



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 12 April, 2018

1. The House met at 11.18 a.m. Mr Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 11 April, 2018.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcement**

(a) *Visitors in the Gallery:*

Mr Speaker recognised the presence of the following:

- (i) *Councilors from the Burutu Legislative Arm of Government, Burutu Local Government Area, Delta State; and*

- (ii) *Councilors from Ikorodu Local Government Area, Lagos State.*

(b) **Conference Committees:**

Mr Speaker announced the membership of the following Conference Committees:

(i) ***National Transport Commission (Establishment, etc.) Bill, 2018 (HB. 31):***

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|----|------------------------------|---|-----------------|
| 1. | Hon. Musa Sarkin Adar | — | <i>Chairman</i> |
| 2. | Hon. Gyang Istifanus Dung | — | <i>Member</i> |
| 3. | Hon. Shehu Aliyu Musa | — | <i>Member</i> |
| 4. | Hon. Oghene E. Ogoh | — | <i>Member</i> |
| 5. | Hon. Ferdinand Dozie Nwankwo | — | <i>Member</i> |
| 6. | Hon. Ekpoattai Ime O. | — | <i>Member</i> |

(ii) ***Witness Protection Programme Bill, 2018 (HB. 132):***

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|----|------------------------------|---|-----------------|
| 1. | Hon. Pwajok Edward Gyang | — | <i>Chairman</i> |
| 2. | Hon. Nkem-Abonta Uzoma | — | <i>Member</i> |
| 3. | Hon. Sidi Yakubu | — | <i>Member</i> |
| 4. | Hon. Nasir Ali Ahmed | — | <i>Member</i> |
| 5. | Hon. Kayode Oladele | — | <i>Member</i> |
| 6. | Hon. Ogun Sergius Oseasochie | — | <i>Member</i> |

(iii) Nigeria Football Federation Bill, 2018 (HB. 587):

1.	Hon. Danburam Abubakar Nuhu	—	Chairman
2.	Hon. Omidiran Ayo Hulayat	—	Member
3.	Hon. Lawali Anka Hassan	—	Member
4.	Hon. Abiante Awagi-Inombek	—	Member
5.	Hon. Suleiman Yahaya Kwande	—	Member
6.	Hon. Agbo Dennis Nnamdi	—	Member

(iv) Federal Roads Bill, 2018 (HB. 1075):

1.	Hon. Toby Okeckukwu	—	Chairman
2.	Hon. Ezekiel Adaji Awalu	—	Member
3.	Hon. Jarigbe Agom Jarigbe	—	Member
4.	Hon. Igariwey Iduma Enwo	—	Member
5.	Hon. Muhammad Sani Abdu	—	Member
6.	Hon. Olowookere Ajisafe	—	Member

4. Petitions

- (i) A petition from Okon Archibong Isemin and 22 others, on alleged diversion of the Skill Acquisition and Empowerment Programme for the displaced women and youth returnees of Bakassi Local Government Area, Cross River State from the location as provided in the 2017 Budget, by the Minister of Niger Delta Development Affairs, was presented and laid by Hon. Ekpyong Essien Ayi (*Bakassi/Calabar South Federal Constituency*); and
- (ii) A petition from Ex-CPL Bakah Nathaniel, on his dismissal from service of the Nigeria Police, was presented and laid by Hon. Mark Terseer Gbillah (*Gwer East/Gwer West Federal Constituency*).

Petitions referred to the Committee on Public Petitions.

5. Matters of Urgent Public Importance (Standing Order Eight, Rule 4)**(i) Bank Robbery in Offa, Kwara State on Thursday, 5 April, 2018:**

Hon. Olayonu Tope Danlad (*Ifelodun/Offa/Oyun Federal Constituency and 3 others*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

Question that the matter be considered as one of urgent public importance — Agreed to.

Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.

Bank Robbery in Offa, Kwara State on Thursday, 5 April, 2018:

The House:

Notes the deadly armed robbery attack in Offa, Kwara State on Thursday, 5 April, 2018, where a gang of heavily armed robbers numbering 30 in a convoy of 10 vehicles invaded the town;

Aware that the robbers commenced their dastardly act with the invasion of the Police Station in the town, where sixteen (16) Policemen were killed, before descending on the citizens and banks, killing innocent people, including bankers;

Disturbed that the security system could be easily overwhelmed and personnel gruesomely killed in a security facility, is an issue that calls for serious concern;

Cognizance that citizens have right to security and right to life as guaranteed in Section 33 (1) in the Nigerian Constitution;

Resolves to:

- (i) condemn the dastardly action of the armed robbers;
- (ii) commiserate with the people of Offa, Kwara State and the Nigeria Police on the loss of Human and material resources;
- (iii) urge the Nigeria Police to investigate and unravel the robbery in order to bring the culprits to book and prevent future occurrence;
- (iv) also urge the Nigeria Police to look into the location of Police Stations all over Nigeria in order to guarantee prompt response in emergency situation; and
- (v) observe a minute silence for the departed souls, and pray for quick recovery of the injured (*Hon. Olayonu Tope Danlad — Ifelodun/Offa/Oyun Federal Constituency*).

Debate.

Amendment Proposed:

Insert a new Prayer (vi) as follows:

“Mandate the Committee on Police Affairs to investigate the matter and report back within two weeks” (*Hon. Onyejeocha Nkeiruka — Isuikwuato/Umunneochi Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the deadly armed robbery attack in Offa, Kwara State on Thursday, 5 April, 2018, where a gang of heavily armed robbers numbering 30 in a convoy of 10 vehicles invaded the town;

Aware that the robbers commenced their dastardly act with the invasion of the Police Station in the town, where sixteen (16) Policemen were killed, before descending on the citizens and banks, killing innocent people, including bankers;

Disturbed that the security system could be easily overwhelmed and personnel gruesomely killed in a security facility, is an issue that calls for serious concern;

Cognizance that citizens have right to security and right to life as guaranteed in Section 33 (1) in the Nigerian Constitution;

Resolved to:

- (i) condemn the dastardly action of the armed robbers;
- (ii) commiserate with the people of Offa, Kwara State and the Nigeria Police on the loss of Human and material resources;

- (iii) urge the Nigeria Police to investigate and unravel the robbery in order to bring the culprits to book and prevent future occurrence;
- (iv) also urge the Nigeria Police to look into the location of Police Stations all over Nigeria in order to guarantee prompt response in emergency situation;
- (v) observe a minute silence for the departed souls, and pray for quick recovery of the injured; and
- (vi) Mandate the Committee on Police Affairs to investigate the matter and report back within two weeks (**HR. 133/04/2018**).

A minute silence was observed in honour of the departed souls.

- (ii) ***Breach of the Fundamental Rights Provisions in the Constitution of the Federal Republic of Nigeria, 1999 (as amended) by the Department of State Services (DSS):***
Hon. Aliyu Sani Madaki (*Dala Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

Question that the matter be considered as one of urgent public importance — Agreed to.

Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.

