



# THE SENATE

## FEDERAL REPUBLIC OF NIGERIA

### VOTES AND PROCEEDINGS

Thursday, 3rd May, 2018

1. The Senate met at 10:59 a.m. The Senate President read Prayers.
2. **Votes and Proceedings:**  
The Senate examined the Votes and Proceedings of Wednesday, 2nd May, 2018.  
*Question was put and the Votes and Proceedings were approved.*
3. **Announcements:**  
**Acknowledgment:**  
The Senate President acknowledged the presence of the following who were in the gallery to observe Senate Proceedings:
  - (i) Members of Department of History and Diplomatic Studies, University of Abuja, Abuja;
  - (ii) Staff and Students of Anglican Comprehensive Secondary School, Kubwa, Abuja;
  - (iii) Staff and Students of Fountain of Knowledge International Academy, Karshi, Abuja; and
  - (iv) Staff and Students of Model Comprehensive Secondary School, Jengre, Plateau State.
4. **Committee on Culture and Tourism:**  
**Report on the Sale of the National Theatre and the Tafawa Balewa Square, Lagos:**  
**Motion made:** That the Senate do receive the Report of the Committee on Culture and Tourism on the Sale of the National Theatre and the Tafawa Balewa Square, Lagos (*Senator David Umaru — Niger East*).  
*Question put and agreed to.*  
*Report Laid.*
5. **Committee on Establishment and Public Service:**  
**Report on the Chartered Institute of Finance and Control of Nigeria (Establishment, etc.) Bill, 2018 (SB. 172):**  
**Motion made:** That the Senate do receive the Report of the Committee on Establishment and Public Service on the Chartered Institute of Finance and Control of Nigeria (Establishment, etc.) Bill, 2018 (*Senator Emmanuel I. Paulker — Bayelsa Central*).  
*Question put and agreed to.*  
*Report Laid.*

6. **Conference Committee:**  
**Report on the Demutualization Bill, 2018 (SB. 531):**

*Consideration of Report deferred to another Legislative Day.*

7. **Conference Committee:**  
**Report on the Public Procurement Act 2007 (Amendment) Bill, 2018 (SB. 232):**  
**Motion made:** That the Senate do consider the Conference Committee Report on the Public Procurement Act 2007 (Amendment) Bill, 2018 (*Senator Joshua C. Dariye — Plateau Central*):

*Report presented.*

*Question put and agreed to.*

**HARMONIZED REPORT ON THE PUBLIC PROCUREMENT ACT 2007 (AMENDMENT) BILL 2018 TO PROVIDE FOR AND ADOPT A LOCAL CONTENT POLICY AND TIMELY COMPLETION OF PROCUREMENT PROCESSES AND OTHER RELATED MATTERS:**

| S/NO | CLAUSE | OLD PROVISION ADOPTED   | COMMITTEE RECOMMENDATION   | REMARKS |
|------|--------|---|--|---------|
| 1.   | 17 (6) | "The Secretary to the Government of the Federation shall be the Secretary of the Federal Tenders Board, while the Clerk of the National Assembly shall be the Secretary of the National Assembly Tenders Board and the Chief Registrar of the Supreme Court shall be the Secretary of the Judiciary Tenders Board." | "The Secretary to the Government of the Federation shall be the Secretary of the Federal Tenders Board, the Secretary Procurement, Estate and Works shall be the Secretary to the National Assembly Tenders Board and the Chief Registrar of the Supreme Court shall be the Secretary of the Judiciary Tenders Board." | Adopted |

*Report accordingly adopted.*

**(Deputy Senate President in Chair)**

8. **National Assembly Budget and Research Office Bill, 2018 (SB. 656) - Committee of the Whole:**  
**Motion made:** That the Senate do resolve into the Committee of the Whole to consider 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, 2018 (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF 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, 2018.

**Clause 1: Establishment of NABRO.**

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

- (2) NABRO is a body corporate with perpetual succession and official seal, and it shall have power to sue and be sued in its corporate name.

**Committee's Recommendation:**

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Functions of NABRO.**

The functions of NABRO shall be to —

- (a) provide independent, unbiased and non-partisan analysis of the national budget estimates;
- (b) provide independent 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 in both Chambers 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, forecasts, etc.;
- (j) submit to both chambers of the National Assembly quarterly report on budget implementation.

- (k) carry out any other functions as the Board may direct, from time to time.

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

**Clause 3: Powers of NABRO.**

NABRO shall have the power to do all things necessary to or in connection with the performance of its functions, including the power to —

- (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 discharge 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.

**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Governing Board.**

- (1) There shall be for NABRO, a Governing Board (In this Act referred to as "the 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) 6 serving Senators (one from each geo-political zone from relevant Committees) nominated by the President of the Senate;
  - (d) 6 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.
- Schedule.
- (5) The provisions of the Schedule to this Act shall apply with respect to proceedings of the Board.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 5: Powers and Functions of the Board.**

The Board shall have supervisory authority over NABRO and shall exercise the following powers —

- (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.

**Committee's Recommendation:**

That the provision in Clause 5 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 5 do stand part of the Bill, put and agreed to.*

**Clause 6: Establishment and Functions of the Management Committee.**

- (1) There shall be for NABRO a Management Committee consisting of the Director-General and Directors who shall be responsible for:—
  - (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 direct; and
  - (d) The Director-General shall be the Chairman of the Management Committee.
- (2) NABRO shall be structured into functional departments, each to be headed by a Director.
- (3) Subject to the power of the Board to create additional departments, the following departments shall exist —
  - (a) Budget Analysis Department;
  - (b) Research Analysis Department; and
  - (c) Administrative and Services Department.

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

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

**Clause 7: Appointment, Duties, Tenure and Removal of the Director-General.**

- (1) The Director-General shall be the Chief Executive and Accounting Officer of NABRO.
- (2) The President of the Senate shall, in consultation with the Speaker of House of Representatives, appoint the Director-General.
- (3) The Director-General shall possess appropriate qualifications in a relevant field such as law, Economics, Accounting, Finance, Budgeting, Political Science or related disciplines with not less than 15 years relevant experience to the functions of the agency.
- (4) The Director-General shall not be a member of a political party.
- (5) The Director-General shall hold office for a term of 4 years, and may be eligible for reappointment for another term of 4 years only, provided the Board considers his performance satisfactory.
- (6) The Director-General shall be responsible for the overall operations of NABRO including —
  - (a) procuring the services of experts, consultants or organizations 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 Act; 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 the regulatory agencies and communications 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 performance of its duties and functions other than material disclosure of which would be a violation of this Act.
- (8) The Director-General is authorised, upon agreement with the head of any such department, agency, establishment, regulatory agency or commission to utilize its services, facilities and personnel with or without reimbursement; and head of each such 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 3 months written notice of resignation to the Board or payment of 3 months basic salaries in lieu of notice.
- (11) The Director-General shall be responsible to the Board.

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8: Appointment, Duties, Tenure and Removal of Directors.**

- (1) The Directors of the Departments shall be appointed by the Board in a transparent manner and the appointments shall be based solely on professional competence and qualification.
- (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 discharge the function of their office or for misconduct.
- (5) A Director may resign his office upon giving 3 months written notice of resignation to the Board or payment of 1 month basic salary in lieu of notice.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

- Clause 9:**
- (1) The Management Committee shall appoint such other staff as may be necessary to carry out the duties and functions of NABRO and such appointments shall be made solely on the basis of qualification and competence.
  - (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.

**Committee's Recommendation:**

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**Clause 10: Appointment, Duties, Tenure and Removal of Directors.**

- (1) The Directors, professional analysts and professional staff of NABRO shall receive such remuneration as shall be determined by the Board.
- (2) Such remuneration shall be competitive.

**Committee's Recommendation:**

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

- Clause 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 shall be entitled to pension, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the public service of the Federation.
  - (2) Nothing in subsection (1) of this section 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.

**Committee's Recommendation:**

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*

**Clause 12: Regulations.**

The Board may, by regulations published in the National Assembly Journal or the Journal of each House of the National Assembly prescribing the —

- (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 organizational structure of NABRO;
- (d) promotion and staff welfare; and
- (e) other guidelines.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 12 do stand part of the Bill, put and agreed to.*

**Clause 13: Funds and Estimates of Expenditure.**

- (1) NABRO shall establish and maintain a Fund which shall be applied towards the discharge of its functions.
- (2) NABRO shall derive its funds from —
  - (a) such monies 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) such monies as may, from time to time, be granted or deposited with NABRO by the National Assembly or anybody or institution;
  - (c) all monies 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, from time to time, accrue to NABRO.



- (3) Such monies derived for the purpose of running NABRO shall be declared to the National Assembly through the Board who shall then appropriate such funds before spending except for grants in aids attached to programme or projects.
- (4) 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 or other remunerations or allowances and pensions and gratuities payable to members and employees of NABRO; and
  - (c) anything done in connection with any of its functions under this Act.
- (5) The Director-General shall prepare, not later than 30th June of each year, an estimate of the expenditure and income of the office 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 3 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 of the Federation.

**Committee's Recommendation:**

That the provision in Clause 13 be retained (*Senate Leader*)— *Agreed to.*

*Question that Clause 13 do stand part of the Bill, put and agreed to.*

**Clause 14: Obtaining of Data by the Director-General.**  
The Director-General may, for the purpose of coordinating the operations of NABRO with those of the National Assembly agencies, obtain information, data, estimates and statistics developed by the Committees, Clerk and all other offices of the National Assembly.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (*Senate Leader*)— *Agreed to.*

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

**Clause 15: Obtaining of Data from Public Bodies.**

- (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.
- (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 NABRO.

- (3) The Director-General may assign professional and other staff of NABRO with the approval of the Supervising Minister or relevant supervising authority 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 NABRO.
- (5) A ministerial department and agency shall submit information, data, estimates and statistics as requested by NABRO.
- (6) Any person who refuses or neglects to submit information, data, estimates and statistics as requested by 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; or
  - (b) be dismissed in accordance with the rules governing public servants if he is in the employment of the Public Service of the Federation; or
  - (c) either dismissal as stated above, or a fine not exceeding N1,000,000; or
  - (d) a fine not exceeding N2,000,000 if he is an appointee of government.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

**Clause 16: Annual Report.**

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 report of the audited accounts of the Board.

**Committee's Recommendation:**

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

**Clause 17: Power to Accept Gift.**

- (1) 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 gift.
- (2) 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.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

**Clause 18: Power to Borrow.**

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 NABRO for meeting its obligations and discharging its functions under this Act.

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*).— *Agreed to.*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

**Clause 19: Procedure for Suit Against NABRO.**

- (1) Subject to the provisions of this Act, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the NABRO.
- (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 pursuance or execution of this Act 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 Act 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 thereof.

**Committee's Recommendation:**

That the provision in Clause 19 be retained (*Senate Leader*).— *Agreed to.*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

**Clause 20: Service of Summons.**

A notice, summons or other document required or authorised to be served upon the NABRO under the provisions of this Act 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.

**Committee's Recommendation:**

That the provision in Clause 20 be retained (*Senate Leader*).— *Agreed to.*

*Question that Clause 20 do stand part of the Bill, put and agreed to.*

**Clause 21: Indemnity of Members.**

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.

**Committee's Recommendation:**

That the provision in Clause 21 be retained (*Senate Leader*).— *Agreed to.*

*Question that Clause 21 do stand part of the Bill, put and agreed to.*

- Clause 22: Acquisition of Property by NABRO.**
- (1) For the purposes of providing offices and premises necessary for the performance of its functions under this Act, the NABRO may, subject to the Land Use Act —
- (a) purchase or take on lease any interest in land, or other property; and
  - (b) construct offices and premises and equip and maintain same.
- (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 Act.

**Committee's Recommendation:**

That the provision in Clause 22 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 22 do stand part of the Bill, put and agreed to.*

**Clause 23: Interpretation.**

In this Act —

"committees" means 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 organization; and

"NABRO" means National Assembly Budget and Research Office.

**Committee's Recommendation:**

That the provision in Clause 23 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 23 do stand part of the Bill, put and agreed to.*

**Clause 24: Citation.**

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

**Committee's Recommendation:**

That the provision in Clause 24 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 24 do stand part of the Bill, put and agreed to.*

SCHEDULE

Section 4 (5)

SUPPLEMENTARY PROVISION RELATING TO THE BOARD, ETC.

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 the other members may elect among themselves for that purpose.
- (2) The Director-General shall be the Secretary and shall provide secretariat services for all meetings of the Board.

- (3) Subject to the provisions of this Act 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 appoint one or more Committees to carry out, on behalf of the Board, such of its functions as the Board may determine, but no decision of any such Committee shall have effect unless 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 any Committee and such persons may take part in the deliberations of the Board or any Committee but shall not be entitled to vote.
- 5. The fixing of the seal of NABRO shall be authenticated by the signature of the Chairman or any other member of the Board generally or specifically authorized by the Board to act for that purpose and the Director-General.
- 6. A document purporting to be a document duly executed under the seal of NABRO shall be received in evidence and shall, unless the contrary is proved, be presumed so executed.
- 7. The validity of any proceeding of the Board or a Committee shall not be 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.

*Question that the provisions of this Schedule stand part of the Bill — Agreed to.*

Chairman to report Bill.

**(SENATE IN PLENARY)**

The Deputy Senate President reported that the Senate in the Committee of the Whole considered and approved the 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, 2018 and approved as follows:

- Clauses 1- 24 — As Recommended
- Schedule — As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

- 9. **Corporate Manslaughter Bill, 2018 (SB. 657) - Committee of the Whole:**  
*Motion made:* That the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to Provide for Corporate Manslaughter by Making Corporate Organisations Criminally Liable for Death of Employees Arising from Their Acts of Omission; and for Related Matters, 2018 (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE FOR CORPORATE MANSLAUGHTER BY MAKING CORPORATE ORGANISATIONS CRIMINALLY LIABLE FOR DEATH OF EMPLOYEES ARISING FROM THEIR ACTS OF OMISSION; AND FOR RELATED MATTERS, 2018.

**Clause 1: Offences.**

- (1) Any organisation whose activities are managed or organised in such a way that it results in the death of a person and such death is occasioned by a gross breach of a relevant duty of care owed by the organisation to the deceased, commits an offence of corporate manslaughter.
- (2) The organisations to which this section applies are —
  - (a) a corporate organisation whether private or public;
  - (b) a government department, whether at the Federal, State or Local Government Council level;
  - (c) a police force, paramilitary and the armed forces; and
  - (d) partnership, trade union or employers' association that is an employer.
- (3) An organisation commits an offence under this section only if the way in which its activities are managed or organised by its senior management is a substantial element in the breach referred to in subsection (1).
- (4) In this section —
  - (a) "relevant duty of care" has the meaning of sections 2-7, of this Act;
  - (b) a breach of a duty of care by an organisation is a gross breach if the conduct alleged, falls far below what can reasonably be expected of the organisation in the circumstances;
  - (c) "senior management", in relation to an organisation, means the persons who play significant roles in —
    - (i) the making of decisions about how the whole or a substantial part of its activities are to be managed or organized; or
    - (ii) the actual managing or organising of the whole or a substantial part of those activities.
- (5) An organisation that commits corporate manslaughter is liable on conviction or indictment to a fine.
- (6) The High Court at the Federal and State levels shall have jurisdiction to try cases of corporate manslaughter.

***Committee's Recommendation:***

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Meaning of Relevant Duty of Care.**

- (1) In this section, "relevant duty of care", in relation to an organisation means, a duty owed by it —

- (a) to its employees or to other persons working for the organisation or performing services for it;
- (b) as occupier of premises;
- (c) in connection with —
- (i) the supply by the organisation of goods or services (whether for consideration or not),
  - (ii) the carrying on by the organisation of any construction or maintenance operations,
  - (iii) the carrying on by the organisation of any other activity on a commercial basis, or
  - (iv) the use or keeping by the organisation of any plant, vehicle or other thing;
- (d) to a person who, by reason of being a person within subsection (2), is someone for whose safety the organisation is responsible;
- (2) A person falls within this subsection if the person is —
- (a) detained at a custodial institution or in a custody area at a court or police station or short term holding facility;
  - (b) transported in a vehicle, or being held in any premises, in pursuance of prison escort arrangements or immigration escort arrangements;
  - (c) living in secure accommodation in which he has been placed; or
  - (d) a detained patient.
- (3) A reference in subsection (1) to a duty owed under the law of negligence includes a reference to a duty that would be owed under the law of negligence but for any statutory provision under which liability is imposed in place of liability under that law.
- (4) For the purposes of this Act, whether a particular organisation owes a duty of care to a particular individual is a question of law and the judge shall make any finding of fact necessary to decide that question.
- (5) For the purposes of this Act, no regard shall be given to any rule —
- (a) of the common law that has the effect of preventing a duty of care from being owed by one person to another by reason of the fact that they are jointly engaged in unlawful conduct; or
  - (b) that has the effect of preventing a duty of care from being owed to a person by reason of his acceptance of a risk of harm.
- (6) In this section "construction or maintenance operations" means operations of any of the following descriptions —
- (a) construction, installation, alteration, extension, improvement, repair, maintenance, decoration, cleaning, demolition or dismantling of —
    - (i) any building or structure;
    - (ii) anything else that forms, or is to form part of the land; or
    - (iii) any plant, vehicle or other thing; and

- (b) operations that form an integral part of, or are preparatory to, or are necessary for rendering complete any operation under paragraph (a) of this subsection;

"custodial institution" means a prison, a secure training centre, a young offender or juvenile justice centre or a remand centre;

"detained patient" means a person who is detained in any premises, or is otherwise in custody, under any health or mental health care treatment programme;

"immigration escort arrangements" means arrangements made under the provisions of the Immigration Act;

"secure accommodation" means accommodation, not consisting of, or forming part of, a custodial institution, provided for the purpose of restricting the liberty of persons under the age of 18. Retained

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

**Clause 3: Public Policy Decision.**

- (1) Any duty of care owed by a public authority in respect of a decision as to matters of public policy (in particular the allocation of public resources or the weighing of competing public interests) is not a relevant duty of care.
- (2) Any duty of care owed in respect of things done in the exercise of an exclusively public function is not a relevant duty of care unless it falls within section 2 (1) (a), (b) or (d).
- (3) Any duty of care owed by a public authority in respect of inspections carried out in the exercise of a statutory function is not a "relevant duty of care" unless it falls within section 2 (1) (a) or (b).
- (4) In this section —  
 "exclusively public function" means a function that falls within the prerogative of the President or is, by its nature, exercisable only with authority conferred by —  
 (a) the exercise of that prerogative, or  
 (b) a statutory provision;

"statutory function" means a function conferred by or under a statute. Retained

**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Military Activities.**

- (1) Any duty of care owed by the Ministry of Defence and other Security Agencies in respect of —  
 (a) operations within subsection (2);



- (b) activities carried on in preparation for, or directly in support of, such operations; or
  - (c) training of a hazardous nature, or training carried out in a hazardous way, which needs to be carried out, or carried out in that way, in order to improve or maintain the effectiveness of the armed forces with respect to such operations, is not a relevant duty of care.
- (2) The operations within this subsection are operations, including peacekeeping operations and operations for dealing with terrorism, civil unrest or serious public disorder, in the course of which members of the armed forces come under attack or face the threat of attack or violent resistance.
  - (3) Any duty of care owed by the Ministry of Defence in respect of activities carried on by members of the special forces is not a relevant duty of care.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 5: Policing and Law Enforcement.**

- (1) Any duty of care owed by a public authority in respect of —
  - (a) operations under subsection
  - (b) activities carried on in preparation for, or directly in support of, such operations; or
  - (c) training of a hazardous nature, or training carried out in a hazardous way, which needs to be carried out in that way in order to improve or maintain the effectiveness of officers or employees of the public authority with respect to such operations, is not a relevant duty of care.
- (2) Operations are within this subsection if —
  - (a) they are operations for dealing with terrorism, civil unrest or serious disorder;
  - (b) they involve the carrying on of policing or law-enforcement activities; and
  - (c) officers or employees of the public authority in question come under attack, or face the threat of attack or violent resistance, in the course of the operations.
- (3) Any duty of care owed by a public authority in respect of other policing or law enforcement activities is not a relevant duty of care unless it falls within section 2 (1) (a), (b) or (d) of this Act.
- (4) In this section, policing or law-enforcement activities includes activities carried on in the exercise of functions that are —
  - (a) functions of police force, or other law enforcement agencies; and
  - (b) functions of the same or a similar nature exercisable by any public authority other than the security agencies.

**Committee's Recommendation:**

That the provision in Clause 5 be retained (*Senate Leader*) — Agreed to

*Question that Clause 5 do stand part of the Bill, put and agreed to: that Clause 5 do stand part of the Bill*

**Clause 6: Emergencies.**

- (1) Any duty of care owed by an organisation under subsection (2) in respect of the way in which it responds to emergency circumstances is not a relevant duty of care unless it falls within section 2 (1) (a) or (b) of this Act.
- (2) The organisations under this subsection are
  - (a) a fire and rescue authority in Nigeria;
  - (b) any other organisation providing a service of responding to emergency circumstances;
  - (c) an organisation providing ambulance services;
  - (d) an organisation providing services for the transport of organs, blood, equipment or personnel in pursuance of emergency;
  - (e) an organisation providing a rescue service; and
  - (f) the armed forces.
- (3) For the purposes of subsection (1), the way in which an organisation responds to emergency circumstances does not include the way in which
  - (a) medical treatment is carried out; or
  - (b) decisions under subsection (4) are made.
- (4) The decisions under this subsection are decisions as to the carrying out of medical treatment, other than decisions as to the order in which persons are to be given such treatment.
- (5) Any duty of care owed in respect of the carrying out, or attempted carrying out of, a rescue operation at sea in emergency circumstances is not a relevant duty of care unless it falls within section 2 (1) (a) or (b).
- (6) In this section —
 

"emergency circumstances" means circumstances that are present or imminent and are -

  - (a) causing, or are likely to cause, serious harm or a worsening of such harm; or
  - (b) likely to cause the death of a person;

"medical treatment" includes any treatment or procedure of a medical or similar nature;

"serious harm" means -

  - (a) serious injury to or serious illness (including mental illness) of a person;
  - (b) serious harm to the environment (including the life and health of plants and animals); and
  - (c) serious harm to any building or other property.

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

- Clause 7:**
- (1) A duty of care to which this section applies is not a relevant duty of care unless it falls within section 2 (1) (a), (b) or (d) of this Act.
  - (2) This section applies to any duty of care that an organisation or local authority or other public authority owes in respect of the exercise of its functions conferred by or under any law.

