



THE SENATE
FEDERAL REPUBLIC OF NIGERIA
NATIONAL ASSEMBLY

**COMMITTEE ON ESTABLISHMENT AND PUBLIC
SERVICE**

A BILL

FOR

**AN ACT TO ESTABLISH THE NATIONAL ASSEMBLY
BUDGET AND RESEARCH OFFICE WHICH PROVIDES THE
NATIONAL ASSEMBLY WITH OBJECTIVE, TIMELY AND
NON-PARTISAN ANALYSIS NEEDED FOR ECONOMIC AND
BUDGET DECISIONS; AND FOR RELATED MATTERS
(SB.736)**

MAY, 2019

**NATIONAL ASSEMBLY BUDGET AND RESEARCH OFFICE (ESTABLISHMENT)
BILL, 2018**

A Bill

For

An Act to Establish the National Assembly Budget and Research Office which provides the National Assembly with objective, timely and non-partisan analysis needed for economic and budget decisions; and for related matters.

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria -

1.(1) There is established the National Assembly Budget and Research Office (in this Bill referred to as "the NABRO"). Establishment of NABRO.

(2) The NABRO -

- (a) is a body corporate with perpetual succession and official seal;
- (b) may sue and be sued in its corporate name; and
- (c) may hold or dispose a property movable or immovable.

2.The NABRO shall -

Functions of NABRO.

- (a) provide independent, unbiased and non-partisan analysis of the national budget estimates;
- (b) provide independent and unbiased analysis of the budget of the National Assembly and assist all the Committees of the National Assembly in developing their annual budgets;
- (c) provide independent and continuous review of the budget of the Federal Government including monitoring of existing and proposed programmes and budgets;
- (d) provide assistance to all Committees of the National Assembly, including-
 - (i) information with respect to budget and all bills relating to new budget heads,
 - (ii) information with respect to estimated future revenue and changing revenue conditions,
 - (iii) aggregate of all current liabilities and existing financial commitments, and

- (iv) any related information as the Committees may request;
- (e) provide analysis of the economic implication on the private sector, the budgetary and financial implication on States and Local Governments of any proposed legislation;
- (f) prepare and present to the National Assembly periodic forecasts of economic trends and alternative fiscal policies;
- (g) provide the National Assembly with cost estimates including an analysis of the inflationary impact of any proposed legislation;
- (h) submit to both Chambers of the National Assembly, not later than June every year, a report of -
 - (i) all items funded in the preceding financial year for which no appropriation was made by the National Assembly, and
 - (ii) all items contained in the Appropriation Act in the preceding financial year but which were not funded by the Federal Government;
- (i) publish and disseminate on its website information it generates including reports, analysis and forecasts;
- (j) submit to both Chambers of the National Assembly a quarterly report on budget implementation; and
- (k) perform any other function as the Board may direct.

3. The NABRO may do all things necessary to, or in connection with, the performance of its functions, and may - Powers of NABRO.

- (a) enter into agreement, acquire, hold and dispose of property;
- (b) procure the services of experts, consultants and organisations;
- (c) enter into partnership or affiliation with any company, firm, organisation, agency or person which, in its opinion, will facilitate the performance of its functions;
- (d) request for, and obtain from, any public enterprise statistical and other information, including reports, memoranda, audited accounts and other information relevant to its functions;
- (e) liaise with relevant bodies or institutions, national or international, for effective performance of its functions;
- (f) conduct any study necessary to enable it fulfil its mandate; and

(g) determine the methodologies needed for use in its works.

4.(1) There shall be for the NABRO, a Governing Board (in this Bill referred to as "the Governing Board. Board")

(2) The Board shall consist of -

(a) President of the Senate as Chairman or at his instance, the Deputy President of the Senate;

(b) Speaker of the House of Representatives as the Alternate Chairman or, at his instance, the Deputy Speaker;

(c) six serving Senators (one from each geo-political zone from relevant Committees) nominated by the President of the Senate;

(d) six serving members of the House of Representatives (one from each geo-political zone from relevant Committees) nominated by the Speaker;

(e) Clerk to the National Assembly; and

(f) Director-General who shall be a member and Secretary.

