



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Tuesday, 22 January, 2019

1. The House met at 11.24 a.m. Mr Deputy Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Deputy Speaker announced that he had examined and approved the *Votes and Proceedings* of Thursday, 17 January, 2019.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcement**
Defection:
Mr Deputy Speaker read a communication from Hon. Tarkighir Dickson Dominic (*Makurdi/Guma Federal Constituency*), announcing his defection from the Peoples Democratic Party (PDP) to the All Progressives Congress (APC).
4. **Presentation of Reports**
 - (i) **Report of Conference Committee:**
Motion made and Question proposed, "That the House do receive the Report of the Conference Committee on a Bill for an Act to Repeal the National Inland Waterways Authority Act, Cap. N47, Laws of the Federation of Nigeria, 2004 and to Enact the Nigerian Inland Waterways Bill, Establish the Nigerian Inland Waterways Authority to Provide for the Management, Regulation and Development of the Nigerian Inland Waterways and to Promote Private Sector participation in the development of Inland Waterways in Nigeria; and for Related Matters (HB.1554)" (*Hon. Patrick Asadu — Nsukka/Igboeze South Federal Constituency*).

Agreed to.

Report laid.

(ii) Committee on Commerce:

Motion made and Question proposed, “That the House do receive the Report of the Committee on Commerce on a Bill for an Act to Establish the Chartered Institute of Auctioneers to Provide for the Control of its Membership and to Promote the Practice of Auctioneers in Nigeria; and for Matters Connected Therewith (HB.599)” (*Hon. John Dyegh — Gboko/Tarka Federal Constituency*).

Agreed to.

Report laid.

(iii) Committee on Federal Road Safety Commission:

Motion made and Question proposed, “That the House do receive the Report of the Committee on Federal Road Safety Commission on a Bill for an Act to Repeal the Federal Road Safety Commission (Establishment) Act, 2007 and Enact a Bill For an Act to Establish the Nigeria Road Safety Commission with Responsibility for Traffic Management, Prevention and Minimization of Road Traffic Crashes, the Supervision of users of such roads, the Regulation of Traffic thereon, Clearing of Obstructions on any part of the roads, the Education of Drivers, Motorists and Other members of the general public on the Proper use of the Roads; and for Related Matters (HB. 932, HB. 939, HB. 796, and HB. 1328)” (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

Agreed to.

Report laid.

(iv) Committee on Public Petitions:**Petition by Magana-Pax Law Partners:**

That the House do receive the Report of the Committee on Public Petitions on the Petition by Magana-Pax Law Partners against the Nigerian Content Development and Monitoring Board (NCDMB) on the victimization, unfair treatment and breach of Public Service Rules in its dealing with Mr.IK Joy-Uzor.

Order read; deferred by leave of the House.

5. A Bill for an Act to Amend the Electric Power Sector Reform Act, 2005 to Prohibit and Criminalize Estimated Billing by Electricity Distribution Companies and Provide for Compulsory Installation of Pre-Paid Meters to all Power Consumers in Nigeria; and for Related Matters (HB. 1384) — Third Reading

Motion made and Question proposed, “That a Bill for an Act to Amend the Electric Power Sector Reform Act, 2005 to Prohibit and Criminalize Estimated Billing by Electricity Distribution Companies and Provide for Compulsory Installation of Pre-Paid Meters to all Power Consumers in Nigeria; and for Related Matters (HB. 1384) be now read the Third Time” (*Hon. Nasiru Baballe Ila — Tarauni Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

6. A Bill for an Act to Provide for Establishment of Federal University of Education, Kano; and for Related Matters (HB.1538) — Third Reading

Motion made and Question proposed, “That a Bill for an Act to Provide for Establishment of Federal University of Education, Kano; and for Related Matters (HB.1538) be now read the Third Time” (*Hon. Nasiru Baballe Ila — Tarauni Federal Constituency*).

Agreed to.

Bill read the Third Time and passed.

