



# HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA FIRST VOTES AND PROCEEDINGS

Tuesday, 21 July, 2020

1. The House met at 11.18 a.m. Mr Speaker read the Prayers.
2. The House recited the National Pledge
3. **Votes and Proceedings**  
Mr Speaker announced that he had examined and approved the *Second Votes and Proceedings* of Tuesday, 14 July, 2020.  
*The Votes and Proceedings was adopted by unanimous consent.*
4. **Message**  
Mr Speaker read a message from the President of the Federal Republic of Nigeria:



**PRESIDENT,  
FEDERAL REPUBLIC OF NIGERIA**

20th July, 2020

*Rt Hon. Femi Gbajabiamila  
Speaker of the House of Representatives,  
National Assembly Complex,  
Three Arms Zone,  
Abuja.*

*Dear Rt Hon. F. Gbajabiamila,*

## **SUBMISSION OF THE FGN 2021-2023 MEDIUM- TERM EXPENDITURE FRAMEWORK AND FISCAL STRATEGY PAPER**

*It is with pleasure that I forward the 2021-2023 Medium Term Expenditure Framework and Fiscal Strategy Paper (MTEF/FSP) for the kind consideration and approval of the House of Representatives.*

*Let me seize this opportunity to express my deep gratitude for the cooperation, support and commitment of the Leadership and Honourable Members of the House of Representatives in our collective efforts to sustain the restoration of the January- December financial year.*

*In line with our commitment, we have worked very hard to achieve an earlier submission of the MTEF/FSP. This is to allow the National Assembly enough time to perform its important constitutional duty of reviewing the Framework.*

*I herewith forward the 2021-2023 MTEF/FSP. As the 2021 Budget of the Federal Government will be prepared based on the parameters and fiscal assumptions of the approved 2021-2023 MTEF/FSP, I seek the cooperation of the National Assembly for expeditious legislative action on the submission.*

*Please accept, Right Honourable Speaker, the assurances of my highest consideration.*

*Yours sincerely,*

*(Signed)*

**Muhammadu Buhari**

*Matter referred to the Committees on Finance, Appropriations, and National Planning and Economic Development.*

**5. Announcement**

***Ad-hoc Committee on Assessment and Status of All Recovered Loots, Movable and Immovable Assets From 2002 - 2020 by Agencies of Federal Government of Nigeria for Effective/Efficient Management and Utilization (HR. 06/07/2020):***

Mr Speaker announced the name of Hon. Olanrewaju Oladapo Edun as a member of the *Ad-hoc Committee*.

**6. Petitions**

- (i) A petition from Ernest O. Kasumu and 1 other, on behalf of Estate/Pipeline Community Development Committee, Agbado/Oke-Ódo Local Government Area, Alimosho Local Government, Lagos State, on the non-compensation of victims of pipeline explosion by the Nigerian National Petroleum Corporation (NNPC), was presented and laid by Hon. Adebànjó Olufemi Bamdele (*Alimosho Federal Constituency*);
- (ii) A petition from Mohammad Sanusi Musa, on alleged unfair treatment in the case of alleged missing fund of Nigerian Law School, Kano Campus, was presented and laid by Hon. Abdullahi Ibrahim Ali (*Ankpa/Imala/Olamaboro Federal Constituency*);
- (iii) Petitions from the following were presented and laid by Hon. Dachung Musa Bagos (*Jos South/Jos East Federal Constituency*):
  - (a) the Traditional Council, Jos South Local Government Area, on the non-payment of compensation on their land by the Nigeria Police Staff College, Jos;
  - (b) the Traditional Council, Jos South Local Government Area, on the non-payment of compensation on their land and constant harassment by the Nigeria Defence Academy (NDA) Base camp, Anguldi, Jos;
- (iv) A petition from Saviour S. Donatus, on the non-payment of outstanding financial liability by Tertiary Education Trust Fund (TETFund) leading to termination/suspension of his PhD Academic pursuit, was presented and laid by Hon. Unyime Idem Josiah (*Ukanafun/Oruk Anam Federal Constituency*);

- (v) A petition from Mr Jeibe Wordan Simdik and 1 other, on behalf of Coalition of Closed Unpaid Textiles Workers, on the alleged non-payment of terminal benefits/gratuity by Kaduna Textiles (KTL), Norex and Finetex Limited, and Arewa Textile Plc, was presented and laid by Hon. Mukhtar Ahmad (*Kaduna South Federal Constituency*);
- (vi) A petition from Association of South East Town Unions (ASETU), on alleged ethnic cleansing and land grabbing agenda in the South East, by the Federal Government of Nigeria, was presented and laid by Hon. Yúsof Ayo Tajudeen (*Kabba-Bunu/Ijumu Federal Constituency*);
- (vii) A petition from Barr. Adaobinna Edozie and 3 others, on behalf of Stand up for Women Society, on alleged sexual harassment at Dexin West Africa Limited, was presented and laid by Hon. Chukwuka Onyema (*Ogbaru Federal Constituency*).

*Petitions referred to the Committee on Public Petitions.*

**7. Matters of Urgent Public Importance (Standing Order Eight, Rule 4)**

**(i) *Need to Uphold the National Directorate of Employment (NDE) Act in the Implementation of the Special Public Works Programme:***

Hon. Toby Okechukwu (*Aninri/Awgu/Oji River Federal Constituency and 1 Other*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

*Question that the matter be considered as one of urgent public importance — Agreed to.*

*Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.*

**Need to Uphold the National Directorate of Employment (NDE) Act in the Implementation of the Special Public Works Programme:**

The House:

*Notes* that Section 2 of the National Directorate of Employment (NDE) Act unambiguously vests in the agency the responsibility to, among other key aims and objectives, design and implement programmes to combat mass unemployment in the country;

*Also notes* that the Appropriation Act, 2020, makes it clear that the NDE is the implementing agency for the Special Public Works (SPW) programme and captured it as follows: "Public Works Programme (1000 persons per LGA for 36 States and Area Councils of FCT — 774,000 persons" for the sum of ₦52,000,000,000;

*Further notes* that since it was the Executive Arm of Government that proposed the programme, it would have clearly named the Ministry of Labour and not the NDE, as the implementing authority in the 2020 budget if it so wished;

*Aware* that the NDE, being a creation of law, has been in operation for about 23 years and has the professionals and other requisite technical staff to implement government policies, including the Special Public Works programme, an initiative on which it has conducted a pilot study in 8 States of the Federation, hence the domiciliation of the programme with the agency in the budget;

*Mindful* of the high economic consequences for the country to resort to *ad-hoc* arrangements that may not be accountable in future, rather than making use of the NDE, which is an interventionist agency;

*Also mindful* of the grave developments in the Niger Delta Development Commission (NDDC), where the Executive Arm recruited an Interim Management Committee (IMC), instead of inaugurating the NDDC Board that was approved by the Senate;

*Cognizant* that the supervisory powers conferred on the Minister of Labour by Section 15 of the NDE Act do not condone any abnormalities or allow the Minister to do so without regard to the law;

*Also aware* that by the current provisions of the law, the NDE is an implementing agency with the Minister of Labour, not Minister of State, who indeed is an entity unknown to the law, is the supervising Minister;

*Further mindful* that the term "Minister of State" is not a creation of Section 145 (1) of the 1999 Constitution and this might therefore have been the reason for the refusal of the Minister of State to be guided on the method adopted by Parliament for its proceedings and his assertion that "only Mr President can stop our work", not our laws or our institutions;

*Concerned* that this attitude may jeopardize the capacity of the National Assembly to carry out its oversight functions of ensuring prudence as enshrined in sections 88 and 89 of the 1999 Constitution;

*Determined* to prevent any mischief, wastage of scarce public resources, lack of accountability and defeat of the aims and objectives of the Special Public Works programme;

*Resolves to:*

- (i) urge the President of Nigeria to direct the Minister of Labour who is authority recognised by the Constitution and NDE Act, to live up to his lawful responsibility of supervising the NDE, ensuring non-interference and meddlesomeness by any person in the running of the agency; and
- (ii) urge the Ministry of Finance not to release any funds for the implementation of the Special Public Works programme if it would breach due process, the Appropriation Act, 2020 (as amended) as well as the NDE Act (*Hon. Toby Okechukwu — Aninri/Awgu/Oji River Federal Constituency*).

*Debate.*

*Agreed to.*

The House:

*Noted* that Section 2 of the National Directorate of Employment (NDE) Act unambiguously vests in the agency the responsibility to, among other key aims and objectives, design and implement programmes to combat mass unemployment in the country;

*Also noted* that the Appropriation Act, 2020, makes it clear that the NDE is the implementing agency for the Special Public Works (SPW) programme and captured it as follows: "Public Works Programme (1000 persons per LGA for 36 States and Area Councils of FCT — 774,000 persons" for the sum of ₦52,000,000,000;

*Further noted* that since it was the Executive Arm of Government that proposed the programme, it would have clearly named the Ministry of Labour and not the NDE, as the implementing authority in the 2020 budget if it so wished;

*Aware* that the NDE, being a creation of law, has been in operation for about 23 years and has the professionals and other requisite technical staff to implement government policies, including the Special Public Works programme, an initiative on which it has conducted a pilot study in 8 States of the Federation, hence the domiciliation of the programme with the agency in the budget;

*Mindful* of the high economic consequences for the country to resort to *ad-hoc* arrangements that may not be accountable in future, rather than making use of the NDE, which is an interventionist agency;

*Also mindful* of the grave developments in the Niger Delta Development Commission (NDDC), where the Executive Arm recruited an Interim Management Committee (IMC), instead of inaugurating the NDDC Board that was approved by the Senate;

*Cognizant* that the supervisory powers conferred on the Minister of Labour by Section 15 of the NDE Act do not condone any abnormalities or allow the Minister to do so without regard to the law;

*Also aware* that by the current provisions of the law, the NDE is an implementing agency with the Minister of Labour, not Minister of State, who indeed is an entity unknown to the law, is the supervising Minister;

*Further mindful* that the term "Minister of State" is not a creation of Section 145 (1) of the 1999 Constitution and this might therefore have been the reason for the refusal of the Minister of State to be guided on the method adopted by Parliament for its proceedings and his assertion that "only Mr President can stop our work", not our laws or our institutions;

*Concerned* that this attitude may jeopardize the capacity of the National Assembly to carry out its oversight functions of ensuring prudence as enshrined in sections 88 and 89 of the 1999 Constitution;

*Determined* to prevent any mischief, wastage of scarce public resources, lack of accountability and defeat of the aims and objectives of the Special Public Works programme;

*Resolved to:*

- (i) urge the President of Nigeria to direct the Minister of Labour who is authority recognised by the Constitution and NDE Act, to live up to his lawful responsibility of supervising the NDE, ensuring non-interference and meddlesomeness by any person in the running of the agency; and
  - (ii) urge the Ministry of Finance not to release any funds for the implementation of the Special Public Works programme if it would breach due process, the Appropriation Act, 2020 (as amended) as well as the NDE Act (HR. 25/07/2020).
- (ii) ***Need to Ensure Thorough Investigation of the Cause of Death and Posthumous Honour of the Late Flying Officer Tolulope Arotile:***  
Hon. Oluga Taiwo (*Ayedaade/Irewole/Isokan Federal Constituency*) introduced the matter and prayed the House to:
- (a) consider and approve the matter as one of urgent public importance; and

- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

*Question that the matter be considered as one of urgent public importance — Agreed to.*

*Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.*

**Need to Ensure Thorough Investigation of the Cause of Death and Posthumous Honour of the Late Flying Officer Tolulope Arotile:**

The House:

*Notes* that on 14 July, 2020, the Federal Republic of Nigeria was thrown into mourning as a result of the death of one of its shining young stars in person of flying Officer Tolulope Arotile, the Nigerian Air force's first female combatant helicopter pilot;

*Also notes* that the flying officer who was commissioned into the Nigerian Air Force on 16 September, 2017 was a member of the Nigerian Defence Academy Course 64 and was decorated in October 2019 as the first female combatant helicopter pilot in the Nigerian Air Force since its existence fifty-five (55) years ago. According to the Chief of Air Staff in October 2019, during the decoration of the Late Flying Officer, out of the 13 pilots who qualified as Nigerian Air Force Pilots on October 2019, only two (2) were females (Kafayat Sanni and Tolulope Arotile) and the deceased was the only Helicopter Combat Pilot who was said to have contributed immensely to destroying armed bandits in the North-West and North-Central States by fighting several combatant missions under the operation GAMA AIKI;

*Cognizant* that although she had a short life, her life was very impactful and her virtues of personal excellence, hard work, patriotism, dedication to duty, confidence, courage and her pioneering role as Nigeria's first female Helicopter Fighter Pilot has made her a National Hero and a role model to youths in Nigeria;

*Resolves to:*

- (i) observe a minute Silence in honour of the Late Flying Officer Tolulope Arotile;
- (ii) urge the Nigerian Police Force and other relevant Law Enforcement Agencies to be thorough with the on-going investigation into the cause of her death with a view to unravelling the circumstances leading to her unfortunate demise;
- (iii) also urge the Nigerian Air Force to immortalize the Late Flying Officer Tolulope Arotile by naming a National Infrastructure, especially within the Air Force after her or a Street in the Air Force Base, Kaduna; and
- (iv) further urge the Nigerian Air Force to honour her with posthumous promotion to the next rank (*Hon. Taiwo Olukemi Oluga — Ayedaade/Irewole/Isokan Federal Constituency*).