Breach of the Fundamental Rights Provisions in the Constitution of the Federal Republic of Nigeria, 1999 (as amended) by the Department of State Services (DSS):

The House:

Notes the provisions of Section 1 (1) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) which provides thus:

- “(1) This Constitution is supreme and its provision shall have binding force on all authorities and person throughout the Federal Republic of Nigeria”;

Also notes the provisions of Section 1 (3) which states that, “if any other law is inconsistent with the provisions of the Constitution, this Constitution shall prevail, and that other law shall to the extent of the inconsistency be void”;

Aware that over three (3) weeks ago, men of the Department of State Services (DSS) arrested Dr Yunusa Adamu Dangwani, a renowned consultant urologist at Kano, and forcefully brought him to their headquarters in Abuja;

Also aware that since the arrest, Dr Yunusa Adamu Dangwani has been denied access to his lawyer and family, which is in contravention of the provisions of the 1999 Constitution;

Disturbed that the arrest and eventual detention of Dr Dangwani has adversely affected his reputation as a good citizen of Nigeria and contravenes Section 17 of the 1999 Constitution;

Regrets that the actions of the DSS towards the rights of Dr Dangwani have not been humane, neither was his dignity maintained and respected;

Laments that the continued detention of Dr Dangwani by men of the DSS has violated his right to dignity as a person contrary to Section 34 (1) (a) of the 1999 Constitution;

Also laments that refusing Dr Dangwani access to his lawyer and family or refusing to charge him to court offends his personal liberty, contrary to Section 35 (4) and (5) of the 1999 Constitution;

Concerned that the continued detention of Dr Dangwani contravenes Section 36 (5) of the 1999 Constitution which presumes him innocent until he is proven guilty;

Worried that the way men of the DSS choose to treat the arrest and detention of Dr Dangwani amounts to constituting itself into an institution operating under a different law and constitution in clear violation of the 1999 Constitution;

Believes that the legislature must stand on its feet to defend the provisions of the 1999 Constitution as it has jointly and severally sworn to do;

Resolves to:

- (i) urge the Department of State Services to release Dr Dangwani without delay, or if it believes that he has a case to answer, charge him to court immediately in consonance with the provision of section 35 (4) of the 1999 Constitution;
- (ii) mandate the Committees on Justice, and National Security and Intelligence to investigate cases of similar nature like that of Col. Samba Dasuki (*rt'd*) and others, report back within two (2) weeks for further legislative action (*Hon. Aliyu Sani Madaki — Dala Federal Constituency*).

Debate.

Amendment Proposed:

Leave out Prayer (i) (Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the provisions of Section 1 (1) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) which provides thus:

“(1) This Constitution is supreme and its provision shall have binding force on all authorities and person throughout the Federal Republic of Nigeria”;

Also noted the provisions of Section 1 (3) which states that, "if any other law is inconsistent with the provisions of the Constitution, this Constitution shall prevail, and that other law shall to the extent of the inconsistency be void”;

Aware that over three (3) weeks ago, men of the Department of State Services (DSS) arrested Dr Yunusa Adamu Dangwani, a renowned consultant urologist at Kano, and forcefully brought him to their headquarters in Abuja;

Also aware that since the arrest, Dr Yunusa Adamu Dangwani has been denied access to his lawyer and family, which is in contravention of the provisions of the 1999 Constitution;

Disturbed that the arrest and eventual detention of Dr Dangwani has adversely affected his reputation as a good citizen of Nigeria and contravenes Section 17 of the 1999 Constitution;

Regretted that the actions of the DSS towards the rights of Dr Dangwani have not been humane, neither was his dignity maintained and respected;

Lamented that the continued detention of Dr Dangwani by men of the DSS has violated his right to dignity as a person contrary to Section 34 (1) (a) of the 1999 Constitution;

Also lamented that refusing Dr Dangwani access to his lawyer and family or refusing to charge him to court offends his personal liberty, contrary to Section 35 (4) and (5) of the 1999 Constitution;

Concerned that the continued detention of Dr Dangwani contravenes Section 36 (5) of the 1999 Constitution which presumes him innocent until he is proven guilty;

Worried that the way men of the DSS choose to treat the arrest and detention of Dr Dangwani amounts to constituting itself into an institution operating under a different law and constitution in clear violation of the 1999 Constitution;

Believed that the legislature must stand on its feet to defend the provisions of the 1999 Constitution as it has jointly and severally sworn to do;

Resolved to:

Mandate the Committees on Justice, and National Security and Intelligence to investigate cases of similar nature like that of Col. Samba Dasuki (*rttd*) and others, report back within two (2) weeks for further legislative action (**HR. 134/04/2018**).

6. **Presentation of Bill**

Electoral Act (Amendment) Bill, 2018 (HB. 1368) read the *First Time*.

7. **A Bill for an Act to Repeal the Arbitration and Conciliation Act, Cap. A18, Laws of the Federation of Nigeria, 2004 and Enact the Arbitration and Conciliation Bill to Provide a Unified Legal Framework for the Fair, Efficient Settlement of Commercial Disputes by Arbitration and Conciliation, make Applicable the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention) to any Award made in Nigeria or in any Contracting State arising out of International Commercial Arbitration; and for Related Matters. (HB.1377)**

— *Second Reading*

Motion made and Question proposed. "That a Bill for an Act to Repeal the Arbitration and Conciliation Act, Cap. A18, Laws of the Federation of Nigeria, 2004 and Enact the Arbitration and Conciliation Bill to Provide a Unified Legal Framework for the Fair, Efficient Settlement of Commercial Disputes by Arbitration and Conciliation, make Applicable the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention) to any Award made in Nigeria or in any Contracting State arising out of International Commercial Arbitration; and for Related Matters. (HB.1377) be now read a Second Time" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

8. **A Bill for an Act to Provide a Legal Framework for the Establishment of Commercial and Industrial Development Authority which shall provide Designated Areas for Industrial Estates, Parks, Clusters, Enterprises Zones and Incubators in each Zone of the Country, Provide for the Establishment, Development or Maintenance of Industrial undertaking and Incentives to Industrialist; and for Related Matters (HB.1291) — *Second Reading***

Order read; deferred by leave of the House.

9. **A Bill for an Act to merge the functions of the National Manpower Board Act, Cap. N57, Laws of the Federation of Nigeria 2004 into the functions of the National Planning Commission Act, Cap. N66 Laws of the Federation of the Nigeria, 2004 to further Empower the National Planning Commission to determine and advise the Federal Government of Nigeria on the Nation's Manpower Needs in all Occupations; and for Related Matters (HB.1288) — *Second Reading***

Bill withdrawn by leave of the House, pursuant to Order Twelve, Rule 14.

10. **Need to Address the Plight of the Victims of Landslides at Tuomo Community in Burutu Federal Constituency**

Motion made and Question proposed:

The House:

Notes that on 18 and 26 March, 2018, two massive landslides hit Tuomo community of Burutu Federal Constituency which resulted in destruction of property worth millions of naira and displacement of indigenes living in the affected areas,

Aware that consequent to the landslide, members of Tuomo Community are faced with lack of food, loss of shelter and farm lands, exposure to communicable diseases and other devastating effect, including imminent death, if not urgently addressed;

Also aware that the non-completion and abandonment of the Shoreline Protection Project awarded to Vibrofloatation and Geotechnical Nigeria Limited by the Niger Delta Development Commission (NDDC) led to the avoidable but dreadful landslides;

Resolves to:

- (i) urge the National Emergency Management Agency (NEMA) to, as a matter of urgency, provide relief materials to Tuomo Community in Burutu Federal Constituency, so as to ameliorate the sufferings of the displaced indigenes;
- (ii) also urge the Niger Delta Development Commission (NDDC) to immediately recall the contractor, Vibrofloatation and Geotechnical Nigeria Limited, to site to complete the Shoreline Protection Project, so as to avoid future landslides in the area; and
- (iii) mandate the Committees on Niger Delta Development Commission (NDDC), and Emergency and Disaster Preparedness to ensure compliance (*Hon Julius G. Pondi — Burutu Federal Constituency*).

Agreed to.

(HR. 135/04/2018).

Motion referred to the Committees on Niger Delta Development Commission (NDDC), and Emergency and Disaster Preparedness, pursuant to Order Eight, Rule 9 (5).

11. Call for Audit and Upgrade of Facilities at the Benin Airport, Edo State

Order read; deferred by leave of the House.