7. A Bill for an Act to Repeal the Sale of Goods Act and Enact Sale of Goods Bill to Provide for

Regulation of Sale of Goods in Nigeria; and for Related Matters (HB. 371) — Third Reading
Motion made and Question proposed, “That a Bill for an Act to Repeal the Sale of Goods Act and Enact Sale of Goods Bill to Provide for Regulation of Sale of Goods in Nigeria; and for Related Matters (HB. 371) be now read the Third Time” (Hon. Nasiru Baballe Ila — Tarauni Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

8. **A Bill for an Act to the Establish Nigerian Institute for Trypanosomiasis and Onchocerciasis Research (NITOR) to be Charged with Responsibilities for Conducting Research in Onchocerciasis in Addition to its Current Responsibilities; and for Related Matters (HB. 665) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to the Establish Nigerian Institute for Trypanosomiasis and Onchocerciasis Research (NITOR) to be Charged with Responsibilities for Conducting Research in Onchocerciasis in Addition to its Current Responsibilities; and for Related Matters (HB. 665) be now read the Third Time” (Hon. Nasiru Baballe Ila — Tarauni Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

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

Motion made and Question proposed, “That a Bill for an Act to Repeal the Prisons Act, Cap. P29, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Correctional Service Bill to Provide for the Administration of Prisons and Non-Custodial Measures in Nigeria; and for Related Matters (HB. 487, HB. 516 and HB. 517) be now read the Third Time” (Hon. Nasiru Baballe Ila — Tarauni Federal Constituency).

Agreed to.

Bill read the Third Time and passed.

10. **A Bill for an Act to Repeal the Companies and Allied Matters Act, Cap. C20, LFN, 2004 and Enact the Companies and Allied Matters Bill 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) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Repeal the Companies and Allied Matters Act, Cap. C20, LFN, 2004 and Enact the Companies and Allied Matters Bill 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) be now read the Third Time” (Hon. Femi Gbajabamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

11. **A Bill for Act to Authorize the issue from the Consolidated Revenue Fund of the Federation, the total sum of ₦8,826,636,578,915 (Eight Trillion, Eight Hundred and Twenty-Six Billion, Six Hundred and Thirty-Six Million, Five Hundred and Seventy-Eight Thousand, Nine Hundred and Fifteen Naira) only, of which ₦492,360,342,965 (Four Hundred and Ninety-Two Billion, Three Hundred and Sixty Million, Three Hundred and Forty-Two Thousand, Nine Hundred and Sixty-Five Naira) only, is for Statutory Transfers, ₦2,264,014,113,092 (Two Trillion, Two Hundred and Sixty-Four Billion, Fourteen Million, One Hundred and Thirteen Thousand, Ninety-Two Naira) only, is for Debt Service, ₦4,038,557,664,767 (Four Trillion, Thirty-Eight Billion, Five Hundred and Fifty-Seven Million, Six Hundred and Sixty-Four Thousand, Seven Hundred and Sixty-Seven Naira) only, is for Recurrent (Non-Debt) Expenditure while the sum of ₦2,031,704,458,092 (Two Trillion, Thirty-One Billion, Seven Hundred and Four Million, Four Hundred and Fifty-Eight Thousand, Ninety-Two Naira) only, is for contribution to the' Development Fund for Capital Expenditure for the year ending on the 31 December, 2019 — *Second Reading***

Order read; deferred by leave of the House till the next legislative day.