*Debate.*

*Agreed to.*

The House:

*Noted* that on 14 July, 2020, the Federal Republic of Nigeria was thrown into mourning as a result of the death of one of its shining young stars in person of flying Officer Tolulope Arotile, the Nigerian Air force's first female combatant helicopter pilot;

*Also noted* that the flying officer who was commissioned into the Nigerian Air Force on 16 September, 2017 was a member of the Nigerian Defence Academy Course 64 and was decorated in October 2019 as the first female combatant helicopter pilot in the Nigerian Air Force since its existence fifty-five (55) years ago. According to the Chief of Air Staff in October 2019, during the decoration of the Late Flying Officer, out of the 13 pilots who qualified as Nigerian Air Force Pilots on October 2019, only two (2) were females (Kafayat Sanni and Tolulope Arotile) and the deceased was the only Helicopter Combat Pilot who was said to have contributed immensely to destroying armed bandits in the North-West and North-Central States by fighting several combatant missions under the operation GAMA AIKI;

*Cognizant* that although she had a short life, her life was very impactful and her virtues of personal excellence, hard work, patriotism, dedication to duty, confidence, courage and her pioneering role as Nigeria's first female Helicopter Fighter Pilot has made her a National Hero and a role model to youths in Nigeria;

*Resolved to:*

- (i) observe a minute Silence in honour of the Late Flying Officer Tolulope Arotile;
- (ii) urge the Nigeria Police Force and other relevant Law Enforcement Agencies to be thorough with the on-going investigation into the cause of her death with a view to unravelling the circumstances leading to her unfortunate demise;
- (iii) also urge the Nigerian Air Force to immortalize the Late Flying Officer Tolulope Arotile by naming a National Infrastructure, especially within the Air Force after her or a Street in the Air Force Base, Kaduna; and
- (iv) further urge the Nigerian Air Force to honour her with posthumous promotion to the next rank (**HR. 26/07/2020**).

*A minute silence was observed in honour of the deceased.*

**8. Privilege (Order 6, Rules 2 and 4)**

Hon. Ndudi Godwin Elumelu (*Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*), referred the House to an allegation against the National Assembly by the Minister of Niger Delta Affairs, Senator Godswill Akpabio during his appearance before the House Committee on Niger Delta Development Commission at the investigative hearing on Financial Malfeasance and other activities in the Niger Delta Development Commission (NDDC) on Monday, 20 July, 2020. He stated that the Minister had alleged that Members of the National Assembly obtained 60% of the contracts awarded in the Niger Delta Development Commission.

Hon. Ndudi Elumelu also referred to an online media publication by [weetalknaija.com/news/](https://www.weetalknaija.com/news/) which implied that the Hon. Speaker had excused the Managing-Director of NDDC who slumped during the hearing from further appearance before the Committee to continue with the testimony.

He noted that the allegation by the Minister breached the collective privilege of the House and his privilege as a Member. He therefore prayed the House to look into the matter with a view to ascertaining the veracity of the allegation.

*Mr Speaker noted that the Minister of Niger Delta Affairs owes it a duty to the National Assembly and the people of Nigeria to publish the names and details of all those awarded contracts by the NDDC and directed that the Minister be given 48 hours to publish the names of Members of the 9<sup>th</sup> Assembly who obtained the contracts and that the Managing-Director, NDDC would be invited to give further testimonies as the Committee deems fit.*

**9. Personal Explanation (Order Eight, Rule 5)**

Hon. Suleiman Aminu (*Fagge Federal Constituency*), drew the attention of the House to the motion on notice by the Chairman, Rules and Business discharging the Committee on Tertiary Education and Services and some others of Bills referred to them, and said the action was improper because many of the over sixty (60) Bills referred to his Committee were not funded.

*Ordered: Hon. Suleiman Aminu and the Chairman, Rules and Business to meet with the Speaker, to discuss the list of the Bills referred to by Hon. Suleiman Aminu.*

**10. Presentation of Bills**

The following Bills were read the *First Time*:

- (1) Electoral Act (Repeal and Enactment) Bill, 2020 (HB. 981).
- (2) Flag and Coats of Arms Act (Amendment) Bill, 2020 (HB. 982).
- (3) Capital Expenditure Accountability and Disclosure Bill, 2020 (HB. 983).
- (4) Appropriate Arrangement of Names Bill, 2020 (HB. 984).
- (5) Electoral Act (Amendment) Bill, 2020 (HB. 985).
- (6) Federal Road Safety Commission Act (Amendment) Bill, 2020 (HB. 986).
- (7) National Assembly Library Trust Fund (Establishment) Bill, 2020 (HB. 987).
- (8) National Infrastructure Development Commission Bill, 2020 (HB. 988).
- (9) Federal Medical Centre, Ovwian (Establishment) Bill, 2020 (HB. 989).
- (10) National Agency for Food and Drug Administration and Control Act (Amendment) Bill, 2020 (HB. 990).
- (11) Foreign Service Commission (Establishment, etc.) Bill, 2020 (HB. 991).
- (12) Copyright Act (Amendment) Bill, 2020 (HB. 992).
- (13) River Basins Development Authorities Act (Amendment) Bill, 2020 (HB. 993).
- (14) Motor Vehicles (Third Party Insurance) Act (Amendment) Bill, 2020 (HB. 994).
- (15) Export Prohibition (Repeal) Bill, 2020 (HB. 995).
- (16) Constitution of the Federal Republic of Nigeria 1999 Act (Alteration) Bill, 2020 (HB. 996).
- (17) Constitution of the Federal Republic of Nigeria 1999 Act (Alteration) Bill, 2020 (HB. 997).
- (18) Medical and Dental Practitioners Act (Amendment) Act 2020 (HB. 998).
- (19) Constitution of the Federal Republic of Nigeria, 1999 Act (Alteration) Bill, 2020 (HB. 999).



- (20) Code of Conduct Bureau and Tribunal Act (Repeal and Enactment) Bill, 2020 (HB. 1000).
- (21) Anti-Kidnapping, Terrorism and Violent Crimes Agency Bill, 2020 (HB. 1001).
- (22) Electoral Act (Amendment) Bill, 2020 (HB. 1002).
- (23) Violence Against Persons (Prohibition) Act (Amendment) Bill, 2020 (HB. 1003).
- (24) Federal College of Agriculture, Karaye, Bill, 2020 (HB. 1004).
- (25) Federal College of Agriculture Produce Technology, Kano, Bill 2020 (HB. 1005).
- (26) Sexual Harassment of Students in Tertiary Educational Institutions (Prohibition) Bill, 2020 (HB. 1006).
- (27) Theatre Arts Professionals (Regulatory Council of Nigeria, etc.) Bill, 2020 (HB. 1007).
- (28) Pension Reform Act (Amendment) Bill, 2020 (HB. 1008).
- (29) National Border Academy, Imeko (Establishment) Bill, 2020 (HB. 1009).
- (30) National Hospital, Port Harcourt, Rivers State (Establishment) Bill, 2020 (HB. 1010).
- (31) National Minimum Wage Act (Amendment) Bill, 2020 (HB. 1011).
- (32) Treaties (Making Procedure) Bill, 2020 (HB. 1012).
- (33) National Coroners (Establishment) Bill, 2020 (HB. 1013).
- (34) Federal University of Agriculture, Ugbawka (Establishment) Bill, 2020 (HB. 1014).
- (35) Federal Medical Center, Akpugo (Establishment) Bill, 2020 (HB. 1015).
- (36) Chartered Institute of Information Management (Establishment) Bill, 2020 (HB. 1016).
- (37) Standard Engineering Works Bill, 2020 (HB. 1017).
- (38) National Institute of Credit Administration (Establishment) Bill, 2020 (HB. 1018).
- (39) Federal University of Lokoja Teaching hospital (Establishment) Bill, 2020 (HB. 1019).
- (40) Federal University of Agriculture, Ikirun (Establishment) Bill, 2020 (HB. 1020).

#### 11. Presentation of Reports

- (i) ***Report of the Conference Committee on Police Act (Repeal and Enactment) Bill:***  
*Motion made and Question proposed*, "That the House do receive the Report of the Conference Committee on a Bill for an Act to Repeal the Police Act, Cap. P19, Laws of the Federation of Nigeria, 2004 and Enact Nigeria Police Bill, 2020 to Provide the Framework for the Police Force and ensure Cooperation and Partnership between the Police and Host Communities in Maintaining Peace, Protecting Lives and Property; and for Related Matters (HB. 685)" (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Agreed to.*

*Report laid.*

(ii) **Committee on Justice:**

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Justice on a Bill for an Act to Amend the Legislative Houses (Powers and Privileges) Act, 2017 to Prescribe the Offence and Punishment for Contempt of Legislative Houses, Provide Punishment on the Police or any other Law Enforcement Agent that refuses to Arrest any Person as directed by a Legislative House, to provide exception to the kind of person to be compelled by a Legislative House, such as President, the Executive Governor and the Deputy, Diplomats and their agents, Representatives of International Organizations such as the United Nations, the African Union, the European Union, ECOWAS and Commonwealth and to Preserve the Legislative Powers of a Legislative House and Guarantee the Principle of Separation of Powers; and for Related Matters (HB. 510 and HB. 250)" (Hon. Ozurigbo Ugonna — Nkwerre/Isu/Nwangele/Njaba Federal Constituency).

*Agreed to.*

*Report laid.*

(iii) **Committee on Governmental Affairs:**

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Government Affairs on the Mediation in the Ongoing Rift between the Operators of Western Lotto, Premier Lotto and 22 Other Lottery Operators and the National Lottery Regulatory Commission (HR.118/03/2020)" (Hon. Akinola Alabi Adekunle — Egbeda/Ona-Ara Federal Constituency).

*Agreed to.*

*Report laid.*

(iv) **Committee on Public Petitions:**

**Report on the Petition by Dr Napoleon Aisueni JP:**

That the House do receive the report of the Committee on Public Petitions on the Petition by Dr Napoleon Aisueni JP against the Federal Ministry of Agriculture and Rural Development, a Call to function as the Director/CEO of the Nigerian Institute for Oil Palm Research (NIFOR), Benin City, Edo State of Nigeria.

*Order read; deferred by leave of the House.*

(v) **Committee on Public Petitions:**

**Report on the Petition by Akinola James Oluwatoyin Akanbi:**

That the House do receive the report of the Committee on Public Petitions on the Petition by Akinola James Oluwatoyin Akanbi Against Nigerian Immigration Service on Appeal to Investigate a Case Suspected to be Fraudulent act by the Nigeria Immigration Service and First Bank Plc, after his unlawful disengagement from Service by the Authority

*Order read; deferred by leave of the House.*

(vi) **Committee on Sports:**

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Sports on the Investigation into the death of Martins Chineme on the Football Pitch in Lafia, Nasarawa State" (Hon. Olumide Osoba — Abeokuta North/Obafemi-Owode/Odeda Federal Constituency).

*Agreed to.*

*Report laid.*

(vii) **Committees on Finance, Customs and Excise and, Public Petitions:**

*Motion made and Question proposed*, "That the House do receive the Report of the Committees on Finance, Customs and Excise and, Public Petitions on the Curious Proposes Concession Arrangement between Consortium Bionica Technologies West Africa Limited (Sponsor) Bergmands Security Consultant and Supplies Limited (Co-Sponsors), African Finance Corporation(lead Financier) and Huawei (Lead Technical Service Provider) and the Nigeria Customs Services and Infrastructure Concession Regulatory Commission (ICRC) . for the Customs Modernization Project" (*Hon. James Abiodun Faleke — Ikeja Federal Constituency*).

*Agreed to.*

*Report laid.*

12. **A Bill for an Act to Establish the Pharmaceutical Technologists and Pharmacy Technicians Regulatory Council of Nigeria to be Vested with the Responsibility of Determining the Standards of Knowledge and Skills to be Attained by Persons seeking to Become Pharmaceutical Technologists and Pharmacy Technicians; and for Related Matters (HB. 459) — Third Reading**  
*Motion made and Question proposed*, "That a Bill for an Act to Establish the Pharmaceutical Technologists and Pharmacy Technicians Regulatory Council of Nigeria to be Vested with the Responsibility of Determining the Standards of Knowledge and Skills to be Attained by Persons seeking to Become Pharmaceutical Technologists and Pharmacy Technicians; and for Related Matters (HB. 459) be read the Third Time" (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

*Agreed to.*

*Bill read the Third Time and passed.*

13. **A Bill for an Act to Repeal the Federal Capital Territory, Abuja Area Courts Act, 2010 and Enact the Federal Capital Territory, Abuja Area Courts Bill to, among other things, Expand the Jurisdiction of the Area Courts to entertain both Civil and Criminal Matters; and for Related Matters (HB. 67) — Third Reading**  
*Motion made and Question proposed*, "That a Bill for an Act to Repeal the Federal Capital Territory, Abuja Area Courts Act, 2010 and Enact the Federal Capital Territory, Abuja Area Courts Bill to, among other things, Expand the Jurisdiction of the Area Courts to entertain both Civil and Criminal Matters; and for Related Matters (HB. 67) be now read the Third Time" (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

*Agreed to.*

*Bill read the Third Time and passed.*

14. **A Bill for an Act to Establish the Federal College of Education, Monguno to provide Full-Time Courses Teaching, Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management, and to Provide for the appointment of the Provost and other Officers of the College to carry out the Administration and Disciplining of Students of the College; and for Related Matters (HB.217) — Second Reading**  
*Motion made and Question proposed*, "That a Bill for an Act to Establish the Federal College of Education, Monguno to provide Full-Time Courses Teaching, Instruction and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management, and to Provide for the appointment of the Provost and other Officers of the College to carry out the Administration and Disciplining of Students of the College; and for Related Matters (HB. 217) be read a Second Time" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

*Debate.*

*Question that the Bill be now read a Second Time — Agreed to.*

*Bill read the Second Time.*

*Bill referred to the Committee on Tertiary Education and Services.*

15. **A Bill for an Act to Alter Section 162 (2) of the Constitution of the Federal Republic of Nigeria, 1999 by increasing the percentage of derivation Fund of the Revenue accruing to the Federation Account directly from any Natural Resources to not less than fifty (50%) percent; and for Related Matters (HB. 415) — Second Reading**

*Order read; deferred to enable the sponsor circulate the compendium of the Bill.*

16. **A Bill for an Act to Amend the Water Resources Act, Cap. W2, Laws of the Federation of Nigeria, 2004 to Review upward the Stipulated Fines and Penalties for Offence under the Act; and for Related Matters (HB. 953) — Second Reading**