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8: Power of Court.**

- (1) A court which convicts an organisation of corporate manslaughter may make a remedial order requiring the organisation to take specified steps to remedy
  - (a) the breach mentioned in section 1 (1) of this Act;
  - (b) any matter that appears to the court to have resulted from the relevant breach and to have been a cause of the death; and
  - (c) any deficiency, as regards health and safety matters, in the organisation's policies, systems or practices of which the relevant breach appears to the court to be an indication.
- (2) A remedial order may be made only on an application by the prosecution specifying the terms of the proposed order and such order shall be on such terms (whether those proposed or others) as the court considers appropriate having regard to the representations made and evidence adduced in relation to the matter by the prosecution or on behalf of the Defence.
- (3) Before making an application for a remedial order, the prosecution shall consult the enforcement authority or authorities as it considers appropriate having regard to the nature of the relevant breach.
- (4) A remedial order -
  - (a) shall specify a period within which the steps referred to in subsection (1) are to be taken; and
  - (b) may require the organisation to supply to an enforcement authority consulted under subsection (3), within a specified period, evidence that those steps have been taken.
- (5) A period specified under this subsection may be extended or further extended by order of the court on an application made before the end of that period or extended period.
- (6) An organisation that fails to comply with a remedial order commits an offence, and is liable on conviction or indictment to a fine.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

- Clause 9: Power to Order Publication of the Conviction.**
- (1) A court before which an organisation is convicted of manslaughter may make an order requiring to publicise, in a specified manner -
- (a) that it has been convicted of the offence;
  - (b) the particulars of the offence;
  - (c) the amount of any fine imposed; and
  - (d) the terms of any remedial order made.
- (2) In deciding on the terms of a publicity order that it is proposing to make, the court shall -
- (a) ascertain the views of such enforcement authority or authorities as it considers appropriate, and
  - (b) have regard to any representations made by the prosecution or on behalf of the organisation.
- (3) A publicity order -
- (a) shall specify a period within which the requirements referred to in subsection (1) are to be complied with; and
  - (b) may require the organisation to supply to any enforcement authority whose views have been ascertained under subsection (2), within a specified period, evidence that those requirements have been complied with.

**Committee's Recommendation:**

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**Clause 10: Application to Partnerships.**

- (1) For this purposes, a partnership is to be treated as owing whatever duties of care it would owe if it were a body corporate.
- (2) Proceedings for an offence under this Act alleged to have been committed by a partnership are to be brought in the name of the partnership (and not in the name of any of its members).
- (3) A fine imposed on a partnership on its conviction for an offence under this Act is to be paid out of the funds of the partnership.
- (4) This section does not apply to a partnership that is a legal person under the law by which it is governed.

**Committee's Recommendation:**

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

**Clause 11: Criminal Proceedings.**

Any statutory provision in relation to criminal proceedings against a corporation shall, subject to necessary modifications, apply to proceedings under this Act against-

- (a) a department or other government body;
- (b) a police force;

- (c) a partnership;
- (d) a trade union; or
- (e) an employers' association that is not a corporation.

**Committee's Recommendation:**

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*

**Clause 12: Transfer of Liability.**

- (1) Where a person's death has occurred, or is alleged to have occurred, in connection with the carrying out of the functions of a public organisation and subsequently there is a transfer of those functions to another organisation, any proceeding against the former organisation under this Act shall be instituted against the organisation that inherits its functions.
- (2) Where the transfer of functions occurs while proceeding for an offence under this Act is pending, the proceeding is to be continued against the organisation by which such functions are subsequently carried out as a result of the transfer.
- (3) Where, as a result of the transfer, no such organisation carries out the functions, the proceedings shall be instituted against the same or any other organisation by which the functions were last carried out.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 12 do stand part of the Bill, put and agreed to.*

**Clause 13: Consent of the Attorney-General.**

Proceedings for an offence of corporate manslaughter shall not be instituted except with the consent of the Attorney-General of the Federation and the Attorney General of a State when it is a state matter.

**Committee's Recommendation:**

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 13 do stand part of the Bill, put and agreed to.*

**Clause 14: Exemption of Individual Liability.**

An individual cannot be convicted of aiding, abetting, counseling or procuring or being party to the commission of an offence of corporate manslaughter.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

**Clause 15: Charges Under this Act not a Bar to Charges Under any Health and Safety Legislation.**

- (1) Where, in the same proceedings, there is —
- (a) a charge of corporate manslaughter arising out of a particular set of circumstance; or

- (b) a charge against the same defendant of a health and safety offence arising out of some or all of those circumstances, the court may, if the interests of justice so require, return a verdict on each charge.
- (2) An organisation that has been convicted of corporate manslaughter arising out of a particular set of circumstances may, if the interests of justice so require, be charged with a health and safety offence arising out of some or all of those circumstances.
- (3) In this section "health and safety offence" means an offence under any health and safety legislation.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

- Clause 16:** (1) Section 1 of this Act applies if the harm resulting in death is sustained in Nigeria or -
- (a) within the seaward limits of the territorial sea adjacent to the Federal Republic of Nigeria; or
- (b) on a Nigerian controlled ship, aircraft, hovercraft; or
- (c) in any place to which the Petroleum Act applies.
- (2) For the purposes of section 16 (1) (b) and (c), harm sustained on a ship, aircraft or hovercraft includes harm sustained by a person who -
- (a) is then no longer on board the ship, aircraft or hovercraft in consequence of the wrecking of it or of some other mishap affecting it or occurring on it; and
- (b) sustains the harm in consequence of that event.

**Committee's Recommendation:**

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

**Clause 17: Interpretation.**

In this Act -

"armed forces" means the Army, Navy or Airforce of the Federal Republic of Nigeria and for this purpose, a person who is a member of the Armed Forces is to be treated as employed by the Ministry of Defence.

"corporation" means anybody corporate that is incorporated but does not include a corporation sole;

"employee" means an individual who works under a contract of employment or apprenticeship (whether express or implied and, if express, whether oral or in writing), and related expressions are to be construed accordingly;

"enforcement authority" means an authority responsible for the enforcement of any health and safety legislation; and

"Law enforcement agencies" includes Nigerian Police Force, the Economic Financial Crimes Commission (EFCC), Independent Corrupt Practices and Other Related Crimes (ICPC), Nigerian Security and Civil Defence Corps, Nigeria Immigration Service, Board of Customs and Excise; Federal Road Safety Commission and similar bodies; and

"Police Force" means a Police Force within the meaning of the Police Act and for this purpose, a Police Force is to be treated as owing whatever duties of care it would owe if it were a body corporate.

"Security Agencies" includes the Ministry of Defence, the Army, Navy, Airforce, Department of State Security Services, National Intelligence Agency and Defence Intelligence Agency.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

**Clause 18: Citation.**

This Act may be cited as the Corporate Manslaughter Act, 2018.

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

Chairman to report Bill.

**(SENATE IN PLENARY)**

The Deputy Senate President reported that the Senate in the Committee of the Whole considered a Bill for an Act to Provide for Corporate Manslaughter by Making Corporate Organisations Criminally Liable for Death of Employees Arising from Their Acts of Omission; and for Related Matters, 2018 and approved as follows:

Clauses 1- 18

— As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole — Resolved in the Affirmative.

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

**10. Forestry Research Institute of Nigeria Bill, 2018 (SB. 658) - Committee of the Whole:**

*Motion made:* That the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to Establish the Forestry Research Institute of Nigeria for Forestry Research, Education and Training in Nigeria; and for Related Matters, 2018 (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE FORESTRY RESEARCH INSTITUTE OF NIGERIA FOR FORESTRY RESEARCH, EDUCATION AND TRAINING IN NIGERIA; AND FOR RELATED MATTERS, 2018.

**PART I — ESTABLISHMENT OF THE FORESTRY RESEARCH INSTITUTE OF NIGERIA**

- Clause 1:**
- (1) There is established the Forestry Research Institute of Nigeria (in this Act referred to as "the Institute").
  - (2) The Institute:
    - (a) shall be a body corporate with perpetual succession and a common seal which shall be kept in such custody as the Institute may authorise;
    - (b) may sue and be sued in its corporate name; and
    - (c) may hold, acquire and dispose of any property, moveable or immovable, in carrying out its mandate.
  - (3) The Headquarters of the Institute shall be in Ibadan with research outstations and colleges in all geo-political zones of the Federation.

**Committee's Recommendation:**

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Functions of the Institute**

- (1) The broad functions of the Institute shall be:
  - (a) research, experimentation, sample application and patenting;
  - (b) education and training by the Colleges;
  - (c) innovation and technology dissemination through farming systems and extension services;
  - (d) the improvement of the genetic resources of forest trees and the ecosystem for economic development;
  - (e) the improvement of silvicultural practices relating to forest trees of economic importance;
  - (f) the mechanisation and improvement of the methods of cultivating, harvesting, processing, domestication and biotechnological mass production of plant stocks of forest trees of economic importance;
  - (g) research into the utilisation strategies of forest products, improvement of same, inclusive of forest and processed mill-wood wastes;
  - (h) studying the ecology of pests and diseases of forest trees and their control;
  - (i) research into the development of agro-forestry systems for the integration of forest trees of economic importance into farming systems in different ecological zones and its socio-economic effects on the rural populations;
  - (j) forestry education and training; through its National and Higher National Diploma awarding tertiary institutions namely:
    - (i) Federal College of Forestry, Ibadan,
    - (ii) Federal College of Forestry, Jos,



- (iii) Federal College of Wildlife Management, New Bussa, Niger,
- (iv) Federal College of Forestry Mechanization, Afaka, Kaduna;
- (k) forestry extension and dissemination;
- (l) research into the —
  - (i) biodiversity of Nigerian forests in relation to its flora and fauna,
  - (ii) different suitable bio diversity and appropriate methods of control of ecological and environmental problems of the country with respect to desertification, soil erosion and deforestation; inclusive of the conservation, protection and management of the coastal mangrove, watershed and sand-dunes, and
  - (iii) appropriate application of remote sensing and geographical information systems (GIS) for climate change monitoring and adaptation as well as dendrology studies;
- (m) making suitable arrangements for the application of the results of the research work under paragraph (l) (i) by the Federal and State ministries, agencies and the private sector for the economic development of Nigeria;
- (n) co-operating with relevant Nigerian and international universities, research institutes and other institutions in the mobilisation of the country's research potential on forestry for the task of national development and dissemination of research findings on the issues relating to forestry for the use of policy makers at all levels and;
- (o) doing anything and entering into all professional transaction that will enhance proper performance of its functions.

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to that Clause 2 do stand part of the Bill.*

**Clause 3: Powers of the Institute.**

- (1) The Institute may, with the approval of its supervising Ministry or Board, enter into association or agreement with the competent authorities of any university or other institution of higher learning or recognised international institutions for the purpose of promoting or furthering mutual co-operation in the field of scientific research in respect of which the Board has responsibility under this Act.
- (2) The Institute may, at the written request of any government agency, local government authority or private organisation, train laboratory, field ecology extension and other categories or descriptions of workers relative to their specified fields of research.
- (3) Without prejudice to its research functions, the Institute may produce improved seedlings and other planting materials as part of its research and experimental programmes for use of farmers in different ecological zones of the Federation.

- (4) The Institute shall, when so requested by the Federal Government, any government agencies or any of the State or Local Government authorities or any authorised body, provide information or give advice relating to their specified fields of research.

**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Governing Board of the Institute.**

- (1) There shall be for the Institute, a governing body (in this Act referred to as "the Board") charged with the administration of government policies.
- (2) The Board shall be established by the President of the Federal Republic of Nigeria on the recommendation of the Minister and shall be evenly distributed among the six geo-political zones of the Federation.
- (3) The Board shall consist of:
  - (a) a chairman, knowledgeable in forestry or related discipline;
  - (b) a representative of the Ecological Funds Office;
  - (c) a representative of the Supervising Ministry charged with the supervision of forestry matters;
  - (d) two other members nominated by the President; and
  - (e) the Director General of the Institute.
- (4) With the exception of the Director-General, membership of the Board shall be on part-time basis.
- (5) A member of the Board may resign his appointment by a letter addressed to the President, through the Minister, and, if accepted, the resignation shall take effect from the date the President receives the letter of resignation.
- (6) Members of the Board shall, unless otherwise provided, hold office for a term of four years and may be eligible for another term of four years and not more.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 5: Powers of the Board.**

- (1) The Board shall have the powers to
  - (a) perform all functions conferred on the Institute by this Act;
  - (b) formulate policies for the Institute;
  - (c) make rules to govern the procedures of its meetings; and
  - (d) make recommendation to the Minister on the establishment of specialised colleges in other parts of the country as the need arises.

- (2) The provision of the Schedule to this Act shall apply with respect to the proceedings of the Board.

**Committee's Recommendation:**

That the provision in Clause 5 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 5 do stand part of the Bill, put and agreed to.*

**Clause 6: The Director General of the Institute.**

- (1) The President shall, on the recommendation of the Minister, appoint the Director-General of the Institute.
- (2) The Director-General shall be —
- a Research Professor with vast experience in forestry and or related disciplines;
  - charged with the day-to-day management of the affairs of the Institute in accordance with such instructions as may be given to him by the Minister, through the Board of the Institute;
  - the Accounting Officer of the Institute;
- (3) The Director-General of the Institute shall hold office for a term of four years and may be eligible for re-appointment for another term of four years and no more.
- (4) The Board may appoint such other persons as employees of the Institute either by way of transfer or secondment from any of the public service or any university in the Federation or otherwise as it considers necessary.
- (5) The Institute shall operate research professorial cadre system for researchers or lecturers and directorate equivalent system for support services staff such as:
- the Institute's Secretary for Administration Cadre System;
  - the Institute's Librarians for Library Cadre system;
  - the Institute's Accountant for the Account and Finance Cadre System;
  - the Institute's Auditor for the Audit Cadre System; and
  - the Head of Procurement for the Procurement Cadre System.
- (6) The remuneration, conditions of service and tenure of office of the employees of the Institute shall be determined by the National Income, Salaries and Wages Commission and the Federal Civil Service Commission.

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

**Clause 7: The Provost.**

- (1) The Minister shall, on the recommendation of the Board, appoint a Provost for each of the Colleges of the Institute.

- (2) The Provost shall:
- (a) be a Ph.D. holder and shall possess a minimum experience as a Senior Lecturer in the field of forestry related disciplines;
  - (b) be charged with the day-to-day management of the College in accordance with such instructions as may be given to him by the Board or Director-General of the Institute;
  - (c) design research programmes, the formulation and implementation of research proposals relevant to the Institute;
  - (d) coordinate the training programmes or research and provisions of intellectual leadership;
  - (e) be responsible for the collation and interpretation of research data and the preparation of scientific reports;
  - (f) prepare annual and quarterly reports in respect of his College;
  - (g) be responsible for College development programmes and planning; and
  - (h) hold office for a non-renewable term of five years.
- (3) The Board shall recommend the removal of the Provost to the Minister if he is found incompetent or incapacitated.

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Leader*) **Agreed to.**

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8:** Every staff shall be well acquainted with the disciplinary procedure entrenched in the Public Service Rules, and any other regulations as may be made by the Board.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) **Agreed to.**

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

**Clause 9: Penalties for Unprofessional Conduct.**

Where a staff -

- (a) is judged to be guilty of infamous conduct in any professional respect,
- (b) is found to have contravened the provisions of Public Service Rules; or
- (c) contravene directives issued as government circulars from the supervising Ministry, Federal Civil Service Commission, Office of the Secretary to the Government of the Federation, Office of the Head of Service and other Federal Government offices with authority to issue circulars and directives, the staff shall be subjected to disciplinary measures in accordance with the regulations contained Public Service Rules .

**Committee's Recommendation:**

That the provision in Clause 9 be retained (*Senate Leader*) **Agreed to.**

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

## PART II — MISCELLANEOUS AND GENERAL PROVISIONS

**Clause 10: Provision of Library.**

The Institute shall -

- (a) provide and maintain a library comprising of books and publications for the advancement of knowledge of forestry and such other books and publications as the Board may deem necessary for that purpose; and
- (b) encourage research into forestry and allied subjects to the extent that the Board may consider necessary.

**Committee's Recommendation:**

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

**Clause 11: Rules and Regulations.**

- (1) The Minister shall have powers to make rules and regulations under this Act.
- (2) The regulations made under this Act shall be published in the Federal Government Gazette as soon as they are made.
- (3) The rules made for the purposes of this Act (other than rules made by the Minister) shall:
  - (a) be subject to confirmation by the Institute at its next annual farming systems meeting or at any special meeting of the Institute convened for the purpose; and
  - (b) if not confirmed, cease to have effect on the day after the date of the confirmation but without prejudice to anything done in pursuance or intended pursuance of such rules.

**Committee's Recommendation:**

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*

**Clause 12: Funds of the Institute.**

- (1) The Institute shall establish and maintain a fund into which shall be paid:
  - (a) annual subvention from the Federal Government;
  - (b) monetary gifts, research grants or aids and contribution from national and international organisations;
  - (c) internally generated revenue from research breakthroughs, products and services provided by the Institute;
  - (d) loans and other solicited funds received by the Institute; and
  - (e) all other sums accruing to the Institute from time to time.
- (2) The Institute shall prepare a detailed annual budget of its programmes and activities for the approval of the Board and the Minister.
- (3) The Institute shall apply the funds at its disposal:
  - (a) to meet the cost of administration of the Institute and its Colleges;

- (b) for the payment of fees, allowances and benefits of members of the Board;
- (c) to the payment of functions of the Institute under this Act or any other matter connected to its function;
- (d) to meet any capital expenditure of the Institute;
- (e) salaries, allowances and benefits of officers and other employees of the Institute;
- (f) to such reasonable travelling and subsistence allowances of the Board, Director-General and other members of staff in respect of time spent on the duties of the Institute as may be determined by the Board and other guidelines of the Institute;
- (g) to maintain any property acquired by or vested in the Institute; and
- (h) to implement all or any of the expenditure of the Institute.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 12 do stand part of the Bill, put and agreed to.*

**Clause 13: Bank Accounts of the Institute.**

- (1) The Institute shall maintain a bank account in its name in banks approved by the Board.
- (2) Any fund of the Institute in excess of an imprest to be determined by the Board shall be lodged into the Institute's account.

**Committee's Recommendation:**

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 13 do stand part of the Bill, put and agreed to.*

**Clause 14: Power to Accept Gift.**

- (1) The Institute may accept gifts of land, money or other testamentary dispositions, endowments and contributions on such terms and conditions, if any, as may be specified by the donor.
- (2) The Institute shall not accept any gift if the conditions attached by the donor are inconsistent with the objectives and functions of the Institute under this Act.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

**Clause 15: Power to Borrow.**

- (1) The Institute may, with the consent of the Minister and on the recommendation of the Board, borrow by way of loan, a specified amount as it may require for meeting its obligations and performing its functions under this Act.

- (2) No consent or authority shall be required under subsection (1), if the sum or sums of the aggregate of the sums involved at any time does not exceed such amount as may, for the time being, specified in relation to the Institute by the Federal Government.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (*Senate Leader*)—*Agreed to.*

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

**Clause 16: Annual Estimates, Accounts and Audit.**

- (1) The Institute shall prepare, not later than 30th September, an estimate of the expenditure and income of the Institute during the next succeeding year and, when prepared, they shall be submitted to the Minister for approval prior to final submission at the National Assembly.
- (2) The Institute shall keep proper books of records and accounts which shall be audited by auditors approved by the Board from the list of auditors in accordance with the guidelines supplied by the Auditor-General for the Federation.

**Committee's Recommendation:**

That the provision in Clause 16 be retained (*Senate Leader*)—*Agreed to.*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

**Clause 17: Annual Report.**

The Institute shall, not later than six months after the end of each year, submit to the National Assembly, through the Minister, a report on the activities and the administration of the Institute and its Colleges during the immediately preceding year and shall include in the report, the audited accounts of the Institute and its Colleges and the report of the Auditor on the accounts.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (*Senate Leader*)—*Agreed to.*

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

**Clause 18: Indemnity of Members.**

No suit, prosecution or legal proceedings shall lie against any officer, member or employee of the Institute for anything which is done in good faith or is intended to be done under this Act, rules or regulations made under this Act.

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*)—*Agreed to.*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

**Clause 19: Legal Proceedings and Services of Summons.**

- (1) A suit shall not be commenced against the Institute before the expiration of a period of one month, after written notice of intention to commence the suit shall have been served on the Institute by the intending plaintiff or claimant or his counsel, and the notice shall clearly state the:
- (a) cause of action;
  - (b) particulars of the claim;
  - (c) name and place of abode of the intending plaintiff or claimant; and

- (d) relief which he claims.
- (2) The notice referred to in subsection (1) of this section and any summons, notice or other document required or authorised to be served on the Institute under the provisions of this Act or any other enactment or law may be served by -
- delivering the documents to the office of the Director-General; or
  - sending it by registered post addressed to the Director-General at the Headquarters of the Institute.

**Committee's Recommendation:**

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

**Clause 20: Repeal, Savings and Transitional Provisions.**

- Sections 1 (1) (b) and 3 of the Research Institutes (Establishment, etc.) Order 1975 of Agricultural Research Institute Act, 1973 is repealed.
- Any Statutory function, right, liability, interest and obligation existing in the Forestry Research Institute of Nigeria before the commencement of this Act shall, by virtue of this Act, be deemed to have been assigned and vested in the Institute after the commencement of this Act.
- All assets, funds, resources and other property which before the commencement of this Act were vested in the Institute shall by virtue of this Act be deemed to have been assigned and vested in the Institute after the commencement of this Act.

**Committee's Recommendation:**

That the provision in Clause 20 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 20 do stand part of the Bill, put and agreed to.*

**Clause 21:** The seal of the Institute shall not be affixed on any instrument except with the authority of the Director-General.

**Committee's Recommendation:**

That the provision in Clause 21 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 21 do stand part of the Bill, put and agreed to.*

**Clause 22: Interpretation.**

In this Act -

"Board" means the Board established as the governing body of the Institute under the section 4 (2) of this Act;

"Director-General" means the Director-General appointed under section 6 (1) of this Act;

"Institute" means the Forestry Research Institute of Nigeria established under section 1 (1) this Act;

"Colleges" means the Federal Colleges of the Institute under this Act;

"Member" means Member of the Institute;



"Minister" means the Minister charged with the responsibility for matters relating to forestry;

"Supervising Ministry" means the Ministry charged with the responsibility for matters relating to forestry.

**Committee's Recommendation:**

That the provision in Clause 22 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 22 do stand part of the Bill, put and agreed to.*

**Clause 23: Citation.**

This Act may be cited as the Forestry Research Institute of Nigeria (Establishment) Act, 2018.

**Committee's Recommendation:**

That the provision in Clause 23 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 23 do stand part of the Bill, put and agreed to.*

SCHEDULE

Sections 5 (2)

SUPPLEMENTARY PROVISIONS RELATING TO THE  
BOARD AND THE INSTITUTE

Qualifications and Tenure of Office of members

1. (1) Subject to the provisions of this paragraph, a member of the Board shall hold office from the effective date of the instrument of his appointment.
- (2) A member of the Institute who ceases to be a member shall, if he is also a member of the Board, cease to hold office on the Board.

