

THE REPORT OF THE HOUSE COMMITTEE ON JUSTICE ON A BILL FOR AN ACT TO AMEND THE NATIONAL INSTITUTE FOR LEGISLATIVE STUDIES ACT 2011, TO AMONG OTHER THINGS CHANGE THE NAME OF THE INSTITUTE FROM NATIONAL INSTITUTE FOR LEGISLATIVE STUDIES TO NATIONAL INSTITUTE FOR LEGISLATIVE AND DEMOCRATIC STUDIES IN ORDER TO EMPOWER THE INSTITUTE TO PROVIDE TRAINING AND RESEARCH SERVICES IN LEGISLATIVE AND DEMOCRATIC STUDIES AND FOR OTHER RELATED MATTERS (HB. 827)

1.0 The House on Thursday, 24th November, 2016 concluded debates on the general principle on the instant Bill, the National Institute for Legislative and Democratic studies Bill, 2016 (HB. 827) and referred same to the Committee on Justice for further legislative action. By the notice of referral, the Committee was directed to report the Bill to the House within a reasonable time.

2.0 Objective of the Bill

The Bill seeks to amend the National Institute for Legislative studies act, 2011, to change the name of the Institute from National Institute for Legislative Studies to National Institute for Legislative and Democratic Studies in order to empower the institute to provide training and research services in legislative and Democratic studies and for other related matters.

3.0 Highlight of the Committee's Activities on the Bill

The Committee on receipt of the notice of referral met and resolved to organize a public hearing on the Bill. Accordingly, on Wednesday, 7th December, 2016, the Committee held a public hearing on the Bill. The Committee subsequently had markup session on the Bill.

4.0 **Analysis of Bill**

The principal Act of the National Institute for Legislative Studies Act, 2011 repealed the Institute for Legislative and Democratic Studies Act, 2007.

The Bill seeks to amend the National Institute for Legislative Studies Act to change the name of the institute from National Institute for Legislative studies to National Institute for Legislative and Democratic Studies; to empower the institute to provide training and research services in legislative and democratic studies, to strengthen the Nigerian legislature and democratic governance through effective capacity development services, enlarge the mandate of the institute to provide research, training and professional services especially to lawyers seeking to become legislative drafters and parliamentary counsel and to also empower the institute to undertake periodic review of processes in conjunction with the relevant National Assembly agencies for provision of technical support services to the National Assembly in budgetary matters.

The scope of amendments of the proposed bill is as follows:

Amendment of title of the principal Act; This amendment is effected by inserting the words "**and democratic**" after the word "**legislative**" which should give birth to the new name of the institute as "**National Institute for Legislative and Democratic Studies**"

Also Amendment of section 2 of the Act, this amendment seeks to properly focus the mandate of the Institute by inserting redefined powers under new paragraphs "**n-p**" of section 2(2). These powers will enable the institute either directly, jointly or in collaboration with relevant departments and agencies of the National Assembly or executive branch to:

- a. Act as center of continuing education and advocacy on democratic processes and institutions;

- b. Undertake periodic review of the budget processes in accordance with legislative rules of practice and procedure. This function will be strictly guided by relevant agencies and department of the National Assembly with broader mandate of provision of parliamentary support services in budget process; and
- c. Periodic analysis of federal government economic policy and its implications on the economic growth and development.

Further amendments sought are contained in section 2(3), to expand the scope of services provided by the institute to include professionals working as private practitioners or public officers in the services of states or federation, and redefine the powers of the Institute to provide training courses on democracy, party politics, electoral process, political culture, development and legislative practice and procedure.

RECOMMENDATION

The Committee adopted and retained all the clauses of the Bill except Sec. 4(0) "the budget processes and" should be expunged and Sec. 4(p) "**periodical analysis of the Federal Government economic policy and its implications on the economic growth and development of Nigeria**" should be completely expunged from the Bill.

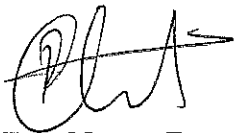
The Committee observed that, these two expunged subsections are in conflict with Sections (2) a-c, (30 d-k and (4) a-g of the National Assembly Budget and Research Office (NABRO) Bill, which has been passed into law by both chambers of the National Assembly.

CONCLUSION

Mr. Speaker, Honourable colleagues on behalf of members of my Committee and my humble self, I want to express our appreciation to you for giving us this rare opportunity to serve this hallowed chambers and by extension our beloved country, Nigeria.

I hereby present the details of our recommendations for your consideration and adoption.

Thank you.

