

LEAD DEBATE ON BILLS FOR CONCURRENCE FROM THE HOUSE OF REPRESENTATIVES.

Sponsor: Senator Ahmad Lawan (Yobe North- Senate Leader)

Mr. President, Distinguished Colleagues, permit me to lead the debate on the following Bills from the House of Representatives for our concurrence:-

1. Institute of Environmental Practitioners of Nigeria (Est, etc) Bill, 2018 (HB. 1022);
2. Agency for National Ethics and Values Compliance Bill, 2018 (HB. 519);
3. Nigerian Aeronautical Search and Rescue Bill, 2018 (HB. 139); and
4. National Biotechnology Development Agency (Est, etc) Bill, 2018 (HB. 33).

Mr. President, my Distinguished Colleagues, the **Institute of Environmental Practitioners of Nigeria (Est, etc) Bill, 2018 (HB. 1022)** was read first time in this Chamber on Thursday, 22nd February, 2018. The Bill seeks to establish the Institute of Environmental Practitioners of Nigeria, to be charged with the responsibility of regulating and managing environmental practices in Nigeria. It also seeks to enthrone professionalism over quackery and touting as well as enhance appropriate standards, ethical code of conduct, training and retraining of practitioners for collection of environmental data, analysis of data, interpretation of data and inference making to take the right decisions and implement the appropriate environmental policies and programmes in Nigeria.

This Bill therefore seeks to define the framework for an institutionalized structure and platform for environmental practitioners. To achieve this, the Institute when established will among other things:

- Determine the standard of knowledge and skill to be attained by persons seeking to be registered as Environmental Practitioners in Nigeria.
- Establish and maintain a register of members and the publication of list of such members.
- Set an enforceable code of ethics and standards for registered members
- Regulate and control all aspects of the environmental practice in Nigeria.

- Establish, maintain and update a list of registered members and accredited Environmental Firms operating in Nigeria with routine vetting of their processes, products and services.

The Agency for National Ethics and Values Compliance Bill, 2018 (HB. 519) was read the first time in this Chamber on Wednesday, 21st February, 2018. The Bill seeks to establish the Agency for National Ethics and Values Compliance to build an ethical compliant society that will ensure better living conditions for Nigerians and stimulate economic growth, thereby returning Nigeria to her enviable position in the comity of nations.

This is part of the Change Agenda of the President Muhammadu Buhari Administration of enthroneing a just, equitable, efficient and fair system in Nigeria that is centered on National Ethics as provided in the 1999 Constitution of the Federal Republic of Nigeria.

The establishment of this Agency will be a response to the current farmer/herdsman clashes, insurgency and unity that is becoming a scarce commodity among our country's diverse peoples as a consequence of our collective failure to uphold our National Ethics.

Mr. President, my respected colleagues this Agency will create a sustainable structure that will have a clear mandate to ensure compliance of Nigerians (including corporate Nigerians) with the National Ethics which is *"Discipline, Integrity, Dignity of Labour, Social Justice, Religious Tolerance, Self-Reliance and Patriotism.*

The Nigerian Aeronautical Search and Rescue Bill, 2018 (HB. 139) was read the first time in this Chamber on Tuesday, 13th February, 2018. The Bill seeks to Incorporate Annex 12 to the Convention on International Civil Aviation 1994 into the Nigerian Law to provide for the establishment of the Nigeria Search and Rescue Service.

The objective of this Bill is to ensure that Nigeria complies with the provisions of Annex 12 of Convention on International Civil Aviation by establishing the Nigerian Search and Rescue Service whose primary function shall be to map out search and rescue regions in Nigeria and ensure a speedy, coordinated and effective aeronautical search and rescue service.

The Nigerian Search and Rescue Service when established shall search for and provide aid to people who are in distress or imminent danger as a result of air crash using trained personnel and facilities to locate persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety.

The National Biotechnology Development Agency Bill, 2018 (HB. 33) was read the first time in this Chamber on Wednesday, 21st February, 2018. The Bill provides for the establishment of the National Biotechnology Development Agency, for Research and Development, Promotion, Coordination and Management of Biotechnology in Nigeria and to among other things -

- (a) carry out a well-focused research and development of biotechnology in priority areas of food and agriculture, health, industry, environment and other strategic sectors for national development and draw up programmes and policies for biotechnology utilization, research and development in Nigeria;
- (b) promote, co-ordinate and deploy cutting edge biotechnology research and development activities in Nigeria;
- (c) initiate and encourage capacity building in all aspects of biotechnology required for the implementation of the national biotechnology programme;
- (d) publish and disseminate research findings and recommendations of the Agency on Biotechnology;
- (e) promote sustenance in the development and application of acceptable and profitable technologies through strategic investments in biotechnology research and development to support innovation and economic development; ensure Nigeria becomes self-reliant in the development and application of biotechnology-based products and services.

Mr President, my respected Colleagues, these Bills are not controversial as the Bills seek to provide legal backing for the operations of the already existing Agencies and having been through rigorous scrutiny and Public Hearings in the House of Representatives I urge you all to support their Second Reading.

Thank You.

A BILL

FOR

AN ACT TO ESTABLISH NATIONAL AGENCY FOR ETHICS AND VALUES TO PROVIDE FOR THE FUNCTIONS AND POWERS OF THE AGENCY, THE QUALIFICATIONS AND PROCEDURES FOR THE APPOINTMENT OF THE CHAIRMAN AND MEMBERS, AND FOR RELATED MATTERS, 2017 (HB. 519)

Provision of the Bill	Committee' Recommendation	Remark
<p>Establishment of the Agency.</p> <p style="text-align: center;">PART I — PRELIMINARY</p> <p>1. There is established an Agency to be known as the Agency for National Ethics and Values Compliance (in this Bill referred to as the "Agency") which shall have the functions and powers assigned to it by this Bill.</p>	Retained	
<p>2. The Agency:</p> <p>(a) shall be a body corporate with perpetual succession and a common seal;</p> <p>(b) may sue and be sued in its corporate name;</p> <p>(c) shall be organised as an independent Agency in the Presidency.</p>	Retained	
<p>3. The objectives of the Agency shall be to:</p> <p>(a) monitor and regulate the activities of establishments in both public and private sectors in order to maintain high standards of workplace ethics in Nigeria;</p> <p>(b) develop and enforce ethical standards to ensure that the actions and behaviors of citizens or residents of Nigeria conform to the highest standards of National Ethics as provided in Chapter II of the 1999 Constitution of the Federal Republic of Nigeria as amended.</p>	Retained	
<p>4. The National Ethics shall be:</p> <p>(a) Discipline;</p> <p>(b) Integrity;</p>	Retained	

<p>(c) Dignity of Labour;</p> <p>(d) Social Justice;</p> <p>(e) Religious Tolerance;</p> <p>(f) Self-Reliance;</p> <p>(g) Patriotism.</p>		
<p>Motto.</p> <p>5. The motto of the Federal Republic of Nigeria shall be:</p> <p>(a) Unity and Faith;</p> <p>(b) Peace and Progress.</p>	Retained	
<p>Mandate.</p> <p>6. In fulfilling its mandate, the Agency shall, in addition to the values and principles under this Bill, observe and accommodate the following:</p> <p>(a) diversity of Nigerian people;</p> <p>(b) impartiality and gender equity; and,</p> <p>(c) the rules of natural justice.</p>	Retained	
<p>7. It shall be the duty of every citizen to:</p> <p>(a) abide by the Constitution, respect its ideals and its institutions, the National Flag, the National Anthem, the National Pledge, and legitimate authorities;</p> <p>(b) help to enhance the power, prestige and good name of Nigeria, defend Nigeria and render such national service as may be required;</p> <p>(c) respect the dignity of other citizens and the rights and legitimate interests of others and live in unity and harmony and in the spirit of common brotherhood;</p> <p>(d) make positive and useful contributions to the advancement, progress and well-being of the community where he resides;</p>	Retained	

<p>(e) render assistance to appropriate and lawful agencies in the maintenance of law and order; and</p> <p>(f) declare his income honestly to appropriate and lawful agencies and pay his tax promptly.</p>		
<p>8. Every establishment in Nigeria shall develop programmes to combat unethical behaviors, and these shall include:</p> <p>(a) establishment of Ethics and Values Unit to ensure compliance under the provisions of this Bill and workplace ethics;</p> <p>(b) designation of National Ethics Compliance Officer/s at its management level; and</p> <p>(c) regular ethics training for its employees.</p>	Retained	
<p>9. No persons shall practice the profession of Ethics Compliance in Nigeria unless the person is certified in accordance with this Bill.</p>	Retained	
<p>Director-General and Directorate of the Agency.</p> <p>10. The Agency shall consist of:</p> <p>(a) the Office of the Director-General;</p> <p>(b) the Directorates of:</p> <p>(i) Finance and Administration;</p> <p>(ii) Training and Licensing;</p> <p>(iii) Investigation and Compliance ;</p> <p>(iv) Surveillance and Intelligence;</p> <p>(v) Research & Planning; and</p> <p>(vi) State Offices Operation.</p> <p>(c) departments and units as may be required to assist the Director-General in the performance of the duties of the Agency under this Bill.</p>	Retained	
<p>Governing Board of the Agency.</p> <p>11. The Agency shall have a Governing Board (in this Bill referred to as the "Board") which shall comprise the following:</p>	Retained	