Powers of the Board

2. The Board shall have powers to do anything which, in its opinion, is calculated to facilitate the carrying-on of the activities of the Institute under this Act.

Proceedings of the Board

3. (1) Subject to the provisions of this Act, the Board may, in the name of the Institute, make standing orders regulating the proceedings of the Institute or Board and, in the exercise of its powers under this Act, may set up committees in the general interest of the Institute and make standing orders for the committees.
- (2) Standing orders shall provide that decisions shall be taken by a majority of the members, and, in the event of equality of votes, the Chairman has a second or casting vote.
- (3) Standing orders made for a Committee shall provide that the Committee is to report back to the Board on any matter not within its competence to decide.
- (4) The quorum of the Board shall be four and the quorum of a Committee of the Board shall be fixed by the Board.

Committees

4. (1) The Institute may set up one or more standing or ad-hoc committees to carry out, on its behalf, such of its functions as it may determine.

- (2) A Committee set up under this paragraph shall consist of such number of persons as may be determined by the Institute and a person, other than a member of the Institute, shall hold office on the Committee in accordance with the terms of his appointment.
- (3) A decision of a Committee of the Institute shall be of no effect until it is confirmed by the Institute.

#### Meetings of the Institute

5. The Board shall convene the annual farming systems meeting of the Institute every year or on such other date as the Board may appoint, but if the meeting is not held within one year after the previous annual meeting, not more than 15 months shall elapse between the respective dates of the two meetings.

#### Meetings of the Board

6. (1) The Board shall meet at least twice in any financial year, and subject to the provisions of any standing order of the Board, the Board shall meet at other times as it is summoned by the Chairman, and if the Chairman is required to do so by notice in writing given to him by at least four other members, he shall summon a meeting of the Board to be held within seven days from the date on which notice is given.
- (2) At any meeting of the Board, the Chairman shall preside but, in his absence, the members present at the meeting shall appoint one of them to preside at that meeting.
- (3) Where the Board decides to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as the Board deems fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.
- (4) Notwithstanding anything in the provisions of this paragraph, the first meeting of the Board shall be convened by the Minister who may give such directions as he deems fit as to the procedure which shall be followed by the Board.

#### Miscellaneous

7. (1) The fixing of the seal of the Institute shall be authenticated by the Director-General of the Institute or an officer authorised by the Institute to act in his place for this purpose.
  - (2) A contract or instrument, which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the Institute or Board, as the case may require, by any person generally or specially authorised to act for that purpose by the Board.
  - (3) A document purporting to be a document duly executed under the seal of the Institute shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
8. The validity of any proceeding of the Institute, Board or Committee of the Board shall not be affected by -
    - (a) any vacancy in the membership;
    - (b) any defect in the appointment of a member of the Institute or Board; or
    - (c) reason that a person not so entitled to do so took part in the proceedings.

9. A member of the Institute or Board and any person holding office on a Committee of the Institute or Board who has a personal interest in any contract or arrangement being entered into or proposed to be considered by the Board or any Committee shall declare and disclose his interest in such contract or arrangement to the Board and shall be disqualified to vote on any question relating to such contract or arrangement.

*Question that the provisions of this Schedule stand part of the Bill — Agreed to.*

Chairman to report Bill.

**(SENATE IN PLENARY)**

The Deputy Senate President reported that the Senate in the Committee of the Whole considered a Bill for an Act to Establish the Forestry Research Institute of Nigeria for Forestry Research, Education and Training in Nigeria; and for Related Matters, 2018 and approved as follows:

Clauses 1- 23 — As Recommended

Schedule — As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

**11. National Postgraduate College of Medical Laboratory Science: Bill, 2018 (SB. 659) - Committee of the Whole:**

*Motion made:* That the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to Establish the National Postgraduate College of Medical Laboratory Science to Conduct Professional Postgraduate Examination of Candidates into Various Specialised Branches of Medical Laboratory Science; and for Related Matters, 2018 (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NATIONAL POSTGRADUATE COLLEGE OF MEDICAL LABORATORY SCIENCE TO CONDUCT PROFESSIONAL POSTGRADUATE EXAMINATION OF CANDIDATES INTO VARIOUS SPECIALISED BRANCHES OF MEDICAL LABORATORY SCIENCE; AND FOR RELATED MATTERS, 2018.

**Clause 1: Establishment of National Postgraduate College of Medical Laboratory Science.**

- (1) There is established the National Postgraduate College of Medical Laboratory Science (in this Act referred to as "the College").
- (2) The College -
  - (a) shall be a body corporate with perpetual succession and a common seal; and
  - (b) may sue or be sued in its corporate name.
- (3) The Headquarters of the College shall be in the Federal Capital Territory, Abuja or any other location that is deemed fit.

**Committee's Recommendation:**

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Responsibility of the College.**

The College shall be responsible for the conduct of professional postgraduate examination of candidates in the various specialised branches of medical laboratory science and make awards in relation to the postgraduate examination.

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

**Clause 3: Fellows of the College.**

(1) The College shall consist of all Fellows of the College and its affairs shall be managed by:

- (a) the Governing Board, and
- (b) the Senate, which shall each exercise such powers as are conferred on it by this Act.

Schedule.

(2) The supplementary provisions in the Schedule to this Act shall have effect with respect to the proceedings of the Governing Board and Senate and the other matters mentioned in the Schedule.

**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Composition of the Senate.**

There is established for the College the Governing Board which shall consist of:

- (a) the President of the College who shall be the Chairman;
- (b) the Chairman and Registrar of the Medical Laboratory Science Council of Nigeria;
- (c) 12 representatives of the Senate;
- (d) the Federal Director of Medical Laboratory Services;
- (e) the Permanent Secretary, Federal Ministry of -
  - (i) Health or his representative;
  - (ii) Finance or his representative;
  - (iii) Education or his representative; and
  - (iv) Science and Technology or his representative; and
- (f) two representatives of the Association of Medical Laboratory Scientists of Nigeria.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 5: Powers of the Governing Board.**

The Governing Board shall be the governing body of the College charged with the general control and superintendence of the policies, finances and property of the College, including its public relations.

**Committee's Recommendation:**

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 5 do stand part of the Bill, put and agreed to.*

**Clause 6: Composition of the Senate.**

The Senate shall consist of:

- (a) the President of the College who shall be Chairman;
- (b) the Chairman and Secretary of each Faculty Board appointed in line with section 12 of this Act; and
- (c) one representative elected by each Faculty.

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

**Clause 7: Functions of the Senate.**

The Senate shall be responsible for the running of the academic affairs of the College including:

- (a) the organisation and control of courses of study at the College and the examinations held in connection with those courses;
- (b) the award of Fellowships, Diplomas and such other qualifications as may be prescribed in connection with examinations held.

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8: Appointment of the President of the College, Tenure and Resignation**

- (1) Subject to paragraph 1 of the Schedule to this Act, the President shall
  - (a) be appointed by the Governing Board; and
  - (b) hold office for three years.
- (2) In the event of the death or incapacity of the President or if, for any reason other than the effluxion of time, the office of President is vacant, the Governing Board shall appoint another person as President for the residue of the term of the President.
- (3) Members of the Governing Board appointed under section 4 (b) and members of the Senate appointed under section 6 (b) and (c) above shall hold office for three years.

- (4) Any of the members of the Governing Board or the Senate referred to in subsection (3) may, by notice to the Governing Board or, as the case may be, to the Senate, resign his appointment, and where any such member ceases to hold office before his term of office would have expired by effluxion of time, the body by whom he was appointed or elected shall, as soon as may be practicable, appoint or, as the case may be, elect a person to fill the vacancy for the residue of term.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

**Clause 9: Establishment of Fund and Expenditure.**

- (1) The Board shall establish and maintain a fund for the College into which shall be paid:
- (a) all money received by the Board under this Act, including regular subventions and grants from government;
  - (b) all subscriptions, fees and other charges payable to the College by members, individuals and bodies corporate; and
  - (c) all money raised for the purposes of the College by way of gifts, donations, grants-in-aid, testamentary dispositions from individuals, bodies corporate or philanthropic organisations, non-governmental organisations within and outside Nigeria, or otherwise.
- (2) The Board shall apply the proceeds of the Fund of the College to:
- (a) all expenditure incurred by the Board in the discharge of its functions under this Act;
  - (b) the remuneration and allowances of staff of the College;
  - (c) the maintenance of the premises and property owned by and vested in the Board;
  - (d) the payment of traveling allowances and such stipend for members of the Board as may be determined by the Board; and
  - (e) the payment of such other charges as may be reasonably incurred in the performance of the functions of the College.
- (3) For the purposes of the company's income tax, any donation made by any company in Nigeria to the College shall be a deductible donation within the meaning of that Act.

**Committee's Recommendation:**

That the provision in Clause 9 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**Clause 10: Borrowing and Investment Power.**

- (1) The Board may, with the consent of its members and in accordance with the general guidelines or authority given by the Government of the Federation, borrow, on behalf of the Board, by way of loan or overdraft from any source, any money required by the Board to meet the obligations of the Board in order to perform its functions under this Act, and such consent or authority shall be required where the sum or aggregate of the sums involved at any time does not exceed such amount as is for the time being projected in relation to the Board in any particular year.
- (2) The Board may, subject to the provisions of this Act and conditions of trust in respect of funds held or any property owned by the Board, invest any but not all of its funds with the same consent or general authority.

**Committee's Recommendation:**

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

**Clause 11: Annual Estimates, Account and Audit.**

- (1) The Board shall cause to be prepared, not later than six months before the end of the year, estimates of recurrent and capital expenditure (if any) and income of the College during the next succeeding financial year which shall be presented to the annual general meeting of the Board by the Board for approval.
- (2) The Board shall:
- (a) keep proper accounts and records in relation to the accounts and records; and
  - (b) prepare, in respect of each financial year, a statement of account in such form as the Chairman or the Board may direct.
- (3) The Board shall, as soon as may be after the end of a financial year, cause the accounts of the College to be audited by qualified auditors appointed from the list of auditors and in accordance with the guidelines laid down by the Auditor-General for the Federation.
- (4) The auditors appointed under subsection (3) of this section shall, on completion of the audit of the accounts of the College for each financial year, prepare and submit to the Board:
- (a) a general report setting out the observations and recommendations of the auditors on the financial affairs of the College for that year, and on any important matters which the auditors may consider necessary to bring to the notice of the Board; and
  - (b) a detailed report containing the observations and recommendations of the auditors on all aspects of the operations of the College.

**Committee's Recommendation:**

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*

**Clause 12: Faculties.**

- (1) There shall be the following Faculties for the College and each Faculty shall comprise all Fellows in the appropriate specialty and the faculties in the College:
- (a) the Faculty of Clinical Chemistry;

- (b) the Faculty of Medical Bacteriology and Mycology;
  - (c) the Faculty of Haematology and Blood Transfusion Science;
  - (d) the Faculty of Cellular Pathology and Histoscience;
  - (e) the Faculty of Medical Parasitology and Entomology;
  - (f) the Faculty Diagnostic Molecular Biology
  - (g) the Faculty of Immunology;
  - (h) the Faculty of Medical Virology;
  - (i) the Faculty of Cytogenetics;
  - (j) the Faculty of Forensic Science;
  - (k) the Faculty of Biomedical Technology and Instrumentation;
  - (l) the Faculty of General Medical Laboratory Practice; and
  - (m) the faculty of any other specialty as may be prescribed by the Governing Board of the College.
- (2) Each Faculty shall elect, from among its members, at least seven but not more than 15 persons to serve as its Faculty Board, two of such persons being elected Chairman and Secretary respectively of the Faculty Board and all members so elected shall hold office for a term of three years.
- (3) Subject to such standing orders that may be made by the Senate for that purpose, each Faculty Board may carry out its duties as it deems fit.
- (4) Each Faculty shall appoint a court of examiners and the court shall be charged with the conduct of examinations under this section and thereafter the Faculty Board shall make its recommendations to the Senate.
- (5) Members of the Faculty Board shall not be entitled to any emolument other than expenses reasonably incurred in travelling on the Board's business, but members of a court of examiners shall be entitled to such remuneration as the Governing Board of the College may authorise.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 12 do stand part of the Bill, put and agreed to.*

**Clause 13: Eligibility for Admission**

Where a candidate offers himself for examination under this Act he shall satisfy the appropriate Faculty Board:

- (a) that he is a registered medical laboratory scientist with a current practising license; and
- (b) that he is in possession of and is therein named as the holder of a certificate from an institution recognised by the College showing that he has satisfactorily attended the prescribed course of training in the particular specialised branch and for prescribed period of the course.



**Committee's Recommendation:**

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 13 do stand part of the Bill, put and agreed to.*

**Clause 14: Award of Fellowship.**

Where the College awards its Fellowship under this Act, the holder shall be entitled to the status as a Fellow in the specialised branch of which the Fellowship is awarded.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

**Clause 15: Award of Honourary Fellowship.**

(1) The College may, on the recommendation of the Senate, award Honourary Fellowship to persons of distinction in the community who need not be medical laboratory scientists, and, without prejudice to subsection (2), may, on the same recommendation, elect Fellows who need not have offered themselves for any post-graduate examination conducted by the College.

(2) No person is eligible for election as a Fellow unless he possesses a degree or other qualification registered with the Medical Laboratory Science Council of Nigeria and satisfies such other conditions as may be prescribed by the College.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

**Clause 16: Publication of Particulars of Standards.**

The College shall publish in the Federal Government Gazette and elsewhere as it may deem fit:

- (a) particulars of the standards which are to be treated as sufficient for the purposes of examinations conducted by the College under this Act; and
- (b) the list of institutions recognised for purposes of section 10 of this Act.

**Committee's Recommendation:**

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

**Clause 17: Staff of the College.**

(1) The Governing Board may employ such staff of the College as it may consider necessary for the purpose of any of the functions conferred on any of the bodies under this Act.

(2) The Governing Board shall, from among the officers appointed under subsection (1) of this section, select a person to act as its Registrar and as Secretary to the Senate.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

**Clause 18: Interpretation.**

(1) In this Act:

"College" means the Postgraduate College of Medical Laboratory Science established under section 1 (1) of this Act;

"Faculty Board" means any Faculty Board established under section 12 (1) of this Act;

"Governing Board" means the Governing of the College referred to in section 3 (1) (a) of this Act;

"Medical Laboratory Science Council" means the Medical Laboratory Science Council of Nigeria;

"President" means the President of the College; and

"Senate" means the Senate of the College referred to in section 3 (1) (b) of this Act.

(2) Unless the context otherwise requires, expressions used in this Act have the same meaning as in the Act.

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

**Clause 19: Citation.**

This Act may be cited as the National Postgraduate College of Medical Laboratory Science (Establishment) Act, 2018.

**Committee's Recommendation:**

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

**SCHEDULE**

**Section 3 (2)**

**SUPPLEMENTARY PROVISIONS RELATING TO THE GOVERNING BOARD AND THE SENATE**

**Composition of the First Senate and Faculty Boards and Election of the First President of the College**

1. (1) Notwithstanding anything to the contrary in this Act, the persons who immediately before the commencement of this Act were Fellows of the Medical Laboratory Science Council of Nigeria shall on the commencement of this Act become members of the corresponding Faculty Boards for purposes of this Act and shall be deemed to have been appointed pursuant to section 9 of this Act.
- (2) Appointments of members of Faculty Boards shall be made in accordance with the provisions of section 9 of this Act.
- (3) Each Faculty shall elect the first representative of the corresponding Faculty on the Senate as specified in section 6 (c) of this Act.
- (4) The first meeting of the Senate shall be summoned by the President of the Council and shall be presided over by him.

- (5) At the first meeting, the Senate shall elect the person to be recommended to the Senate's Governing Board for appointment as the first President of the College as well as the first twelve representatives of the Senate on the Governing Board as specified in section 4 (c) of this Act.
- (6) The first meeting of the Governing Board shall be called by the President of the Council and shall be presided over by him until the President of the College is appointed in the manner prescribed in section 8 (1) of this Act.

#### Proceedings of the Governing Board and Senate

2. (1) The Governing Board may make standing orders regulating its proceedings or of any committee of the Board.
- (2) The Senate may make standing orders regulating its proceedings or of any Faculty Board or committee of the Senate.
3. The quorum of:
- (a) the Governing Board shall be seven;
- (b) the Senate shall be 14;
- (c) any Faculty Board shall be determined by the Senate.
4. At any meeting of the Governing Board or the Senate, the President shall preside and if the President is absent the members present shall elect one of them to preside at that meeting.

#### Committees of the Governing Board and Senate

5. (1) The Governing Board may set up one or more committees to carry out, on behalf of the Board, such of its functions as the Board may determine, but a decision of a committee shall be of no effect until it is confirmed by the Board.
- (2) The Senate may set up one or more committees to carry out, on behalf of the Senate, such of its functions as the Senate may determine, but a decision of a committee shall be of no effect until it is confirmed by the Senate.

#### Miscellaneous

6. (1) The fixing of the seal of the College shall be authenticated by the signature of the President or of some other member authorised generally or specially by the Governing Board for that purpose.
- (2) Any contract or instrument, which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the College by any person generally or specially authorised to act for that purpose by the Governing Board.
- (3) Any document purporting to be a document duly executed under the seal of the College shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
7. The validity of any proceeding of the Governing Board, the Senate, Faculty Board or a committee of the Governing Board or Senate shall not be affected by -
- (a) any vacancy in the membership of the body concerned;
- (b) any defect in the appointment of any member; or
- (c) reason that a person not entitled to do so took part in the proceedings.

- 8. A Member of the Governing Board and any person holding office on a committee of the Board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or a committee shall disclose his interest to the Board and shall not vote on any question relating to the contract or arrangement.

*Question that the provisions of this Schedule stand part of the Bill — Agreed to.*

Chairman to report Bill.

**(SENATE IN PLENARY)**

The Deputy Senate President reported that the Senate in the Committee of Whole considered a Bill for an Act to Establish the National Postgraduate College of Medical Laboratory Science to Conduct Professional Postgraduate Examination of Candidates into Various Specialised Branches of Medical Laboratory Science; and for Related Matters, 2018 and approved as follows: --

Clauses 1- 19 — As Recommended

Schedule — As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

- 12. **Federal Capital Territory Civil Service Commission Bill, 2018 (SB. 660) — Committee of the Whole:**

*Motion made:* That the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to Establish the Federal Capital Territory Civil Service Commission Charged with the Responsibility for Appointment, Promotion and Discipline of Staff and Employees in the Civil Service of the Federal Capital Territory, Abuja; and for Related Matters, 2018 (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE FEDERAL CAPITAL TERRITORY CIVIL SERVICE COMMISSION CHARGED WITH THE RESPONSIBILITY FOR APPOINTMENT, PROMOTION AND DISCIPLINE OF STAFF AND EMPLOYEES IN THE CIVIL SERVICE OF THE FEDERAL CAPITAL TERRITORY, ABUJA; AND FOR RELATED MATTERS, 2018.

**Clause 1: Establishment of the FCT Civil Service Commission.**

- (1) There is established the Federal Capital Territory (FCT) Civil Service Commission (in this Act referred to as "the Commission").
- (2) The Commission shall be a body corporate with perpetual succession and a common seal and may:
  - (a) sue and be sued in its corporate name; and
  - (b) hold, acquire and dispose of any property or interest in property, moveable or immovable.

**Committee's Recommendation:**

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Composition and Membership of the Commission:**

- (1) There shall be for the Commission, Commissioners who shall be Members of the Commission (in this Act referred to as "Members") charged with the responsibility of the discharge of the functions of the Commission.
- (2) The Members of the Commission shall consist of :-
  - (a) a chairman; and
  - (b) six other members, one each from the six geo-political zones.
- (3) The Chairman shall be the Chief Executive Officer of the Commission and shall direct and supervise all administrative and operational activities of the Commission.
- (4) The Chairman and other Members shall :-
  - (a) be resident in the FCT;
  - (b) be persons of unquestionable integrity and of sound mind;
  - (c) have wide knowledge in civil service administration matters;
  - (d) have at least 25 years post-tertiary institution cognate experience in civil service administration;
  - (e) be appointed by the President on the recommendation of the Minister; and
  - (f) be retired public servants of the Federation not below Grade level 16.

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

**Clause 3: Qualification and Cessation of Membership of the Commission:**

- (1) Notwithstanding the provisions of section 2 of this Act, a person shall not be qualified or cease to hold office as a Member of the Commission if the person:
  - (a) is not a citizen of Nigeria;
  - (b) is an undischarged bankrupt;
  - (c) has committed a felony or any offence involving dishonesty or fraud;
  - (d) is of unsound mind;
  - (e) is incapable of carrying out his duties;
  - (f) is guilty of gross misconduct in relation to his duties;
  - (g) holds office in any political party or political organisation;

- (h) has, within the preceding ten years, been removed from office as a member of any of the bodies established under section 153 of the Constitution of the Federal Republic of Nigeria;
  - (i) resigns his appointment by a letter addressed to the Minister; or
  - (j) possessed professional qualifications, he is disqualified or suspended from practicing the profession in any part of the world by an order of a competent authority made in respect of that Member.
- (2) A person employed in the Civil Service of the Federation or of a State shall not be disqualified for appointment as a Chairman or Member of the Commission, provided that if such a person has been duly appointed to the Commission, the person shall, upon accepting the appointment, be deemed to have resigned or retired from the former office as from the date of the appointment.

**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Tenure of Office.**

- (1) The Chairman and Members of the Commission shall hold office for a term of four years in the first instance and may be re-appointed for another term of four years and no more.
- (2) A Member of the Commission may be removed by the Minister if all the Members of the Commission are satisfied that it is not in the interest of the Commission or the public that the Member continues in office.
- (3) The President, upon the recommendation of the Minister, may remove any member of the Commission if the Member or the Chairman did not comply with section 3 of this Act or for any other reason that is not in the interest of the Civil Service of the Federation.
- (4) A Member of the Commission may resign his appointment at any time by a notice in writing under the Member's hand addressed to the President through the Minister.
- (5) If a Member of the Commission dies, resigns or otherwise vacates office before the expiration of the term for which he is appointed, the President shall, within thirty days and from among three persons nominated by the Minister, appoint a fit and proper person for the remainder of the term of office of the predecessor.
- (6) Upon appointment of any Member or Chairman of the Commission, he shall take an oath of office before the Minister.

**Schedule.**

- (7) The provisions of the schedule to this Act shall apply and have effect with respect to the proceedings of the Commission or Committee.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 5:****Quorum.**

The quorum for a meeting of the Members of the Commission shall be at least three Members including the Chairman or the person presiding at the meeting under paragraph two, item one of the Schedule to this Act.

**Committee's Recommendation:**

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 5 do stand part of the Bill, put and agreed to.*

**Clause 6:****Remuneration and Condition of Service of Members.**

The remuneration and condition of service of the Chairman and Members of the Commission shall be determined by the Revenue Mobilisation Allocation and Fiscal Commission (RMAFC).