A handwritten signature in black ink, appearing to be 'Rt. Hon. Razak Atunwa', with a stylized flourish at the end.

Rt. Hon. Razak Atunwa
Chairman

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CLAUSES	PROVISIONS OF THE PRINCIPAL ACT	PROVISIONS OF THE BILL		COMMITTEE'S RECOMMENDATION	COMM. OF THE WHOLE
1.	<u>LONG TITLE</u> An Act to repeal the Institute for Democratic and Legislative Studies Act, 2007 and enact the national institute for legislative studies Act, 2011	<u>LONG TITLE</u> An Act to amend the National Institute for Legislative studies act 2011 to among other things change the name of the institute from National Institute for democratic studies to National for legislative and democratic studies in order to empower the institute to provide training and research services in legislative and democratic studies and for other related matters.		<u>LONG TITLE</u> Retained	
2.	<u>SHORT TITLE</u> There is established the National Institute for Legislative Studies (in this Act referred to as " the Institute ")	<u>SHORT TITLE</u> The short title of the principal Act is amended by inserting after the word "legislative" the words "and Democratic"		<u>SHORT TITLE</u> Retained	

3.	Section 1 of the principal Act (as above)	Section 1 of the principal Act is amended by inserting after the word "legislative" the word "and Democratic (As above)	Retained	
4.	Section 2 (2) (a-m) The institute shall have powers to; (a) Act as a center of excellence for research and publication on democratic governance and legislative practice and procedure; (b) act as a Centre for continuing education on democratic and legislation (c) Promote and protect constitutional due process in legislative practices; (d) Initiate and encourage legislative drafting courses in tertiary institutions in Nigeria and abroad (e) Promote, critical research materials and policy insights as background materials for Committee of the National assembly (f) Improve the capacity of legislators to sustain and consolidate democratic governance through deliberation and policy formulation (g) Improve the technical capacity of legislative staff, Committee secretaries and political aids to	Section 2 of the principal Act is amended by: (a) In subsection (2), by inserting new paragraphs "(n); (o); and (p)" after the existing paragraph (m) "(n) act as the center for continuing education and advocacy on democratic processes and institutions" "(o) undertake periodic review of the budget processes and legislative procedure" "(p) periodic analysis of federal government economic policy and its implications on the economic growth and development of Nigeria"	Paragraph "n" Retained Paragraph "o" Rejected Paragraph "p" Rejected	

	process appropriation bills and policy oversight of the executive (h) Document and publish for public use the history and politics of the legislative in governance in Nigeria from colonial period to the present; (i) Conduct periodic training on democratic principles for members of the Armed Forces; (j) Monitor election; (k) Provide interface between democratic institutions and the civil societies (l) Sensitize the Nigerian public to imbibe, support and deferred democratic and legislative ethics, and (m) Undertake such other incidental responsibilities relating to the development of consolidation and advancement of legislative independence			
	Section (3) (a) conduct periodic short and researcher courses for National and State legislators, staff, Committee secretaries and political aids and democracy and good governance	Subsection (3) (a) by inserting after the word "democracy" a coma (,) and legislative practice"	Retained	

	Subsection (3) (d) initial and encourage legislative drafting courses in tertiary institutions in Nigeria and abroad;	Subsection (3) (d) by inserting after the word "tertiary" the words "and professional"	Retained	
	Subsection (3) (h) develop training curriculum for schools and tertiary institutions on democratic, legislative practice and procedure, political culture, civics, ethics and political development;	Subsection (3) (h) by inserting after the word "schools" the word "professional"	Retained	
	Subsection (3) i) provide training courses on democracy, legislative practice and procedures, political culture and development	Subsection (3) (i) by substituting the existing paragraph (i)- "(1) provide training courses on democracy, party politics, electoral process, legislative practice and procedures, political culture and development"	Retained	
	Subsection (3) (j) engage visiting scholars and fellows to participate in its academic research programmes.	Subsection (3) (j) by inserting after the word "its " the words "professionals and"	Retained	
5.	Section 24 of the principal Act, "chairman" means the chairman of the Governing Council "Director-General" means the Chief Executive of the Institute; "Institute" means the National Institute for Legislative Studies'	Section 24 of the principal Act is Amended by substituting the existing interpretation of the word "Institute" to mean the " National Institute for Legislative and Democratic Studies"	Retained	

6.	Section 25 of the principal Act be cited as the National Institute for Legislative Studies Act, 2011.	Section 25 of the principal Act is amended by deleting the entire provision and substituting with the following This Bill may be cited as the National Institute for Legislative and Democratic Studies Bill, 2016	Retained	
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