<p>(a) the Vice President of the Federal Republic of Nigeria as Chairman;</p> <p>(b) Secretary to the Government of the Federation</p> <p>(c) Attorney- General & Minister of Justice;</p> <p>(d) Minister of Industry, Investment & Trade;</p> <p>(e) Minister of Information and Culture;</p> <p>(f) Minister of Labour and Productivity;</p> <p>(g) Minister of Education;</p> <p>(h) Minister of Interior;</p> <p>(i) the Inspector-General of Police; and</p> <p>(j) the Director-General of the Agency.</p>		
<p>12. The Board shall appoint other persons of proven integrity and with considerable experience to serve as members of the Board to represent the interest of the:</p> <p>(a) Professional & Business communities;</p> <p>(b) Christian bodies;</p> <p>(c) Muslim bodies;</p> <p>(d) Traditional rulers; and,</p> <p>(e) Civil Society Organisations.</p>	Retained	
<p>13. The Board shall make standing orders regulating its proceedings.</p>	Retained	
<p>14. The members of the Board, other than the Director-General, shall be part-time members of the Agency and at no time would the members exceed 20 persons.</p>	Retained	
<p>15. The numbers of meetings in a year and the emoluments of the members of the Board will be in conformity with the rules governing remunerations of other Federal Government Agencies Board.</p>	Retained	

<p>Functions of the Board.</p> <p>16. The functions of the Board shall be to:</p> <ul style="list-style-type: none"> (a) direct the Agency in policy formulation; (b) give strategic direction to the Agency in the performance of its functions as stipulated in this Bill; (c) establish and maintain strategic linkages and partnerships with other stakeholders in the rule of law and other governance sectors; (d) deal with reports, complain of abuse of power, impropriety and other forms of misconduct on the part of the Agency or its staff; (e) review and approve the financial statements of the Agency; and, (f) review and approve the annual estimates and budget of the Agency. 	<p>Retained</p>	
<p>Functions of the Agency.</p> <p>17. The functions of the Agency shall be to:</p> <ul style="list-style-type: none"> (a) enforce citizens and residents of Nigeria to comply with the National Ethics as may be provided for in this Bill; (b) regulate the standard of ethics in private and government establishments; (c) develop a set of professional and ethical standards to guide all public and private establishments to uphold National Ethics; (d) establish a National Ethics and Values Professional Certification Board; (e) conduct training and examinations for the award of various levels of certificate to person willing to practice as Ethics Compliance Officer; (f) facilitate the creation and supervise the "Ethics and Values Unit" in both public and private establishments; (g) monitor and evaluate the practices, procedures and code of ethics of private and public establishments operating in Nigeria (including professional bodies); 	<p>Retained</p>	

<p>(h) identify unethical practices of private and public establishments and secure the revision of the procedures;</p> <p>(i) research and identify all ethical issues that negatively impact on Nigeria development and make recommendations to the President;</p> <p>(j) issue Certificate of National Ethics Compliance to individual and establishments;</p> <p>(k) collaborate with anti-graft agencies as it relates to the control of unethical behaviors.</p>		
<p>Contravention and Fines.</p> <p>18. Any establishment or person that breaches any provision of this Bill or contravenes the provisions of sections 8 and 9 is guilty of an offence and is on conviction liable to a fine of ₦250,000 for each day the contravention continues.</p>	Retained	
<p>19. Any violation of ethical standards shall lead to an offence of disciplinary nature and shall be prosecuted by the Agency for the purpose of the:</p> <p>(a) protection of the rights of citizens and residents of Nigeria or visitors to Nigeria;</p> <p>(b) freezing or confiscation of proceeds of the breach or related to the breach;</p> <p>(c) payment of compensation;</p> <p>(d) recovery or protection of public property; and</p> <p>(e) other punitive and disciplinary measures.</p>	Retained	
<p>20. Any statement in any declaration that is found to be false by any authority or person authorised in that behalf to verify it, shall be deemed to be a breach of this Bill.</p>	Retained	
<p>21. If any person required to furnish information under this Bill fails to do so or in purported compliance with such requirement to furnish information knowingly or recklessly makes any statement which is false shall be guilty of an offence and liable on conviction to a fine of ₦500,000 or imprisonment for a term of six months or both.</p>	Retained	

<p>22. If any person required to furnish information under this Bill fails to do so or in purported compliance with such requirement to furnish information knowingly or recklessly makes any statement which is false shall be guilty of an offence and liable on conviction to a fine of ₦500,000 or imprisonment for a term of six months or both.</p>	Retained	
<p>23. Where an offence under this Bill, which has been committed by a body corporate, is proved to have been committed with the connivance of or attributable to any neglect on the part of a director, manager or similar officer of the establishment, the body corporate shall be fined and the person prosecuted and sentenced or fined or both.</p>	Retained	
<p>24. Where a body corporate is liable for breach and found culpable four consecutive times under this Bill but found to be guilty one more time of any offence under this Bill, the court may order that the body corporate shall thereupon be wound up and all its assets forfeited to the Federal Government of Nigeria.</p>	Retained	
<p>25. Any person who in respect of any complaint lodged by him knowingly makes to the Agency any statement, whether or not in writing, which is false in any material particular, shall be guilty of an offence and shall on conviction be sentenced to imprisonment for one year without the option of a fine.</p>	Retained	
<p>26. The Agency shall have all powers necessary or expedient for the efficient and effective execution of its functions under this Bill or any other written law.</p>	Retained	
<p>27. Without prejudice to the generality of section 27 of this Bill, the Agency shall have power to:</p> <ul style="list-style-type: none"> (a) to conduct investigation into any suspected breach of the National Ethics; (b) conduct mediation, conciliation and negotiation on conflicts that has arisen from neglect of the National Ethics; (c) monitor the ethical practices of both public and private establishments and order for the revision of their procedures where necessary; (d) institute and conduct proceedings in court for purposes of prosecution of breach of National Ethics or any section of this Bill; (e) establish and maintain strategic partnerships with Non-Governmental Organisations and other stakeholders in the advancement of ethics, rule of law and good governance; 	Retained	

(f) receive complaints on the breach of public trust and breach of the Code of Ethics by public officers or delay in prosecution by anti-graft agencies;

(g) investigate and recommend to the Director of Public Prosecutions the prosecution of any acts or breach or violation of public trust, Codes of Ethics or other matter prescribed under this Bill or any other law;

(h) impose fine for violation of National Ethics as entrenched in this Bill or any ethics standard introduced by the Agency;

(i) access buildings, relevant records, documents, personnel, electronic materials and computerized records generated, or in the possession of, any persons or organization for the purpose of investigations, financial reviews, forensic audits, evaluations or other activities related to suspected breach of National Ethics;

(j) recommend appropriate action to be taken against public officers alleged to have engaged in unprofessional and unethical conduct;

(k) oversee the enforcement of public trust and Codes of Ethics prescribed for public officers;

(l) advise, on its own initiative, any person on any matter within its functions;

(m) request and obtain professional advice from persons or organizations;

(n) summon in writing any person who in the opinion of the Agency is in the position to testify on any matter before him, to give evidence in the matter and any person who fails to appear when required to do so shall be guilty of an offence under this Bill.

(o) carry out joint operations with the Nigeria Police Force and establish a special unit, under the Nigeria Police Force, charged with responsibility of monitoring and arresting violators of National Ethics;

(p) establish and operate Ethics and Values Corps (EVACORPS) in collaboration with Non-Governmental Organisations, to compel citizens and residents of Nigeria, including corporate Nigerians to obey rules and ethics standards, using fines to correct disobedience.

(q) open operation offices inside all the State and Local Government Secretariats across the country;

(r) develop criteria and conduct examinations to determine competence in the practice of compliance and ethics profession through certification programs for Certified National Ethics Professional (CNEP);

(s) register professionals and training institutes to provide short courses for candidates who are preparing for the Certified National Ethics Professional (CNEP) Examinations;

(t) charge and retain, to offset its overhead expenses, fees for services rendered to establishments, including fees for certification as National Ethics Professional;

(u) accept and retain, for its operations, gifts, grants or donations from any person(s) or establishment(s) unless the conditions attached are inconsistent with the functions of the Agency;

(v) borrow on such terms and conditions as the Board may approve, such sums of money as the Agency may require, in the exercise of the functions conferred on it by this Bill.

(w) remove and make copies of any documents for the purpose of investigating breach of National Ethics;

(x) obtain from the Ethics Compliance Units of private and public establishments, not later than April 30 and October 31 of each year, a semiannual reports summarizing the activities of the Ethics Compliance Units during the immediately preceding six-month periods ending March 31 and September 30. Such reports shall include, but need not be limited to:

(i) description of significant problems, abuses, and deficiencies relating to the administration of ethics control measures during the reporting period;

(ii) description of the recommendations for corrective action made by the Ethics Compliance Unit during the reporting period;

(iii) identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed;

<p>(iv) summary of matters referred to prosecuting authorities and the prosecutions and convictions which have resulted.</p>		
<p>28. In addition to the powers under this Bill, the Agency shall ensure access to all parts of the Federal Republic of Nigeria and shall have the power to:</p> <p>(a) acquire, hold, charge and dispose movable and immovable property; and</p> <p>(b) do or perform all such other things or acts for the proper discharge of its functions under this Bill or any written law.</p>	Retained	
<p>International Grants and Aids.</p> <p>29. The Agency, in consistent with the core principles and critical components for the success of donors assisted programs such as transparency, accountability and integrity, shall require all Recipients of International Grants and Aids to:</p> <p>(a) adhere to the highest ethical standards in the conduct of donor-supported activities;</p> <p>(b) exercise the utmost care and integrity in the management, use and appropriation of grant funds and any assets procured with Donors' Resources;</p> <p>(c) exercise diligence in ensuring that Donors' Resources are used for their intended purposes and reach the intended beneficiaries;</p> <p>(d) register with the Agency any agreement or Code of Conduct ascribed to;</p> <p>(e) notify the Agency upon discovery of conduct which is inconsistent with the National Ethics.</p>	Retained	
<p>30. The Agency shall:</p> <p>(a) investigate violations of any agreement or any Code of Conduct for Recipients of International Grants and Aids;</p> <p>(b) establish the principles and standards of conduct required of all recipients of International Grants and Aids.</p>	Retained	