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

**Clause 7:****Functions.**

The Commission shall, without prejudice to the powers of the President —

- (a) appoint staff and persons to offices in the Civil Service of the FCT;
- (b) dismiss and exercise disciplinary control over persons holding any office referred to in paragraph (a) of this section; and
- (c) advise the Minister on policies relating to the Civil Service of the FCT on:
  - (i) the administrative functions of departments in the Civil Service of the FCT;
  - (ii) the conditions of service of employees generally including the ranks and grades of officers and employees;
  - (iii) the scales of salaries, emoluments, benefits, allowances of various classes of officers and employees;
  - (iv) the employment, appointment, promotions, transfers, discharge and other career issues of the Civil Service in the FCT;
  - (v) strict adherence to the principles enshrined in the Constitution of the Federal Republic of Nigeria;
  - (vi) application of labour laws and relations in the Civil Service of the FCT;
  - (vii) ensuring that disciplinary measures are adhered to in the Civil Service of the FCT;
  - (viii) information management and technology in the Civil Service of the FCT; and
  - (ix) any other issue which in its opinion will facilitate the administrative performance of the Civil Service of the FCT.

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8: Powers of the Commission.**

The Commission shall -

- (a) issue directives to officers and employees of the Civil Service of the FCT;
- (b) make recommendations and conduct enquiries in relation to its functions under this Act;
- (c) provide a code of conduct that will be applicable to officers and employees of the Civil Service of the FCT;
- (d) provide advisory services to the officers and employees of the Civil Service of the FCT;
- (e) prescribe the guidelines and procedures for recruitment, appointment, promotion and transfer within the Civil Service of the FCT;
- (f) prepare and distribute staff procedure manuals to officers and employees of the Civil Service of the FCT;
- (g) publish and advertise any vacancy in the Civil Service of the FCT;
- (h) provide staff evaluation advisory services;
- (i) provide mechanisms for staff training and development programmes;
- (j) hear appeals on matters of appointment, promotion, transfer, discipline and any other issue that may arise;
- (k) act independently in exercising its powers of appointments and discipline under this Act;
- (l) delegate any Member of the Commission or any officer or employee in the Civil Service of the FCT to perform any of its powers and functions under this Act;
- (m) engage consultants and advisers as it may require for the effective discharge of its functions; and
- (n) do anything which in its opinion shall facilitate performance and administrative functions under this Act.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

**Clause 9: Power to Borrow.**

- (1) The Commission may borrow by overdraft or otherwise such sum as it may require for the performance of its functions under this Act.
- (2) The Commission shall not, without the approval of the Minister, borrow money which exceeds, at any time, the amount set by the Minister.
- (3) Notwithstanding the provisions of sub-section (1) of this section, where the sum to be borrowed is in foreign currency, the Commission shall not borrow the sum without the prior approval of the Minister.



**Committee's Recommendation:**

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**Clause 10: Power to Accept Gifts.**

- (1) The Commission may accept gift of land, money or other property in accordance with the law on such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Commission shall not accept a gift if the conditions attached by the person or organization offering the gift are inconsistent with the functions of the Commission.

**Committee's Recommendation:**

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

**Clause 11: Investment.**

The Commission may, subject to the provisions of this Act and the conditions of trust created in respect of any property, invest all or any of its fund in any security prescribed by the Trustee Investment Act or in such other securities as may, from time to time, be approved by the Minister.

**Committee's Recommendation:**

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*

**Clause 12: Acquisition of Land**

The Commission may, subject to the provisions of the Land Use Act, acquire, hold, grant, charge or otherwise deal with any interest in land or other property, for the purpose of providing offices and premises necessary for the performance of its functions under this Act.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 12 do stand part of the Bill, put and agreed to.*

**Clause 13: Power to Obtain Information.**

- (1) For the purpose of carrying out the functions conferred on the Commission under this Act, the Commission or any of its authorised officer or employee
  - (a) shall have right of access to all the records and relevant information of any staff of an agency, department, secretariat and all other administrative units of the FCT to which this Act applies; and
  - (b) may, by notice in writing served on any person, require that person to furnish or cause to be furnished information on such matters as may be specified in the notice necessary for the discharge of the functions of the Commission.
- (2) A person required to furnish information under sub-section (1) of this section shall comply with the notice within a reasonable period of time.

**Committee's Recommendation:**

That the provision in Clause 13 be retained (*Senate Leader*)— *Agreed to.*

*Question that Clause 13 do stand part of the Bill, put and agreed to.*

## SECRETARY AND OTHER STAFF OF THE COMMISSION

- Clause 14:**
- (1) There shall be a Secretary for the Commission who shall be appointed by the Minister.
  - (2) The Secretary shall -
    - (a) be a senior officer of the Commission not below the rank of a Director in the Civil Service of the FCT and shall be the Chief Accounting Officer;
    - (b) hold office for a term of five years in the first instance and may be re-appointed for another term of five years and no more;
    - (c) receive remuneration on such terms, conditions and other service as may be approved by the Minister;
    - (d) be responsible for the execution of the policy and the administration of the Commission;
    - (e) keep the books and proper records of proceedings of the Commission;
    - (f) conduct the correspondence of the Commission; and
    - (g) perform such other functions and duties as the Commission or the Chairman may direct.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (*Senate Leader*)— *Agreed to.*

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

**Clause 15: Other Staff of the Commission.**

- (1) The Commission shall have power to :-
  - (a) appoint such number of staff and other employees as it may deem necessary to assist the Commission in the performance of any of its functions under this Act; and
  - (b) pay staff and other employees such remuneration and allowances as may be payable to other officers or employees of similar grade in the Civil Service of the FCT.
- (2) The terms and conditions of employment applicable to officers and employees of the Civil Service of the FCT shall apply to the employees and staff appointed by the Commission under sub-section (1) of this section.
- (3) The Commission may delegate to the Chairman, the power to appoint such categories of staff of the Civil Service of the FCT as the Commission may specify.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (*Senate Leader*)— *Agreed to.*

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

**Clause 16: Pension Act No.6 2014.**

- (1) Service in the Commission shall be approved service under the provision of the Pension Reform Act and accordingly, staff and employees of the Commission shall be entitled to pensions, gratuities and other retirement benefits as prescribed under the Pension Reform Act.
- (2) Without prejudice to the provisions of subsection (1) of this section, nothing in this Act shall prevent the appointment of any person to any office on terms which preclude the grant of pension, gratuity or other retirement benefits with respect to that office.

**Committee's Recommendation:**

That the provision in Clause 16 be retained (*Senate Leader*).— *Agreed to.*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

## FINANCIAL PROVISIONS

**Clause 17: Fund of the Commission.**

- (1) The FCT Administration shall establish a fund for the FCT Civil Service Commission and provision for the Fund shall be made in the annual budget of the FCT Administration.
- (2) There shall be paid and credited to the Fund :
- (a) such monies as may be provided by the FCT Administration by way of annual subvention or otherwise;
  - (b) such monies granted or deposited with the Commission by the FCT Administration, or institution within the country;
  - (c) such sums or other advances by way of loans;
  - (d) all monies raised for the purposes of the Commission by way of gifts, grants-in-aid, testamentary dispositions or otherwise;
  - (e) such subvention or budgetary allocation from the Federal Government;
  - (f) money earned or arising from any investment or other property acquired or vested in the Commission;
  - (g) such monies as may accrue to the Commission; and
  - (h) all sums, investments or other property vested in the Commission by virtue of this Act.
- (3) The Commission shall defray from the Fund all expenditures incurred by it including -
- (a) the cost of administration of the Commission;
  - (b) the remuneration and allowance of the members of the Commission and any Committee set up by the Commission of such expenses as may be expressly authorised by the Commission in accordance with the rates approved by the Minister;
  - (c) the payment of salaries, remuneration, fees, allowances, pensions and gratuities of the staff and employees of the Commissions;

- (d) the remuneration payable to agents and consultants of the Commission;
- (e) the maintenance of any property vested in the Commission; and
- (f) such other sums as the Commission may approve in connection with any of its functions under this Act.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

**Clause 18: Annual Estimates and Accounts.**

- (1) The Commission shall, not later than 30th day of September in each year, submit to the Minister, an estimate of the income and expenditure of the Commission (including estimates of expected payments into the Fund of the Commission) during the next succeeding year.
- (2) The Commission shall keep proper records of accounts of each year in a form which conforms to accepted accounting standards, and proper records in relation thereto.
- (3) The accounts of the Commission shall be audited at the end of each calendar year by auditors appointed by the FCT Administration from a list and in accordance with the guidelines supplied by the Auditor-General of the Federation.

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

**Clause 19: Annual Reports.**

The Commission shall, not later than six months after the end of each year, submit to the Minister, a report on the activities of the Commission and its administration during the immediate preceding year and shall include in the report the audited accounts of the Commission and the auditor's report on the accounts.

**Committee's Recommendation:**

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

**Clause 20: Civil Service Code.**

- (1) The Commission shall issue a Code of Conduct for the FCT Civil Service Commission (in this Act referred to as "the FCT Civil Service Staff Code") and the Commission may amend same to reflect and supplement the provisions of this Act.
- (2) The FCT Civil Service Staff Code shall consist of principles for the directive guidance, regulation and governance of the FCT Civil Service staff.
- (3) The provisions of the FCT Civil Service Staff Code shall be binding on any department, staff or employee of the Civil Service of the FCT in so far as they apply to that unit, department, officer or employee.
- (4) The issues contained in the FCT Civil Service Staff Code shall be consistent with the provisions of this Act and any regulations made under this Act.

**Committee's Recommendation:**

That the provision in Clause 20 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 20 do stand part of the Bill, put and agreed to.*

**Clause 21: Board of Examiners.**

- (1) The Commission shall set up such Board of Examiners as may be required to test candidates for appointment or promotion within the Civil Service of the FCT.
- (2) The Chairman of the Commission, when sitting upon a board of examiners, shall be the Chairman of the board, and in other cases he shall send a representative to be present at the interview, but the representative will not be the Chairman during such representation.
- (3) The Board of Examiners shall stipulate its guidelines during interviews which may include -
  - (a) ensuring that appointments and promotions within the Civil Service of the FCT shall be based on principles of merit and Federal Character;
  - (b) establishing such standards for selection and assessment of staff and employees;
  - (c) conducting competitive written examination or such other competitive processes for selection, as the Commission may consider appropriate in the best interest of the Civil Service of the FCT; and
  - (d) taking into cognisance the education, knowledge, experience, language, residence which, in the opinion of the Commission, are necessary or desirable having regard to the nature of the duties to be performed by the applicant.
- (4) The Chief Executive Officer of any department or agency of the FCT Administration in respect of which candidates for appointment or promotion are examined by a board of examiners, may upon the Commission's request, be present or designate a representative to be present at such interview of any candidate.
- (5) The Commission shall not discriminate against any person by reason of national or ethnic origin, religion, age, sex, marital status, family status, disability under any circumstance.

**Committee's Recommendation:**

That the provision in Clause 21 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 21 do stand part of the Bill, put and agreed to.*

**Clause 22: Regulations.**

The Minister may with the approval of the President, make regulations for the effective operation of this Act and the due administration of the Commission.

**Committee's Recommendation:**

That the provision in Clause 22 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 22 do stand part of the Bill, put and agreed to.*

**Clause 23: Interpretation.**

In this Act -

"Commission" means the FCT Civil Service Commission established by section 1(1) of the FCT Civil Service Commission Act, 2018;

"FCT" means the Federal Capital Territory, Abuja;

"Member" means Commissioners of the Commission and includes the Chairman;

"Minister" means the Minister for the time being charged with responsibility for the FCT under the Federal Capital Territory Act;

"President" means the President of the Federal Republic of Nigeria; and

"Civil Service of the FCT" shall consist of persons who hold fixed or permanent appointments in the Civil Service of the FCT and receive funds wholly or part appropriated by the FCT Administration.

**Committee's Recommendation:**

That the provision in Clause 23 be retained (*Senate Leader*)— *Agreed to.*

*Question that Clause 23 do stand part of the Bill, put and agreed to.*

**Clause 24: Citation.**

This Act may be cited as the Federal Capital Territory Civil Service Commission (Establishment) Act, 2018.

**Committee's Recommendation:**

That the provision in Clause 24 be retained (*Senate Leader*)— *Agreed to.*

*Question that Clause 24 do stand part of the Bill, put and agreed to.*

## SCHEDULE

## Section 4 (7)

## Proceedings of the Commission

1. Subject to this Act and section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of its members and for the Chairman to have a second or casting vote), the Commission may make standing orders regulating the proceedings of the Commission and Committee.
2. If at any time, the office of the Chairman is vacant or the Chairman is, in the opinion of the Commission, permanently or temporarily unable to perform the functions of the office, the Commission may appoint one of its Members to perform such functions from the period of the vacancy in the office of the Chairman and references in this Schedule to the Chairman shall be construed accordingly.
3. Every meeting of the Commission shall be presided over by the Chairman and if the Chairman is unable to attend a particular meeting, the Members present at the meeting shall elect one of their Members to preside at the meeting.
4. Where, upon any specific issue or occasion, the Commission desires to obtain the advice of any person or on a particular matter, the Commission may co-opt that person to be Member for as many meetings as may be necessary, and that person while so co-opted shall have all the rights and privileges of a Member, except that the person shall not be entitled to vote or count towards a quorum.

## Committees

5. Subject to its standing orders, the Commission may appoint such number of Standing ad-hoc Committees as it deems fit to consider and report on any matter with which the Commission is concerned.
6. Every Committee set up under the provisions of paragraph 6 shall be presided over by a Member of the Commission and shall be made up of a number of persons, not necessarily Members of the Commission, as the Commission may determine in each case.
7. The decision of the Committee shall have no effect until it is confirmed by the Commission.

## Miscellaneous

8. The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman and the Secretary of the Commission or such other Member authorized generally or specifically by the Commission to act for that purpose.
9. Any contract or instrument, which if made by a person not being a body corporate, would not be required to be made under seal, may be made or executed on behalf of the Commission by the Secretary or by any other person generally or specifically authorized by the Commission to act for that purpose.
10. Any document purporting to be a contract, instrument or other document signed or sealed on behalf of the Commission shall be received in evidence and, unless the contrary is proved, be presumed, without further proof to have been so signed or sealed.
11. The validity of any proceedings of the Commission or a Committee, shall not be adversely affected by -
- any vacancy in the membership of the Commission;
  - any defect in the appointment of a Member of the Commission or Committee; or
  - reason that a person not entitled to do so took part in the proceedings.
12. A member of the Commission or a Committee who has a personal interest in any contract or agreement entered into or proposed to be considered by the Commission or Committee, shall immediately disclose such interest to the Commission or Committee and shall not vote on any question relating to the contract or arrangement.

*Question that the provisions of this Schedule stand part of the Bill:— Agreed to*

Chairman to report Bill.

## (SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered a Bill for an Act to Establish the Federal Capital Territory Civil Service Commission Charged with the Responsibility for Appointment, Promotion and Discipline of Staff and Employees in the Civil Service of the Federal Capital Territory, Abuja; and for Related Matters, 2018 and approved as follows:

Clauses 1- 24 — As Recommended

Schedule — As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole:— *Resolved in the Affirmative.*

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

*Bill accordingly Read the Third Time and Passed.*

13. **Nigerian Academy of Sciences Bill, 2018 (SB. 662) - Committee of the Whole:**  
*Motion made:* That the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to Establish the Nigerian Academy of Science to Promote the Growth, Acquisition and Dissemination of Scientific Knowledge and to Facilitate the Use of Science in the Solution to Problems of National Interest; and for Related Matters, 2018 (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN ACADEMY OF SCIENCE TO PROMOTE THE GROWTH, ACQUISITION AND DISSEMINATION OF SCIENTIFIC KNOWLEDGE AND TO FACILITATE THE USE OF SCIENCE IN THE SOLUTION TO PROBLEMS OF NATIONAL INTEREST; AND FOR RELATED MATTERS, 2018

**Clause 1: Establishment of the Nigeria Academy of Science.**

- (1) There is established the Nigerian Academy of Science (in this Act referred to as "the Academy").
- (2) The Academy is a body corporate with perpetual succession and may sue or be sued in its corporate name.

**Committee's Recommendation:**

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Objects of the Academy.**

The objects of the Academy are to:

- (a) provide advice on issues of scientific and technological nature presented to it by the government and its agencies, as well as by private organisations;
- (b) bring to the attention of government and its agencies problems of national interest that science and technology can help to solve;
- (c) establish and maintain the highest standards of scientific endeavour and achievement in Nigeria; and
- (d) develop a good working relationship with other national and international scientific bodies and academies.

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

**Clause 3: Relationship with Government.**

- (1) The Academy is the only Academy of Science recognised by Government.
- (2) The Minister may advise the Academy to perform acts on behalf of Government which are in accordance with its objectives.



**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Membership of the Academy.**

- (1) There shall be two categories of members of the Academy, that is Nigerian members and Foreign members, and membership shall be in the categories of:
  - (a) Fellows for Nigerian members; and
  - (b) Foreign Fellows for non-Nigerian members.
- (2) A Member of the Academy is a person who can be expected by the Academy to significantly assist the Academy in achieving its objectives.
- (3) The criterion for election to membership is significant achievement in the pursuit, advancement or application of science as members.
- (4) New candidates for membership of the Academy are proposed and recommended at least once a year by means of a prescribed certificate signed by not less than four members, at least two of whom have personal knowledge and understanding of the scientific work and significant contribution to science of the candidate.
- (5) The certificate shall contain a draft citation explaining why the election of the candidate to membership of the Academy would further the objectives of the Academy.
- (6) The certificate shall be accompanied by a prescribed statement from the candidate indicating the candidate's willingness to be considered for election to membership of the Academy, together with a curriculum vitae.
- (7) The Council of the Academy shall annually evaluate, in terms of the prescribed criteria for membership, all new candidates and candidates brought forward from the previous year.
- (8) All members of the Academy shall then be required, in a secret ballot to cast votes that are either for or against every candidate shortlisted by the Council, or that indicate a neutral position.
- (9) Members of the Academy who do not vote are regarded as having recorded neutral votes.
- (10) A candidate is considered elected to membership of the Academy if at least half of the votes cast (by Fellows at an annual general meeting) are in his favour.

**Third Schedule.**

- (11) Every person who is elected a member of the Academy shall attend an annual general meeting of the Academy to sign the register of members and subscribe to the oath of obligation contained in the Third Schedule to this Act.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

- Clause 5: Establishment of Organs of the Academy.** The Academy shall consist of:
- (a) the General Assembly, comprising all Fellows, shall be the highest authority of the Academy,
  - (b) the Council, which shall be the governing body of the Academy, shall have the responsibility for the administration and general management of the Academy and shall ensure that the objectives of the Academy are actively pursued.
  - (c) the Secretariat, to be maintained by the Academy and headed by an Executive Secretary, who shall be appointed by the Council on such terms and conditions as the Council may specify.

**Committee's Recommendation:**

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 5 do stand part of the Bill, put and agreed to.*

- Clause 6: Composition of the Council.**
- (1) The Council shall consist of:
    - (a) the President of the Academy who is the Chairman;
    - (b) the Vice-President;
    - (c) the immediate past President;
    - (d) the President-Elect;
    - (e) the Treasurer;
    - (f) two Academic Secretaries (for the Biological and Physical Sciences);
    - (g) the Foreign Secretary;
    - (h) the Public Affairs Secretary and Chairman Publications Committee;
    - (i) four Fellows representing the Biological Sciences and four Fellows representing the Physical Sciences;
    - (j) the representative of the Honourable Minister; and
    - (k) the Executive Secretary who shall be the Secretary to the Council, shall be appointed by the Council for a period of five years, renewable at the pleasure of the Council.
  - (2) The members of the Council, except the member contemplated in subsection (2) (c), who has observer status, and the Executive Secretary, shall be elected by members of the Academy from among themselves and shall hold office until the expiration of their elected term.
  - (3) **First Schedule.** The provisions of the First Schedule to this Act shall have effect with respect to the supplementary provisions of the Council and the qualifications and tenure of office of members of the Council, and the other matters mentioned in the Schedule.

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

**Clause 7: Termination of Membership of the Academy.**

(1) A Fellow ceases to be a member of the Academy if:

- (a) he resigns by notice in writing to the President;
- (b) he is in default for two consecutive years in the payment of the subscription and the Council resolves that he shall cease to be a Fellow;

Provided that, on payment of all arrears of subscriptions, a Fellow may be reinstated as a Fellow by a resolution of the Council such person shall be deemed to be in default in the payment of subscription for one year if, on the first day of April of any year, the Treasurer has not received his subscription for that year; or

(c) a resolution is passed by ballot of the members of the Council to the effect that, in their opinion, a Fellow:

- (i) has been found guilty in a court of law or through such other judicial process as the laws of Nigeria may prescribe of treason or any felony, as may be construed by Council, or
- (ii) has committed an act of misconduct that is likely to bring the Academy into disrepute or is detrimental to the good name of the Academy.

(2) Before the provisions in subsections (1) (c) (i) or (ii) are invoked, the following provisions shall apply:

- (a) the resolution shall be submitted to a ballot, the Fellow shall be informed of the conduct complained of and given a reasonable opportunity to defend himself in person or by a representative of his own choice;
- (b) the Fellows of the Academy who participate in the investigation of such acts of misconduct shall not be present in the Council when a ballot is taken in arriving at such a resolution;
- (c) such a resolution of the Council shall be carried by at least 60% of the membership of the Council upon which the person is suspended from the Academy until ratification or otherwise by a simple majority of the General Assembly.

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8: Committees of the Council.**

- (1) The Council may establish one or more committees which may exercise such powers or perform such functions of the Academy as the Council may determine.

- (2) A committee referred to in subsection (1) of this section shall consist of such number of members and employees of the Academy, if any, as the Council may deem necessary, and the Council may, at any time, dissolve or reconstitute a committee.
- (3) The Council shall appoint, among members of the committee, a chairman.
- (4) The Council is not absolved from the performance of any function entrusted to any Committee of the council under this section.
- (5) There shall be the following Standing Committees of the Council:
- (a) the Executive Committee consisting of:
    - (i) the President;
    - (ii) the Vice-President;
    - (iii) the President-Elect;
    - (iv) the Treasurer;
    - (v) the Academic Secretaries;
    - (vi) the Foreign Secretary;
    - (vii) the Public Affairs Secretary; and
    - (viii) the Chairman, Publications Committee, to assist the President in the execution of all decisions of the Council, and to act expeditiously on any matter of interest to the Academy and the Executive Secretary shall be the Secretary to the Committee; and
  - (b) the Sectional Committees.
- (6) The Council shall appoint the sectional committees to represent the principal branches of academic research and shall, with respect to each sectional committee:
- (a) fix the number of Fellows of which it is to consist;
  - (b) prescribe its title and functions;
  - (c) propose a Fellow for election as the chair (an Academic Secretary may be a member or chairman of a relevant Sectional Committee); and
  - (d) give direction for its guidance.
- (7) In exercising its powers of appointing Sectional Committees, the Council shall ensure that the whole field of the sciences is adequately covered by Sectional Committees consisting of Fellows who are competent to assess the qualifications of candidates.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

**Clause 9: Accounting Officer.**

- (1) In addition to the other functions entrusted to the President under this Act, the President shall be the accounting officer charged with the responsibility for the accounting and utilisation of the assets of the Academy.
- (2) The President may:
  - (a) delegate to another member of the Council a power conferred upon the accounting officer under this Act; and
  - (b) authorise such person to discharge a duty assigned under this Act to the accounting officer.
- (3) A delegation of power under subsection (2) (a) does not prevent the exercise of the powers in question or the discharge of the duties in question by the accounting officer.

