

**LEAD DEBATE ON NIGERIAN CIVIL AVIATION AUTHORITY ACT (REPEAL AND RE-ENACTMENT) BILL, 2020 (SB. 195).**

**Sponsor: Sen. Abdullahi, Yahaya Abubakar (*Kebbi North-Senate Leader*).**

Mr. President, Distinguished Colleagues, permit me to lead the debate on this important Bill which seeks to repeal the Civil Aviation Act, 2006 and to enact the Civil Aviation Act, 2020 for the regulation of civil aviation in Nigeria and other purposes connected therewith.

The Bill was read for the first time in this Hallow Chambers on 10<sup>th</sup> December, 2019

The aim is to provide an effective legal and institutional framework for the regulation of civil aviation in Nigeria to conform with the standards and recommended practices set by the International Civil Aviation Organization (ICAO), establish rules of operation and divisions of responsibility within the Nigerian civil aviation system in order to promote aviation safety; ensure that Nigeria's obligations under international aviation agreements is implemented; and consolidate the laws relating to civil aviation in Nigeria

Mr. President, Distinguished Colleagues the Bill when passed will be applicable to all persons holding licenses that have been issued or validated by the Nigeria Civil Aviation Authority (the 'Authority'); including every person, aircraft, air operator, aerodrome, aeronautical product, air service, and aviation related service, in Nigeria; every Nigerian registered aircraft whether within or outside Nigeria; and every foreign registered aircraft operating in Nigeria, into and out of Nigeria

Under the Bill the Nigeria Civil Aviation Authority retains its responsibility of registration, inspection, safety and issuance of a license to the owner of a certificate of registration.<sup>8</sup> It is also conferred with the powers to appoint, contract, liaise or cooperate with experts, including specialized agencies, academic and technical institutes, advisory committees, etc., in order to assist it in carrying out any of its functions or duties.

Also, the NCAA is exempted from paying tenement rates and income tax or any other tax that are in force. Any existing provision of the law relating to the taxation of the income of any company or ontribution to any trust fund is not applicable to the NCAA.

Mr. President, Distinguished Colleagues the Bill provides that in time of war, whether actual or imminent, the Minister may cancel or suspend any licenses, permits, certificates or other authorizations issued under the Act in the interest of Justice.

The office of the Director-General is authorized to grant exemptions from any of the requirements set forth in this Act or in the regulations made pursuant to this Act, where the Director-General considers that granting such exemptions will not compromise safety and security and is in the public interest.<sup>12</sup>

An airline operator is not permitted to operate air transport service to, from and within Nigeria unless he has a security programme approved by the Authority, subsequently, every breach of the provisions of the approved airline security programme will attract a fine of not less than N200,000.00 circa \$650 or as stipulated by the relevant regulation whichever is higher

Mr. President, Distinguished Senators, the business reform happening now in the Aviation sector is long overdue as Nigerian Aviation Industry is in dire need for same in order to achieve the much desired growth and attract investment. It is common knowledge that Civil Aviation are largely determined by global conditions and Nigeria must attain such conditions.

The Repeal and Re-enactment of the NCAA Bill when passed to law, will have the overall effect of making the Nigerian Aviation industry more in tuned with today's aviation realities, improve the air safety environment, as well as mitigate direct compliance costs for air businesses in Nigeria.

I therefore urge you my respected colleagues to support this bill for second reading