LEAD DEBATE ON THE BILL FOR AN ACT TO ESTABLISH INTERGRATED CORPORATE DATA MANAGEMENT COMMISSION AS BODY RESPONSIBLE FOR COMPREHENSIVE COLLATION AND HARMONIZATION OF CERTIFICATES ISSUED BY CORPORATE STATUTORY REGULATORY BODIES, GRADATION BASED ON COMPLIANCE WITH ENABLED LAWS REGULATING CORPORATE ENTITIES IN NIGERIA AND OTHER MATTERS CONNECTED THEREWITH.

SPONSORED BY SENATOR YUSUF ABUBAKAR YUSUF

Mr. President my most Distinguished Colleagues, this Bill seeks for the Establishment of the Management of Corporate Integrated Data Commission. The Bill was first read in this Chamber on Tuesday 25TH April, 2017 and the speedy passage will enhance transparency in dealing with the registered corporate entities in Nigeria. The creation and provision of a Data Bank will provide all information about corporate Entities registered in Nigeria under one roof for efficient and effective coordination of all certificates or other relevant documents issued or will be issued by corporate regulatory bodies will be updated annually. A comprehensive review of all existing information on corporate entities in Nigeria will be conducted and the commission will issue INTERGRATED DATA CARD to each individual corporate entity registered in Nigeria upon satisfactory clearance and payment of prescribed fee.

The Bill also seek to encourage corporate entities registered in Nigeria to obey laws which regulate corporate bodies by maintaining and updating a data bank for continuous collection and collation of individual corporate data and Certificate or document issued or will be issued by relevant regulatory Authorities such as the corporate Affairs commission,(CAC) Federal Inland Revenue Services,(FIRS), Industrial Training Fund,(ITF) National Pension Commission,(PENCOM) Nigerian Immigration Service, (NIS) Security and exchange Commission (SEC), National Insurance Commission (NAICOM) etc. Part of the duties of the Commission if established, shall be to collect certificates and other document on behalf of the corporate entities from respective regulatory Authority after such an entity must have comply with all the requirements to the respective regulatory Authority. The documents which on annual basis the commission will be collecting for and on behalf of respective individual corporate entities cleared will include, but not limited to; Audited Report, Annual Return filed, Tax Clearance Certificate, Pension Commission Certificate, Industrial Training Fund Certificate, Certificate of incorporation, Expatriate Quota Certificate, etc. and, will be updated in the data bank of the commission so as to issue the Corporate Data Card of respective individual corporate entities.

The Commission if established will also provide framework for effective harmonization and the integration of the existing corporate entities into the current proposal to ensure accuracy and reliability of all information coming/received from any corporate entity in Nigeria and the corporate regulatory bodies through background checks before such information becomes part of the information in the data bank.

The Commission, if established shall also provide framework for the collection and collation of data from corporate entities registered in Nigeria and from respective regulatory bodies for the purposes of grading of such corporate entities registered in Nigeria based on compliance with the enabling laws, as well as to provide incentives for the performing corporate entities in Nigeria.

The Commission, if established, will also provide the framework for effective sharing of data between Corporate entities and relevant Government Agencies, as well as with other stakeholders for the purposes of facilitating National Planning and Economic Development in Nigeria with the aim of making all corporate entities in Nigeria to participate in the development of Nigeria and for the purpose of utilizing the human capital and material resources and ease of doing business in Nigeria with the aim of making all corporate entities in Nigeria to participate in the efficient development and for purpose of efficient utilization of human capital and material resources in this country.

The Bill also seeks to cure the mischief of paucity created by individual stakeholders' poor regulatory oversight companies and organizations as a result of operational of the existing applicable corporate laws operated by various Agencies in Nigeria today. Some of the mischief created in the course of application of these corporate regulatory laws is as follows;

(1) As am presenting this bill today a promoter is in the process of incorporation or registration of a corporate entities but most disturbing about this process is the non-availability of mechanism or machinery to check the veracity or otherwise of the information received from the promoter before it's been acted upon, and as a result it creates majority of corporate entities with no authentic office address, nonexistence of staff in such corporate entities probable take names of Directors of the entities as was filed by the promoter in the course of incorporation or registration. Today Inland Revenue service (FIRS) finds it very difficult to locate many addresses of the registered companies.

(2) The above types of corporate entities were only created for the purpose of getting government contracts. In another dimension to this disturbing practice, the entities when applying for a contract they make sure they pay to fulfill all the requirement of the law ranging from Tax clearance, pension clearance certificate, Industrial Training Fund Certificate etc. An instance occurs when a corporate entity pays money for host pension fund beneficiaries while. The question then arises as to who benefit from the payments made by a company without any staff in its employment. So also applies to the monies that are paid into the account of Industrial Training fund without staff to trained, then who benefit from the fund and how many of these type of the entities had paid into these account and where is the money?!

(3) Some of the corporate entities in Nigeria who are trading in the floor of the stock exchange give different Audited report or Annual Return for different regulatory Agencies that require such reports by law such as security and Exchange Commission, Inland Revenue Service, Corporate Affairs Commission thereby misleading regulating institutions in the country to believe that such Corporate entities have capacities to conduct legitimate and efficient businesses in Nigeria, when in actual sense they do not possess such, in addition to serial avoidances of prescribed taxes.