**Committee's Recommendation:**

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**Clause 10: Staff and Conditions of Service of Employees.**

- (1) The Council may, on such conditions as it may determine, appoint such numbers of employees as it deems necessary to enable the Academy perform its functions.
- (2) The Council shall, out of its own funds, pay to its employees such remuneration, allowances, subsidies and other benefits as the Council may determine.
- (3) The Council may, on such condition as it may deem fit and subject to the employee's consent, second an employee either for a particular task or for a period of time to the service of a department, ministry, or any organisation on such condition that such employee's right, privileges and benefits by virtue of his conditions of service as an employee of the Academy are not adversely affected by such secondment.

**Committee's Recommendation:**

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

**Clause 11: Establishment of Fund and Expenditure.**

- (1) The Council shall establish and maintain a fund for the Academy into which shall be paid:
  - (a) all money received by the Council under this Act, including regular subventions and grants from government;
  - (b) all subscriptions, fees and other charges payable to the Academy by members, individuals and bodies corporate; and
  - (c) all money raised for the purposes of the Academy by way of gifts, donations, grants-in-aid, testamentary dispositions from individuals, bodies corporate or philanthropic organisations, non-governmental organisations within and outside Nigeria, or otherwise.
- (2) The Council shall apply the proceeds of the Fund of the Academy to:

- (a) all expenditure incurred by the Academy in the discharge of its functions under this Act;
  - (b) the remuneration and allowances of staff of the Academy;
  - (c) the maintenance of the premises and property owned by and vested in the Academy;
  - (d) the payment of traveling allowances and such stipend for members of the Council as may be determined by the Council; and
  - (e) the payment of such other charges as may be reasonably incurred in the performance of the functions of the Academy and the Council.
- (3) For the purposes of the companies income tax, any donation made by any company in Nigeria to the Academy shall be a deductible donation within the meaning of that Act.

**Committee's Recommendation:**

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*

**Clause 12: Borrowing and Investment Power.**

- (1) The Council may, with the consent of its members and in accordance with the general guidelines or authority given by the Government of the Federation, borrow, on behalf of the Academy, by way of loan or overdraft from any source, any money required by the Council to meet the obligations of the Academy in order to perform its functions under this Act, and such consent or authority shall be required where the sum or aggregate of the sums involved at any time does not exceed such amount as is for the time being projected in relation to the Academy in any particular year.
- (2) The Council may, subject to the provisions of this Act and conditions of trust in respect of funds held or any property owned by the Academy, invest any but not all of its funds with the same consent or general authority.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 12 do stand part of the Bill, put and agreed to.*

**Clause 13: Annual Estimates,**

- (1) The Chairman of the Council shall cause to be prepared, not later than six months before the end of the year, estimates of recurrent and capital expenditure (if any) and income of the Academy during the next succeeding financial year which shall be presented to the annual general meeting of the Academy by the Council for approval.
- (2) The Council shall:
  - (a) keep proper accounts and records in relation to the accounts and records; and
  - (b) prepare, in respect of each financial year, a statement of account in such form as the Chairman or the Council may direct.

- (3) The Council shall, as soon as may be after the end of a financial year, cause the accounts of the Academy and those of the Council to be audited by qualified auditors appointed from the list of auditors and in accordance with the guidelines laid down by the Auditor-General for the Federation.
- (4) The auditors appointed under subsection (3) of this section shall, on the completion of the audit of the accounts of the Academy and the Council for each financial year, prepare and submit to the Council:
- (a) a general report setting out the observations and recommendations of the auditors on the financial affairs of the Academy and the Council for that year, and on any important matters which the auditors may consider necessary to bring to the notice of the Council; and
  - (b) a detailed report containing the observations and recommendations of the auditors on all aspects of the operations of the Academy and the Council.

**Committee's Recommendation:**

That the provision in Clause 13 be retained (*Senate Leader*).— *Agreed to.*

*Question that Clause 13 do stand part of the Bill, put and agreed to.*

**Clause 14: Functions of the Academy.**

- (1) In order to achieve its objectives, the Academy may:
- (a) at the request of any person or on its own initiative, investigate matters of public interest concerning science and on the strength of the findings act in opinion-forming and advisory manner;
  - (b) publish scientific reports and other publications;
  - (c) promote and inspire outstanding achievements in the different fields of sciences in Nigeria and recognition for excellence;
  - (d) promote the general interest in science and science education;
  - (e) establish reciprocal arrangements and enter into agreement with organisations with similar objectives, locally and in other countries to promote the exchange of information and ideas;
  - (f) protect the interests of members through the provision of professional consultative advice and the issue of journals and other publications, organisations and conduct of seminars, workshops or conferences;
  - (g) offer advice and assistance to the scientific academic community and to various scientific societies in Nigeria;
  - (h) establish a fellowship programme which would create opportunities for outstanding new Doctoral Degrees (PhDs) in the sciences to conduct postdoctoral research at various institutions before they take up regular job as lecturers;
  - (i) seek an active role in the selection of candidates for government postgraduate scholarships and fellowships in the science and in the identification of candidates for the award of honours and distinctions by government and private sector organisations.

- (j) offer to assist the government, the universities, and other similar institutions, in the operation of exchange programmes with other countries for students, scholars and teachers for the purpose of study and research;
  - (k) maintain a library and take interest in the documentation of scientific literature;
  - (l) award medals and honours for outstanding contributions in the various branches of science;
  - (m) establish exchange agreements with other national academies to enable fellows and Nigerian scientists visit such other nations for scientific purposes; and
  - (n) do such other things that are incidental and supplementary to the objects of the Institute;
- (2) The Academy shall:
- (a) advise the Minister on matters concerning science;
  - (b) undertake or cause to be undertaken such investigations and research concerning its objects as the Minister may assign to it;
  - (c) perform such duties in respect of its objects as the Council may assign to it; and
  - (d) from time to time, review its structure, organisation and programmes.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

**Clause 15: Performance of Functions Outside Nigeria.**

- (1) The Academy may, in order to achieve its objectives, render relevant support to any Nigerian citizen in any territory outside the country.
- (2) This Act shall, as far as it can be applied with the necessary changes, apply in connection with the performance by the Academy of its functions.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

**Clause 16: Regulations.**

The Council may make regulations regarding:

- (a) any matter required to be prescribed under this Act;
- (b) the code of conduct for members of the Academy; and
- (c) any matter which it is necessary or expedient to prescribe in order to implement and administer this Act.



**Committee's Recommendation:**

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

**Clause 17: Transfer to the Academy of Certain Property.**

- (1) On the commencement of this Act:
  - (a) all property held immediately before that day by or on behalf of the former Academy shall, by virtue of this subsection and without further assurance, vest in the Academy and be held by it for the purposes of the Academy;
  - (b) the former Academy ceases to exist; and
  - (c) subject to the next succeeding subsection, any act, matter or thing made or done by the former Academy shall continue to have effect.

Second Schedule.

- (2) The provisions of the Second Schedule to this Act shall have effect with respect to matters arising from the transfer by this section to the Academy of the property of the former Academy, and with respect to other matters mentioned in the Schedule.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

**Clause 18: Interpretation.**

In this Act:

"Academy" means the Nigerian Academy of Science established under section 1 (1) of this Act;

"Council" means the governing body of the Academy established under section 5 (b) of this Act;

"Executive Secretary" means the Executive Secretary of the Nigerian Academy of Science appointed under section 6 (k) of this Act.

"Member" means a member of the Academy;

"Minister" means the Minister charged with responsibility for matters relating to science and technology; and

"President" and "Vice-President" mean President and Vice-President, elected or appointed under terms of section 6 (2).

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

**Clause 19: Citation.**

This Act may be cited as the Nigerian Academy of Science (Establishment) Act, 2018.

**Committee's Recommendation:**

That the provision in Clause 19 be retained (*Senate Leader*)—*Agreed to.*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

## FIRST SCHEDULE

## Section 6 (3)

## SUPPLEMENTARY PROVISIONS RELATING TO THE ACADEMY

*Proceedings of the Council*

1. (1) Subject to the provisions of this Act, the Council may, in the name of the Academy make standing orders regulating the proceedings of the Academy or Council, and in the exercise of its powers under this Act, may set up committees in the general interest of the Academy and make standing orders.
- (2) Standing orders shall provide for decisions to be taken by a majority of the members and, in the event of equality of votes, for the President or the Chairman, as the case may be, to have a second or casting vote.
- (3) Standing orders made for a committee shall provide that the committee shall report back to the Council on any matter not within its competence to decide upon.
- (4) The quorum of the Council or committee of the Council shall be as may be fixed by the Council, subject to the composition of the Academy.

*Meetings of the Academy*

2. (1) The Council shall convene the annual general meeting of the Academy on a day as the Council may appoint in any particular year, which shall also be the annual anniversary meeting, but if the meeting is not held within one year after the previous annual general meeting, not more than 15 months shall elapse between the respective dates of the two meetings.
- (2) A special meeting of the Academy may be convened by the Council at any time, and if at least 30 members of the Academy require it by notice in writing addressed to the Executive Secretary of the Academy setting out the objects of the proposed meeting, the Chairman of the Council shall convene a special meeting of the Academy.
3. (1) Subject to the provisions of any standing order of the Council, the Council shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice in writing given to him by at least 7 other members, he shall summon a meeting of the Council to be held within seven days from the date on which the notice is given.
- (2) At any meeting of the Council, the Chairman or, in his absence, the Vice-Chairman shall preside, but if both are absent, the members present at the meeting shall appoint one of them to preside at that meeting.
- (3) Where the Council desires to obtain advice of any person on a particular matter, the Council may co-opt him as a member for such period as the Council thinks fit, but a person who is a member by virtue of the provisions of this subparagraph is not entitled to vote at any meeting of the Council and shall not count towards a quorum.
- (4) Notwithstanding anything in this paragraph, the first meeting of the Council shall be summoned by the Minister, who may give such directions as he thinks fit as to the procedure which shall be followed at the meeting.

*Miscellaneous*

4. (1) The fixing of the seal of the Academy shall be authenticated by the signature of the President or another other member of the Council authorised generally by the Academy to act for that purpose.
- (2) A contract or instrument, which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the Academy or the Council, as the case may require, by any person generally or specifically authorised to act for that purpose by the Council.
- (3) A document purporting to be a document duly executed under the seal of the Academy shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
5. The validity of any proceeding of the Academy, the Council or a committee of the Council shall not be affected by:
- (a) any vacancy in the membership; or
- (b) any defect in the appointment of a member of the Academy, Council or a person to serving on the Committee; or
- (c) reason that a person not entitled to do so took part in the proceedings.
6. A member of the Academy or Council, and any person holding office on a committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee, shall disclose his interest to the President or Council, as the case may be, and shall not vote on any question relating to the contract or arrangement.
7. A person shall not by reason only of his membership of the Academy, be required to disclose any interest relating solely to the audit of the accounts of the Academy.

*Question that the provision in the First Schedule stand part of the Bill — Agreed to.*

## SECOND SCHEDULE

## Section 17 (2)

## TRANSITIONAL PROVISIONS AS TO PROPERTY.

1. (1) Every agreement to which the former Academy was a party immediately before the appointment day, whether in writing or not and whether or not of such a nature that the rights, liabilities and obligations could be assigned by the former Academy shall, unless its terms or subject matter make it impossible that it should have effect as modified in the manner provided by this subparagraph, have effect from the appointed day, so far as it relates to property transferred by this Act to the Academy, as if:
- (a) the Academy had been a party to the agreement;
- (b) for any reference (however worded and whether expressed or implied) to the former Academy they were substituted, as respect anything falling to be done or after the appointed day, a reference to the Academy; and
- (c) for any reference (however worded and whether expressed or implied) to a member or members of the Council of the former Academy or an officer of the former Academy they were substituted, as respects anything falling to be done on or after the appointed day, a reference to members of the Council under this Act or the officers of the former Academy who corresponds as nearly as may be to the member or officer in question of the former Academy.

- (2) Other documents which refer, whether specially or generally, to the former shall be construed in accordance with subparagraph (I) of this paragraph so far as applicable.
- (3) Without prejudice to the generality of the provisions of this Schedule, where, by the operation of any of them or any right, liability or obligation vests in the Academy, the Academy and all other persons shall, as from the appointed day, have the same rights, powers and remedies (and, in particular, the same rights as to the making or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of the Academy.
- (4) Any legal proceeding or application to any authority pending on the appointed day by or against the former Academy and relating to property transferred by this Act to the Academy may be continued on or after that day by or against the Academy.
- (5) If the law in force at the place where any property transferred by this Act is situated (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfer, the payment of fees or any other matter) apply with the necessary modifications to the transfer of the property, and the Council shall furnish the necessary particulars of the transfer to the proper officer of the registration authority and the officer shall register the transfer accordingly.

*Transfer of Functions.*

2. (1) At its first meeting, the Council of the Academy shall fix a date (not later than 6 months after the appointed day) for the annual general meeting of the Academy.
- (2) The members of the Council of the former Academy shall be deemed to be the members of the Council of the Academy until the date determined in under this Schedule when the Academy shall have its first annual general meeting, and they shall cease to hold office at the conclusion of such meeting.
- (3) A person who, immediately before the appointed day, held office as the President or Vice-President of the Council of the former Academy shall on that day become the President or, as the case may be, the Vice-President of the Academy, and shall be deemed to have been:
  - (a) appointed to that office in pursuance of the provision of this Act; and
  - (b) so appointed on the date on which he took office, or last took office;
- (4) The members of the former Academy shall, as from the appointed day, be registered as members of the Academy and, without prejudice to the generality of the provisions of this Schedule relating to the transfer of property, any person who, immediately before the appointed day, was a member of staff of the former Academy shall on that day become the holder of an appointment with the Academy;
- (5) Any person being an office-holder on, or member of, the Council of the former Academy immediately before the appointed date and deemed under this paragraph to have been appointed to any like position in the Academy, or on the Council of the Academy, and thereafter ceasing to hold office otherwise by reason of his misconduct, shall be eligible for appointment to office in the Academy or to membership of the Council, as the case may be.

- (6) All regulations, rules and similar instruments made for the purposes of the former Academy and in force immediately before the appointed day shall, except in so far as they are subsequently revoked or amended by any authority having power in that regard, have effect with any necessary modifications, as if duly made for the corresponding purposes of the Academy.

*Question that the provision in the Second Schedule stand part of the Bill — Agreed to.*

THIRD SCHEDULE

Section 4 (11)

*Oath of Obligation*

I do hereby solemnly promise to promote, declare and disseminate scientific knowledge, promote the well-being of Nigeria through scientific thought, and generally to further the objectives of the Nigerian Academy of Science as far as lies within my power, and

I shall also serve the Nigerian Academy of Science by observing the prescribed constitution and prescribed standing orders of the Academy for as long as I remain a member thereof.

*Question that the provision in the Third Schedule stand part of the Bill — Agreed to.*

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered a Bill for an Act to Establish the Nigerian Academy of Science to Promote the Growth, Acquisition and Dissemination of Scientific Knowledge and to Facilitate the Use of Science in the Solution to Problems of National Interest; and for Related Matters, 2018 and approved as follows:

Clauses 1- 19 — As Recommended

Schedules 1-3 — As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

14. **Animal Health and Husbandry Technologists Registration Board of Nigeria Bill, 2018 (SB. 664)**  
- **Committee of the Whole:**

*Motion made:* That the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to Establish the Animal Health Husbandry Technologists Registration Board of Nigeria to Regulate the Practice of Animal Health and Husbandry Technologists in Nigeria; and for Related Matters, 2018 (*Senate Leader*).

*Question put and agreed to.*

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE ANIMAL HEALTH HUSBANDRY TECHNOLOGISTS REGISTRATION BOARD OF NIGERIA TO REGULATE THE PRACTICE OF ANIMAL HEALTH AND HUSBANDRY TECHNOLOGISTS IN NIGERIA; AND FOR RELATED MATTERS, 2018

PART I - ESTABLISHMENT OF THE ANIMAL HEALTH AND HUSBANDRY TECHNOLOGISTS REGISTRATION BOARD OF NIGERIA.

- Clause 1:**
- (1) There is established the Animal Health and Husbandry Technologists Registration Board of Nigeria (in this Act referred to as "the Board").
  - (2) The Board -
    - (a) shall be a body corporate with perpetual succession and a common seal;
    - (b) may sue and be sued in its corporate name; and
    - (c) may acquire, hold and dispose of movable and immovable property.

**Committee's Recommendation:**

That the provision in Clause 1 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Membership of the Board.**

- (1) The Board shall consist of -
  - (a) a chairman who shall be an animal health and husbandry technologist and has been so qualified for not less than 12 years;
  - (b) a vice chairman, who shall have the same qualification as the chairman;
  - (c) two animal health and husbandry technologists to represent the Nigeria Association of Animal Health and Husbandry Technologists;
  - (d) six technologists to represent the States on rotation for three years at a time;
  - (e) one representative from the Federal Ministry of Agriculture who shall be an animal health technologist; and
  - (f) two technologists to represent schools involved in training members of the profession on rotation for three years at a time.
- (2) All appointments in this section shall be made by the Minister on the recommendation of the appropriate bodies.

**First Schedule**

**Functions of the Board**

- (3) The provisions of the First Schedule to this Act shall have effect with respect to the matters mentioned in the Schedule.

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

**Clause 3: The Board shall -**

- (a) determine what standards of knowledge and skill are to be attained by persons seeking to become members of the profession and to improve those standards from time to time as circumstances may permit;

- (b) secure in accordance with the provisions of this Act, the establishment and maintenance of a register of persons registered under this Act as members of the profession and the publication from time to time of lists of those persons;
- (c) conduct examinations in the profession and awarding certificates or diplomas to successful candidates as appropriate; and for such purpose, the Board shall prescribe fees to be paid in that respect; and
- (d) perform any other functions conferred on the Board by this Act.

**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Powers of the Board.**

- (1) Subject to subsection (2) of this section and to any direction of the Minister under this Act, the Board shall have powers to do anything which in its opinion is calculated to facilitate the carrying out of its activities under this Act.
- (2) The Board-
  - (a) may borrow or dispose of any property with the prior consent of the Minister; and
  - (b) shall pay remuneration (including pensions), allowances or expenses to employees of the Board or any other person in accordance with the scales that obtain in the Federal Public Service.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 5: Establishment of a Fund of the Board.**

- (1) There is establish a Fund for the Board.
- (2) The Fund of the Board shall consist of-
  - (a) all fees and other money payable to the Board under this Act; and
  - (b) such money as may be payable to the Board in the course of the performance of its functions.
- (3) There shall be paid out of the Fund of the Board-
  - (a) the remuneration and allowances of the Registrar and other employees of the Board;
  - (b) such reasonable traveling and subsistence allowances of members of the Board in respect of the time spent on the business of the Board as the Board may, with the approval of the Minister, determine; and
  - (c) any other expenses incurred by the Board in the discharge of its functions under this Act.

**Committee's Recommendation:**

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 5 do stand part of the Bill, put and agreed to.*

- Clause 6: Financial Estimates of Expenditure, Accounts and Audit.**
- (1) The Board shall prepare and submit to the Minister, not later than the 30th of June of the year in which this Act comes into force (though the Minister may, if he considers it necessary, extend the period) and of each subsequent year, an estimate of its incomes and expenditure during the next succeeding financial year.
  - (2) The Board shall keep proper accounts in respect of each financial year and prepare records in relation to those accounts and shall cause its accounts to be audited within six months after the end of each financial year to which the accounts relate.

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

- Clause 7: Control of the Board by the Minister.**
- The Minister may give to the Board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its function and it shall be the duty of the Board to comply with the directions.

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

- Clause 8: Registrar and Staff of the Board.**
- (1) The Minister shall, on the recommendation of the Board, appoint a Registrar of the Board, a fit person who -
    - (a) shall be an animal health and husbandry technologist in the employment of the Public Service of the Federation; and
    - (b) who has been qualified as an animal health and husbandry technologist practitioner for not less than 12 years.
  - (2) The Registrar shall, in addition to his other functions under this Act be the Secretary to the Board and shall on the instruction of the Chairman of the Board or any committee of the Board convene and keep minutes of the proceedings at all meetings of the Board and committees.
  - (3) The Board may appoint such other persons to be employees of the Board as it may determine, to assist the Registrar in the performance of his functions under this Act.
  - (4) The Board may whenever the Registrar is absent or for another reason is unable to discharge the function of his office appoint an Acting Registrar to discharge his functions.
  - (5) The Registrar and other staff of the Board shall hold office on such conditions as the Board may with the approval of the Minister determine.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 8 do stand part of the Bill, put and agreed to.*



## PART II - REGISTRATION

**Clause 9: Registration of Animal Health and Husbandry Technologists.**

- (1) The Registrar shall prepare and maintain, in accordance with rules made by the Board under this section, a register of the names, addresses, approved qualifications and of such other particulars as may be specified of all persons who are entitled in accordance with the provisions of this Act to be registered as animal health and husbandry technologists and who apply in the specified manner to be so registered.
- (2) Subject to the provisions of this section, the Board shall make rules with respect to the form and keeping of the registers and making of entries, and in particular -
  - (a) regulating the making of application for registration and providing for the evidence to be produced in support of the application;
  - (b) providing for the notification to the Registrar by the person to whom any registered particulars relate, of any charge in those particulars;
  - (c) authorising a registered person to have any qualification which is, in relation to the profession, whether an approved qualification or accepted qualification for the purposes of section 10 (2) of this Act, registered in relation to his name in addition to or, as he may elect, in substitution for any other qualification so registered; and
  - (d) specifying the fees to be paid the Board in respect of the entry of names on the register and authorising the Registrar to refuse to enter a name on the register until any fees specified for entry has been paid, but rules made for the purposes of paragraph (d) of this subsection shall not come into force until they are confirmed at a meeting of the Board.
- (3) The Registrar shall -
  - (a) correct in accordance with the directions of the Board, any entry in the register which the Board directs him to correct as being in the opinion of the Board an entry which was incorrectly made;
  - (b) make, from time to time, any necessary alteration to the registered particulars of registered persons, and
  - (c) remove from the register the name of any registered person who has died or has become insane, or for any other reason ceased to be a member of the profession.
- (4) If the Registrar -
  - (a) sends by post to any registered person a registered letter addressed to him at his address in the register enquiring whether the registered particulars relating to him are correct and receives no reply to that letter within three months from the date of posting it, and
  - (b) upon the expiration of that period, sends in like manner to the person in question a second letter and receives no reply to that letter within three months from the date of posting it, the Registrar may remove the particulars relating to the person from the register, but the Board may direct the Registrar to restore to the register any particulars removed there from under this subsection.