<p>(c) establish standards for financial management systems and practices to properly record, reconcile and report on the use, receipt and status of Donors' Resources ensure that Donors' Resources are not used to support, finance or promote violence, aid terrorists or fund unethical activities.</p>		
<p>31. The Agency shall:</p> <p>(a) monitor the Recipients of International Grants and Aids to ensure they comply with the international donors' requirements;</p> <p>(b) provide compliance technical assistance to the grantees;</p> <p>(c) build the capacity of the grantees to enable them align their reports with international standards of Donor Agencies:</p> <p>(d) have power to charge and receive fees, from Recipients of International Grants and Aids, to offset its overhead expenses for providing compliance technical assistance.</p>	Retained	
<p>32. Recipients of International Grants and Aids shall obtain from the Agency, Certificate of National Ethics Compliance to qualify to receive international grants.</p>	Retained	
<p>Secretariats of the Agency.</p> <p>33. There shall be National, State and Local Government Secretariats of the Agency. The Secretariats shall comprise of such:</p> <p>(a) professional, technical and administrative officers and support staff, as may be recruited or appointed by the Agency in the discharge of its functions under this Bill;</p> <p>(b) civil servants as may be seconded by the Federal or State Civil Service Commission to the Agency upon its request;</p> <p>(c) police officers as may be posted by the Inspector-General of Police to the Agency upon its request.</p>	Retained	
<p>Committees.</p> <p>34. (1) The Agency may establish committees for the effective discharge of its functions.</p>	Retained	

<p>(2) The Agency may admit into the membership of committees established under section 35 other persons whose knowledge and skills are found necessary for the functions of the Agency.</p> <p>(3) Any person admitted into the Agency under section 36 may attend the meetings of the Agency and participate in its deliberation, but have no power to vote.</p> <p>(4) The business and affairs of the Committees shall be conducted in accordance as constituted in its procedure.</p>		
<p>Appointments.</p> <p>35. (1) The Agency shall:</p> <ul style="list-style-type: none"> (a) through an open, transparent and competitive recruitment process appoint suitably qualified persons as staff to carry out the functions of the Agency; (b) in the appointment of employees, ensure that at least one-third of the employees are of either gender; and (c) ensure the appointments reflect ethic and regional diversity of the people of Nigeria. <p>(2) The Agency shall be headed by a Director-General to be appointed by the President on the recommendation of the Chairman of the Board.</p> <p>(3) A person shall be qualified for appointment as the Director-General of the Agency if the person:</p> <ul style="list-style-type: none"> (a) is a citizen of Nigeria; (b) possesses a professional certificate or postgraduate degree; and (c) has had at least fifteen years proven experience and demonstrated ability and a distinguished career in any of the following fields: <ul style="list-style-type: none"> (i) Ethics or Governance; (ii) Accounting or Audit; (iii) Public Administration; (iv) Leadership or Trusteeship; 	<p>Retained</p>	

<p>(v) Economics;</p> <p>(vi) Social Studies;</p> <p>(vii) Law;</p> <p>(viii) Religious Studies or Philosophy;</p> <p>(ix) Fraud Investigation;</p> <p>(x) Public Relations and Media;</p> <p>(xi) Defence and Security</p> <p>(4) A person shall not be qualified for appointment as Director-General if the person:</p> <p>(a) is a member of a governing body of a political party;</p> <p>(b) is an un-discharged bankrupt;</p> <p>(c) has been convicted of a felony; or breach of public trust</p> <p>(d) has been removed from public office for contravening the provisions of the Nigeria Constitution, this Bill or any other law.</p>		
<p>Oath.</p> <p>36. The Director-General shall take and subscribe to the oath of office.</p>	Retained	
<p>Tenure of Office.</p> <p>37. The Director-General shall hold office for a term of four (4) years and shall be eligible for reappointment.</p>	Retained	
<p>Functions of the Director-General.</p> <p>38. The Director-General shall be:</p> <p>(a) the Chief Executive Officer of the Agency;</p> <p>(b) the Accounting Officer of the Agency; and</p> <p>(c) responsible for:</p> <p>(i) carrying out the decisions of the Agency;</p>	Retained	

<p>(ii) supervision of other employees; and</p> <p>(iii) the day to day administration and management of the affairs of the Agency.</p>		
<p>39. The Agency shall be divided into directorates to be headed by Executive Directors. A person shall be qualified for appointment, recruitment, secondment or promotion to any of the positions of the Executive Directors of the Agency if the person:</p> <p>(a) holds an educational qualification not below a degree (or professional certificate of a degree equivalent) in any of the fields listed in section 41 (c) (i)-(xi); and,</p> <p>(b) has knowledge and experience of not less than fifteen years in the fields of study relevant to the position.</p>	Retained	
<p>40. The Executive Directors shall be assisted by Heads of Departments and State Compliance Officers.</p>	Retained	
<p>41. A person shall be qualified for appointment, recruitment, secondment (by the Civil Service Commission) or promotion to any of the positions of the Heads of Department or State Compliance Officers of the Agency if the person:</p> <p>(a) holds an educational qualification not below a degree (or professional certificate of a degree equivalent) from a recognized educational institution; and,</p> <p>(b) has had a distinguished career as well as knowledge and experience of not less than ten (10) years in any of the fields listed in section 41 (c) (i)-(xi); or,</p> <p>(c) is a police officer of not less than the rank of Assistant Commissioner of Police, as may be posted by the Inspector-General of the Police to the Agency upon its request; or,</p> <p>(d) is an expert as may be hired with the approval of the Board, as contract staff to provide technical supports especially in the areas of forensic audit, grant management, arbitration and for other job schedules.</p>	Retained	
<p>42. Contract Staff that shall be recruited in pursuant to section 48 (d) shall be appointed in the first instance for a period of five years and shall be eligible for re-appointment, subject to good performance, for such further period as the Board may, from time to time, determine and on such terms as to emolument and otherwise as may be specified in his/her letter of appointment and as may, from time to time, be approved by the Board.</p>	Retained	

<p>43. For the purposes of this Bill, a police officer who is posted by the Inspector-General of Police or public officer who is seconded by the Civil Service Commission shall:</p> <p>(a) have the same benefits in the same manner as an employee recruited directly by the Agency under this Bill; and,</p> <p>(b) be required to execute any instruction, orders and directions of the Agency.</p>	Retained	
<p>44. Members and the employees of the Agency shall subscribe to the code of conduct as set out by the Agency in its manuals, sign a conflict of interest declaration form and be guided at all times by the standard operating procedures of the Agency.</p>	Retained	
<p>45. The Agency shall identify ethical issues that can improve interpersonal and corporate relationships and produce documentary regular reports that shall engineer the conscience of the citizenry to improve the ethical culture of the nation.</p>	Retained	
<p>46. The Agency shall direct every Ministries, Departments and Agencies (MDAs) of the governments to establish Ethics and Values Unit within the MDAs to carry on the following duties:</p> <p>(a) provide coordination for control measures designed by the Agency to promote ethical cultured work place in MDAs;</p> <p>(b) receive and investigate complaints or information from employee of the MDAs concerning the possible existence of an activity constituting a violation of National Ethics;</p> <p>(c) carry out quarterly review and submit report to the Agency, with a copy to the head of the MDA, on ethical issues that may affect the economy, efficiency and effectiveness in the administration of their establishment or the nation;</p> <p>(d) provide a means for keeping the head of the MDA and the Agency fully and currently informed about problems and deficiencies relating to compliance with National Ethics and the necessity for and progress of corrective action.</p>	Retained	
<p>47. There shall be a Certified National Ethics Professional of no lower rank than a deputy director who shall be the Ethic Compliance Director in all MDAs.</p>	Retained	
<p>48. The Ethics Compliance Director shall report to and be under the general supervision of the head of the MDA involved or, to the extent such authority is delegated, the officer next in rank below such head, but shall not report to, or be subject to supervision by any other officer of such MDA.</p>	Retained	

<p>49. Neither the head of the MDA nor the officer next in rank below such head shall prevent or prohibit the Ethics Compliance Director from initiating, carrying out, or completing any investigation.</p>	<p>Retained</p>	
<p>50. The Agency shall direct every private establishments operating in Nigeria to establish Ethics and Values Unit within their establishment to carry on the following duties:</p> <p>(a) provide coordination for control measures designed by the Agency to promote ethical cultured work place in Nigeria;</p> <p>(b) receive and investigate complaints or information from employee or customer of the establishment concerning the possible existence of an activity constituting a violation of National Ethics;</p> <p>(c) carry out quarterly review and submit report to the Agency, with a copy to the Chief Executive Officer of the establishment on ethical issues that may affect the economy, efficiency and effectiveness in the administration of their establishment or the nation;</p> <p>(d) provide a means for keeping the head of the establishment and the Agency fully and currently informed about problems and deficiencies relating to compliance with National Ethics and the necessity for and progress of corrective action.</p>	<p>Retained</p>	
<p>Seal of the Agency</p> <p>51. (1) The seal of the Agency shall be such device as may be determined by the Board and shall be kept by the Director-General.</p> <p>(2) The affixing of the seal shall be authenticated by the Director-General or any other person authorized in that behalf by a resolution of the Board.</p> <p>(3) Any document purporting to be under the seal of the Agency or issued on behalf of the Agency shall be received in evidence and shall be deemed to be so executed or issued, as the case may be, without further proof, unless the contrary is proved.</p>	<p>Retained</p>	
<p>PART II — FINANCIAL PROVISIONS</p> <p>52. (1) The funds of the Agency shall consist of:</p> <p>(a) monies allocated by Appropriation Act of the National Assembly for the Agency;</p>	<p>Retained</p>	

