the outcome or conclusion of investigation or any proceedings under this Bill" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 19: Amendment of Section 26 (3).

Section 26 (3) is amended by renumbering section 26 (3) of the Principal Act as Section 26 (4) and a new subsection (3) to read as follows:

"where a person to whom property is released on bond pursuant to Section 26 (2) (d) (ii) above fails or neglects to surrender that property on demand or to comply with any term or condition for the release of the property, the security furnished in respect of such property shall be forfeited and that person shall be guilty of an offence and shall on conviction be liable to a fine of not less than twice the amount of the security furnished or to imprisonment for a term not less than two years or to both" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 20: Amendment of Section 27.

Section 27 (4) of the Principal Act is amended to read as follows:

"Subject to the provisions of section 24 of this Bill, whenever the assets and properties of any person under investigation or arrested for an offence under this Bill are attached, the Commission shall apply ex-parte to the Court for an interim attachment Order under the provision of this Bill" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Amendment Proposed:

In Clause 20 (3), retain the provisions in the Principal Act (*Hon. Razak Atunwa — Ilorin West/Asa Federal Constituency*).

Question that the amendment — Agreed to.

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

Clause 21: Amendment of Section 28.

Section 28 of the Principal Act is amended as follows:

"where a person is under investigation or arrested for an offence under this Bill, the Commission shall immediately trace and attach all the assets and the properties of the person acquired as a result of such Economic and Financial Crimes and shall thereafter by an ex-parte application cause to be obtained an interim attachment order from the Court" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 22: Amendment of Section 29.

Section 29 of the Principal Act is amended substituting Section 29 of the Principal Act as follows:

"(1) Where:

- (a) any property has come into possession of an officer of the Commission as unclaimed property;
- (b) any unclaimed property is found by an officer of the Commission to be in the possession of any other person, body corporate or Financial Institution;
- (c) any property whether or not in the possession of any person, body corporate or Financial institution is reasonably suspected to be proceeds of Crime under this Bill; or
- (d) where any person whether or not under investigation voluntarily surrenders any property as proceeds of Crime; the High Court shall upon application made by the Commission, its officers, or any other person authorized by it, and upon being reasonably satisfied that such property is an unclaimed property; or reasonably suspected to be proceeds of Crime; or has been voluntarily surrendered to the Commission make an order that the property or the proceeds from the sale of such property be forfeited to the Federal Government of Nigeria.

- (2) Notwithstanding the provision of sub-section 1 of this section the High Court shall not make an order of forfeiture of property of the proceeds from the sale of such property to the Federal Government of Nigeria until such notice or publication as the High Court may direct has been giving or made for any person, body corporate or Financial institution in whose possession the property is found or who may have a claim or interest in the property to show cause why the property should not be forfeited to the Federal Government of Nigeria.
- (3) Application under subsection (1) above shall first be made by a motion ex-parte for interim attachment order of the property concerned and the giving of the requisite notice or publication as required in subsection (2) of this section
- (4) At the expiration of fourteen days or such other period of the High Court may consider reasonable from the date of the notice or making of the publication stated in sub-section (2) and (3) of this section, and application shall be made by an Ex-parte originating summons for the final forfeiture of the property concerned to the Federal Government of Nigeria where there is no claimant, by a motion on notice to the claimant or interested person where there is a claimant or interested person.
- (5) An order of forfeiture under this section shall not be based on a conviction for an offence under this Bill or any other law" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Amendment Proposed:

In Subclause (4), line 4, immediately after the words "made by an" *leave out* the word "ex-parte" (*Hon. Simon Yakubu Arabo — Kauru Federal Constituency*).

Question that the amendment made — Agreed to.

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

Clause 23: Amendment of Section 34.

Section 34 of the Principal Act is amended by Deleting the whole of Section 34 (1) of the Act and substituting it with the following:

"Notwithstanding anything in any other enactment or law, the Chairman of the Commission or any officer authorized by him may, if satisfied that the money in the account. of the person is made through the commission of an offence under this Bill:

- "(a) by a letter or any other recognized mode of communication to the manager of a bank, or the person in control of the financial institution or designated non-financial institution directing him to post no debit or stop all outward payment, operations, transactions(including any bill of exchange) in respect of the account; and
- (b) shall within 14 days apply to the Court ex-parte for an order as specified in FORM B of the schedule to this Bill, addressed to the manager of the bank or any person in control of the financial institution or designated non-financial institution where the account is or believe by him to be or the head office of the bank, other financial institution or designated non-financial institution to freeze the account" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Amendments Proposed:

- (i) Retain the provision in the Principal Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that the amendment — Agreed to.

- (ii) In the provision in the Principal Act, subclause (2), *insert* a proviso as follows:
“Provided such directive is covered by an order of court made pursuant to Subsection (1)”
(*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

Question that the amendment made — Agreed to.

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

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Financial Crimes 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) and approved Clause 1 - 3, approved Clause 4 as amended, approved Clause 5, approved Clauses 6 as amended, approved Clause 7, approved Clause 8 as amended, approved Clauses 9 - 12, approved Clause 13 as amended, approved Clauses 14 - 19, approved Clause 20 as amended, approved Clauses 21, approved Clauses 22 - 23 as amended, and deferred further consideration of the Bill to enable the Committee on Rules and Business examine Clause 24 vis-a-vis standard practice in other jurisdictions and report back the next legislative day.

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

(ix) **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)” (*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 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.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr 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.

(x) Committee on Tertiary Education and Services:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Tertiary Education and Services on a Bill for an Act to Establish the Federal College of Education, Monguno, Borno State to provide Full-time Courses, Teaching, Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and to Provide for the Appointment of the Provost and other Officers of the College to carry out the Administration and Disciplining of Students of the College; and for Related Matters (HB. 1215)" (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH FEDERAL COLLEGE OF EDUCATION, MONGUNO, BORNO STATE, TO PROVIDE FULL-TIME COURSES, TEACHING INSTRUCTIONS AND TRAINING IN TECHNOLOGY, APPLIED SCIENCES, ARTS, SOCIAL SCIENCES, HUMANITIES AND MANAGEMENT; AND TO PROVIDE FOR THE APPOINTMENT OF THE PROVOST AND OTHER OFFICERS OF THE COLLEGE TO CARRY OUT THE ADMINISTRATION AND DISCIPLINING OF STUDENTS OF THE COLLEGE AND FOR RELATED MATTERS (HB. 1215)

Committee Recommendation:

Clause 1: Establishment of Federal College of Education, Monguno, Borno State.

- (1) There is established the Federal College of Education, Monguno (herein after referred to as "the college").
- (2) The College shall be a body corporate with Education perpetual succession and common seal and shall take power to acquire and dispose of interest in movable and immovable properties.
- (3) The College may sue and be used in its corporate name (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 2: Governing Council of the College.