(3) The President of the Senate shall, in consultation with the Speaker of the House of Representatives, appoint members of the Board.

(4) The Chairman, alternate Chairman and other ex-officio members of the Board shall be part-time members.

(5) The provisions of the Schedule to this Bill shall apply with respect to the proceedings of the Board. Schedule.

5.The Board shall have supervisory authority over NABRO and exercise the following powers- Powers and functions of the Board.

(a) appointment and discipline of Directors;

(b) approval and ratification of appointments, promotion and discipline of staff, professional analysts and other professional staff of NABRO, as may be recommended by the Management Committee;

(c) approval of NABRO budget;

(d) making regulations and guidelines for the operation of NABRO;

(e) approval of establishment of departments as the need arises;

and

- (f) take any action necessary for the proper functioning of NABRO.

- 6.(1) There shall be for the NABRO a Management Committee consisting of the Director-General and Directors who are responsible for —

Establishment and functions of Management Committee.

- (a) the implementation of the requests from the Committees of the National Assembly and the day-to-day administration of NABRO;
- (b) making recommendations to the Board on appointment, promotion and discipline of professional staff other than Directors;
- (c) any other duty as the Board may assign; and
- (d) The Director-General shall be the Chairman of the Management Committee.

- (2) The NABRO shall be structured into functional Departments, each Department is headed by a Director.

- (3) Subject to the power of the Board to create additional departments, there shall be the following Departments -

- (a) Budget Analysis Department;
- (b) Research Analysis Department; and
- (c) Administrative and Services Department.

- (4) The functions and duties of each Department shall be as defined in the operational manual approved by the Board.

- 7.(1) The Director-General shall be the Chief Executive and Accounting Officer of NABRO.

Appointment, duties, tenure and removal of the Director-General.

- (2) The President of the Senate shall, in consultation with the Speaker of the House of Representatives, appoint the Director-General.

- (3) The Director-General shall possess appropriate qualifications in law, economics, accounting, finance, budgeting, political science or other related disciplines with at least 15 years relevant experience to the functions of NABRO.

- (4) The Director-General —

- (a) shall not be a member of a political party;

(b) shall hold office for a term of 4 years; and

(c) may be eligible for reappointment for another term of 4 years only, if the Board considers his performance satisfactory.

(5) The Director-General is responsible for the overall operations of NABRO including

(a) procuring the services of experts, consultants or organisations by contracts as independent contractors;

(b) steering and overseeing the provision of analysis of the annual budget estimates of the Federal Government and the implementation of the requests of legislative Committees;

(c) general management and administration of NABRO;

(d) controlling and disbursing amounts from funds established in accordance with this Bill; and

(e) the establishment of a transparent system and process for the National Assembly budget.

(7) The Director-General shall secure information, data, estimates and statistics from the various departments of the Executive branch of the government and regulatory agencies and Commissions of government and all such departments, agencies, establishments, regulatory agencies and commissions shall furnish the Director-General with available material which NABRO determines to be necessary in the discharge of its duties and performance of its functions other than material disclosure which violates this Bill.

(8) The Director-General is authorised, upon agreement with the head of any department, agency, establishment, regulatory agency or commission to utilise its services, facilities and personnel with or without reimbursement, and the head of each department, agency or commission is authorised to provide the office such services, facilities and personnel.

(9) The Director-General shall be removed from office by the Board on account of the Director-General's inability to perform the functions of the office or for misconduct.

(10) The Director-General shall resign from office upon giving three months' written notice of resignation to the Board or payment of three months basic salaries in lieu of notice.

(11) The Director-General is responsible to the Board.

8.(1) The Directors of the Departments are appointed by the Board in a transparent manner and the appointments is based solely on professional competence and qualification.

Appointment, duties, tenure and removal of Directors.

