



**THE NATIONAL ASSEMBLY
FEDERAL REPUBLIC OF NIGERIA**

COMMITTEE ON WORKS

**REPORT OF THE CONFERENCE
COMMITTEE ON THE NATIONAL ROAD
FUND BILL, 2019**

MAY, 2019

1.0 INTRODUCTION:

The National Road Fund Bill was passed by the House of Representatives committee on works on 26th September 2017 and in the Senate on 1st February, 2018.

However, some differences were observed in the versions passed by the two Chambers. Consequently, a conference committee was constituted in the House of Representatives on 28th November, 2018 and in the Senate on Tuesday, 11th December 2018 to resolve the areas of difference in line with their Standing Rules.

2.0 CONFEREES

2.1 Senate:

- | | | | |
|------|--------------------------|---|----------|
| i. | Senator Kabiru Gaya | - | Chairman |
| ii. | Senator Clifford Ordia | - | Member |
| iii. | Senator Baba Kaita Ahmad | - | Member |
| iv. | Senator Mao Ohuabunwa | - | Member |
| v. | Senator Ben Murray-Bruce | - | Member |
| vi. | Senator Biodun Olujimi | - | Member |

2.2 House of Representatives:

- | | | | |
|------|-----------------------------|---|-------------|
| i. | Hon. Toby Okechukwu | - | Co-Chairman |
| ii. | Hon. Ezekiel A. Adaji | - | Member |
| iii. | Hon. Mohammed A. Wudil | - | Member |
| iv. | Hon. Dr. Mohammed S. Abdu | - | Member |
| v. | Hon. Albert Abiodun Adeogun | - | Member |
| vi. | Hon. Brown Randolph Iwo | - | Member |

3.0 AREAS OF DIFFERENCE:

The areas of difference in the Bills passed by both Houses are as follows:

- i) Long Title of the Bill;
- ii) Clause 4, Sources of the Road Fund;
- iii) Clause 6, Establishment of the Governing Board of Directors;
- iv) Clause 25, Penalties;
- v) Second Schedule;
- vi) Clause 8 (a).

In examining on both versions of the Bill, the Conferees adopted the following:

3.1 Senate

- i. Title of the Bill;
- ii. Clause 6 (3),
- iii. Second schedule.

3.2 House of Representatives

- i. Clause 4 (1); sources of the Roads Funds;
- ii. Clause 25 (1); penalties;
- iii. Clause 8^a Fuel Levy on Imported Petroleum Products.

4.0 RECOMMENDATION


After exhaustive deliberations, the Conference Committee hereby recommends for approval, the report of the harmonized National Road Fund Bill, 2019. This Bill seeks to establish the National Road Fund which is a repository of revenues accruing from road users, related charges and other sources of financing, which shall be managed and administered for the periodic and routine maintenance of works on roads and related matters in Nigeria.

5.0 CONCLUSION

On behalf of the members of the conference committee, we thank the leadership of members of both Chambers for the opportunity to serve.

.....

Senator Kabiru Gaya
Chairman,
Senate Committee on Works

.....

Foluke Ogunbayo
Clerk
Senate Committee on Works


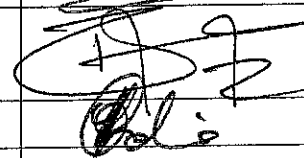
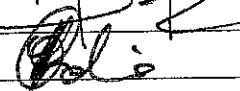
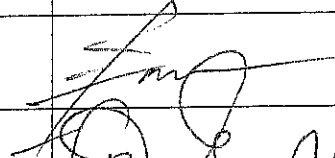
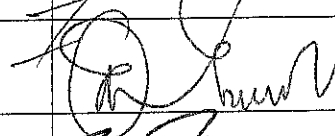
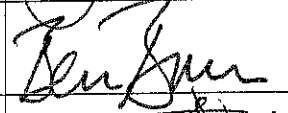
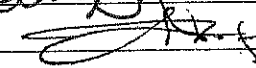
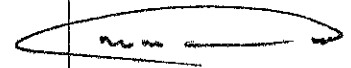
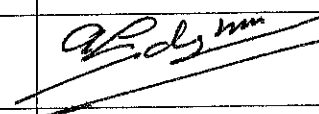
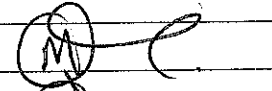

.....

