

THE SENATE

FEDERAL REPUBLIC OF NIGERIA
Committee on Trade & Investment
NATIONAL ASSEMBLY COMPLEX
Three Arms Zone, P.M.B. 141, Garki Abuja, Nigeria

Our Ref:.....

Date:..... March 14, 2017

Your Ref:.....

REPORT ON

A BILL FOR AN ACT TO REPEAL THE CONSUMER PROTECTION ACT, CAP C25, LFN, 2004; ESTABLISH THE FEDERAL COMPETITION AND CONSUMER PROTECTION COMMISSION AND THE COMPETITION AND CONSUMER PROTECTION TRIBUNAL FOR THE DEVELOPMENT AND PROMOTION OF FAIR, EFFICIENT AND COMPETITIVE MARKETS IN THE NIGERIAN ECONOMY, FACILITATE ACCESS BY ALL CITIZENS TO SAFE PRODUCTS, SECURE THE PROTECTION OF RIGHTS FOR ALL CONSUMERS IN NIGERIA AND FOR OTHER RELATED MATTERS.

1.0 Introduction

The Senate President,
Distinguished Senators,

You may recall that this Bill was reintroduced and read the First Time on 21st April, 2016.

The Bill was read the Second Time on 26th October, 2016 and referred to the Senate Committee on Trade and Investment for further legislative action.

The Senate may wish to note that this Bill was passed by the 6th Senate on 12th April, 2006. The Bill was equally passed in May 2007 by House of Representatives but was not assented to by the former President, His Excellency Chief Olusegun Obasanjo.

2.0 Secretariat

1. Emmanuel Odo (JP) - Committee Clerk

3.0 Methodology

The Committee adopted the following methodology in the course of its assignment:

1. Received memoranda from members of the public, National Agency for Food and Drug Administration and Control (NAFDAC), Federal Ministry of Industry, Trade and Investment, Civil Society Organizations and other relevant stakeholders;
2. Conducted a Public Hearing which was well attended by the relevant stakeholders (97 persons);
3. Considered the Bill Clause by Clause during its meetings;

4. Considered contributions by Distinguished Senators at the Second Reading of the Bill; and
5. The Committee engaged the services of a Consultant during the work of the Bill.

4.0 Overview/Objective of the Bill

1. The Bill primarily seeks to repeal the Consumer Protection Act, CAP C25, LFN, 2004; establish the Federal Competition and Consumer Protection Commission and the Competition and Consumer Protection Tribunal for the development and promotion of fair, efficient and competitive markets in the Nigerian economy, facilitate access by all citizens to safe products, secure the protection of rights for all consumers in Nigeria and for other related matters as is the current practice worldwide;
2. Promote and maintain competitive markets in the Nigerian economy;
3. Promote economic efficiency;
4. Protect and promote the interests and welfare of consumers by providing consumers with competitive prices and product choices;
5. Prohibit restrictive business practices which prevents, restricts or distorts competition or constitutes an abuse of a dominant position of market power in Nigeria;
6. Contribute to the sustainable development of the Nigerian economy;
7. The Bill will guaranty regular research study and analysis of Consumer Protection Standard and Services rendered to Consumers and publish its observations, findings and recommendation in quarterly journal for the benefit and general information of Consumers;
8. The Bill will equally reduce the risk and injuries which may occur from consumption of certain consumer items and other services rendered to consumers;
9. It will ensure that all service providers comply with international standards of quality and service delivery; and

10. This Bill when passed into law will equally:-
- a) Enhance the enforcement capacity of the Commission;
 - b) Establish a National Administrative Framework for consumer protection;
 - c) Remove regulatory overlaps and create regulatory harmony between the Commission and other Agencies involved in Consumer Protection;
 - d) Enable the Commission to register products and services and monitoring the activities of manufacturers etc and providers of these products and services;
 - e) Curtain deceptive advertising and unfair and unethical marketing practices;
 - f) Create strict liability offences for common unfair trade practices to deter indulgence by providers of goods and services;
 - g) Create consumer awareness as to their rights and encourage consumers to form advocacy groups to protect these rights;
 - h) Institute a more efficacious redress mechanism so consumers can get redress easily and speedily; and
 - i) Generally provide a rules-based framework for market behavior and protect domestic industry.

5.0 Observations

The Committee observed the following:

- a. That the core function of the Commission i.e the handling of Consumer complaints by ensuring and instituting redress mechanism in order to address unfair or deceptive act is maintained;
- b. That the Commission is expected to coordinate with the relevant specialized and statutory bodies in the discharge of its functions. This will further enhance its core area of specialization and reduce frictions and conflicts with the statutory bodies vested with the powers to deal with specific products and services; and

- c. That Agencies of Ministries that regulate and control products and services have been recommended to be on the Consumer Protection Commission (CPC).

6.0 Recommendations


1. The Bill seeks to repeal the Consumer Protection Council Act Cap. C25 LFN 2004; establish the Federal Competition and Consumer Protection Commission and the Competition and Consumer Protection Tribunal for the development and promotion of fair, efficient and competitive markets in the Nigerian economy, facilitate access by all citizens to safe products, secure the protection of rights for all consumers in Nigeria and for other related matters as is the current practice worldwide;
2. The Committee retained some clauses of the Bill where necessary.
3. The Committee equally re-enacted some clauses as indicated in the details. While some clauses not necessary were deleted.

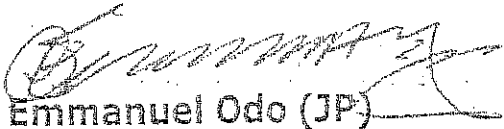
7.0 Find attached details for your consideration and approval

8.0 Conclusion

The Committee would like to use this medium to thank the Senate for giving the members the opportunity to serve.

Thank you. I so present.

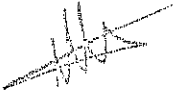
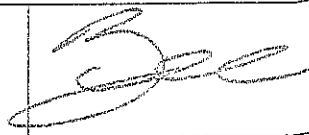
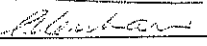

Senator Fatimat O. Raji Rasaki
Chairman


Emmanuel Odo (JP)
Committee Clerk

14/03/12

SIGNATURE PAGE

COMMITTEE MEMBERS

S/NO	NAME	DESIGNATION	SIGNATURE
1.	Sen. Fatimat O. Raji Rasaki	Chairman	
2.	Sen. Mohammed Sabo	Vice Chairman	
3.	Sen. Danladi Abubakar	Member	
4.	Sen. Boroffice Robert Ajayi	Member	
5.	Sen. Efiang Nelson	Member	
6.	Sen. Suleiman Hunkuyi Othman	Member	
7.	Sen. Yusuf A. Yusuf	Member	
8.	Sen. Baba Kaka Garbai	Member	
9.	Sen. Hope Uzodinma	Member	