*Motion made and Question proposed, "That a Bill for an Act to Amend the Water Resources Act, Cap. W2, Laws of the Federation of Nigeria, 2004 to Review upward the Stipulated Fines and Penalties for Offence under the Act; and for Related Matters (HB. 953) be read a Second Time" (Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency).*

*Debate.*

*Question that the Bill be now read a Second Time — Agreed to.*

*Bill read the Second Time.*

*Bill referred to the Committee on Water Resources.*

17. **A Bill for an Act to Provide for Establishment of the Service Compact Management Agency (SERVICOM) for the effective Management, Execution and Enforcement of Service Compact with Citizens, Setting, Controlling, Implementation and Enforcement of Service Charter and Standards, the Identification and Facilitation of Resolution of Service failures and enhancement of Citizens Service Rights and Responsibilities in Nigeria; and for Related Matters (HB. 558) — Second Reading**

*Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of the Service Compact Management Agency (SERVICOM) for the effective Management, Execution and Enforcement of Service Compact with Citizens, Setting, Controlling, Implementation and Enforcement of Service Charter and Standards, the Identification and Facilitation of Resolution of Service failures and enhancement of Citizens Service Rights and Responsibilities in Nigeria; and for Related Matters (HB. 558) be read a Second Time" (Hon. Chris Emeka Azubogu — Nnewi North South/Ekwusigo Federal Constituency).*

*Debate.*

*Question that the Bill be now read a Second Time — Agreed to.*

*Bill read the Second Time.*

*Bill referred to the Committee on Governmental Affairs.*

18. **A Bill for an Act to Repeal the Nuclear Safety and Radiation Protection Act No. 19 of 1995 and Enact the Safety and Radiation Bill, 2020 by Re-Establishing the Nigerian Nuclear Regulatory Authority in Order to Provide for nuclear Security and Safeguards; and for Related Matters (HB. 586) — Second Reading**

*Motion made and Question proposed*, "That a Bill for an Act to Repeal the Nuclear Safety and Radiation Protection Act No. 19 of 1995 and Enact the Safety and Radiation Bill, 2020 by Re-Establishing the Nigerian Nuclear Regulatory Authority in Order to Provide for nuclear Security and Safeguards; and for Related Matters (HB. 586) be read a Second Time" (*Hon. Anayo Edwin — Ezza North/Ishielu Federal Constituency*).

*Debate.*

*Question that the Bill be now read a Second Time — Agreed to.*

*Bill read the Second Time.*

*Bill referred to the Committee on Science and Technology.*

19. **A Bill for an Act to Alter Section 12 1(3) of the Constitution of the Federal Republic of Nigeria, 1999 to Reflect the Authority of Persons mandated to effect Payments and Receive Funding for the House of Assembly and Judiciary of States from the Consolidated Revenue Fund of the Federation; and for Related Matters (HB. 839) — Second Reading**

*Motion made and Question proposed*, "That a Bill for an Act to Alter Section 12 1(3) of the Constitution of the Federal Republic of Nigeria, 1999 to Reflect the Authority of Persons mandated to effect Payments and Receive Funding for the House of Assembly and Judiciary of States from the Consolidated Revenue Fund of the Federation; and for Related Matters (HB. 839) be read a Second Time" (*Hon. Igariwey Iduma Erwo — Afikpo North/Afikpo South Federal Constituency*).

*Debate.*

*Question that the Bill be now read a Second Time — Agreed to.*

*Bill read the Second Time.*

*Bill referred to the Special Ad-hoc Committee on Constitution Review.*

20. **Reconsideration of Outstanding Bills from the Preceding Assembly:**

*Motion made and Question proposed:*

The House:

*Notes* that pursuant to Order Twelve (12), Rule 18 of the Standing Orders of the House of Representatives, legislative businesses of the House by a Committee of the House which remain undetermined at the end of the Assembly shall be resumed and proceeded with in the next Assembly in the same manner as if the tenure of the Assembly had not come to an end, if the House resolves in the affirmative that such Bills, upon being re-gazetted, be reconsidered in the Committee of the Whole without being commenced *de-novo*;

*Also notes* that the under-listed Bills were passed by the preceding Assembly and forwarded to the Senate for concurrence for which no concurrence was made and/or forwarded to the President for assent but for which assent or withholding thereof was not communicated before the end of the tenure of the last Assembly;

(i) Federal Medical Centre, Abakaliki, (Establishment) Bill, 2019 (HB.253),

(ii) Federal Medical Centre, Abeokuta (Establishment) Bill, 2019 (HB. 254),

- (iii) Federal Medical Centre, Asaba (Establishment) Bill, 2019 (HB. 255),
- (iv) Federal Medical Centre, Azare (Establishment) Bill, 2019 (HB. 256),
- (v) Federal Medical Centre, Bida (Establishment) Bill, 2019 (HB. 257),
- (vi) Federal Medical Centre, Birni-Kebbi (Establishment) Bill, 2019 (HB.258),
- (vii) Federal Medical Centre, Birni-Kudu (Establishment) Bill, 2019 (HB. 259),
- (viii) Federal Medical Centre, Ebute-Meta (Establishment) Bill, 2019 (HB. 260).
- (ix) Federal Medical Centre, Yola (Establishment) Bill, 2019 (HB. 262),
- (x) Federal Medical Centre, Gusau (Establishment) Bill, 2019 (HB. 263),
- (xi) Federal Medical Centre, Ado Ekiti (Establishment) Bill, 2019 (HB. 264),
- (xii) Federal Medical Centre, Jalingo (Establishment) Bill, 2019 (HB. 265),
- (xiii) Federal Medical Centre, Katsina (Establishment) Bill, 2019 (HB. 266), and
- (xiv) Federal Medical Centre, Keffi (Establishment) Bill, 2019 (HB.267);

*Aware* that the Bills were re-gazetted as HB. 253, HB. 254, HB. 255, HB. 256, HB. 257, HB. 258, HB. 259, HB. 260, HB. 262, HB. 263, HB. 264, HB. 265, HB. 266 and HB. 267 respectively and read the first time;

*Resolves to:*

Commit the Bills to the Committee of the Whole for consideration (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

*Agreed to.*

**21. Need to Investigate the Nigerian Correctional Service:**

*Motion made and Question proposed:*

The House:

*Notes* that all over the world a Correctional Service Centre, otherwise called a Prison, is a public institution established by government to provide rehabilitation, reformation and correctional facility services for individual offenders who have at breached the law, with the ultimate goal of re-orienting and re-integrating them back into the society.

*Aware* that the Nigerian Correctional Service has not been operating and performing satisfactorily to its statutory duties, and instead of functioning as rehabilitation and reformation centres, the scenario has been that of dehumanizing situation and hardening of the inmates.

*Also notes* that the policy objective of the present administration of President Muhammadu Buhari on the Nigerian Correctional Service is to ensure total transformation to a modern reformatory institution, so as to enable it operate in line with international best practices.

*Also aware* that Section 10 (h) of the Nigerian Correctional Service Act of 2019 is to the effect that the functions of the Custodial Service, inter alia, is empowering inmates, through the deployment of

educational and vocational skills, training programmes and facilitating incentives and income generation through Custodial Centres, farms and industries as well as Section 24 of the same Act ensures best available health care for mental health of inmates in the criminal justice system.

*Recalls* that the Federal Government has appropriated over ₦613.5 Billion to the Nigerian Correctional Service in the last ten years, with a sum of ₦4 billion in 2015, ₦14 billion in 2016, ₦16.6 billion in 2017 and a higher sum of budgetary allocation in both 2018 and 2019, with each year having over 70% recurrent expenditure;

*Further aware* that the Federal Government spends an average of ₦17 billion annually on feeding of convicts and awaiting trial inmates in the 244 Correctional Services nationwide;

*Worried* that despite the huge and increasing annual budgetary allocations by the Federal Government to the Nigerian Correctional Service in recent years, the situation of the Correctional Service evinces squalor and is characterised by poor feeding, widespread disease, poor medical attention, overcrowding and poor ventilation, thereby contributing to human rights violation of the inmates;

*Cognizant* of the fact that the inmates deserves good rehabilitation and reformation services in line with the United Nations Convention Against Torture which, in Article 11, provides for treatment of persons subjected to any form of arrest, detention or imprisonment from any cases of torture, and Section 34 (1) (a) of the 1999 Nigerian Constitution also emphasises on the right to dignity of the human persons;

*Resolves to:*

Mandate the Committee on Reformatory Institutions to investigate the Nigerian Correctional Service and report back within four (4) weeks (*Hon. Ndudi Godwin Elumelu — Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

*Debate.*

*Agreed to.*

The House:

*Noted* that all over the world a Correctional Service Centre, otherwise called a Prison, is a public institution established by government to provide rehabilitation, reformation and correctional facility services for individual offenders who have at breached the law, with the ultimate goal of re-orienting and re-integrating them back into the society.

*Aware* that the Nigerian Correctional Service has not been operating and performing satisfactorily to its statutory duties, and instead of functioning as rehabilitation and reformation centres, the scenario has been that of dehumanizing situation and hardening of the inmates.

*Also noted* that the policy objective of the present administration of President Muhammadu Buhari on the Nigerian Correctional Service is to ensure total transformation to a modern reformatory institution, so as to enable it operate in line with international best practices.

*Also aware* that Section 10 (h) of the Nigerian Correctional Service Act of 2019 is to the effect that the functions of the Custodial Service, inter alia, is empowering inmates, through the deployment of educational and vocational skills, training programmes and facilitating incentives and income generation through Custodial Centres, farms and industries as well as Section 24 of the same Act ensures best available health care for mental health of inmates in the criminal justice system.

*Recalled* that the Federal Government has appropriated over ₦613.5 billion to the Nigerian Correctional Service in the last ten years, with a sum of ₦4 billion in 2015, ₦14 billion in 2016, ₦16.6 billion in 2017 and a higher sum of budgetary allocation in both 2018 and 2019, with each year having over 70% recurrent expenditure;

*Further aware* that the Federal Government spends an average of ₦17 billion annually on feeding of convicts and awaiting trial inmates in the 244 Correctional Services nationwide;

*Worried* that despite the huge and increasing annual budgetary allocations by the Federal Government to the Nigerian Correctional Service in recent years, the situation of the Correctional Service evinces squalor and is characterised by poor feeding, widespread disease, poor medical attention, overcrowding and poor ventilation, thereby contributing to human rights violation of the inmates;

*Cognizant* of the fact that the inmates deserves good rehabilitation and reformation services in line with the United Nations Convention Against Torture which, in Article 11, provides for treatment of persons subjected to any form of arrest, detention or imprisonment from any cases of torture, and Section 34 (1) (a) of the 1999 Nigerian Constitution also emphasises on the right to dignity of the human persons;

*Resolved to:*

Mandate the Committee on Reformatory Institutions to investigate the Nigerian Correctional Service and report back within four (4) weeks (HR. 27/07/2020).

**22. Need to Set up Skills Acquisition Centres in the Internally Displaced Persons (IDPs) Camps Across the North-East Geopolitical Zone**

*Motion made and Question proposed:*

The House:

*Aware* that the North East Geopolitical Zone of the Country and its people have been devastated by the lingering crisis of the Boko Haram insurgency;

*Notes* that one of the resultant effects of the insurgency is the serious issue of displacement of the people of the areas from their ancestral homes and communities, hence the creation of Internally Displaced Persons (IDPs) Camps across the length and breadth of the North East Geopolitical Zone;

*Disturbed* that the IDPs are mostly unskilled and unemployed, and are without opportunities or much hope is dignified life in the camp;

*Also notes* that with the gradual return of peace to the areas, there is a great need to train and empower the IDPs with skills that will guarantee a better livelihood for them, their communities and in the long run, the country at large;

*Resolves to:*

- (i) urge the North East Development Commission (NEDC) and the Office of the Special Assistant to the President on Sustainable Development Goals (SDGs) to set up full-fledged Skills Acquisition Centres in designated communities to train and equip the IDPs in different trades and vocations to enable them have meaningful sources of self-sustenance;
- (ii) mandate the Committees on North-East Development Commission, and Sustainable Development Goals (SDGs) to liaise with the North East Development Commission (NEDC)



and the Office of the Special Assistant to the President on Sustainable Development Goals (SDGs) to ensure compliance (*Hon. Bukar Gana — Kukawa/Mobbar/Abadan/Guzamala Federal Constituency*).

(HR. 28/07/2020).