**Committee's Recommendation:**

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**Clause 10: Publication of the Register and List of Corrections.**

- (1) The Registrar shall-
  - (a) cause the register to be printed, published and put on sale to members of the public not later than two years from the beginning of the year in which this Act comes into force;
  - (b) in each year after that in which a register is first published under paragraph (a) of this subsection, cause to be printed, published and put on sale as aforesaid either a corrected edition of the register or a list of alterations made to each register since it was last printed; and
  - (c) cause a print of each edition of the register and of each list of corrections to be deposited at the principal office of the Board, and it shall be the duty of the Board to keep each register and lists so deposited open at all reasonable time for inspection by members of the public.
- (2) A document purporting to be a print of an edition of a register published under this section by authority of the Registrar in the current year or documents purporting to be prints of an edition of a register so published in the current year, shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any person specified in the document, or the documents read together, as being registered was so registered and that any person not so specified is not so registered.

**Committee's Recommendation:**

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

**Clause 11: Registration as Animal Health and Husbandry Practitioners.**

- (1) Subject to section 21 of this Act and the rules made under section 9 (2) of this Act, a person is entitled to be registered under this Act, and being so registered, to receive a registration certificate if-
  - (a) he has attended a course of training approved by the Board under section 13 of this Act;
  - (b) the course was conducted at an institution so approved or partly at one such institution and partly at another;
  - (c) he holds one or more qualifications prescribed in the Third Schedule to this Act for the purpose of registration on the register and has complied with the other requirements prescribed under section 9 (2) of this Act; and
  - (d) he pays any prescribed fees.
- (2) Subject to section 2 of this Act and to rules made under section 9 (2) of this Act, a person shall be registered under this Act and receive a registration certificate if he satisfies the Board that-
  - (a) he holds a qualification granted outside Nigeria for the time being accepted by the Board for the purposes of this subsection in respect to the profession;

- (b) in the country in which the qualification was granted he was under no legal disability in the practise of the profession;
  - (c) he is of good character; and
  - (d) he has paid the prescribed fees.
- (3) The Board shall from time to time publish in the Federal Government Gazette particulars of the qualifications for the time being accepted by the Board.
- Third Schedule.
- (4) The qualifications specified in the Third Schedule to this Act are those accepted for the time being by the Board as the minimum qualification for the purpose of registration on the register maintained under section 9 (1) of this Act.

**Committee's Recommendation:**

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*

**Clause 12: Temporary Registration.**

- (1) Subject to section 11 of this Act, a person shall be temporarily registered under the Act in cases specified in subsection (2) of this section.
- (2) Where a person satisfies the Board that he-
  - (a) has been selected for employment for a specified period in a capacity in which a registered person under this Act would normally be employed and that he is or intends to be in Nigeria temporarily for the purpose of serving for that period in the employment in question;
  - (b) holds or has passed examinations necessary for obtaining same qualification granted outside Nigeria which is for the time being accepted by the Board for the purpose of this section as respects the capacity in which, if employed, he is to serve; and
  - (c) paid the fees prescribed for registration, the Board may, if it thinks fit, give a direction that he shall be temporarily registered.
- (3) The temporary registration of a person shall continue only while he is in such employment as is mentioned in sub-section (2) (a) of this section and shall cease on the termination of the-
  - (a) period of the employment specified to the Board under that subsection; or
  - (b) employment before the end of that period, whichever occurs first.
- (4) Nothing in subsection (3) of this section shall preclude the Board from giving a further direction under subsection (2) of this section in respect of a specified period, the commencement of which coincides with the termination of another such period.
- (5) A person who is temporarily registered shall, in relation to the employment mentioned under subsection (2) (a) of this section, and to things done or omitted to be done in the course of that employment, be deemed to be fully registered but in respect of other matters he shall be treated as not so registered.

- (6) In case of doubt as to whether a person's employment has been terminated, the decision of the Board shall be conclusive for the purpose of subsection (3) of this section.
- (7) The Registrar, as directed from time to time by the Board, shall remove from the register the name of any person ceasing to be entitled to benefit from this section.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 12 do stand part of the Bill, put and agreed to.*

PART III - TRAINING

**Clause 13: Approval of the Courses.**

- (1) Subject to subsection (2) of this section, the Board may approve and for the purposes of section 11 of this Act—
- (a) a course of training which is intended for persons seeking to become members of the profession under this Act and which the Board considers is designed to confer on persons completing it sufficient knowledge and skill for the practice of the profession;
  - (b) any institution either in Nigeria or elsewhere, which the Board considers is properly organised and equipped for conducting the whole or any part of the course of training approved by the Board under this section; and
  - (c) any qualification which as a result of the examination takes in conjunction with the course of training approved by the Board under this section, is granted to candidates reaching a standard at the examination indicating, in the opinion of the Board, that they have sufficient knowledge and skill to practise the profession to which the qualification relates.
- (2) The Board shall, from time to time, publish in the Federal Government Gazette a list of qualifications relating to the profession approved by it for the purposes of subsection (1) of this section.
- (3) The Board may, if it deems so, withdraw any approval given under this section in respect of any course, qualification or institution; but before withdrawing such an approval the Board shall —
- (a) give notice that it proposes to do so to persons in Nigeria appearing to the Board to be persons by whom the course is conducted or the qualification is granted or the institution is controlled;
  - (b) afford each such person an opportunity of making to the Board representation with regard to the proposal; and
  - (c) take into consideration any representation made with regard to the proposal made in pursuance of paragraph (b) of this subsection.
- (4) With regards to a period during which the approval given under this section for his course, institution or qualification is withdrawn, the courses or qualification shall not be treated as approved under this section, but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration immediately before the approval was withdrawn.

- (5) The giving or withdrawal of an approval under this section shall have effect from such date, after the execution of the instrument signifying the giving or withdrawal of the approval, as the Board may specify in that instrument.
- (6) The Board shall as soon as may be, publish a copy of every instrument executed under subsection (5) of this section in the Federal Government Gazette and send a copy of the instrument to the Minister.

**Committee's Recommendation:**

That the provision in Clause 13 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 13 do stand part of the Bill, put and agreed to.*

**Clause 14: Supervision of Instructions and Examinations Leading to Approved Qualifications.**

- (1) The Board shall keep itself informed of the nature of the—
- (a) instruction given at approved institutions to persons attending approved courses of training; and
  - (b) the examinations as a result of which approved qualifications are granted.
- (2) For the purpose of discharging that duty, the Board may appoint, either from among its own members or otherwise, persons to visit approved institutions or attend such examinations.
- (3) A visitor appointed under this section shall report to the Board on—
- (a) the sufficiency of the instructions given to persons attending approved courses of training at institutions visited by him;
  - (b) the sufficiency of examinations attended by him; and
  - (c) any other matter relating to the institutions or examinations on which the Board may, either generally or in a particular case request him to report but no Visitor shall interfere with the giving of any instructions or the holding of any examination.
- (4) On receiving a report made under this section, the Board shall as soon as may be, send a copy of the report to the person appearing to the Board to be in charge of the institution or responsible for the examinations to which the report relates requesting that person to make representations to the Board within such times as may be specified in the request, but not being more than one month beginning with the date of the request.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

- Clause 15:**
- (1) The Board may consider and report to the Minister upon all matters relating to the professional and technical training and other qualifications required for admission to the profession under this Act and the conditions or practice after registration.
  - (2) The Minister may require the Board to advise him on any matter referred to in subsection (1) of this section.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

## PART IV - DISCIPLINE

**Clause 16: Establishment and Composition of Investigating Panel and Disciplinary Committee.**

- (1) There is established the Animal Health and Husbandry Technologists Investigating Panel (in this Act referred to as the "Investigating Panel") charged with the duty of -
  - (a) conducting preliminary investigation into any case where it is alleged that a registered person has misbehaved in his capacity as such, or should for any other reason be arraigned before the Disciplinary Committee; and
  - (b) deciding whether or not the case should be referred to the Disciplinary Committee.
- (2) The Investigating Panel shall be appointed by the Board and shall consist of three members of the Board, one of whom shall be named as the Chairman of the Investigating Panel and two members who are not members of Board.
- (3) There is established the Animal Health and Husbandry Technologists Disciplinary Committee (in this Act referred to as "the Disciplinary Committee") charged with the duty of considering and determining any case referred to it by the Investigating Panel established by this Act.
- (4) The Disciplinary Committee shall consist of the Chairman of the Board and six other members of the Board including members holding office by virtue of section 2 (1) (c) - (e) of this Act.
- (5) **Second Schedule.**  
The provisions of the Second Schedule to this Act shall, so far as applicable to the Disciplinary Committee and the Investigating Panel respectively, have effect with respect to those bodies.

**Committee's Recommendation:**

That the provision in Clause 16 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

## PART V - MISCELLANEOUS

**Clause 17: Penalties for Unprofessional Conduct.**

- (1) Where -
  - (a) a person registered under this Act is convicted by a Court or Tribunal in Nigeria or elsewhere having power to award punishment for an offence (whether or not the offence is punishable with imprisonment) which in the opinion of the Disciplinary Committee is incompatible with the statute of such registered person,
  - (b) a registered person is judged by the Disciplinary Committee to be guilty of infamous conduct in a professional respect, or
  - (c) the Disciplinary Committee is satisfied that the name of any person has been fraudulently registered, the Disciplinary Committee may give any of the directions specified in subsection (2) of this section.

- (2) The Disciplinary Committee in pursuance of subsection (1) of this section, may give a direction -
- (a) ordering the Registrar to strike off the person's name from the register;
  - (b) suspending that person from practice for such period as may be specified in the direction;
  - (c) reprimanding that person;
  - (d) ordering the person to pay to the Board any cost of or incidental to the proceeding incurred by the Board; or
  - (e) cautioning that person and binding him over for a period not exceeding one year on one or more conditions as to his conduct during that period and any such directions may where appropriate, include provisions requiring the refund of money paid or the handing over of documents or any other provisions as the case may require.
- (3) In any inquiry under this section, any finding of fact which is shown to have been made in any-
- (a) criminal proceeding in a court in Nigeria; or
  - (b) civil proceeding in a court in Nigeria, shall be conclusive evidence of the fact found.
- (4) If, after due inquiry, the Disciplinary Committee is satisfied that, during the period of binding over under subsection (2) (e) of this section, a person has not complied with the condition imposed, the Disciplinary Committee may impose any one or more of the penalties mentioned in subparagraph (a), (b), (c) or (d) of that subsection.
- (5) A certificate under the hand of the Chairman that costs have been ordered to be paid by a person under this section shall be conclusive of that fact.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (*Senate Leader*):— *Agreed to.*

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

**Clause 18: Offences.**

- (1) Unless otherwise exempted under this Act, any person not being a fully registered animal health and husbandry technologist or, being a fully registered animal health and husbandry technologist and allowing his licence to expire so that payment of the prescribed fee is in arrears for more than one year, who-
- (a) for, or on expectation of, reward practises or holds himself out as an animal health and husbandry technologists;
  - (b) takes or uses any letter that alters his name to indicate qualification as an animal health and husbandry technologist, or
  - (c) without reasonable excuse takes or uses any name, title, addition or description implying that he is authorised by law to practice as an animal health and husbandry technologist, commits an offence.
- (2) If any person, for the purpose of procuring the registration of any name, qualification or other matter-
- (a) makes a statement which he believes to be false in a material particular, or
  - (b) recklessly makes a statement which is false in a material particular, he commits an offence.

- (3) If the registrar or any person employed by the Board willfully makes any falsification in any matter relating to the registration, he commits an offence.
- (4) A person who commits an offence under this section shall be liable—
- (a) on summary conviction, to a fine not exceeding N25,000.00; or
  - (b) on conviction or indictment, to a fine or imprisonment for a term not exceeding two years or to both.
- (5) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he, as well as the body corporate, are deemed to be guilty of that offence and are liable to be prosecuted against and punished accordingly.

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

**Clause 19: Restoration of Registration.**

- (1) Where the name of a person has been struck out from the register in pursuance of a direction given under section 16 of this Act, the Disciplinary Committee may, if it deems fit, at any time direct the restoration of the person's name to the register.
- (2) Any application for the restoration of a name to a register shall not be made to the Disciplinary Committee before the expiration of such period from the date of the striking off and where he has made an application, from the date of his last application as may be specified in the direction.
- (3) There shall be payable to the Board by any person on the restoration of his name to a register in pursuance of a direction given under this section the like fees as would be payable by that person on first becoming registered prior to the disciplinary action.

**Committee's Recommendation:**

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

**Clause 20: Striking of Entries from the Register on Grounds of Fraud or Error.**

- (1) If it is proved to the satisfaction of the Disciplinary Committee that any entry made in a register has been fraudulently or incorrectly made, the Disciplinary Committee may direct that the entry shall be struck off from the register.
- (2) A person may be registered in under any provision of this Act notwithstanding that his name has been struck off in pursuance of a direction given under subsection (1) of this section if his name was struck off on the ground of fraud he shall not be registered except an application in that behalf is made to the Disciplinary Committee, and on any such application the Disciplinary Committee may, direct that he shall not be registered until the expiration of such period as may be specified in the direction.



- (3) Any reference in this Act to the striking off from or the restoration to a register of the name of a person shall be constructed as including a reference to the striking off from or the restoration to the register of any other registerable particulars relating to that person.

**Committee's Recommendation:**

That the provision in Clause 20 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 20 do stand part of the Bill, put and agreed to.*

PART VI - SUPPLEMENTARY PROVISIONS

**Clause 21: Regulations, Rules and Orders.**

Any power to make regulations, rules or order conferred by this Act shall include power to-

- (a) make provision for such incidental and supplementary matters as the authority making the instrument considers expedient for the purpose of the instrument;
- (b) prescribe membership fees in such amount as the Minister may from time to time, approve; and
- (c) make different provisions for different circumstances.

**Committee's Recommendation:**

That the provision in Clause 21 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 21 do stand part of the Bill, put and agreed to.*

**Clause 22: Interpretation.**

In this Act-

"accepted qualification" means a degree, diploma or other certificate specified in the Third Schedule to this Act;

"animal health technologist" means a person registered and licensed by this Act to practice animal health care delivery and welfare in Nigeria;

"Board" means the Animal Health and Husbandry Technologists Registration Board of Nigeria established under section 1 (1) of this Act;

"member" means a member of the Board and includes the Chairman;

"Ministers" means the Minister charged with responsibility for matters relating to agriculture;

"profession" means animal health and husbandry technology;

"register" means a register maintained under section 9 (1) of this Act;

"registrar" means the registrar of the Board appointed under section 8 (1) of this Act; and

"registration certificate" means a registration certificate issued under section 11 (1) of this Act.

**Committee's Recommendation:**

That the provision in Clause 22 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 22 do stand part of the Bill, put and agreed to.*

**Clause 23: Citation.**

This Act may be cited as the Animal Health and Husbandry Technologists Registration Board (Establishment) Act, 2018.

**Committee's Recommendation:**

That the provision in Clause 23 be retained (*Senate Leader*):— Agreed to.

Question that Clause 23 do stand part of the Bill, put and agreed to.

## SCHEDULES

## Section 2 (3)

## FIRST SCHEDULE

## SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

1. (1) A person other than a person appointed under section 2 (1) (e), (g) and (h) of this Act shall not be a member of the Board unless he is a citizen of Nigeria fully registered or, in the case of the first members of the Board, is eligible for registration as member of the profession.
- (2) Where a member of the Board ceases to hold office before the date when his term of office would have expired by the effluxion of time the body or person by whom he was appointed or elected shall, as soon as practicable be appointed or, as the case may be elected person to fill the vacancy for the residue of the term, but provisions of this paragraph shall not apply where a person holding office as a member of the Board ceases to hold office at a time when the residue of his term does not exceed one year.
2. (1) Subject to the provision of this paragraph a member of the Board, other than a public officer, shall hold office for a term of three years from the date of his appointment and may be eligible for re-appointment for a further term of three years and no more.
- (2) A member of the Board, other than a public officer, may resign his appointment by a letter addressed to the Minister and the resignation shall take effect from the date of the receipt of the letter by the Minister.
- (3) The Minister may appoint any person who is a registered animal health and husbandry technologist to be a temporary member during a long absence or temporary incapacity by illness of any member, and that person may, while the appointment subsists, perform the functions of a member under this Act.
- (4) The provisions of this section shall be without prejudice to the provisions of section 2 of the Interpretation Act which relates to appointments.

*Proceedings of the Board*

3. The Board may make standing order regulating the proceeding of the Board or committee and, in the absence of the Chairman, elect a temporary Chairman who shall be an animal health and husbandry technologist and has been so qualified for at least 12 years for the conduct of affairs of the Board.
4. The quorum of the Board shall be five and the quorum of any committee of the Board shall be as determined by the Board.
5. At any time while the office of the Chairman is vacant or the Chairman is, in the opinion of the Board temporarily or permanently unable to perform the functions of his office, the Vice-Chairman shall perform those functions and references in this Schedule to the Chairman shall be construed accordingly.

6. (1) Subject to the provisions of any applicable standing order, the Board shall meet whenever summoned by the Chairman and if the Chairman is required to do so by notice to him by at least six other members, he shall summon a meeting of the Board to be held within 21 days from the date on which the notice is given.
- (2) At any meeting of the Board the Chairman or, in his absence; the Vice-Chairman shall preside but if both are absent the members present at the meeting shall appoint one of them to preside at that meeting.
- (3) Where the Board wishes to obtain the advice of any person in a particular matter, the Board may co-opt him as a member for such period as it deems fit, but a person who is a member by virtue of this subparagraph is not entitled to vote at any meeting of the Board and shall not count towards a quorum.
7. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such of its functions as the Board may determine.
- (2) A committee set up under this paragraph shall consist of the number of persons determined by the Board and not more than one-third of those persons may be persons who are not members of the Board, and a person other than a member of the Board shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.
8. (1) The fixing of the seal of the Board shall be authenticated by the signature of the Chairman or another member authorised generally or specially by the Board to act for that purpose.
- (2) Any contract or instrument, which if made or executed by a person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the Board by any person generally or specially authorised to act for that purpose by the Board.

*Question that the provision in the First Schedule stand part of the Bill — Agreed to.*

## SECOND SCHEDULE

*Section 16 (5)*

### SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY COMMITTEE AND THE INVESTIGATING PANEL

#### *The Disciplinary Committee*

1. (1) The Attorney-General of the Federation shall make rules as to the procedure to be followed and the rules of evidence to be observed in proceeding before the Disciplinary Committee.
- (2) The rules shall, in particular provide -
- (a) for securing that notice of proceedings shall be given at such time and in such manner as may be specified by the rules to the person who is the subject of the proceedings;
  - (b) for determining who, in addition to the person, shall be a party to the proceedings;
  - (c) for securing that any party to the proceedings is, if he requires, entitled to be heard by the Disciplinary Committee;

- (d) for enabling any party to the proceedings to be represented by a legal practitioner;
  - (e) subject to the provisions of section 9 (2) (d) of this Act, as to the costs to be paid in proceedings before the Disciplinary Committee;
  - (f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Disciplinary Committee finds that the allegation has not been proved, it shall record a finding that the person is not guilty of such conduct in respect of the matter to which the allegation relates; and
  - (g) for publishing, in the Federal Government Gazette, the notice of any direction of the Disciplinary Committee which has taken effect providing that a person's name shall be erased from the register.
2. (1) For the purpose of advising the Disciplinary Committee on questions of law arising in the proceedings before it, there shall in all such proceedings, be an assessor to the Disciplinary Committee who shall be -
- (a) appointed by the Board on the recommendations of the Attorney-General of the Federation; and
  - (b) a legal practitioner of at least seven years standing.
- (2) The Attorney-General of the Federation shall make rules as to the functions of assessors appointed under this paragraph and, in particular, such rules shall contain provisions for securing -
- (a) that where an assessor advises the Disciplinary Committee on any question of law as to evidence, procedure or any other matter specified by the rules, he shall do so in the presence of every party or person representing a party in the proceedings who appears or, if the advice is tendered while the Disciplinary Committee is deliberating in private, that every such party or person shall be informed as to what advice the assessor has rendered; and
  - (b) that every party or person shall be informed if in any case the Disciplinary Committee does not accept the advice of the assessor on such a question.
- (3) An assessor may be appointed under this paragraph either generally or for any particular proceeding or class of proceedings and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.
3. The quorum at any meeting of the Disciplinary Committee shall be three.
4. At any meeting of the Disciplinary Committee, the Chairman of the Board shall preside and, in his absence, the members present shall appoint one of them to preside at that meeting.
5. Any question proposed for decision by the Disciplinary Committee shall be determined by majority of the members present and voting at a meeting of the Disciplinary Committee at which a quorum is formed.
6. At all meetings of the Disciplinary Committee, each member present shall have one vote on a question proposed for decision by the Disciplinary Committee and, in the event of an equality of votes, the Chairman shall, in addition to a deliberation vote, have a casting vote.
7. For the purpose of any inquiry, the Disciplinary Committee may hear and receive evidence and may, under the hand of the Chairman or Registrar, summon witness and require the production of any book, document or thing and may, through the Registrar, administer an oath to any witness.

*The Investigating Panel*

8. (1) The Investigating Panel may at any meeting of it attended by at least four members make standing order for its purpose.
- (2) Subject to the provision of any such standing order, the Investigating Panel may regulate its own procedure.
- (3) The quorum of the panel shall be three.

*Miscellaneous*

9. (1) A person ceasing to be a member of the Disciplinary Committee or the Investigating Panel is eligible for re-appointment as a member of that body.
- (2) A person may be a member of both the Disciplinary Committee and the Investigating Panel, but no person who has acted as a member of Investigating Panel with respect to any case shall act as a member of the Disciplinary Committee with respect to that case.
10. The Disciplinary Committee or Investigating Panel may act notwithstanding any vacancy in its membership and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body, or subject to paragraph 10 (2) of this Schedule, by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
11. The Disciplinary Committee and the Investigating Panel may each sit in two or more places.
12. Any document authorised or required by virtue of this Act to be served on the Disciplinary Committee or the Investigating Panel shall be served on the Registrar.
13. Any expenses of the Disciplinary Committee or the Investigating Panel shall be defrayed by the Board.