- (1) The governance and direction of the College affairs shall rest in the governing council of the college (in the Bill referred to as "the Council").

- (2) The Council shall have the responsibility to consider and approve:
- (a) the programme of studies to be undertaken in the College;
 - (b) the annual estimate of the College; and
 - (c) the investment plan of the College.
- (3) The provision of the schedule of this Bill shall have effect with respect to the Council as mentioned herewith (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 3: Membership of the Council in the College.

The council of the College shall consist of:

- (a) a chairman and other members to be appointed by the President;
- (b) a representative of the Federal Ministry of Education;
- (c) a representative of the University of which the college is affiliated to for the purpose of moderation;
- (d) two representatives of the academic board of the college;
- (e) a representative of the National Commission for the Colleges of Education; and
- (f) the provost of the college (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 4: Tenure of Members of the Council.

- (1) A member of the council (other than the ex-official members) shall hold office for the term of four years and subject to the provision of sub-Section (2) of this section shall be eligible for re-appointment for a further period of four years and also move.
- (2) The office of a member appointed under section 3 of this bill shall become vacant if:
 - (a) the member resigns in office by notice of writing under his hand addressed to the Minister; or
 - (b) the minister is satisfied that it is not in the interest of the college for the person appointed to continue in office and notifies the member in writing to that effect (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

*Committee Recommendation:***Clause 5: Functions of the College.**

The functions of the College shall be:

- (a) to provide full-time courses in teaching instruction and training:
 - (i) in technology, applied sciences, arts, social sciences, humanities and management; and
 - (ii) in such other fields of applied learning relevant to the needs of development of Nigeria.
- (b) to conduct courses in Education for qualified teachers;
- (c) to arrange conference, seminars and workshops relative to the functions of the college; and
- (d) to perform such other functions as in the opinion of the council may serve to promote the objective of the college (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

*Committee Recommendation:***Clause 6: Powers of the Council.**

The council of the college shall have power to:

- (a) hold examinations and grant Degree, NCE, Diploma, professional Certificates and other distinction to persons, who have pursued courses of study approved and accredited by the National Commission for Colleges of Education (NCCE);
- (b) hold examination in education for qualified teachers;
- (c) recruit staff and determine structure of such staff;
- (d) demand and receive from any student or any other person attending the college for the purpose of construction such fees as the Council may with the prior approval of the Minister, from time to time determine;
- (e) hold public lectures and undertake printing, publishing and bookselling;
- (f) award fellowship, medals, prize, prizes and other titles;
- (g) establish and maintain such schools and other teaching units with the college or extra moral department as the councils may time to time determine;
- (h) erect, provide, equip, and maintain such educational recreational and residential facilities as the College may require;
- (i) create lectureship and other academic post and offices and to make appointment thereof;
- (j) receive grants and give gifts;

- (k) enter into such contracts as may be necessary or expedients for carrying into effect the objectives of the college;
- (l) provide amenities for and make such other provision for the welfare of the staff and students of the college;
- (m) encourage and make provision for research in the college;
- (n) do such acts and things whether or not incident to the foregoing powers as may advance the objects of the college (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 7: Visitation.

- (1) The minster responsible for education shall be the visitor of the college the college;
- (2) The visitor shall, not less than once in every five year conduct a Visitation to the college or appoint a visitation panels consist of not less than five experts to conduct the visitation:
 - (a) for the purpose of evaluating the academic and administrative performance of the college; or
 - (b) for such other purpose as the visitors may deem fit (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 8: The Academic Board and its function.

- (1) There shall be established for the college a board to be known as the academic Board which shall consist of the following members:
 - (a) the power of the college as the chairman;
 - (b) all heads of departments;
 - (c) the college Bursar;
 - (d) the College librarian; and
 - (e) not more than three members of the Academic staff other than the heads of department to be appointed by the council.
- (2) The Academic Board shall be responsible for:
 - (a) the Direction and management of academic and academic matters of the college including the regulation of admission of student, the award of certificate scholarship, prize and other academic distinction;
 - (b) discharging other functions which the council may from time to time delegate to it (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 9: Power of Minister.

The Minister may give to the directions of the general character or relating generally to matters with regard to the exercise by the council of its functions and it shall be the duty of the council to comply with such directions (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 10: The Provost of the College.

- (1) There shall be a provost for the college (herein referred to as "the provost") who shall be appointed by the president on the recommendation of the Minister.
- (2) Where a vacancy occurs in the post of the provost, the council shall:
 - (a) advertise the vacancy in reputable widely read newspaper in Nigeria specifying:
 - (i) the qualities of the person who may apply for the post;
 - (ii) the terms and conditions of the service applicable to the post and thereafter draw ups a short list of suitable candidates for examination of the Minister.
- (3) The President shall appoint a provost from one of the candidates recommended by the minister.
- (4) Subject to the general control of the council if the provost shall be The chief executive of the college and shall be charged with general responsibility for matters relating to the day-to-day management and operations of the college.
- (5) The provost shall hold offices for a period of five (5) years only and on such terms and conditions as may be specified in his letter of Appointment (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 11: Deputy Provost.

- (1) There shall be for the college two Deputy Provosts namely:
 - (a) Deputy Provost (Academic); and
 - (b) the Deputy provost (administration).
- (2) The council shall appoint the deputy provost from among the chief Lecturers in the college in any of the following way, that is:
 - (a) from a list of five candidates in order of preference, submitted by the provost;

- (b) on the recommendation of selection Board constituted for their purpose; or
 - (c) on the nomination of the provost.
- (3) The selection Board referred to in subsection 2 (b) of this section shall consist of:
 - (i) the Chairman of the council;
 - (ii) the Provost of the college;
 - (iii) two members of the Academic board; and
 - (iv) two members of the council not being members of the academic board.
- (4) (a) The Deputy Provost (Academic) shall:
 - (i) assist the provost in the performance of his function in academic matters of the college;
 - (ii) acts as the provost when the post of the provost is vacant or if the Provost is for reasons absent or unable to perform his function.
- (b) The Deputy Provost (administration) shall:
 - (i) assist the provost in the administrative matters of the college; and
 - (ii) perform such others function as the provost or the council may from time to time assign to him.
- (5) Each of the Deputy provosts shall hold offices for a period of two years and no more (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 12: The Registrar and other Staff of the College.

- (1) There shall be a registrar for the college to be appointed by the council.
- (2) The registrar shall keep the records and conduct the correspondence of the council.
- (3) The registrar shall be the secretary to:
 - (a) the council;
 - (b) the Academic Board; and
 - (c) any committee of the council.

- (4) The registrar may perform any duty as may be assigned to him by the council of the provost.
- (5) The registrar shall hold office for a period of five years and no more (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 13: Other Principal Officers of the College.