*Motion referred to the Committees on North-East Development Commission, and Sustainable Development Goals (SDGs), pursuant to Order Eight, Rule 9 (5).*

**23. Need to Investigate the Activities of the Development Finance Department of the Central Bank of Nigeria and the Nigeria Incentive-Based Risk Sharing System for Agricultural Lending (NIRSAL)**

*Motion made and Question proposed:*

The House:

*Notes* that Section 4 (2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that the National Assembly shall have power to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative List set out in part of the second schedule to this Constitution;

*Also notes* the provisions of Chapter II of the 1999, Constitution on the Fundamental Objectives and Directive Principles of State Policy in Section 13 which provides that it shall be the duty and responsibility of all organs of government, and of all authorities and persons exercising legislative, executive or judicial powers to conform, observe and apply the provisions of the Constitution;

*Further notes* the combined effect of Section 16 (1) (a) and (b) which provides that the State shall harness the resources of the nation and promote national prosperity and an efficient, a dynamic and self-reliant economy and control the national economy in such a manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice, equality of status and opportunity;

*Aware* of the functional role of the Central Bank of Nigeria (CBN) to promote monetary stability, ensure sound financial environment and act as financial adviser to the federal government;

*Also aware* that development financing is key to sustainable economic growth in any economy as it ensures the supply of finance to various sectors of the economy to promote economic growth, development and welfare improvement at a faster rate;

*Further aware* that the Development Finance Department of the CBN is responsible for the formulation and implementation of various policies, innovations of appropriate products and creation of enabling environment for financial institutions to deliver services in an effective, efficient and sustainable manner, mainly targeted at the agricultural sector, rural development and micro, small and medium enterprises;

*Informed* that the Development Finance Department of the CBN, in line with its mandate to ensure real sector growth, financial inclusion and entrepreneurship development formulates and manages several schemes and initiatives including the Nigeria Incentive-Based Risk Sharing System for Agricultural Lending (NIRSAL), Anchor Borrowers' Programme (ABP), Commercial Agriculture Credit Scheme (CACS), Agricultural Credit Guarantee Scheme Fund (ACGSF), Agricultural Credit Support Scheme (ACSS), Interest Drawback Programme (IDP), Microfinance Policy, Financial Inclusion, Entrepreneurship Development Activities, Power and Airline Intervention Fund (PAIF), Small and Medium Enterprises Credit Guarantee Scheme (SMECGS), SME Restructuring/Refinancing Fund (RRF), Real Sector Support Facility (RSSF), National Collateral Registry (NCR) and Nigeria Electricity Market Stabilization Facility (NEMSF);

*Also informed* that several of such schemes and initiatives being managed by the Development Finance Department like the Nigeria Incentive-Based Risk Sharing System for Agricultural Lending (NIRSAL) designed to provide farmers with affordable financial products and reduce the risk of financial institutions that grant them loans; the Anchor Borrowers' Programme (ABP) aimed at creating a linkage between anchor companies involved in the processing and small holder farmers (SHFs) to boost production, stabilize inputs supply to agro processors and address the country's negative balance of payments on food; the Commercial Agriculture Credit Scheme (CACS) established in 2009 to finance large ticket projects along the agricultural value chain and administered at a single digit interest rate of 9 per cent to beneficiaries and the ₦235 billion SME Credit Guarantee Scheme (SMECGS) established in April 2010 to fast-track the development of the manufacturing and SME sub-sector are replete with irregularities and not at optimal performance;

*Concerned* that the ₦200 billion SME Restructuring/Refinancing Fund (RRF) was suddenly discontinued by the Management of the bank without any explanation to relevant government agencies and key stakeholders;

*Also concerned* that the ₦300 billion Real Sector Support Facility (RSSF) established in 2014 to address the funding needs of large ticket SMEs in Nigeria to closing the short-term and high-interest financing gap for SME/Manufacturing and start-ups as well as create jobs through the Real Sector of the Nigerian economy has remained a dormant initiative;

*Disturbed* that the CBN, in 2015 established the Nigeria Electricity Market Stabilisation Facility (NEMSF) and invested ₦213 billion in a Refinancer — NESI Stabilization Strategy Ltd to provide refinance for the NEMSF aimed at putting the Nigerian Electricity Supply Industry (NESI) on a route to economic viability and sustainability by facilitating the settlement of Legacy Gas Debts and payment of outstanding obligations due to Market Participants, Service Providers and gas suppliers that accrued during the Interim Rules Period (IRP Debts) but the impact of such an investment is not yet being felt in the economy;

*Worried* by the recent outcry by over 800,000 applicants that the ₦50 billion Targeted Credit Facility (TCF) stimulus package announced by the Central Bank of Nigeria (CBN) in March 2020 to help mitigate the impact of the coronavirus pandemic on the economy and businesses, and to support households and micro, small and medium enterprises (MSMEs) that have been affected by the COVID-19 pandemic which was to be disbursed through the NIRSAL Microfinance Bank Ltd (NMBL) is not easily accessible due to difficult conditionalities attached to the facility;

*Also worried* that the Management of NIRSAL Microfinance Bank Ltd (NMBL) is reported to have allegedly diverted over ₦1 billion into a personal account of one of its management staff;

*Conscious* of the provisions of section 88 (1) of the Constitution to the effect that the National Assembly shall have power by resolution to direct or cause to be directed investigation into any matter or thing with respect to which it has power to make laws, and the conduct of affairs of any person, authority, ministry or government department charged, or intended to be charged with the duty of or responsibility for executing or administering laws enacted by the National Assembly;

*Resolves to:*

Set-up an *Ad-hoc* Committee to investigate the activities of the Development Finance Department of the Central Bank of Nigeria, the Nigeria Incentive-Based Risk Sharing System for Agricultural Lending (NIRSAL) and any other such schemes under the Department and report back within eight (8) weeks (*Hon. Jaha Ahmadu Usman — Damboa/Gwoza/Chibok Federal Constituency*).

*Debate.*

**Amendment Proposed:**

In the Prayer, leave out the words "Set-up an *Ad-hoc* Committee", and insert the words "Mandate the Committee on Banking and Currency" (*Hon. Naudì Godwin Elumelu — Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

*Question that the amendment be made — Agreed to.*

*Question on the Motion as amended — Agreed to.*

The House:

*Noted* that Section 4 (2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that the National Assembly shall have power to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative List set out in part of the second schedule to this Constitution;

*Also noted* the provisions of Chapter II of the 1999, Constitution on the Fundamental Objectives and Directive Principles of State Policy in Section 13 which provides that it shall be the duty and responsibility of all organs of government, and of all authorities and persons exercising legislative, executive or judicial powers to conform, observe and apply the provisions of the Constitution;

*Further notes* the combined effect of Section 16 (1) (a) and (b) which provides that the State shall harness the resources of the nation and promote national prosperity and an efficient, a dynamic and self-reliant economy and control the national economy in such a manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice, equality of status and opportunity;

*Aware* of the functional role of the Central Bank of Nigeria (CBN) to promote monetary stability, ensure sound financial environment and act as financial adviser to the Federal Government;

*Also aware* that development financing is key to sustainable economic growth in any economy as it ensures the supply of finance to various sectors of the economy to promote economic growth, development and welfare improvement at a faster rate;

*Further aware* that the Development Finance Department of the CBN is responsible for the formulation and implementation of various policies, innovations of appropriate products and creation of enabling environment for financial institutions to deliver services in an effective, efficient and sustainable manner, mainly targeted at the agricultural sector, rural development and micro, small and medium enterprises;

*Informed* that the Development Finance Department of the CBN, in line with its mandate to ensure real sector growth, financial inclusion and entrepreneurship development formulates and manages several schemes and initiatives including the Nigeria Incentive-Based Risk Sharing System for Agricultural Lending (NIRSAL), Anchor Borrowers' Programme (ABP), Commercial Agriculture Credit Scheme (CACS), Agricultural Credit Guarantee Scheme Fund (ACGSF), Agricultural Credit Support Scheme (ACSS), Interest Drawback Programme (IDP), Microfinance Policy, Financial Inclusion, Entrepreneurship Development Activities, Power and Airline Intervention Fund (PAIF), Small and Medium Enterprises Credit Guarantee Scheme (SMECGS), SME Restructuring/Refinancing Fund (RRF), Real Sector Support Facility (RSSF), National Collateral Registry (NCR) and Nigeria Electricity Market Stabilization Facility (NEMSF);

*Also informed* that several of such schemes and initiatives being managed by the Development Finance Department like the Nigeria Incentive-Based Risk Sharing System for Agricultural Lending (NIRSAL) designed to provide farmers with affordable financial products and reduce the risk of financial institutions that grant them loans; the Anchor Borrowers' Programme (ABP) aimed at creating a linkage between anchor companies involved in the processing and small holder farmers

(SHFs) to boost production, stabilize inputs supply to agro processors and address the country's negative balance of payments on food; the Commercial Agriculture Credit Scheme (CACS) established in 2009 to finance large ticket projects along the agricultural value chain and administered at a single digit interest rate of 9 per cent to beneficiaries and the ₦235 billion SME Credit Guarantee Scheme (SMECGS) established in April 2010 to fast-track the development of the manufacturing and SME sub-sector are replete with irregularities and not at optimal performance;

*Concerned* that the ₦200 billion SME Restructuring/Refinancing Fund (RRF) was suddenly discontinued by the Management of the bank without any explanation to relevant government agencies and key stakeholders;

*Also concerned* that the ₦300 billion Real Sector Support Facility (RSSF) established in 2014 to address the funding needs of large ticket SMEs in Nigeria to closing the short-term and high- interest financing gap for SME/Manufacturing and start-ups as well as create jobs through the Real Sector of the Nigerian economy has remained a dormant initiative;

*Disturbed* that the CBN, in 2015 established the Nigeria Electricity Market Stabilisation Facility (NEMSF) and invested ₦213 billion in a Refinancer — NESI Stabilization Strategy Ltd to provide refinance for the NEMSF aimed at putting the Nigerian Electricity Supply Industry (NESI) on a route to economic viability and sustainability by facilitating the settlement of Legacy Gas Debts and payment of outstanding obligations due to Market Participants, Service Providers and gas suppliers that accrued during the Interim Rules Period (IRP Debts) but the impact of such an investment is not yet being felt in the economy;

*Worried* by the recent outcry by over 800,000 applicants that the ₦50 billion Targeted Credit Facility (TCF) stimulus package announced by the Central Bank of Nigeria (CBN) in March 2020 to help mitigate the impact of the coronavirus pandemic on the economy and businesses, and to support households and micro, small and medium enterprises (MSMEs) that have been affected by the COVID-19 pandemic which was to be disbursed through the NIRSAL Microfinance Bank Ltd (NMBL) is not easily accessible due to difficult conditionalities attached to the facility;

*Also worried* that the Management of NIRSAL Microfinance Bank Ltd (NMBL) is reported to have allegedly diverted over ₦1 billion into a personal account of one of its management staff;

*Conscious* of the provisions of section 88 (1) of the Constitution to the effect that the National Assembly shall have power by resolution to direct or cause to be directed investigation into any matter or thing with respect to which it has power to make laws, and the conduct of affairs of any person, authority, ministry or government department charged, or intended to be charged with the duty of or responsibility for executing or administering laws enacted by the National Assembly;

*Resolved to:*

Mandate the Committee on Banking and Currency to investigate the activities of the Development Finance Department of the Central Bank of Nigeria, the Nigeria Incentive-Based Risk Sharing System for Agricultural Lending (NIRSAL) and any other such schemes under the Department and report back within eight (8) weeks (**HR. 29/07/2020**).

## **24. Need to Rescue the Businesses of Importers from Total Collapse**

*Motion made and Question proposed:*

The House:

*Notes* that most importers usually raise funds through bank loans and overdrafts to import goods from Asian and European countries for sale in Nigeria;

*Also notes* that members of the South-East Amalgamated Markets Traders Association (SEAMATA) and other traders doing businesses across the states of Nigeria benefited from the bank loans and overdraft facilities to import goods from Asia and Europe;

*Informed* that some of the imported goods arrived the ports shortly before and during the COVID-19 Pandemic induced lockdown, but the traders could not clear and take delivery of the goods because the authorities and cargo handling companies at the ports were not operating;

*Also informed* that while the cargoes and consignments of those traders were lying at the facilities of the cargo handling companies at the ports during the period of COVID-19 pandemic lockdown, the interests on the loans and overdraft facilities with which the goods were imported were accumulating at the banks;

*Cognizance* that the traders' inability to clear the goods on arrival was never their making, but rather an act of God caused by the novel Corona Virus Pandemic;

*Concerned* that the cargo handling companies, including SAFMARINE (an affiliate of MAERSK Line Nigeria Limited), West African Container Terminal and others have refused to allow the traders to clear and take delivery of their consignments unless the accumulated demurrages running into millions of Naira are paid first;

*Worried* that if the Federal Government does not make urgent intervention, the cargo handling companies would not allow the traders to clear and take delivery of their goods whilst the demurrages will keep accumulating;

*Resolves to:*

- (i) urge the Federal Government through the COVID-19 Economic Hardship Relief Programs to intervene and save the businesses of the importers from total collapse;
- (ii) mandate the Committee on Commerce to investigate the matter and report back within two (2) weeks (*Hon. Okwudili Christopher Ezenwankwo — Orumba North/Orumba South Federal Constituency*).

*Debate.*

*Agreed to.*

The House:

*Noted* that most importers usually raise funds through bank loans and overdrafts to import goods from Asian and European countries for sale in Nigeria;

*Also noted* that members of the South-East Amalgamated Markets Traders Association (SEAMATA) and other traders doing businesses across the states of Nigeria benefited from the bank loans and overdraft facilities to import goods from Asia and Europe;

*Informed* that some of the imported goods arrived the ports shortly before and during the COVID-19 Pandemic induced lockdown, but the traders could not clear and take delivery of the goods because the authorities and cargo handling companies at the ports were not operating;

*Also informed* that while the cargoes and consignments of those traders were lying at the facilities of the cargo handling companies at the ports during the period of COVID-19 pandemic lockdown, the interests on the loans and overdraft facilities with which the goods were imported were accumulating at the banks;

*Cognizance* that the traders' inability to clear the goods on arrival was never their making, but rather an act of God caused by the novel Corona Virus Pandemic;

*Concerned* that the cargo handling companies, including SAFMARINE (an affiliate of MAERSK Line Nigeria Limited), West African Container Terminal and others have refused to allow the traders to clear and take delivery of their consignments unless the accumulated demurrages running into millions of Naira are paid first;

*Worried* that if the Federal Government does not make urgent intervention, the cargo handling companies would not allow the traders to clear and take delivery of their goods whilst the demurrages will keep accumulating;

*Resolved to:*

- (i) urge the Federal Government through the COVID-19 Economic Hardship Relief Programs to intervene and save the businesses of the importers from total collapse;
- (ii) mandate the Committee on Commerce to investigate the matter and report back within two (2) weeks (HR. 30/07/2020).

**25. Devastating Fire Disaster at Akesan Market, Main Commercial Area, Oyo Town, Oyo State**  
*Motion made and Question proposed:*

The House:

*Notes* that on 5 January, 2020 fire razed down the Akesan Market in the main commercial area of Oyo town, Oyo State, claiming lives and destroying goods worth millions of Naira;

*Also notes* that the immediate cause(s) of the fire at Akesan market is yet to be determined, but eye witnesses claimed that the fire started in the early hours that day;

*Concerned* that the security agents attached to 'Operation Burst' disproportionately used force in responding to the people protesting the failure of the fire fighters based in Oyo town which led to the killing of 3 persons, including a woman;

*Also concerned* that some shops and other valuables were destroyed in the inferno, thereby taking away the means of livelihood of the traders, some of whom had just stocked their shops;

*Cognizant* of the provisions of Section 14 (2) (b) of the 1999 Constitution which provides that the security and welfare of the people shall be the primary purpose of government;

*Resolves to:*

- (i) observe a minute's silence in honour of those who lost their lives in the inferno;
- (ii) constitute a Delegation to visit the market and commiserate with the people and Government of Oyo State;
- (iii) urge the National Emergency Management Agency (NEMA) to visit the area and provide relief materials for the affected people in order to ease their pains (Hon. Muraina Saubana Ajibola — Ibarapa Central/Ibarapa North Federal Constituency).