12. **Re-Committal of the National Transport Commission Bill, 2018**

Motion made and Question proposed:

The House:

Notes that a Bill for an Act to establish the National Transport Commission as an independent Multi-model Economic Regulatory Authority for the Regulation of Transport Industry Sectors, and for Related Matters was passed by the National Assembly and transmitted to the President for assent;

Recalls that the Bill was returned with some observations which need to be addressed;

Resolves to:

Rescind its decision on the affected clauses of the Bill as passed and re-commit same to the Committee of the Whole for Re-consideration and passage (*Hon. Edward Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

13. **Rescission of a Bill for an Act to Provide Personal Data Protection to Regulate the Processing of Information Relating to Individuals, Including the Obtaining, Holding, Use or Disclosure of Such Information; and for Related Matters (HB. 02) Pursuant to Order Nine, Rule 1(6) of the Standing Orders of the House of Representatives**

Motion made and Question proposed:

The House:

Notes that on 6 April, 2017, a Bill for an Act to provide Personal Data Protection to Regulate the Processing of Information Relating to Individuals, including the Obtaining, Holding, Use or Disclosure of such information; and for Related Matters was read the Third time and Passed;

Informed that the Bill as passed did not address the mischief it intended to cure;

Acknowledges the need to rescind the decision on the Bill in order to accommodate the intent and purposes of Data Protection Law in Nigeria;

Resolves to:

Rescind its decision of 6 April, 2017 and recommit the Bill to the Committee of the Whole for Reconsideration and Passage *Hon. Edward Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

14. Rescission of the Public Procurement Act (Amendment) Bill, 2018 (HB. 478), Pursuant to Order Nine, Rule 1(6) of the Standing Orders of the House of Representatives

Motion made and Question proposed:

The House:

Notes that the Public Procurement Act (Amendment) Bill, 2018 was passed on 28 March, 2018 and forwarded to the Senate for concurrence;

Aware that the Report of the Conference Committee on the Bill was adopted and thereafter sent to the Directorate of Legal Services of the National Assembly for further legislative action;

Also notes that in the course of cleaning up the Bill, the Directorate of Legal Services raised observations which go to the root of the Bill and which require a rescission to be addressed;

Desirous of addressing those observations raised by the Directorate of Legal Services;

Resolves to:

Rescind its decision on the Public Procurement Act (Amendment) Bill, 2018 and recommit same to the Committee of the Whole for reconsideration and passage *Hon. Edward Pwajok — Jos South/Jos East Federal Constituency*).

Agreed to.

15. Call to Immortalize Chief Anthony Akhakon Anenih by naming the National Institute of Construction Technology and Management (NICT), Uromi, Edo State after him

Motion made and Question proposed:

The House:

Notes that Chief Anthony Akhakon Anenih in his life time, worked assiduously for the peace, development, stability of democracy and entrenchment of justice and democratic ideals in Nigeria;

Also notes that before joining politics, Chief Anthony Anenih served in the Nigeria Police Force and was at one time an orderly to the first President and Governor-General of Nigeria, late Dr Nnamdi Azikiwe before he voluntarily retired from the Force in 1976 as a Commissioner of Police;

Aware that while in the Police Service, he got several Awards, including the long Service Medal, an Award usually given to Officers in the Nigerian Police Force who had a clean and impeccable Record;

Also aware that Chief Anenih stood out as a leader who had undying love for his country and, in 2003, was conferred with the National Honour as Commander of the Order of the Federal Republic (CFR);

Further aware that in 2013, in a bid to ease the operations of the National Institute of Construction Technology and Management, Uromi, Edo State, Chief Tony Anenih obliged the Institute with his massive Nova Hotel facility at Uromi for use as a temporary take off site at no cost to the Institute and the Federal Government;

Cognizant that by naming the National Institute for Construction Technology and Management, Uromi, Edo State after him, the ideals of love, sacrifice, patriotism, courage and hard work will be further engraved in the lives of Nigerian Leaders and Politicians in general;

Resolves to:

- (i) immortalize Chief Anthony Akhankon Anenih by naming after him, the National Institute of Construction Technology and Management, Uromi, Edo State; and
- (ii) mandate the Committee on Legislative Compliance to ensure compliance and report back within six (6) weeks (*Hon. Sergius Oseasochie Ogun — Esan Northeast/Esan Southeast Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Chief Anthony Akhakon Anenih in his life time, worked assiduously for the peace, development, stability of democracy and entrenchment of justice and democratic ideals in Nigeria;