(2) The Directors shall be professionals in the relevant fields and shall be persons of

proven integrity with at least a Master's Degree and a minimum of 12 years post qualification and relevant experience.

(3) The Directors shall not be members of a political party.

(4) The Directors may be removed from office by the Board upon recommendation of the Director-General for inability to perform the functions of their offices or for misconduct.

(5) A Director may resign his office upon giving three months' written notice of resignation to the Board or payment of one month basic salary in lieu of notice.

9.(1) The Management Committee shall appoint other staff as may be necessary to carry out the duties and functions of NABRO and the appointment shall be made solely on the basis of qualification and competence. Other staff.

(2) In carrying out the duties and functions of NABRO, the Management Committee may procure the services of experts or consultants by contract, subject to ratification by the Board.

10.(1) The Directors, professional analysts and staff of NABRO shall receive such remuneration as it is determined by the Board. Remuneration of Directors, professional analysts and staff.

(2) The remuneration shall be competitive.

11.(1) Service in NABRO shall be approved service for the purpose of the Pensions Reform Act, and accordingly, officers and other persons employed in NABRO in respect of their service are entitled to pension, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the Public Service of the Federation. Pension. Act No. 4, 2014.

(2) Nothing in subsection (1) shall prevent the appointment of a person in NABRO on terms which preclude the grant of a pension or gratuity in respect of service in NABRO.

12. The Board may, by regulations published in the National Assembly Journal or the Journal of each House of the National Assembly, prescribe the - Regulations.

(a) duties and responsibilities of the Director-General, Directors, professional analysts, and other staff of NABRO;

(b) disciplinary control of employees of NABRO and mode of appeal by such employees against dismissals or other disciplinary measure;

(c) administrative or organisational structure of NABRO;

(d) promotion and staff welfare; and

(e) other guidelines.

13.(1) NABRO shall establish and maintain a fund (in this Bill referred to as "the Fund") which shall be applied towards the discharge of its duties.

Funds, estimates of expenditure, account and audit.

(2) The NABRO shall derive its funds from-

- (a) the money as may, in each year, be approved by the National Assembly under the Appropriation Act for the purposes of carrying out the duties and functions of NABRO;
- (b) the money as may be granted or deposited with NABRO by the National Assembly or anybody or institution;
- (c) all money raised for the purposes of NABRO by way of gifts, loans, grants-in-aid, testamentary dispositions or otherwise; and
- (d) proceeds from other assets that may accrue to NABRO.

(3) The money derived for the purpose of running the NABRO shall be declared to the National Assembly through the Board who shall then appropriate such money before spending except for grants-in-aids attached to programmes or projects.

(4) The NABRO shall defray from the Fund all expenditures incurred by it and shall include-

- (a) the cost of administration;
- (b) the payment of salaries, fees, remuneration or allowances, pensions and gratuities to members and employees of NABRO; and
- (c) anything done in connection with any of its functions under this Bill.

(5) The Director-General shall prepare, not later than 30th June of each year, an estimate of the expenditure and income of NABRO for the succeeding year which shall be submitted to the Board for approval.

(6) The Director-General shall keep accounts and receipts, payments, assets and liabilities and shall, in respect of each year, prepare a statement of account in such form as the National Assembly, through the Board, may direct.

(7) The Director-General shall, within three months after the end of the financial year to which the account relates, cause the account to be audited by auditors appointed from the list and in accordance with guidelines supplied by the Auditor-General for the Federation.

14. The Director-General may, for the purpose of coordinating the operations of NABRO with those of the National Assembly agencies, obtain information, data, estimates

Obtaining of data by the Director-General.

and statistics developed by the Committees, Clerk and all other offices of the National Assembly.

