FOURTH REPUBLIC
8TH NATIONAL ASSEMBLY
FIRST SESSION
NO. 100

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 1 June, 2016

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 Tuesday, 31 May, 2016.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcements**

(*i*) ***Visitors in the Gallery*:**
Mr Speaker recognized the presence of the following visitors:

(*a*) Staff and Students of Glory and Praise School Limited, Kuje, Abuja;

(*b*) Staff and Students of Golden Olive School, Asokoro, Abuja; and

(*c*) Staff and Students of The Day Spring Creche, Kubwa, Abuja.

(*ii*) ***Defection*:**
Mr Speaker read the following communications from:

(*i*) Hon. Tony Nwoye (*Anambra East/Anambra West Federal Constituency*), from the Peoples Democratic Party (PDP) to the All Progressive Congress (APC); and

(*ii*) Hon. Emmanuel Memga Udende (*Katsina Ala/Ukum/Logo Federal Constituency*), from the Peoples Democratic Party (PDP) to the All Progressive Congress (APC).

4. **Petition**
A petition from members of Bini Lawyers Forum, Benin City, Edo State on the deplorable state of the Court of Appeal building in Benin City, was presented and laid by Hon. Ehiozuwa J. Agbonayinma (*Egor/Ikpoba Okha Federal Constituency*).

Petition referred to the Committee on Public Petitions.

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5. Matters of Urgent Public Importance (Standing Order VIII, Rule 46)

(*i*) ***Need to Urge the National Emergency Management Agency (NEMA) to Intervene in the Flood Disaster in Ivo Local Government Area of Ebonyi State*:**

Hon. Linus Okorie (*Ivo/Ohaozara/Onicha 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 VIII, Rule 46 (3) and 49 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 VIII, Rules 46 (3) *and* 49 *to enable it debate the matter forthwith — Agreed to.*

Urgent Need to Urge the National Emergency Management Agency (NEMA) to Intervene in the Flood Disaster in Ivo Local Government Area of Ebonyi State and for the House to Further Investigate the Cause of the Flood:

The House:

Notes the flood disaster that ravaged crops and farm-lands in the five (5) communities of Ameke, Okue, Amaokwe, Ngwogwo and Obodo; all in Ivo LGA of Ebonyi State;

Also notes that the flood was allegedly caused by ongoing work at a dam being constructed by the Federal Government in Npu, Aninri LGA of Enugu State;

Aware that the majority of the indigenes and residents of the affected communities are farmers whose only means of livelihood has now been destroyed;

Informed that the extent of destruction of land and such agricultural produce like yams, cassava, rice, Maize and cocoyam is in the excess of ₦100 million;

Alarmed that all roads leading to and around the farm-lands are still submerged in the flood water; complicating an already bad situation;

Concerned that the agricultural programme of the current government could be jeopardized by incidents such as this, and further contribute to worsening economic crises;

Desirous of alleviating the suffering and losses of the affected farmers and communities; and ensuring that such disaster does not re-occur;

Resolves to:

(*i*) Commiserate with the affected farmers and communities;

(*ii*) urge the National Emergency Management Agency (NEMA) to urgently provide relief and support to the affected farmers and communities; and

(*iii*) mandate the Committees on Works; and Water Resources to investigate the cause of the flooding and recommend permanent solutions to the House within 6 weeks (*Hon. Linus Okorie — Ivo/Ohaozara/Onicha Federal Constituency*).

Debate.

Question agreed to.

The House:

Noted the flood disaster that ravaged crops and farm-lands in the five (5) communities of Ameke, Okue, Amaokwe, Ngwogwo and Obodo; all in Ivo LGA of Ebonyi State;

Also noted that the flood was allegedly caused by ongoing work at a dam being constructed by the Federal Government in Npu, Aninri LGA of Enugu State;

Aware that the majority of the indigenes and residents of the affected communities are farmers whose only means of livelihood has now been destroyed;

Informed that the extent of destruction of land and such agricultural produce like yams, cassava, rice, Maize and cocoyam is in the excess of ₦100 million;

Alarmed that all roads leading to and around the farm-lands are still submerged in the flood water; complicating an already bad situation;

Concerned that the agricultural programme of the current government could be jeopardized by incidents such as this, and further contribute to worsening economic crises;

Desirous of alleviating the suffering and losses of the affected farmers and communities; and ensuring that such disaster does not re-occur;

Resolved to:

(*i*) Commiserate with the affected farmers and communities;

(*ii*) urge the National Emergency Management Agency (NEMA) to urgently provide relief and support to the affected farmers and communities; and

(*iii*) mandate the Committees on Works; and Water Resources to investigate the cause of the flooding and recommend permanent solutions to the House within 6 weeks (**HR. 186/2016**).

(*ii*) ***The Fatal Invasion of Oke Ako Ekiti Community by Suspected Herdsmen*:**
Hon. Emmanuel Kehinde Agboola (*Ekiti North 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 VIII, Rule 46 (3) and 49 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 VIII, Rules 46 (3) *and* 49 *to enable it debate the matter forthwith — Agreed to.*

The Fatal Invasion of Oke Ako Ekiti Community by Suspected Herdsmen:

The House:

Aware that the incident of uspected herdsmen attack on many communities have lately been on the increase all over the country with fresh incidences in Enugu, Agatu among others and most recently Oke - Ako in Ikole Local Government Area of Ekiti State on Friday, 20 May, 2016;

Concerned that these tidal attacks if not stemmed may soon assume a more dangerous dimension with likely random reprisals and imminent possible guerilla warfare;

Notes with utmost apprehension that tempers are rising daily across affected communities in most geopolitical zones around the nation and drumbeats of war are daily sounding. All seems unabated;

Worried that the BACK TO FARM slogan of the present administration in diversifying our economy may ground even before it takes off, as farms are daily being destroyed by uncoordinated grazing all around the nation;

Alarmed that lives are randomly lost in these incessant attacks and sometimes in a dimension that is similar only to genocide, just like the one at Oke - Ako in Ekiti State;

Observes that certain States are already taking steps to stem the tide in a manner that suggest that the Federal Government is seemingly insensitive to this very worrisome development;

Unhappy that herdsmen that are settlers in most of the locations of crisis are hitherto good neighbours but have their good neighbourliness tainted by violent and criminally minded mobile herdsmen with no traceable address;

Also worried that these intermittent attacks like a gathering storm has not been met with sufficient powers of the state, to curtail or bring the perpetrators to book;

Resolves to:

(*i*) Observe a minute silence in respect to the deceased;

(*ii*) constitute an *Ad-hoc* Committee to investigate the remote causes of the most recent attack on the Oke - Ako Ekiti community and report back to the house within six (6) weeks;

(*iii*) urge the Inspector General of Police to commence immediate investigation into the matter with a view to fish out the perpetrators;

(*iv*) also urge the Inspector General of Police to deploy enough police men to areas affected so as to avert any likely reprisal;

(*v*) further urge NEMA to without delay send relief materials to the affected community; and

(*vi*) still urge the Police Service Commission to hasten the process of recruitement of more men into the force (*Hon. Emmanuel Kehinde Agboola — Ikole/Oye Federal Constituency*).

Debate.

Question agreed to.

The House:

Aware that the incident of uspected herdsmen attack on many communities have lately been on the increase all over the country with fresh incidences in Enugu, Agatu among others and most recently Oke - Ako in Ikole Local Government Area of Ekiti State on Friday, 20 May, 2016;

Concerned that these tidal attacks if not stemmed may soon assume a more dangerous dimension with likely random reprisals and imminent possible guerilla warfare;

Notes with utmost apprehension that tempers are rising daily across affected communities in most geopolitical zones around the nation and drumbeats of war are daily sounding. All seems unabated;

Worried that the BACK TO FARM slogan of the present administration in diversifying our economy may ground even before it takes off, as farms are daily being destroyed by uncoordinated grazing all around the nation;

Alarmed that lives are randomly lost in these incessant attacks and sometimes in a dimension that is similar only to genocide, just like the one at Oke - Ako in Ekiti State;

Observes that certain States are already taking steps to stem the tide in a manner that suggest that the Federal Government is seemingly insensitive to this very worrisome development;

Unhappy that herdsmen that are settlers in most of the locations of crisis are hitherto good neighbours but have their good neighbourliness tainted by violent and criminally minded mobile herdsmen with no traceable address;

Also worried that these intermittent attacks like a gathering storm has not been met with sufficient powers of the state, to curtail or bring the perpetrators to book;

Resolved to:

(*i*) Observe a minute silence in respect to the deceased;

(*ii*) constitute an *Ad-hoc* Committee to investigate the remote causes of the most recent attack on the Oke - Ako Ekiti community and report back to the house within six (6) weeks;

(*iii*) urge the Inspector General of Police to commence immediate investigation into the matter with a view to fish out the perpetrators;

(*iv*) also urge the Inspector General of Police to deploy enough police men to areas affected so as to avert any likely reprisal;

(*v*) further urge NEMA to without delay send relief materials to the affected community; and

(*vi*) still urge the Police Service Commission to hasten the process of recruitement of more men into the force (**HR. 187/2016**).

Motion referred to the Committees on Police Affairs, and Emergency and Disaster Preparedness.

6. Presentation and First Reading of Bills

The following Bills were read the *First Time*:

(1) Federal Capital Territory Statutory Appropriation Bill, 2016 (HB. 567).

(2) Dietitians Control of Nigeria Bill, 2016 (HB. 547).

(3) Execution of Federal Projects Bill, 2016 (HB. 548).

(4) Indigenous Language (Inclusion in Primary and Secondary School's Curriculum Bill, 2016 (HB. 549).

(5) Civil Penalties Adjustment Bill, 2016 (HB. 550).

(6) National Security Agencies Bill, 2016 (HB. 551).

(7) Explosives Act (Repeal and Re-enactment) Bill, 2016 (HB. 552).

(8) Nigerian Patriot Corporation Bill, 2016 (HB. 553).

(9) Nigeria Mental Health Bill, 2016 (HB. 554).

(10) National Merit Award Act (Amendment) Bill, 2016 (HB. 555).

(11) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 556).

(12) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 557).

(13) National Youth Welfare Scheme Fund Act (Establishment) Bill, 2016 (HB. 558).

(14) Nigerian National Honours and Merit Award Commission Bill, 2016 (HB. 559).

(15) Morals and National Ethics (Inclusion in Schools Curriculum Bill, 2016 (HB. 560).

(16) Federal Scholarship Board of Nigeria Act (Establishment) Bill, 2016 (HB. 561).

(17) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 562).

(18) Nigerian Television Authority Act (Amendment) Bill, 2016 (HB. 563).

(19) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 564).

(20) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 565).

(21) National Empowerment and Enhancement Scheme (Establishment) Bill, 2016 (HB. 566).

7. A Bill for an Act to Amend the Advertising Practitioners (Registration, etc.) Act, Cap. A17, Laws of the Federation of Nigeria, 2004, to increase the Prescribed Penalties, to Transfer Appellate Jurisdiction in Matters under the Act from the Court of Appeal to the High Court; and for Other Related Matters (HB. 303) — *Third Reading*

Motion made and Question proposed, "That a Bill for an Act to Amend the Advertising Practitioners (Registration, etc.) Act, Cap. A17, Laws of the Federation of Nigeria, 2004, to increase the Prescribed Penalties, to Transfer Appellate Jurisdiction in Matters under the Act from the Court of Appeal to the High Court; and for Other Related Matters (HB. 303) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

8. **A Bill for an Act to Amend the World Meteorological Organization (Protection) Act, Cap. W7, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 271) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the World Meteorological Organization (Protection) Act, Cap. W7, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 271) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

9. **A Bill for an Act to Amend the Currency Conversion (Freezing Orders) Act, Cap. C43, Laws of the Federation of Nigeria, 2004 to give Discriminatory Powers to the Judge of a High Court to Order Forfeiture of Assets of Affected Persons; and for Other Related Matters (HB. 274) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the Currency Conversion (Freezing Orders) Act, Cap. C43, Laws of the Federation of Nigeria, 2004 to give Discriminatory Powers to the Judge of a High Court to Order Forfeiture of Assets of Affected Persons; and for Other Related Matters (HB. 274) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

10. **A Bill for an Act to Amend the Builders (Registration, etc.)Act, Cap. B13, Laws of the Federation of Nigeria, 2004 by increasing the Prescribed Penalties; and for Other Related Matters (HB. 255) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the Builders (Registration, etc.)Act, Cap. B13, Laws of the Federation of Nigeria, 2004 by increasing the Prescribed Penalties; and for Other Related Matters (HB. 255) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

11. **A Bill for an Act to Amend the Town Planners (Registration, etc.) Act, Cap. T7, Laws of the Federation of Nigeria, 2004, to Regulate the Tenure of Council Members upon Re-Appointment, Review Panel Fines; and for Other Related Matters (HB. 256) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the Town Planners (Registration, etc.) Act, Cap. T7, Laws of the Federation of Nigeria, 2004, to Regulate the Tenure of Council Members upon Re-Appointment, Review Panel Fines; and for Other Related Matters (HB. 256) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

12. **A Bill for an Act to Amend the University of Abuja Act, Cap. U2, Laws of the Federation of Nigeria, 2004 to Make Unambiguous the heading of section 3 of the Act; and for Other Related Matters (HB. 262) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the University of Abuja Act, Cap. U2, Laws of the Federation of Nigeria, 2004 to Make Unambiguous the heading of section 3 of the Act; and for Other Related Matters (HB. 262) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

13. **A Bill for an Act to Penalize the Commission of Acts of Torture and Other Cruel, Inhuman and Degrading Treatment or Punishments, Prescribing Penalties Thereof; and for Other Connected Purposes (HB. 120) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Penalize the Commission of Acts of Torture and Other Cruel, Inhuman and Degrading Treatment or Punishments, Prescribing Penalties Thereof; and for Other Connected Purposes (HB. 120) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

14. **A Bill for an Act to Amend the Corrupt Practices and Other Related Offences Act, No. 5 of 2000 to modify the Definition of Bank and Money Instrument, Review the Composition of the Commission and Harmonize the Tenure of Office of the Members; and for Other Related Matters (HB. 232) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the Corrupt Practices and Other Related Offences Act, No. 5 of 2000 to modify the Definition of Bank and Money Instrument, Review the Composition of the Commission and Harmonize the Tenure of Office of the Members; and for Other Related Matters (HB. 232) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

15. **A Bill for an Act to Amend the Provisions of the Small and Medium Scale Enterprises Development Agency Act, Cap. C19, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 259) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the Provisions of the Small and Medium Scale Enterprises Development Agency Act, Cap. C19, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 259) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

16. **A Bill for an Act to Amend the National Agricultural Land Development Authority Act, Cap. N4, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 237) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the National Agricultural Land Development Authority Act, Cap. N4, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 237) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

17. **A Bill for an Act to Amend the Produce (Enforcement of Export Standards) Act, Cap. P32, Laws of the Federation of Nigeria, 2004 by Reviewing the Penalties Imposed under the Act; and for Other Related Matters (HB. 219) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the Produce (Enforcement of Export Standards) Act, Cap. P32, Laws of the Federation of Nigeria, 2004 by Reviewing the Penalties Imposed under the Act; and for Other Related Matters (HB. 219) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

18. **A Bill for an Act to Amend the National Crop Varieties and Livestock Breeds (Registration, etc.) Act, Cap. N27, Laws of the Federation of Nigeria, 2004 by Reviewing the Penalties Imposed under the Act; and for Other Related Matters (HB. 218) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the National Crop Varieties and Livestock Breeds (Registration, etc.) Act, Cap. N27, Laws of the Federation of Nigeria, 2004 by Reviewing the Penalties Imposed under the Act; and for Other Related Matters (HB. 218) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

19. **A Bill for an Act to Provide for the Establishment of the Hospitals Management Board of the Federal Capital Territory; and for Other Related Matters (HB. 441) — *Third Reading***

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Hospitals Management Board of the Federal Capital Territory; and for Other Related Matters (HB. 441) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

20. **A Bill for an Act to Establish the Chartered Institute of Global Communications and Democracy of Nigeria to Provide for the Control of its Membership and to Promote and Foster the Practice of Business Communications and Democracy in Nigeria; and for Other Matters Connected Therewith (HB. 329) — *Second Reading***

Motion made and Question proposed, "That a Bill for an Act to Establish the Chartered Institute of Global Communications and Democracy of Nigeria to Provide for the Control of its Membership and to Promote and Foster the Practice of Business Communications and Democracy in Nigeria; and for Other Matters Connected Therewith (HB. 329) be now read a Second Time" (*Hon. Mohammed Ali Wudil — Wudil/Garko Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Commerce.

21. **A Bill for an Act to Provide for the Institute of the Telecommunications Services Tax and a Bill for an Act to Provide for the Establishment of the Communications Services Tax; and for Other Matters Connected Therewith (HBs 525 and 327) — *Second Reading***
Motion made and Question proposed, "That a Bill for an Act to Provide for the Institute of the Telecommunications Services Tax and a Bill for an Act to Provide for the Establishment of the Communications Services Tax; and for Other Matters Connected Therewith (HBs 525 and 327) be now read a Second Time" (*Hon. Saheed Akinade-Fijabi — Ibadan Southwest/Ibadan Northwest Federal Constituency and* 1 *other*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Telecommunications.

22. **A Bill for an Act to Amend the Firearms Act, Cap. F23, Laws of the Federation of Nigeria, 2004 to increase the Penalties for Offences, Miscellaneous Provisions under the Act; and for Other Matters Connected Therewith (HB. 182) — *Second Reading***
Motion made and Question proposed, "That a Bill for an Act to Amend the Firearms Act, Cap. F23, Laws of the Federation of Nigeria, 2004 to increase the Penalties for Offences, Miscellaneous Provisions under the Act; and for Other Matters Connected Therewith (HB. 182) be now read a Second Time" (*Hon. Odebunmi Olusegun Dokun — Ogo-Oluwa/Surulere Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on National Security and Intelligence.