12. Need to Investigate the Proposed Payment of \$17 Million to Lawyers by the Attorney General of the Federation for Recovery of 'Abacha Loot'

Motion made and Question proposed:

The House:

Aware that Mr Enrico Monfrini, a Swiss Lawyer was engaged by the Nigerian Government since 1999 to work on recovering the Abacha Loot for which the sum of \$321 million was a part and had finished the Luxembourg leg of the job since 2014 when Mohammed Bello Adoke was the Attorney-General of the Federation;

Also aware that Mr Mofrini had since been paid by the Federal Government for his legal services for the recovery of the money which was then domiciled with the Attorney-General of Switzerland pending the signing of an MoU with Nigeria to avoid the issues of accountability around previous recoveries;

Notes that all that was left was the signing of the MoU which is a government-to- government communication for the money to be repatriated to Nigeria;

Further aware that Abubakar Malami, SAN, the Minister of Justice and Attorney-General of the Federation, had curiously engaged the services of another set of Nigerian Lawyers in 2016, namely, Oladipo Okpeseyi, a Senior Advocate of Nigeria (SAN), and Temitope Adebayo for a fee of \$16.9 Million (about ₦6 Billion), without due process;

Recalls that both Lawyers had worked for President Muhammadu Buhari's Congress for Progressive Change (CPC), a legacy party of the All Progressives Congress (APC) when Malami was the legal adviser of CPC;

Also recalls that the terms of the agreement reached with Mr Mofrini for the recovery clearly spelt out that no other lawyer would be engaged for the return of the money to Nigeria;

Resolves to:

- (i) set up an *Ad-hoc* Committee to investigate the circumstances surrounding the engagement of Nigerian lawyers, namely: Oladipo Okpeseyi (SAN), and Temitope Adebayo for a fee of \$16.9 million (about ₦6 billion), when the actual work had been concluded by Mr Enrico Monfrini, and was paid by the Nigerian Government for the recovery of the sum of \$321 million part of the Abacha loot from Luxembourg, and whether due process was followed and to report back within six weeks for further legislative action.
- (ii) request His Excellency, President Muhammadu Buhari, GCFR, to suspend the payment of the said fee of \$16.9 million (about ₦6 billion) or any part thereof pending investigation on the matter (*Hon. Mark Terseer Gbillah — Gwer East/Gwer West Federal Constituency*).

Debate.

Agreed to.

The House:

Aware that Mr Enrico Monfrini, a Swiss Lawyer was engaged by the Nigerian Government since 1999 to work on recovering the Abacha Loot for which the sum of \$321 million was a part and had finished the Luxembourg leg of the job since 2014 when Mohammed Bello Adoke was the Attorney-General of the Federation;

Also aware that Mr Mofrini had since been paid by the Federal Government for his legal services for the recovery of the money which was then domiciled with the Attorney-General of Switzerland pending the signing of an MoU with Nigeria to avoid the issues of accountability around previous recoveries;

Noted that all that was left was the signing of the MoU which is a government-to- government communication for the money to be repatriated to Nigeria;

Further aware that Abubakar Malami, SAN, the Minister of Justice and Attorney-General of the Federation, had curiously engaged the services of another set of Nigerian Lawyers in 2016, namely, Oladipo Okpeseysi, a Senior Advocate of Nigeria (SAN), and Temitope Adebayo for a fee of \$16.9 Million (about ₦6 Billion), without due process;

Recalled that both Lawyers had worked for President Muhammadu Buhari's Congress for Progressive Change (CPC), a legacy party of the All Progressives Congress (APC) when Malami was the legal adviser of CPC;

Also recalled that the terms of the agreement reached with Mr Mofrini for the recovery clearly spelt out that no other lawyer would be engaged for the return of the money to Nigeria;

Resolved to:

- (i) set up an *Ad-hoc* Committee to investigate the circumstances surrounding the engagement of Nigerian lawyers, namely: Oladipo Okpeseysi (SAN), and Temitope Adebayo for a fee of \$16.9 million (about ₦6 billion), when the actual work had been concluded by Mr Enrico Monfrini, and was paid by the Nigerian Government for the recovery of the sum of \$321 million part of the Abacha loot from Luxembourg, and whether due process was followed and to report back within six weeks for further legislative action.
- (ii) request His Excellency, President Muhammadu Buhari, GCFR, to suspend the payment of the said fee of \$16.9 million (about ₦6 billion) or any part thereof pending investigation on the matter (HR. 136/04/2018).

13. Consideration of Report

Committee on Industry:

Motion made and Question proposed. "That the House do consider the Report of the Committee on Industry on a Bill for an Act to Repeal the Small and Medium Scale Industries Development Agency (Establishment) Act, 2003 and Establish the Small and Medium Enterprises Development Agency of Nigeria to Regulate, Oversee, Coordinate, Monitor and Evaluate the Developmental Activities and Operation of the Micro, Small and Medium Enterprises in Nigeria and Amend the Small and Medium Scale Enterprises Development Agency Act to Expressly Provide the Agency with Powers to Protect Artisans, Market Women and Traders and to Organize them into Clusters for Optimum Benefits and for Related Matters (HB. 803 and HB. 808) and approve the recommendations therein" (*Hon. Abubakar Hussaini Moriki — Shinkafi/Zurmi Federal Constituency*).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO REPEAL THE SMALL AND MEDIUM SCALE INDUSTRIES
DEVELOPMENT AGENCY (ESTABLISHMENT) ACT, 2003 AND TO RE-ENACT THE SMALL
AND MEDIUM ENTERPRISES DEVELOPMENT AGENCY OF NIGERIA (SMEDAN)
AND OTHER RELATED MATTERS (HBS 803 AND 808)**

PART I — OBJECTIVES AND APPLICATION

Clause 1: Objective.

The objectives of this Bill are to —

- (a) establish the Small and Medium Enterprises Development Agency of Nigeria to regulate, oversee, coordinate, monitor and evaluate the developmental activities and operations of the Micro, Small and Medium Enterprises in Nigeria and
- (a) provide a regulatory and institutional framework for rural industrialization, poverty alleviation and eradication, technology acquisition and adaptation, job creation and sustainable livelihood in Nigeria (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 2: Application.

This Bill shall apply throughout the Federal Republic of Nigeria (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

**PART II — ESTABLISHMENT OF SMALL AND MEDIUM
ENTERPRISES DEVELOPMENT AGENCY OF NIGERIA**

Clause 3: Establishment of the Small and Medium Enterprises Development Agency of Nigeria.

- (1) There is established a body known as the Small and Medium Enterprises Development Agency of Nigeria (in this Bill referred to as "the Agency")
- (2) The Agency —
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name; and
 - (c) may acquire, hold or dispose of any property, movable or immovable subject to the provisions of the Land Use Act for the purpose of carrying out any of its functions under this Bill (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 4: Establishment of the Governing Board of the Agency.

- (1) There is established for the Agency a Governing Board (in this Bill referred to as "the Board") which shall initiate, approve and provide the general policy guidelines for the administration of the Agency.
- (2) The Board established under subsection (1) of this section shall consist of —
 - (a) a Non-Executive Chairman;
 - (b) the Director-General of the Agency;
 - (c) two part-time members appointed from the North and South;
 - (d) a representative each of the following Ministries, Departments or Agencies not below the rank of a Director or its equivalent, the —
 - (i) Federal Ministry of Industry, Trade and Investment,
 - (ii) Federal Ministry of Science and Technology,
 - (iii) Federal Ministry of Budget and Planning,
 - (iv) Federal Ministry of Finance,
 - (v) Bank of Industry,
 - (vi) Bank of Agriculture,
 - (vii) Central Bank of Nigeria,
 - (viii) National Association of Small Scale Industrialists (NASSI),
 - (ix) Nigerian Association of Small and Medium Enterprises (NASME); and
 - (e) one representative of other financial institutions.
- (3) The Board may co-opt or invite any person to attend and participate at any of its meetings provided that the person so co-opted or invited shall only be in attendance and shall not count towards the quorum or votes at the meeting.
- (4) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Board and other matters mentioned therein (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 5: Appointment and tenure of office of the Chairman and Members of the Board.