Hon. Toby Okechukwu
Chairman,
House Committee on Works

.....

Caroline Asan
Clerk
House Committee on Works

**ENDORSEMENT OF CONFERENCE COMMITTEE TO THE NATIONAL
ROADS FUND BILL, 18th December, 2018**

S/N	NAME	DESIGNATION	SIGNATURE
1	Senator Kabiru Gaya	Chairman	
2	Hon. Toby Okechukwu	Co-Chairman	
3	Senator Clifford Ordia	Member	
4	Senator Biodun Olujimi	Member	
5	Senator Mao Ohuabunwa	Member	
6	Senator Baba Kaita Ahmad	Member	
7	Senator Ben Murray-Bruce	Member	
8	Hon. Ezekiel Adaji	Member	
9	Hon. Mohammed A. Wudil	Member	
10	Hon. Dr. Mohammed S. Abdu	Member	
11	Hon. Albert Abiodun Adeogun	Member	
12	Hon. Brown Randolph Iwo	Member	
	Foluke Ogunbayo	Com. Clerk Senate	
	Caroline Asan	Com. Clerk House of Representatives	

A BILL FOR AN ACT TO ESTABLISH THE NATIONAL ROADS FUND FOR THE PURPOSE OF FINANCING ROUTINE AND PERIODIC MAINTENANCE OF NATIONAL ROADS AND FOR OTHER RELATED MATTERS, 2019.

<p>A BILL FOR AN ACT TO ESTABLISH THE NATIONAL ROADS FUND FOR THE PURPOSE OF FINANCING ROUTINE AND PERIODIC MAINTENANCE OF NATIONAL ROADS AND FOR OTHER RELATED MATTERS, 2018</p> <p>Senate Version</p>	<p>A BILL FOR AN ACT TO ESTABLISH THE NATIONAL ROADS FUND FOR THE PURPOSE OF FINANCING ROUTINE AND PERIODIC MAINTENANCE OF NATIONAL ROADS AND FOR OTHER RELATED MATTERS, 2017</p> <p>House of Representatives Version</p>	<p>Senate Version Adopted</p>
<p>Sources of the Roads Fund.</p> <p>4. (1) From the commencement of this Bill revenue accruing from all of the following sources shall be chargeable and paid into the Roads Fund as prescribed under the Second Schedule to this Bill –</p> <p>(a) Axle Load Control Charges;</p> <p>(b) Toll Fees;</p> <p>(c) International Vehicle Transit Charges;</p> <p>(d) Inter-State Mass Transit User Charge;</p> <p>(e) Roads Fund Surcharge;</p> <p>(f) Lease, License or other Fees from Non-</p>	<p>Sources of the Roads Fund</p> <p>4. (1) From the commencement of this Bill revenue accruing from all of the following sources shall be chargeable and paid into the Roads Fund as prescribed under the Second Schedule to this Bill –</p> <p>(a) Fuel Levy on Imported Petroleum Products</p> <p>(b) Fuel Levy on Locally Refined Petroleum Products</p> <p>(c) Axle Load Control Charges</p> <p>(d) Toll Fees</p> <p>(e) International Vehicle Transit Charges</p> <p>(f) Inter-State Mass Transit User Charge</p> <p>(g) Roads Fund Surcharge</p>	<p>House Version Adopted</p>