23. **A Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria, 1999 to make it Mandatory for Candidates Running Elections for Presidential, Gubernatorial and Chairmanship Offices to undergo Primary Elections with their Running Mates; and for Other Related Matters (HB. 469) — *Second Reading***
Motion made and Question proposed, "That a Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria, 1999 to make it Mandatory for Candidates Running Elections for Presidential, Gubernatorial and Chairmanship Offices to undergo Primary Elections with their Running Mates; and for Other Related Matters (HB. 469) be now read a Second Time" (*Hon. Olatayo Temitope Sugar — Akinyele/Lagelu Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Special Ad-hoc Committee on the Review of the Constitution 1999.

24. Call to Liberalise the Process of Renewing Nigeria's Passport and Procuring Visa Abroad

Order read; deferred by leave of the House.

25. Need to Institute and Enforce Mainstreaming of Nigerian Content Act in Budgetary Procurement

Motion made and Question proposed:

The House:

Notes the prevailing general economic downturn in the country, occasioned by dwindling revenue from oil and gas, and therefore the urgent need for all stakeholders to demonstrate commitment to salvaging the economy by promoting measures geared towards stimulating and sustaining growth and development in the economy;

Also notes the preponderant preference of average Nigerians for imported goods to the neglect of made-in-Nigeria products, thereby killing local industries and putting undue and detrimental pressures on foreign exchange accounts of the country, with ultimate adverse effects on the value of the Naira and spiral effects on the purchasing power of individuals and corporate bodies conducting international transactions;

Aware that the Nigerian Oil and Gas Industry Content Development Act, 2010 compels internal sourcing of essential inputs of production, thereby increasing the domestic share of the $18b annual spending on oil and gas from 45% to 70%;

Regrets that more than five years after its enactment, the Nigerian Content Development Act is still at best regarded as a mere policy directive limited to the oil and gas sector of the economy to the exclusion of other strategic sectors like manufacturing, construction, mining, power, telecommunications and even agriculture, with the potentials to transform the nation's business landscape, demystify the challenge of growing unemployment and unlock the latent creativity of Nigerians for higher productivity and enhanced standard of living;

Also aware that the manufacturing sector's contribution to the nation's Gross Domestic Product (GDP) has been unstable, ranging from 7.25% in 1970, 10.4% in 1983, falling to 4.2% in 2001 and increasing to 4.2% in 2013, a scenario suggesting the need for a strong enforcement measure targeted at compelling patronage of made in Nigeria goods by Ministries, Departments and Agencies of Governments at all levels as well as corporate organizations;

Convinced that mandating the three arms of government, including the Ministries, Departments and Agencies to patronize made in Nigeria products during the actual implementation and procurement stage of the 2016 Annual Budget will spur local economic activities through improved capacity utilization, check the spate of factory closures across the country, increase the nation's revenue through company income tax and personal income tax (from employments generated) and enhance the nation's Gross Domestic Product (GDP);

Resolves to:

(*i*) Call on the Federal Ministry of Finance, the Bureau of Public Procurement and the Efficiency Unit of the Federal Ministry of Finance to ensure compliance with the Nigerian Content Development Act, 2010 in all government undertakings; and

(*ii*) also call on the Federal Ministry of Budget and National Planning to include a clause in the annual appropriation proposals to the National Assembly compelling every arm of government as well as Ministries, Departments and Agencies to procure only made-in-Nigeria goods and services, except where such are unavailable (*Hon. Mojeed Alabi — Ede North/Ede South/Egbedore/Ejigbo Federal Constituency*).

Debate.

Amendments Proposed:

(*i*) In Prayer (*i*), immediately after the word "Nigerian", *leave out* the words "Content Development" and *insert* the words "Local Content" and wherever it appears (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Question that the amendment be made — Agreed to.

(*ii*) *Leave out* Prayer (*ii*) (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the prevailing general economic downturn in the country, occasioned by dwindling revenue from oil and gas, and therefore the urgent need for all stakeholders to demonstrate commitment to salvaging the economy by promoting measures geared towards stimulating and sustaining growth and development in the economy;

Also noted the preponderant preference of average Nigerians for imported goods to the neglect of made-in-Nigeria products, thereby killing local industries and putting undue and detrimental pressures on foreign exchange accounts of the country, with ultimate adverse effects on the value of the Naira and spiral effects on the purchasing power of individuals and corporate bodies conducting international transactions;

Aware that the Nigerian Oil and Gas Industry Content Development Act, 2010 compels internal sourcing of essential inputs of production, thereby increasing the domestic share of the $18b annual spending on oil and gas from 45% to 70%;

Regretted that more than five years after its enactment, the Nigerian Local Content Act, 2010 is still at best regarded as a mere policy directive limited to the oil and gas sector of the economy to the exclusion of other strategic sectors like manufacturing, construction, mining, power, telecommunications and even agriculture, with the potentials to transform the nation's business landscape, demystify the challenge of growing unemployment and unlock the latent creativity of Nigerians for higher productivity and enhanced standard of living;

Also aware that the manufacturing sector's contribution to the nation's Gross Domestic Product (GDP) has been unstable, ranging from 7.25% in 1970, 10.4% in 1983, falling to 4.2% in 2001 and increasing to 4.2% in 2013, a scenario suggesting the need for a strong enforcement measure targeted at compelling patronage of made in Nigeria goods by Ministries, Departments and Agencies of Governments at all levels as well as corporate organizations;

Convinced that mandating the three arms of government, including the Ministries, Departments and Agencies to patronize made in Nigeria products during the actual implementation and procurement stage of the 2016 Annual Budget will spur local economic activities through improved capacity utilization, check the spate of factory closures across the country, increase the nation's revenue through company income tax and personal income tax (from employments generated) and enhance the nation's Gross Domestic Product (GDP);

Resolved to:

Call on the Federal Ministry of Finance, the Bureau of Public Procurement and the Efficiency Unit of the Federal Ministry of Finance to ensure compliance with the Nigerian Local Content Act, 2010 in all government undertakings (**HR. 188/2016**).

Motion referred to the Committees on Finance, and Public Procurement.

26. Consideration of Reports

(*i*) ***A Bill for an Act to Amend the Price Control Act, Cap. P28, Laws of the Federation of Nigeria, 2004 to Provide for Concessions, Waivers and Stiffer Penalties; and for Other Matters Connected Therewith* (HB. 264) (*Committee of the Whole*) (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*):**

Question 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 AMEND THE PRICE CONTROL ACT, CAP. P28, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE FOR CONCESSIONS, WAIVERS AND STIFFER PENALTIES; AND FOR OTHER MATTERS CONNECTED THEREWITH (HB. 264)

Clause 1: Amendment of Cap. P28, LFN, 2004.

The Price Control Act Cap. P28 LFN, 2004 (in this bill referred to as the Principal; Act") is amended as set out in Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 2: Amendment of Section 1: Price Control Board.

Section 1 of the Principal Act is amended by deleting the existing section an substituting therefore, the following new section 1, that is —

"(1) There shall be a Price Control Board which shall consist of —

(*a*) the Permanent Secretary, Federal Ministry of Industry, Trade and Investment who shall be the Chairman and Chief Price Controller;

(*b*) the Chairman, National Salaries, Income and Wages Commission or his representative;

(*c*) the Statistician-General of the Federation or his representatives;

(*d*) the Director General, Standards Organization of Nigeria or his representative;

(*e*) the Director-General, Consumer Protection Council or his representatives;

(*f*) the Director-General, Small and Medium Enterprises Development Agency of Nigeria or his representative;

(*g*) a representative from each of the following —

(*i*) Manufacturers Association of Nigeria;

(*ii*) Market Trader Association; and

(*iii*) Farmer Association of Nigeria;

(*h*) a person of proven character and integrity from each of the six geopolitical zones of the Federation to be appointed by the President

(2) The members of the Board under paragraph (*g*) and (*h*) of subsection (1) of this section shall be appointed by the President on the recommendation of the Minster and shall hold office for a period of four years and no more.

(3) There shall be a Secretary to the Board who shall be a public officer not below the rank of a Director in the Federal Ministry of Industry, Trade and Investment" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 3: Insertion of a new Section 1A: Functions of the Board.
The Functions of the Board shall include:

(*a*) fixing and regulating price of controlled commodities

(*b*) enlightenment and sensitization of the general public from time to time on development in productivity, supply, distribution and prices of basic necessities, commodities and other provisions of the Act;

(*c*) enforcement and due administration of the Act;

(*d*) investigation and prosecution of offenders under the Act;

(*e*) monitoring and evaluation of the level of compliance of the provisions of the Act;

(*f*) advise the President on general policy matters for promotion and improvement in productivity, distribution and stabilization of prices of commodities;

(*g*) report to the President through the Minister the status and progress of the programmes, projects and measures undertaken by the Board and

(*h*) carry out such activities as are incidental to the discharge of its functions under this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 4: **Amendment of Section 2: Price Control Committees.**
Section 2 (3) of the Principal Act is amended by substituting the word "Commerce" with the words "Industry, Trade and Investment". That is —

"(3) The representative in the state of the Federal Ministry of Industry, Trade and Investments shall be the Secretary to the Committee" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 5: **Amendment of Section 3: Provisions supplemental to Section 1 and 2.**
Section 3 (2) of the Principal Act is amended by substituting the words "as the Minister may decide" with the words "as prescribed by the Revenue Mobilization, Allocation and Fiscal Commission" that is —

(2) There may be paid to the members of the Board or any committee, not being members who are public officers, such remuneration and allowances (if any) as prescribed by the Revenue Mobilsation, Allocation and Fiscal Commission" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 6: **Amendment of Section 4.**
Section 4 of the Principal Act is amended by —

(*a*) insert a new subsection (2) immediately after the existing subsection (2) as follows:

"(2) Price Control mentioned in (1) above shall subject the grant of concessions and waivers based on realistic and well coordinated policy guidelines as condition precedent to implementation of price control" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 7: **Amendment of Section 6.**
Section 6 of the Principal Act is amended —

(*a*) in subsection (2) (*a*) (*i*) by deleting the figure ₦200 and inserting "₦100,000 and deleting the figure "₦200" and inserting "₦100,000"

(*b*) in subsection (2) (*a*) (*ii*) by deleting the "₦1000" and inserting the figure "₦100,000" and deleting the figure "₦10,000" and inserting the figure "₦500,000"

(*c*) by substituting the existing subsection (2) (*b*) with a new subsection (2) (*b*), that is —

"(2) (*b*) The amount sold in excess of the controlled price shall be liable to forfeiture and the court shall make an order for such forfeiture and payment of the amount in to the Consolidated Revenue Fund of the Federation"

(*d*) by deleting the existing subsection (3) and (4);

(*e*) by substituting the existing subsection (5) with a new subsection and re-numbering it as a new (3), that is —

"(3) For the purpose of subsection (1) of the this section where any on person employed by another to sell any controlled commodity is proved to have sold the commodity at any price which exceeds the controlled price, the employers of that person shall be deemed to have employed that other person too sell the commodity concerned at the price at which it was in fact sold;

Provided that it shall be defence for such employer if he proves that —

(*a*) he did not instruct the agent to sell the commodity above the controlled price; or

(*b*) if he did not ratify or approve such act of the agent's sale of the commodity above the controlled price; or

(*c*) if he did not benefit from the proceed of such sale" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 8: Amendment of Section : Hoarding.

Section 7 of the Principal Act is amended —

(*i*) by inserting a new subsection (1) (*a*): that is —

"(1) (*a*) For the purpose of subsection 1 of this section, it shall be defence for the employer if he proves that —

(*a*) he did not instruct the agent to sell the commodity above the controlled price; or

(*b*) if he did not ratify or approve such act of the agent's sale of the commodity above the controlled price; or

(*c*) if he did not benefit from the proceed of such sale"

(*ii*) in subsection (4) (*a*) (*i*) by substituting the words "not less than six months without the option of fine" with the words "one year, or to a fine of ₦400,000" that is —

"(4) (*a*) (*i*) in the case of an individual, be sentenced to imprisonment for one year, or to a fine of ₦250,000"

(*iii*) in subsection (4) (*a*) (*ii*) by substituting the words "not less than ₦5,000" with the word "₦800,000" that is —

"(4) (*a*) (*ii*) in the case of a body corporate be sentenced to a fine of ₦800,000"

(*iv*) by deleting subsection (6) thereof (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 9: **Amendment of Section 8.**
Section 8 of the Principal Act is amended —

(*a*) in subsection (4) (*a*) (*i*) by deleting the figure ₦200 and inserting the figure "₦100,000 and deleting the figure "₦2000" and inserting the figure "₦100,000"

(*b*) in subsection (4) (*a*) (*i*) by deleting the figure "₦1,000" and inserting the figure "₦100,000" and deleting the figure "₦10,000" and inserting the figure "₦500,000" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 10: **Amendment of Section 9.**
Section 9 (5) of the Principal Act is amended by deleting the figure "₦2000" and inserting the figure "₦100,000" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 11: **Amendment of Section 10: Duty to furnish information to the Board; penalty.**
Section 10 (2) of the Principal Act is amended by substituting the words "not less than ₦200" with the words "₦100,000" that is:

"**10.** (2) Any person who —

(*a*) refuses or neglects to give any information which the Board may require pursuant to subsection (1) of this section or which may be required by an inspector under subsection (4) (*c*) of Section 9 of this Bill; or

(*b*) in respect of the request makes any statement which he knows to be false or to which he has no season to believe to be true,

shall be guilty of an offence and shall conviction be liable to a fine of ₦100,000 or imprisonment for not less than six months" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 12: **Amendment of Section 12: Requisition and sealing of premises.**
Section 12 of the Principal Act is amended —

(*i*) in subsection (2) (*b*) (*ii*) by substituting the words "Twelve weeks" with the words "three months" that is —

"(2) (*b*) (*ii*) make a second or further appeal to the committee in respect of the same matter if more than three months have passed since a previous appeal; and"

(*ii*) in subsection 5 by substituting the word " not less than two years" with the words "one year" that is —

"(5) Any person who knowingly and without reasonable excuse breaks a seal affixed under subsection (1) of this section shall be guilty of an offence and on conviction shall be liable to a fine of ₦300,000 or to imprisonment for one year" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 13: **Amendment of Section 13: Court order preventing habitual offender from carrying on business concerning controlled commodity.**
Section 13 (2) of the Principal Act is amended by substituting the words "not less than ₦2,000 or to imprisonment for not less than three years" with the words ₦200,000 or to imprisonment for two years" that is —

(2) If any person contravenes any provisions of an order made under subsection (1) of this section shall be guilty of an offence and on conviction shall be liable to a fine of ₦200,000 or to imprisonment to two years" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 14: **Amendment of Section 15: Trial of offences.**
Section 15 of the Principal Act is amended by deleting the existing section 15 and substituting it with a new section 15, that is —

"15. Offences under this Bill shall be tried summarily by the Court" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 15: **Amendment of Section 16.**
Section 16 of the Principal Act is amended by deleting the words "or in purported pursuance" and the new section to read:

"**16.** No personal liability in respect of any act done in good faith and in execution of his official duties in pursuance of this Bill shall be incurred by any member of the Board or a committee, the Chief Price controller, the State Price Controller, any Inspector or any Police Officer" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 16: **Amendment of Section 17 (*b*).**
Section 17 (*b*) of the Principal Act is amended by substituting the word "₦200" with the word "₦100,000 and the words "six month" with the words "one year" and the new section to read:

"(*b*) prescribing penalties not exceeding a fine of ₦100,000 or imprisonment for one year for any contravention of the regulations" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 17: **Amendment of Section 18: Interpretation.**
15.Section 18 of the Principal Act is amended by defining the words "Court" and Minister that is —

"Court" means Federal High Court, High Court of a State, High Court of the Federal Capital Territory, or Magistrate Court.

"Minister" means the Minister responsible for Commerce (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 18: **Short Title.**
This Bill may be cited as the Price Control Act (Amendment) Bill, 2016 (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 19: **Amendment to the First Schedule.**
The First Schedule of the Principal Act is hereby amended by deleting the existing list and substituting thereof a new list in the schedule, that is —

FIRST SCHEDULE

[L.N. 22 of 1979. Section 4.]

Controlled Commodities

1. Bicycles and spare parts.
2. Flour.
3. Matches.
4. Milk.
5. Motorcycles and spare parts.
6. Motor vehicles and spare parts.
7. Salt.
9. Sugar.
10. Fertilizer
11. Rice
12. Grains

13. Cereals

16. Electrical/electronic equipment

15. Computers and computer accessories

16. Cement (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Long Title:
A Bill for an Act to Amend the Price Control Act, Cap. P28, Laws of the Federation of Nigeria, 2004 to Provide for Concessions, Waivers and Stiffer Penalties; and for Other Matters Connected Therewith (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the Long Title 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 Amend the Price Control Act, Cap. P28, Laws of the Federation of Nigeria, 2004 to Provide for Concessions, Waivers and Stiffer Penalties; and for Other Matters Connected Therewith (HB. 264) and approved Clauses 1- 19, and the Long Title of the Bill.

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

(*ii*) ***A Bill for an Act to Provide for the Establishment and Operation of a Programme to enable Certain Persons receive Protection in Relation to certain Inquiries, Investigations or Prosecutions; and for Other Related Matters* (HB. 132) (*Committee of the Whole*) (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*):**

Question agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF A PROGRAMME TO ENABLE CERTAIN PERSONS RECEIVE PROTECTION IN RELATION TO CERTAIN INQUIRIES, INVESTIGATIONS OR PROSECUTIONS; AND FOR OTHER RELATED MATTERS (HB. 132)

Clause 1: **Establishment of witness protection programme and administration.**

(1) A Witness Protection Programme (hereinafter referred to as "the Programme") is established.

(2) The Programme shall be administered by the National Judicial Council (hereinafter referred to as "the Council").

(3) A specialized protection unit (hereinafter referred to as "the Protection Unit") shall be established to provide protection to person included in the Programme.

(4) The Council, among other responsibilities, shall —

(*a*) decide on admissions to and removals from the Programmes;

(*b*) decide on the type of protection measures to be applied taking into consideration any recommendation of the Protection Unit;

(*c*) make budgetary submissions for the Programme's financing;

(*d*) prepare an annual report on the Programme's general operations, performance and effectiveness in a manner which does not prejudice the effectiveness or security of the Programme; and

(*e*) perform any other activity necessary for the implementation of the Programme.