- (1) There shall be for the college in addition to the registrar:
 - (a) the Bursar; and
 - (b) the college Librarian who shall be appointed by the council.
- (2) The Bursar shall be the chief financial officer of the college and be responsible to the provost for the day-to-day administration and control of the financial affairs of the college.
- (3) The college Librarians shall be responsible to the provost for the administration of the college library and the coordinator of the library services in the teaching units of the college.
- (4) The Bursar and the college librarian shall each hold office for a period of five years and no more (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 14: Resignation of appointment of Principal Officer.

A principal officer of the college may resign his appointment:

- (a) in case of the provost by notice to the visitor for; and
- (b) in any other case by advise to the council (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 15: Other Employees of the College.

- (1) The council may appoint other persons to be employees of the college as the council may deem to assist the provost and the principal officers in the performance of their functions.
- (2) The remuneration tenure of office and condition of service of the employee of the college shall be determined by the council in conjunction with the Federal Civil Service Commission (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

*Committee Recommendation:***Clause 16: Pensions.**

Service in the college shall be approved services for the purpose of the pension's reform and accordingly, officers and other persons employed in the college shall be entitled to pension gratuity and other retirement benefits as may be prescribed in their respective letters of appointment (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

*Committee Recommendation:***Clause 17: Selection Board for other Principal Officers.**

- (1) These shall be selection Board for the college which shall consist of:
 - (a) the chairman of the council;
 - (b) the provost;
 - (c) four members of the council not being members of the academics Board; and
 - (d) two members of the Academic Board.
- (2) The functions, procedure and other matters relating to the selection Board constituted under subsection (1) of this section shall be determined from time to time by the council (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

*Committee Recommendation:***Clause 18: Fund of the College.**

- (1) The College shall establish and maintain a fund which shall be applied towards the promotion of the objectives of this Bill.
- (2) There shall be paid and credited to the fund established under subsection (1) of this section;
 - (a) such sums as may from time to time be granted by the federal Government through the National Commission for Colleges of Education;
 - (b) all monies raised by the council by the way of gift, grants in aid or test monetary disposition; and
 - (c) all subscription fees and charges for services rendered by the council and all other sums that may accrue to the council from any sources.
- (3) The council shall submit to the minster, through the National Commission for Colleges of Education not later than three months before the end of each financial year or at such other time as he may direct an estimate of its revenue and expenditure for the next succeeding financial year (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 19: Power to accept gifts.**

- (1) The college may accept gifts or loan, money or of other property upon such terms and condition, of any as may be specified by the person making the gifts.
- (2) The college shall not accept any gift of the conditioned attached to the gifts are inconsistent with the functions of the college (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 20: Account and Audit.**

The College shall keep proper accounts of its receipts, payments, assets and liabilities and shall in respect of each year cause the account to be audited (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 21: Annual Reports.**

The council shall as soon as may be after the expiration of each Financial year, prepare and submit to the minister report of its activities during the immediate proceeding financial year and shall include in the report a copy of the audited accounts of the college for that year and of the auditor's report of the accounts (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 22: Interpretation.**

In this Bill:

"Chairman" means the chairman of the council (*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.

"College" means the Federal College of Education Monguno are established under Section (1) of this Bill (*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 college established under section 2 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.

"Function" includes power and duties (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Minster" means the minster charged with responsibility 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.

"Member" means a member of the council including 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.

"Provost" means the provost of the college established under section 10 of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

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

Committee Recommendation:

Clause 23: Short Title.

This Bill may be sited as the Federal College of Education Monguno (Establishment) Bill, 2019 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

SCHEDULE

[Section 2(3)]

SUPPLEMENTARY PROVISION RELATING TO THE COUNCIL, ETC

Terms of service

1. There may be paid to the members of the council or any Committee, other than ex officio members, such remuneration and Allowance may from time to time be determined by the president
2. Where vacancy occurs in respect of the membership specified in section 3, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor in office and such Successor shall represent the same interest as his predecessor.
3. The council may act notwithstanding any vacancy in its Membership or any defect in the appointment of a member or the absence of a member.

Proceedings

4. (1) The council shall meet for the conduct of business at such times, places and on such days as the chairman may appoint but shall meet not less than once every four months.

- (2) The chairman may at time and shall at the request in writing of not less than six members, convene a meeting of the council.
- (3) Where the council desires to obtain the advice of any person on any particular matter, . The council may co-opt persons who are members of the council but persons co-opted shall not be entitled to vote at a meeting of the Council.
- (4) The Quorum of the Council shall be one of the total members of the council, at least one of whom shall be a member appointed by the President.
- (5) Decision of the council shall be made on approval by a simple Majority of members.

Miscellaneous

5. (1) The fixing of the seal of the college shall be authenticated by the Signatures of the chairman, provost and of some other members of the council Authorized generally or specially by the council to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person other than a body corporate would not be required to be under seal may be made executed on behalf of the college by any person generally or specially authorized to act for that purpose by the council.
- (3) Any document purporting to be duly executed under the seal of the College shall be received in evidence and shall unless the contrary is proved, be presumed to be so executed (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Explanatory Memorandum:

This Bill seeks to establish the Federal College of Education Monguno, Borno State as Institute to offer full-time courses leading to the award of National Certificates of Education, Diplomas, etc. (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish Federal College of Education Monguno, Borno State, to Provide Full-time Courses, Teaching Instructions and Training in Technology, Applied Sciences, Arts, Social Sciences, Humanities and Management; and to Provide for the Appointment of the Provost and Other Officers of the College to Carry Out the Administration and Disciplining of Students of the College and for Related Matters (HB. 1215) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Tertiary Education and Services on a Bill for an Act to Establish the Federal College of Education, Monguno, Borno State to provide Full-time Courses, Teaching, Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and

to Provide for the Appointment of the Provost and other Officers of the College to carry out the Administration and Disciplining of Students of the College; and for Related Matters (HB. 1215) and approved Clauses 1 - 23, 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.

(xi) **Committee on Tertiary Education and Services:**

Motion made and Question proposed, "That the House do consider the Report of the Committee on Tertiary Education and Services on a Bill for an Act to Establish the Federal University of Agriculture, Dadin Kowa, Gombe State to make Comprehensive Provisions for its due Management and Administration; and for Related Matters (HB. 1327)" (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF
AGRICULTURE, DADIN/KOWA, GOMBE STATE TO MAKE COMPREHENSIVE
PROVISIONS FOR ITS DUE MANAGEMENT AND ADMINISTRATION
AND FOR RELATED MATTERS (HB. 1327)

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF
FEDERAL UNIVERSITY OF AGRICULTURE, DADIN/KOWA

Committee Recommendation:

Clause 1: Establishment and Objects of the Federal University of Agriculture, Dadin/Kowa.

(1) There is establish the Federal University of Agriculture, Dadin/Kowa (in this Bill referred to as "the University").

(2) The University:

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

(b) may sue or be sued in its corporate name (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

Committee Recommendation:

Clause 2: Objects of the University.