Also noted that before joining politics, Chief Anthony Anenih served in the Nigeria Police Force and was at one time an orderly to the first President and Governor-General of Nigeria, late Dr Nnamdi Azikiwe before he voluntarily retired from the Force in 1976 as a Commissioner of Police;

Aware that while in the Police Service, he got several Awards, including the long Service Medal, an Award usually given to Officers in the Nigerian Police Force who had a clean and impeccable Record;

Also aware that Chief Anenih stood out as a leader who had undying love for his country and, in 2003, was conferred with the National Honour as Commander of the Order of the Federal Republic (CFR);

Further aware that in 2013, in a bid to ease the operations of the National Institute of Construction Technology and Management, Uromi, Edo State, Chief Tony Anenih obliged the Institute with his massive Nova Hotel facility at Uromi for use as a temporary take off site at no cost to the Institute and the Federal Government;

Cognizant that by naming the National Institute for Construction Technology and Management, Uromi, Edo State after him, the ideals of love, sacrifice, patriotism, courage and hard work will be further engraved in the lives of Nigerian Leaders and Politicians in general;

Resolved to:

- (i) immortalize Chief Anthony Akhankon Anenih by naming after him, the National Institute of Construction Technology and Management, Uromi, Edo State; and
- (ii) mandate the Committee on Legislative Compliance to ensure compliance and report back within six (6) weeks (**HR. 3/01/2019**).

16. Consideration of Reports

- (i) ***Ad-hoc Committee to Benue State on the Recurring Boat Mishaps at the Buruku Crossing Point on River Katsina-Ala, Benue State:***

Order read; deferred by leave of the House.

(ii) ***Ad-hoc Committee on the Process that Led to the Termination of the Contract between Nigerian Ports Authority (NPA) and INTELS Nigeria Limited:***

Motion made and Question proposed, “That the House do consider Report of the Ad-hoc Committee on the Process that Led to the Termination of the Contract between Nigerian Ports Authority (NPA) and INTELS Nigeria Limited and approve the recommendations therein” (Hon. Pally Iriase — Owan East/Owan West Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Consideration deferred.

Ordered: *Matter recommitted to the Ad-hoc Committee to liaise with the Committee on Ports, Harbours and Waterways for further legislative action and report back within six (6) weeks.*

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole deferred consideration of the Report of the *Ad-hoc* Committee on the Process that Led to the Termination of the Contract between Nigerian Ports Authority (NPA) and INTELS Nigeria Limited.

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

(iii) ***A Bill for an Act to Provide for Establishment of the National Institute for Hospitality and Tourism for Training, Certification and Registration of Personnel in Nigeria; and for Related Matters (HB. 1316):***

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Provide for Establishment of the National Institute for Hospitality and Tourism for Training, Certification and Registration of Personnel in Nigeria; and for Related Matters (HB. 1316) and approve the recommendations therein”(Hon. Edward Pwajok — Jos South/Jos East Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR ESTABLISHMENT OF THE NATIONAL INSTITUTE FOR HOSPITALITY AND TOURISM FOR TRAINING, CERTIFICATION AND REGISTRATION OF PERSONNEL IN NIGERIA; AND FOR RELATED MATTERS (HB. 1316)

Clause 5: Powers of the Institute.

- (3) For the purposes of carrying out the objects listed under section 1 of this Act, the Institute shall —

- (a) institute lectureship or other posts, establish offices and make appointments as may be considered appropriate;
- (b) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes, distinctions, awards and other forms of recognition or title;
- (c) be responsible for the discipline and welfare of members of the Institute under the Public Service Rules, 2008;
- (d) conduct examinations, award diplomas, certificates and other distinctions to persons pursuing courses of studies that have been approved and have satisfied the requirements prescribed by the Institute;
- (e) conduct research in relevant fields of learning and other human endeavours;
- (f) determine the standard of knowledge including content and skill to be attained by persons seeking to become members of the profession and review such standards, from time to time;
- (g) determine course content for the courses in hospitality, travel and tourism in the Institute;
- (h) formulate, publish and review the code of conduct, ethics and practice in the Institute;
- (i) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings as are necessary for the carrying out of the objects of the Institute;
- (j) train, certify and register all personnel engaged in hospitality, travel and tourism training in the Institute; and
- (k) set mandatory registration fees and collection of fees by the Institute or its agents (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 7: Membership of the Institute.