(5) The Council shall be independent in adopting appropriate decisions and applying protection measures (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 2: Other Protected Persons.

For the purpose of this Bill, Subject to the determination of the Council, the provisions of this Bill may apply to family member or a person whose life or safety is at risk because of his or her relationship or close association to the protected person (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 3: Confidentiality.

(1) All information relating to a person, who is protected on the Programme shall be handled with the highest level of confidentiality.

(2) The Council, Protection Unit and any other agency or individual, who possesses knowledge of the protection measures or has participated in the preparation, issuance, or execution thereof, shall keep the records confidential.

(3) Disclosure of any information relating to the programmeor the protection measures shall be punishable as a serious crime except as authorized and necessary to provide protection to the person (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 4: Cooperation with Institutions.

(1) State institution shall cooperate with the Council about any matter relating to implementing and administering the programme.

(2) In implementing the Programme, the Council may enter into agreement with an individual, a private institution and non-governmental organization to make use of their service (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 5: Admission procedure.

(1) Admission to the Programme is initiated by a written request from an investigator, a prosecutor, or a judge.

(2) The request shall be forwarded without delay to the Council with all the information required under section 7 and a detailed opinion on the need or the lack thereof of admission to the Programme.

(3) The Council shall process the request and reach a decision without undue delay (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 6: Admission criteria.

Admission to the programme shall be based on the following factors —

(*a*) the seriousness of the crime for which the cooperation of the protected person is solicited;

(*b*) the importance of the protected person's testimony where there is no alternative source of that evidence for the investigation or prosecution of the crime;

(*c*) the gravity of the threat to the security of the protected person;

(*d*) the protected person's ability to adjust to the Programme having regard to his or her maturity, judgment, other personal characteristics and the family relationships of the protected person (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 7: Decision for admission.

(1) Admission to the Programme shall be decided solely by the Council and requires the informed consent of the witness to-

(*a*) the nature of the risk to the security of witness;

(*b*) the danger to the community if the witness is admitted to the Programme;

(*c*) the nature of the inquiry, investigation or prosecution involving the witness and the importance of the witness in the matter;

(*d*) the value of the information or evidence given or agreed to be given or of the participation by the witness;

(*e*) the likelihood of the witness being able to adjust to the Programme, having regard to the witness's maturity, judgment and other personal characteristics and the family relationships of the witness;

(*f*) alternate methods of protecting the witness without admitting the witness to the Programme; and

(*g*) such other factors as the National Judicial Council (NJC) deems relevant.

(2) Admission to the Programme shall not be used as reward for the protected person's cooperation in criminal investigations and prosecutions or to obtain financial benefits (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 8: Protection measures.

(1) Protection measures decided by the Council shall be proportional to the level of risk and may include —

(*a*) physical protection;

(*b*) relocation;

(*c*) change of identity;

(*d*) any other measure necessary to ensure the safety of the protected person.

(2) In support of the programme, the Council may request the courts to implement protection measures during court testimony such as closed sessions, use of pseudonym, and vide conference to allow the witness to testify from a more secure location or to obscure or distort the witness's face or voice.

(3) The Council may also decide on the provision of support measures, to enable a witness integrate in the pogramme (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 9: Memorandum of understanding.

(1) Protected Persons shall be admitted to the programme upon signing a Memorandumof Understanding with the Council.

(2) The memorandum provides notice of voluntary conditions that will apply at the Programme and shall include —

(*a*) the terms or conditions for inclusion to the Programme;

(*b*) all the general categories of protection measures described in section 8 (1) that are authorized;

(*c*) financial and other material support;

(*d*) an agreement by the witness to comply with all directions given by the Council, including physical and psychological examinations;

(*e*) an agreement by the protected person not to compromise the Programme'sintegrity or security.

(*f*) an agreement by the protected person to disclose all legal liabilities and financial obligations along with an agreement by the protected person asto how those obligations and liabilities shall be satisfied;

(*g*) an agreement by the protected person to disclose to the Council any prior or pending criminal, civil, or bankruptcy proceedings, as well as knowledge of any such proceedings that may arise once he or she is accepted into the Programme; and

(*h*) the conditions allowing the Council to remove the protected person from the Programme (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 10: Removal from the Programme.

(1) The Council shall remove a protected person from the Programme under the following conditions —

(*a*) the protected person renounces in writing any further protection;

(*b*) the need for protection measures ceases to exist.

(2) The Council may remove a witness or person from the Programme under the following conditions —

(*a*) the protected person has violated the terms of the memorandum of understanding;

(*b*) the protected person gave, knowingly, false or misleading information tothe investigation, prosecution or Council;

(*c*) the protected person engages in conducts that jeopardizes the Programme's integrity, fails to follow the programme's rules or comply with all reasonable requests and instruction of the protection unit;

(*d*) the protected person commits a crime;

(*e*) the protected person refuses to cooperate with the judicial process and refuses, publicly, to testify whenever required (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 11: Emergency measures.

(1) In the case of an imminent threat or danger to the protected person, the Council may adopt the measure described in section 8 on a provisional basis.

(2) These measures shall cease after the cessation of the emergency or a decision by theCouncil that the witness is ineligible for admission to the Programme.

(3) The adoption of emergency measures does not imply admission to the Programme (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 12: International Cooperation.

The Council or the Protection Unit is authorized to enter into confidential agreements with relevant foreign authorities, international criminal courts or tribunals and other regional or international entities relating to the relocation of protected persons and other protection measures (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 13: Budget.

(1) The Funding of the programme shall be based on a budget prepared by the Council subject to the approval of the National Assembly.

(2) The funds of the programme shall be drawn directly from the Consolidated Revenue Fund of the Federation and paid into an account established for that purpose (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 14: Grievance procedure.

A confidential procedure for filing and resolving grievances of protected persons and staff of the protection unit shall be instituted (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 15: Offences.

A person who contravenes any provision of this Bill is guilty of an offence and shall be liable on conviction to a fine not less than Five Hundred Thousand Naira (₦500,000) or a term of imprisonment not less than three years or both (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 16: Regulations.

The Council may make regulations for the purpose of giving effect to this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 17: Interpretation.

In this Bill, unless the context otherwise requires:

"Council" means National Judicial Council, established under section 153 (1) (*i*) of the1999 Constitution (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Programme" means the Witness Protection Programme established under section 1 (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Protected person" means witness or a person admitted to protection under the Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Protection unit" means the Nigeria Police Force or any security agency established for the purpose of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"State Institutions" means Ministry, Agency, Departments of Government (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

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

Clause 18: Citation.
This Bill may be cited as the Witness Protection Programme Bill, 2016 (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Long Title:
A Bill for an Act to Provide for the Establishment and Operation of a Programme to enable Certain Persons receive Protection in Relation to certain Inquiries, Investigations or Prosecutions; and for Other Related Matters (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the Long Title 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 the Establishment and Operation of a Programme to enable Certain Persons receive Protection in Relation to certain Inquiries, Investigations or Prosecutions; and for Other Related Matters (HB. 132) and approved Clauses 1 - 18, and the Long Title of the Bill.

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

(*iii*) ***A Bill for an Act to Facilitate Electronic Transaction in Nigeria; and for Other Related Matters*** **(HB. 374)** **(*Committee of the Whole*)** **(*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*):**

Question 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 FACILITATE ELECTRONIC TRANSACTION IN NIGERIA; AND FOR OTHER RELATED MATTERS (HB. 374)

Clause 1: **Objectives of this Bill.**
The Objects of this Bill are —

(*a*) to eliminate legal barriers to the effective use of electronic communications in transactions;

(*b*) to promote the harmonization of legal rules on electronic transactions across national boundaries;

(*c*) to facilitate the appropriate use of electronic transactions:

(*d*) to promote business and community confidence in electronic transactions; and

(*e*) to enable business and the community to use electronic communications in their transactions with government (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 2: **Application of this Bill.**
The provisions of this Bill shall apply to transactions both in the private and public sectors (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 3: **Non-discrimination against electronic information.**
(1) As from the commencement of this Bill, no information shall be denied legal effect, validity or enforcement solely on the ground that it is in electronic form.

(2) In sections 4, 5, 6, 7 and 8, where rules of law —

(*a*) require information to be in writing, given, signed, original, or retained, the requirement is met if the section is complied with;

(*b*) provide consequences where the information is not in writing, given, signed, original, or retained, the consequences are avoided if the section is complied with; and

(*c*) provide consequences if the information is in writing, given, signed, original or retained, the consequences are achieved if the section is complied with (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 4: Writing requirements.

(1) A rule of law that requires information to be in writing or to be given in writing is satisfied by information in electronic form if the information is accessible so as to be usable for subsequent reference.

(2) In subsection (1), giving information includes, but is not limited to, the following —

(*a*) making an application;

(*b*) making, filling or lodging a claim;

(*c*) giving, sending or serving a notification;

(*d*) filing or lodging a return;

(*e*) making a request;

(*f*) making a declaration;

(*g*) filing or lodging issuing a certificate;

(*h*) making, varying or cancelling an election:

(*i*) filling or lodging an objection;

(*j*) giving a statement of reasons.

(3) Information in electronic form is not given unless the information is capable of being retained by the person to whom it is given (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 5: Prescribed forms.

A rule of law that requires a person to provide information in a prescribed non-electronic form to another person is satisfied by the provision of the information in an electronic form that is —

(*a*) organized in the same or substantially the same way the prescribed non-electronic form:

(*b*) accessible to the other persons so as to be usable for subsequent reference; and

(*c*) capable of being retained by the other person (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 6: **Signature requirements.**

(1) If a rule of law requires the signature of a person, that requirement is met by an electronic signature.

(2) Parties may agree to use a particular method of electronic signature (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 7: **Requirement to produce an original document.**

A rule of law that requires a person to produce, examine or keep an original document is satisfied if the person produces, examines or retains the document in electronic form, if —

(*a*) having regard to all the relevant circumstances, the methods of generating the electronic form of the document provided a reliable means of assuring the maintenance of the integrity of the information contained in the document; and

(*b*) in a case where an original document is to be given to a person, the document given to the person in electronic form is accessible so as to be usable for subsequent reference and capable of being retained by the person (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 8: **Keeping written documents.**

A rule of law that requires a person to keep information either that is in writing or that is in electronic form, is satisfied by keeping the information in electronic form, if —

(*a*) having regard to all the relevant circumstances, when the electronic form of the document was generated, the method of generating the electronic form of the document provided a reliable means of assuring the maintenance of the integrity of the information contained in the document; and

(*b*) when the electronic form of the document was generated, the information contained in the electronic form of the document is accessible so as to be usable for subsequent reference to any person entitled to have access to the information or to require its production (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 9: **Integrity of Information.**

For the purposes of Sections 7 and 8 of this Bill, the integrity of information in a document is maintained if, and only if, the information has remained complete and unaltered, apart from —

(*a*) the addition of any endorsement; or

(*b*) any immaterial change which arises in the normal course of communication, storage or display (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 10: **Recognition of foreign electronic documents and signatures.**
In determining whether or to what extent information, in electronic form is legally effective, no regards shall be given to the location where the information was created or used, or to the place of business of its creator (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 11: **Government uses.**

(1) Where a public body has power to create, collect, receive, store, transfer, distribute, publish, issue or otherwise deal with information and documents, it shall have the power to do so electronically.

(2) The provisions of subsection (1) of this section shall be subject to any rule of law that expressly prohibits the use of electronic means or expressly requires them to be used in specified ways.

(3) For the purposes of subsection (2) of this section, a reference to writing or signature does not in itself constitute an express prohibition of the use of electronic means.

(4) Where a public body consents to receive any information in electronic form, it may specify —

(*a*) the manner and format in which the information shall be communicated to it;

(*b*) the type or method of electronic signature required, if any;

(*c*) control processes and procedures to ensure integrity, security and confidentiality of the information;

(*d*) any other attributes for the information that are currently specified for corresponding information on paper.

(5) The requirements of section 4 (1) and (3) and section 5 of this Bill shall also apply to information described in subsection (4) of this section.

(6) A public body may make or receive payment in electronic form by any manner specified by the public body and approved by the Minister (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 12: **Exemptions.**
This Bill does not apply to —

(*a*) the creation or transfer of interests in real property;

(*b*) negotiable instruments;

(*c*) documents of title;

(*d*) wills and trusts created by will; and

(*e*) any class of documents, transactions or rules of law excluded by regulation under this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 13: Certain other laws not affected.

(1) Nothing in this Bill limits the operation of any other enactment that expressly authorizes, prohibits or regulates the use of information in electronic form, including a method of electronic signature.

(2) Nothing in this Bill limits the operation of any other enactment requiring information to be posted or displayed in a specified manner or requiring any information to be transmitted by a specified method.

(3) A reference to writing or signature does not in itself constitute a prohibition for the purpose of subsection (1) of this section or a legal requirement for the purpose of subsection (2) of this section (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 14: Consent.

(1) Nothing in this Bill requires a person to use, provide or accept information in electronic form without his consent, but a person's consent to do so may be inferred from the person's conduct.

(2) Despite the provisions of subsection (1) of this section, the consent of a public body, pursuant to the provisions of section 11 of this Bill, to accept information in electronic form may not be inferred from its conduct but must be expressed by communication accessible to the public or to those most likely to communicate with it for particular purposes.

(3) Nothing in this Bill authorizes a public body, pursuant to the provisions of section 11 of this Bill, to require any person to use, provide or accept information in electronic form without consent (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 15: Automated contracts.

(1) Unless the parties agree otherwise, an offer, the acceptance of an offer or any other matter that is material to the formation or operation of a contract may be expressed—

(*a*) by means of information in electronic form; or

(*b*) by an act that is intended to result in electronic communication, such as touching or clicking on an appropriate icon or other place on a computer screen, or by speaking.

(2) A contract is not invalid or unenforceable by reason only of being in electronic form (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 16: **Mistakes in partly automated contracts.**
A contract may be formed by the interaction of computer programmes or other electronic means used to initiate an act or to respond to electronic information, in whole or in part, without review by an individual at the time of the response or act (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 17: **Expression of will.**
(1) An electronic transaction between an individual and another person's automated source of information has no legal effect if —

(*a*) the individual makes a material error in electronic information or an electronic document used in the transaction;

(*b*) the automated source of information does not give the individual an opportunity to prevent or correct the error;

(*c*) on becoming aware of the error, the individual promptly notifies the other person; and

(*d*) in a case where consideration is received as a result of the error, the individual, returns or destroys the consideration in accordance with the other person's instructions or, if there are no instructions, deals with the consideration in a reasonable manner, and does not benefit materially by receiving the consideration.

(2) This section does not limit the operation of any other rule of law relating to mistake (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 18: **Time and place of sending and receiving electronic communication.**
As between the originator and the addressee of a communication in electronic form, a declaration of will or other statement shall not be denied legal effect, validity or enforceability solely on the grounds that it is in electronic form (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 19: **Time and place of sending and receiving electronic communication.**
(1) An electronic communication is sent when it enters an information system outside the sender's control or, if the sender and the addressee use the same information system, when it becomes capable of being retrieved and processed by the addressee.

(2) An electronic communication is presumed to be received by the addressee —

(*a*) if the addressee has designated or uses an information system for the purpose of receiving communications of the type sent, When it enters that information system and becomes capable of being retrieved and processed by the addressee; or

(*b*) if the addressee has not designated or does not use an information system for the purpose of receiving communications of the type sent, or if the addressee has designated or used such a system but the communication has been sent to another system, when the addressee becomes aware of the communication in the addressee's information system and it becomes capable of being retrieved and processed by the addressee.

(3) The provisions of subsections (1) and (2) of this section apply unless the parties agree otherwise.

(4) An electronic communication is deemed to be sent from the sender's place of business and received at the addressee's place of business.

(5) If the sender or the addressee has more than one place of business, the place of business for the purposes of subsection (4) of this section is the one with the closest relationship to the underlying transaction to which the electronic communication relates or, if there is no underlying transaction, the person's principal place of business.

(6) If the sender or addressee does not have a place of business, the person's place of habitual residence is deemed to be the place of business for the purposes of subsection (4) of this section (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 20: Attribution of electronic communication consumer protection.

An electronic communication is that of the person who sends it, if it is sent directly by the person or by an information system programmed by or on behalf of the person to operate automatically (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 21: Regulation.

(1) A person using electronic communications to sell goods or services to consumers shall provide accurate, clear and accessible information about themselves, sufficient to allow—

(*a*) identify the legal name of the person, its principal geographic address, and an electronic means of contact or telephone number;

(*b*) facilitate prompt, easy and effective consumer communication with the seller; and

(*c*) allow service of legal process.

(2) A person using electronic communications to sell goods or services to consumers shall provide accurate and accessible information describing the goods or services offered, sufficient to enable consumers to make an informed decision about the proposed transaction and to maintain an adequate records of the information.

(3) A person using electronic communications to sell goods or services to consumers shall provide information about the terms, conditions and costs associated with a transaction, and notably —

(*a*) terms, conditions and methods of payment; and

(*b*) details of and conditions related to withdrawal, termination, return, exchange, cancellation and refund policy information (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 22: Interpretation.

In this Bill, unless the context otherwise requires-

"electronic" includes created, recorded, transmitted or stored in digital or other intangible form by electronic, magnetic, optical or by any other means that has capabilities for creation, recording, transmission or storage similar to those means (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"electronic signature" means information in electronic form that a person has created or adopted in order to sign a document and that is in, attached to or associated with a document (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Minister" means Attorney-General of the Federation (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"public body" includes —

(*a*) a Minister, Ministry or Department or Agency of Government;

(*b*) courts;

(*c*) bodies exercising statutory authority of legislative, executive or judicial nature;

(*d*) State Governments or Local Government Councils or Area Councils (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"information system" means a system for generating, sending, receiving, storing or otherwise processing electronic communications (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"rule of law" means the common law, legislation, and subsidiary legislation (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

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

Clause 23: Citation.
This Bill may be cited as the Electronic Transactions Bill, 2016 (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Long Title:
A Bill for an Act to Facilitate Electronic Transaction in Nigeria; and for Other Related Matters (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the Long Title 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 Facilitate Electronic Transaction in Nigeria; and for Other Related Matters (HB. 374) and approved Clauses 1 - 23, and the Long Title of the Bill.