- (1) The Chairman and other members of the Board except the Director-General shall —
 - (a) be appointed by the President on the recommendation of the Minister;
 - (b) hold office for a term of four years; and

- (c) be eligible for re-appointment for another term of four years and no more.
- (2) The Chairman and Members of the Board shall be persons of proven integrity and —
 - (a) with cognate experience in business administration or on account of their training or experience are knowledgeable about trade, industry, finance or the economy;
 - (b) have legal knowledge of matters pertaining to Micro, Small and Medium Enterprises ("MSMEs"), or
 - (c) have experience in matters connected with MSMEs.
- (3) In addition to the provisions of subsection (2) of this section, the Chairman shall be a holder of university degree or its equivalent with not less than 15 years minimum cognate experience in industry, trade and investment, finance, or Micro, Small and Medium Enterprises Management.
- (4) The office of the Chairman or a member of the Board other than the Director-General shall become vacant where —
 - (a) his term of office expires;
 - (b) he resigns his appointment as a member of the Board by a notice in writing under his hand addressed to the President; or
 - (c) he dies.
- (5) The President may on the recommendation of the Minister remove the Chairman or a Member of the Board from office where —
 - (a) he is incapable of carrying out his duties due to mental or physical infirmity;
 - (b) he has been declared bankrupt or he makes compromise with his creditors;
 - (c) he has been convicted of a felony or any offence involving fraud or dishonesty;
 - (d) he is guilty of gross misconduct relating to his duties, or
 - (e) in the case of an *ex officio* member, he ceases to hold the office on the basis of which he became a member of the Board.
- (6) Notwithstanding the provisions of subsection (5) of this section, the President may remove or suspend a member from the Board if he is satisfied that it is not in the interest of the Agency or of the public for the person appointed to continue in office.

- (7) Where a vacancy occurs in the membership of the Board, it shall upon the recommendation of the Minister, be filled by an appointment by the President of a successor to hold office for the remainder of the term of office of his predecessor and the successor shall represent the same interest as that member whose exit created the vacancy (*Hon. Abubakar Husaini Moriki — Shinkafi Zurmi Federal Constituency*).

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

Clause 6: Emoluments, etc.

A member of the Board shall be paid such emoluments, allowances and benefits as the President may, from time to time, approve (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 7: Disclosure of Interest.

- (1) A member of the Board who is directly or indirectly interested in any disclosure of interest in a matter being deliberated upon by the Board or is interested in any contract made or proposed to be made by the Agency, shall as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at meeting of the Board.
- (2) A disclosure under subsection (1) of this section shall be recorded in the minutes of meeting of the Board and member concerned shall —
- (a) not, after the disclosure, take part in any deliberation or decision of the Board, and
- (b) be excluded for the purpose of constituting a quorum of any meeting of the Board for the deliberation or taking decision with respect to the subject matter in which his interest has been so disclosed (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

PART III — FUNCTIONS OF THE AGENCY

Clause 8: Functions of the Agency.

The Agency shall be responsible for —

- (a) initiating, formulating and reviewing policies for the development of Micro, Small and Medium Enterprises ("MSMEs")
- (b) listing products that MSMEs have substantial internal capacities to manufacture to meet domestic demands for Federal Government's patronage and deletion of restriction on the schedule of importable goods;
- (c) promoting and facilitating enterprise development programmes, instruments and support services to accelerate development, modernization, networking and linkage within the MSMEs and between MSMEs and large enterprises;
- (d) promoting, accrediting and regulating the establishment and activities of business development centres including enterprise or business development service providers;

- (e) regulating, overseeing, coordinating, monitoring and evaluating developmental activities in the MSMEs sub-sector in Nigeria;
- (f) mobilizing internal and external resources, including technical assistance for Micro, Small and Medium Enterprises, their support institutions, trade associations and non-governmental organizations;
- (g) designing, packaging and promoting MSMEs programmes, and providing assistance to MSMEs in marketing their products and services;
- (h) providing extension services to MSMEs, fabricators of machineries and beneficiaries of MSMEs loans;
- (i) establishing and providing liaison services between research institutes, local fabricators and agro industrial schemes
- (j) providing and facilitating vocational, technical and entrepreneurial training to MSMEs
- (k) linking MSMEs to sources of finance, providing access to technology and industrial infrastructure estates, layouts and Incubators;
- (l) promoting and facilitating the development and commercialization of standard designs, quality assurance of machineries and equipment for MSMEs;
- (m) promoting ancillarisation, sub-contracting and clustering;
- (n) establishing and coordinating the institutional development and activities of industrial development centres (IDCs) in Nigeria;
- (o) liaising with external agencies for support and development of MSMEs in Nigeria;
- (p) serving as the vanguard agency and National local point for rural industrialization, poverty alleviation and eradication, technology acquisition and adaptation, job creation and sustainable livelihood;
- (q) recommending to the Federal Government from time to time in consultation with other relevant agencies and organizations, on applicable tax and tariff regimes and other financial incentives for promoting the development of MSMEs;
- (r) promoting the use of Alternative Dispute Resolution (ADR) mechanisms for the speedy resolution of commercial disputes amongst MSMEs, business development providers and other stakeholders;
- (s) monitoring the implementation of and compliance with Federal Government directives, incentives and facilities for the development of MSMEs in Nigeria, and
- (t) carrying out such other activities connected with or incidental to the other functions of the Agency in order to promote government policies within or outside Nigeria for the attainment of these objectives (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 9: Powers of the Agency.

- (1) The Agency shall have power to —
- (a) set standards and ensure compliance for the promotion, development advancement of MSMEs in Nigeria;
 - (b) demand and obtain relevant information, data and reports on activities relating to the promotion and development of micro, small and medium enterprises from banks, research and development institutions and support organizations;
 - (c) enter into joint-venture, memorandum of understanding (MoU) and other agreements for the promotion and development of MSMEs;
 - (d) establish a comprehensive database and information system on MSMEs development programmes and request from all MSMEs such information it may require for the purpose of maintaining the database;
 - (e) charge fees for the use of facilities and services provided by the Agency as considered appropriate;
 - (f) serve as a center for the collection, reference and dissemination of information relating to MSMEs;
 - (g) facilitate the establishment of the National Enterprise Development Funds (NEDFUND);
 - (h) identifying suitable areas in within towns and cities where cluster can be formed and better managed, protected and monitored.
- (2) Where the Federal Government or any of its agencies undertake to publicly announced procurement, public construction or commissioning of research development work, the Agency shall depending on actual needs, assist and establish a system for the qualification and registration of MSMEs wishing to serve as suppliers or to bid for a tender (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 10: Functions and powers of the board.

- (1) The Board shall —
- (a) formulate and provide general policy guidelines for the discharge of the functions of the Agency;
 - (b) lay down standards for the operations of the Agency and issue operational guidelines for the administrative structure of the Agency;
 - (c) supervise the management of the property funds and income of the Agency, other concerns and affairs of the Agency;
 - (d) monitor and ensure the implementation of the policies and programmes of the Agency; and

- (e) carry out such other functions as are necessary or expected to ensure the efficient performance of the functions of the Agency under this Bill.
- (2) The Board shall have power to —
 - (a) employ and determine the terms and conditions of service of the employees of the Agency;
 - (b) approve rules and regulations relating to the appointment, promotion and disciplinary measures for the employees of the Agency;
 - (c) fix the remuneration, allowances, benefits and pension of staff and employees of the Agency subject to the approval of the Salaries and Wages Commission and
 - (d) create such departments as may be necessary for the operations of the Agency;
 - (e) regulate its proceedings and make standing orders with respect to the holding of its meetings, notices to be given, the keeping of minutes of its proceedings and such other matters as the Board may, from time to time determine;
 - (f) do such other things as are necessary in the carrying out of its responsibilities under this Bill (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

PART IV — THE DIRECTOR-GENERAL AND OTHER STAFF OF THE AGENCY

Clause 11: Appointment, qualifications and responsibilities of the Director-General.