- (a) a Chairman who shall be at least a first degree holder or its equivalent in hospitality and tourism practice with at least 10 years post experience;
- (b) a representative each not below the rank of a Director or its equivalent from the —
 - (i) Federal Ministry of Culture and Tourism,
 - (ii) Federal Ministry of Education,
 - (iii) National Board for Technical Education, and
 - (iv) National Directorate of Employment;

- (c) a representative of the —
 - (i) Center for Management Development,
 - (ii) Tertiary Education Trust Fund,
 - (iii) Federation of Tourism Association of Nigeria;
- (d) the Director-General of the Institute; and
- (e) the Director-General, Nigerian Tourism Development Corporation (NTDC) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 20: Funds of the Institute.

- (1) There is established for the Institute a fund ("the Fund") which shall consist of —
 - (a) budgetary allocations, grants and annual subventions received from the Government of the Federation;
 - (b) all money held immediately before the commencement of this Act by the National Institute for Hospitality and Tourism;
 - (c) all money raised for the Institute by way of gifts, loans, endowment, grants-in-aids, testamentary disposition, bequest or other voluntary contributions from philanthropic organisations or persons, if the terms and conditions attached are not inconsistent with the functions of the Institute;
 - (d) 10% of the revenue generated by the Institute to be retained for its administration and programmes.
 - (e) all other funds which may accrue to the Institute (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

SCHEDULES

FIRST SCHEDULE

Section 8 (6)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Board

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

Meetings of the Board

2. (1) The Board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than 4 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting.
- (3) The Board shall meet a minimum of four times a year: one meeting each quarter.

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 such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Seal of the Institute

4. (1) The fixing of the seal of the Institute shall be authenticated by the signatures of the Chairman or any other member of the Board generally, or specifically authorised by the Board to act for that purpose and the Director-General.
- (2) A contract or an instrument, which is made or executed by any 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 Director-General or by any person generally or specifically authorised to act for that purpose by the Director-General.
- (3) A document purporting to be a contract, an instrument or other document signed or sealed on behalf of the Institute, shall be received in evidence and, unless the contrary is proved, be presented, without further proof, to have been properly signed or sealed.

Miscellaneous

5. The validity of any proceedings of the Board or of a committee shall not be adversely affected by —
 - (a) a vacancy in the membership of the Board or committee;
 - (b) a defect in the appointment of a member of the Board or committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Board or Committee.
6. Any Member of the Board or committee who has a personal interest in any arrangement entered into or proposed to be considered by the Board or any committee shall —
 - (a) disclose his interest to the Board or committee; and

- (b) not vote on any question relating to the 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.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of the National Institute for Hospitality and Tourism for Training, Certification and Registration of Personnel in Nigeria; and for Related Matters (HB. 1316) and approved Clauses 5, 7, 20, and the Schedule 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 Repeal the Nigerian Film Corporation Act, Cap. N109, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Film Corporation Bill to Regulate and Develop the Film Industry in Nigeria; and for Related Matters (HB. 584):***

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Repeal the Nigerian Film Corporation Act, Cap. N109, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Film Corporation Bill to Regulate and Develop the Film Industry in Nigeria; and for Related Matters (HB. 584) and approve the recommendations therein”(Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE NIGERIAN FILM CORPORATION ACT, CAP. N109, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NIGERIAN FILM CORPORATION BILL TO REGULATE AND DEVELOP THE FILM INDUSTRY IN NIGERIA; AND FOR RELATED MATTERS (HB. 584)

Clause 13: Regulations.