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

(*iv*) ***A Bill for an Act to Establish the Chartered Institute of Public Management of Nigeria to Provide for the Control of its Membership and to promote the Practice of Public Management in Nigeria; and for Other Matters Connected Therewith*** **(HB. 78)** **(*Committee of the Whole*) (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*):**

Question agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF PUBLIC MANAGEMENT OF NIGERIA TO PROVIDE FOR THE CONTROL OF ITS MEMBERSHIP AND TO PROMOTE THE PRACTICE OF PUBLIC MANAGEMENT IN NIGERIA; AND FOR OTHER PURPOSES CONNECTED THEREWITH

PART I — ESTABLISHMENT OF THE CHARTERED INSTITUTE OF PUBLIC MANAGEMENT OF NIGERIA

Clause 1: **Establishment of the Chartered Institute of Public Management of Nigeria.**

(1) There shall be established a body to be known as the Chartered Institute of Public Management of Nigeria (in this Bill referred to as "the Institute").

(2) The Institute —

(*a*) shall be a body corporate with perpetual succession;

(*b*) shall have a common seal which shall be kept in such custody as the Council may, from time to time, authorize; and

(*c*) may sue or be sued in its corporate name (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 2: **Functions of the Institute.**

The objectives of the Institute shall be to:

(*a*) organize and provide professional training in the areas of Leadership and Public Management.

(*b*) to professionalize Public Management with a commitment to raising great leaders in all sectors of the economy.

(*c*) building capacity for leadership and a desire to make to make a difference in organizations and the nation at large;

(*d*) promote the art and philosophy of managing people;

(*e*) educate and promote public etiquette, conduct and approach to public issues;

(*f*) build a bridge between public, private and organized sectors of the economy;

(*g*) seek internal and external relationship between states and other arms of governance;

(*h*) integrate culture with modernization;

(*i*) promote business, government ethics and inter-governmental relations;

(*j*) do all such things that are necessary to promote the advancement Public Management in both the public and private sectors of the economy;

(*k*) import managerialism from the private sector to the public sector for efficiency and effectiveness in line with global practices (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 3: **Membership of the Institute.**

(1) Subject to the provision of this Bill, persons admitted into the Institute, shall possess knowledge, experience, and qualifications in Public Management and other related disciplines determined from time to time by the Council, and may be enrolled in the category of:

(*a*) Fellows;

(*b*) Associate Membership;

(*c*) Graduate Membership;

(*d*) Licentiate Members; and

(*e*) Students

(2) Without prejudice to the last foregoing provisions of this Bill, persons registered as members of the Institute, in terms of this Bill, shall be entitled to be enrolled:

(*a*) as Fellows, if they satisfy the Council that for the period of not less than five years immediately preceding the date of their application in that behalf that they:

(*i*) are fit and proper persons:

(*ii*) are holders of approved academic qualifications; and

(*iii*) have satisfied the Council in their dissertations; and

(*iv*) have been continuously active in the practice of professional Loan & Risk Management in either public or private sectors of the economy and as members of the Institute.

(*b*) as Associate members, if for the period of not less than three years immediately preceding the date of their application in that behalf that they have been enrolled as graduate members and are otherwise fit and proper persons, and as may approved in the discretion of the Council;

(*c*) as Graduate members, if they satisfy the Council that they have passed the mandatory examinations conducted by the Institute, hold equivalent qualifications from recognized institutions of higher education and are otherwise however found to be fit and proper persons by the Council.

(3) The following are other precedence and designated titular abbreviations for:

(*a*) a Fellow of the Chartered Institute of Public Management who shall have their right to use the designatory letters FCPM immediately after his names;

(*b*) an Associate members of the Chartered Institute of Public Management who shall have the right to use the designatory letters of ACPM immediately after his names; and

(*c*) a licentiate member of the Chartered Institute of Public Management, who shall have the right to use the designatory letters LCPM immediately after his names.

(4) Graduate and students registered for training shall become professional practicing members only after satisfying specified qualification requirements for membership in any of the foregoing categories as may be prescribed by the Council or by-laws of the Institute.

(5) In this section, "licentiate member" means any member granted a license by a recognized institution of higher education to practice as a professional Loan and Risk Management, and "licensesure" shall be construed accordingly (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 4: Election of Principal Officers of the Institute.

(1) The Principal officers of the Institute shall be:

(*a*) the President;

(*b*) the Vice-President;

(*c*) the National Secretary;

(*d*) the Assistant National Secretary;

(*e*) the National Treasurer; and

(*f*) the Public Relations officer.

(2) The principal officers listed under subsection (1) of this section shall be financial members of the Institute in the grades of Fellows, Associate members and Licentiate members and shall be elected to office biennially at the second council meeting after another term of two years, and no more.

(3) The President shall be the Chairman of the meetings of the Institute, but in the event of his incapacity, death or inability to perform the duties reposed on him under this subsection, the Vice President shall perform such duties for the unexpired portion of the term of office of that President.

(4) If any of the officers listed under subsection (1) of this sections shall cease to hold any of the offices designated thereof (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 5: Establishment and Composition of the Governing Council.

(1) There shall be for the Institute, a governing body to known as "the Council" which shall have responsibility for the administration and general management of the Institute.

(2) The Council established pursuant to subsection (1) of this section shall consist of the following members, that is:

(*a*) the President of the Institute, who shall be the Chairman

(*b*) the Vice-President of the Institute, who shall be the Deputy Chairman;

(*c*) the Registrar;

(*d*) twelve members nominated by the Institute from the six geopolitical zones of the Federation;

(*e*) two persons who shall be members of the Institute, to represent institutions of higher education in Nigeria offering courses leading to an approved qualification, to be appointed in rotation;

(*f*) the immediate past President of the Institute;

(*g*) one person each not below the rank of a Director to represent the following Federal Ministries, that is:

(*i*) Finance;

(*ii*) Trade and Investment;

(*iii*) Education.

(3) The provisions of the first schedule to this Bill shall have effect with respect to the supplementary provisions of the Council and the qualifications and tenure of the office or members of the council, and the matters therein mentioned (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 6: Appointment of the Board of Fellows.

(1) There shall be appointed annually a Board of Fellows, to coordinate the activities of Fellows of the institute and to recommended to the Council on yearly basis admission of members of the fellows.

(2) The Board of Fellows shall consist of persons who have been duly elected as fellows of the Institute, and shall have a Chairman who shall preside over the activities of the Board (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART II — FINANCIAL PROVISIONS

Clause 7: Establishment of Fund and Expenditure.

(1) The Council shall establish and maintain a fund for the Institute, the management and control of which shall be under the authority of the Council, into which shall be paid:

(*a*) all monies received by the Council in pursuance of this Bill;

(*b*) all subscriptions, fees and council in pursuance of this Bill;

(*c*) such monies as may be provided by the Federal, State or Local Government from time to time by way of grants and subventions or loans, and

(*d*) all monies raised for the purposes of the Institute by way of gifts, donations, grants-in aid, testamentary dispositions from individuals, bodies corporation or philanthropic organizations, non-otherwise however.

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(2) The Council shall, from time to time, apply the proceeds of the funds of the Institute to:

(*a*) all expenditure incurred by the Institute in the course of the discharge of its function under the Act;

(*b*) the remunerations and allowances of the Registrar and other staff of the Institute to;

(*c*) the maintenance of the premises and property owned and vested in the Institute;

(*d*) the payment of travelling allowance and such stipend for members of the council as may be approved by the Council; and

(*e*) the payment of such other charges as may be reasonably incurred in the performance of the functions of the Institute and the Council.

(3) For the purposes of the Companies Income Tax, any donation made by any company in Nigeria to the Institute shall be a deductible donation within the meaning of the Act (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 8: Power to Borrow Money.

(1) The Council, with the general consent of its members or in accordance with the general guidelines or authority given by the Government of the Federation, borrow, on behalf of the Institute, by way of loan or overdraft from any source, any monies' required by the Council to meet the obligations of the Institute in order to perform its function under this Bill, however, that such consent or authority shall be required where the sum or aggregate of the sums involved at any time does not exceed such amount as is for the time being projected in relation to the Institute in any particular year.

(2) The Council may, subject to the provisions of the Act and conditions of trust in respect of funds held or any property owned by the Institute, invest any but not all of its funds with the same consent or general authority (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 9: Annual Estimates, Account and Audit.

(1) The chairman of the Council shall cause to be prepared not later than six months before the end of the year, estimates for the recurrent and capital expenditure (if any) and income of the Institute during the next succeeding financial year which shall be presented to the Annual General Meeting of the Institute by the Council for approval.

(2) The Council shall keep proper accounts and records in relation thereto, and of shall prepare in respect of each financial year, a statement of account in such form as the chairman or the council shall direct.

(3) The Council shall soon as may be after the end of a financial year, because the accounts of the Institute and those of the council to be audited by qualified auditors appointed from the list of auditors and in accordance with the guidelines laid down by the Auditor-General for the Federation.

(4) The auditors appointed pursuant to subsection (3) of this section shall, on completion of the audit of the accounts of the Institute and the Council for each financial year, prepare and submit to the Council two reports, that is to say:

(*a*) a general report setting out the observations and recommendations of the said auditors on the financial affairs of the Institute and the Council for the year, and on any important matters which the auditors may consider necessary to bring the notice of the Council, and

(*b*) a detailed report containing the observations and recommendations of the auditors on all aspect of the operations of the Institute and the Council (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART III — THE REGISTRAR

Clause 10: Appointment and duties of the Registrar, etc.

(1) The Council shall appoint a fit and proper person to be the Registrar of the Institute.

(2) The Registrar appointed in terms of subsection (1) of this section shall be the Head of the Administration of the Institute and Secretary to the Council.

(3) The Registrar shall consist of three parts of which the first part shall be in respect of fellows, the second part shall be in respect of associates and the third part shall be in respect licentiates.

(4) The Registrar shall consist of three parts. of which the first part shall be in respect of fellows, the second part shall be in respect of associates and the third part shall be in respect licentiates

(5) Subject to the following provisions of this subsection, the Council may make rules with respect to the form and keeping of the Register and making of entries therein and in particular:

(*a*) the making of application for enrolment or registration, as the case may be;

(*b*) providing for notification to the Registrar, by the person to whom any registered particulars relate, of any change in those particulars;

(*c*) authorizing a registered person to have any qualification which is in relation to the relevant discipline of the profession for the purpose of this Bill, registered in relation to this name in addition to, as he may elect, in substitution for other qualifications so registered;

(*d*) specifying from time to time the fees including subscription to be paid to the Institute in respect of the entry of names on the Register for the entry has been paid; and

(*e*) specifying anything failing to be specified under this section, but rules made for the purposes of paragraph (*d*) of this subsection shall not come into force until they are confirmed as a special meeting of the Institute convened for that purpose, or at the next annual general meeting of the Institute, as the case may be.

(6) The Registrar shall —

(*a*) correct, in accordance with the Council's directives, any entry in the register which the Council directs him to correct as being in the Council's opinion an entry which was incorrectly made;

(*b*) remove from the Register the name of any registered person who had died;

(*c*) record the names of the members of the Institute who are in default in the payment of the annual subscription, dues or other charges for more than twelve months, and take such action in relation thereto (including removal of the names of the defaulters from the Registers) as the Council may determine or direct; and

(*d*) make from time to time any necessary alteration in the registered particulars of registered persons.

(7) The Registrar shall —

(*a*) send by post to any registered persons a letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within the period of six months from the date of posting; and

(*b*) upon the expiration of the period specified in paragraph (*a*) of this subsection, sends in like manner to the person in question a second similar letter and received no reply to the letter within three months from posting it, then the Registrar, may remove the particulars relating to the person in question from the register, and the Council may direct the Registrar to restore to the appropriate part of the Register any particulars removed there from under this subsection (*Hon. Olabode Ayorinde -- Owo/Ose Federal Constituency*).

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

Clause 11: Publication of Registers and List for Corrections.

(1) The Registrar shall —

(*a*) cause the Register to be printed, published and put on sale to members of the public later than two years from the commencement of this Bill.

(*b*) thereafter in each year to cause to be printed, published and put on sale as foresaid, rather a corrected edition of the Registrar since it was last printed: and

(*c*) cause a print of each edition of the Registers and of each list of correction to be deposited at the principal offices of the Institute and the Council shall keep the Register and the list so deposited available at all reasonable times for inspection by members of the Institute.

(2) A document purporting to be print of an edition of the Register published under the pursuant to this section by authority of the Registrar, or documents purporting to be print of an edition so printed, shall (without prejudice to any other mode of proof) be admissible in any proceeding as evidence that any person specified in the document, or the documents read together, as being registered was so registered at the date of the edition or of list of correction, as the case may be, and that any person not so specified was not registered.

(3) Where in accordance with subsection (2) of this section, a person is, in any proceeding, shown to have been, or not to have been, registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those proceedings as having at all material times thereafter continued to be, or not to be, so registered (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 12: Registration.

(1) Subject to the rules made by the Council pursuant to section 10 (4) of this Bill, a person whether or not a member of a professional Public Management body recognized by an Act of National Assembly shall be entitled to be enrolled or registered as a Member of Chartered Institute of Public Management if:

(*a*) he passes he qualifying examination of membership conducted by the Council under this Bill and completes the practical training prescribed; or

(*b*) he holds as qualification granted outside Nigeria and for time being accepted by the Institute and, if the Council so requires, satisfies the Council that he had sufficient practical experience as a management accountant.

(2) Subject to the rules made by the Council pursuant to section 10 (5) of this Bill, a person shall be entitled to be registered as a public manager, if he satisfies the Council that immediately before the appointed day he had not lee than five years experience as an inspector and internal auditor of the affairs of a company as defined under the provision Companies and Allied Matters Act.

(3) An application for registration shall, in addition to evidence of qualification, satisfy the Council —

(*a*) that he is of good character;

(*b*) that he has attained the age of twenty-one; and

(*c*) that he has not been convicted of a criminal offence involving fraud or dishonesty in Nigeria or elsewhere.

(4) The Council may in its discretion provisionally accept a qualification presented in respect of an application for registration under this sectional, no direct that the application be renewed within such period as may be specified in the direction.

(5) Any entry directed to be made in the Register in terms of subsection (4) of this section shall indicate that the registration is provisional, and no entry made in consequence thereof shall be converted to, construed as, full registration without explicit consent of the Council made in writing in that behalf.

(6) The Council shall form time to time publish of Federal Government Gazette particulars of qualifications for the time being accepted as aforesaid (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 13: Approval of Qualification, etc.

(1) The Council may approve an institute for the purposes of this Bill and may for those purposed approve —

(*a*) any course of training at any institution which for persons who are seeking to become of are already management consultants, and which the Council consider as necessary to confer on persons completing the course, sufficient knowledge and skill for admission to the institute;

(*b*) any qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination indicating in the opinion of the members of the Council that the candidates have sufficient knowledge and skill to practice as management accounts.

(2) The Council may, if it thinks it fit withdrew any approval given under this section in respect of any course, qualification or institution, but before withdrawing such as approval, the Council shall —

(*a*) give notice that it proposes to do so to person in Nigeria appearing to the Council to be persons by whom the course is conducted or the qualification is granted or the institution is controlled as the case may be;

(*b*) afford each such an opportunity of making representations to the Council with regard to the proposal; and

(*c*) take into consideration any representation made as respects the proposal in pursuance of paragraph (b) of this subsection.

(3) Where the approval of the Council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall not be treated as approved under this section, but the withdrawal of any such approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration immediately before the approval was withdrawn.

(4) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in that instrument, and the Council shall —

(*a*) public as soon as possible a copy of every such instrument in the Federal Government Gazette; and

(*b*) not later than seven days before its publication, send a copy of the instrument to the Minister (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 14: (1) It shall be the duty of the members of the Council of the Institute to keep themselves informed of the nature of —

(*a*) the instructions given at approved institutions to persons attending approving training; and

(*b*) the examination as a result of which approved qualification are granted, and for the purpose of performing that duty the Council of the Institute may appoint, either from among its own members or otherwise, person to visit approved institutions, or to attend such examination.

(2) It shall be the duty of the visitor appointed in term of the foregoing subsection of this section to report to the Council on —

(*a*) the sufficiency of the instructions giving to persons attending approved courses of training at institutions visited by him;

(*b*) the conduct and adequacy of the examination observed by him; and

(*c*) any other matters relating to the instruction or examinations on which the Council may, either generally or in particular case, request him to report, but no visitor shall interfere with the given of any instruction or the conduct of any examination.

(3) On receiving a report made in pursuance of this section, the Council may, if it fit, and shall if so required by the Institution, send a copy of the report to the person appearing before the Council to be in charge of the institution or which the Disciplinary Tribunal has cognizance under the following provisions of the Act responsible for the examination of which the report relates requesting that person to make an observation on the report the Council within such period as may be specified in the request, not being less than one month beginning with the date of the request (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART IV — PROFESSIONAL DISCIPLINE

Clause 15: Establishment, composition, etc. of the Disciplinary Committee and of the investigating Panel.

(1) There shall be a tribunal to be known as the Chartered Institute of Public Management Disciplinary Committee (in this Bill, referred to as "the Disciplinary Committee") which shall be charged with the duty of considering and determining any case referred to it by the investigating panel established pursuant to subsection (3) of this section, and any other case of panel, which the Disciplinary Committee has cognizance under the following provisions of this Bill.

(2) The Disciplinary Committee shall consist of the Chairman of the Council and six other members of the Council.

(3) There shall be a body known as Chartered Institute of Public Management Investigation Panel (In this Bill, referred to as "the Investigating Panel") which shall be charged the duty of —

(*a*) conducting a preliminary investigation into any case where it is alleged that a member has misbehaved in his capacity as a Public Manager or should for any other reason be the subject of proceeding before the Disciplinary Committee; and

(*b*) deciding whether the case should be referred to the Disciplinary Committee.

(4) Council and shall consist of four members of the Council and one person who is not member of the Council.

Third Schedule.

(5) The provisions of the Second Schedule to this Bill shall, so far as applicable to the third Disciplinary Committee and Investigating Panel respectively, have effect with respect to the bodies.