The objects of the University shall be to:

(a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction the opportunity of acquiring tertiary education in Agriculture;

- (b) to develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees with emphasis on Agricultural research, planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, and allied professional disciplines with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing technologies in the Agriculture, but also to improve on them and develop new ones;
- (c) to act as agents and catalysts, through post-graduate training, research and innovation for the effective and economic utilization, exploitation and conservation of the country's Agriculture resources;
- (d) to offer to the general population particularly in the area Agriculture as a form of public service, the results of training and research and to foster the practical applications of these results;
- (e) to establish appropriate relationships with other national institutions involved in training, research and development of technologies in the Agriculture sector;
- (f) to identify the problems and needs of the Agriculture sector in Nigeria and to find solutions to them within the context of overall national development;
- (g) to provide and promote sound basic scientific training as a foundation for the development of Agriculture in Nigeria, taking into account indigenous cultures and the need to enhance national unity;
- (h) to encourage and promote scholarship and conduct research in restricted fields of learning; and human endeavor;
- (i) to relate its activities to the technological, social, cultural and economic needs of the people of Nigeria; and
- (j) to undertake any other activities appropriate for an Agriculture University 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.

Committee Recommendation:

Clause 3: 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;
 - (e) a body to be called Congregation;
 - (f) a body to be called Convocation;

- (g) the Campuses and Colleges of the University;
 - (h) the Faculties, Schools, 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; 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 mentioned therein.
- (3) Provision shall be made by Statute with respect to the constitution of the following bodies, namely:
- (a) the Council;
 - (b) the Senate;
 - (c) the Congregation; and
 - (d) the Convocation (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 4: Powers of the University.

- (1) For the carrying out of its objects as specified in Section 2 of this Bill, the University shall have power to:
- (a) establish such Campuses, Colleges, Faculties, Institutes, Schools, Extra-mural Departments and other teaching and research units within the University as may from time to time seem necessary or desirable, subject to the approval of the National Universities Commission;
 - (b) institute professorships, readerships and associate professorships, lectureships and other posts and offices and to make appointments thereto;
 - (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
 - (d) provide for the residence, discipline and welfare of members of the University;

- (e) hold examinations and award 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;
- (f) award honorary degrees, fellowships or academic titles;
- (g) demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may from time to time determine, subject to the overall directives of the appropriate authority;
- (h) subject to section 22 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
- (i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
- (j) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
- (k) erect, provide, equip and maintain libraries, laboratories, 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;
- (l) hold public lectures and undertake printing, publishing and book selling;
- (m) subject to any limitations or conditions imposed by Statute, to invest any moneys appertaining to the University by law of endorsement, whether for general or special purposes, and such other moneys as may not be 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 and to deposit any moneys for the time being un-invested with any bank on deposit or current account;
- (n) 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 necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;
- (o) make gifts for any charitable purpose;
- (p) do anything which it is authorized or required by this Bill or by any other Statute to do; and
- (q) 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 made thereunder and without prejudice to Section 9 (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 this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 5: 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 for 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 5 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 6: Establishment and Composition of Council.

- (1) There shall be a Council for the University consisting of:
- (a) the Pro-Chancellor;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor;
 - (d) one person from the Ministry responsible for Education;
 - (e) four persons representing a variety of interest and broadly representative of the whole Federation;
 - (f) four persons appointed by the Senate from among its members;
 - (g) two persons appointed by the congregation from among its members; and
 - (h) one persons appointed by Convocation from among its members.
- (2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

*Committee Recommendation:***Clause 7: Functions of the Council and its Finance and General Purpose.**

- (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, including its public relations.
- (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 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 proper accounts of the University are kept and that the accounts of the University are audited annually by auditors appointed by the Council from the list and in accordance with guidelines supplied by the Auditor-General of the Federation, 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 subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council, and where any rule so made by the Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail.
- (7) There shall be paid to the members 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 extant government circulars.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times every year.
- (9) If required 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:

PROVIDED that if after 28 days of the receipt or delivering to him of such request, the chairman fails or neglects to call a meeting, the Registrar shall within 14 days thereof cause a meeting of the Council to be convened for that purpose. The request 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 7 stands part of the Bill — Agreed to.

*Committee Recommendation:***Clause 8: Functions of the Senate.**

- (1) Subject to section 5 of this Bill and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control teaching in the University, admission to Postgraduate courses and other admission of students, the discipline of students and to promote research in the University.
- (2) Without prejudice to the generality of the provisions of subsection (1) of this section, it shall in particular be the function of the Senate to make provision for the:
 - (a) establishment, organization and control of campuses, colleges, faculties, departments, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;
 - (b) organization and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
 - (c) award of degrees, and such other qualifications as may be prescribed, in connection with examinations conducted by the University;
 - (d) 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) establishment, organization and control of halls of residence and similar institutions in the University;
 - (f) supervision of the welfare of students in the University and the regulation of the conduct;
 - (g) granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
 - (h) determination of what description of dress shall be academic dress for the purpose of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, faculty, department school, 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)
 - (a) 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 provisions of this section or for the purpose of providing for any matter for which provision by regulation is authorized or required by this Bill or by Statute.

- (b) The Senate shall, by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study in the University is not a teacher at the University but is a teacher at the branch of learning to which the course relates in some other university of high repute.
- (5) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred on him if after due enquiry he is shown to have been guilty of any 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 8 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 9: 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 5 of this Bill, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to the provisions of this Bill, the Vice-Chancellor shall have 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 to the exclusion of any other person or authority be the Chief Executive and Academic Officer of the University and *Ex-officio* Chairman of the Senate (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART II — TRANSFER OF PROPERTY

Committee Recommendation:

Clause 10: Transfer of Property to the University.

- (1) All property held by or on behalf of the Provisional Council shall, by virtue of this subsection 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 the transfer of property by this section and to matters arising there from and with respect to 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

Committee Recommendation:

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:
- (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 it is done by the University, 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 there-under; and
 - (e) making provision for other matters 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 27 (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 Statute 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.

Committee Recommendation:

Clause 12: Mode of exercising the power to make Statutes.

- (1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.
- (2) A proposed Statute shall not have the force of law until it has been approved at a meeting of the:
 - (a) Senate, by the votes of not less than two thirds of the members present and voting; and
 - (b) 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 Council, and may be approved as required by subsection (2) of this section by both bodies in no particular order.
- (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 whereby a campus or college is established; shall not come into operation unless it has been approved by the Visitor.
- (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 approved by the Council and the Senate in accordance with subsection (3) of this section 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 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

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 signed by the Vice-Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of that University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 14: Power to decide the meaning of Statute.

- (1) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a Statute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he deems fit.
- (2) The decision of the Visitor on any matter referred to him under this section shall be binding upon the authorities, staff and students of that University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under this section, no question as to the meaning of that provision shall be entertained by any other authority in Nigeria;

Provided that nothing in this subsection shall affect the 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.