*Agreed to.*

(HR. 31/07/2020).

*Motion referred to the Committee on Emergency and Disaster Preparedness, pursuant to Order Eight Rule 9 (5).*

*A minute silence was observed in honour of the deceased.*

**26. Call for Rehabilitation of Abeokuta Express Road from Abule Egba to Sango Tollgate**  
*Motion made and Question proposed:*

The House:

*Notes* that the key to economic growth and development in any Society is the provision of basic infrastructure and other social amenities such as good road network given that transportation plays a vital role in the well-being and economic development of a country and its citizens;

*Also notes* that the deplorable condition of Abeokuta Express Road makes it difficult for commuters to ply without recording accidents and loss of lives and properties as a journey of 30 minutes now takes 2 to 3 hours;

*Aware* that the road accommodates more than 300,000 vehicles and more than 1 million people with goods running into millions of tons daily, being one of Nigeria's key economic roads that is strategic for providing the required connectivity between producers and marketers;

*Concerned* that the road has suffered so much neglect and abandonment, particularly from Caaso Bus Stop and anytime it rains, the road is flooded because there is no proper drainage system;

*Also concerned* that armed robbers, kidnappers, bandits and other criminals alike have continued to carry out their dastardly acts on commuters at the dilapidated portions on the road, thereby causing mayhem on the people plying the road;

*Resolves to:*

- (i) urge the Federal Roads Maintenance Agency (FERMA) to carry out urgent repairs of the affected portions pending the reconstruction of the road;
- (ii) also urge the Federal Ministry of Works and Housing to include the reconstruction of the road in the 2021 budget proposal;
- (iii) mandate the Committee on Works to ensure compliance (*Hon. James Adisa Owolabi — Ifako Ijaiye Federal Constituency*).

*Agreed to.*

(HR. 32/07/2020).

*Motion referred to the Committee on Works, pursuant to Order Eight Rule 9 (5).*

**27. Need for a Review of the National Road Traffic Regulations**  
*Motion made and Question proposed:*

The House:

*Notes* that Section 5 of the Federal Road Safety Commission Act, 2007 empowers the Federal Road Safety Commission (FRSC) to make the National Road Traffic Regulations to the address the mutual relationship between road users and their surroundings;

*Aware* that one of the major public safety challenges for governments across the globe since the introduction of the automobile as a means of mass transportation, has been how to establish and maintain a reasonable level of road safety on the roads and highways, especially in terms of the creation of a safe driving culture to reduce the number of or preventable accidents;

*Worried* that most Nigerian drivers have no regard whatsoever for traffic laws and regulations, such as the prohibition of eating and smoking while driving, use of old and expired tyres, shattered windscreen, etc. and do not observe speed limits as well as fail to obey traffic signs on the highways;

*Alarmed* that even the Federal Road Safety Commission and other government authorities, including governments at different levels, do not make a duty of posting speed limits on most of our roads;

*Cognizant* of an apparent weak legal framework and poor operational synergy between the FRSC and its sister organizations, which poses serious challenge in the enforcement of road traffic rules and regulations on the highways;

*Disturbed* that traffic regulations in Nigeria are deficient, especially in certain areas, which include:

- (a) the need to require the former owner of a vehicle return the FRSC issued license plates for cancellation in order to enable the authority to update its records and reflect the termination of ownership by the former owner, and the registration and issuance of new plate numbers to the new owner or buyer of the vehicle,
- (b) the need to mandate the FRSC to design and enforce the ways and means whereby an owner of a vehicle in long-term disrepair, or which is not in an operable condition and is to be parked, or has been parked, in a publicly accessible space for more than six (6) months, to give a notice of such to the Authority for appropriate cancellation of the licensed plates of such vehicles and be compelled to return the registered licensed plates to the Federal Road Safety Corps,
- (c) the need to ban the use on Nigerian roads of vehicles with foreign business adverts/inscriptions on them with such foreign inscriptions not being removed before plying Nigerian roads,
- (d) the need to ban the practice of using smaller vehicles to tow bigger broken down vehicles on the road,
- (e) the need to ban the use of ear-plugs to listen to any electronic or telephonic sound, while operating any vehicle in motion,
- (f) the need to avoid obstructing the driving view of the driver's mirrors with loaded cargo, and not securely locking all doors, boot or trunk of a vehicle in motion,
- (g) the need to ban the carrying of any item, or goods whose width is wider than the measurable physical width of the motorcycle or carrying a luggage heavier than the measurable physical unladen weight of the motorcycle by a motorcycle rider or passenger,
- (h) the need to ban the carrying of any combustible material, such as a gas cylinder, containers filled with petrol, kerosene or diesel products by a motorcycle rider or a passenger while in motion,
- (i) the need to ban the towing of another broken down motorcycle by a motorcycle rider stretching a leg, or tying a rope, to physically provide torque or leverage to the broken down motorcycle,



- (j) the need to ban the sharing of the front driver's seat of a tricycle with a passenger by the tricycle driver,
- (k) the need to ban the practice of overlooking a vehicle doing a U-turn on a multi-lane road,
- (l) the need to carry out a review of all offences and penalties under the Act as appropriate;

*Resolves to:*

Mandate the Committee on Federal Road Safety Commission to ensure the review of the National Road Traffic Regulations to address the challenges within three (3) months and report back for further legislative action (*Hon. Olufemi Fakeye — Boluwaduro/Ifedayo/Ila Federal Constituency*).

*Debate.*

*Agreed to.*

*The House:*

*Noted* that Section 5 of the Federal Road Safety Commission Act, 2007 empowers the Federal Road Safety Commission (FRSC) to make the National Road Traffic Regulations to the address the mutual relationship between road users and their surroundings;

*Aware* that one of the major public safety challenges for governments across the globe since the introduction of the automobile as a means of mass transportation, has been how to establish and maintain a reasonable level of road safety on the roads and highways, especially in terms of the creation of a safe driving culture to reduce the number of or preventable accidents;

*Worried* that most Nigerian drivers have no regard whatsoever for traffic laws and regulations, such as the prohibition of eating and smoking while driving, use of old and expired tyres, shattered windscreen, etc. and do not observe speed limits as well as fail to obey traffic signs on the highways;

*Alarmed* that even the Federal Road Safety Commission and other government authorities, including governments at different levels, do not make a duty of posting speed limits on most of our roads;

*Cognizant* of an apparent weak legal framework and poor operational synergy between the FRSC and its sister organizations, which poses serious challenge in the enforcement of road traffic rules and regulations on the highways;

*Disturbed* that traffic regulations in Nigeria are deficient, especially in certain areas, which include:

- (a) the need to require the former owner of a vehicle return the FRSC issued license plates for cancellation in order to enable the authority to update its records and reflect the termination of ownership by the former owner, and the registration and issuance of new plate numbers to the new owner or buyer of the vehicle,
- (b) the need to mandate the FRSC to design and enforce the ways and means whereby an owner of a vehicle in long-term disrepair, or which is not in an operable condition and is to be parked, or has been parked, in a publicly accessible space for more than six (6) months, to give a notice of such to the Authority for appropriate cancellation of the licensed plates of such vehicles and be compelled to return the registered licensed plates to the Federal Road Safety Corps;

- (c) the need to ban the use on Nigerian roads of vehicles with foreign business adverts/inscriptions on them with such foreign inscriptions not being removed before plying Nigerian roads,
- (d) the need to ban the practice of using smaller vehicles to tow bigger broken down vehicles on the road,
- (e) the need to ban the use of ear-plugs to listen to any electronic or telephonic sound, while operating any vehicle in motion,
- (f) the need to avoid obstructing the driving view of the driver's mirrors with loaded cargo, and not securely locking all doors, booth or trunk of a vehicle in motion,
- (g) the need to ban the carrying of any item, or goods whose width is wider than the measurable physical width of the motorcycle or carrying a luggage heavier than the measurable physical unladen weight of the motorcycle by a motorcycle rider or passenger,
- (h) the need to ban the carrying of any combustible material, such as a gas cylinder, containers filled with petrol, kerosene or diesel products by a motorcycle rider or a passenger while in motion,
- (i) the need to ban the towing of another broken down motorcycle by a motorcycle rider stretching a leg, or tying a rope, to physically provide torque or leverage to the broken down motorcycle,
- (j) the need to ban the sharing of the front driver's seat of a tricycle with a passenger by the tricycle driver,
- (k) the need to ban the practice of overlooking a vehicle doing a U-turn on a multi-lane road,
- (l) the need to carry out a review of all offences and penalties under the Act as appropriate;

*Resolved to:*

Mandate the Committee on Federal Road Safety Commission to ensure the review of the National Road Traffic Regulations to address the challenges within 3 months and report back for further legislative action (HR. 33/07/2020).

28. **Need to Complete the Abandoned Federal Low-cost Housing Estate at Eziam, Isiala Mbano Local Government Area of Imo State and Rehabilitate the existing Infrastructure at Federal Low-cost Housing Estate Ubaha, Okigwe Local Government Area and Umuelemai, Isiala Mbano local Government Area, Imo State**

*Order read; deferred by leave of the House.*

29. **Need to Rehabilitate Kwale-Ogume-Obiaruka-Umutu-Agbor Federal Road**  
*Motion made and Question proposed:*

*Notes that the road starting from Kwale, continuing thence to Umutu and terminating at Agbor on truck A232 was on October 1, 1974 described and specified by Federal Highways (Declaration) Order (No.2) as a Federal Highway with Highway Number F224 in the East-Westerly Routes of the Federal Highways in Nigeria;*

*Also notes* that the road traverses two major Federal Constituencies of Ndokwa/Ukwuani and Ika, that already had established functional institutions, such as Delta State University Campus, Novena University, Marine Technology, College of Education, School of Nursing, etc.;

*Aware* that Ndokwa land is an oil and gas producing area, and the Federal Road is a major feeder to Onitsha - Benin and Warri - Asaba express roads that drive heavy duty trucks with petroleum products and vehicular movement of people conveying indigenous arts of woven baskets, metal works and sculpture to the South Eastern and Northern Nigeria;

*Observes* that in the last 46 years of the construction of the road by the Federal Government, there has not been any rehabilitation or reconstruction of the failed sections which have become havens for hoodlums, armed robbers who have constantly left tales of woes on road users with so many people losing millions of naira and their precious lives;

*Also aware* that the Ndokwa nation is a place where crude oil is being explored and it is the only oil and gas producing area in Nigeria whose people do that does not engage in militancy and destruction of oil facilities as a way of expressing their frustration and marginalization in the oil exploration process and the implementation of the Federal Character policy in Nigeria;

*Resolves to:*

Urge the Federal Roads Maintenance Agency to urgently embark on reconstruction or rehabilitation of the road (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

*Agreed to.*

(HR. 34/07/2020).

*Motion referred to the Committee on Federal Roads Maintenance Agency (FERMA), pursuant to Order Eight Rule 9 (5).*

### 30. Consideration of Reports

- (i) *A Bill for an Act to Repeal the Arbitration and Conciliation Act, Cap. A18, Laws of the Federation of Nigeria, 2004 and Enact the Arbitration and Mediation Bill to Provide a Unified Legal Framework for the Fair and Efficient Settlement of Commercial Disputes by Arbitration and Mediation; make Applicable the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention) to any Award made in Nigeria or in any Contracting State arising out of International Commercial Arbitration, the Convention on the International Settlement Agreements Resulting from Mediation (the Singapore Convention); and for Related Matters (HB. 91).*

*Order read; deferred by leave of the House.*

- (ii) *A Bill for an Act to Provide for Establishment of the Institute of Environmental Practitioners of Nigeria; and for Related Matters (HB. 353) (Committee of the Whole): Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide for Establishment of the Institute of Environmental Practitioners of Nigeria; and for Related Matters (HB. 353)" (Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency).*

*Agreed to.*

*Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.*

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

**A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE  
INSTITUTE OF ENVIRONMENTAL PRACTITIONERS OF NIGERIA  
AND FOR RELATED MATTERS (HB. 353)**

**PART I — ESTABLISHMENT OF THE INSTITUTE OF  
ENVIRONMENTAL PRACTITIONERS OF NIGERIA**

**Clause 1: Establishment of the Institute of Environmental Practitioners of Nigeria.**

- (1) There is hereby established a body to be known as the Institute of Environmental Practitioners of Nigeria (IEPN) (in this Bill referred to as "the Institute").
- (2) The Institute:
  - (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 for the purpose of carrying out its functions, subject to the limitations in this Bill and to any law for time being in force, acquire, hold or dispose of property, whether movable or immoveable.
- (3) The Institute shall perform the function conferred on it by this Bill through the Council under this Bill.

**Location of headquarters.**

- (4)
  - (a) The headquarters of the Institute shall be established and maintained in a suitable location in Nigeria as determined by the Council.
  - (b) The Council may make rules providing for the establishment and maintenance of offices of the Institute in the States of the Federation (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 1 stands part of the Bill — Agreed to.*

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

- (1) There shall be established for the Institute a Governing Council charged with the administration and general management of the Institute.
- (2) The Council shall consist of —
  - (a) President of the Institute, who shall be the Chairman;
  - (b) Vice-President of the Institute who shall be the Vice-Chairman;
  - (c) Registrar of the Institute, which shall be appointed by the Council
  - (d) National Treasurer of the Institute who shall be the Treasurer;

- (e) Legal Adviser of the Institute who shall be a legal practitioner with a background in Environmental law;
- (f) Minister of Environment or his representative who shall not be below the rank of a Director;
- (g) Minister of Petroleum or his representative who shall not be below the rank of a Director;
- (h) Minister of Agriculture or his representative who shall not be below the rank of a Director;
- (i) Minister of Health or his representative who shall not be below the rank of a Director;
- (j) Minister of Science and Technology or his representative who shall not be below the rank of a Director;
- (k) Minister of Works or his representative who shall not be below the rank of a Director;
- (l) a representative of the Environmental Health Officers Registration Council of Nigeria;
- (m) a representative of the National Environmental Standards Regulatory and Enforcement Agency of Nigeria (NESREA);
- (n) the immediate past president of the Institute;
- (o) five elected representatives from Nigerian Environmental Society, Waste Management Society of Nigeria and other recognized affiliate professional bodies in Environmental sector approved by Council, of whom three shall be members of the national executive committee of the institute;
- (p) Chairman Board of Fellows; and
- (q) Chairmen of committees of the Council.
- (r) all representatives from Ministries, Departments and Agencies of Government shall not hold any Executive office.