(6) The Council may not inconsistent with this Bill as to acts which constitute professional misconduct (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 16: Penalties for unprofessional conduct.

(1) Where —

(*a*) a member is judged by the Disciplinary Tribunal to be guilty of infamous conduct in any professional respect; or

(*b*) a member is convicted, by any court or tribunal in Nigeria or elsewhere having power to award imprisonment, of an offence or (whether or not punishable with imprisonment which in the opinion of the Disciplinary Tribunal is incompatible with the status of a professional management accountants; or

(*c*) the Disciplinary Tribunal is satisfied that the name of any person has been fraudulently registered; the Disciplinary Tribunal may, if it thinks fit, give a direction reprimanding that person or ordering the Registrar to strike his name off the relevant part of the Register.

(2) The Disciplinary Tribunal may, if thinks fit, defer its decisions as to the giving subsection (1) of this section until a subsequent meeting of the Disciplinary Tribunal but —

(*a*) no decision shall be referred under this subsection for period exceeding two years on the aggregate; and

(*b*) no person shall be a member of the Disciplinary Tribunal for purposes of reaching a decision which has been deferred or further deferred, unless he was present as a member of the Disciplinary Tribunal when the decision was deferred.

(3) For the purposes of subsection (1) (*b*) of this section, a person shall not be treated as convicted as therein mentioned unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension or time) be brought in connection with the conviction.

(4) When the Disciplinary Tribunal gives a direction under subsection (1) of this section, the Disciplinary Tribunal shall cause notice of the direction to be served on the person to whom it relates.

(5) A person whose name is struck off the Register in pursuance of a direction of the Disciplinary Tribunal under this section, shall not be entitled to be entitled to be enrolled or registered again expect in pursuance of a direction in that behalf given the Disciplinary Tribunal on the application of the person, and a direction under this section for the removal of a person's name from the Register may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application) as may be specified in the direction (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART V — MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Clause 17: (1) The Council may make rules for —

(*a*) the training of suitable persons in Public Management methods and practice; and

(*b*) the supervision and regulation of the engagement, training and transfer of such persons.

(2) The Council may also make rules —

(*a*) prescribing the amount and the due for payment of annual subscription, and for such purpose different amount may be prescribed by the rules according to whether the person is enrolled as a fellow, associate member, a graduate member, licentiate member of student;

(*b*) prescribing the form of licentiate to practice to be issued annually or, if the Council thinks it fit, by endorsement on any existing license; and

(*c*) restricting the right to practice in default of payment of the amount of annual subscription where the default continues for longer than such period as may be prescribed by the rules.

(3) Rules when made under this section shall, if the Chairman of the Council so directs, be published in the Federal Government Gazette (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 18: Provision of library facilities, etc.

The Institute shall —

(*a*) provide and maintain a Library, comprising books and publications for the advancement of knowledge of Loan & Risk Management, and such other books and publications as the Council may think necessary for that purpose;

(*b*) encourage research into public management methods and allied subjects to the extent that the Council may from time to time consider necessary (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 19: Offences.

(1) If any person, for the purpose of procuring the registration of any name, qualification or other matter —

(*a*) make a statement which he believes is false in a material particular, or

(*b*) recklessly make a statement which is false in a material particular, he shall be guilty of an offence.

(2) If, on or after the relevant date, any person not a member of the Institute practices or holds himself out to practice public management for or in expectation of reward or takes or uses any name, title, addition or description implying that he is in practice management, he shall be guilty of an offence, provided that, in the case of a person failing within section 17 of this Bill —

(*a*) this subsection shall not apply in respect of anything done by him during the period of three months mentioned in that section; and

(*b*) if within that period he duly applies for membership of the Institute, then, unless within that period he is notified that his application has not been approved, this subsection shall not apply in respect of anything done by him between the end of that period and the date on which he is enrolled or registered or is notified as aforesaid.

(3) If the Registrar or any other person employed by or on behalf of the Institute willfully makes any falsification in any matter relating to the Register, he shall be guilty of an offence.

(4) A person guilty of an offence under this section be liable —

(*a*) on summary conviction, to a fine of an amount not exceeding ₦50,000;

(*b*) on conviction on indictment, to a fine of an amount not exceeding ₦100,000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(5) Where an offence under this section which has been committed by a body corporate is proven to have been committed with the consent or connivance of, or to be attributed to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any such capacity, he as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable to be prosecuted and punished accordingly.

(6) In this section, "the relevant date" means the third anniversary of the appointed day or such earlier date as may be prescribed for the purpose of this section by order of the Ministry published in the Federal Government Gazette (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 20: (1) Any regulation made under this Bill shall be published in the Federal Government Gazette as soon as may be after they are made and a copy of any such regulations shall be sent to the Ministry later than seven days before they are so published.

(2) Rules made for the purposes of this Bill shall be subject to confirmation by the Institute at its next general meeting or at any special meeting of the Institute convened for that purpose, and if then annulled shall cease to have effect on the day after the date of annulment, but with prejudice to anything done in pursuance or intended pursuance of any such rules (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 21: (1) The body known as the Institute of Public Management of Nigeria is hereby dissolved.

(2) Accordingly, all the property held by or on behalf of the former Institute shall by virtue of this section and without further assurance vest in the Institute and held by it for the purposes of the Institute.

(3) The provisions of the Third Schedule to this Bill shall have effect with respect to matters arising from the transfer by this section to the institute of property of the formal Institute, and with respect to the other matter mentioned in that schedule (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 22: **Interpretation.**
In this Bill, unless the context otherwise requires, the following words and expressions have the meanings respectively assigned to them, that is —

"Institute" means Chartered Institute of Public Management established under section 1 of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Council" means the Council established as the governing body of the Institute under section 5 of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Disciplinary Tribunal" means the Chartered Institute of Public Management Discipline Tribunal under section 15 (1) of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Enrolled" in relation to a fellow, an associate member, a graduate member, a licentiate member, as the case may be (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Fees" includes annual subscription (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Investigation Panel" means an enrolled fellow, associate member or a licentiate member of the Institute; and "membership of the Institute" shall be construed accordingly (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Ministry" means the Ministry charged with the responsibility for matters relating to finance (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"President and Vice President" means respectively the officer holder, under those names in the Institute (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the meaning of the words "Presidential and Vice President" be as defined in the interpretation to this Bill — Agreed to.

"Profession" means the profession of Public Management; and (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Register" means the register maintained in pursuance of section 10 (2) of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

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

Clause 23: Short Title.

This Bill may be cited as the Chartered Institute of Public Management of Nigeria Bill, 2016 (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

SCHEDULES

FIRST SCHEDULE

Section 5 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Qualifications and tenure of members.

1. (1) Subject to the provisions of this paragraph, a member of the Council hold office for a period of two years beginning with the date of his appointment of election.

(2) Any member of the Institute who cease to be a member therefore shall, if he is also a member of the Council, cease to hold office on the Council.

(3) Any elected member may by notice in writing under his hand addressed to the President resign his office, and any appointed member may, likewise resign his appointment.

(4) A person who retires from or otherwise cease to be an elected member of the Council shall be eligible again to become a member of the Council, and any appointed member may be reappointed.

(5) Members of the Council shall at a meeting next before the annual general meeting of the Institute arrange for five members of the Council appointed or elected, and longest in office to retire at that annual general meeting.

(6) Elections to the Institute shall be held in such manners as may be prescribed by rules made by the Council and until so prescribed they shall be decided in a secret balloting process.

(7) If for any reason there is a vacation of office by a member and —

(*a*) such member was appointed by the Minister or any other body corporate, the Minister or any such body corporate shall appoint another fit person to occupy the office in which the vacancy occurs; or

(*b*) such member was elected, the Council may, if the period between the unexpired portion of the tenure of office and the next general meeting of the Institute appears to warrant the prompt filling of the vacancy, co-opt some fit person for such period as aforesaid.

Powers of Council

2. The Council shall have powers to do anything which in its opining is calculated to facilitate the activities of the Institute.

Proceedings of the Council

3. (1) Subject to the provision of this Bill, the Council may in the name of the Institute make standing orders regulating the proceedings of the institute of the Institute or of the Council, and in the exercise of its powers under this Bill, may setup committees in the general interest of the Institute, and make standing orders therefore.

(2) Standing orders shall be provided for decision to be taken by a majority of the members, and in the event of equality of votes, for the President or the Chairman, as the case may be, to have a second or casting vote.

(3) Standing orders make for a committee shall provide the committee report back to the Council on any matter not within its competence to be decided upon.

4. The quorum of the Council shall be nine, and the quorum of a committee of the Council shall be as fixed by the Council.

Meetings:

(a) of the Institute

5. (1) The Council shall convene the annual general of the Institute on a day as the Council may from time to time appoint any particular year, so however that if the meeting is not held within one year, so however that if the meeting is not held within one year after the previous annual general meeting, not more than fifteen months shall elapse between the respective dates of the two meetings.

(2) A special meeting of the institute may be convened by the Council at any time, and if not less than thirty members of the Institute require it by notice in writing addressed to the General Secretary of the Institute setting out the objects of the proposed meeting, the Chairman of the Council shall convene special meeting of the Institute.

(3) The quorum of any general meeting of the Institute shall be fifteen members, and that of any special meeting of the Institute shall be twenty-five members.

(b) of the Council

6. (1) Subject to the provision of any standing orders of the Council, the Council shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice in writing given to him by not less than seven other members, he shall summon a meeting of the Council to held within seven days from the date on which the notice is given.

(2) At any meeting of the Council, the Chairman or in his absence the Deputy Chairman shall preside; but if both are absent the members present at the meeting shall appoint one of their numbers to preside at the meeting.

(3) Where the Council desires to obtain advise of any person on a particular matter, the Council may co-opt him as a member for such period as the Council thinks fit, but a person who is a member by virtue of the provisions of this subparagraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the Minister, who may give such directions as he thinks fit as to the procedure which shall be followed at the meeting.

Committees

7. (1) The Council may appoint one or more committee to carry out on behalf of the Institute or of the Council, such functions as the Council may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council, and a person other than a member of the Council shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.

(3) Any recommendations of a committee of the Council shall be of no effect until it is approved by the Council.

Miscellaneous

8. (1) The fixing of the seal of the Institute shall be authenticated by the signature of the National President or of some other member of the Council authorized generally by the Institute 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 under seal, may be made or executed on behalf of the Institute or the Council as the case may require, by any person generally or specially authorized to act for the purpose by the Council.

(3) Any document purporting to be a document duly executed under the seal of the Institute shall be received in evidence and shall unless the contrary is proved be deemed to be so executed.

(4) The validity of any proceedings of the Institute or Council of a committee of the Council shall not be affected by any vacancy in membership, or of any defect in the appointment of a member of the Institute or of the Council or of a person to serve on the committee, or by reason that a person not entitled to do took part in the proceedings.

(5) Any member of the Institute or the Council, and any person holding office on a committee of the Council, who has a personal interest by the Council or a committee thereof, shall forthwith disclose his interest to the President or to the Council, as the case may be, and shall not vote on any question relating to the contract or arrangement.

(6) A person shall not be reason only of his membership of the Institute be required to disclose any interest any interest relating solely to the audit to the accounts of the Institute (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

SECOND SCHEDULE

Section 15 (5)

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL

The Tribunal

1. The quorum of the Tribunal shall be three of whom at least two shall be professional commercial practitioners.

2. (1) The Chief Justice of Nigeria shall make rules as to the selection of members of the Tribunal for the purposes of any proceedings and as to the procedures to be followed and the rules of evidence to be observed in proceedings before the Tribunal:

(*a*) for securing that notice of the proceedings shall be given at such time and at such manner as may be specified by the rules to the person who is the subject of the proceeding;

(*b*) for determining who in addition to the aforesaid, shall be a party to the proceedings;

(*c*) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Tribunal;

(*d*) for enabling any party to be proceedings to be presented by a legal practitioner;

(*e*) subject to the provisions of Section 16 (5) of this Bill, as to the costs of proceedings before the Tribunal;

(*f*) for requiring, in a case where it is alleged that the person who is subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Tribunal adjudges that the allegation has not been proved it shall record a findings that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and

(*g*) for publishing in the media notice of any direction of the Tribunal, which has taken effect providing that a person's name shall be struck off a register.

3. For the purposes of any proceedings before the Tribunal, any member of the Tribunal may administer oaths and any party to the proceedings may sue through the Supreme Court writs of subpoena ad testcandum and dues talcum, but no person appearing before the Tribunal shall be compelled —

(*a*) to make any statement before the Tribunal tending to incriminate himself;

(*b*) to produce any document under such a writ which he could be compelled to produce at the trial of an action.

4. (1) For the purposes of advising the Tribunal on question of law arising in proceedings before it, there shall in all such proceedings be an assessor to the Tribunal who shall be appointed by the Council on the nomination of the Chief justice of Nigeria and shall be a legal practitioner of not less than seven years standing.

(2) The Chief Justice of Nigeria shall make rules as to the function of assessors appointed under this paragraph, and in particular such rules shall contain provisions for securing —

(*a*) that where an assessor advises the Tribunal on any question of law as the evident, procedure or any matters specified in the rules, he shall do so in the presence of every party or person presenting a party to the proceedings who appears thereat or, if the advises is tendered while the Tribunal is deliberating in private, that every such party or persons are aforesaid.

(*b*) that every such party or person as aforesaid shall be informed if in any case the Tribunal does not accept the advice of the assessor on such a question as aforesaid.

(3) An assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceedings, and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

The Panel

5. The quorum of the panel shall be two.

6. (1) The panel may, at any sitting of the panel attended by all members of the panel, make standing orders with respect to the panel.

(2) Subject to the provisions of any such standing orders, the panel may regulate its own procedure.

Miscellaneous

7. (1) A person ceasing to be a member of the Tribunal or the panel shall be eligible for reappointment as a member of that body.

(2) A person may, if otherwise eligible, be a member of both the Tribunal and the panel, but no person who acted as a member of the panel with respect to any case shall act as a member of the Tribunal with respect to that case.

8. The Tribunal or the panel may act notwithstanding any vacancy in its membership, and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that, or (subject to paragraph 7(2) of this schedule) by reason of the fact that any person who was not entitled to do so took part in the proceedings of the body.

9. Any document authorized or required by virtue of this Bill to be served on the Tribunal or the panel shall be served on the Registrar appointed in pursuance of section 10 of this Bill.

10. Any expenses of the Tribunal or the panel shall be defrayed by the Institute (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

THIRD SCHEDULE

Section 23 (3)

TRANSITIONAL PROVISION AS A PROPERTY, ETC.

1. (1) Every agreement to which the former Institute was a party immediately before the appointment day, whether in writing or not and whether or not of such a nature that the right, liabilities and obligations there under could be assigned by the former Institute shall, unless its terms or subject matter make it impossible that it should have effect as modified in the manner provided by this subparagraph, have effect from the appointed day, so far as it relates to property transferred by this Bill to the Institute, as if —

(*a*) the Institute had been a party to the agreement;

(*b*) for any reference (however worded and whether expressed or implied) to the former Institute they were substituted, as respects anything falling to be done or after the appointed day, a reference to the Institute; and

(*c*) for any reference (however worded and whether expressed or implied) to a member or members of the Council of the former Institute or an officer of the former Institute they were substituted, as respects anything falling to be done on or after the appointed day, a reference members of the Council under this Bill or the officers of the former Institute who corresponds as nearly as may be to the member or officer in questions of the former Institute.

(2) Other documents which refer, whether especially or generally, to the former Institute shall be construed in accordance with subparagraph (1) of this paragraph so far as applicable.

(3) Without prejudice to the generality of the foregoing provisions of this schedule, where, by the operation of any of them or of section 23 of this Bill, any right, liability or obligation vests in the Institute and all other persons shall, as from the appointed day, have the same rights as to the making or resisting of legal proceedings or the making or resisting of applications to any authority for ascertaining, perfecting or enforcing that right, liability or obligation as they would have had at all times been a right, liability or obligations of the Institute.

(4) Any legal proceedings or application to any authority pending on the appointed by or against the former Institute and relating to property transferred by this Bill to Institute may be continued on or after that day by ort against the Institute.

(5) If the law in force at the place where any, property transferred by this Bill is situated (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provided for alterations of a Registered (but not for avoidance of transfer, the payment of fees or any matter) apply with the necessary modifications to the transfer of the property aforesaid, and it shall be the duty of the Council to furnish the necessary particulars of the transfer to the proper office of the registration authority, and of that officer to register the transfer accordingly.

Transfer of functions, etc.

2. (1) At it first meeting, the Council of the Institute shall fix a date (not late than six months after the appointed day) for the annual general meeting of the Institute.

(2) The members of the Council of the former Institute shall be deemed to be members of the Council of the Institute until the date determined in pursuance of the foregoing subparagraph when the Institute shall have its first annual general meeting, and they shall cease to hold office at the conclusion of such meeting.

(3) Any person who, immediately before the appointed day, held offices as the President or Vice President of the Council of the former Institute shall on that day become the President or, as the case may be, the Vice-President of the Institute and shall be deemed —

(*a*) to have been appointed to that office in pursuance of the provision of this Bill corresponding to the relevant provision in the said articles of Institute; and

(*b*) to have been appointed on the date on which who took office, or last took office, in pursuance of the relevance of the relevant provision of those articles.

(4) The members of the former Institute shall, as from the appointed day, be registered as members of the Institute, and without prejudice to the generality of the provisions of this schedule relating to the transfer of property, any person who, immediately before the appointed day, was a member of the staff of the former Institute shall on that day become the holder of an appointment with the Institute with the status, designation and functions which corresponds as nearly as may be to those which appertained to him in his capacity as a member of that staff.

(5) Any person being an office-holder on, or member of the Council of the Institute immediately before the appointed day and deemed under this paragraph to have been appointed to any like position in the Institute, or on the Council of the Institute, and thereafter otherwise than by reason of this misconduct, shall be eligible for appointment in the Institute or to membership of the Council as the case may be.