<p>(b) any grants, gifts, donations or other endowments given to the Agency;</p> <p>(c) such funds as may vest in or accrue to the Agency in the performance of its functions under this Bill or under any other written law.</p> <p>(2) Any funds donated or lent to, or gift made to the Agency shall be disclosed and made public before use.</p>		
<p>53. Staff and member of the Agency shall be paid such remuneration or allowances as the Salaries and Remuneration Agency shall approve.</p>	Retained	
<p>54. At least three months before the commencement of each financial year, the Agency shall cause to prepare estimates of the revenue and expenditure of the Agency for that year.</p>	Retained	
<p>55. The annual estimates shall make provision for all the estimated expenditure of the Agency for the financial year concerned and in particular, shall provide for the:</p> <p>(a) payment of remuneration in respect of the members and staff of the Agency;</p> <p>(b) payment of pensions, gratuities and other charges in respect of benefits which are payable out of the funds of the Agency;</p> <p>(c) maintenance of the buildings and grounds of the Agency;</p> <p>(d) funding of training, research and development of activities of the Agency; and,</p> <p>(e) creation of such funds to meet contingent liabilities in respect of benefits, insurance or replacement of buildings or installations, equipment and in respect of such other matters as the Agency may think fit.</p>	Retained	
<p>56. The financial year of the Agency shall be:</p> <p>(a) the period starting from the day on which this Bill comes into operation and ending on the following 31st December;</p> <p>(b) the period of twelve months commencing on the first of January and ending on the 31st December of the subsequent year.</p>	Retained	
<p>57. The Agency shall cause to be kept all proper books and records of account of the income, expenditure, assets and liabilities of the Agency.</p>	Retained	
<p>58. The annual accounts of the Agency shall be prepared, audited</p>	Retained	

and reported upon in accordance with the Public Audit Act.		
59. The Agency shall, at the end of each financial year cause an annual report to be prepared.	Retained	
60. The Agency shall submit the annual report to the President and the National Assembly three months after the end of the year to which it relates.	Retained	
61. The annual report shall contain, in respect of the year to which it relates: <ul style="list-style-type: none"> (a) the financial statements of the Agency; (b) a description of the activities of the Agency; (c) such other statistical information as the Agency may consider appropriate relating to the Agency's fund; (d) any recommendations made by the Agency to MDAs or any person and the action taken; (e) the impact of the exercise of any of its mandate or function; (f) any impediments to the achievements of the objects and functions under this Bill or any written law; and (g) any other information relating to its functions that the Agency considers necessary. 	Retained	
62. The Agency shall cause the annual report to be published and the report shall be publicized in such manner as the Agency may determine.	Retained	
PART III — MISCELLANEOUS PROVISIONS		
63. Except as provided in this Bill, the Agency shall, in the performance of its functions, not be subject to the direction or control of any person or authority.	Retained	
64. The Agency shall publish and publicize important information within its mandate affecting the nation. A request for information by a citizen - <ul style="list-style-type: none"> (a) shall be addressed to the Director General or such other person as the Agency may for that purpose designate; (b) may be subject to the payment of a reasonable fee; and (c) may be subject to confidentiality requirements of the Agency. 	Retained	
65. Subject to this Bill, the Agency may decline to give information to an applicant on the following grounds —	Retained	

<p>(a) the request is unreasonable in the circumstances;</p> <p>(b) the information requested is at a deliberative stage by the Agency;</p> <p>(c) failure of payment of a prescribed fee; or</p> <p>(d) failure of the applicant to satisfy confidentiality requirements by the Agency.</p>		
<p>66. The right of access to information under the Constitution and any other written law is limited to the nature and extent specified therein.</p>	Retained	
<p>67. Every member and employee of the Agency shall sign a confidentiality agreement.</p>	Retained	
<p>68. The Agency shall, in such manner as it shall consider appropriate, publish a notice for public information specifying:</p> <p>(a) the location of its principal office; and</p> <p>(b) its address or addresses, telephone numbers and other means of communication or contact with the Agency.</p>	Retained	
<p>69. The Agency may request legal advice from the Attorney-General.</p>	Retained	
<p>70. The Agency may make Regulations for the application of this Bill for:</p> <p>(a) the appointment, including the power to confirm appointments of persons, to any office in respect of which it is responsible under this Bill;</p> <p>(b) the disciplinary control and termination of appointments of employees of the Agency; and</p> <p>(c) the practice, procedure and code of conduct of the Agency in the exercise of its functions under this Bill.</p>	Retained	
<p>71. All property, assets, rights, liabilities, obligations, agreements and other arrangements existing at the commencement of this Bill and vested in, acquired, incurred or entered into by or on behalf of the Special Adviser to the President on Ethics and Values, shall upon the commencement of this Bill, be deemed to have vested in or to have been acquired, incurred or entered into by or on behalf of the Agency to the same extent as they were enforceable by or against the Agency before the commencement of the Bill.</p>	Retained	
<p>72. Where the transfer of any property transferred to or vested in the Agency under section is required by any written law to be</p>	Retained	

<p>registered, the Agency shall, within three months from the commencement of this Bill or within such other period as the written law may prescribe, apply to the appropriate registering authority for the registration of the transfer and thereupon the registering authority shall, at no cost to the Agency or any person by way of registration fees, stamp or other duties:</p> <p>(a) make such entries in the appropriate register as shall give effect to the transfer;</p> <p>(b) where appropriate, issue to the Agency a certificate of title or other statutory evidence of ownership of the property or make such amendments on such certificates or in the appropriate register as may be necessary; and</p> <p>(c) make any necessary endorsements on such deeds or other documents as may be presented to such registering authority relating to the title, right or obligation concerned.</p>		
<p>73. Any person who immediately before the coming into effect of this Bill is a principal office holder in the National Ethics and Values Compliance Office, existing before commencement of this Bill, shall continue in Office and be deemed to have been appointed to his/her office by the Agency established by this Bill, unless the office occupied by the person becomes non-existent under the new organizational structure of the Agency. This Bill shall be the basis for the regularizations of the employment of such principal office holders.</p>	Retained	
<p>74. On the commencement of this Bill:</p> <p>(a) the National Ethics and Values Compliance Office shall cease to exist and its rights and obligations shall reside in the Agency and the appointment of its Director General appointed by the former Special Adviser to the President shall terminate;</p> <p>(b) the President, on the recommendation of the Chairman of the Board, shall appoint the first Director-General of the Agency in accordance with the provisions of this Bill;</p> <p>(c) the Director of Finance and Accounts of the National Ethics and Values Compliance Office, existing before commencement of this Bill, shall act as the Director-General of the Agency until such a time that the President appoints the first Director-General.</p>	Retained	
<p>Interpretation.</p>	Retained	

<p>75. In this Bill, unless the context otherwise requires;</p> <p>"Agency" means Agency for National Ethics and Values Compliance established under this Bill;</p> <p>"Agency for National Ethics and Values Compliance" means an Agency established by this Bill;</p> <p>"Special Adviser to the President" means the Special Adviser to the President responsible for matters relating to ethics and values;</p> <p>"Salaries and Remuneration" means the Salaries and Remuneration of the Agency established under this Bill;</p> <p>"Director- General" means the Director-General appointed by the Agency in accordance with the procedure set out in this Bill.</p>		
<p>76. This Bill may be cited as Agency for National Ethics and Values Compliance Bill, 2017.</p>	Retained	
<p style="text-align: center;">EXPLANATORY MEMORANDUM</p> <p>This Bill seeks to establish Agency for National Ethics and Values Compliance to provide for the Functions and Powers of the Agency, the Qualifications and Procedures for the Appointment of the Chairman and Members, and for Related Matters.</p>	Retained	

A BILL

FOR

AN ACT TO INCORPORATE ANNEX 12 TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION 1944, INTO NIGERIAN LAW; TO ESTABLISH THE NIGERIAN SEARCH AND RESCUE SERVICE; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH (HB. 319).

PROVISION OF THE BILL	RECOMMENDATION	REMARK
<p>Commencement.</p> <p>ENACTED by the National Assembly of the Federal Republic of Nigeria—</p>	Retained	
<p>Principal objectives of Bill.</p> <p>1. The principal objectives of this Bill are to -</p> <p style="padding-left: 40px;">(a) incorporate the Convention into Nigerian law; and</p> <p style="padding-left: 40px;">(b) established the Nigerian Search and Rescue Service to act on behalf of the Ministry as the authority responsible for the application of the Convention binding on the Nigeria regarding aeronautical search and rescue operations.</p>	Retained	
<p>Incorporation of convention.</p> <p>2. (1) The Conventions contained in the schedule is hereby enacted into law in Nigeria.</p> <p>(2) Subject to paragraph (b), the Minister may from time to time by notice in the Gazette amend the schedule to reflect any change made to the Convention by the International Civil Aviation Organization, as the case may be.</p>	Retained	
<p>Establishment and objective of Nigerian search and Rescue Service.</p> <p>3. (1) The Nigeria Search and Rescue Service is hereby established.</p> <p>(2) (a) The objective of NISAR is to ensure a co-ordinated and effective aeronautical search and rescue service within the Nigerian search and rescue regions.</p> <p>(b) Any person appointed in terms of this Bill or concerned with the carrying out of the provisions thereof shall perform his or her</p>	Retained	

functions pursuant to be object of NISAR.		
<p>Composition of NISAR.</p> <p>4. (1) NISAR is made up of representatives from those government departments and commercial and voluntary organizations which are signatories to the NISR manual, contemplated in this section, and which are able to contribute services and facilitates for use by NISAR, including representatives of:</p> <ul style="list-style-type: none"> (a) the Ministry; (b) the Nigerian Civil Aviation Authority; (c) the Air Traffic and Navigation Services Company Limited; (d) the Nigerian Armed Forces; (e) the Nigerian Police Force. <p>(2) NISAR has:</p> <ul style="list-style-type: none"> (a) an executive committee; (b) an aeronautical committee. <p>(3) The executive committee consists of:</p> <ul style="list-style-type: none"> (a) the persons appointed in terms of subsection (7); and (b) if necessary, such other members as may be nominated by the head of NISAR, and appointed by the Minister either permanently or on an ad hoc basis. <p>(4) The executive committee shall:</p> <ul style="list-style-type: none"> (a) determine and put into effect the policy of NISAR; and (b) determine the size and composition of the other committee of NISAR depending on the area of specialist of the different members of NISAR. <p>(5) The aeronautical committee shall assess the policy of NISAR and make recommendations to the executive committee whenever any change is necessary.</p> <p>(6) The executive committee is accountable to the Minister and the other committees of NISAR are accountable to the executive committee.</p>	<p>Retained</p>	