<p>Vehicular Road Usages:</p> <p>(g) grants and loans to the Roads Fund by the federal, state or local government, statutory corporations in the Federation, or any agency or institutions of any government, any international organization, or private foundation or any person whatsoever;</p> <p>(h) gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organization making the gift, provided such terms and conditions are not inconsistent with the objectives of the Roads Fund under this Bill; and,</p> <p>(i) all other assets which may, from time to time, accrue to the Roads Fund.</p>	<p>(h) Lease, License or other Fees from Non-Vehicular Road Usages</p> <p>(i) grants and loans to the Roads Fund by the federal, state or local government, statutory corporations in the Federation, or any agency or institutions of any government, any international organization, or private foundation or any person whatsoever;</p> <p>(j) gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organization making the gift, provided such terms and conditions are not inconsistent with the objectives of the Roads Fund under this Bill; and,</p> <p>(k) all other assets which may, from time to time, accrue to the Roads Fund.</p>	
<p>6. Establishment of the Governing Board of Directors.</p> <p>(3) The Board shall consist of:</p> <p>(a) a non-Executive Chairman who shall be appointed from the private sector;</p> <p>(b) one representative from each of the</p>	<p>6. Establishment of the Governing Board of Directors.</p> <p>(3) The Board shall consist of:</p> <p>(a) a non-Executive Chairman who shall be appointed from the private sector;</p> <p>(b) one representative from each of the following</p>	

<p>following Ministries —</p> <p>(i) Federal Ministry of Finance;</p> <p>(ii) Federal Ministry responsible for roads;</p> <p>(c) one representative from each of the following bodies —</p> <p>(i) the Nigerian Association of Chambers of Commerce and Industry;</p> <p>(ii) Nigerian Society of Engineers and the Nigerian Institution of Highway and Transportation Engineers jointly;</p> <p>(iii) Petroleum Products Pricing and Regulatory Agency;</p> <p>(iv) Federal Roads Maintenance Agency and or any relevant Agency in charge of roads maintenance;</p> <p>(v) Nigerian Association of Road Transport Owners;</p> <p>(vi) the Agency responsible for the marketing of petroleum products; and</p> <p>(vii) the Nigerian Institute of Quantity Surveyors;</p> <p>(d) one (1) person from a state Road Agency to be selected from each of the six</p>	<p>Ministries —</p> <p>(i) Federal Ministry of Finance;</p> <p>(ii) Federal Ministry responsible for roads;</p> <p>(c) one representative from each of the following bodies —</p> <p>(i) the Nigerian Association of Chambers of Commerce and Industry;</p> <p>(ii) Nigerian Society of Engineers and the Nigerian Institution of Highway and Transportation Engineers jointly;</p> <p>(iii) Petroleum Products Pricing and Regulatory Agency;</p> <p>(iv) Federal Roads Maintenance Agency and or any relevant Agency in charge of roads maintenance;</p> <p>(v) Nigerian Association of Road Transport Owners;</p> <p>(vi) the Agency responsible for the marketing of petroleum products; and</p> <p>(vii) the Nigerian Institute of Quantity Surveyors;</p> <p>(d) one (1) person from a state Road Agency to be selected from each of the six (6) geopolitical zones, which shall be rotationally selected in an</p>	
--	---	--