(6) All allegations, rules and similar instrument made for the purposes of the Institute, and in force immediately before they are subsequently revoked or amended by any authority have power in that behalf have effect, with any necessary modifications, as if duly made for the corresponding purposes of the Institute (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Long Title:
A Bill for an Act to Establish the Chartered Institute of Public Management of Nigeria to Provide for the Control of its Membership and to Promote the Practice of Public Management in Nigeria and for Other Purposes Connected Therewith (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the Long Title 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 Establish the Chartered Institute of Public Management of Nigeria to Provide for the Control of its Membership and to promote the Practice of Public Management in Nigeria; and for Other Matters Connected Therewith (HB. 78) and approved Clauses 1 - 23, the First, Second and Third Schedules, and the Long Title of the Bill.

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

(*v*) ***A Bill for an Act to Establish the Nigerians in Diaspora Commission, Provide for the Engagement of Nigerians in Diaspora in the Policies, Projects and Participation in the Development of Nigeria and for the Purposes of utilizing the Human, Capital and Material Resources of Nigerians in Diaspora towards the overall Socio-Economic, Cultural and Political Development of Nigeria; and for Other Matters Related Thereto*** **(HB. 160)** **(*Committee of the Whole*) (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*):**

Question agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO ESTABLISH THE NIGERIANS IN DIASPORA COMMISSION, PROVIDE FOR THE ENGAGEMENT OF NIGERIANS IN DIASPORA IN THE POLICIES, PROJECTS AND PARTICIPATION IN THE DEVELOPMENT OF NIGERIA AND FOR THE PURPOSE OF UTILISING THE HUMAN, CAPITAL AND MATERIAL RESOURCES OF NIGERIANS IN DIASPORA TOWARDS THE OVERALL SOCIOECONOMIC, CULTURAL AND POLITICAL DEVELOPMENT OF NIGERIA; AND FOR RELATED MATTERS (HB. 160)

PART I — ESTABLISHMENT OF THE NIGERIANS IN DIASPORA COMMISSION

Clause 1: Establishment of the Nigerians in Diaspora Commission (NIDCOM).

(1) There is established for the Federation, the Nigerians in Diaspora Commission (in this Bill referred to as the "Commission") which shall —

(*a*) be under the Federal Ministry of Foreign Affairs; and

(*b*) be constituted in accordance with and have such powers and functions as conferred on it by this Bill.

(2) The Commission —

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

(*b*) may sue and be sued in its corporate name;

(*c*) and may, for the purposes of its functions, acquire, hold or dispose of property (whether moveable or immovable);

(*d*) is a designated Commission in Nigeria charged with the responsibility of coordinating and providing an organized system of collaborations of Nigerians in Diaspora for their contributions by identifying, preserving and mobilizing the human, capital and material resources and expertise to the general development of Nigeria (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 2: Composition of the Board of the Commission.

(1) There shall be for the Commission a Governing Board (in this Bill referred to as "the Board) which shall consist of —

(*a*) a chairman who shall —

(*i*) be the chief executive and accounting officer of the Commission,

(*ii*) be a person of high integrity, and

(*iii*) possess not less than 15 years experience in Public Service.

(*b*) a representative each —

(*i*) from the Ministry of Foreign Affairs, and

(*ii*) employed in the Civil Service, not below the rank of a Director;

(*c*) 2 representatives each from Nigerian in Diaspora Organisations in —

(*i*) America,

(*ii*) Europe,

(*iii*) Asia, and 1 in —

(*iv*) Australia,

(*v*) Africa;

(*d*) a legal practitioner of not less than 10 years post-call experience.

(2) The Chairman and members of the Commission shall be appointed by the President subject to confirmation by the Senate.

(3) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Board of the Commission and the other matters contained therein (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Amendment Proposed:

In Clause 2, *leave out* all the subclauses (*i*) - (*v*) in Clause 2 (1) (*c*), and *insert* new Sub-clauses (*i*) - (*vi*) as follows:

(*i*) North America;

(*ii*) South America;

(*iii*) Asia;

(*iv*) Oceania;

(*v*) Africa; and

(*vi*) Europe instead thereof (*Hon. Onyema Chukwuka — Ogbaru Federal Constituency*).

Question that the amendment be made — Agreed to.

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

Clause 3: Functions of the Board.

The Board shall be responsible for the general administration of the Commission and, in particular, shall —

(*a*) formulate general policies for the regulation and development of the capital market and the achievement and exercise of the functions of the Commission;

(*b*) approve the audited and management accounts of the Commission;

(*c*) appoint Auditors for the Commission;

(*d*) consider and approve the annual budget of the Commission as may be presented to it by the management

(*e*) appoint, promote, terminate and exercise disciplinary control over the staff of the Commission;

(*f*) establish zonal offices of the Commission; and

(*g*) carry out such other activities as are necessary and expedient for the purpose of achieving the objectives of the Commission (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Amendment Proposed:

In Clause 3 (*a*), line 1, immediately after the words "development of the" *leave out* the words "capital market", and *insert* the word "Commission" instead thereof (*Hon. Danburam Abubakar Nuhu — Kano Municipal Federal Constituency*).

Question that the amendment be made — Agreed to.

Question that Clause 3 as amended, stand part of the Bill — Agreed to.

Clause 4: Head office of the Commission.

The Commission shall have its head office in the Federal Capital Territory and other offices in any part of Nigeria as may be determined by the Board of the Commission (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 5: Tenure of office.

(1) The Chairman and members of the Commission shall hold office for a period of 4 years and may be re-appointed for a further term of 4 years and no more.

(2) Notwithstanding the provision of section 2 of this Bill, the appointment under section 2 (1) (*c*) shall be on recommendations made by the respective continental Nigerians in Diaspora Organisations (NIDO), professional groups and socio-cultural groups (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 6: **Cessation of office.**
Notwithstanding the provisions of section 3, a member of the Board shall cease to hold office if he —

(*a*) becomes of unsound mind;

(*b*) becomes bankrupt or makes a compromise with creditors;

(*c*) is convicted of a felony or any offence involving dishonesty;

(*d*) is guilty of serious misconduct in relation to his duties; or

(*e*) is a person who has a professional qualification, and is disqualified or suspended (other than at his own request) from practicing his profession in any part of Nigeria by the order of any competent authority made in respect of him personally (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 7: **Vacancy in membership.**
Where a vacancy occurs in the membership of the Commission —

(*a*) it shall be filled by the appointment of a successor to hold office for the remaining term of office of his predecessor; and

(*b*) the successor so appointed shall represent the same geo-political zone or the continent as the case may be, and the interest of his predecessor (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART II — FUNCTIONS OF THE COMMISSION

Clause 8: **Powers of the Commission.**
The Commission shall have power to—

(*a*) manage the funds, with respect to the day-to-day running of the Commission;

(*b*) mobilize and execute programmes that will compliment and direct the nation on major areas of accelerated development;

(*c*) formulate policies as the Commission may, from time to time, determine;

(*d*) co-ordinate and harmonize all continental Nigeria Diaspora Organizations;

(*e*) advise the government at all levels on matters related to this Bill;

(*f*) carry out various trainings for the staff of the Commission;

(*g*) set-up a world-wide council (consisting of continental leaderships, regional and local leaderships);

(*h*) reach out to Nigerian communities abroad through their various groups, organizations and professionals bodies;

(*i*) articulate its mandate and that of the Government properly and widely;

(*j*) strengthen the existing administrative set-up of the Nigerian Diaspora Organization;

(*k*) work in concert with Nigeria Diaspora Organization, professional sub-committees, sub-committees on the professional groups and the various socio-cultural groups; and

(*l*) design criteria for membership participation (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 9: Departments of the Commission.

(1) There shall be established such Departments as the Board may deem fit.

(2) The functions of the Departments shall be determined by the Board (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART III — STAFF OF THE COMMISSION

Clause 10: Appointment of the Secretary and other staff of the Commission.

(1) There is established for the Commission a Secretariat which shall be headed by the Secretary and whose appointment shall be by the President.

(2) The Secretary shall be:

(*a*) the head of the Secretariat of the Commission;

(*b*) responsible for the administration of the Secretariat and the keeping of the books and records of the Commission;

(*c*) appointed for a term of 4 years in the first instance and may be reappointed for a further term of 4 years subject to satisfactory performance; and

(*d*) subject to the supervision and control of the Chairman and the Commission.

(3) The Commission may, from time to time, appoint such other staff or second officers from government ministries embassy, mission or such other private or public service as it may deem necessary to assist the Commission in the performance of its functions under this Bill;

(4) The staff of the Commission appointed under subsection (3) of this section, shall be appointed upon such terms and conditions as the Commission may, after consultation with the Federal Civil Service Commission, determine (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 11: Staff Regulations.

(1) The Commission may, subject to the provisions of this Bill, make staff regulations relating generally to the conditions of service of the employees of the Commission and without prejudice to the generality of the foregoing, the regulations may provide for —

(*a*) the appointment, promotion and discipline of employees of the Commission; and

(*b*) appeals by such employees against disciplinary measures, and until the regulations are made, any instrument relating to the conditions of service of officers in the Civil Service of the Federation shall be applicable, with such modifications as may be necessary, to the employees of the Commission.

(2) Staff regulations made under subsection (1) of this section shall not have effect until approved by the Commission, and when so approved, the regulations may not be published in the Gazette but the Commission shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 12: Pensions Reform Act, No.2, 2004.

Service in the Commission shall be public service for the purposes of the Pensions Reforms Act and, accordingly, officers and other persons employed in the Commission shall, in respect of their service in the Commission, be entitled to pension and gratuities (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 13: Training programme.

The Commission shall initiate, develop or improve specific training programme for its officers and other personnel, charged with the responsibility for the implementation of the Commission programmes created by this Bill and such programme shall include:

(*a*) methods used in attending to and collecting information about the NIDO members, professional group members and socio-cultural groups for the purpose of registration and storage of their proposals as specified and created under this Bill;

(*b*) mobilization framework and parameters that will clearly articulate proposals of the NIDO member or organization, professional groups and socio-cultural organisation;

(*c*) mobilization of clearly defined members;

(*d*) clear definition of goals;

(*e*) qualifying attributes for membership and participation;

(*f*) definition of settings for mobilization activities;

(*g*) listing of tools needed to employ for effective mobilization;

(*h*) funds for mobilization;

(*i*) techniques to be used by persons involved in implementing the programmes created under this Bill, including the offences thereto and appropriate counter-measure;

(*j*) detection and monitoring of the movement of funds and proceeds and property derived from Governments and endowment fund intended to be used by the Commission;

(*k*) methods used for the transfer, concealment or disguise of such proceeds, property or instruments;

(*l*) law enforcement techniques;

(*m*) custody of records and evidences;

(*n*) legal prosecution, representation and defence;

(*o*) dissemination of information on the NIDO member or its organization;

(*p*) membership recruitment through regional conferences, individual contact, or special meetings with existing groups

(*q*) improve administrative facilities at the NIDO Continental Headquarters in Washington DC area (NIDO America), London (NIDO Europe), Singapore (NIDO), Asia and Accra or Johannesburg (NIDO Africa);

(*r*) improve administrative facilities at the professional groups and socio-cultural groups headquarters all over the world; and

(*s*) creation of awareness through press and other media (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART IV — FUNDS AND FINANCIAL PROVISIONS OF THE COMMISSION

Clause 14: Fund of the Commission.

(1) The Commission shall establish and maintain a fund from which all expenses incurred by the Commission shall be defrayed.

(2) The Fund shall comprise funds derived from but not limited to the following source —

(*a*) such money as may be appropriated by the National Assembly or granted or Contributed by a State, local government, statutory body, international body, international donor agency, non-governmental organization and membership due;

(*b*) fees charged by the Commission under this Bill;

(*c*) interests on investments made from the operation of the Commission; and

(*d*) all other assets that may from time to time accrue to the Commission (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 15: Investment of Moneys in the Fund.

Subject to section 14 of this Bill, moneys in the Fund which may at any time be surplus to the current needs of the Commission shall be invested in such securities as may be approved by the Board (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 16: Borrowing and Investment Power.

(1) The Commission may, in accordance with the general guidelines or authority given by the Government of the Federation borrow by way of loan or overdraft from any source, any money required by the Commission to meet its obligations and its functions under this Bill.

(2) The Commission may, subject to the provisions of this Bill and condition of trust in respect of funds held or any property owned by the Commission, invest any but not all of the funds with the same consent or general authority.

(3) Without prejudice to the power of the Commission to set aside from the Fund appropriate amounts for replacements, contingencies or other purposes, the Commission may establish and maintain a general reserve.

(4) The management of the general reserve, the sums to be carried from time to time to the credit of the general reserve, the charges to be made against the general reserve and any other application of the Commission moneys comprised therein, shall be as the Commission may, with the approval of the Minister, determine:

Provided that no part of the moneys comprised in the general reserve shall be applied otherwise than for the purposes of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 17: Accounts and audit.

(1) The Commission shall keep proper records of its accounts and shall prepare in respect of each financial year a statement of accounts of the Division as the Minister may direct.

(2) The accounts of the Commission shall be audited by auditors appointed from the list of auditors and in accordance with the guidelines laid down by the Auditor-General of the Federation.

(3) As soon as the accounts of the Commission have been audited, the Directorate shall furnish a copy of the state of accounts to the President and the National Assembly through the Minister, together with a copy of any report made by the auditors on their statement or on the accounts (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 18: Annual Report.

(1) The Departments shall prepare and submit to the Minister not later than the last day of May in each financial year a report in such form as the Minister may direct on the activities of the Departments during the last preceding financial year, and shall include in the report a copy of the audited accounts for the last preceding financial year and of the auditor's report of those accounts.

(2) The Minister shall cause copies of each report made to him under this section to be laid before the President and each of the Houses of the National Assembly, respectively (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 19: Powers to accept gifts.

(1) The Commission may accept gifts of property (including interests in land) money and other assets upon such terms and conditions (if any) as may be specified by the person or organization making the gift.

(2) The Commission shall not accept any gift if the conditions attached by the donor are inconsistent with the functions and objectives of the Commission (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART V — LEGAL PROCEEDINGS

Clause 20: Limitation of suit against the Commission Cap. P41 LFN, 2004.

(1) Subject to the proceedings of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any member or officer or employee of the Commission.

(2) Notwithstanding anything contained in any other law or enactment, no suit against a member of the Board, the Executive Secretary or any other officer or employee of the Board, for any act done in pursuance or execution of this Bill or any other law or enactment, or of any public duties or authority or in respect of any alleged neglect or default in the execution of this Bill or any other law or enactment, duties or authority, shall lie or be instituted in any court unless it is commenced —

(*a*) within 3 months next after the act, neglect or default complained of; or

(*b*) in the case of a continuation of damage or injury, within six months after the ceasing thereof.

(3) No suit shall be commenced against a member of the Board, the Executive Secretary or any other officer or employee of the Commission before the expiration of a period of one month after written notice of the intention to commence the suit shall have been served on the Commission by the intending plaintiff or his agent.

(4) The notice referred to in subsection (3) of this section shall clearly and explicitly state:

(*a*) the cause of action;

(*b*) the particulars of the claim;

(*c*) the name and place of abode of the plaintiff;

(*d*) the relief which he claims (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 21: Service of document.
A notice, summons or other document required or authorized to be served on the Commission under the provisions of this Bill or any other law or enactment may be served by delivering it to the Secretary or by sending it by registered post addressed to the Executive Secretary at the principal office of the Commission (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 22: Restriction on execution against property of the Commission.

(1) In any action or suit against the Commission, no execution or attachment of process in the nature thereof shall be issued against the Commission unless not less than 3 months notice of the intention to execute or attach has been given to the Commission.

(2) Any sum of money which by the judgment of any court has been awarded against the Commission shall, subject to any direction given by the court, where no notice of appeal against the judgment has been given, be paid from the Account of the Commission (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART VII — MISCELLANEOUS

Clause 23: Directives by the Minister, etc.
The Minster may, give directives in writing to be served on a Director of a Department, requiring the Director to furnish the Minster with all information within his power relating to such matters connected with any activity of the Department as may be specified in the directives and the Director shall comply with the requirements of the directives (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 24: Indemnity of Commission's officials.
Any official or employee of the Commission shall be indemnified out of assets of the Commission against any liability incurred by him in defending any proceeding whether civil or criminal, if the proceeding is brought against him in his capacity as officer or employee of the Commission (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 25: Regulations.
The Board may make regulations, rules or orders to give full effect to the provision of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 26: Interpretation.
In this Bill —

"chapter" refers to the umbrella body of the Continental NIDO, Professional group, socio-cultural group or agency or other similar body established and maintained by government for that purpose; coded "NIDCOM" Card means the coded membership card directed to be issued upon registration of a Nigerian in Diaspora, and as provided under section 6 (*b*) of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Division" means the Division in the Commission established by section 24 of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Minister" means the Minister charged with responsibility for matters relating to foreign affairs (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"NIDO" means Nigerians in Diaspora Organisation (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Professional and socio-cultural groups" means the professional and socio-cultural groups duly recognized by the Embassies, Consulate or High Commission of that country and Nigeria (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the meaning of the words "Professional and socio-cultural groups" be as defined in the interpretation to this Bill — Agreed to.

"President" means the President of the Federal Republic of Nigeria (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

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

Clause 27: Citation.
This Bill may be cited as the Nigerians in Diaspora (Establishment) Commission Bill, 2016 (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

SCHEDULE

Section 2 (3)

PROCEEDINGS OF THE BOARD 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) At any meeting of the Commission the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of them to preside at the meeting.

(3) The quorum for the meeting of the Board of the Commission shall be 5 members.

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

Committee

2. (1) The Commission may appoint one or more standing or *Ad-hoc* Committees to carry out on its behalf such of its functions as it may determine.

(2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily members of the Commission) as may be determined by the Commission; and a person other than a member of the Commission shall hold office on the Committee in accordance with the terms of his appointment.

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

(4) The quorum of a meeting of the committee of the Commission shall be as determined by the Board.

(5) The Chairman shall have casting vote.