<p>(7) The Director-General shall appoint suitable persons from among the members of NISAR to serve as:</p> <p>(a) the head of NISAR, who is the chairperson of the executive committee responsible for search and rescue operations by NISAR;</p> <p>(b) the head of aeronautical search and rescue operations who is the chairperson of the aeronautical committee;</p> <p>(c) the head of maritime search and rescue operations, who is the chairperson of the maritime committee.</p> <p>(8) The different head contemplated in subsection (7) shall ensure that search and rescue operations are conducted in accordance with laid down standards and recommended practices as reflected in the NISAR Manual and as considered the norm in terms of international agreements.</p>		
<p>Functions of NISAR.</p> <p>5. (1) NISAR shall within its means and capabilities co-ordinate its resources to search for, assist and, where appropriate, effect a rescue operation for:</p> <p>(i) survivors of aircraft crashes or forced landings;</p> <p>(ii) survivors of any military aircrafts accident or incident if such aircraft is not engaged in an act of war.</p> <p>(2) The functions set out in subsection (1)(a) exclude salvage operations.</p> <p>(3) NISAR, with the concurrence of the Minister, may call on any provider of a telecommunication service as contemplated in the lease or otherwise make available telecommunication facilities.</p> <p>(4) NISAR shall perform its functions in a manner which promotes efficient, economic and effective use of all resources.</p> <p>(5) In performing its functions, NISAR shall co-operate with the National Emergency Management Agency established in terms of any law providing for the management of disasters.</p> <p>(6) NISAR may perform its functions outside Nigeria.</p>	<p>Retained</p>	
<p>Meetings of NISAR.</p> <p>6. (1) NISAR shall meet at such times as the executive committee may determine in other to:</p>	<p>Retained</p>	

<p>(a) discuss proposals and take decisions regarding the effective application of this Bill;</p> <p>(b) discuss any other matter which the executive committee deems necessary.</p> <p>(2) The head of NISAR shall preside at any meeting of NISAR.</p> <p>(3) The executive committee shall determine the rules of procedure at any meeting of NISAR.</p>		
<p>Meeting of Committee.</p> <p>7. (1) The first meeting of any committee of NISAR after the commencement of this Bill shall be held at the time and place determined by the Director-General and all meetings thereafter shall be held at the time and places that the committee determines.</p> <p>(2) The chairperson of a committee may at any time call a special meeting of the committee to be held at the time and place determined by the chairperson.</p> <p>(3) All members of a committee shall be notified in writing of any meeting of that committee.</p> <p>(4) A majority of the total number of members forms a quorum at any meeting of a committee and a decision agreed on by a majority of the members present at a duly constituted meeting of a committee is a decision of that committee.</p> <p>(5) In the event of an equality of votes on any matter, the chairperson of the relevant meeting has a casting vote in addition to a deliberative vote.</p> <p>(6) The chairperson of a committee shall designate a person to act as chairperson if he or she is unable to act as chairperson.</p> <p>(7) Each committee shall meet at least twice a year.</p>	<p>Retained</p>	
<p>Personnel.</p> <p>8. All administrative work in connection with the performance of the functions of NISAR shall be carried out by officers in the Department designated for that purpose by the Director-General.</p>	<p>Retained</p>	
<p>Search and rescue regions.</p> <p>9. (1) The Minister shall, by notice in the Gazette as well as in relevant maritime and aeronautical publications, publish the search</p>	<p>Retained</p>	

<p>and rescue regions within which search and rescue services will be provided.</p> <p>(2) The search and rescue regions contemplated in subsection (1) shall cover the area of responsibility of Nigeria laid down by the International Civil Aviation Organization.</p>		
<p>Rescue co-ordination centres and sub-centres</p> <p>10. (1) Subject to subsection (2), the Minister shall designate-</p> <p>(a) organizations or institutions to act as aeronautical rescue co-ordination centres;</p> <p>(b) organizations or institutions to act as aeronautical rescue sub centres under the auspices of rescue co-ordination centres;</p> <p>(c) a maritime or aeronautical search and rescue region for which each rescue co-ordination centre is responsible; and</p> <p>(d) organizations or institutions to act as registrars and custodians of registers of emergency beacons contemplated in section 17.</p> <p>(2) Any designation contemplated in subsection (1) shall be:</p> <p>(a) done in accordance with an agreement reached with the applicable organization or institution; on</p> <p>(b) published by the Minister by notice in the gazette as well as in relevant aeronautical publications.</p> <p>(3) The organizations of institutions designated in terms of subsection (1) (a) and (b) shall, with the concurrence of the executive committee of NISAR, appoint their respective chiefs.</p> <p>(4) Each chief of a rescue co-ordination center or rescue sub centre shall establish and preside over an operational committee to discuss, evaluate and effect operational procedures.</p> <p>(5) Operational committees shall consist of persons representing organization controlling the resources available to that rescue co-ordination centre or rescue sub centre.</p>	<p>Retained</p>	
<p>Functions of rescue co-ordination centers and subcentres.</p> <p>11. (1) A chief of a rescue co-ordination centre or any person authorized by him or her is responsible for coordinating available</p>	<p>Retained</p>	

<p>resources for the purpose of searching, assisting and, where appropriate, effecting a rescue operation in its search and rescue region.</p> <p>(2) A chief of a rescue sub centre shall support the chief of a rescue co-ordination centre in carrying out assigned duties in particular area or instance.</p> <p>(3) The designation of a search and rescue region contemplated in section 11(1) (c) does not preclude a rescue co-ordination centre from:</p> <p>(a) operating in another regions; or</p> <p>(b) performing the tasks of another rescue co-ordination centre.</p>		
<p>Requisitioning of Aircraft.</p> <p>12. (1) Subject to subsection (2), the Minister may for purposes of any aeronautical search and rescue operation:</p> <p>(a) requisition any civil aircraft;</p> <p>(b) request the assistance of any military aircraft; or</p> <p>(c) instruct any holder of a Nigeria aircraft flight crew license to assist in the operation.</p> <p>(2) In a case where the Minister contemplates requisitioning a civilian aircraft instructing a civilian holder of a Nigerian aircraft flight crew license, the Minister may do so only if:</p> <p>(a) human life is in immediate and grave danger; and</p> <p>(b) there are no other means available to conduct the operation.</p> <p>(3) Any person who, without lawful reason, fails to give effect to a requisition or to comply with an instruction contemplated in subsection (1) is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding five years.</p>	<p>Retained</p>	
<p>Recovery of certain expenses.</p> <p>13. (1) If any search and rescue operation is undertaken by NISAR or connection with any occurrence caused by the unlawful act or omission of any person, the Minister may recover from that person the whole or an portion of the expenses incurred by NISAR in connection with that operation.</p>	<p>Retained</p>	

<p>(2) The ministry may, after having recovered the expenses contemplated in subsection (1) compensate any person who has incurred any loss or damage as a result of the operation.</p>		
<p>NISAR manual and responsibilities of signatories thereto.</p> <p>14. (1) NISAR shall compile a manual regarding search and rescue service and operations and matters connected therewith and keep that manual up to date.</p> <p>(2) The responsibilities of the signatories to the NISAR manual contemplated in section 5 (1) shall be set out in the manual and be executed in accordance with it.</p>	<p>Retained</p>	
<p>Search and rescue measures regarding aircraft.</p> <p>15. (1) Subject to this Bill, any search and rescue action shall be undertaken in accordance with the NISAR manual.</p> <p>(2) Where an aircraft has failed to reach its destination or is reported missing, NISAR shall forthwith institute search and rescue action if the flight plan was filed prior to departure and the flight in question was:</p> <ul style="list-style-type: none"> (a) between aerodromes where air traffic services are provided, unless otherwise indicated on the flight plan or through aeronautical publications or notices; (b) conducted in airspace with which air traffic control services are provided, except for flights crossing a route at right angles; or (c) a flight to an aerodrome where air traffic services are not provided, if search and rescue action is specifically requested by the pilot-in-command. <p>(3) Search and rescue action shall be instituted in respect of all flights for, which flights plans were filed in when such action is specifically requested by the pilot in-command.</p> <p>(4) Search and rescue action may be instituted:</p> <ul style="list-style-type: none"> (a) in respect of a flight for which no flight plan has been filed, when information that the aircraft is overdue or mission is received from any source. <p>(5) In an event contemplated in subsection (4), authorization by the head of NISAR or his or her assignee shall be obtained prior to the commencement of a search and rescue operation and he or she shall be kept informed of the progress made and the termination of the search and rescue action.</p>	<p>Retained</p>	