**Schedule.**

- (3) The provision of the First Schedule to this Bill shall regulate the proceedings of the Council and related matters.
- (4) Each members of the Council shall serve a term of two years and may be eligible for another term of two years and no more (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 2 stands part of the Bill — Agreed to.*

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

The Institute shall have the general duty of —

- (a) training and certification of persons who seek to be members of the institute;

- (b) determining the standard of knowledge and skill to be attained by persons seeking to become registered members of the Institute and raising those standards from time to time as circumstances may permit;
- (c) securing in accordance with the provisions of this Bill, the establishment and maintenance of a register of members, and the publication from time to time of the list of those persons;
- (d) establish practice guidelines for environmental and safety certification in line with global best practices;
- (e) providing consultancy services on environmental matters to the public as well as the private sector;
- (f) holding conferences, workshops seminars and symposia on contemporary environmental issues;
- (g) take such action in relation thereto (including removal of the names of defaulters from the register) as the Council under this Bill, may direct or require; and
- (h) performing any other duties as the Council may deem fit from time to time (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 3 stands part of the Bill — Agreed to.*

**Clause 4: Power of the Council.**

The Council shall be responsible for —

- (a) ensuring the effective and efficient implementation of the functions of the Institute;
- (b) supervising and monitoring the operations of the Institute;
- (c) maintaining the highest level of integrity and honesty in the operations of the Institute;
- (d) the consideration and approval of the annual budget of the Institute;
- (e) presentation of the report and account prepared by the Institute to the Minister;
- (f) the approval of the audited accounts and the consideration of the management letters from the external auditors;
- (g) appointment and removal of auditors, provision of the necessary facilities and remuneration;
- (h) take appropriate actions on all committees recommendations;
- (i) obtaining from any authority or persons, charters, and concessions necessary for the attainment of its purposes;
- (j) borrowing money, grant and loans with the approval of the Council without prejudice to any provision of this Bill relating to the provisions of funds; and

- (k) carrying out such other activities as are necessary and expedient for achieving the objectives and functions of the Institute as prescribed in this Bill (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 4 stands part of the Bill — Agreed to.*

**Clause 5: Admission into the Institute.**

- (1) Subject to the provisions of this Bill, only persons of good character and integrity shall be admitted to membership of the Institute.
- (2) Members admitted into the Institute shall possess adequate interest, knowledge and understanding of environmental practices and other such related professions may be registered as members in any of the following categories —
- (a) Graduate Member, if the person has:
- (i) spent at least six years as an Associate, and
- (ii) adjudged by the Council to possess an adequate knowledge of environmental practice and management; and
- (b) Fellow, if the person has:
- (i) spent at least ten years as a full member of the institute, or
- (ii) contribute significantly to the development of environmental practice and management;
- (c) Associate Member, if the person is a:
- (i) holder of university degree or Higher National Diploma or its equivalent or who has spent at least four years in an affiliate grade;
- (ii) holder of university degree or Higher National Diploma in environmental science or any related discipline, or a person who has performed duties at a senior level in environmental practice and management continuously for at least six years;
- (iii) graduate of the Institute who has competently performed executive or advisory duties at a senior level in environmental practice and management for at least four years since election to the grade of member; and
- (iv) non-graduate who has spent at least ten years in an affiliate grade, and possesses standard knowledge and qualities essential for a successful practice of environmental practice and management; and
- (d) Honourary Fellow.

- (3) A member of the Institute shall be entitled to receive, from the Council, a certificate in such form as the Council may approve for that purpose and a Fellow or an Associate Member shall be entitled to use such letters after his name as may be authorized by the Council from time to time as follows —
- (a) a member registered into the category of individual membership shall be entitled to use the initials "MIEPN".
  - (b) a member registered into the category of membership of Fellow shall use the initials "FIEPN".
  - (c) a member registered into the category of membership of Associate shall be entitled to use the initials "AIEPN" (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 5 stands part of the Bill — Agreed to.*

#### PART II — FINANCIAL PROVISIONS

**Clause 6: Fund of the Institute.**

- (1) There shall be established for the Institute a Fund, which shall be managed and controlled by the Council.
- (2) There shall be paid into the Fund:
  - (a) all fees, charges and monies payable to the Institute pursuant to this Bill;
  - (b) all revenue from other sources both locally and internationally;
  - (c) other monies received by the Institute in course of its operations or in relation to the exercise of its function under this Bill.
- (3) There shall be paid out of the Fund of the institute:
  - (a) remuneration and allowances of the Institute;
  - (b) all expenditure incurred by the Council in the discharge of its functions under this Bill;
  - (c) such reasonable expenses and allowances of members of the Council, committee members and other co-opted persons in respect of the time spent on duties of the Council as applicable to similar Institutes.
  - (d) any other expenses incurred by the Council in the discharge of its function under this Bill.
- (4) The Council may invest monies from the fund in any security created or issued by or on behalf of the Government of the Federation or any other security in Nigeria as may be approved by the council.
- (5) The Council may on behalf of the Institute, from time to time borrow money for the purpose of running the Institute, which shall be paid into the Fund (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).



*Question that Clause 6 stands part of the Bill — Agreed to.*

**Clause 7: Annual accounts and audit.**

- (1) The Council shall keep proper accounts and records on behalf of the Institute in respect of each year, and the Council shall cause the accounts to be audited by an external auditor appointed from the list of auditors and in accordance with the guidelines supplied by the Auditor General of the Federation and the audited accounts submitted to the members at the general meeting of the Institute.
- (2) The Auditor appointed for the purposes of subsection (1) of this section shall not be a member of the Council (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 7 stands part of the Bill — Agreed to.*

**PART III — THE REGISTRATION AND THE REGISTRAR**

**Clause 8: Appointment of Registrar, etc. and preparation of register.**

- (1) The Council shall appoint a person knowledgeable in environmental practice for not less than ten years to be the Registrar of the Institute, and such other persons as the Council may from time to time think necessary to assist the Registrar in the performance of his functions under this Bill.
- (2) The Registrar shall be the Chief Executive officer of the Institute and Secretary to the Council.
- (3) The Registrar shall prepare and maintain a Register of names, addresses and approved qualifications and other relevant particulars as may be specified in the rules made by Council, of all categories and classes of members/persons registered as Environmental practitioners in the Country.
- (4) The register shall consist of parts established according to professional disciplines approved by Council. Council shall review parts of the disciplines as need arises.
- (5) The Council may make regulations with respect to the form and keeping of the register and the making of entries therein and in particular —
  - (a) regulating the making of applications for or registration, and providing for the evidence to be produced in support of applications;
  - (b) providing for the notification to the Registrar, by the person to whom any registered particulars relate, of any change in those particulars;
  - (c) authorizing a registered person to have any qualification which is in relation to economics, either an approved qualification so registered;
  - (d) specifying the fees, including any registration fees, to be paid to the institute in respect of the entry of names on the register and authorizing the registrar to refuse to enter a name on the register until any fee specified for the entry has been paid.

- (6) Any rules made for the purposes of paragraph (d) of subsection (5) of this section shall not come into force until they are approved by the Annual General Meeting (AGM) (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 8 stands part of the Bill — Agreed to.*

**Clause 9: Duties of the Registrar.**

It shall be the duty of the Registrar to correct, as directed by the Council:

- (a) any wrong entry in the register;
- (b) update the registered particulars of registered persons;
- (c) remove from the register the name of any registered person who has died;
- (d) record the names of members of the institute who are in debt for more than six months in the payment of annual or practicing fee and to take such action in relation thereto (including removal of the name of defaulter from the register) as the Council may be direct or require (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 9 stands part of the Bill — Agreed to.*

**Clause 10: Publication of register and its correction.**

- (1) The Registrar shall ensure that:
  - (a) the register or any corrections made therein shall be printed, published and put on sale for members of the public not later than two years from the commencement of this Act; and
  - (b) a print of each edition of the register and of each list of corrections to be deposited at the headquarters of the Institute, and it shall be the duty of the Council to keep the register and list so deposited, available at all reasonable times for inspection by members of the public.
- (2) A published copy of the Register and any corrections therein shall be admissible in evidence to prove registration of a person (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 10 stands part of the Bill — Agreed to.*

**PART IV — REGISTRATION**

**Clause 11: Registration of Environmental Practitioners organization.**

The Council shall register annually all qualified Environmental Practitioners and organisations who seek to be members of the Institute and renew their registration every five years (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 11 stands part of the Bill — Agreed to.*

**Clause 12: Rules as to practice.**

- (1) The Council may make rules for —

- (a) prescribing the amount and date of the annual practicing fees for members of the Institute;
  - (b) prescribing the form of license to practice to be issued;
  - (c) restricting the right to practice of any member in default who continues for longer than such period as may be prescribed by the Council;
  - (d) restricting the right to practice as a member if the qualification granted outside Nigeria does not entitle the holder to practice as an environmental practitioner; and
  - (e) prescribing the period of practical training and experiences in the office of a member in practice, to be completed before a person qualifies for registration or a license to practice as environmental practitioner.
- (2) Rules when made shall, if the Chairman of the Council so direct, be published in two widely circulated national dailies and in the Institute's Journal (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 12 stands part of the Bill — Agreed to.*

#### PART V — PROFESSIONAL DISCIPLINE

**Clause 13: Establishment of Environmental Practitioners Disciplinary Committee for professional misconduct.**

- (1) There shall be established a committee to be known as the Environmental Practitioners Disciplinary Committee (in this Bill referred to as "the Disciplinary Committee") which shall be charged with the duty of considering and determining any cases of professional misconduct referred to it.
- (2) The Disciplinary Committee shall consist of a Chairman and four other members of the Council of the Institute appointed by the Board.
- (3) The quorum of the meeting of the Committee shall be three members, including the Chairman or in his or her absence, his or her nominee.
- (4) The Disciplinary Committee shall conduct investigations into any allegation against any registered member of the Institute for professional misconduct or such other conduct that warrants proceedings against him or her before the Disciplinary Committee and shall make determination as to his or her guilt or innocence.
- (5) Where the Disciplinary Committee determines that a registered member is guilty of misconduct, it shall refer the matter including all its proceedings and recommendations to the Council of the Institute and the Council shall make determination as to whether the member should be —
  - (a) reprimanded; or
  - (b) suspended for a period not exceeding 12 months; or

- (c) deregistered, that is to say have his or her name removed from the register.
- (6) The Governing Council of the Institute may make rules not inconsistent with this Bill as to acts which constitute professional misconduct.
- (7) If a member is convicted of a criminal offence by a court or tribunal of competent jurisdiction, he shall have his or her name removed from or struck out of the register.
- (8) A person whose name is removed from the register in pursuance of a directive of the Governing Council under this section shall not be entitled to be registered again except in pursuance of a new directive in that behalf given by the Council upon the application of that person; not less than two years from the date on which his or her name was removed from the register (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 13 stands part of the Bill — Agreed to.*

**Clause 14: Offences and penalties.**

- (1) Any person who is not registered by the Institute but holds himself or herself out as a registered member of the Institute shall be guilty of an offence.
- (2) Any person who for the purpose of procuring registration as a member of the Institute —
  - (a) makes false claim as to his or her qualifications or experiences;
  - (b) makes false entry or willfully falsifies the register, shall be guilty of an offence.
- (3) A persons who commits an offence under this Bill shall be liable on conviction to:
  - (a) a fine not exceeding ₦500,000 or imprisonment for a term not exceeding six months or both such fine and imprisonment for an individual; or
  - (b) a fine of not less than ₦1,000,000 for a corporate organization.
  - (c) a review by the board shall be carried out every 5 years (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 14 stands part of the Bill — Agreed to.*

**Clause 15: Committees.**

- (1) The Council shall appoint the following standing committees —
  - (a) admission and registration committee;
  - (b) education and training committee;
  - (c) disciplinary committee;

- (d) finance and general purpose committee; and
- (e) such other ad hoc committees,

to carry out on behalf of the Council, such functions as the Council may determine.