*Question that the provision in the Second Schedule stand part of the Bill — Agreed to.*

## THIRD SCHEDULE

Section 11 (4)

ACCEPTABLE MINIMUM QUALIFICATION FOR THE PURPOSE  
OF REGISTRATION ON THE REGISTER ESTABLISHED  
UNDER THIS ACT

1. Higher National Diploma of the College of Animal Health and Production Technology or its recognised equivalent qualification.
2. Professional diploma or degree of any recognised University.

*Question that the provision in the Third Schedule stand part of the Bill — Agreed to.*

Chairman to report Bill.

**(SENATE IN PLENARY)**

The Deputy Senate President reported that the Senate in the Committee of Whole considered a Bill for an Act to Establish the Animal Health Husbandry Technologists Registration Board of Nigeria to Regulate the Practice of Animal Health and Husbandry Technologists in Nigeria; and for Related Matters, 2018 and approved as follows:

Clauses 1- 23 — As Recommended

Schedules 1-3 — As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

**15. National Child Protection Bill, 2018 (SB. 665) - Committee of the Whole:**

*Motion made:* That the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to Establish the National Child Protection and Enforcement Agency to Provide Necessary Protection and Care for the Nigerian Children; and for Related Matters, 2018 (*Senate Leader*).

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NATIONAL CHILD PROTECTION AND ENFORCEMENT AGENCY TO PROVIDE NECESSARY PROTECTION AND CARE FOR THE NIGERIAN CHILDREN; AND FOR RELATED MATTERS, 2018

**PART 1 — ESTABLISHMENT OF THE NATIONAL CHILD PROTECTION AND ENFORCEMENT AGENCY**

- Clause 1:**
- (1) There is established the National Child Protection and Enforcement Agency (in this Act referred to as "the Agency").
  - (2) The Agency —
    - (a) shall be a body corporate with perpetual succession and a common seal; and
    - (b) may sue and be sued in its corporate name.
  - (3) The Head Office of the Agency shall be in Abuja with Zonal Offices in the six geo-political zones of the country.

***Committee's Recommendation:***

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Establishment and Membership of the Governing Council.**

- (1) There is established for the Agency a Governing Council (in this Bill referred to as "the Council") which shall -
  - (a) be the governing authority responsible for its policies; and
  - (b) superintend over the general affairs of the Agency.
- (2) The Council shall consist of -
  - (a) a chairman who shall be a person with ability, character, knowledge and experienced in child protection matters;

- (b) a representative each, not lower than the rank of a Director, from the Federal Ministries of -
- (i) Women Affairs and Social Development;
  - (ii) Education;
  - (iii) Health;
  - (iv) Justice;
- (c) a representative of the —
- (i) National Human Rights Commission;
  - (ii) National Population Commission; and
  - (iii) Nigeria Police Force (not lower than the rank of a Commissioner of Police);
  - (iv) Non-Governmental Organisation on Child's Rights;
  - (v) National Child's Right's Committee;
  - (vi) Christian Association of Nigeria;
  - (vii) Supreme Council of Islamic Affairs; and
  - (viii) each geopolitical zone; and
- (d) the Executive Secretary of the Agency.
- (3) The Chairman and members of the Council, who are not representing Ministries and other statutory bodies, shall be appointed by the President on the recommendation of the Minister subject to confirmation by the Senate.

## FIRST SCHEDULE.

- (4) The supplementary provisions set out in the First Schedule to this Bill shall have effect with respect to the proceedings of the Council and other matters.

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

**Clause 3: Tenure of Office and Allowances of Members.**

- (1) A member of the Council, other than Executive Secretary, shall hold office for a term of four years and may be re-appointed for another term of four years and no more provided that the representatives from the six geopolitical zones shall —
- (a) operate on a rotational basis within each zone; and
  - (b) serve for a term of four years only with no extension.
- (2) Members of the Council shall be paid remuneration and such allowances as may be determined by the Federal Government.

**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Cessation of Membership.**

- (1) A member of the Council ceases to hold office if he —
  - (a) becomes of unsound mind;
  - (b) becomes bankrupt or makes a compromise with his creditors;
  - (c) is convicted of a felony or any offence involving dishonesty; or
  - (d) is guilty of serious misconduct in relation to his duties.
- (2) A member of the Council may at any time resign from office in writing addressed to the President and such resignation becomes effective on the acceptance by the President.
- (3) A member of the Council may be removed from office by the President, on the recommendation of the Council, if he is satisfied that it is not in the interest of the public that the member remains in the office.
- (4) Where a member of the Council ceases to hold office for any reason before the expiration of the term for which he is appointed, another person representing the same interest as that member shall be appointed for the unexpired term.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**PART II — FUNCTIONS AND POWERS OF THE AGENCY.**

**Clause 5: Functions of the Agency.**

The Agency shall —

- (a) deal with all matters relating to the protection of children as guaranteed by the Constitution of the Federal Republic of Nigeria and all other domestic and international laws operative in Nigeria;
- (b) ensure child sensitive social protection policies that address child poverty, vulnerability and risks;
- (c) monitor and analyse the patterns and trends of child rights violations in Nigeria in liaison with the States' child rights monitoring bodies and other child protection agencies, and make appropriate recommendations to the government for policies, guidelines and programmes on prevention and mitigation measures;
- (d) undertake studies, researches, and surveys on all matters relating to the protection of children and assist the government in the formulation of appropriate policies;
- (e) compile data regularly on child rights violations in collaboration with relevant sectors including, justice, public health, education, social welfare, and publish regularly reports on the state of child rights protection in Nigeria;



- (f) coordinate and supervise the activities of all child protection service providers, privately in Nigeria to ensure timely provision of appropriate assistance to victims of child rights violation;
- (g) monitor the provision of victims' assistance and support with a view to identify gaps and bottlenecks and make recommendations on corrective measures;
- (h) advise the government in the formulation of appropriate policies and guidelines to establish and ensure the standard of services for redress, remedies and make recommendations for capacity building wherever necessary;
- (i) organise and participate in seminars, workshops, conferences and other activities on child protection issues, alone or in collaboration with other organisations, both within and outside Nigeria;
- (j) present periodic progress report to the Minister for onward transmission to the National Assembly;
- (k) network with similar agencies outside Nigeria; and
- (l) carry out such other functions that are necessary or expedient for the attainment of its objectives under this Bill.

**Committee's Recommendation:**

That the provision in Clause 5 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 5 do stand part of the Bill, put and agreed to.*

**Clause 6: Special Powers of the Agency.**  
The Agency shall have power to —

**SECOND SCHEDULE.**

- (a) act as a coordinating, regulatory and enforcement mechanism for government and non-governmental bodies involved in the prevention of child abuse, exploitation, protection and rehabilitation of victims of such abuse as provided in the Second Schedule to this Bill; Act No. 26, 2003.
- (b) cause investigations to be conducted with respect to the commission of offences under the Child's Right Act;
- (c) do all things which, by this Bill or any other enactment, are required or permitted to be done by the Agency; and
- (d) do such other things as are necessary or expedient for the exercise of its power under this Bill.

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

**Clause 7: Establishment of Special Units.**

- (1) For the effective performance of the functions of the Agency, there shall be established —
  - (a) the Investigation Unit;
  - (b) the Counseling and Rehabilitation Unit;

- (c) the Public Enlightenment Unit;
- (d) the Legal Unit;
- (e) the Research and Statistics Unit; and
- (f) such other units as the Agency may deem fit to establish with the approval of the Council.

- (2) Notwithstanding the provisions of subsection (1) of this section, the Agency shall have power to set up Technical Committees and Task Forces to assist the Agency in the performance of its functions under this Bill.

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8: Duties of the Units.**

- (1) The Investigation Unit shall —

ACT NO. 26, 2003.

- (a) investigate complaints and petitions received in respect of violations of the provisions of the Child's Rights Act and
- (b) liaise and collaborate with the Police and other relevant Agencies for the prevention of offences and detention of offenders in violation of the provisions of the Child's Rights Act.

- (2) The Counseling and Rehabilitation Unit shall, in collaboration with the Ministry and other relevant agencies be responsible for:—

- (a) counseling, aftercare rehabilitation, social reintegration and education of abused or vulnerable children; and
- (b) counseling and promotion of the welfare of abused or vulnerable children.

- (3) The Public Enlightenment Unit shall be responsible for campaigns, seminars and workshops aimed at educating the public on the provisions of the Child's Rights Act and the need for the protection of the rights and welfare of the children.

- (4) The Legal Unit shall be responsible for ensuring the prosecution of offenders and violators of the provisions of the Child's Rights Act in collaboration with the relevant Agencies.

- (5) The Research and Statistics Unit shall be responsible for the production of relevant documents and children databank and resources which are to be updated periodically.

- (6) There shall be appointed for each of the Units a Principal Officer who shall be known by such designation as the Agency may determine.

- (7) For the purpose of this section, categories of vulnerable children include: —

- (a) children who have lost one or both parents;
- (b) children living with terminally or chronically ill parents or caregivers;

- (c) children on or off the street or child hawkers;
- (d) children living with aged or frail grandparents;
- (e) children who get married before 18 years who are neglected or abandoned;
- (f) children in child-headed homes;
- (g) children infected with Human Immunodeficiency Virus (HIV);
- (h) child beggars and destitute children (including exploited almajiris);
- (i) internally displaced or separated children, child domestic servants and child sex workers;
- (j) children with special challenges or disabilities;
- (k) child victims of trafficking;
- (l) children in conflict with the law;
- (m) children of migrant workers; and
- (n) children living with teenage parents.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

**PART III — STAFF OF THE AGENCY**

**Clause 9: Executive Secretary of the Agency.**

- (1) There shall be for the Agency an Executive Secretary who shall be—
  - (a) the Chief Executive and Accounting Officer of the Agency; and
  - (b) appointed by the President on the recommendation of the Minister, subject to confirmation by the Senate.
- (2) The Executive Secretary shall hold office for a term of four years in the first instance on such terms and conditions as the President, on the recommendation of the Minister, determine, and may be re-appointed for another term of four years and no more.
- (3) Subject to such general directions as the Council may give, the Executive Secretary shall be responsible for the day-to-day administration of the Agency and the implementation of the decisions of the Council.
- (4) The Executive Secretary shall perform the functions of keeping the records of proceedings and decisions of the Council and such other functions as the Council may direct.

**Committee's Recommendation:**

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**Clause 10: Other Staff of the Agency.**

- (1) The Council may appoint directly, and either on transfer or on secondment, a person from any Public Service in the Federation, such number of employees as the Council may, in the opinion of the Council, be required to assist the Agency in the discharge of any of its duties under this Bill, and shall pay to persons so employed such remuneration (including allowances) as the Council may determine.
- (2) The terms and conditions of service, including terms and conditions as to remuneration, allowances, pensions, gratuities and other benefits, of the persons employed by the Agency shall be as determined by the Council.
- (3) The Council may engage such consultants and advisers as it requires for the proper and efficient performance of the functions of the Agency.

**Committee's Recommendation:**

That the provision in Clause 10 be retained (Senate Leader) — Agreed to.

Question that Clause 10 do stand part of the Bill, put and agreed to.

**Clause 11: Staff Regulations.**

The Agency may, subject to the provisions of this Bill, make staff regulations relating generally to the conditions of service of the employees of the Agency and without prejudice to the generality of the provisions of this Bill, such regulations may provide for —

- (a) the appointment, promotion and disciplinary control (including dismissal) of employees of the Agency; and
- (b) appeals by such employees against dismissal or other disciplinary measures.

**Committee's Recommendation:**

That the provision in Clause 11 be retained (Senate Leader) — Agreed to.

Question that Clause 11 do stand part of the Bill, put and agreed to.

**Clause 12: Condition of Service**

The Agency shall, with the approval of the Minister, determine its conditions of service, including pensions and gratuities as are appropriate for its employees.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (Senate Leader) — Agreed to.

Question that Clause 12 do stand part of the Bill, put and agreed to.

- (1) The service in the Agency is a scheduled service and is deemed to be pensionable under this Bill and employees of the Agency shall, in respect of their service in the Agency, be entitled to pensions, gratuities and other retirement benefits as are prescribed.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of a pension or gratuity in respect of that office.

**Committee's Recommendation:**

That the provision in Clause 13 be retained (Senate Leader) — Agreed to.

Question that Clause 13 do stand part of the Bill, put and agreed to.

## PART IV — FINANCIAL PROVISIONS

PART IV — FINANCIAL PROVISIONS

**Clause 14: Fund of the Agency.**

- (1) The Agency shall establish and maintain a fund which shall be applied towards the performance of its functions under this Bill.
- (2) There shall be paid and credited to the Fund —
- such sums as may be provided by the Government of the Federation for the Agency;
  - fees charged for services rendered by the Agency; and
  - all other sums accruing to the Agency by way of gifts, testamentary bequests, depositions, endowments, contributions from philanthropic persons and organisations or otherwise.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 14 do stand part of the Bill, put and agreed to.*

**Clause 15: Gift.**

- (1) The Agency may accept gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.
- (2) The Agency shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Agency.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 15 do stand part of the Bill, put and agreed to.*

**Clause 16: Borrowing Powers.**

- (1) The Council may, with the consent of, or in accordance with any specific authority given by, the Minister, borrow by overdraft or otherwise from any source approved by the Minister such specified amount of money as may be required by the Agency for meeting its obligations and performance of its functions under this Bill.
- (2) The Council may, subject to the provisions of this Bill and the conditions of any trust created in respect of any property, invest all or any of its funds with the consent or general authority of the Minister

CAP. T22, LFN, 2004.

- (3) The Council may invest any surplus fund of the Agency in securities prescribed by the Trustee Investment Act or such other securities as may be approved by the Minister.

CAP. L5, LFN, 2004.

- (4) Subject to the provisions of the Land Use Act and any special or general direction which the Minister may give in that behalf, the Council may acquire or lease any land required for its purpose under this Bill.

**Committee's Recommendation:**

That the provision in Clause 16 be retained (*Senate Leader*)—*Agreed to*

*Question that Clause 16 do stand part of the Bill, put and agreed to.*

**Clause 17: Annual Estimates, Accounts and Audit.**

- (1) The Council shall cause to be prepared, not later than 30th September in each year, an estimate of the expenditure and income of the Agency during the next succeeding year and, when prepared, they shall be submitted to the Minister.
- (2) The Council shall cause to be kept proper accounts and records and, when certified by the Council, such accounts shall be audited as provided in sub-section (3) of this section.
- (3) The accounts of the Agency shall be audited by auditors appointed from the list of auditors and in accordance with the guidelines issued by the Auditor-General for the Federation and the fees of the auditors and the expenses for the audit generally shall be paid from the funds of the Agency.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (*Senate Leader*)—*Agreed to*

*Question that Clause 17 do stand part of the Bill, put and agreed to.*

**Clause 18: Annual Report.**

The Council shall, not later than six months after the end of each year, submit through the Minister, to the Federal Executive Council, a report on the activities of the Agency and its administration during the immediate preceding year and shall include in the report the audited accounts of the Agency and the auditor's comments.

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*)—*Agreed to*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

**PART V— MISCELLANEOUS PROVISIONS**

**Clause 19: Minister to Give Directive.**

Subject to the provisions of this Bill, the Minister shall give to the Council such directives of a general nature with regard to the exercise by the Council of its powers under this Bill.

**Committee's Recommendation:**

That the provision in Clause 19 be retained (*Senate Leader*)—*Agreed to*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

**Clause 20: Regulations.**

The Minister may make such regulations as he deems necessary or expedient for giving full effect to the provisions of this Bill.

**Committee's Recommendation:**

That the provision in Clause 20 be retained (*Senate Leader*)—*Agreed to*

*Question that Clause 20 do stand part of the Bill, put and agreed to.*

**Clause 21: Interpretation.**

In this Bill —

"Agency" means the National Child Protection and Enforcement Agency established under section 1 (1) of this Bill;

"child abuse" includes a political, economic, social or cultural treatment that promotes a deprivation and violation of children's rights, or an action that deprives a child from the fundamental rights to life, development, protection and participation;

"Council" means the Governing Council established for the Agency under section 2 (1) of this Bill;

"domestic laws on children" includes —

- (a) Child's Rights Act 2003;
- (b) various State legislation on specific issues pertaining to children; and
- (c) provisions of the Federal laws, relating to children such as —
  - (i) the Criminal Code,
  - (ii) Penal Code,
  - (iii) Labour Act,
  - (iv) Immigration Act, and
  - (v) legislation on health issues.

"international laws on children" includes —

- (a) the UN Convention on the Rights of the Child (1989);
- (b) the African Charter on the Rights and Welfare of the Child (1990);
- (c) International Labour Organisation Convention 182 on Minimum Age and Elimination of the Worst Forms of Child Labour (1999);
- (d) Optional Protocol on the Convention on Elimination of All Forms of Discrimination Against Women (1979);
- (e) Optional Protocol on the involvement of Children in armed Conflicts (2000);
- (f) Optional Protocol on the sale of Children, Child Prostitution and Child Pornography (2000);
- (g) United Nations Convention Against Transnational Organized Crime (2000);
- (h) Supplementing Trafficking Protocol to prevent, suppress and punish trafficking in persons, especially women and children (2000); and
- (i) African Charter on Human and People's Rights (1981) and its Protocol relating to the Rights of Women (2002);

"Minister" means the appropriate supervisory Minister for the Agency;

"Ministry" means the appropriate supervisory Ministry for the Agency;

"President" means the President of the Federal Republic of Nigeria; and

"Vulnerable children" means children who, because of circumstances of birth or of their immediate environment, are prone to abuse or deprivation of basic needs, care and protection, and thus disadvantaged relative to their peers, for the purpose of this section.

**Committee's Recommendation:**

That the provision in Clause 21 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 21 do stand part of the Bill, put and agreed to.*

**Clause 22: Citation.**

This Bill may be cited as the National Child Protection and Enforcement Agency (Establishment) Bill, 2018.

**Committee's Recommendation:**

That the provision in Clause 22 be retained (*Senate Leader*) — Agreed to.

*Question that Clause 22 do stand part of the Bill, put and agreed to.*

FIRST SCHEDULE

SECTION 2 (4)

SUPPLEMENTARY PROVISION RELATING TO THE BOARD ETC.

Procedure of the Council

1. (1) Subject to this Act and section 27 of the Interpretation Act, the Council may make standing orders regulating its proceedings or those of any of its committees.
- (2) Every meeting shall be presided over by the Chairman and if the Chairman is unable to attend a particular meeting the members present at the meeting shall elect one of the members to preside at the meeting.
- (3) The quorum of the Council shall be the Chairman or the person presiding at the meeting and nine other members of the Council.
- (4) Upon any special occasion, the Council may co-opt any person to be a member for as many meetings as may be necessary, and that person so co-opted shall have all the rights and privileges of a member, except that he shall not be entitled to vote or count towards a quorum.
- (5) Subject to its standing orders, the Council may set up such number of standing and ad-hoc committees, as it thinks fit, to consider and report on any matter with which the Agency is concerned.
- (6) Every committee set up under the provisions of subparagraph (5) shall be presided over by a member of the Council and shall be made up of such number of persons, not necessarily members of the Council, as the Council may determine in each case.
- (7) The decision of a committee shall be of no effect until it is confirmed by the Council.

Miscellaneous

2. (1) The fixing of the seal of the Agency shall be authenticated by the signature of the Chairman of the Council or any person authorised to act for that purpose.
- (2) A contract or instrument, which if made by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Agency by the Executive Secretary of the Agency.



- (3) A document purporting to be a contract or instrument or other document signed or sealed on behalf of the Agency shall be received in evidence and, unless the contrary is proved, be presumed, without further proof, to have been so signed or sealed.
- (4) The validity of any proceeding of the Council or a committee shall not be adversely affected by —
  - (a) any vacancy in the membership of the Council;
  - (b) any defect in the appointment of a member of the Council or committee; and
  - (c) reason that a person not entitled to do so took part in the proceeding.

Question that the Provision of First Schedule stand part of the Bill — agreed to.

SECOND SCHEDULE

SECTION 6 (A)

In the exercise of its powers of enforcement provided for under section 6 (a), the Agency may refer matters to the family court and such other courts established under other relevant laws.

Question that the Provision of Second Schedule stand part of the Bill — agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered a Bill for an Act to Establish the National Child Protection and Enforcement Agency to Provide Necessary Protection and Care for the Nigerian Children; and for Related Matters, 2018 and approved as follows:

- Clauses 1- 22 — As Recommended
- Schedules 1& 2 — As Recommended

Question: That the Senate do approve the Report of the Committee of the Whole — Resolved in the Affirmative.

Motion made: That the Bill be now Read the Third Time (Senate Leader). That the Bill be now Read the Third Time.

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

16. Franchise Bill, 2018 (SB. 666) - Committee of the Whole:

Motion made: That the Senate do resolve into the Committee of the Whole to consider a Bill for an Act to Regulate the Franchised Business in Nigeria; and for Related Matters, 2018 (Senate Leader).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO REGULATE THE FRANCHISED BUSINESS IN NIGERIA; AND FOR RELATED MATTERS, 2018

Clause 1: Scope of Application.

- (1) This Act applies to franchises to be granted or renewed for the operation of one or more franchised businesses within the Federal Republic of Nigeria.

- (2) Pursuant to the provisions of subsection (1) of this section, this Act applies to —
- (a) Trade Name Franchising;
  - (b) Business Format Franchising;
  - (c) Unit Franchising;
  - (d) Multiple Franchising;
  - (e) Area Franchising;
  - (f) Pilot Franchising;
  - (g) Fractional Franchising;
  - (h) Conversion Franchising; and
  - (i) any other type or form of franchising granted or renewed for operation within Nigeria.

**Committee's Recommendation:**

That the provision in Clause 1 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 1 do stand part of the Bill, put and agreed to.*

**Clause 2: Implementation of this Act Cap. N62, LFN, 2004.**  
 The National Office for Technology Acquisition and Promotion established by the National Office for Technology Acquisition and Promotion Act Cap N62 Laws of the Federation of Nigeria, 2004 (in this Act referred to as "the implementing agency") shall be responsible for the implementation of the provisions of this Act provided that where appropriate, NOTAP shall consult the Registrar of Trade Marks and Patents or any other relevant authority.

**Committee's Recommendation:**

That the provision in Clause 2 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 2 do stand part of the Bill, put and agreed to.*

**Clause 3: Enforcement.**  
 The provisions of this Act shall have the force of law and shall be enforceable under the Nigerian law by the implementing agency and the language of the proceedings shall be English.

**Committee's Recommendation:**

That the provision in Clause 3 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 3 do stand part of the Bill, put and agreed to.*

**Clause 4: Compliance.**  
 From the commencement of this Act, all franchisors and franchisees operating in Nigeria shall ensure compliance with the provisions of this Act and the regulations made under this Act.