<p>Registration of emergency beacons.</p> <p>16. (1) The owner of any aircraft required- to carry emergency locator beacons in terms of the Civil Aviation Authority Act, 2006, shall register such emergency locator beacons with the organizations or institutions designated in terms of section 11 (1) (d).</p> <p>(2) The owner of any aircraft or vessel registered or licensed in Nigeria and which carries emergency locator beacons although not required to do so by law, shall register such emergency locator beacons with the organizations of institutions designated in terms of section 11 (1) (d).</p>	Retained	
<p>Filing or disaster management and aerodrome emergency plans.</p> <p>17. All aerodrome management shall file their emergency plans and any amendments thereto with the aeronautical rescue co-ordination center.</p>	Retained	
<p>Delegation and assignment.</p> <p>18. The Minister may:</p> <p>(a) delegate any power conferred or assign any duty imposed upon the Minister by this Bill to an officer of the Department, except the power to publish notices or to make regulations; and</p> <p>(b) at any time, withdraw a delegation or assignment effected in terms of this section.</p>	Retained	
<p>Report.</p> <p>19. (1) NISAR shall furnish the Minister with a report on its activities:</p> <p>(a) at least once a year; and.</p> <p>(b) whenever required by the Minister.</p> <p>(2) The Minister shall table a copy of NISAR's annual report in Parliament within 30 days after it has been received by him or her.</p>	Retained	
<p>Regulations.</p> <p>20. (1) The Minster may, by notice in the gazette, make regulations regarding-</p>	Retained	

<p>(a) the conditions which shall be complied with where a person from another country which is a party to the conventions wishes to enter Nigeria for purpose of any search and rescue operation;</p> <p>(b) anything which shall or may be prescribed in terms of this Bill;</p> <p>(c) any matter which it is necessary or expedient to prescribe for the effective carrying out or implementation of this Bill.</p> <p>(2) any regulation made under subsection (1) (a) shall be made with the concurrence of the Minister of Interior.</p>		
<p>Repeal of section 6 (f) of the National Emergency Management Agency Act Cap. N34 Laws of the Federation, 2004.</p> <p>21. Section 6 (f) of the National Emergency Management Agency Act Cap N34 Laws of the Federation of Nigeria 2004 is hereby repealed.</p>	Retained	
<p>Interpretation.</p> <p>22. In this Bill, unless the context indicates otherwise, any word" or expression to which a meaning is ascribed in the Conventions bears the same meaning and:</p> <p>"aircraft" means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface;</p> <p>"Authority" means the Nigerian Civil Aviation Authority;</p> <p>"Director -General" means the Director-General; Nigerian Civil Aviation Authority;</p> <p>"executive committee" means the executive committee of NISAR contemplated in section 5 (2) (a);</p> <p>"head of NISAR" means an official of the Authority appointed in terms of section 5 (7) (a);</p> <p>"international Civil Aviation Organization" means the specialized agency of the United Nations responsible for formulating standards and recommended practices for the purposes of civilian international air transport, established in terms of Article 43 of the Convention on International Civil Aviation, in Chicago on 7 December 1944;</p>	Retained	

<p>"Minister" means the Minister of Aviation;</p> <p>"person" includes any institution or organization equipped to assist in a search and rescue operation, an organ of state, a government of a foreign country;</p> <p>"prescribed" means prescribed by regulation;</p> <p>"rescue" includes the provision of the initial medical treatment of a person rescued;</p> <p>"rescue co-ordination centre" means an institution responsible for promoting the efficient organization of search and rescue services and for co-ordinating the conduct of search and rescue operations within a search and rescue region;</p> <p>"rescue sub centre" means a suitably appointed unit tasked to carry out duties of a rescue co-ordination centre in instances where the rescue co-ordination centre cannot exercise direct and effective control over search and rescue facilities in certain parts of a search and rescue region;</p> <p>"NISAR" means the Nigerian search and rescue Service established by section 4;</p> <p>"search and rescue region" means a region contemplated in section 11(1) (c) in which the co-ordination of search and rescue operations is effected by a single rescue co-ordination centre;</p> <p>"the Conventions" means - Annex 12 to the Convention on International Civil Aviation adopted on 7 December 1944 at Chicago;</p> <p>"this Bill" includes the regulations;</p> <p>"Ministry" shall be the Ministry charge with the responsibility for Civil Aviation.</p>		
<p>Short title.</p> <p>23. This Bill may be cited as the Nigerian Aeronautical Search and Rescue Bill, 2017.</p>	<p>Retained</p>	
<p style="text-align: center;">SCHEDULE</p> <p style="text-align: center;"><i>Transitional Provisions as to Rights, Vesting of Property etc</i></p> <p>1. Accordingly, the statutory functions, rights, interests, obligations and liabilities of the Rescue and Guard Response Initiative) existing before the commencement of this Bill under any contract</p>	<p>Retained</p>	

or instrument, or law or in equity shall by virtue of this Bill be deemed to have been assigned to and vested in the Service established by this Bill.

2. Any such contract or instrument as is mentioned in paragraph 1 of this schedule shall be of the same force and effect against or in favour of the Service established by this Bill and shall be enforceable as fully and effectively as if instead of the conditions existing before the commencement of this Bill, the service established by this Bill had been named therein or had been a party thereto.

Obligations and Liabilities

3. The Service established by this Bill shall be subject to all the obligations and liabilities to which the former Rescue and Guards Response Initiative existing before the commencement of this Bill was subject to immediately before the commencement of this Bill, and all other persons shall have the same rights, powers and remedies against the service established by this Bill as they had against the former Rescue and Guards Response Initiative existing before the commencement of this Bill.

Pending or Existing Proceedings or Cause of Action

4. Any proceeding or cause of action pending or existing before the commencement of this Bill by or against the Rescue and Guards Response Initiative in respect of any rights, interest, obligation or liability may be continued or as the case may be commenced, and any determination of the court of law, tribunal or other authority or person may be enforced by or against the service established by this Bill to the same extent that such proceeding or cause of action or determination might have been continued, commenced or enforced by or against the Rescue and Guards Response Initiative existing before the commencement of this Bill.

Vesting of Assets

5. All assets, funds, resources and other moveable or immoveable property which immediately before the commencement of this Bill were vested in The Rescue and Guards Response Initiative existing before the commencement of this Bill shall by virtue of this Bill and without further assurances be vested in the Service established by this Bill.

Holders of office

6. Any person who immediately before the coming into force of this Bill is the holder of any office in the Rescue and Guards

<p>Response Initiative existing before the commencement of this Bill shall on the commencement of this Bill continue in office and be deemed to have been appointed to his office by the service established by this Bill, unless the authority by which the person was appointed terminates the appointment.</p>		
<p style="text-align: center;">EXPLANATORY MEMORANDUM</p> <p>This Bill seeks to Incorporate Annex 12 to the Convention International Civil Aviation 1994 into the Nigerian Law to provide for the establishment of the Nigeria Search and Rescue Service.</p>	<p>Retained</p>	

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE INSTITUTE OF ENVIRONMENTAL PRACTITIONERS OF NIGERIA AND FOR RELATED MATTERS, 2018 (HB.1022)

PROVISION OF THE BILL	COMMITTEE'S RECOMMENDATION	REMARKS
<p>Commencement</p> <p>ENACTED by the National Assembly of the Federal Republic of Nigeria—</p> <p style="text-align: center;">PART I — ESTABLISHMENT OF THE INSTITUTE OF ENVIRONMENTAL PRACTITIONERS OF NIGERIA</p>	Retained	
<p>Establishment of the Institute of Environmental Practitioners of Nigeria.</p> <p>1. (1) There is hereby established a body to be known as the Institute of Environmental Practitioners of Nigeria (IEPN) (in this Bill referred to as "the Institute").</p> <p>(2) The Institute:</p> <p style="padding-left: 40px;">(a) shall be a body corporate with perpetual succession and a common seal;</p> <p style="padding-left: 40px;">(b) may sue and be sued in its corporate name; and</p> <p style="padding-left: 40px;">(c) may for the purpose of carrying out its functions, subject to the limitations in this Bill and to any law for time being in force, acquire, hold or dispose of property, whether movable or immovable.</p> <p>(3) The Institute shall perform the function conferred on it by this Bill through the Council under this Bill.</p> <p><i>Location of headquarters and regional offices.</i></p> <p>(4) (a) The headquarters of the Institute shall be established and maintained in a suitable location in Nigeria as determined by the Council.</p> <p>(b) The Council may make rules providing for the establishment and maintenance of offices of the Institute in the States of the Federation.</p>	Retained	

Establishment of the Governing Council.	Retained	
<p>2. (1) There shall be established for the Institute a Governing Council charged with the administration and general management of the Institute.</p> <p>(2) The Council shall consist of —</p> <p>(a) President of the Institute, who shall be the Chairman;</p> <p>(b) Vice-President of the Institute who shall be the Vice-Chairman;</p>		
<p>(c) Registrar of the Institute, which shall be appointed by the Council;</p> <p>(d) National Treasurer of the Institute who shall be the Treasurer;</p> <p>(e) Legal Adviser of the Institute who shall be a legal practitioner with a background in Environmental law;</p> <p>(f) Minister of Environment or his representative who shall not be below the rank of a Director;</p> <p>(g) Minister of Petroleum or his representative who shall not be below the rank of a Director;</p> <p>(h) Minister of Agriculture or his representative who shall not be below the rank of a Director;</p> <p>(i) Minister of Health or his representative who shall not be below the rank of a Director;</p> <p>(j) Minister of Science and Technology or his representative who shall not be below the rank of a Director;</p> <p>(k) Minister of Works or his representative who shall not be below the rank of a Director;</p> <p>(l) a representative of the Environmental Health Officers Registration Council of Nigeria;</p> <p>(m) a representative of the National Environmental Standards Regulatory and Enforcement Agency of Nigeria (NESREA);</p> <p>(n) the immediate past president of the Institute;</p> <p>(o) five elected representatives from Nigerian Environmental Society, Waste Management Society of Nigeria and other recognized affiliate professional bodies in Environmental sector</p>		