- (2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council of whom not more than one third may be persons who are members of the Council and a person other than a member of the Council shall hold office on the committee in accordance with the terms of the letter by which he is appointed.
- (3) Membership of committee shall be drawn from registered members outside Council who are professionally competent to be so appointed and membership of any standing committee shall not be less than five and not more than seven and shall be chaired by a Council member so appointed.
- (4) A decision of a committee of the Council shall be of no effect until the Council considers and ratifies or approves it (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 15 stands part of the Bill — Agreed to.*

**Clause 16: Fees.**

The Council shall prescribe rules and regulations, including fees to be paid for registration and other purposes under this Bill; and when and how such fees shall be paid (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 16 stands part of the Bill — Agreed to.*

**Clause 17: Honorary membership.**

The Council can admit persons to the Institute as Honorary members, provided not more than five (5) persons are admitted for a period of not less than two (2) years (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 17 stands part of the Bill — Agreed to.*

**Clause 18: Library.**

The Institute shall:

- (a) provide and maintain a library comprising of books, research materials and publications that will build the capacity of the Environmental Practitioners and other materials approved by the Council;
- (b) encourage research into environmental and other related subjects and
- (c) formulate and make rules and regulations guiding the use of the library in particular and the Institute in general (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 18 stands part of the Bill — Agreed to.*

**Clause 19: Property of the Institute.**

The Institute may own, register, transfer and receive properties in its corporate name (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 19 stands part of the Bill — Agreed to.*

**Clause 20: Interpretation.**

In this Bill:

"Institute" means the Institute of Environmental Practitioners of Nigeria (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word "Institute" be as defined in the interpretation to this Bill — Agreed to.*

"Association" means the Association of Environmental Practitioners (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word "Association" be as defined in the interpretation to this Bill — Agreed to.*

"Environmental Practitioners" means a person who has the relevant qualification in any environmental science, disciplines, engineering and technology, sciences and related disciplines, experience, attitude and dedication towards the good health and well-being of the environment (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the words "Environmental Practitioners" be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means Minister in charge of Environment (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.*

"Council" means Governing Council of the Institute (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.*

"Fees" includes annual subscription (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word "Fees" be as defined in the interpretation to this Bill — Agreed to.*

"Member" means a registered member of the Institute (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word "Member" be as defined in the interpretation to this Bill — Agreed to.*

"Practitioners" means Environmental Practitioners (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word "Practitioners" be as defined in the interpretation to this Bill — Agreed to.*

"Tribunal" means Environmental Practitioners' Discipline Tribunal (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word "Tribunal" be as defined in the interpretation to this Bill — Agreed to.*

"Register" means register of members; and (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word "Register" be as defined in the interpretation to this Bill — Agreed to.*

"Registrar" means Chief Executive of the Institute (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that the meaning of the word "Registrar" be as defined in the interpretation to this Bill — Agreed to.*

*Question that Clause 20 stands part of the Bill — Agreed to.*

**Clause 21: Short Title.**

This Bill may be cited as the Institute of Environmental Practitioners of Nigeria (Establishment) Bill, 2020 (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Question that Clause 21 stands part of the Bill — Agreed to.*

## SCHEDULE

Section 2 (3)

### SUPPLEMENTARY PROVISIONS RELATING TO THE INSTITUTE PROCEEDINGS OF THE COUNCIL

1. Subject to provisions of this Bill and other applicable laws, Council may make orders regulating its proceedings or those of any committee it sets up.
2. Where standing orders made under paragraph 1 of this Schedule provide for the Council to co-opt persons who are not members of the council, such persons may advise the Council on any matter referred to them by the Council, but shall not be entitled to vote at a meeting of the Council or count towards a quorum.
3. The Council may appoint one or more committees to carry out on its behalf such functions as the council may determine.
4. A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Council and a person shall hold office in accordance with the terms of his appointment.
5. A decision of a Committee of the Council shall be of no effect until it is confirmed by the Council.

### *Meetings of the Council*

6. The council shall meet whenever it is considered necessary (but not less than twice a year) by giving notice to all members concerned, at least seven (7) days before the meeting.

7. The Chairman shall preside at every meeting of the Council and in his absence, the Vice Chairman shall preside.
8. Five members of the Council, other than the Chairman shall form a quorum at the meeting.
9. Unless otherwise provided in this Bill, decisions shall be by a simple majority of the votes of the members present, but in the event that equal votes are cast, the person presiding shall cast the deciding vote.

#### *Committees*

10. Subject to standing orders, the Council may appoint one or more committees to carry out on its behalf such duties as the Council may determine and make necessary reports.
11. A committee appointed under paragraph 10 of this schedule shall consist of the number of persons to be determined by the Council and not more than the one-third of those persons may be persons who are not members of the Council; a person other than a member of the Council may hold office on the Committee in accordance with the letter of appointment provided.
12. The quorum of any committee set up by the Council shall be determined by the Council.
13. The decision of the committee shall be of no effect until confirmed by the Council.

#### *Miscellaneous*

14. The fixing of the seal of the Institute shall be authenticated by signature of the Chairman and some other members authorised generally or specially by the council to act for that purpose.
15. A document purporting to be an instrument issued by the Institute and to be sealed with the seal of the Institute authenticated in the manner provided by the foregoing paragraph, or to be signed by the Chairman, shall receive in evidence and shall be deemed to be the instrument without further proof, unless there is proof otherwise.
16. 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, if made by or executed on behalf of the Council by any person authorised generally or specially by the Council to act for that purpose.
17. The validity of a proceeding of the council shall not be affected by:
  - (a) a vacancy in the membership of the Council;
  - (b) by a defect in the appointment of a member of the Council; or
  - (c) by reason that a person not entitled to do so took part in the proceedings.
18. A member of the Council and a person holding office on a committee of the Council, who has a personal interest in a contract or an arrangement entered into or proposed to be considered by the Council or the committee shall forthwith disclose his interest to the council or committee and shall not vote on any question relating to that contract or arrangement (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

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



**Explanatory Memorandum:**

This Bill seeks to establish the Institute of Environmental Practitioners of Nigeria, to be charged with the responsibility of regulating and managing environmental practices in Nigeria and for other purposes related thereto (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Provide for the Establishment of the Institute of Environmental Practitioners of Nigeria and for Related Matters (HB. 353) (*Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of the Institute of Environmental Practitioners of Nigeria; and for Related Matters (HB. 353) approved Clauses 1 - 21, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

*Question that the House do adopt the Report of the Committee of the Whole — Agreed to.*

(iii) *A Bill for an Act to Establish the Abuja Geographic Information Systems Agency; and for related Matters (HB. 215) (Committee of the Whole):*

*Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish the Abuja Geographic Information Systems Agency; and for related Matters (HB. 215)" (Hon. Gbefwi Gaza Jonathan — Karu/Keffi/Kokona Federal Constituency).*

*Agreed to.*

*Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.*

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

**A BILL FOR AN ACT TO ESTABLISH THE ABUJA GEOGRAPHIC  
INFORMATION SYSTEMS AGENCY AND FOR RELATED MATTERS**

**PART I — ESTABLISHMENT, MEMBERSHIP, ETC.**

**Clause 1: Establishment of the Agency.**

- (1) There is hereby established the Abuja Geographic Information Systems Agency (in this Bill referred to as "The Agency") to exercise the functions and powers, and pursue the objectives assigned to it by this Bill.
- (2) The Agency shall be a body corporate with perpetual succession and 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.
- (3) The Agency shall be headed by a Director General/Chief Executive Officer (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 1 stands part of the Bill — Agreed to.*

**Clause 2: Composition and proceedings.**

- (1) There is established for the Agency, a Governing Board which shall consist of:
  - (a) a Chairman who shall be the Minister of FCT;
  - (b) the Director-General who shall be the Chief Executive Officer of the Agency;
  - (c) 8 other persons who shall be appointed by the Minister as members, each being members of or representing the interest of the following:
    - (i) each of the six Area Councils in the FCT;
    - (ii) the Federal Capital Development Authority; and
    - (iii) the Abuja Metropolitan Management Authority.
- (2) All Members other than the Chairman and Director-General shall also be part-time members.
- (3) Members shall hold office for a period of four years renewable once for a further period of four years only, provided however that: Establishment of the Agency Composition and proceedings
  - (a) any Member may resign his appointment at any time by notice in writing under his hand addressed to the Minister;
  - (b) if a Member dies or resigns or otherwise vacates his office before the expiration of the term for which he is appointed, the Minister shall appoint a fit and proper person for the reminder term of office of that Member, and the successor shall represent the same interest as that Member;
  - (c) a Member may be removed from office by the Minister if he is satisfied that it is not in the interest of the Agency or the interest of the general public that the Member should continue in office.
- (4) There shall be paid to every Member, such emoluments, allowances and benefits shall be determined by the Revenue Mobilisation Allocation and Fiscal Commission (RMAFC) by the Revenue Mobilisation.
- (5) The provisions of the Schedules to this Bill shall have effect with respect to the proceedings of the Agency and other matters mentioned therein (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 2 stands part of the Bill — Agreed to.*

## PART II — FUNCTIONS AND POWERS

**Clause 3: Functions.**

- (1) The agency shall have the responsibility for generation, management and administration of geospatial data and land matters (including allocation, issuance and registration of titles) in the FCT. It includes all other issues relating to land administration and other such responsibilities as may from time to time be prescribed by the Minister.
- (2) In discharging its general responsibility under subsection (1) above, the Agency shall undertake of the following duties:
  - (a) establish a geospatial data infrastructure for the FCT;
  - (b) establish a Land Information System database for the FCT Functions;
  - (c) carry out its functions as stated in subsection (1) according to the Land Use Act, 1976;
  - (d) introduce, implement and sustain best practices for land ownership, title registration and title certification in the FCT;
  - (e) receive, conduct due diligence on, and verify applications for issuance of Certificates of Occupancy for land, or the grant of other rights over land or subsequent transactions in land, within the FCT and forward same to the Minister for approval and or grant of consent in accordance with the Land Use Act, 1976;
  - (f) develop and maintain a database of all land within the FCT particularly with respect to title and title history, location, size, use and other related indicators;
  - (g) permit access to existing data on land for the purpose of conducting land title searches for members of the public at a fee to be prescribed from time to time; and
  - (h) undertake all such other activities that may be prescribed by the Minister which are required for efficient management and administration of land matters in the FCT.
- (3) The Agency shall have the power to develop and maintain an enterprise geographic information system or such other appropriate technologies and structures in the FCT for research, planning, land management, utilities and transportation that is required for efficient administration and service delivery in the FCT.
- (4) In discharging its responsibilities pursuant to subsection (3) of this section, the Agency may pursue all or any of the following objectives:
  - (a) acquire, provide, deploy and manage software and hardware for storing, assembling, manipulating and displaying geographically referenced material;
  - (b) to serve as the only official source of geospatial information in the FCT;

- (c) establish a central geographic information system clearing house to maintain map inventories, information on current and planned geographic and spatial information systems applications, information on grants available for the acquisition or enhancement of geographic information resources;
- (d) plan, establish and manage a directory of geographic information resources available within the FCT;
- (e) coordinate geographic information systems projects, including overseeing the development and maintenance of base maps and geographic information systems within the FCT;
- (f) provide consulting services and technical assistance, and education and training, on the application and use of geographic information systems technologies;
- (g) maintain, update and interpret geographic information and geographic information systems standards;
- (h) provide geographic information systems services, as required, to persons wishing to augment their geographic systems capabilities;
- (i) in cooperation with other relevant agencies of government, evaluate, participate in pilot studies, and make recommendations of geographic information systems hardware and software;
- (j) assist with review of agency information resource plans and participate in special studies as are requested or delegated by the Minister;
- (k) provide staff support and technical assistance to the FCT Administration on geographical information systems and policies;
- (l) provide cost effective and efficient means of assembling and distributing relevant information among interested persons;
- (m) coordinate and provide overview of geographic information systems activities within the FCT;
- (n) review and submit to the Minister for approval, all proposed geographical information systems projects within the FCT;
- (o) pursue funding strategies to continually develop and maintain up-to-date geographic information systems solutions for the FCT;
- (p) advise the Minister in respect of trends, developments and solutions in geographic information systems;
- (q) provide technical support to assist other agencies of the FCT or other persons within the FCT who wish to incorporate geographic information systems capabilities in their activities and systems; and
- (r) undertake all other steps and initiatives as are required for the proper administration of this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 3 stands part of the Bill — Agreed to.*

**Clause 4: General powers.**

The agency shall have the power to:

- (a) do all things which by this Bill or any other enactment or administrative directive are required or permitted to be done by the Agency;
- (b) monitor any matter that may affect the functions of the Agency; and
- (c) do such other things as are necessary or expedient for the full discharge of its functions under this Bill (*Hon. Giza Jonathan Gbafwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 4 stands part of the Bill — Agreed to.*

**Clause 5: Power to borrow.**

Subject to any limitation imposed by law, the Agency may delegate any of its powers to any Member or official of the Agency and authorize any such Member or official to perform any of its functions (*Hon. Giza Jonathan Gbafwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 5 stands part of the Bill — Agreed to.*

**Clause 6: Power to accept gifts.**

- (1) The Agency may accept any gift, grant or donation of land, money or other property from any person upon such terms and conditions (acceptable to the Agency), if any, as may be specified by the person making the gift or donation. General powers Power to borrow Power to accept gifts
- (2) The Agency shall not accept any gift or donation if the conditions attached thereto by the person making the gift or donation are inconsistent with the functions of the Agency (*Hon. Giza Jonathan Gbafwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 6 stands part of the Bill — Agreed to.*

**Clause 7: Power to obtain Information.**

- (1) For the purpose of carrying out the functions conferred on the Agency under this Bill, the Director-General, or any employee of the Agency duly authorized in that behalf:
  - (a) shall have a right of access to all relevant geographic information records of any person within the FCT; and
  - (b) may by notice in writing, served on any person require such persons to furnish or cause to be furnished geographic information or other similar information held by or available to such persons, on such matters as may be specified in the notice.
- (2) It shall be the duty of any person required to furnish information pursuant to subsection (1) of this section to comply with the notice within the period specified in the notice or where no period is specified, within a reasonable period (*Hon. Giza Jonathan Gbafwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 7 stands part of the Bill — Agreed to.*

PART III — DEPARTMENTS OF THE AGENCY

**Clause 8: Departments of the Agency.**

- (1) Subject to subsection (2) of this section, the Agency shall comprise of the following Departments:
  - (a) Information Technology
  - (b) Geoinformatics;
  - (c) Land Administration;
  - (d) Finance and Accounts; and
  - (e) Human Resource.
- (2) For the effective conduct of the functions of the Agency, the Minister upon recommendation of the Board may issue regulations prescribing additional Departments for the Agency Power to obtain Information Departments or altering the Departments listed in subsection (1) of this section in any manner whatsoever.
- (3) Notwithstanding the provisions of subsection (2) of this section, the agency shall have power to set up any technical committees to assist in the performance of its duties and functions under this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 8 stands part of the Bill — Agreed to.*