- (3) The foregoing provisions of this section shall apply in relation to any doubt or dispute as to whether any matter is, for the purposes of this Bill, academic or a non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in subsection (1) of this section, and accordingly the reference in subsection (2) of this section to any question as to the meaning of any provision of a statute shall include references to any question as to whether any matter is for the said purposes an academic or non-academic matter (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART IV — SUPERVISION AND DISCIPLINE

*Committee Recommendation:***Clause 15: The Visitor.**

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such 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:
 - (a) make available to the Visitor, and to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purpose of the visitation; and
 - (b) give effect to any instructions consistent with the provisions of this Bill which may be given by the Visitor in consequence of the visitation (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

*Committee Recommendation:***Clause 16: Removal of certain Members of the Council.**

- (1) If it appears to the Council that a member (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect through the Minister to the Federal Executive Council and if the Federal Executive Council after making such enquiries (if any) as may be considered necessary, approves the recommendation it may direct the removal of the member from office.
- (2) It shall be the duty of the Minister to use his best endeavors 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 16 stands part of the Bill — Agreed to.

*Committee Recommendation:***Clause 17: 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 office or on grounds of misconduct or inability to perform the functions of his office Council shall:
 - (a) give notice of those reasons to the person in question;
 - (b) afford such person an opportunity of making representation in person on the matter to the Council; and

- (c) take a decision to terminate or not to terminate the appointment.
- (2) If the affected staff or any three members of the Council so request within a period of one month from the date of receipt of the notice of the Council's decision, the Council shall make arrangements for:
 - (a) a Joint Committee of the Council and the Senate to review the matter and to report on it to the Council;
 - (b) the person in question to be afforded an opportunity to appear before and be heard by an investigating Committee with respect to the matter; and
 - (c) if the Council after considering the report of the investigating Committee, is satisfied that the person in question should be removed, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (3) The Vice-Chancellor may, in a case of gross misconduct by a member of 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 immediately be reported to the Council.
- (4) Any member of staff may be suspended from duty or his appointment may be terminated by Council for a good cause 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 office;
 - (c) conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold office; or
 - (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.
- (5) Any person suspended pursuant to subsection (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months from the date of such suspension consider the case against that person and come to a decision as to whether to:
 - (a) continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
 - (b) reinstate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;

- (c) terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) 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.
- (6) Where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against the person, the Council shall, before the expiration of three months from such decision come to a final determination in respect of the case concerning such a person.
- (7) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) above to use his best endeavors to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (8) Nothing in the foregoing provisions of this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 18: Removal of Examiners.

- (1) If, on the recommendation of the Vice-Chancellor, it appears to the Senate that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, the Senate may, after affording the examiner an opportunity of making representations in person on the matter, direct the Vice-Chancellor to remove the examiner by an instrument in writing signed by the Registrar.
- (2) Subject to the provisions of any regulation made pursuant to section 8 (4) of this Bill, the Vice-Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in the place of the examiner removed.
- (3) It shall be the duty of the Registrar 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 relates (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 19: Discipline of Students.

- (1) Subject to the provisions of this section, where after due process it appears to the Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by Statute or regulations, direct that the:
 - (a) student shall not, during such period as may be specified in the direction, participate in such activities of the University or make use of such facilities of the University as may be so specified;

- (b) 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) student be rusticated for such period as may be specified in the direction;
- (2) Where a direction is given under subsection (1) paragraphs (a) to (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.
 - (3) Where an appeal is brought pursuant to subsection (2) of this section, the Senate shall, after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in such manner as the Senate thinks fit.
 - (4) The fact that an appeal from a direction is brought pursuant to subsection (3) of this section shall not affect the operation of the direction while the appeal is pending.
 - (5) 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.
 - (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of Senate is prejudicial to the interest of the University or to its corporate objective or image.
 - (7) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

PART V — MISCELLANEOUS AND GENERAL PROVISIONS

Committee Recommendation:

Clause 20: Exclusion or 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, place of birth, family origin, religious or political persuasion, as a condition for becoming or continuing to be a:
 - (a) student in the University;
 - (b) holder of any degree, appointment or employment in the University; or
 - (c) member of anybody established by virtue of this Bill.
- (2) No person shall be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matters referred to in subsection (1) of this section (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 21: Transfer of land to the University.

- (1) For the purpose of the Land Use Act (which provides for the compulsory acquisition of land for public purposes) any purpose of the University shall be the same as that of the Federation.
- (2) Where an estate or interest in land is acquired by the Government pursuant to this section, the Government may, by a certificate under the hand and seal of the person so authorized or any other person authorized in that behalf transfer it to the University (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 22: 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 Visitor:

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 twenty-one years of 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 22 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 23: Quorum and procedure of bodies established by this Bill.

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

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

Committee Recommendation:

Clause 24: Appointment of Committees, 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 authorize a Committee established by it to:
 - (a) exercise on its behalf, such of its functions as it may determine; and
 - (b) co-opt members and direct whether or not co-opted members shall be entitled to vote in that Committee.
- (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 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 Regulations, the quorum and procedure of a Committee established or meeting held pursuant to 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) 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.
- (5) Nothing in the foregoing provisions of this section shall be construed as enabling:
 - (a) statutes to be made otherwise than in accordance with section 11 of this Bill; or
 - (b) the Senate to empower any other body to make Regulations or to award degrees or other qualifications (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

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:
 - (a) in the case of certificates issued by the University, be authenticated by the Vice-Chancellor and the Registrar; and
 - (b) in the case of any other document, be authenticated by any member of Council, the Vice-Chancellor and the Registrar 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 deemed 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 without seal.
- (4) The validity of the proceedings of anybody established pursuant to this Bill shall not be affected by
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall disclose his interest to the body and shall not 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 pursuant to this Bill.

- (7) The power conferred by this Bill on anybody to make Statute or Regulations shall include power to revoke or vary any:
- (a) Statute (including the Statute contained in the Third Schedule to this Bill; or
 - (b) regulation by a subsequent Statute or Regulation as the case may be:
- PROVIDED that the Statutes and Regulations may have 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 sections 10, 21 and 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.

Committee Recommendation:

Clause 26: Interpretation.

- (1) In this Bill:
- "appropriate authority" means any person, body or authority authorized by law to act in a specific or general capacity in relation to a subject-matter (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"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 any college which may be established by 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.

"graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University (*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.

"gross misconduct" means any act of misconduct and improper behavior that may be designated as gross misconduct by any Statute or Regulation made, pursuant to this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Minister" means the Minister charged with responsibility for 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.

"misconduct" means any conduct which is prejudicial to the good name of the University and or discipline and the proper administration of the business of the University (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

Question that the meaning of the word "misconduct" 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 Regulation made under this Bill (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.