- 15.(1) The Director-General shall, through collaboration, obtain information, data, estimates and statistics from ministries, extra-ministerial departments, government parastatals, agencies, commissions and establishments, and all such ministries, extra-ministerial departments, government parastatals, agencies, commissions and establishments shall furnish the Director-General with all materials that are necessary in the discharge of NABRO's duties. Obtaining of data from public bodies.
- (2) The Director-General may, with the approval of the supervising Minister or relevant supervising authority, upon agreement with the head of any ministry, extra-ministerial departments, parastatals, agency, commission or establishment, utilise its services, facilities and personnel as needed by the NABRO.
- (3) The Director-General may, with the approval of the supervising Minister or relevant supervising authority, assign professional and other staff of NABRO, to any ministry, extra-ministerial department, parastatals, agency, commission or establishment including joint ventures where government is a party for the purpose of obtaining primary data and statistics.
- (4) The Director-General may assign professional staff or consultants to conduct surveys as may be required by the NABRO.
- (5) A ministerial department and agency shall submit information, data, estimates and statistics as requested by the NABRO.
- (6) Any person who refuses or neglects to submit information, data, estimates and statistics as requested by the NABRO commits an offence and is liable on conviction to-
- (a) be dismissed in line with the Civil Service Rules if he is in the employment of the Civil Service of the Federation;
 - (b) be dismissed in accordance with the rules governing public servants if he is in the employment of the Public Service of the Federation;
 - (c) either dismissal, or a fine not exceeding ₦1,000,000; or
 - (d) a fine not exceeding ₦2,000,000, if he is an appointee of government.
16. The Board shall, not later than three months after receipt of the audit report of each year, submit to each House of the National Assembly, the report of the activities and the operations of the Board during the immediate preceding year and shall include the report of the audited accounts of the Board. Annual report
- 17.(1) The NABRO may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the Power to accept gifts

gift.

- (2) The NABRO shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of NABRO.

18. Subject to general guidelines issued by the Government of the Federation, NABRO may borrow, by way of loan or over draft from any source within the country, such specified amount required by the NABRO for meeting its obligations and performing its functions under this Bill. Power to borrow

19. (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the NABRO. Procedure for suit against NABRO.
Cap. P41, LFN, 2004

- (2) Notwithstanding anything contained in any other law or enactment, no suit shall lie against any member of the Board, the Director-General or any other officer or employee of the NABRO for any act in the execution of this Bill or any other law or enactment, or of any duty or authority or in respect of any alleged neglect or default in the execution of this Bill or such law or enactment, duty or authority, shall lie or be instituted in any court unless –

(a) it is commenced within three months next after the act, neglect or default complained of; or

(b) in the case of a continuation of damage or injury, within six months next after the ceasing of the damage or injury.

20. A notice, summons or other document required or authorised to be served upon the NABRO under the provisions of this Bill or any other law or enactment may be served by delivering it to the Director-General or by sending it by registered post and addressed to the Director-General at the principal office of NABRO. Service of summons

21. A member of the Board, the Director, any officer or employee of the NABRO shall be indemnified out of the assets of NABRO against any proceeding, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted, if any such proceeding is brought against him in his capacity as a member of the Board, the Director-General, officer or employee of the NABRO. Indemnity of members

22. (1) For the purposes of providing offices and premises necessary for the performance of its functions under this Bill, the NABRO may, subject to the Land Use Act – Acquisition of property by NABRO.

(a) purchase or take on lease any interest in land, or other property;
and

(b) construct, equip and maintain same offices and premises.

- (2) The NABRO may, subject to the Land Use Act, sell or lease out any office or premises held by it, which office or premises is no longer required for the performance of its functions under this Bill.

23. In this Bill-

Interpretation

"committees" means the Committees established under the rules of both the Senate and the House of Representatives;

"misconduct" means misconduct as provided in the Code of Conduct for Public Officers;

"property" means land or building, and includes intellectual property;

"public bodies" means any corporation, board, company or parastatals established by, or under enactment in which the Government of the Federation, a ministry, or extra-ministerial department, agency, or equity interest and include a partnership, joint venture, or any form of business arrangement or organisation; and

"NABRO" means the National Assembly Budget and Research Office established under this Bill.