3. Any member of the Commission and any person holding office on a committee of the Commission who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Commission or a committee thereof shall forthwith disclose his interest to the Commission and shall not vote on any question relating to the contract or arrangement (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Long Title:
A Bill for an Act to Establish the Nigerians in Diaspora Commission, Provide for the Engagement of Nigerians in Diaspora in the Policies, Projects and Participation in the Development of Nigeria and for the Purpose of Utilising the Human, Capital and Material Resources of Nigerians in Diaspora Towards the Overall Socioeconomic, Cultural and Political Development of Nigeria; and for Related Matters (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the Long Title 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 Establish the Nigerians in Diaspora Commission, Provide for the Engagement of Nigerians in Diaspora in the Policies, Projects and Participation in the Development of Nigeria and for the Purposes of utilizing the Human, Capital and Material Resources of Nigerians in Diaspora towards the overall Socio-Economic, Cultural and Political Development of Nigeria; and for Other Matters Related Thereto (HB. 160) and approved Clause 1, approved Clauses 2 and 3 as amended, approved Clauses 4 - 27, the Schedule, and the Long Title of the Bill.

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

(*vi*) ***A Bill for an Act to Establish the Environmental Managers Registration Council of Nigeria as a body Corporate and to Empower the Council, Inter alia to determine Persons, What Standard of Knowledge and Skill to be attained by such Persons; and for Other Related Matters*** **(HB. 17)** ***(Committee of the Whole) (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency)*****:**

Question agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO ESTABLISH THE ENVIRONMENTAL MANAGERS REGISTRATION COUNCIL OF NIGERIA AS A BODY CORPORATE AND TO EMPOWER THE COUNCIL, *INTER ALIA* TO DETERMINE PERSONS, WHAT STANDARD OF KNOWLEDGE AND SKILL TO BE ATTAINED BY SUCH PERSONS; AND FOR OTHER RELATED MATTERS (HB. 17)

Debate.

Consideration deferred.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair reported that the House in Committee of the Whole deferred consideration of the Report on a Bill for an Act to Establish the Environmental Managers Registration Council of Nigeria as a body Corporate and to Empower the Council, Inter alia to determine Persons, What Standard of Knowledge and Skill to be attained by such Persons; and for Other Related Matters (HB. 17).

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

(*vii*) ***A Bill for an Act to Establish the Nigerian Institute for Social Work to Regulate the Practice of Professional Social work in Nigeria; and for Other Related Matters*** **(HB. 161)** ***(Committee of the Whole) (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency)*****:**

Question agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN INSTITUTE FOR SOCIAL WORK TO REGULATE THE PRACTICE OF PROFESSIONAL SOCIAL WORK IN NIGERIA; AND FOR OTHER RELATED MATTERS (HB. 161)

PART I — ESTABLISHMENT, GOVERNING COUNCIL, ETC OF THE NIGERIAN COUNCIL FOR SOCIAL WORK

Clause 1: **Establishment of the Nigerian Council for Social Work and its Functions.**

(1) There is established the Nigerian Council for Social Work (in this Bill referred to as "the Council") which:

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

(*b*) may sue and be sued in its corporate name

(2) The Council shall:

(*a*) promote professional practice and uphold social work ethics and values;

(*b*) determine what standards of knowledge and skills are to be attained by persons seeking to become member of the profession of social work(in this Bill referred 'the profession') and reviewing those standards from time to time as circumstances may require;

(*c*) promote research and ensure high standard and quality of training of social workers;

(*d*) regulate and control the practice of the profession in all ramifications (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 2: **Establishment of the Governing Council and its Membership.**

(1) There is established for the Profession, a Governing Council (in this Bill referred to as "the Council") charged with the administration and general management of the Social Work Profession

(2) The Council shall consist of:

(*a*) a Chairman;

(*b*) two Social Workers to represent the Nigeria Association of Social Workers (NASOW);

(*c*) one Social Worker each to represent affiliates of social work umbrella Organisation (AMSWON, NASWE and ISOWN)

(*d*) one Social Worker to represent Indigenous Non-Governmental Organizations;

(*e*) one Social Worker to represent institution offering Social Work on rotation;

(*f*) one person to represent Public Interest;

(*g*) one Social Worker to represent social development component departments at Federal Ministries, Departments and Agencies on rotation;

(*h*) one Social Worker to represent social development component departments at States' Ministries, Departments and Agencies on rotation;

(*i*) one social worker to represent Federal Ministry responsible for Social Development matter in Nigeria.

(*j*) one person to represent the United Nations Agencies in Nigeria responsible for Child Protection; and

(*k*) the Registrar, who shall be the Secretary of the Council.

(3) The Chairman of Council shall be appointed by the Minister on the recommendation of Nigeria Association of Social Workers, and other members of the Council shall:

(*a*) be appointed based on the recommendations of the various Agencies they represent ; and

(*b*) hold office for a term of three years and may be eligible for re-appointment for another three years.

(4) The provisions of the First Schedule to this Bill shall have effect with respect to the qualifications and tenure of office of members of the council and other matters therein mentioned (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 3: Powers of the Minister.

(1) The Minister may give to the Council directions of a general nature or relating generally to particular matters (but not to any individual person or case with regard to the exercise by the Council of its functions.

(2) The Council will be self-funding.

(3) The Minister will play supervisory role over the Council (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 4: Qualifications of the Chairman and Other Members of the Council.

(1) A person shall be qualified for appointment into the office of the Chairman and member of the Council , if the person;

(*a*) is a citizen of Nigeria;

(*b*) has attained the age of 35 years;

(*c*) possess the qualification stated in section 10 (1) (*c*);

(*d*) is a duly registered member of Nigeria Association of Social Workers (NASOW) (apart from persons representing United Nations Agencies and Public Interest);

(*e*) has not been adjudged to be mentally derailed

(*f*) has not been declared bankrupt.

(2) The Chairman shall preside at the meetings of the Council, but in the event of death, resignation, incapacity or inability to perform the functions of his office for any reason, the Council shall elect a fit and proper member of the Council to act in his stead for the unexpired portion of the term of office (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART II — FINANCIAL PROVISIONS

Clause 5: Financial provisions, etc.

(1) The Council shall establish and maintain a fund, the management and control of which shall be vested in the Council and into which shall be paid:

(*a*) all monies received by the Council in pursuance of this Bill;

(*b*) all fees and other monies payable to the Council by licensed social workers, individuals and corporate bodies; and

(*c*) such monies as the Minister may, out of money provided by the Federal Government , individuals or corporate bodies, national or international to the Council by way of grant, subvention, loan or otherwise.

(2) There shall be paid out of the Fund of the Council:

(*a*) all expenditure incurred by the Council in the discharge of its functions under this bill;

(*b*) the remunerations and allowances of the Registrar and other staff of the Council; and

(*c*) such reasonable travelling and subsistence allowances of members of the Council in respect of the time spent on the duties of the Council as the Council may determine.

(3) Subject to guidelines issued by the Council from time to time, the Council's funds and assets shall be invested in any bound, bill or other security issued or guaranteed by the Federal Government or the Central Bank of Nigeria.

(4) The Council may, from time to time, borrow money for the purposes of the Council and any interest payable on monies so borrowed shall be paid out of the Fund.

(5) The Council shall prepare and inform the Minister not later than 31st October of the year in which this Bill comes into force (so however that for that year the Minister may, if he considers it necessary, extend the period) and in each subsequent year an estimate of its expenditure and income during the next succeeding financial year.

(6) The Council shall keep proper accounts in respect of each financial year and proper records in relation to those accounts, and shall cause the accounts to be audited as soon as may be after the end of each financial year to which the accounts relate by a firm of auditors appointed, as respects that year, from the list and in accordance with guidelines supplied by the Auditor-General for the Federation.

(7) The Council shall prepare and inform the Minister not later than twelve months after its establishment and once in each year thereafter a report on the activities of the Council during the last preceding financial year and shall include in the report a copy of the audited accounts of the Council for that year and of the auditors' report on the accounts (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART III — REGISTRAR AND THE REGISTER

Clause 6: **Appointment of the Registrar; etc.:**

(1) The Council shall appoint a fit and competent social worker to be the Registrar for the purpose of this Bill, and such other persons as the Council may from time to time, deem necessary to assist the Registrar in the performance of his functions under this Bill.

(2) The Registrar shall in addition to his/her other functions under this Bill, be the Secretary to the Council and shall keep minutes of the proceedings of all meetings of the Council and committees thereof.

(3) The Registrar appointed under Sub Section (1) of this section shall report to the Council.

(4) The Registrar shall keep the records and conduct the correspondence of the Council and perform such other functions as the Council may from time to time direct.

(5) The Council may appoint two fit and proper Deputy Registrars to assist the Registrar on —

(*i*) Finance and Administration and

(*ii*) Professional Matters and other persons to be employees of the Council as the Council may determine.

(6) The Council shall have the power to advance, confirm, promote, transfer, discipline and terminate appointments of employees of the Council.

The Registers and Registration of Members.

(7) Subject to the provisions of this Bill, the Council shall make rules with respect to the form and keeping of registers and the making of entries thereon, and in particular;

(*a*) regulate the making of applications for enrolment or registration, as the case may be and providing for the evidence to be produced in support of the applications;

(*b*) provide for the notification to the Registrar by the person to whom any registered particular relates or any change in those particulars;

(*c*) authorize an enrolled or registered person to have any qualification which is in relation to the relevant of the profession, either an approved qualification or an accepted qualification, for the purposes of this Bill, registered in relation to his name in addition to or as he may elect, in substitution for any other qualifications so registered;

(*d*) specify the fees, including any annual subscription, to be paid to the Council in respect of the entry of names on the Register and authorizing the Registrar to refuse to enter a name on the Register until such fees specified for the entry has been paid;

(*e*) specify the standards of conduct required of a member of the Council and actions or omissions that amount to a misconduct; and

(*f*) specify anything failing to be specified under the foregoing provisions of this section; but rules made for the purpose of paragraph (d) of this sub-section shall not come into force until they are confirmed by the Council.

(8) The Registrar shall;

(*a*) correct, in accordance with the Council's directions, any entry in the register which the Council directs him to correct as being in the Council's opinion an entry which was incorrectly made;

(*b*) make, from time to time , any necessary alterations in the registered particulars of registered persons;

(*c*) remove from the register, the name of a deceased person or persons whose names he is directed to strike off as a result of disciplinary action; and

(*d*) record the names of registered persons of the Council who are in the default for more than one year in the payment of license renewal, and to take such action in relation thereto (including removal of the names of defaulters from the register) a person whose name is removed from the register for being in default of payment of any year may be re-registered subject to payment of outstanding fees as may be approved by the Council. All actions is subject to Council approval.

(9) The rules made pursuant to sub-section (5) of this section shall provide for a procedure for updating registered persons particulars in the register, and conditions under which the registrar may remove the name of the member from the list for failing to update his particulars and the manner to cause a restoration of such a person in the list (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 7: Publication of Register and List of Corrections, etc.

The Registrar shall:

(*a*) cause the register to be printed, published and put on sale to members of the public not later than two years from the commencement of this Bill;

(*b*) thereafter in each year, cause to be printed, published and put on sale as aforesaid, either a corrected edition of the register or list of corrections made to the register, since it was last printed;

(*c*) cause a print of each edition of the register and of each list of the corrections to be deposited at the principal office of the Council; and

(*d*) keep the register and list so deposited and make the register and such lists available at all reasonable times for inspection by members of the public, physically and through an internet portal (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART IV— REGISTRATION OF SOCIAL WORKERS

Clause 8: Approval of qualification.

(1) The Council will approve:

(*a*) Social Work course of training at an approved institution which is intended for persons who are seeking to become or are already professional social workers and which the Council considers relevant to be registered and certified as professional ; and

(*b*) Social Work qualification which as a result of examinations taken in conjunction with a course of training approved by the Council under this section is granted to candidates reaching a standard at the examination indicating in the opinion of the members of the Council that the candidates have sufficient knowledge and skill to practice the profession.

(2) The Council may, if it thinks fit, withdraw any approval given under this Section in respect of any social work course or qualification but before withdrawing such approval, the Council shall —

(*a*) give notice that it proposes to withdraw such approval to such person in Nigeria appearing to the Council to be a person or institution by whom the course is conducted or its qualification is granted or the institution is controlled, as the case may be;

(*b*) give such a person an opportunity of making to the Council representation with regard to the proposal; and

(*c*) take into consideration any representation made in respect of the proposal.

(3) The giving or withdrawal of an approval under this Section shall have effect from such date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval as the Council may specify in that instrument, and the Council shall —

(*a*) publish as soon as possible a copy of every such instrument in its website and the print media; and

(*b*) not later than seven (7) days before its publication, send a copy of the instrument to the Minster and copy the Federal and State Ministries responsible for social development component, Agencies and Departments (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 9: Supervision of instructions and examinations leading to the approved qualifications.

(1) The Council shall keep itself informed of the nature of —

(*a*) the instructions given at approved institutions to persons attending approved courses of training; and

(*b*) the examinations as a result of which approved qualifications are granted, and for the purposes of performing that duty the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions, or to attend such examinations.

(2) On receiving a report made in pursuance of this Section, the Council may, if it thinks fit and if so required by the Institute, send a copy of the report to the person appearing to the council to be in charge of the Institution or responsible for the examination to which the report relates requesting that person to make observation on the report to the Council within such period as may be specified in the request, not being less than one month beginning with the date of the request (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 10: Registration as social worker.

(1) A person shall be entitled to be registered under this Bill and being so registered to receive a registration certificate if —

(*a*) he has attended a course of training approved by the Council under section of this Bill;

(*b*) the course was conducted at an institution so approved, or partly at one of such institutions and partly at another;

(*c*) he holds a minimum Certificate in Social Work awarded by any institution recognized by the Council.

(*d*) he holds a certificate of experience issued on completion of one year internship in an approved institution or agency.

(*e*) he is of good character; and

(*f*) he thereafter pays all prescribed fees.

(2) The Council shall determine the nomenclature for the different levels of licensure applicable to the qualifications (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 11: Special provisions as to social workers trained outside Nigeria.

(1) Where any person has, outside Nigeria, completed a course of training as a social workernot acceptable to the Council, without further proof of competency, the Council may require that person to undergo additional training in a social work in approved institution or under any scheme of training in Nigeria approved by the Council and upon completion of the prescribed further training to the satisfaction of the Council such person may apply for registration for licensing examination in the prescribed level be registered accordingly in the appropriate register.

(2) Where a person who is a non-Nigeria or an expatriate satisfies the Council —

(*a*) that he has been selected for employment for period not less than six months in a capacity in which a registered person under this Bill would normally be employed and that he is or intends to be in Nigeria temporarily for the purpose of serving for that period in the employment in question;

(*b*) that he holds or has passed examinations necessary for obtaining some qualifications granted outside Nigeria which is for the time being accepted by the Council for the purpose of this Bill as respects the capacity in which, if employed he is to serve; and

(*c*) he pays any fees prescribed for registration, the Council may, if it thinks fit, give a direction that he shall be temporarily registered and subject to annual renewal, maintain a license for the period of the employment.

(3) The temporary registration of a person shall continue only while he is in such employment as is mentioned in subsection (1) (*a*) of this section and shall cease —

(*a*) on the termination of the period of employment specified to the Council under that subsection; or

(*b*) on the termination of the said employment before the end of that period, whichever first occurs.

(4) Nothing in subsection (2) of this section shall preclude the Council from giving a further direction under subsection (1) of this section in respect of a specific period, the commencement of which coincides with the termination of another such period.

Prohibition of practice by non-registered person.

(5) (*a*) No person shall be allowed to practice or to continue in practice or carry out and activity construed to mean social work practice on commencement of this Bill without due registration and license.

(*b*) Subject to the provisions of this Bill, no person, not being registered as a socialworker, shall be entitled to hold any appointment or practice in the civil service of the Federation or of a State or in any public or private establishment including NGOs, body or institution, if the holding of such appointment involves the performance by him in Nigeria of any act pertaining to the profession (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART V —PROFESSIONAL DISCIPLINE

Clause 12: Establishment of Disciplinary Committee and Investigating Panel.

(1) There shall be established a Committee to be known as the Nigerian Institute of Social Works Disciplinary Committee (in this Bill referred to as "the Disciplinary Committee") which shall be charged with the duty of considering and determining any case referred to it by the Investigating Panel constituted under subsection (3) of this section.

(2) The Disciplinary Committee shall be appointed by the Council and shall consist of two members of the Council, one of whom shall be the Chairman, and three other members of the Institute who are not members of the Council.

(3) There shall be constituted a body to be known as the Nigerian Institute of Social Workers Investigating Panel (in this Bill referred to as "the Investigating Panel") which shall —

(*a*) conduct a preliminary investigation into any case where it is alleged that a member of the Institute is involved in misconduct in his capacity as a member or should for any other reason be the subject of proceedings before the Disciplinary Committee; and

(*b*) decide whether the case should be referred to the Disciplinary Committee or not.

(4) The Investigating Panel shall be appointed by the Council and shall consist of five members as follows —

(*a*) two members of the Council, one of whom shall be Chairman of the Committee; and

(*b*) three members of the Institute who are not members of the Council.

(5) The tenure of any member of the Investigating Committee shall be two years renewable for a further period of two years.

(6) The Council may make rules not inconsistent with this Bill as regard acts, which constitute professional misconduct.

(7) The Investigating Committee shall act independently in receiving and investigating allegations under paragraph (*a*) of subsection (3) of this section and shall have power to receive complaints directly from any individual or organization.

(8) The provisions of Second Schedule to this Bill shall, so far as applicable to the Investigating Panel and Disciplinary Committee respectively, has effect with respect to those bodies (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 13: Establishment of Disciplinary Tribunal and Investigating Panel.

(1) There shall be established a Tribunal to be known as the Nigerian Council for Social Work Disciplinary Tribunal (in this Bill referred to as "the Disciplinary Tribunal") which shall be charged with the duty of considering and determining any case referred to it by the Investigation Panel constituted under sub-section (3) of this section.

(2) The Disciplinary Tribunal shall be appointed by the Council when the need arises and shall consist of three members who are not members of the Council,

(3) There shall be constituted a body to be known as the Nigerian Council for Social Work Investigation Panel (in this Bill referred to as the "Investigating Panel") which shall:

(*a*) conduct a preliminary investigation into any case where it is alleged that a Registered social worker is involved in a misconduct in his capacity as a certified social worker or should for any other reason be the subject of proceedings before the Disciplinary Tribunal; and

(*b*) decide whether the case shall be referred to the Disciplinary Tribunal or not.