"the provisional Council" means the provisional Council appointed for the University by the President with effect from September 2016 (Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

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

"regulations" means regulations made by the Senate or 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 by the Act (*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.

"Statute" means a Statute made by the University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill (*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.

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

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

"Constitution" means the Constitution of the Federal Republic of Nigeria (*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.

"undergraduate" means a person in statu pupillari the University, other than:

- (a) a graduate; and
- (b) a person of such description as may be prescribed for the purposes of this definition (*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.

"the University" the Federal University of Agriculture Dadin/Kowa incorporated and constituted by this Bill; and (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"the Act" means the Federal University of Agriculture Dadin/Kowa Act (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

- (2) Where in any provision of this Bill, it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it pursuant to 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 26 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 27: Citation.

This Bill may be cited as the Federal University of Agriculture, Dadin/Kowa, (Establishment, etc.) Bill, 2019 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

SCHEDULES

FIRST SCHEDULE

Section 3 (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 shall be appointed or removed from office by the President.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years from the date of his appointment.

The Vice-Chancellor

3. The procedure for the appointment and removal of the Vice-Chancellor shall be in accordance with the provision of the University (Miscellaneous Provisions) Act 1993 as amended.

Deputy Vice-Chancellor

4. (1) There shall be for the University, two Deputy Vice-Chancellors or such number of Deputy Vice Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.
- (2) The procedure for the appointment and removal of the Deputy Vice Chancellor shall be in accordance with the provisions of the Universities {Miscellaneous Provisions} Act 1993 as amended.
- (3) A Deputy Vice-Chancellor shall:
 - (a) assist the Vice-Chancellor in the performance of his functions;
 - (b) act in 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.

Office of the Registrar, Bursar and University Librarian

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 administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) below.
- (2) The person holding the office of Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.
- (3) The Registrar shall hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.
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.
- (2) The Bursar shall be the Chief Financial Officer of the University and shall 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 all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.
- (4) The Bursar and the University Librarian:
 - (a) shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

Other Officers of the University

7. There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works Department. He shall be responsible for all works, services and maintenance of University facilities.
8. There shall be for the University, a Director of Health Services, who shall be responsible to the Vice Chancellor for the administration of the Health Centre. He shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.

Resignation and re-appointment

9. (1) Any officer mentioned in the foregoing provisions of this schedule may resign his office in:
 - (a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
 - (b) the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and
- (2) 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

Section 10 (2)

TRANSITIONAL PROVISIONS AS TO PROPERTY; FUNCTIONS, ETC.

Transfer of Property to the University

1. Without prejudice to the generality of Section 10 (1) of this Bill:
 - (a) the reference in the subsection to property held by the provisional Council and the University 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 and the University; and
 - (b) all outstanding debts and liabilities of the provisional Council shall become debts and liabilities of the University established by this Bill.
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 established by this Bill had been a party to it in place of the provisional Council.
- (2) Documents not falling within sub-paragraph (1) above, including enactments, which refer whether specially or generally to the provisional Council shall be construed in accordance with that subparagraph 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 established by this Bill.

Registration of Transfers

3. (1) If the law in force at the place where any property transferred by this Bill is situated 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 of any other matter) apply, with the necessary modifications to the transfer of the property in question.
- (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.
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 set up under the Third Schedule to this Bill must have been duly constituted.
- (3) The first meetings 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 Senate 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 of this Bill must 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 faculties, faculty boards and students of the University immediately before the coming into force of this Bill shall on that day become faculties, faculty boards and students of the University as established by this Bill.
- (6) Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointment are made in pursuance of the Statutes under this Bill.
5. Any person who was a member of the staff of the University as established or was otherwise employed by the provisional Council shall be employed at the University on such designation, status and functions which correspond as nearly as possible to those which pertained to him as a member of that staff or as such an employee.
6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor (*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 11 (3)

FEDERAL UNIVERSITY OF AGRICULTURE, DADIN/KOWA STATUTE NO. 1

Articles:

1. The Council.
2. Finance and General Purpose Committee
3. The Senate.
4. The Congregation.
5. Convocation.
6. Organization of Faculties and the Branches thereof.
7. Faculty Board.
8. The Dean of the Faculty.
9. Selection of Certain Principal and other key officers.
10. Creation of Academic Post.
11. Appointment of Academic Staff.
12. Appointment of Administrative and Technical Staff.

The Council

1. (1) Any member of Council holding office pursuant to section 6 (e), (f), (g), or (h) of this Bill may, by notice to the Council resign his office.
- (2) A member of Council holding office pursuant to section 6 (e), (f), (g), or (h) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from 1st August in the year in which he was appointed.
- (3) Where a member of Council holding office pursuant to section 6 (e), (f), (g), or (h) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.
- (4) A person ceasing to hold office as a member of Council otherwise than by removal for misconduct shall be eligible for reappointment for only one further period of four years.
- (5) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Section 6 (d) and (e) of this Bill.
- (6) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to section 5 of this Bill and the provisions of this paragraph the Council may regulate its own procedure.
- (7) Where the Council desires to obtain advice with respect to any particular matter, it 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.
- (8) The Council constituted by this Bill shall have a four year tenure 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.

- (9) The powers of the Council shall be exercised in accordance with the laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the University.

The Finance and General Purpose Committee

2. (1) The Finance and General Purpose 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 a Deputy Vice-Chancellor;
 - (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 of whom shall be selected from among members of the Council appointed by the congregation; and
 - (d) the Permanent Secretary, Federal Ministry of Education or, in his absence, such member of his Ministry as he may designate to represent him.
- (2) The quorum of the Committee shall be six.
- (3) Subject to any directions given by the Council, the committee may regulate its own procedure.

The Senate

3. (1) There shall be a Senate for the University consisting of:
- (a) the Vice-Chancellor;
 - (b) the Deputy Vice-Chancellor;
 - (c) all Professors of the University;
 - (d) all Deans, Provosts and Directors of Academic units of the University;
 - (e) all Heads of Academic Departments, Units and Research Institutes of the University;
 - (f) the University Librarian; and
 - (g) academic members of the congregation who are not Professors as specified in the Laws of the University.
- (2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present and in his absence, one of the Deputy Vice-Chancellors appointed by him shall be the chairman at the meeting.
- (3) The quorum of the Senate shall be one-quarter (or the nearest whole number less than one quarter), and subject to paragraph (2) above the Senate may regulate its own procedure.

- (4) If so requested in writing by any ten members of the Senate, the Vice-Chancellor, or in his absence a person 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.