**Committee's Recommendation:**

That the provision in Clause 4 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 4 do stand part of the Bill, put and agreed to.*

**Clause 5:**

**Delivery of Disclosure Document**

- (1) A franchisor shall give every prospective franchisee a disclosure document, to which the proposed franchise agreement must be attached, at least 14 days before —
  - (a) the signing by the prospective franchisee of any agreement relating to the franchise, with the exception of agreements relating to the confidentiality of information delivered or to be delivered by the franchisor; or
  - (b) the payment to the franchisor or an affiliate of the franchisor by the prospective franchisee of any fee relating to the acquisition of a franchise that is not refundable or the refunding of which is subject to such conditions as to render them not refundable, with the exception of a security (bond or deposit) given on the conclusion of a confidentiality agreement.
- (2) The disclosure document shall be updated within 30 days of the end of the franchisor's fiscal year and where there has been a material change in the information required to be disclosed under section 8 of this Act, notice in writing of such change shall be delivered to the prospective franchisee as soon as practicable before either of the events described in subsection (1) (a) or (b) of this section.

**Committee's Recommendation:**

That the provision in Clause 5 be retained (*Senate Leader*) **Agreed to.**

*Question that Clause 5 do stand part of the Bill, put and agreed to.*

**Clause 6:**

**Format of Disclosure Document.**

- (1) The disclosure shall be provided in writing.
- (2) The franchisor may use any format for the disclosure document, provided that the information contained therein is presented as a single document at one time and meets the requirements of this Act.

**Committee's Recommendation:**

That the provision in Clause 6 be retained (*Senate Leader*) **Agreed to.**

*Question that Clause 6 do stand part of the Bill, put and agreed to.*

**Clause 7:**

**Exemptions from Obligation to Disclose.**

- No disclosure document shall be required in case of the —
- (a) grant of a franchise to a person who has been an officer or director of the franchisor or of an affiliate of the franchisor for at least one year immediately before the signing of the franchise agreement;
  - (b) assignment or other transfer of a franchisee's rights and obligations under an existing franchise agreement, where the assignee or transferee is bound by substantially the same terms as the assignor or transferor, and the franchisor has not had a significant role in the transaction other than approval of the transfer;
  - (c) grant of a franchise to sell goods or services to a natural or legal person who has been engaged in the same or a similar business for the previous two years, if the sales of the franchise, as reasonably anticipated by the parties at the time the franchise agreement is entered into, does not, during the first year of the relationship exceed 20% of the total aggregate sales of the combined business of the franchisee and its affiliates;

- (d) grant of a franchise as a result of which the prospective franchisee commits to a total financial requirement under the franchise agreement in excess of an amount to be provided in a regulation made under this Act;
- (e) grant of a franchise to a prospective franchisee (who, together with its affiliates has a net worth in excess of an amount to be provided in a regulation pursuant to this Act or turnover in excess of an amount to be provided in a regulation made under this Act; or
- (f) renewal or extension of a franchise on the same conditions.

**Committee's Recommendation:**

That the provision in Clause 7 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 7 do stand part of the Bill, put and agreed to.*

**Clause 8: Information to be Disclosed**

In the disclosure document, the franchisor shall provide the following information—

- (a) the legal name, legal form, legal address and the address of the principal place of business of the franchisor;
- (b) the trademark, trade name, business name or similar name, under which the franchisor carries on or intends to carry on business in Nigeria or in another country, if outside Nigeria as the case may be, in which the prospective franchisee will operate the franchise business;
- (c) the address of the franchisor's principal place of business in the country, if outside Nigeria, where the prospective franchisor is located;
- (d) a description of the franchise to be operated by the prospective franchisee;
- (e) information on the categories of goods or services that the franchisee is required to purchase or lease, indicating—
- (i) whether any of these have to be purchased or leased from the franchisor, affiliates of the franchisor or from a supplier designated by the franchisor;
  - (ii) whether the franchisee has the right to recommend other suppliers for approval by the franchisor; and
  - (iii) whether any revenue or other benefit that may be directly or indirectly received by the franchisor or any of the affiliates of the franchisor from any supplier of goods and/or services to the franchisee, such as rebates, bonuses, or incentives with regard to those goods and/or services, shall be passed on to the prospective franchisee or, if not, whether a price mark-up will be made by the franchisor or the supplier recommended by the franchisor.

**Committee's Recommendation:**

That the provision in Clause 8 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 8 do stand part of the Bill, put and agreed to.*

**Clause 9: Acknowledgment of Receipt of Disclosure Document**

The prospective franchisee shall, at the request of the franchisor, acknowledge in writing the receipt of the disclosure document.

**Committee's Recommendation:**

That the provision in Clause 9 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 9 do stand part of the Bill, put and agreed to.*

**Clause 10: Remedies.**

- (1) If the disclosure document or notice of material change —
  - (a) has not been delivered within the time established in section 5 of this Act;
  - (b) contains a misrepresentation of a material fact; or
  - (c) makes an omission of a material fact; then the franchisee may, with 30 days prior written notice to the franchisor terminate the franchise agreement or claim against the franchisor for damages suffered from the conduct described in paragraphs (a), (b) and (c) of this subsection, unless the franchisee had the information required to be disclosed through other means and did not rely on the misrepresentation.
- (2) The remedies granted to the franchisee under this section shall be exercised not later than —
  - (a) one year after the act or omission constituting the breach upon which the right to terminate is based;
  - (b) three years after the act or omission constituting the breach upon which the right to claim for damages suffered is based;
  - (c) one year after the franchisee becomes aware of facts or circumstances reasonably indicating that it may have a right to claim for damages suffered; or
  - (d) within 90 days of the delivery to the franchisee of a written notice providing details of the breach accompanied by the franchisor's then current disclosure document.
- (3) The rights provided by subsection (1) of this section shall not reduce other rights a franchisee may have under any other law.

**Committee's Recommendation:**

That the provision in Clause 10 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 10 do stand part of the Bill, put and agreed to.*

**Clause 11: Provisions of Franchise Agreement.**

All franchise agreements between Nigerian franchisees and their franchisors shall incorporate standard provisions in line with international best practices.

**Committee's Recommendation:**

That the provision in Clause 11 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 11 do stand part of the Bill, put and agreed to.*

**Clause 12: Registration of Propriety Rights Associated with Business Franchise**

All propriety rights associated with any foreign business franchise licenced to franchisees in Nigeria (including patents, trademarks and industrial designs, etc.) shall be registered with the appropriate authority in Nigeria prior to the commencement of their operation in Nigeria.

**Committee's Recommendation:**

That the provision in Clause 12 be retained (Senate Leader)—Agreed to.

Question that Clause 12 do stand part of the Bill, put and agreed to.

**Clause 13: Registration of Franchise Agreement**

Without prejudice to the responsibilities of the Patent and Trademarks Registry with respect to the registration of intellectual property rights associated with franchising, the National Office for Technology Acquisition and Promotion shall—

- (a) be responsible for the registration of franchise agreements entered into by franchisees in Nigeria with franchisors outside Nigeria; and
- (b) coordinate the licencing of indigenous business franchise to interested franchisees.

**Committee's Recommendation:**

That the provision in Clause 13 be retained (Senate Leader)—Agreed to.

Question that Clause 13 do stand part of the Bill, put and agreed to.

**Clause 14: Local Content.**

All franchise operators in Nigeria must ensure that they meet a minimum of 20% local inputs in their operation.

**Committee's Recommendation:**

That the provision in Clause 14 be retained (Senate Leader)—Agreed to.

Question that Clause 14 do stand part of the Bill, put and agreed to.

**Clause 15: Offences and Penalties.**

- (1) As from the commencement of this Act failure to comply with the provisions of this Act shall be an offence.
- (2) A person who contravenes the provisions of this Act, commits an offence and is liable upon conviction to imprisonment for a term not less than 1 year or to a fine not less than N1,000,000 or to both.

**Committee's Recommendation:**

That the provision in Clause 15 be retained (Senate Leader)—Agreed to.

Question that Clause 15 do stand part of the Bill, put and agreed to.

**Clause 16: Regulations.**

The Governing Council of the National Office for Technology Acquisition and Promotion shall make regulations necessary to carry into full effect the provisions of this Act.

**Committee's Recommendation:**

That the provision in Clause 16 be retained (Senate Leader)—Agreed to.

Question that Clause 16 do stand part of the Bill, put and agreed to.

**Clause 17: Waivers.**

No franchise agreement shall give a waiver, in any form, of any right under this Act.

**Committee's Recommendation:**

That the provision in Clause 17 be retained (Senate Leader)—Agreed to.

Question that Clause 17 do stand part of the Bill, put and agreed to.

**Clause 18: Interpretation.**  
In this Act —

"affiliate of the franchisee" means a person who directly or indirectly controls or is controlled by the franchisee, or is controlled by another party who controls the franchisee;

"affiliate of the franchisor" means a person who directly or indirectly controls or is controlled by the franchisor, or is controlled by another party who controls the franchisor;

"development agreement" means an agreement under which a franchisor in exchange for direct or indirect financial compensation grants to another party the right to acquire more than one franchise of the same franchise system;

"direct or indirect financial compensation" does not include the payment of a bona fide wholesale price for goods intended for resale;

"disclosure document" means a document containing the information required under this Act;

"franchise" means the rights granted by a party (the franchisor) authorising and requiring another party (the franchisee), in exchange for direct or indirect financial compensation, to engage in the business of selling goods or services on its own behalf under a system designated by the franchisor which includes know-how and assistance and prescribes in substantial part the manner in which the franchised business is to be operated, includes significant and continuing operational control by the franchisor and is substantially associated with a trademark, service mark, trade name or logotype designated by the franchisor and includes —

- (a) the rights granted by a franchisor to a sub-franchisor under a master franchise agreement,
- (b) the rights granted by a sub-franchisor to a sub-franchisee under a sub-franchise agreement, and
- (c) the rights granted by a franchisor to a party under a development agreement and for the purposes of this definition;

"franchise agreement" means the agreement under which a franchise is granted;

"franchised business" means the business conducted by the franchisee under a franchise agreement;

"franchisee" includes a sub-franchisee in its relationship with the sub-franchisor and the sub-franchisor in its relationship with the franchisor;

"franchisor" includes the sub-franchisor in its relationship with its sub-franchisees;

"master franchise" means the right granted by a franchisor to another party (the sub-franchisor) to grant franchises to third parties (the sub-franchisees);

"material change" in the information required to be disclosed means a change which can reasonably be expected to have a significant effect on the prospective franchisee's decision to acquire the franchise;

"material fact" means any information that can reasonably be expected to have a significant effect on the prospective franchisee's decision to acquire the franchise;

"misrepresentation" means a statement of fact that the person making the statement knew or ought to have known to be untrue at the time the statement was made;

"omission" means the failure to state a fact of which the person making the statement was aware at the time the statement ought to have been made;

"sub-franchise agreement" means a franchise agreement concluded by a sub-franchisor and a sub-franchisee pursuant to a master franchise;

**Committee's Recommendation:**

That the provision in Clause 18 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 18 do stand part of the Bill, put and agreed to.*

**Clause 19: Citation**

This Act may be cited as the Franchise Act, 2018.

**Committee's Recommendation:**

That the provision in Clause 19 be retained (*Senate Leader*) — *Agreed to.*

*Question that Clause 19 do stand part of the Bill, put and agreed to.*

Chairman to report Bill.

**(SENATE IN PLENARY)**

The Deputy Senate President reported that the Senate in the Committee of the Whole considered a Bill for an Act to Regulate the Franchised Business in Nigeria; and for Related Matters, 2018; and that the Bill was approved as follows:

Clauses 1- 19 — As Recommended — As Recommended

*Question:* That the Senate do approve the Report of the Committee of the Whole — *Resolved in the Affirmative.*

*Motion made:* That the Bill be now Read the Third Time (*Senate Leader*). That the Bill be now Read the Third Time

*Question put and agreed to.*

*Bill accordingly Read the Third Time and Passed.*

**17. Committee on Ethics, Privileges and Public Petitions:**

*Motion made:* That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (a) Mrs. Maryam Danna Mohammed, against the Niger Delta Power Holding Company (NDPHC) for wrongful termination of her appointment (*Senator Samuel N. Anyanwu — Imo State West*).

*Question put and agreed to.*

*Report presented.*

*Debate:*

**Proposed Resolution:**

*Question:* That the Senate do mandate the Niger Delta Power Holding Company (NDPHC) to reinstate Mrs. Maryam Danna Mohammed and pay all her entitlements because her disengagement did not follow due process — *Agreed to.*



**Resolved:**

That the Senate do mandate the Niger Delta Power Holding Company (NDPHC) to reinstate Mrs. Delia Peter Maryam Danna Mohammed and pay all her entitlements because her disengagement did not follow her own due process (S/Res/231/03/18).

**Motion made:** That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (b) Kalu Samuel and 348 Others, against Michael Okpara Federal University of Agriculture, Umudike, Abia State for unlawful suspension from office (Senator Samuel N. Anyanwu — Imo West).

*Question put and agreed to.*

*Report presented.*

**Debate:****Proposed Resolution (i):**

**Question:** That the Senate do mandate Michael Okpara Federal University of Agriculture, Umudike to re-absorb Mr. Samuel Kalu and the 348 Suspended Staff into the nominal roll as regular staff of the University since the Federal Character Commission (FCC) had issued certificate of compliance in that regard — *Agreed to.*

**Proposed Resolution (ii):**

**Question:** That the Senate Committee on Tertiary Education be mandated to ensure compliance

**Amendment Proposed:**

*Leave out* Proposed Resolution (ii) and *insert* the following instead thereof: "That the Senate Committee on Tertiary Institutions and TETFUND be mandated to urge the Michael Okpara Federal University of Agriculture, Umudike to ensure compliance" (Senator Barau I. Jibrin — Kano North).

*Question that the amendment be made, put and agreed to.*

**Resolved:**

- (i) That the Senate do mandate Michael Okpara Federal University of Agriculture, Umudike to re-absorb Mr. Samuel Kalu and the 348 Suspended Staff into the nominal roll as regular staff of the University since the Federal Character Commission (FCC) had issued certificate of compliance in that regard; and
- (ii) That the Senate Committee on Tertiary Institutions and TETFUND be mandated to urge the Michael Okpara Federal University of Agriculture, Umudike to ensure compliance (S/Res/230/03/18).

**Motion made:** That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (c) Tanzila Petroleum Company Limited, against Petroleum Products Pricing Regulatory Agency (PPPRA) for non-payment of subsidy on Premium Motor Spirit (PMS) imported (Senator Samuel N. Anyanwu — Imo West).

*Question put and agreed to.*

*Report presented.*

**Debate:**

*By the leave of the Senate, Report referred back to the Committee for further Legislative Action.*

*Motion made:* That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (d) Mr. Nnochiri Anosike Igbokaiké, against the National Drug Law Enforcement Agency (NDLEA), over his wrongful dismissal from Service for alleged misconduct (*Senator Samuel N. Anyanwu — Imo West*).

*Question put and agreed to.*

*Report presented.*

*Debate:*

**Proposed Resolution:**

*Question:* That the National Drug Law Enforcement Agency (NDLEA) in addition to issuing a letter of clearance to Mr. Nnochiri Anosike Igbokaiké in order not to jeopardize his employability, should pay him the three months salary in lieu of notice which NDLEA has agreed to pay — *Agreed to.*

**Resolved:**

That the National Drug Law Enforcement Agency (NDLEA) in addition to issuing a letter of clearance to Mr. Nnochiri Anosike Igbokaiké in order not to jeopardize his employability, should pay him the three months' salary in lieu of notice which NDLEA has agreed to pay (**S/Res/233/03/18**).

*Motion made:* That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (e) Agboola Olawale Matthew, against the Police Service Commission (PSC) for alleged denial of Police Training and eventual employment (*Senator Samuel N. Anyanwu — Imo West*).

*Question put and agreed to.*

*Report presented.*

*Debate:*

**Proposed Resolution:**

*Question:* That the Senate do sustain the non-selection of the Agboola Olawale Matthew and advise him to look for job elsewhere because there was no offence if he was not selected by the Police Service Commission — *Agreed to.*

**Resolved:**

That the Senate do sustain the non-selection of the Agboola Olawale Matthew and advise him to look for job elsewhere because there was no offence if he was not selected by the Police Service Commission (**S/Res/234/03/18**).

*Motion made:* That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (f) Lynda Orié Ukpo, against the Federal Road Safety Corps (FRSC) for alleged unlawful termination of her appointment by the Corps (*Senator Samuel N. Anyanwu — Imo West*).

*Question put and agreed to.*

*Report presented.*

*Debate:*

**Proposed Resolution:**

*Question:* That the termination of the appointment of Lynda Orié Ukpo by the Federal Road Safety Corps be upheld because it was fully investigated and followed due process — *Agreed to.*

**Resolved:**

That the termination of the appointment of Lynda Orié Ukpo by the Federal Road Safety Corps be upheld because it was fully investigated and followed due process (S/Res/235/03/18).

**Motion made:** That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (g) P. C. Onang Inamang, against the Nigeria Police for inappropriate placement in the service (Senator Samuel N. Anyanwu — Imo West).

*Question put and agreed to.*

*Report presented.*

*Debate:*

**Proposed Resolution:**

**Question:** That P.C. Onang Inamang should be grateful for his reinstatement and if he had any dissatisfaction with his rank, he should seek internal mechanism within the Force to resolve it — Agreed to.

**Resolved:**

That P.C. Onang Inamang should be grateful for his reinstatement and if he had any dissatisfaction with his rank, he should seek internal mechanism within the Force to resolve it (S/Res/236/03/18).

**Motion made:** That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (h) Mr. Tochukwu Dumu, against the Nigeria Police for his unlawful arrest and detention; and for fraudulent sale of his tanker truck loaded with petroleum product (Senator Samuel N. Anyanwu — Imo West).

*Question put and agreed to.*

*Report presented.*

*Debate:*

**Proposed Resolution (i):**

**Question:** That the Senate do condemn the actions of the Nigeria Police in disobeying the order of the Federal High Court, Port Harcourt to release the tanker truck with Registration No. AA 120 WDP laden with diesel to Mr. Tochukwu Dunu; and its refusal to dialogue with the petitioner to mitigate the effect of the loss of the truck and its content on him as directed by the Committee. — Agreed to.

**Proposed Resolution (ii):**

**Question:** That the Senate do urge the Nigeria Police to pay Mr. Tochukwu Dunu the sum of Twenty-four Million Naira only, (N24,000,000) being the total value of the tanker truck and its diesel content as established — Agreed to.

**Proposed Resolution (iii):**

**Question:** That the Committee on Police Affairs was mandated to ensure compliance. — Agreed to.

**Resolved:**

- (i) That the Senate do condemn the actions of the Nigeria Police in disobeying the order of the Federal High Court, Port Harcourt to release the tanker truck with Registration No. AA 120 WDP laden with diesel to Mr. Tochukwu Dunu; and its refusal to dialogue with the petitioner to mitigate the effect of the loss of the truck and its content on him as directed by the Committee;

- (ii) That the Senate do urge the Nigeria Police to pay Mr. Tochukwu Dunu the sum of Nigeria Pounds Twenty-four Million Naira only, (N24,000,000) being the total value of the tanker truck and its diesel content as established; and
- (iii) That the Committee on Police Affairs was mandated to ensure compliance (S/Res/237/03/18)

*Motion made:* That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (i) Eagle-Eyes Network Chambers on behalf of G. Cappa Plc., against the Nigerian National Petroleum Corporation (NNPC) for refusal of the Corporation to effect payment of the outstanding financial claim for the construction and handing over of Blocks "B" and "C" of NNPC Towers, Abuja (Senator Samuel N. Anyanwu — Imo West).

*Question put and agreed to.*

*Report presented.*

*Debate:*

**Proposed Resolution:**

*Question:* That Nigerian National Petroleum Corporation (NNPC) should pay its outstanding indebtedness of \$104,090,396.19 to G. Cappa Plc as the debt was as a result of accrued interest caused by delayed payments and Dollar exchange difference over the years from 1999 to 2015 caused by the NNPC — Agreed to.

*Resolved:*

That Nigerian National Petroleum Corporation (NNPC) should pay its outstanding indebtedness of \$104,090,396.19 to G. Cappa Plc as the debt was as a result of accrued interest caused by delayed payments and Dollar exchange difference over the years from 1999 to 2015 caused by the NNPC (S/Res/238/03/18).

Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (j) Mr. Donald E. Ovie, against the Nigerian National Petroleum Corporation (NNPC) for the alleged wrongful disengagement from the Corporation.

*Consideration of Report deferred to another Legislative Day.*

Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (k) PC Ohadaka Ifeanyichukwu, against the Nigeria Police for alleged wrongful dismissal from the service.

*Consideration of Report deferred to another Legislative Day.*

Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (l) Insp. Festus O. Mrakpor, against the Police Service Commission (PSC) for wrongful dismissal from Service over alleged misconduct.

*Consideration of Report deferred to another Legislative Day.*

Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (m) Mr. Lawrence Opiti Ogbeni, against the Nigerian National Petroleum Corporation (NNPC) for alleged wrongful dismissal from the Corporation.

*Consideration of Report deferred to another Legislative Day.*

Report of the Committee on Ethics, Privileges and Public Petitions in respect of:

- (n) Julex Associates, against the National Council for Arts and Culture (NCAC) for oppression, harassment and avoidable inferno at the Arts and Crafts Village, Abuja.

Consideration of Report deferred to another Legislative Day

Report of the Committee on Ethics, Privileges and Public Petitions in respect of: (o) Livingstone Nseyo, against the Nigerian Railway Corporation for alleged Non-implementation of Ministerial Approval on promotions.

Consideration of Report deferred to another Legislative Day

Report of the Committee on Ethics, Privileges and Public Petitions in respect of: (p) complaint from Senator Mallam A. Wakili, against Mr. Fred Itua of the Sun Newspaper for allegedly misleading the public, against the Senate in the Sunday Sun Newspaper Publication of 22nd October, 2017.

Consideration of Report deferred to another Legislative Day

Report of the Committee on Ethics, Privileges and Public Petitions in respect of: (q) I. J. Obiachu Esq. on behalf of the People of Eruete Village of Amaoforo Autonomous Community Ibeku, Umuahia North Local Government Area, Abia State, against Cocoa Research Institute of Nigeria, Ibadan, Oyo State for alleged non-compensation for land acquired.

Consideration of Report deferred to another Legislative Day

18. Committee on Water Resources: Report on the National Water Resources (Establishment, etc.) Bill, 2018 (SB: 479):

Consideration of Report deferred to another Legislative Day

19. Committee on Science and Technology: Report on the Chemical Weapons (Prohibition) Bill, 2018 (SB: 585):

Consideration of Report deferred to another Legislative Day

20. Adjournment: Motion made: That the Senate do now adjourn till Tuesday, 8th May, 2018 at 10:00 a.m. (Senate Leader).

Adjourned accordingly at 1:01 p.m.

Abubakar Olubukola Saraki, CON
President,
Senate of the Federal Republic of Nigeria.