The Commission may, with the approval of the Board, make regulations and guidelines generally for the purpose of giving effect to the provisions of 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: Limitation of Suits.

- (1) No suit against the Commission, or member of staff of the Commission for any act done in pursuance or execution of any enactment or law, or of any public duties of the Commission or in respect of alleged neglect, or default in the execution of enactment of law, shall lie or be instituted in any court unless it is commenced within twelve months of the neglect or default complained of and in the case of a continuance of damage or injury, within twelve months next after the ceasing thereof.

- (2) No suit shall be commenced against the Commission before the expiration of a period of one month after a written notice of intention to commence the suit shall have been served upon the Commission by the intending plaintiff or his agent.
- (3) The notice referred to in subsection (2) of this section 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 the plaintiff claims (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 15: Service of documents.

The notice referred to in section 14 and any summons or other documents required or authorized to be served on the Commission under the provisions or any other enactment or law may be served by:

- (a) delivering the same to the Director General of the Commission; or
- (b) sending it by registered post addressed to the Director General at the Head Office of the Commission (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 16: Offences and Penalties.

- (1) Any person in breach of a provision of this Bill for which no specific penalty is imposed under this Bill, if found guilty shall be liable on conviction to a fine of not less than Five Hundred Thousand Naira (₦500,000.00) or one year imprisonment or both.
- (2) Any person who aids or abets the commission of any offence under this Bill shall be guilty of an offence and if found guilty on conviction, shall be liable to a fine of One Million Naira (₦1,000,000.00) or two years imprisonment or both for each of the person(s) found liable.
- (3) In the case of a corporate body, where an offence is proved to have been committed with the consent or connivance of, or to be attributed to any neglect on the part of a Director, Manager, Secretary, or any person(s) who was purporting to act in any such capacity, he as well as the Corporate body shall be guilty after investigations and prosecuted and if found guilty, liable to a fine of One Million Naira (₦100,000.00) or two years imprisonment or both for each of the person(s) found liable.
- (4) Any foreign production company carrying out shooting activities in Nigeria without obtaining a shooting license from the Commission shall be guilty of an offence and liable on conviction to a fine of Two Million Naira (₦2,000,000.00) or four years imprisonment.

- (5) Any Nigerian company or individual aiding or collaborating with any foreign production company to carry out shooting activities in Nigeria without securing a shooting license for the foreign production company from the Commission shall be guilty of an offence and liable on conviction to a fine of One Million Naira (₦1,000,000) or two (2) years imprisonment.
- (6) Any, film school, film village, production studio and festival held or established in Nigeria without following the necessary guidelines or set standards provided by the Commission and obtaining the license or register with the Commission shall be guilty of an offence and liable on conviction to a fine of Two Million Naira (₦2,000,000.00) or two years imprisonment.
- (7) Any person who contravenes the rules and regulations in accordance with the National Film policy for the development of film in Nigeria shall be guilty of an offence and liable on conviction to a fine of One Million Naira (₦1,000,000.00) or one year imprisonment.
- (8) It is an offence under this Bill for any person(s) to neglect or refuse to follow the rules and regulations in respect of acquisition, preservation and usage of the materials in all audiovisual archives in Nigeria without maintaining a database of these materials.
- (9) The Commission shall have power to prosecute any of the offences created by and defend actions arising from carrying out the provisions of this Bill, subject to the powers of the Attorney-General (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 17: Repeal and Savings.

- (1) The Nigerian Film Corporation Act is repealed.
- (2) The Nigerian Film Corporation established by the Nigerian Film Corporation Act is hereby dissolved.
- (3) From the commencement of this Bill, all assets, funds, resources and other movable or immovable property which immediately before the commencement of this Bill were vested in the Nigerian Film Corporation (the Corporation) shall be vested in the Commission.
- (4) All rights, interests, obligations and liabilities of the Corporation existing immediately before the commencement of this Bill, shall by virtue of this Bill be assigned to and vested in the Commission.
- (5) A person in the employment of the Corporation immediately before the commencement of this Bill shall be deemed to hold the employment in the Commission under this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Clause 18: Interpretation.