- (1) There shall be for the Agency, a Director-General who shall be appointed by the President on the recommendation of the Minister.
- (2) A person shall not be appointed the Director-General for the Agency, except he —
 - (a) possess a minimum of first degree from a recognized University or its equivalent; and
 - (b) has at least fifteen years of cognate experience.
- (3) The Director-General shall be the chief executive and accounting officer of the Agency.
- (4) The Director-General shall be responsible for the —
 - (a) execution of policies of the Agency;
 - (b) day-to-day administration of the Agency;
 - (c) management of the funds, property business of the Agency, and
 - (d) organization and control of the staff of Agency

- (5) The Director-General shall keep the Board informed of the business, programmes and activities of the Agency at such intervals as the Board may determine (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 12: Tenure of Office of the Director-General.

- (1) The Director-General of the Agency shall hold office —
- (a) for a term of five years in the first instance subject to renewal for another five years and no more; and
 - (b) on such other terms and conditions as may be specified in his letter of appointment.
- (2) The office of the Director-General shall become vacant where —
- (a) his term of office expires;
 - (b) he resigns his appointment as Director-General;
 - (c) he has been absent from Board meetings for four consecutive times without the permission;
 - (d) he is incapable of carrying out his duties due to mental or physical infirmity;
 - (e) he has been declared bankrupt or he makes compromise with his creditors;
 - (f) he has been convicted of a felony or any offence involving fraud or dishonesty;
 - (g) he is guilty of gross misconduct relating to his duties;
 - (h) he dies; or
 - (i) the President is satisfied that it is not in the interest of the Agency or of the public for the person to continue in office as Director-General (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 13: Other staff of the Agency.

- (1) The Agency may with the approval of the Board appoint such officers and other employees as it may deem necessary from time to time, for the purpose of the efficient performance of the functions of the Agency under this Bill.
- (2) The conditions of service of the staff the Agency with respect to remuneration, pension or other benefits on retirement, or termination of the officers shall be as may be determined by the Board from time to time.

- (3) The Agency may fill a vacancy by way of transfer or secondment from other departments persons with requisite skills and experience needed to achieve the objectives of the Agency.
- (4) The Board may delegate any of its powers of appointment under this section to the Director-General, subject to such terms and conditions as the Board may determine.
- (5) The members of staff of the Agency shall be public officers as defined in the Constitution of the Federal Republic of Nigeria 1999 (as amended).
- (6) The Agency may, with the approval of the Board and subject to the provisions of this Bill, make staff regulations relating to the conditions of service of employees of the Agency and without prejudice to the foregoing, such regulations may provide for —
 - (a) the appointment, promotion and disciplinary control including termination and dismissal of the employees of the Agency; and
 - (b) appeals by such employees against termination, dismissal or other disciplinary measures (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 14: Service in the Agency to be pensionable.

- (1) Service in the Agency shall be approved service for the purpose of the Pension Reform Act and accordingly, officers and other staff of the Agency shall in respect of their service in the Agency, be entitled to pension, gratuity, severance and other retirement benefits in conformity with provisions of the Pension Reform Act.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of pension, gratuity and other retirement benefits in respect of that office.
- (3) For the purpose of the application of the provisions of the Pension Reform Act, any power exercisable by a Minister or other authority of the Government of the Federation other than the power to make regulations under the Pensions Reform Act is vested in and shall be exercisable by the Governing Board of the Agency (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 15: Appointment and responsibilities of the Secretary to the Board.

- (1) The Board shall appoint a Secretary on such terms and conditions as the Board may determine
- (2) The Secretary shall —
 - (a) be a legal practitioners with not less than 10 years post call experience

- (b) have power to conduct the correspondence of the Board, issue notices of meetings of the Board, keep records of proceedings of the Board and keep the records of all the activities of the Agency;
- (c) be the Legal Adviser to the Agency and
- (d) perform such other functions as the Board or the Director-General may assign to him from time to time (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 16: Experts and consultants.

- (1) In exercising and performing the powers, functions and duties conferred on it under this Bill, the Agency may appoint contract, liaison, collaborate or co-operate with experts, including specialized agencies, resource persons, academic and technical institutes, advisory committees, etc., in order to assist it in carrying out its functions or duties under this Bill.
- (2) Experts or consultants engaged by virtue of the provision of this section may be paid such fees and allowances and afforded such facilities as the Agency, with the approval of the Board may determine (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 17: Establishment of Directorates, Departments and Special Units.

- (1) The Agency shall have powers to —
 - (a) set up Directorates, Departments, Special Units, technical committees, working groups and task forces to assist the Agency in the performance of its duties and functions under this Bill; and
 - (b) make changes to or vary its structure with the approval of the Board.
- (2) There shall be appointed for each of the Directorates, Departments and Special Units a principal officer who shall be known by such designation as the Agency may determine (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 18: Zonal and State Offices.

The Agency shall have the power to establish Zonal and State Offices to enhance its operations and the performance of the functions under this Bill (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 19: Cooperation with other Bodies.

The Agency may cooperate with relevant organisations and authorities involved in MSMEs development and management including related issues in the performance of its functions under this Bill (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

PART V — FINANCIAL PROVISIONS

Clause 20: Fund of the Agency.

- (1) The Agency shall establish and maintain a fund which shall consist of —
 - (a) budgetary and extra budgetary allocations received from the Government of the Federation, grants and annual subventions;
 - (b) moneys received by the Agency from licensing, registration, inspection or supervision of MSMEs;
 - (c) moneys borrowed by the Agency
 - (d) gifts, endowment, grants-in-aids from national, bilateral and multi-lateral Agencies, testamentary dispositions, bequests or other voluntary contributions where the terms and conditions attached are not inconsistent with the objects of the Agency;
 - (e) foreign aids and monetary assistance received by the Agency under any agreement or arrangement with any international body or organisation with the approval of the Minister;
 - (f) income earned from investments of surplus funds of the Agency;
 - (g) all monies held immediately before the commencement of this Bill by the Small and Medium Enterprises Development Agency of Nigeria (SMEDAN);
 - (h) all subscriptions, rents, fees, charges, other internally generated revenues from publication and services provided by the Agency; and
 - (i) all other funds which may, from time to time, accrue to the Agency.
- (2) Subject to the provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended), the fund established pursuant to subsection (1) of this section shall be managed in accordance with extant Financial Regulations applicable in the Public Service of the Federation.
- (3) The Agency may, from time to time, with the approval of the Board, as appropriate, apply the proceeds of the fund established under subsection (1) of this section —
 - (a) to pay the cost of administration, charges and expenses of the Agency;
 - (b) to pay emoluments, allowances and benefits of members of the Board and for reimbursing members of the Board of any committee set up by the Board for such expenses as may be expressly authorized by the Board.
 - (c) to discharge the cost of maintaining the Head Office Building and other offices of the Agency;
 - (d) for the payment of salaries, fees or other remunerations and benefits or allowances, gratuities and pensions, and other benefits payable to the officers and other employees of the Agency;

- (e) for payment for all purchases made by the Agency and the training of members of its staff;
- (f) for the development and maintenance of any property vested in or owned by the Agency;
- (g) for payment to publicize and promote the activities of the Agency;
- (h) for maintaining general financial reserves subject to general or specific directives that may be given by the President;
- (i) for payments of annual and other subscriptions and contributions to national and international organizations;
- (j) for the payment of all consultancies, legal fees and costs of contracts awarded by the Agency; and
- (k) for any other expenditure as may be approved by the Agency, from time to time in connection with all or any of its functions and powers under this Bill (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 21: Expenditure.

The Agency may, from time to time, with the appropriate approval shall apply the proceeds of the fund established in pursuant to section 12 of this Bill —

- (a) to the cost of administration of the Agency;
- (b) to the paying of the emoluments, allowances and benefits of members of the Board and for reimbursing members of the Board or of any committee set up by the Board for such expenses as may be expressly authorized by the Board;
- (c) to the payment of salaries, fees or other remuneration and benefits or allowances, gratuities and pensions, and other benefits payable to the officers and other employees of the Agency;
- (d) for the development and maintenance of any property vested in or owned by the Agency; and
- (e) for and in connection with all or any of its functions under this Bill or in such other securities as may, from time to time, be approved by the President (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 22: Annual Financial Estimates.