24. This Bill may be cited as the National Assembly Budget and Research Office Citation.
(Establishment) Bill, 2018.

ScheduleSection 4 (5)

SUPPLEMENTARY PROVISION RELATING TO THE BOARD.

1. (1) At any meeting of the Board, the Chairman shall preside and in the absence of the Chairman, the alternate Chairman or such member of the Board as other members may elect among themselves for that purpose.

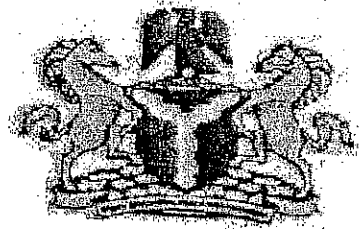
(2) The Director-General shall be the Secretary and provide secretariat services for all meetings of the Board.

(3) Subject to the provisions of this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceeding or those of any of its Committees.
2. The quorum of the Board shall be four members of the Board.
3. The Board may set up one or more Committees to carry out, on behalf of the Board, such functions as the Board may determine, but no decision of any Committee has effect unless it is ratified by the Board.
4. The Board may co-opt persons who are not members of the Board to any meeting of the Board or Committee, and such persons may take part in the deliberations of the Board or Committee but are not entitled to vote.
5. The fixing of the seal of the NABRO shall be authenticated by the signature of the Chairman, Director-General any other member of the Board generally or specifically authorised by the Board to act for that purpose.
6. A document purporting to be a document duly executed under the seal of NABRO shall be received in evidence and is, unless the contrary is proved, presumed to be so executed.
7. The validity of any proceeding of the Board or Committee is not adversely affected by -
 - (a) the validity in the membership of the Board or Committee;
 - (b) a defect in the appointment of a member of the Board or Committee; or
 - (c) reason that a person not entitled to do so took part in the proceeding of the Board or Committee.

**NATIONAL ASSEMBLY BUDGET AND RESEARCH OFFICE
(ESTABLISHMENT) BILL, 2018**

EXPLANATORY MEMORANDUM

This Bill establishes the National Assembly Budget and Research Office which provides the National Assembly with objective, timely and non-partisan analysis needed for economic and budget decisions.



THE SENATE
FEDERAL REPUBLIC OF NIGERIA
NATIONAL ASSEMBLY

**COMMITTEE ON ESTABLISHMENT AND PUBLIC
SERVICE**

REPORT

ON

A BILL

FOR

**AN ACT TO ESTABLISH THE NATIONAL ASSEMBLY
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NATIONAL ASSEMBLY WITH OBJECTIVE, TIMELY AND
NON-PARTISAN ANALYSIS NEEDED FOR ECONOMIC AND
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(SB.736)

MAY, 2019

**REPORT OF THE SENATE COMMITTEE ON
ESTABLISHMENT AND PUBLIC SERVICE ON A BILL FOR
AN ACT TO ESTABLISH THE NATIONAL ASSEMBLY
BUDGET AND RESEARCH OFFICE WHICH PROVIDES THE
NATIONAL ASSEMBLY WITH OBJECTIVE, TIMELY AND
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BUDGET DECISIONS; AND FOR RELATED MATTERS
(SB.736).**

1.0 PREAMBLE

The Senate at its Plenary Sitting on Wednesday 24th April, 2019, deliberated on the general principles of the National Assembly Budget and Research Office (Establishment) Bill, 2019. After extensive deliberations, the Bill was read for the *Second Time* and referred to the Senate Committee on Establishment and Public Service, for further legislative action; vide *Senate Order of Referral dated 24th April, 2019*.

In retrospect, Mr. President, distinguished colleague, I wish to state here that this Bill is not new to this 8th Senate. You will recall that this Bill was passed by the House of Representatives on Thursday 9th June, 2016 and was passed in the Senate on Thursday 20th October, 2016. Thereafter, a Conference Committee was set up by both Chambers to reconcile areas of differences noticed in the two versions. The Bill was harmonised and the harmonised copy was forwarded to Mr. President, for his Assent. It's been more than six months or more that the Bill was sent to Mr. President for Assent. But Mr.