In this Bill:

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

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

"Chairman" means the person appointed as the Chairman of the Commission pursuant to section 2 (1) of this Bill (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Commission" means the Nigerian Film Commission (*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.

"Director-General" means the Director General of the Commission appointed pursuant to section 9(1) of this legal framework (*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.

"Ex-Officio" means members of the Board appointed by virtue of their position in the Commission (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words “Ex-Officio” be as defined in the interpretation to this Bill — Agreed to.

"Film and Video" means all media of project images, notwithstanding whether the medium of projection is the small screen (video) or the large screen of the cinema (celluloid) (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words “Film and Video” be as defined in the interpretation to this Bill — Agreed to.

"film and video industry" means all trades, practices, specialization, branches, disciplines concerned with the film and video including all aspects of production, distribution, exhibition, instruction, documentation and research (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words “film and video industry” be as defined in the interpretation to this Bill — Agreed to.

"member" means a member of the Commission 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.

"Minister" means the Federal Minister in charge of information and culture matters (*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.

"Ministry" means the Federal Ministry in charge of information and culture matters (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

"Practitioner" means anyone who practices any of the trades or specializations in any of the branches of the motion picture industry and registered with any guild or association (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

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

Clause 19: Citation.

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

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

SCHEDULE

SUPPLEMENTARY PROVISION RELATING TO THE COMMISSION, ETC.

Proceedings of the Commission

1. (1) Subject to this Bill and Section 27 of the Interpretation Act, the Commission may make standing orders regulating its proceedings or those of any of its committees.
- (2) The quorum of the Commission shall be the Chairman or the person presiding at the meeting and three other members of the Commission and the quorum of any committee of the Commission shall be determined by the Commission.
2. (1) The Commission shall meet not less than four times in each and subject thereto, the Commission shall meet wherever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than 3 other members, he shall summon a meeting of the Commission to be held within twenty-eight days from the date on which the notice is given.
- (2) At any meeting of the Commission, the Chairman shall preside but if he is absent, the members present shall appoint one of them to preside at that meeting.
- (3) Where the Commission desires to obtain the advice of any person on a particular matter, the Commission may co-opt him for such period as it deems fit, but a person who is in attendance by virtue of this sub paragraph shall not be entitled to vote at any meeting of the Commission and shall not count towards a quorum.

Committees

3. (1) The Commission may appoint one or more committees to carry out, on behalf of the Commission, such functions as the Commission may determine.
- (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Commission and a person shall hold office in the Committee in accordance with the terms of his appointment.

- (3) A decision of a committee shall be of no effect until it is confirmed by the Commission.

Miscellaneous

4. (1) The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman, Director-General or any other person generally or specifically authorized by the Commission to act for that purpose.
- (2) Any document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) The validity of any proceeding of the Commission or of a Committee shall not be adversely affected by —
- (a) a vacancy in the membership of the Commission or committee;
 - (b) a defect in the appointment of a member of the Commission or committee; or
 - (c) the reason that a person not entitled to do so took part in the proceedings of the Commission or committee (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

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

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Repeal the Nigerian Film Corporation Act, Cap. N109, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Film Corporation Bill to Regulate and Develop the Film Industry in Nigeria; and for Related Matters (HB. 584) and approved Clauses 13 - 19, the Schedules of the Bill.

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

- (v) ***Committee on Basic Education and Services:***
That the House do consider the Report of the Committee on Basic Education and Services on a Bill for an Act to make Provisions for Retirement Age for Teachers in Nigeria; and for Related Matters (HB.1554).

Order read; deferred by leave of the House.

17. Adjournment

That the House do adjourn till Wednesday, 23 January, 2019 at 11.00 a.m. (Hon. Femi Gbajabiamila — House Leader).

The House adjourned accordingly at 1. 13 p.m.

Yussuff Sulaimon Lasun
Deputy Speaker