Congregation

4. (1) Congregation shall consist of:
- (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
 - (b) the full time members of the academic staff;
 - (c) the Registrar;
 - (d) the Bursar; and
 - (e) every member of the administrative and technical staff who holds a degree of any University recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.
- (2) Subject to section 5 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he is present, and in his absence one of the Deputy Vice Chancellors appointed by him shall be the chairman at the meeting.
- (3) The quorum of congregation shall be one-third (or the nearest whole number to one-third) of the total number of members of congregation or fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:
- (a) the total number of members of Congregation for the purposes 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) Subject to the provisions of this schedule, congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolution 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

5. (1) Convocation shall consist of:
- (a) the Officers of the University mentioned in Schedule 1 to this Bill;
 - (b) all teachers within the meaning of this Bill; and
 - (c) all other persons whose names are registered in accordance with paragraph (2) below.

- (2) A person shall be entitled to have his name registered as a member of convocation if he:
- (a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
 - (b) applies for the registration of his name in the prescribed manner and pays the prescribed fee.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and, subject to paragraph (3) below, 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 convocation by virtue of paragraph (1) (a) or (b) of this paragraph 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 offices 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, and that any person not 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) of the total number of members of convocation whichever is less.
- (8) Subject to section 5 of this Bill, 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.

Organisation of Faculties and Branches thereof

6. Each Faculty shall be divided into such number of branches as may be prescribed.
7. (1) There shall Be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Bill, 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 faculty;
 - (b) deal with other matters assigned to it by Statute, by the Vice-Chancellor or by the Senate; and
 - (c) advice the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.

- (2) Each Faculty Board shall consists of:
 - (a) the Vice-Chancellor;
 - (b) the persons severally in charge of the branches of the faculty;
 - (c) such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and
 - (d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.
- (3) The quorum of the Board shall be eight members or one-quarter of the members of the Board for the time being whichever is greater.
- (4) Subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

The Dean of the Faculty

8. (1) The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He will be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.
- (2) If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.
- (3) In the absence of the Vice-Chancellor, the Dean shall be the chairman at all meetings of the Faculty Board when he is present and he shall be a member of all committees and other boards appointed by the faculty.
- (4) The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty and it shall be the function of the Dean to present to the convocation for the conferment of Degrees, persons who have qualified for the Degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.
- (5) There shall be a committee to be known as the Committee of Deans which shall consist of all the Deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.
- (6) The Dean of a faculty may be removed from office for a good cause by the Faculty 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 the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.
- (7) In this article, "good cause" has the same meaning as in section 17 (4) of this Bill.

Selection of Certain Principal and other key Officers

9. (1) When a vacancy occurs in the Office of the Registrar, Bursar, the University Librarian, Director of Works or Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of:
- (i) the Pro-Chancellor;
 - (ii) the Vice-chancellor;
 - (iii) two members appointed by the Council, not being members of Senate; and
 - (iv) two members appointed by the Senate not being members of Council.
- (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.
- (3) A person appointed to the office of Director of Works or Director of Health Services shall hold office for such period and on such terms and conditions as may be specified in his letter of appointment.

Creation of Academic Post

10. Recommendation for the creation of posts other than those mentioned in paragraph 9 of this Schedule shall be made by the Senate to the Council through the Finance and General Purposes Committee.

Appointment of Academic Staff

11. Subject to this Bill and the Statutes derived from it, the filling of vacancies in academic posts (including newly created ones) shall be as prescribed from time to time by Statutes.

Appointment of Administrative and Technical Staff

12. (1) The administrative and technical staff of the University, other than those mentioned in paragraph 9 of this schedule shall be appointed by the Council or on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.
- (2) In the case of administrative or technical staff that has close and important contacts with the academic staff, there shall be Senate participation in the process of selection (*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 establish the Federal University of Agriculture, Dadin/Kowa, Gombe State to make comprehensive provisions for its due Management and Administration (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Federal University of Agriculture, Dadin/Kowa, Gombe State to Make Comprehensive Provisions for its Due Management and Administration and for Related Matters (HB. 1327) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Tertiary Education and Services on a Bill for an Act to Establish the Federal University of Agriculture, Dadin Kowa, Gombe State to make Comprehensive Provisions for its due Management and Administration; and for Related Matters (HB. 1327) and approved Clauses 1 - 27, 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.

(xii) *Ad-hoc Committee to Investigate the Low Concessionary Tariff given to Companies by the Federal Ministry of Industry, Trade and Investment:*

Motion made and Question proposed, "That the House do consider the Report of the Ad-hoc Committee to Investigate the Low Concessionary Tariff given to Companies by the Federal Ministry of Industry, Trade and Investment for Sugar Importation into the Country from 2013 to 2016 as contained in the backward Integration Policy and approve the recommendations therein (HR. 180/2017)" (Hon. Olasupo Abiodun Adeola — Iseyin/Itesiwaju/Kajola/Iwajowa Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

Recommendation (i):

"That the Honourable Minister of Industry, Trade and Investment be removed as the Chairman of the Sugar Road Map Monitoring Committee (SURMIC)" (Hon. Olasupo Abiodun Adeola — Iseyin/Itesiwaju/Kajola/Iwajowa Federal Constituency).

Agreed to.

Recommendation (ii):

"That the Sugar Road Map Monitoring Committee (SURMIC) be moved to the Office of the Vice President with the Committee meeting twice in a year under the chairmanship of the Vice President" (Hon. Olasupo Abiodun Adeola — Iseyin/Itesiwaju/Kajola/Iwajowa Federal Constituency).

Agreed to.

Recommendation (iii):

"That the Chief Executive Officer of the National Sugar Development Council (NSDC) should retain all his functions as spelt out in the Nigerian Sugar Master Plan (NSMP)" (Hon. Olasupo Abiodun Adeola — Iseyin/Itesiwaju/Kajola/Iwajowa Federal Constituency).

Agreed to.

Recommendation (iv):

"That the Sugar Interactive Forum be headed by the Chief Executive of a sugar refining company nominated among themselves" (*Hon. Olasupo Abiodun Adeola — Iseyin/Itesiwaju/Kajola/Iwajowa Federal Constituency*).

Agreed to.

Recommendation (v):

"That the Nigerian Sugar Master Plan (NSMP) be extended for another five years to the year 2028" (*Hon. Olasupo Abiodun Adeola — Iseyin/Itesiwaju/Kajola/Iwajowa Federal Constituency*).

Agreed to.

Recommendation (vi):

"That the relevant agencies Nigeria Customs Service (NCS), the Standards Organisation of Nigeria (SON), the National Agency for Food and Drug Administration and Control (NAFDAC), and the Consumer Protection Council (CPC) re-engineer procedures/operation to mop up smuggled sugar from warehouses, retail outlets in major urban cities and in the North West region particularly Kano, Kebbi and Sokoto States" (*Hon. Olasupo Abiodun Adeola — Iseyin/Itesiwaju/Kajola/Iwajowa Federal Constituency*).

Agreed to.