<p>approved by Council, of whom three shall be members of the national executive committee of the institute;</p> <p>(p) Chairmen of branches of the Institute;</p> <p>(q) Chairman Board of Fellows;</p> <p>(r) Chairmen of committees of the Council; and</p> <p>(s) all representatives from Ministries, Departments and Agencies of Government shall not hold and Executive office.</p>		
<p><i>Schedule.</i></p> <p>(3) The provision of the First Schedule to this Bill shall regulate the proceedings of the Council and related matters.</p> <p>(4) Each members of the Council shall serve a term of two years and may be eligible for another term of two years and no more.</p>		
<p>Function of the Institute.</p> <p>3. The Institute shall have the general duty of —</p> <p>(a) training and certification of persons who seek to be members of the institute;</p> <p>(b) determining the standard of knowledge and skill to be attained by persons seeking to become registered members of the Environmental Practitioner of Nigeria and raising those standards from time to time as circumstances may permit;</p> <p>(c) securing in accordance with the provisions of this Bill, the establishment and maintenance of a register of members, and the publication from time to time of the list of those persons;</p> <p>(d) establish practice guidelines for environmental and safety certification in line with global best practices;</p> <p>(e) providing consultancy services on environmental matters to the public as well as the private sector;</p> <p>(f) holding conferences, workshops seminars and symposia on contemporary environmental issues; and</p> <p>(g) performing any other duties as the Council may deem fit from time to time.</p>	<p>Retained</p>	

<p>Function of the Council.</p> <p>4. The Council shall be responsible for:</p> <ul style="list-style-type: none"> (a) ensuring the effective and efficient implementation of the function of the Institute; (b) supervising and monitoring the operations of the Institute; (c) maintaining the highest level of integrity and honesty in the operations of the Institute; (d) the consideration and approval of the annual budget of the Institute; (e) presentation of the report and account prepared by the Institute to the Minister; (f) the approval of the audited accounts and the consideration of the management letters from the external auditors; (g) appointment and removal of auditors, provision of the necessary facilities and remuneration; and (h) carrying out such other activities as are necessary and expedient for achieving the objectives and functions of the Institute (i) take appropriate actions on all committees recommendations. (j) obtaining from any authority or persons, charters, and concessions necessary for the attainment of its purposes; (k) borrowing money, grant and loans with the approval of the Council without prejudice to any provision of this Bill relating to the provisions of funds; and (l) carrying out such other activities as are necessary and expedient for achieving the objectives and functions of the Institute as prescribed in this Bill. 	<p>Retained</p>	
<p>Admission into the Institute.</p> <p>5. (1) Subject to the provisions of this Bill, only persons of good character and integrity shall be admitted to membership of the Institute.</p> <p>(2) Members admitted into the Institute shall possess adequate interest, knowledge and understanding of environmental practices and other such</p>	<p>Retained</p>	

related professions may be registered as members in any of the following categories -

(a) Graduate Member, if the person has:

- (i) spent at least six years as an Associate, and
- (ii) adjudged by the Council to possess an adequate knowledge of environmental practice and management; and

(b) Fellow, if the person has:

- (i) spent at least ten years as a full member of the institute; or
- (ii) contribute significantly to the development of environmental practice and management;

(c) Associate Member, if the person is a:

- (i) University graduate who has spent at least four years in an affiliate grade;
- (ii) holder of university degree in environmental science or any related discipline, or a person who has performed duties at a senior level in environmental practice and management continuously for at least six years;
- (iii) graduate of the Institute who has competently performed executive or advisory duties at a senior level in environmental practice and management for at least four years since election to the grade of member; and
- (iv) non-graduate who has spent at least ten years in an affiliate grade, and possesses standard knowledge and qualities essential for a successful practice of environmental practice and management; and

(d) Honourary Fellow.

(3) A member of the Institute shall be entitled to receive, from the Council, a certificate in such form as the Council may approve for that purpose and a Fellow or an Associate Member shall be entitled to use such letters after his name as may be authorized by the Council from time to time as follows

- (a) a member registered into the category of individual membership shall be entitled to use the initials "MIEPN".

<p>(b) a member registered into the category of membership of Fellow shall use the initials "FIEPN";</p> <p>(c) a member registered into the category of membership of Associate shall be entitled to use the initials "AIEPN".</p>		
<p>PART II — FINANCIAL PROVISIONS</p> <p>Fund of the Institute.</p>	<p>Retained</p>	
<p>6. (1) There shall be established for the Institute a Fund, which shall be managed and controlled by the Council.</p> <p>(2) There shall be paid into the Fund:</p> <p style="padding-left: 40px;">(a) all fees, charges and monies payable to the Institute pursuant to this Bill;</p> <p style="padding-left: 40px;">(b) all revenue from other sources both locally and internationally; and</p> <p style="padding-left: 40px;">(c) other monies received by the Institute in course of its operations or in relation to the exercise of its function under this Bill.</p> <p>(3) There shall be paid out of the Fund of the institute:</p> <p style="padding-left: 40px;">(a) remuneration and allowances of the Institute;</p> <p style="padding-left: 40px;">(b) all expenditure incurred by the Council in the discharge of its functions under this Bill;</p> <p style="padding-left: 40px;">(c) such reasonable expenses and allowances of members of the Council, committee members and other co-opted persons in respect of the time spent on duties of the Council as applicable to similar Institutes; and</p> <p style="padding-left: 40px;">(d) any other expenses incurred by the Council in the discharge of its function under this Bill.</p> <p>(4) The Council may invest monies from the fund in any security created or issued by or on behalf of the Government of the Federation or any other security in Nigeria as may be approved by the council.</p> <p>(5) The Council may on behalf of the Institute, from time to time borrow money for the purpose of running the Institute, which shall be paid into the Fund.</p>		

<p>Annual accounts and audit.</p> <p>7. (1) The Council shall keep proper accounts and records on behalf of the Institute in respect of each year, and the Council shall cause the accounts to be audited by an external auditor appointed from the list of auditors and in accordance with the guidelines supplied by the Auditor General of the Federation and the audited accounts submitted to the members at the general meeting of the Institute.</p> <p>(2) The Auditor appointed for the purposes of subsection (1) of this section shall not be a member of the Council.</p>	<p>Retained</p>	
<p>PART III — THE REGISTRATION AND THE REGISTRAR</p>		
<p>Appointment of Registrar, etc and preparation of register.</p> <p>8. (1) The Council shall appoint a person knowledgeable in environmental practice for not less than ten years to be the Registrar of the Institute, and such other persons as the Council may from time to time think necessary to assist the Registrar in the performance of his functions under this Bill.</p> <p>(2) The Registrar shall be the Chief Executive officer of the Institute and Secretary to the Council.</p> <p>(3) The Registrar shall prepare and maintain a Register of names, addresses and approved qualifications and other relevant particulars as may be specified in the rules made by Council, of all categories and classes of members/persons registered as Environmental practitioners in the Country.</p> <p>(4) The register shall consist of parts established according to professional disciplines approved by Council. Council shall review parts of the disciplines as need arises.</p> <p>(5) The Council may make regulations with respect to the form and keeping of the register and the making of entries therein and in particular</p> <p style="padding-left: 40px;">(a) regulating the making of applications for or registration, and providing for the evidence to be produced in support of applications;</p> <p style="padding-left: 40px;">(b) providing for the notification to the Registrar, by the person to whom any registered particulars relate, of any change in those particulars;</p>	<p>Retained</p>	

<p>(c) authorizing a registered person to have any qualification which is in relation to economics, either an approved qualification so registered;</p> <p>(d) specifying the fees, including any registration fees, to be paid to the institute in respect of the entry of names on the register and authorizing the registrar to refuse to enter a name on the register until any fee specified for the entry has been paid.</p>		
<p>(6) Any rules made for the purposes of paragraph (d) of subsection (5) of this section shall not come into force until they are approved by the Annual General Meeting (AGM).</p>		
<p>Duties of the Registrar.</p> <p>9. It shall be the duty of the Registrar to correct, as directed by the Council:</p> <p>(a) any wrong entry in the register;</p> <p>(b) update the registered particulars of registered persons;</p> <p>(c) remove from the register the name of any registered person who has died;</p> <p>(d) record the names of members of the institute who are in debt for more than six months in the payment of annual or practicing fee and to take such action in relation thereto (including removal of the name of defaulter from the register) as the Council may be direct or require.</p>	<p>Retained</p>	
<p>Publication of register and its correction.</p> <p>10. (1) The Registrar shall ensure that:</p> <p>(a) the register or any corrections made therein shall be printed, published and put on sale for members of the public not later than two years from the commencement of this Act; and</p> <p>(b) a print of each edition of the register and of each list of corrections to be deposited at the headquarters of the Institute, and it shall be the duty of the Council to keep the register and list so deposited, available at all reasonable times for inspection by members of the public.</p> <p>(2) A published copy of the Register and any corrections therein shall be admissible in evidence to prove registration of a person.</p>	<p>Retained</p>	