- (1) The Agency shall, within each year, prepare and submit to the Board for approval, estimates of income and expenditure of the Agency for the next following financial year and may, at any time before the end of each financial year, prepare and submit to the Board for approval any estimate supplementary to the estimates of the current year.

- (2) No expenditure shall be made out of the funds of the Agency unless that expenditure is part of the expenditure approved by the Board under the estimates for the financial year in which that expenditure is to be made or in estimates supplementary to that year's estimates.
- (3) The estimates as approved under subsection (1) of this section shall be submitted to the Minister and the National Assembly (*Hon. Abubakar Husaini Moriki – Shinkafi/Zurmi Federal Constituency*).

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

Clause 23: Annual Reports.

The Agency shall, not later than 31st July of each year, prepare and submit to the Federal Executive Council through the Minister, a report in such form as the Minister may direct on the activities and administration of the Agency during the immediate preceding year and shall include in the report of the audited accounts of the Agency for the year and Auditor-General's report thereon (*Hon. Abubakar Husaini Moriki – Shinkafi/Zurmi Federal Constituency*).

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

Clause 24: Power to Accept Gifts.

- (1) The Agency may accept gifts of land, money, books, vehicles, equipment or other property from within or outside Nigeria upon such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Agency shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with the functions of the Agency and the provisions of the Independent Corrupt Practices and Allied Offences Agency Act, any other existing Law (*Hon. Abubakar Husaini Moriki – Shinkafi/Zurmi Federal Constituency*).

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

Clause 25: Borrowing Powers.

- (1) The Agency may, with the approval of the Board, borrow by overdraft or otherwise such moneys as may be required for the efficient discharge or performance of its functions and meeting its obligations under this Bill; and any interest payable on moneys so borrowed shall be paid out of the fund of the Agency.
- (2) The Agency shall not, without the approval of the Minister, borrow money which exceeds, at any time, the amount set by the Minister.
- (3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Agency shall not borrow the sum without the prior approval of the Minister in consultation with the Central Bank of Nigeria (*Hon. Abubakar Husaini Moriki – Shinkafi/Zurmi Federal Constituency*).

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

Clause 26: Investment of the Funds of the Agency.

- (1) The Agency may, subject to the provisions of this Bill, the Fiscal Responsibility Act, any other relevant laws and the conditions of any trust created in respect of any property, invest its surplus funds, not immediately required for its current expenditure:
 - (a) in any security prescribed by the Trustee Investments Act or in such other securities as may from time to time, be approved by the Board;
 - (b) the purchase or improvement of any land in any part of the Federation;
 - (c) any venture in Nigeria as may be approved by the Board, including investment in stocks quoted at the Nigerian Stock Exchange.
- (2) In the exercise of its powers of investment of its fund under subsection (1) of this section, the Agency, may from time to time, vary any such investments and may deposit any monies for the time being un-invested with any bank approved by the Board in line with extant Government Rules and Regulations (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 27: Exemption from Tax.

- (1) The Agency shall be exempted from the payment of Income Tax under the Income Tax Act or any subsequent amendment thereto.
- (2) The Agency shall not be liable for the payment of tenement rate, ground rent or other property tax imposed under any legislation dealing with real property (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 28: Bank accounts.

The Agency shall open and maintain such bank accounts as are necessary for the performance of its functions in accordance with the extant Government Rules and Regulations (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 29: Establishment of Housing scheme and incubation centres.

The Agency may with the approval of the board engage in establishment of staff housing scheme and business incubation centres (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 30: Accounts, Records and Audit.

- (1) The Agency shall keep proper and regular accounts and other records of monies received and paid by the Agency and for other purposes for which monies have been received or paid, and of its assets, credits and liabilities in respect of each year and shall cause its accounts to be audited on or before 31st March of the following year to which the accounts relate, by a firm of auditors appointed from the approved list of auditors, and in accordance with guidelines supplied by the Auditor-General for the Federation.

- (2) The Board shall ensure that the Agency keeps proper accounts and records of its transactions and affairs and that —
 - (a) all monies received by the Agency are properly accounted for;
 - (b) all payments of monies are correctly made and properly authorized; and
 - (c) adequate control is maintained over the Agency's property and its expenditure.
- (3) The Board shall cause to be prepared for each financial year, and not later than three months after the close of the financial year, a statement of accounts which shall include a report on the performance of the Agency during that financial year, comprising of a balance sheet, a profit and loss account and application of funds statement.
- (4) The Agency shall do all things necessary to ensure that all payments of its funds and bank account are correctly made and properly authorized and that adequate control is maintained over its assets.
- (5) The Board shall ensure that within four months after the close of each financial year, the statement of accounts referred to in subsection (3) of this section is submitted for auditing.
- (6) The auditor appointed by the Board under this section shall have access to all books of accounts, vouchers and other financial records of the Agency and is entitled to any information and explanation required in connection with such books, vouchers or records.
- (7) As soon as the accounts and the financial statements of the Agency have been audited in accordance with the requirement of this Bill, the Agency shall forward a copy of the audited financial statements to the Minister together with any report or observations made by the auditor and the Auditor-General of the Federation on the statement of accounts.
- (8) The remuneration of the auditor shall be paid out of the fund of the Agency (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

PART VI — RESOLUTION OF DISPUTES

Clause 31: Referral of disputes.

- (1) Where a dispute arose in relation to Micro, Small and Medium Enterprise, such dispute shall, first be referred to the Agency for settlement.
- (2) In the settlement of a dispute, the Agency may; afford the parties to such dispute an informal hearing to determine if a dispute exists.
- (3) Where the Agency is not able to resolve a dispute, it shall refer the dispute to the Arbitral Panel established under section 32 of this Bill within twenty-one days of receipt of the notice of dispute (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 32: Arbitral Panel.

- (1) For the purpose of resolving disputes under this Part, an Arbitral Panel shall be set up by the Agency in accordance with the provisions of the Arbitration and Conciliation Act.
- (2) The Arbitral Panel shall determine any dispute referred to it by any of the party to the dispute or the Agency.
- (3) The Arbitral Panel shall conclude hearing on a matter referred to it and deliver a decision within thirty working days from the date of referral (*Hon. Abubakar Husaini Moriki - Shinkafi/Zumi Federal Constituency*).

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

PART VII — NATIONAL ENTERPRISE DEVELOPMENT FUND (NEDEF)**Clause 33: Establishment of the National Enterprise Development Fund.**

- (1) There is established for the Agency, the National Enterprise Development Fund. In this Bill referred to as "the Fund" into which shall be paid or credited —
 - (a) a percentage of levies collected from the following sources:
 - (i) 0.25% of profit before tax of large enterprises with a turnover above 500,000,000.00. This will be tax deductible.
 - (ii) 1% levy on all imports except Rice, Sugar, Automobile and all non-tax chargeable items.
 - (iii) 5% from the registration fees of all MSMEs.
 - (iv) 5% from the registration fees of all MSMEs.
 - (v) 5% on all luxury goods/items.
 - (vi) 10% of all recovered funds;
 - (b) such monies that may be raised and/or contributed specifically for the MSMEs by private investors both local and foreign, I.G.A, State and Federal Governments;
 - (c) special grants from development partners and international organizations and agencies;
 - (d) donations to the Fund;
 - (e) budgetary appropriation especially allocated by the Federal Government to the Fund;
 - (f) interests earned on the Fund;
 - (g) Federal Government Bonds; and
 - (h) such other monies as may, from time to time, accrue to the Fund.

- (2) The National Enterprise Development Fund shall be dedicated to the specific needs of MSMEs (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 34: Management of the National Enterprise Development Fund.