Recommendation (vii):

"That the Federal Government, through the National Council of States and the National Economic Council (NEC) should impress on States land acquisition and minimize community agitators against sugar producing States" (*Hon. Olasupo Abiodun Adeola — Iseyin/Itesiwaju/Kajola/Iwajowa Federal Constituency*).

Agreed to.

Recommendation (viii):

"That the Federal and State Governments should invest and support provision of infrastructure for sugar producing States" (*Hon. Olasupo Abiodun Adeola — Iseyin/Itesiwaju/Kajola/Iwajowa Federal Constituency*).

Agreed to.

Chairman to report Proceedings.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the *Ad-hoc* Committee to Investigate the Low Concessionary Tariff given to Companies by the Federal Ministry of Industry, Trade and Investment for Sugar Importation into the Country from 2013 to 2016 as contained in the backward Integration Policy and approved Recommendations (i) - (viii) of the Report.

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

- (xiii) *A Bill for an Act to Amend the Industrial Development (Income Tax Relief) Act, by allowing companies that expand their operation in a Pioneer Industry or Product to apply for a new Pioneer Status; and for Related Matter (HB. 1369) (Committee of the Whole):*
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the Industrial Development (Income Tax Relief) Act, by allowing companies that expand their operation in a Pioneer Industry or Product to apply for a new Pioneer Status; and for Related Matter (HB. 1369)" (Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE INDUSTRIAL DEVELOPMENT
(INCOME TAX RELIEF) ACT, LAWS OF THE FEDERATION OF
NIGERIA, 2004 AND FOR RELATED MATTERS (HB. 1369)

Clause 1: Amendment of Cap. 17, LFN, 2004.

The Industrial Development (Income Tax Relief) Act, Cap.17, Laws of the Federation of Nigeria, 2004 (hereinafter referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

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

Clause 2: Amendment of Section 1.

Section 1 of the Principal Act is amended —

- (a) by inserting a new "subsection (4)" immediately after the existing "subsection (3)", and renumbering accordingly —

"(4) Notwithstanding the provisions of sections 1 (2) and (3), any company expanding its operations in a pioneer industry or pioneer product may apply under this Act for the issue of a new pioneer certificate, and nothing precludes any company whose application was rejected on the grounds of expansion from re-applying for reconsideration under this subsection".

- (b) In subsection (4) paragraph (a) and (b) by substituting for the figure "₦50,000", the figure "₦100,000,000", and the figure "₦150,000", with the figure "₦120,000,000" respectively —

(a) in the case of an indigenous-controlled company, not less than ₦100,000,000; or

(b) in the case of any other company, not less than ₦120,000,000;

(c) by inserting a proviso after the word 'products' in the last line of subsection (5) —

"Provided that a three (3) year notice period is given for the commencement of the amendment".

- (d) In subsection (6) paragraph (b) by substituting for "paragraph (b)", a new "paragraph (b)" —

"(b) Notwithstanding the provisions of the subsection (5) and (6) (a) of this section, any pending application made before the deletion or removal of the industry or product from the list of pioneer industries and pioneer products shall be processed by the Minister and forwarded to the President for approval or disapproval" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 3: Amendment of Section 2.

Section 2 of the Principal Act is amended —

- (a) in subsection (4) line 1, by substituting for the figure "₦100", the figure "₦200,000" —

"(4) The application shall be accompanied by a fee of ₦200,000 (which sum shall not be refundable to the applicant, whether the application is approved or not) and the fee shall be credited to the Consolidated Revenue Fund of the Federation".

- (b) by inserting a new subsection " (7) " immediately after the existing " subsection (6)", that is —

"(7) All application for pioneer status certificate made pursuant to the provisions of this Bill shall be processed by the Minister and forwarded to the President and a Notice of disapproval or approval shall be issued within one (1) year from the date of submission of application" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 4: Amendment of Section 3.

- (a) Section 3 (6) of the Principal Act is amended by inserting new "subsections (c) and (d) after the existing subsection (b) to read as follows —

"(c) for any company whose investment is in the rural area where infrastructures like road, electricity, housing, water etc. are provided by the company, the pioneer certificate may specify the maximum tax relief period, not exceeding seven years; and

(d) for any company whose investment is in Agriculture and Agro-processing, where over 90% of inputs are local materials, the pioneer certificate may specify the maximum tax relief period, not exceeding fifteen years.

- (b) by inserting a new "subsection (7) " immediately after the existing "subsection (6)" to read as follows —

- "(7) Where an application for the issue of a pioneer certificate is made pursuant to section 1 (4) of this Bill, the company shall be required to prepare and maintain separate audited accounts in respect of income and expenditure from the expansion of the pioneer industry or pioneer product" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 5: Amendment of Section 6.

Section 6 of the Principal Act is amended in subsection (11) paragraphs (a) and (b), by substituting for the sum "₦50,000", the figure "₦100,000,000", and for the figure "₦150,000", the figure "₦120,000,000 respectively:

- "(11) Where a certificate issued by the Board Under subsection (5) of this section certifies that the pioneer company has on or before production day incurred qualifying capital expenditure of an amount which —
- (a) in the case of an indigenous-controlled company, is less than ₦100,000,000; or
 - (b) in the case of any other company, is less than ₦120,000,000 the Commissioner shall report that fact to the President and the President shall cancel the pioneer certificate of the company" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 6: Amendment of Section 25.

Section 25 of the Principal Act is amended by inserting the definition of the words:

"Commission" means Nigeria Investment Promotion Commission (NIPC) immediately after the definition of the words "company" (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Board" means Federal Inland Revenue Service established under section 1 of the Principal Act. (*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.

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

Clause 7: Citation.

This Bill may be cited as the Industrial Development (Income Tax Relief) Act, Cap. 17, Laws Of The Federation of Nigeria, 2004 (Amendment) Bill, 2019 (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to increase the capital expenditure for companies applying for pioneer status under the provisions of this Bill from ₦50,000 to ₦100,000,000 for indigenous controlled companies and from ₦150,000 as stipulated in the Principal Act for other companies to ₦120,000,000. The application fee of ₦100,000 is also increased to ₦200,000 to reflect value of the Naira and recent administrative changes introduced by the Council. The Bill further recognizes the need to provide the necessary incentives for additional investments by companies. Fundamentally, all proposed amendment is meant to ensure smooth implementation of the pioneer status incentive scheme by NIPC (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Industrial Development (Income Tax Relief) Act, Laws of the Federation of Nigeria, 2004 and for Related Matters (HB. 1369) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Industrial Development (Income Tax Relief) Act, by allowing companies that expand their operation in a Pioneer Industry or Product to apply for a new Pioneer Status; and for Related Matter (HB. 1369) and approved Clauses 1 - 7, 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.

26. Adjournment

That the House do adjourn till 4.10 p.m. (Hon. Ahmed Idris — Deputy House Leader).

The House adjourned accordingly at 4.05 p.m.

Yakubu Dogara
Speaker