<p style="text-align: center;">PART IV — REGISTRATION</p> <p>Registration of Environmental Practitioners organization.</p> <p>11. (1) The Council shall register annually all qualified Environmental Practitioners and organisations and renew their registration every five years.</p> <p>(2) A person, organisation or firm shall not practice as an Environmental- Practitioners -or- consultant -in- Nigeria -unless- registered by the Council.</p>	<p>Retained</p>	
<p>Rules as to practice.</p> <p>12. (1) The Council may make rules for —</p> <p>(a) prescribing the amount and date of the annual practicing fees;</p> <p>(b) prescribing the form of license to practice to be issued;</p> <p>(c) restricting the right to practice as a member in default continues for longer than such period as may be prescribed by the Council;</p> <p>(d) restricting the right to practice as a member if the qualification granted outside Nigeria does not entitled the holder to practice as an environmental practitioner; and</p> <p>(e) prescribing the period of practical training and experiences in the office of a member in practice, to be completed before a person qualifies for registration or a license to practice as environmental practitioner.</p> <p>(2) Rules when made shall, if the Chairman of the Council so direct be published in two widely circulated national dailies and in the Institute's Journal.</p>	<p>Retained</p>	
<p style="text-align: center;">PART V — PROFESSIONAL DISCIPLINE</p> <p>Establishment of Environmental Practitioners Disciplinary Committee for professional misconduct.</p> <p>13. (1) There shall be established a committee to be known as the Environmental practitioners Disciplinary Committee (in this Bill referred to as “the Disciplinary Committee”) which shall be charged with the duty of considering and determining any cases of professional misconduct referred to it.</p>	<p>Retained</p>	

<p>(2) The Disciplinary Committee shall consist of a chairman and four other members of the Council of the Institute appointed by the Board.</p> <p>(3) The quorum of the meeting of the Committee shall be three members, including the Chairman or in his or her absence, his or her nominee.</p> <p>(4) The Disciplinary Committee shall conduct investigations into any allegation against any registered member of the Institute for professional misconduct or such other conduct that warrants proceedings against him or her before the Disciplinary Committee and shall make determination as to his or her guilt or innocence.</p> <p>(5) Where the Disciplinary Committee determines that a registered member is guilty of misconduct, it shall refer the matter including all its proceedings and recommendations to the Council of the Institute and the Council shall make determination as to whether the member should be —</p> <p style="padding-left: 40px;">(a) reprimand; or</p> <p style="padding-left: 40px;">(b) suspended for a period not exceeding 12 months; or</p> <p style="padding-left: 40px;">(c) deregistered, that is to say have his or her name removed from the register.</p> <p>(6) The Governing Council of the Institute may make rules not inconsistent with this Bill as to acts which constitute professional misconduct.</p> <p>(7) If a member is convicted of a criminal offence by a court or tribunal of competent jurisdiction, he shall have his or her name removed from or struck out of the register.</p> <p>(8) A person whose name is removed from the register in pursuance of a directive of the Governing Council under this section shall not be entitled to be registered again except in pursuance of a new directive in that behalf given by the Council upon the application of that person; not less than two years from the date on which his or her name was removed from the register.</p>		
<p>Offences and penalties.</p> <p>14. (1) Any person who is not registered by the Institute but holds himself or herself out as a registered Environmental Practitioner shall be guilty of an offence.</p> <p>(2) Any person who for the purpose of procuring registration as Environmental Practitioner —</p>	<p>Retained</p>	

<p>(a) makes false claim as to his or her qualifications or experiences;</p> <p>(b) makes false entry or willfully falsifies the register, shall be guilty of an offence.</p> <p>(3) A persons who commits offence under this Bill shall be liable on conviction to:</p> <p>(a) a fine not exceeding ₦500,000 or imprisonment for a term not exceeding six months or both such fine and imprisonment for an individual; or</p> <p>(b) a fine of not less than ₦1,000,000 for a corporate organization.</p>		
<p style="text-align: center;">PART VI — MISCELLANEOUS PROVISIONS</p> <p>Committees.</p> <p>15. (1) The Council shall appoint the following standing committees</p> <p>(a) admission and registration committee;</p> <p>(b) education and training committee;</p> <p>(c) disciplinary committee;</p> <p>(d) finance and general purpose committee; and</p> <p>(e) such other adhoc committees, to carry out on behalf of the Council, such functions as the Council may determine.</p> <p>(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council of whom not more than one third may be persons who are members of 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 letter by which he is appointed.</p> <p>(3) Membership of committee shall be drawn from registered members outside Council who are professionally competent to be so appointed and membership of any standing committee shall not be less than five and not more than seven and shall be chaired by a Council member so appointed.</p> <p>(4) A decision of a committee of the Council shall be of no effect until the Council considers and ratifies or approves it.</p>	Retained	

<p>Fees.</p> <p>16. The Council shall prescribe rules and regulations, including fees to be paid for registration and other purposes under this Bill; and when and how such fees shall be paid.</p>	<p>Retained</p>	
<p>Honorary membership.</p> <p>17. The Council can admit persons to the Institute as Honorary members, provided not more than five (5) persons are admitted for a period of not less than two (2) years.</p>	<p>Retained</p>	
<p>Library.</p> <p>18. The Institute shall:</p> <p>(a) provide and maintain a library comprising of books, research materials and publications that will build the capacity of the Environmental Practitioners and other materials approved by the Council;</p> <p>(b) encourage research into environmental and other related subjects and</p> <p>(c) formulate and make rules and regulations guiding the use of the library in particular and the Institute in general.</p>	<p>Retained</p>	
<p>Property of the Institute.</p> <p>19. The Institute may own, register, transfer and receive properties in its corporate name.</p>	<p>Retained</p>	
<p>Interpretation.</p> <p>20. In this Bill:</p> <p>"Institute" means the Institute of Environmental Practitioners of Nigeria;</p> <p>"Association" means the Association of Environmental Practitioners;</p> <p>"Environmental Practitioners" means a person who has the relevant qualification in any environmental science, disciplines, engineering and technology, sciences and related disciplines, experience, attitude and dedication towards the good health and well-being of the environment;</p> <p>"Minister" means Minister in charge of Environment;</p> <p>"Council" means Governing Council of the Institute;</p>	<p>Retained</p>	

<p>"Fees" includes annual subscription;</p> <p>"Member" means a registered member of the Institute;</p> <p>"Practitioners" means Environmental Practitioners;</p> <p>"Tribunal" means Environmental Practitioners' Discipline Tribunal;</p> <p>"Register" means register of members; and</p> <p>"Registrar" means Chief Executive of the Institute.</p>		
<p>Short title.</p> <p>21. This Bill may be cited as the Institute of Environmental Practitioners of Nigeria (Establishment) Bill, 2018.</p>	Retained	
<p style="text-align: center;">SCHEDULE</p> <p style="text-align: right;"><i>Clause 2 (3)</i></p> <p>SUPPLEMENTARY PROVISIONS RELATING TO THE INSTITUTE PROCEEDINGS OF THE COUNCIL</p> <p>1. Subject to provisions of this Bill and other applicable laws, Council may make orders regulating its proceedings or those of any committee it sets up.</p> <p>2. Where standing orders made under paragraph 1 of this Schedule provide for the Council to co-opt persons who are not members of the council, such persons may advise the Council on any matter referred to them by the Council, but shall not be entitled to vote at a meeting of the Council or count towards a quorum.</p> <p>3. The Council may appoint one or more committees to carry out on its behalf such functions as the council may determine.</p> <p>4. A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Council and a person shall hold office in accordance with the terms of his appointment.</p> <p>5. A decision of a Committee of the Council shall be of no effect until it is confirmed by the Council.</p> <p style="text-align: center;"><i>Meetings of the Council</i></p>	Retained	

6. The council shall meet whenever it is considered necessary (but not less than twice a year) by giving notice to all members concerned, at least seven (7) days before the meeting.

7. The Chairman shall preside at every meeting of the Council and in his absence, the Vice Chairman shall preside.

8. Five members of the Council, other than the Chairman shall form a quorum at the meeting.

9. Unless otherwise provided in this Bill, decisions shall be by a simple majority of the votes of the members present, but in the event that equal votes are cast, the person presiding shall cast the deciding vote.

Committees

10. Subject to standing orders, the Council may appoint one or more committees to carry out on its behalf such duties as the Council may determine and make necessary reports.

11. A committee appointed under paragraph 10 of this schedule shall consist of the number of persons to be determined by the Council and not more than the one-third of those persons may be persons who are not members of the Council; a person other than a member of the Council may hold office on the Committee in accordance with the letter of appointment provided.

12. The quorum of any committee set up by the Council shall be determined by the Council.

13. The decision of the committee shall be of no effect until confirmed by the Council.

Miscellaneous

14. The fixing of the seal of the Institute shall be authenticated by signature of the Chairman and some other members authorised generally or specially by the council to act for that purpose.

15. A document purporting to be an instrument issued by the Institute and to be sealed with the seal of the Institute authenticated in the manner provided by the foregoing paragraph, or to be signed by the Chairman, shall receive in evidence and shall be deemed to be the instrument without further proof, unless there is proof otherwise.

16. 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, if made by

<p>or executed on behalf of the Council by any person authorised generally or specially by the Council to act for that purpose.</p> <p>17. The validity of a proceeding of the council shall not be affected by:</p> <p>(a) a vacancy in the membership of the Council;</p> <p>(b) by a defect in the appointment of a member of the Council; or</p> <p>(c) by reason that a person not entitled to do so took part in the proceedings.</p> <p>18. A member of the Council and a person holding office on a committee of the Council, who has a personal interest in a contract or an arrangement entered into or proposed to be considered by the Council or the committee shall forthwith disclose his interest to the council or committee and shall not vote on any question relating to that contract or arrangement.</p>		
<p style="text-align: center;">EXPLANATORY MEMORANDUM</p> <p>This Bill seeks to establish the Institute of Environmental Practitioners of Nigeria, to be charged with the responsibility of regulating and managing environmental practices in Nigeria and for other purposes related thereto.</p>	<p>Retained</p>	