- (1) For the purpose of administering the fund established under section 28 of this Bill, there is established a body to be known as the National Enterprise Development Fund Management Council (in this Bill referred to as the 'Council') which shall subject to the provisions of this Bill have general control over the management of the Fund.
- (2) The Council established under section (1) of this section shall consist of the following Members —
- (a) a Chairman;
 - (b) the Chairman of the Governing Board of the Agency;
 - (c) a representative each of the following Federal Ministries and Agencies —
 - (i) Federal Ministry of Industry, Trade and Investment,
 - (ii) Federal Ministry of Finance,
 - (iii) the Central Bank of Nigeria,
 - (iv) Federal Inland Revenue Service (FIRS),
 - (v) Corporate Affairs Commission (CAC), and
 - (vi) Nigerian Custom Services;
 - (d) Nigerian Association of Chambers of Commerce Industry, Mines and Agriculture (NACCIMA); and
 - (e) the Director-General of the Agency who shall be the Secretary to the Council.
- (3) The Chairman and other Members of the Council shall be appointed by the President.
- (4) The Council shall be responsible for —
- (a) the provision of operational guidelines, appointment of Fund Managers and the general administration and management of the Fund;
 - (b) receiving all monies, aids, grants, gifts, bequests, endowments, donations or assistance accruing to the fund;
 - (c) determining persons or MSMEs entitled to benefit from the fund;

- (d) disbursing monies from the fund to such persons or MSMEs on criteria approved by the Governing Board of the Agency;
 - (e) investing monies accruing to the Fund in viable ventures.
- (5) Subject to the provisions of subsection (5) of this section, a member of the Council, other than an *ex-officio* Member, shall hold office for a term of three years in the first instance and may be eligible for re-appointment for another term of three years and no more.
- (6) A member of the Council shall cease to hold office if —
 - (a) his term of office expires;
 - (b) he resigns his office by a notice in writing under his hand addressed to the Minister;
 - (c) he dies;
 - (d) he is incapable of carrying out his duties due to mental or physical infirmity;
 - (e) he has been declared bankrupt or he makes compromise with his creditors;
 - (f) he has been convicted of a felony or any offence involving dishonesty;
 - (g) he is guilty of gross misconduct relating to his duties;
 - (h) the President directs the removal of the member upon being satisfied that it is not in the interest of the Agency, Council of public for the person to continue in office as a member of the Council; or
 - (i) in the case of an *ex-officio* member, he ceases to hold the office on the basis of which he became a member of the Council.
- (7) The Council shall meet at least four times in a year and on such other occasions as it may consider necessary.
- (8) The Council shall may in respect of meetings referred to in subsection 7 of this section —
 - (a) make rules and standing orders to regulate its proceedings or those of its committees;
 - (b) co-opt any person to assist it in carrying out its assignments under this Bill, provided that a co-opted member shall not have the right to vote at its meetings; and
 - (c) appoint or more committees to carry out ~~its~~ functions on its behalf.

- (9) The Council shall make regulations and issue guidelines for the management of the Fund established under subsection (1) of this section and related matters (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

PART VIII — CENTRAL REGISTRY FOR MSMEs IN NIGERIA

Clause 35: Establishment of the Central Registry for MSMEs.

There is established a Central Registry for MSMEs (in this Bill referred to as "the Registry") which shall be operated by the Agency for the purpose of registering MSMEs operating in Nigeria (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 36: The Registrar-General and other staff of the Registry.

- (1) The Director-General of the Agency shall be the Registrar of the Registry and responsible for registering MSMEs.
- (2) The Secretary to the Board shall be the Deputy-Registrar of the Central Registry.
- (3) The Board shall appoint other officers to assist the Registrar in the discharge of his duties under this Bill (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 37: Power to make Regulations for the Central Registry.

The Agency shall make such regulations and rules as are necessary for the day to day operations of the Central Registry (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

PART IX — MISCELLANEOUS

Clause 38: Limitation of Suits against the Agency.

- (1) Notwithstanding anything contained in any other law or enactment, no suit shall lie or be instituted in any court against any member of the Board, the Director-General or any other officer or employees of the Agency for any act done in pursuance or execution of this Bill or any other law, enactment or of any public duty or authority in respect of any alleged neglect or default in the execution of this Bill or any other enactment or law, duty or authority unless it is commenced:
 - (a) within three months after the act or default complained of; or
 - (b) in the case of a continuation of damage or injury, within six months after the ceasing thereof.

- (2) No suit shall be commenced against the Council before the expiration of a period of one-month after a written notice of intention to commence the suit had been served on the Council by the intending plaintiff or his agent and the notice shall clearly state the
- (a) cause of action;
 - (b) particulars of the claim;
 - (c) name and place of abode of the intending plaintiff; and
 - (d) relief which he claims (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 39: Service of Pre-action notice and other documents.

The notice referred to in subsection (1) and (2) of section 29 of this Bill and any summons, notice or other document required or authorized to be served on the Agency under this Bill or any other law, may be served by-

- (a) delivering it to the Director-General; or
- (b) sending it by registered post addressed to the Director-General at the Head Office of the Agency (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 40: Restriction on execution against property of the Agency.

- (1) In any or suit against the Agency, no execution shall be levied or attachment process issued against the Agency unless not less than 30 days' notice of the intention to execute or attach has been given to the Agency.
- (2) Any sum of money which by the judgment of any court has been awarded against the Agency shall, subject to any direction given by the court where no notice of appeal against the judgment has been given, be paid from the fund of the Agency (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 41: Indemnity of officers of the Agency.

A member of the Agency, Board, Council, Chairman, Director-General, officer or employee 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 brought against him in his capacity as a member of the Agency, Board, Council, Chairman, officer or employee of the Agency where the act complained of is not ultra vires his powers (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 42: Prohibition of insider dealing or trading.

- (1) A member of the Board, the Director General, or any officer or employee of the Agency shall —

- (a) not, for his personal gain, make use of any information which has come to his knowledge in the exercise of his duty, or is obtained by him in the ordinary course of his duty as a member of the Board or as the Director General, officer or employee of the Agency;
 - (b) treat as confidential any information which has come to his knowledge in the exercise of power or is obtained by him in the performance of his duties under the Act;
 - (c) not disclose any information referred to under paragraph (b) of this subsection, except when required to do so by a court or in such other circumstances as may be prescribed by the Board from time to time.
- (2) Any person who contravenes the provisions of subsection (1) of this section commits an offence and is liable on conviction to a fine of not less than ₦50,000 or imprisonment term not exceeding 2 years or to both such fine and imprisonment (*Hon. Abubakar Husaini Moriki – Shinkafi/Zurmi Federal Constituency*).

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

Clause 43: Directives by the Minister.

- (a) The Minister may give to the Agency or the Director General such directives of a nature or relating to matters of policy with regard to the exercise of his functions as he may consider necessary and it shall be the duty of the Agency or the Director General to comply with the directive or cause them to be complied with in the like manner. the Director General may suggest to the minister or draw the attention of the minister to any government policy that may be considered counter-productive to the functions, policy or goals of the agency and may by such actions suggest better ways of improving them.
- (b) For the purpose of this Bill, the minister may suggest to any minister ways of collaborations in pursuit of the noble objectives of the agency and for same purposes point out areas of conflict and how to avoid them and for such purpose forward a blue print on areas of collaboration (*Hon. Abubakar Husaini Moriki – Shinkafi/Zurmi Federal Constituency*).

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

Clause 44: Regulations, Rules and Guidelines.

The Agency may, with the approval of the Minister, make such regulations as necessary or expedient for giving full effect to the provisions of the Act and for the due administration of its provisions:

- (a) notwithstanding the provision of this Bill or any other law, it shall be unlawful to manhandle traders, artisans, market women who are lawfully plying their trade or for any kind of enforcement, cause them bodily harm or injuries or any form of action that may be dehumanizing to their human dignity;

any person found to have contravene this section may upon conviction be liable to a fine of ₦150,000 or five years imprisonment or both.

- (b) it shall be unlawful under this Bill to confiscate, seize or appropriate commodities, items, tools or wares belonging to ordinary traders, artisans or market women; or act with intent to divert or convert to personal use, items or commodities belong to them;

a person found to have contravene this section shall upon conviction, be liable to a fine of ₦150,000 or five years imprisonment (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 45: Prescribed Fees.