(4) The corporate Affairs Commission which is solely responsible for incorporation and winding up of companies, Registration of business names, Registration of non-governmental organizations, Registration of merger and acquisition and

amongst others activities has no powers other than what was provided under its current provision. The law as it is today didn't make room for all the provisions contain in this Bill as this Bill concern itself with bringing together authorized documents of all corporate entities registered in Nigeria under one data system, to maintain and update a data bank for continues collection and collation of data and gradation of all corporate entities registered in Nigeria, to provide a framework for effective harmonizing of the current system into this proposed system for the issuance of an integrated Corporate Data Card to every registered corporate entity in Nigeria.

(5) The current system is open to abuse and make work on them cumbersome and time consuming to all parties ie from procurement officers, regulatory bodies and corporate entities applying for contract award or to update their document etc. in view of the above its our duty to make laws work and to work for the common good of our people. The work must starts now by supporting this bill.

(6) Regulatory bodies cannot access most of the offices of the corporate entities and this because the promoters had refused to give authentic and reliable office addresses. This is why this Bill becomes, necessary to ensure accuracy and reliable this is why this Bill become necessary to ensure accuracy and reliability of all information coming and received from any corporate entity in Nigeria through background checks before it becomes part of information in the data bank.

Distinguish Colleagues some of the immediate benefit of the commission if establish will help in the following;

(1) The Bill will address current institutional weaknesses in regulation, compliance and enforcement.

2) The implementation of this Bill is expected to increase Management credibility, investors' confidence and efficiency

(1) For investors and lenders, better disclosure provides more relevant information for making sound investment decisions and risk assessment respectively

(2) The Bill if passed into law will protect investor and other stakeholder's interest by ensuring accuracy and reliability through

corporate disclosures pursuant to various laws and regulation currently in existence.

(3) The commission if established will hasten ease of doing business by harmonizing activities of relevant regulatory bodies as relating to issuing certificate and management of data of corporate entities in Nigeria.

FINANCIAL IMPLICATION; Mr. President, Distinguish Colleagues, the Bill require no expensive appropriation as it shall be self-financing requiring minimal direct government financing start up. The revenue, the commission will be administered on an electronic platform. This allows for ease of seamless access for use as. The compendium of the financial implications on the Bill is attached in line with Order 77(3) of the standing orders of the Senate.

This Bill seeks to unlock documentary challenges for ease of doing business in Nigeria; by reducing all commercial and statutory documents required for start of business concerns, procurement processes, financial regulations, trading, investments and management concerns.

It is in the light of the above, I humbly implore all the Most Distinguished Colleagues to embrace the underlying principles of the Bill which shall improve the future of doing business in Nigeria with ease, transparency, integrity and skill, the necessary and sufficient conditions for propelling Nigeria into investment destination for quick growth and development.

This Bill is structured into five parts with 24 Sections

Part I

Section 1 – 9

1 Establishment of corporate intergraded Data Management System Commission

2 Head office of the Commission

3 Commission of the Board of the Commission

4 Qualification etc. of the commission's Board

5 Appointment and Tenure of office of members of the Board

6 Removal of Member and cessation of membership

7 Remuneration and allowances of members of the Board

8 proceeding of the Commission

9 Disclosure of pecuniary interest by members of the board

Part II

Sections 10 - 11

10 Functions and powers of the Commission

Part III

Sections 12- 15

11 Director – General of the Commission
12 Commission's Secretary
13 Staff of the Commission
14 Pension

Part IV

Sections 16- 23

15 Fund of the commission
16 Borrowing, Powers Gift, etc
17 Annual Reports for the National Assembly
18 Annual Estimates, Account and Audit
19 Appointment and power of Inspectors
20 Penalty in falsifying returns
21 Unlawful disclosure and failure to furnish information lawfully requested
22 Penalties for failure to furnish information
Part V
Section24 interpretations
I urge you to support the seconding of this Bill

COMPENDIUM OF FINANCIAL IMPLICATIONS ON THE BILL FOR ESTABLISHMENT OF INTERGRATED CORPORATE DATA MANAGEMENT COMMISSION AS BODY RESPONSIBLE FOR COMPREHENSIVE COLLATION AND HARMONIZATION OF CERTIFICATES ISSUED BY CORPORATE STATUTORY REGULATORY BODIES, GRADATION BASED ON COMPLIANCE WITH ENABLED LAWS REGULATING CORPORATE ENTITIES IN NIGERIA AND OTHER MATTERS CONNECTED THEREWITH

In compliance with Order 77(3) of the Standing Orders of the Senate of the Federal Republic of Nigeria, below is a summary of the anticipated recurrent and capital expenditure on the first twelve months immediately following the commencement of this Act.

TOTAL PROJECTS/ESTIMATES FOR THE RECURRENT AND CAPITAL EXPENDITURE FOR THE COMMISSION IN THE FIRST TWELVE MONTHS IMMEDIATELY FOLLOWING COMMENCEMENT

1.	Project Recurrent Expenditure (Salaries and Allowances of Personnel)	₦ 230,100,115.00
2.	Projected Recurrent Expenditure (Overhead) (Maintenance Management Cost of Office and other Contingency)	₦ 67,744,000.00
3.	Estimated Capital Expenditure (Office Accommodation, furniture etc	₦ 280,000,000.00
Total	**Total Project/ Estimated Cost for First year of commencement of the commission**	**₦ 577,844,115.00**

The above compilation proffers a fair approximate of the financial implications for the establishment of the commission in the first year immediately following commencement.