<p>(6) geopolitical zones, which shall be rotationally selected in an alphabetical order of state names within each zone, to represent the zone.</p>	<p>alphabetical order of state names to represent the zone;</p> <p>(e) the Managing Director who shall be appointed by the Board</p>	<p>Senate Version Adopted</p>
<p>Penalties.</p> <p>25. (1) Except as otherwise provided under this Bill, a person guilty of an offence under this Bill shall upon conviction, be liable to imprisonment for a term of six (6) months or to a fine not exceeding five hundred thousand (₦500,000.00) or both.</p>	<p>Penalties.</p> <p>25. (1) Except as otherwise provided under this Bill, a person guilty of an offence under this Bill shall upon conviction, be liable to imprisonment for a term of six (6) months or to a fine not exceeding one million naira (₦1,000,000.00) or both.</p>	<p>House Version Adopted</p>
<p>SECOND SCHEDULE</p> <p>PROVISIONS RELATED TO CHARGING, PAYMENT AND COLLECTION OF LEVIES, FEES, CHARGES, SURCHARGES OR OTHER STIPULATED SOURCES OF FUNDING UNDER THIS BILL</p>	<p>SECOND SCHEDULE</p> <p>PROVISIONS RELATED TO CHARGING, PAYMENT AND COLLECTION OF LEVIES, FEES, CHARGES, SURCHARGES OR OTHER STIPULATED SOURCES OF FUNDING UNDER THIS BILL.</p> <p>Levies, fees, charges and surcharges stated in section 4 (a-g) under this Bill shall be administered as prescribed under this Schedule.</p>	<p>Senate Version Adopted</p>
	<p>Roads Fund Surcharge</p> <p>7. (a) There shall be paid into the Roads Fund a surcharge of 0.5% on the assessed value of any vehicle</p>	<p>House Version Adopted</p>

	<p>imported at any time into Nigeria;</p> <p>(b) The surcharge shall be paid in full into the designated accounts of the Roads Fund by the importer of any vehicle and the evidence of the payment shall be provided to the Nigeria Customs Service for the purposes of clearing and permitting the importation of a vehicle;</p> <p>(c) The Nigeria Customs Service shall be responsible for assessing and ensuring the accurate remittance of the payable Roads Fund Surcharge into the designated accounts of the Roads Fund and shall render reports and accounts to the Board of the Roads Fund of the total amounts from receipts of payment of such levies to the Roads Fund account; and</p> <p>(d) The Minister shall have the power to review and determine the amount to be charged as Roads Fund Surcharge from time to time.</p>	
	<p><i>Fuel Levy on Imported Petroleum Products</i></p> <p>8. (a) There shall be paid into the Roads Fund a levy of One naira (=N= 1) per litre on any volume of petrol and diesel products imported into Nigeria;</p> <p>(b) The levy shall be deducted from the pump price of petrol and diesel and paid into the Roads Fund;</p> <p>(c) The levy shall be paid in full directly into the designated accounts of the Roads Fund by the importer and the evidence of payment shall be required to be provided to the Nigerian Customs Service for the</p>	House Version Adopted

	<p>purposes of clearing and permitting the importation of such products;</p> <p>(d) The Nigerian Customs Service shall at all times be responsible for assessing and ensuring the accurate remittance of the payable Fuel Levy into the designated accounts of the Roads Fund and shall render reports and accounts to the Board of the Roads Fund of the total amounts from receipts of payment of such levies to the Roads Fund account; and</p> <p>(e) The Minister shall in consultation with the Minister for Petroleum have the power to review and determine the amount to be charged as Fuel Levy from time to time, from the commencement of this Bill.</p>	
	<p><i>Fuel Levy on Locally Refined Petroleum Products</i></p> <p>2. (a) There shall be paid into the Roads Fund a levy of One naira (=N= 1) per litre on any volume of petrol and diesel products refined or sold in Nigeria;</p> <p>(b) The levy shall be deducted from the pump price of petrol and diesel and paid into the Roads Fund;</p> <p>(c) The refinery and the agency in charge of marketing petroleum products in Nigeria shall be responsible for assessing and ensuring the accurate payment or remittance of the payable Fuel Levy into the designated accounts of the Roads Fund; and,</p> <p>(d) The Fuel Levy payable on locally refined petroleum products under subsection (a) and (b) of this section shall be payable no later than thirty (30) days after the delivery of the petroleum</p>	

	<p>products from the refinery.</p> <p>(e) The Minister shall have the power to review and determine the amount to be charged as Fuel Levy from time to time, from the commencement of this Bill.</p>	
--	--	--