(4) The Investigating Panel shall be appointed by the Council and shall consist of three members.

(5) The tenure of any member of the Investigating Panel shall be two years renewable for a further period of two years.

(6) The Council may make rules not inconsistent with this Bill as regards acts, which constitute professional misconduct.

(7) The Investigating Panel shall act independently in receiving and investigating allegations under paragraph (*a*) of subsection (3) of this Section and shall have power to receive complaints directly from any individual, client or organization.

(8) The provisions of Second Schedule to this Bill shall so far as applicable to the Investigating Panel and Disciplinary Tribunal respectively, has effect with respect to those bodies (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 14: Penalties for professional misconduct.

(1) Where:

(*a*) a member is adjudged by the Disciplinary Tribunal to be guilty of professional misconduct in any professional respect;

(*b*) a member is convicted by any Court of law having power to award imprisonment for an offence (whether or not punishable with imprisonment) which in the opinion of the Disciplinary Tribunal is incompatible with the conduct required of a Certified social worker, or

(*c*) the Disciplinary Tribunal is satisfied that the name of any person has been fraudulently registered; the Disciplinary Tribunal shall order the Registrar to strike his name off the relevant part of the Register.

(2) For the purpose of subsection (1) of this section, a person shall not be treated as guilty, unless the guilty stands at a time when no appeal or further appeal is pending or may, (without by extension of time) be brought in connection with the direction.

(3) Where the Disciplinary Tribunal gives a direction under subsection (1) of this section, the Disciplinary Tribunal shall cause notice of the direction to be served on the person to whom it relates.

(4) The person to whom such a direction relates may, at any time within 28 days from the date of service on him of the notice of direction, appeal against the direction to a competent court.

(5) A direction of the Disciplinary Tribunal under subsection (1) of this section shall take effect where —

(*a*) no appeal under this section is brought against the direction within the time limit for such an appeal or on the expiration of that time;

(*b*) such an appeal is brought it is withdrawn or struck out for want of prosecution or dismissed for lack of merit.

(*c*) such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed and shall take no effect in accordance with the provisions of this subsection.

(6) A person whose name is struck off the Register in pursuance of a direction of the Disciplinary Tribunal under this section, shall not be entitled to be enrolled or registered again, except in pursuance of a direction in that behalf and a direction under this section for striking off of a person's name from the register may prohibit an application under this subsection by that person until the expiration of such period from the date of the directive (and where he has duly made such an application, from the date of his last application), as may be specified in the direction (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART VI — MISCELLANEOUS

Clause 15: **Application of this Bill to unregistered persons.**

A person who is not a member of the Incorporated Association of Social Workers established before the commencement of this Bill, but is qualified to apply for and obtain membership of the Institute, may apply for membership of the Nigerian Institute of Social Works established by this Bill, in such a manner as may be prescribed by rules made by the Council and shall be registered in the category of membership appropriate in the current period for holders of the qualification he possesses (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 16: **Rules as to practice, etc.**

(1) The Council may make rules to guide training in social works.

(2) The Council may also make rules —

(*a*) prescribing the amount and due date for the payment of the annual subscription and for such purposes, different amounts may be prescribed by rules according to the category of membership;

(*b*) prescribing the form of license to practice to be issued annually, or if the Council thinks fit, by endorsement on an existing license;

(*c*) restricting the right to practice as a member of the Institute in default of the amount of the annual subscription where the default continues for longer than such period as may be prescribed by the rules;

(*d*) restricting the right to practice as a member of the profession if the qualification granted outside Nigeria does not entitle the holder to practice as a member of the profession; and

(*e*) prescribing the period of practical training in the office of a member of the profession in practice to be completed before a person qualifies for a license to practice as a member of the profession.

(3) Rules made under this section shall, be published in the official news letter, website and magazine of the Institute (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 17: **Provision of library facilities, etc.**

The Institute shall —

(*a*) provide and maintain a library comprising of books and publications for the advancement of the knowledge of social works and such other books, publications and internet communication technology media as may be considered necessary;

(*b*) encourage research into social works and allied subjects, to the extent that the Council may, from time to time, consider necessary (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 18: Regulations.

(1) Any regulations, made pursuant to this Bill shall be published in the Institute's Journal.

(2) Rules made for the purpose of this Bill shall be subject to confirmation by the Institute at its next general meeting, and shall not have effect until so confirmed (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 19: Offences and Penalties.

(1) A person who, for the purpose of procuring the registration of any name, qualification or other matter —

(*a*) makes a statement which he believes to be false in any material particular; or

(*b*) recklessly makes a statement which is false in any material particular, commits an offence.

(2) If on or after the coming into force of this Bill, a person who is not member of the Institute practices or holds himself out as a member of the Institute for, or in expectation of reward or takes or uses any name, title, addition or description, implying that he is in practice as a member of the Institute, commits an offence.

(3) In the case of a person failing within section 14 of this Bill —

(*a*) the provision of subsection (2) of this section shall not apply in respect of anything done by him during the period of three months; and

(*b*) if within that period he duly applies for membership of the Institute then unless within that period he is notified that his application has not been approved, the provision of subsection (2) of this section shall not apply in respect of anything done by him between the end of that period and the date on which he is enrolled, or registered or notified as aforesaid.

(4) The Registrar or any other person employed by or on behalf of the Institute who wilfully makes any falsification in any matter relating to the register, committees an offence.

(5) A person who commits an offence under this section shall be liable -on conviction to a minimum fine of One Hundred thousand naira (₦100,000.00); or imprisonment for a maximum term of two years, or to both such fine and imprisonment.

(6) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of or be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he, as well as the body corporate shall be deemed to have committed the offence and shall be liable on conviction by court of competent jurisdiction in the case of an individual to the punishment prescribed in subsection 5 of this section and in the case of a body corporate, to a fine of not less than ₦500,000 (five hundred thousand naira) and or a ban on practice of share registration for a specific period of time not less than one year (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 20: **Training and Continuous Capacity development.**
The Council may empower affiliate Institutes and other incorporated social work training organizations to offer training, re-training and continuous capacity development activities and professional manpower development for social work practice in Nigeria (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 21: **National and International Relations.**
The Council may synergize with the social work umbrella organisation and her affiliates to strengthen collaboration with the world global social work regulatory bodies (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 22: **Interpretation.**
In this Bill, unless the context otherwise requires —

"affiliates" means Association of Medical Social Workers of Nigeria (AMSWON), Nigerian Association of Social Work Educators (NASWE), Institute of Social Work of Nigeria (ISOWN) and any other that may be incorporated thereafter (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"client" refer to individual, family, group, organization and community who engage or benefit from the services of a social worker (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"components" refer to youth development, social welfare, child development, rehabilitation of persons with disabilities ,women and gender affairs, community development, medical social welfare, school social work, sports, case work and intervention and care of the aged (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Council" means the governing council established under section 2 (1) of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"fees" include registration fees, costs of registration for :- examination, inspection, accreditation, indenting and licensing (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"fine" includes amount prescribed for payment in default of the provisions of this Bill and rules of the Council (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"first registrant" means registration done immediately on commencement of this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"government" means government of the Federal Republic of Nigeria (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Member" means Council members (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Minister" means a Minister of the Cabinet of the Federal Republic of Nigeria responsible for Social Development (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"NASoW" means the Nigeria Association of Social Workers, an umbrella social work organization in Nigeria (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"person" means qualified social worker seeking for license to practice (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"social development" is the process of continuous improvement of the social structure ,institutions and programmes in order to create a societal condition in which the rights of citizens are advanced and protected; their welfare enhanced; and their effective functioning and self-actualization ensured (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"social worker" means a registered person who is licensed by the Council to practice the profession of social work in Nigeria (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"the list" means the list of recommended auditors to be approved by the Council (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

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

Clause 23: Citation.

This Bill may be cited as the Nigerian Institute of Social Work (Establishment, etc.) Bill, 2016 (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

SCHEDULES

FIRST SCHEDULE

Section 2 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Tenure of Office, etc. of Members of the Council

1. (1) Subject to the provision of this Bill, a member of the council shall hold office for a period of three years, beginning with the date of his appointment

(2) Appointments to the Council shall have effect subject to the provisions of this Section.

(3) Persons who are—

(a) appointed, shall continue to be members of the Council while they are employed in any of the public services of Nigeria, the universities, polytechnics or monotechnics or in the service of the armed forces, as the case may be;

(4) A nominated person appointed pursuant to section 2 (1) of this Bill may resign his membership by notice in writing to the Council, and any person whether or not so appointed who ceases to be a member of the Council shall, in a proper case, be eligible again to become a member of the Council for one further term.

(5) It shall not be necessary to fill any vacancy on the Council where the unexpired residue of the term of office of a member (other than by efflux ion of time) does not exceed one Year and the member has not been appointed on rotation.

(6) Notwithstanding that his term of office may not have expired, a nominated member may vacate his office if he gives notice in writing of his resignation addressed to the Council; and any such nominated member shall vacate his office if —

(*a*) the Council is satisfied that by reason of mental or physical infirmity he is incapable of discharging the duties of his office; or

(*b*) he absents himself for two consecutive ordinary meetings of the Council without the leave of the Council.

(7) A person who is a member by virtue of occupation of a particular office shall cease to be a member if he ceases to occupy the particular office outside the Council.

Proceedings of the Council

2. (1) Subject to the provisions of this Bill, the Council may in the name of the Council make Standing Orders, regulating its proceedings or proceedings of its Committee or of any Committees thereof.

(2) The Standing Orders shall provide for decision to be taken by a majority of the members and in the event of equality of votes, the Chairman shall have a second or casting vote.

(3) The Standing Orders made for a Committee of the Council shall provide for the Committee to report to the Council on any matter referred to it by the Council.

(4) The quorum of any meeting of the Council shall be ⅔ and the quorum of the Committee shall be determined by the Council.

Meeting of the Council

3. (1) Subject to the provisions of any Standing Order of the Council, the council shall convene every three months or meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice in writing given to him by not less than 10 others, he shall convene a meeting of the Council to be held within 14 days from the date on which the notice is given.

(2) At any meeting of the Council the Chairman shall preside, but if the Chairman is absent and the quorum is formed, the members present shall elect a member to preside.

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

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the Minister.

Committee

4. (1) The Council may appoint one or more committees to carry out, on behalf of the Council, such functions as the Council may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council not more than one-third may be persons who are not members of the Council and a person other than a member shall hold on the committee in accordance with the terms of his letter of appointment.

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

Meeting of Members with respective Constituencies

5. The Council members shall be required to meet at least once in a year with members of the social work constituency they represent. And failure to meet minimum of once in a year may warrant a recall and replacement.

Miscellaneous

6. (1) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman or some other members of the Council authorized generally or specifically by the Council to act for that purpose.

(2) A contract or instrument which if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Council or of the Council, as the case require, by any person generally or specifically authorized to act for the purpose of the Council.

Proceedings

7. The validity of any proceeding of the Council or of a Committee thereof shall not be affected by any vacancy in the membership of the Council or Committee, or by any defect in the appointment of a member of the Council or a person to serve or by reason that a person not entitled to do so took part in the proceedings.

Disclosure of interest

8. A member of the Council, and any person holding office on a Committee of the Council, who has a personal interest in any contract or arrangement entered into, or on behalf of the Council or a Committee thereof, shall disclose his interest to the Chairman or to the Council, as the case may be, and shall not vote on any question to that contract or arrangement (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

SECOND SCHEDULE

Section 11(8)

QUORUM OF THE DISCIPLINARY TRIBUNAL

1. The quorum of the Disciplinary Tribunal shall be three members.

2. (1) The Council shall make rules as to the selection of members of the Disciplinary Tribunal for the purposes of any proceeding, the procedure to be followed and the rules of evidence to be observed in the proceedings before the Disciplinary Tribunal.

(2) The rules shall in particular provide for ⅔

(*a*) securing that any party to the proceedings shall be entitled to be heard and given fair opportunity to defend the allegations against him or her by the Disciplinary Tribunal;

(*b*) determining who, in addition to the person aforesaid, shall be party to the proceedings;

(*c*) securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Disciplinary Tribunal;

(*d*) securing that any party to the proceedings may be represented by a legal practitioner;

(*e*) subject to the provision of Section 12 (1) of this Bill, the costs of proceedings before the Disciplinary Tribunal;

(*f*) requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of misconduct in any professional respect, that where the Disciplinary Tribunal adjudges that the allegation has been proved, it shall record a finding that the person is guilty of such misconduct in respect of the matters to which the allegation relates; and

(*g*) publishing in the website, newsletter and magazine a notice of any direction of the Disciplinary Committee which has taken effect providing that a person's name shall be struck off the register.

Administering Oaths, etc.

3. For the purposes of any proceeding before the Disciplinary Tribunal, a member of the Disciplinary Tribunal may administer oaths and any party to the proceedings may sue out of the Reġistry of the Federal High court by writs of subpoena ad testificandum and dues tecum but no person appearing before the Disciplinary Tribunal shall be compelled to:

(*a*) make any statement before the Disciplinary Tribunal tending to incriminate himself; or

(*b*) produce any document under which a writ which he could not be compelled to produce at the trial of an action.

PROCEEDINGS OF THE DISCIPLINARY TRIBUNAL

4. (1) On any question of law, arising in the proceedings before it, there shall in all such proceedings be an assessor to the Disciplinary Tribunal and who shall be:

(*a*) appointed by the Council; and

(*b*) a legal practitioner of not less than seven years standing

(2) The Council shall make rules as to the functions of the assessors appointed under this paragraph and in particular such rules shall contain provisions for securing that:

(*a*) where an assessor advises the Disciplinary Tribunal on any question of law as to evidence, procedure or any other matter specified by the rules, he shall do so in the presence of every party or a person representing a party to the proceedings, who appears to be a threat or, if the advice is tendered while the Disciplinary Tribunal is deliberating in private, that every such party or person as aforesaid shall be informed of what advice the assessor has tendered; and

(*b*) every such party or person shall be informed if in any case the Disciplinary Tribunal does not accept the advice of the assessor on such a question.

(3) An assessor may be appointed under this paragraph either generally or for any particular proceeding or class of proceedings, and shall hold and vacate office in accordance with the terms of the letters by which he is appointed.

(4) The quorum of the Panel shall be three.

The Investigating Panel

5. (1) The quorum of the Investigating Panel shall be three.

(2) The Council may, at any of its meetings attended by all members, make Standing Orders with respect to the Investigation Panel.

(3) Subject to the provision of any Standing Order, the Investigation Panel may regulate its own proceedings.

Appointment of a Person as a Member of the Disciplinary Tribunal, etc.

6. (1) A person ceasing to be a member of the Disciplinary Tribunal shall be eligible for a re-appointment as a member of the Disciplinary Tribunal or Investigating Panel, as the case may be.

(2) A person may, if otherwise eligible, be a member of both the Disciplinary Tribunal and Investigation Panel, but no person who acted as a member of the Investigation Panel with respect to any case shall act as a member of the Disciplinary Tribunal with respect to that case.

Non-Validation on the Basis of Vacancy

7. The Disciplinary Tribunal or the Investigation Panel may act notwithstanding any vacancy in its membership and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body or subject to paragraph 6 (2) of this Schedule by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.

Service of a Document

8. Any document authorized or required by virtue of this Bill to be served on the Disciplinary Tribunal or the Investigation Panel shall be served on the Registrar (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

THIRD SCHEDULE

Section 13 (2)

TRANSITIONAL PROVISIONS AS TO PROPERTIES, ETC.

Transfer of Properties

1. Every agreement to which the Incorporated Institute was a part immediately before the commencement of this Bill, whether it be in writing or not and whether or not of such nature that the rights, liabilities and obligations thereunder could be assigned by the Incorporated Institute, shall have effect from the appointed day so far as it relates to property transferred by this Bill to the Institute as if ⅔

(*a*) the Institute had been a party to the agreement;

(*b*) for any reference (however worded and whether express or implied) to the Incorporated Institute, there were substituted as respects anything failing to be done on or after the commencement of this Bill, a reference to the Institute; and

(*c*) for any reference (however worded and whether express or implied) to a member or members of the Council of the Incorporated Institute there were substituted, as respects anything failing to be done on or after the commencement of the Act, a reference to a member or members of the Council under this Bill.

2. Other documents referring, whether specifically or generally to the Incorporated Institute shall be constructed in accordance with sub-paragraph (1) of this paragraph so far as applicable.

3. Any legal proceedings or application to any authority pending on the commencement of this Bill by or against the Incorporated Institute may be continued on or after that day by or against the Institute.

4. On the commencement of this Bill, any person holding any paid appointment in the Incorporated Institute shall hold corresponding appointment in the Institute on the same terms and conditions as already exist.

5. All regulations, rules and similar instruments made for the purpose of the Incorporated Institute and in force immediately before the coming into force of this Bill shall, except in so far as they are subsequently revoked or amended by any authority having power in that behalf, have effect with any necessary modifications as if daily made for the corresponding purpose of the Institute (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Long Title:
A Bill for an Act to Establish the Nigerian Institute for Social Work to Regulate the Practice of Professional Social work in Nigeria; and for Other Related Matters (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Amendment Proposed:
In the Long Title, immediately after the word "Nigerian", *leave out* the words "Institute of" and *insert* the word "Council for" instead thereof (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Question that the amendment be made — Agreed to.

Question that the Long Title as amended, 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 Establish the Nigerian Institute for Social Work to Regulate the Practice of Professional Social work in Nigeria; and for Other Related Matters (HB. 161) and approved Clauses 1- 23, the First, Second and Third Schedules, and the Long Title of the Bill as amended.

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

27. Adjournment
That the House do adjourn till Thursday, 2 June, 2016 at 11.00 a.m. (Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency).

The House adjourned accordingly at 3 .31 p.m.

Yakubu Dogara
Speaker

CORRIGENDUM

In the Votes and Proceedings of Wednesday, 25 May, 2016, page 1447, item 7 (*iii*) in the Long Title, immediately after the word "give", *leave out* the word "Discriminatory " and *insert* the word "Discretionary" instead thereof, and wherever it appears.