President neither assented nor declined assent to this laudable piece of legislation, hence the need to reconsider the Bill and again and pass it without amendment, for onward transmission to the President for Assent, in accordance with Rule 88 (b) of the Senate Standing Orders 2015, as amended, which provides that **“where the President either withholds his assent to a Bill or does not communicate his assent or otherwise within (30) days from the date the Bill was sent to him for assent, the Senate shall again deliberate on the Bill”**. Therefore, by passing this Bill again, the Senate has complied with this provision.

3.0 RECOMMENDATIONS

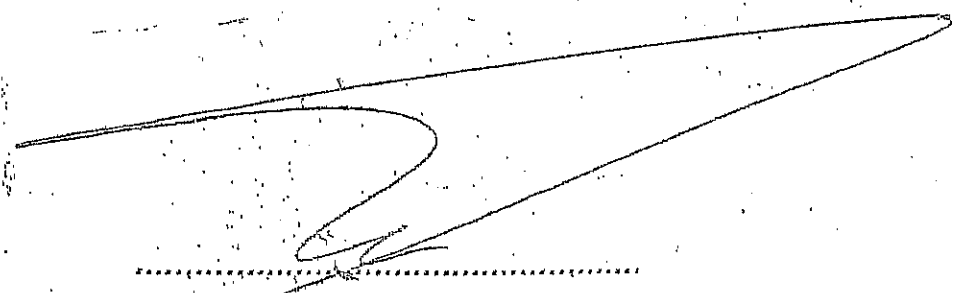
The Senate Committee on Establishment and Public Service, to which this Bill was referred, having considered same, hereby recommends as follows:

“That the Senate do pass the National Assembly Budget and Research Office (Establishment) Bill, 2019 in its origin form”

I so move.

4.0 Conclusion

I wish to, on behalf of this Committee, thank the President of the Senate and my Distinguished colleagues for the opportunity to serve in this capacity. The Bill in its original form, is attached herewith for your consideration in line with the Committee's recommendations.



Senator Emmanuel Paulker

Chairman

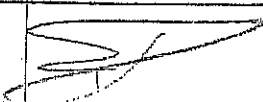
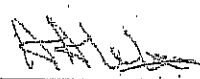
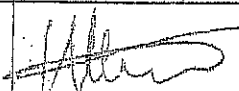
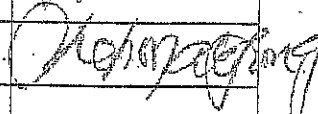
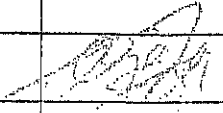


THE SENATE
FEDERAL REPUBLIC OF NIGERIA
Committee on Establishment & Public Service

ENDORSEMENT SHEET:

DATE: 21-05-2019

REPORT OF THE SENATE COMMITTEE ON ESTABLISHMENT AND PUBLIC SERVICE ON A BILL FOR AN ACT TO ESTABLISH THE NATIONAL ASSEMBLY BUDGET AND RESEARCH OFFICE WHICH PROVIDES THE NATIONAL ASSEMBLY WITH OBJECTIVE, TIMELY AND NON-PARTISAN ANALYSIS NEEDED FOR ECONOMIC AND BUDGET DECISIONS; AND FOR RELATED MATTERS (SB.736).

	Name	Status	Signature
1	Senator Emmanuel Paulker	Chairman	
2	Senator Sulaiman Nazif	Vice Chairman	
3	Senator Nurudeen Adeleke	Member	
4	Senator Olubenga Ashafa	Member	
5	Senator Nelson Efiang	Member	
6	Senator George Akume	Member	
7	Senator Ahmed Lawan	Member	
8	Senator Foster Ogola	Member	
*	Edith O.Ajah (Mrs.)	Clerk	