The Agency shall in consultation with the Board, by notice published in the Gazette, prescribe the fees to be charged in respect of licenses issued under the Act, renewal of licenses and carrying out and performing such other functions conferred on it under this Bill or by regulations made pursuant to this Bill (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 46: Interpretation.

In this Bill —

"Agency" means the Small and Medium Enterprise Development Agency of Nigeria established under section 3 of this Bill (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"Artisans" means skilled labourers (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"BDS" means Business Development Services which include capacity Building, Mentoring, counseling, and other related activities (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"BDSPs" means Business Development Service Providers (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"Board" means the Governing Board established for the Agency under section 4 of this Bill (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"Board of Trustees" means the people responsible for making rules and financial decisions on behalf of the Fund Trust (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"Cluster" means to group or organize into groups for the sole purpose of achieving economic benefits (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"Luxury Goods" means goods for which demand increases more than proportionally, income or positional goods (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"Market Women" means women traders (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"Minister" means the Minister in charge with the responsibility for Industries, Trade and Investment and Micro, Small and Medium Enterprises (MSMEs) (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"NACCIMA" National Chamber of Commerce Industry Mines and agriculture (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"NASSIMA" means National Association of Small Scale Industrialists and Manufacturers Association (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"President" means the President of the Federal Republic of Nigeria (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"SMEDAN" as an acronym that means Small and Medium Enterprises Development Agency of Nigeria (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

"Traders" means small scale traders (Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency).

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

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

Clause 47: Repeal and Savings Provisions.

- (1) The Small and Medium Industries Development Agency (Establishment) Act 2003 (as amended) and the Small and Medium Scale Enterprises Development Agency (Amendment) Act, 2004 is repealed: and
- (2) Without prejudice to section 6 of the Interpretation Act, the repeal of the Acts specified under this subsection (1) of this section, shall not affect anything done under or pursuant to the Acts;
- (3) Every regulation, order, requirement, certificate, notice, direction, decision, authorization, consent, application, request or thing made, issued, given or done under the repealed Acts shall, if in force at the commencement of this Bill, continue to be in force and have effect as if made, issued, given or done under the corresponding provisions of this Bill.
- (4) All assets, funds, resources and other movable and immovable property which, immediately before the commencement of this Bill, vested in the former Agency shall by virtue of this Bill and without further assurance be vested in the Agency established under this Bill.
- (5) Every reference to the former Agency, Board, Minister, Director-General, Board Chairman or any person under their control or a document issued in the name of the former Agency, Board, Minister, Director-General, Chairman of the former Board or employee of the former Agency shall be read, unless the context otherwise requires, as a reference to the Agency, Minister, Board, Director-General, Chairman or an employee of the Agency established under this Bill, as the case may be (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 48: Transitional Provisions.

- (1) Subject to the provisions of this Bill, the Director-General of the Agency established under the repealed Act is deemed to have been transferred to the Agency established under this Bill under the same conditions as Director-General.
- (2) Any person who immediately before the commencement of this Bill was a staff of the Agency established under the repealed Act shall continue in office and be deemed to have been appointed under this Bill for purposes of Pension.
- (3) Properties held immediately before the commencement date of this Bill on behalf of the Agency by any person shall be virtue of this Bill, be vested in the Agency established under this Bill.

- (4) The Agency established by this Bill shall be subject to all the obligations and liabilities to which the former Agency was subject immediately before the Commencement of this Bill and all other persons shall have the same rights, powers and remedies against the Agency established by this Bill as they had against the Agency immediately before the commencement of this Bill.
- (5) Any proceeding or cause of action pending or existing immediately before the commencement of this Bill by or against the Agency established under the repealed Act in respect of any right, interest, obligation or liability of the Agency may be continued or commenced as the case may be, and any determination of a court of law, tribunal or other Commission or person may be enforced by or against the Agency established by this Bill to the same extent that such proceeding, cause of action or determination might have been continued, commenced or enforced by or against the Agency as if this Bill had not been made.
- (6) As from the commencement of this Bill, any disciplinary proceeding pending or existing against any employee of the Agency shall be continued and completed by the Agency established under this Bill (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Clause 49: Short Title.

This Bill may be cited as the Small and Medium Enterprises Development Agency of Nigeria (Establishment, etc.) Bill, 2018 (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

Proceedings of the Board

1.
 - (1) Subject to the provisions of this Bill, the Board may make standing orders regulating its proceedings or any of its committees 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 casting vote.
 - (3) Standing orders made for a committee shall provide for the committee to report to the Board on any matter referred to it by the Board.
 - (4) The quorum of the Board shall be one-third of the members of the Board and the quorum of a committee of the Board shall be fixed by the Board.
 - (5) The Board may invite any person to attend and participate at any of its meetings provided that a person so co-opted shall only be in attendance and shall not count towards the quorum or vote at the meeting.

Meetings of the Board

2. (1) Subject to the provisions of any standing orders of the Board, the Board shall meet whenever it is summoned by the chairman or if the chairman is requested to do so, by notice in writing given to him by not less than five other members, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.
- (2) At any meeting of the Board, the Chairman shall preside or in his absence, the members present at the meeting, shall appoint one of their members to preside.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as the Board thinks fit, but a person who is a member by virtue of this paragraph shall not be entitled to vote at the meeting and shall not count towards the quorum.
- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the inaugural meeting of the Board shall be summoned by the Minister.

Committees

3. (1) The Board may appoint one or more committees to carry out on behalf of the Board such functions as the Board may determine.
- (2) A Committee appointed under this paragraph shall consist of the number of persons determined by the Board of whom not more than two thirds may be persons who are not members of the Board.
- (3) A person other than a member of the Board 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 Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

4. (1) The fixing of the seal of the Board shall be authenticated by the signature of the chairman, the Director-General, Registrar-General, Board Secretary or any other members of the Board authorized generally or specially by the Board to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be sealed, may be made or executed on behalf of the Board, by any person generally or specially authorized by the Act, for that purpose by the Board.
- (3) Any document purporting to be a document duly executed under the seal of the Agency shall be received in evidence and shall, unless 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 Board 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 Board and any person holding office on a committee of the Board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board 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 Board be treated as holding an office in the public service of the Federation (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

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

Explanatory Memorandum:

(This Memorandum does not form part of the above Bill but is intended to explain its purport)

This Bill seeks to establish the Small and Medium Enterprises Development Agency of Nigeria to regulate, oversee, coordinate, monitoring and evaluate the developmental activities and operations of the Micro, Small and Medium Enterprises in Nigeria; and provide a regulatory and institutional framework for rural industrialization, poverty alleviation and eradication, technology acquisition and adaptation, job creation and sustainable livelihood in Nigeria and for other related matters (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Repeal the Small and Medium Scale Industries Development Agency (Establishment) Act, 2003 and to Re-enact the Small and Medium Enterprises Development Agency of Nigeria (SMEDAN) and Other Related Matters (HBs 803 and 808) (*Hon. Abubakar Husaini Moriki — Shinkafi/Zurmi Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Industry on a Bill for an Act to Repeal the Small and Medium Scale Industries Development Agency (Establishment) Act, 2003 and Establish the Small and Medium Enterprises Development Agency of Nigeria to Regulate, Oversee, Coordinate, Monitor and Evaluate the Developmental Activities and Operation of the Micro, Small and Medium Enterprises in Nigeria and Amend the Small and Medium Scale Enterprises Development Agency Act to Expressly Provide the Agency with Powers to Protect Artisans, Market Women and Traders and to Organize them into Clusters for Optimum Benefits and for Related Matters (HB. 803 and HB. 808) and approved Clauses 1 - 49, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

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

14. Adjournment

That the House do adjourn till Tuesday, 17 April, 2018 at 11.00 a.m. (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

The House adjourned accordingly at 1.39 p.m.

Yakubu Dogara
Speaker