**Clause 9: Director-General of the Agency.**

- (1) The President upon recommendation of the Minister shall appoint a Director-General as the Chief Executive Officer of the Agency.
- (2) The Director-General shall hold office for the term specified in subsection (3) of section 2 of this Bill provided that the said term may be renewed for another term or more as the Minister deems fit.
- (3) Director-General shall be person with professional qualifications and at least 15 years post qualification working experience with knowledge in Information Technology and Geographic Information Systems, or Land Administration matters.
- (4) The Director-General shall be responsible for the day-to-day administration of the Agency, keeping the books and records of the Agency. Also, responsible for the development and execution of the Federal Government of Nigeria policy and practice in the FCT as it relates to the Agency and shall be subject to the supervision and control of the Board and Minister.
- (5) The Director-General shall hold office on such terms as to emoluments and otherwise may be specified in his letter of appointment (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 9 stands part of the Bill — Agreed to.*

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

- (1) The Agency may from time to time, appoint other employees as it may deem necessary, to enable the Agency effectively perform its functions under this Bill. Director-General of the Agency Staff of the Agency
- (2) The staff of the Agency appointed under subsection (1) of this section shall be appointed upon such terms and conditions of service as the Agency may Civil Service Commission.
- (3) The power of the Agency under this section shall include the power to:
  - (a) promote and control the staff of the Agency as may appear to the Agency necessary or expedient; and
  - (b) dismiss, terminate, consider the resignation or withdrawal of appointment and exercise disciplinary control over the staff of the Agency, other than the Director-General.
- (4) The Board may specifically delegate to the Director-General, the power to appoint such categories of staff of the Agency as the Board may from time to time specify.
- (5) The staff of the Agency shall be Public Officers of the FCT, as defined in the FCT Civil Service Commission Act.
- (6) The Agency may engage such consultants and advisers as it may require for the effective discharge of its functions (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 10 stands part of the Bill — Agreed to.*

**Clause 11: Staff regulations.**

- (1) The Agency may, subject to the provisions of this Bill and in consultation with FCT Civil Service Commission, make staff regulations relating generally to the conditions of service of its employees and without prejudice to the generality of the foregoing, such regulations may provide for:
  - (a) the appointment, promotion and disciplinary control (including dismissal) of the employees of the Agency; and
  - (b) appeals by employees against dismissal on other disciplinary measures.
- (2) Pending the release of the regulations described in subsection (1) of this section, the employment of the staff of the Agency shall be governed by the terms and conditions generally applicable to officers in the public service of the FCT. Staff regulations
- (3) Staff regulations issued by the Agency under subsection (1) of this section shall not have effect until approved by the Minister upon recommendation of the Board and published in the Gazette (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 11 stands part of the Bill — Agreed to.*

## PART IV — FINANCIAL PROVISIONS

**Clause 12: Fund of the Agency.**

- (1) The Agency shall establish and maintain a fund ("the fund") to defray the cost of its operation, which shall consist of:
  - (a) the initial take-off grant from the FCT Administration;
  - (b) such sums as may be provided by the FCT Administration by way of annual subvention or otherwise;
  - (c) an amount not more than 5% of fees and other charges received by the Agency pursuant to this Bill, subject to appropriation;
  - (d) subject to section II of this Bill, all other sums accruing to the Agency by way of grants, gifts, testamentary dispositions, endowments, bequests and donations made to the Agency;
  - (e) income from any investment or other property acquired by or vested in the Agency; and
  - (f) such other sum as may accrue from time to time to the Agency.
- (2) The Fund shall be managed in accordance with rules prescribed by the Minister, provided the rules shall contain the following provisions —
  - (a) specify the manner in which the assets of the Fund are to be held;
  - (b) regulating payments into the Fund and the matters to which the assets of the fund may be applied; and Fund of the Agency
  - (c) requiring the keeping of proper accounts and records for the purpose of the Fund in such form as may be prescribed (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 12 stands part of the Bill — Agreed to.*

**Clause 13: Annual estimates, accounts and audits.**

- (1) The Agency shall, not later than 30th September in each year, submit to the Minister, an estimate of its expenditure and income (including estimates of expected payments into the Fund) during the next succeeding year.
- (2) The Agency shall keep proper accounts in a form which conforms to accepted accounting standards, and proper records in relation thereto and the accounts shall be audited as provided in this Bill.
- (3) The accounts of the Agency shall be audited at the end of each calendar year by auditors appointed by the FCT Administration and in accordance with the Financial Guidelines and the fees of the auditors. The expenses for the audit generally shall be paid from the Fund (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 13 stands part of the Bill — Agreed to.*

*Question that Clause 9 stands part of the Bill — Agreed to.*



**Clause 14: Annual reports.**

The Agency shall, not later than 30th June in each year, submit to the Minister, a report on the activities of the Agency and its Administration during the immediately preceding year and shall include in the report, the audited accounts of the Agency and the auditor's report thereon (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 14 stands part of the Bill — Agreed to.*

**PART V — REGULATIONS AND SUPPLEMENTARY PROVISIONS****Clause 15: Regulations.**

The Minister may make regulations for the effective operation of this Bill and the due administration thereof (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 15 stands part of the Bill — Agreed to.*

**Clause 16: Obstruction of agency or its authorized officers.**

Any person who:

- (1) willfully obstructs the Agency or any authorized officer of the Agency in the exercise of any of the powers conferred on the Agency by this Bill; or Annual estimates, accounts and audits Annual reports Regulations Obstruction of agency or its authorized officers
- (2) fail to comply with any lawful enquiry or requirements made by an authorized officer in accordance with the provisions of this Bill, shall be guilty of an offence and shall be liable upon conviction to a fine of One Million Naira (₦1,000,000.00), imprisonment for a term not exceeding One (1) year or to both such fine and imprisonment (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 16 stands part of the Bill — Agreed to.*

**Clause 17: Pre-action notice.**

- (1) No suit shall commenced against the Agency before the expiration of a period of one (1) month after written notice of intention to commence the suit shall have been served upon the Agency by the intending plaintiff or his agent and the notice shall clearly and explicitly state:
  - (a) the cause of action;
  - (b) the particulars of claim; and
  - (c) the relief which he claims.
- (2) The notice referred to in subsection (1) of this section and any summons, notice or other documents required or authorized to be served upon the Agency in connection with any suit by any or against the Agency shall be served by delivery of same to the Director-General (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 17 stands part of the Bill — Agreed to.*

**Clause 18: Indemnity for employees of the Agency.**

Every member, agent or staff of the Agency shall be indemnified out of the assets of the Agency against any liability incurred by him in defending any proceedings, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted if any such proceedings is brought against him in his capacity as such member, agent or staff as aforesaid (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that Clause 18 stands part of the Bill — Agreed to.*

**Clause 19: Interpretation.**

In this Bill, unless the context otherwise requires:

"Agency" means the Abuja Geographic Information Systems Agency (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that the meaning of the word "Agency" be as defined in the interpretation to this Bill — Agreed to.*

"Board" means the Governing Board of the Agency; Pre-action notice Indemnity for employees of the Agency Interpretation (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that the meaning of the word "Board" be as defined in the interpretation to this Bill — Agreed to.*

"Director-General" means the Director-General of the Agency (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that the meaning of the words "Director-General" be as defined in the interpretation to this Bill — Agreed to.*

"FCT" means the Federal Capital Territory, Abuja (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that the meaning of the abbreviation "FCT" be as defined in the interpretation to this Bill — Agreed to.*

"FCT Administration" means the Federal Capital Territory Administration (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that the meaning of the words "FCT Administration" be as defined in the interpretation to this Bill — Agreed to.*

"Financial Guidelines" means the guidelines issued from time to time for the accounting and financial reporting functions of the FCT by the Auditor-General or Accountant General of the Federation or the Department of Audit or Treasury in the FCT (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that the meaning of the words "Financial Guidelines" be as defined in the interpretation to this Bill — Agreed to.*

"The Fund" means the fund established for the Agency pursuant to section 12 (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Question that the meaning of the words "The Fund" be as defined in the interpretation to this Bill — Agreed to.*

"Member" means Member of the Governing Board of the Agency (Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency).

*Question that the meaning of the word "Member" be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means the Minister for the time being charged with the responsibility for the FCT (Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency).

*Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.*

"Person" includes any individual, partnership, firm, company, corporation (statutory or otherwise), joint venture, trust, association, organization or other entity, in each case whether or not having separate legal personality (Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency).

*Question that the meaning of the word "Person" be as defined in the interpretation to this Bill — Agreed to.*

"Prescribe" means prescribe by regulations (Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency).

*Question that the meaning of the word "Prescribe" be as defined in the interpretation to this Bill — Agreed to.*

*Question that Clause 19 stands part of the Bill — Agreed to.*

**Clause 20: Citation.**

This Bill may be cited as the Abuja Geographic Information Systems Agency Bill, 2020 (Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency).

*Question that Clause 20 stands part of the Bill — Agreed to.*

## SCHEDULE

Section 2(5)

### SUPPLEMENTARY PROVISION RELATING TO THE AGENCY

#### *Proceedings of the Agency*

1. Subject to this Bill 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 Board may make standing orders regulating the proceedings of the Agency and any committee thereof.
2. If at any time, the office of the Chairman is vacant or the Chairman is in the opinion of the Board permanently or temporarily unable to perform the function of his office, the Board may appoint one of its members to perform such functions for a period of the vacancy in the office of the Chairman and references in this schedule to the Chairman shall be constructed accordingly.

3. Every meeting of the Board shall be presided over by Chairman. 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. The quorum at the meeting of the Board shall consist of a Chairman (or in the appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule) and three other members.
5. Where upon any specific issue or occasion, the Board desires to obtain the advice of any person on any particular matter, the Board may co-opt that person to be a member for as many as may be Citation necessary, and that person while 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.

#### *Committees*

6. (1) Subject to its standing orders, the Board may appoint such number of standing *ad-hoc* committees as it thinks fit to consider and report on any matter with which the Agency is concerned.
9. (2) Every committee appointed under the provisions of sub-paragraph (1) of this paragraph, shall be presided over by a member of the Board and shall be made up of a number of persons, not necessarily members of the Board, as the Board may determine in each case.
7. The decision of the Committee shall have no effect until it is confirmed by the Board.

#### *Miscellaneous*

8. The fixing of the seal of the Agency shall be authenticated by the signature of the Chairman and of the Secretary of the Board or such other member authorized generally or specifically by the Board 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 Agency by the Secretary or by any other person generally or specifically authorized by the Board to act for that purpose.
10. Any document purporting to be a contract, 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.
11. The validity of any proceedings of the Board or a Committee thereof, shall not be adversely affected by:
  - (a) any vacancy in the membership of the Board; or
  - (b) any 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 proceedings.
12. Any Member of the Board or a Committee thereof, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or Committee, shall forthwith disclose his interest to the Board or Committee and shall not vote on any question relating to the contract or arrangement (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to establish the Abuja Geographic Information Systems Agency to exercise the functions and powers and pursue the objectives assigned to it by this Bill (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish the Abuja Geographic Information Systems Agency and for Related Matters (HB. 215) (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish the Abuja Geographic Information Systems Agency; and for related Matters (HB. 215) and approved Clauses 1 - 20, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

*Question that the House do adopt the Report of the Committee of the Whole — Agreed to.*

- (iv) *A Bill for an Act to Provide for the Protection of Plant Varieties, to encourage Investment in Plant Breeding and Crop Variety Development, to Establish a Plant Variety Protection Office for the Promotion of increased Staple Crops Productivity for Small Holder Farmers in Nigeria; and for Related Matters (HB. 68).*

*Order read; deferred by leave of the House.*

- (v) *A Bill for an Act to Provide for Establishment of Federal University of Technology, Auchi, Edo State; and for Related Matters (HB. 527) (Committee of the Whole):*  
*Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide for Establishment of Federal University of Technology, Auchi, Edo State; and for Related Matters (HB. 527)" (Hon. Johnson E. Oghuma — Etsako East/Etsako West/Central Federal Constituency).*

*Agreed to.*

*Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.*

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR ESTABLISHMENT OF  
FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI, EDO STATE  
AND FOR RELATED MATTERS (HB. 527)

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF  
THE FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI

**Clause 1: Establishment and Objectives of the Federal University of Technology, Auchi, Edo State.**

- (1) There is hereby Federal Polytechnic, Auchi upgraded and established as the Federal University of Technology, Auchi, Edo State.
- (2) The University shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) The University shall be a training institution for the development of Technologists in the country.
- (4) The University shall be supervised by the Federal Ministry of Education through the National Universities Commission (NUC) who shall be responsible for approving and regulating all academic programmes run in the University, to ensure quality compliance and provide funds for academic and research programmes, infrastructures and remunerations of employees.
- (5) The objects of the University shall be:
  - (a) to encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction;
  - (b) to develop and offer academic and professional programmes leading to the award of certificates, first degrees, post-graduate research, diploma and higher degrees with emphasis on planning, developmental and adaptive skills in technology, applied science, social science, management and allied professional disciplines;
  - (c) to produce socially mature technologists with capabilities not to only understand the technology need of Nigeria as a nation, but also to exploit existing technological infrastructure and improve on it to develop new ones;
  - (d) to act as agents and catalysts for effective technology system, through post graduate training, research and innovation, for effective economic utilization and conservation of the country's human resources;
  - (e) to bring quality change in Technology Education by focusing on practical teaching and learning innovations;
  - (f) to collaborate with other national and international institutions involved in training, research and development of Technology with a view to promoting governance, leadership and management skills among Technologists;
  - (g) to identify Technology needs of the society with a view to finding solutions to them within the context of overall national development;
  - (h) to provide and promote sound basic technology training as a foundation for the development of Nigeria, taking into account indigenous culture and the need to enhance national unity;
  - (i) to provide higher Education and foster a systematic advancement of the science and Technology Education;

- (j) to provide for instruction in such branches of Technological education as it may deem necessary to make provision for research advancement and dissemination of knowledge in such manner as it may determine;
- (k) to provide students with operational competence for applying knowledge in the society as well as making technological changes in the society;
- (m) to undertake any other activities that is appropriate for a University of Technology of the highest standard (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 1 stands part of the Bill — Agreed to.*

**Clause 2: Constitution and principal officers of the University.**

(1) The University shall consist of:

- (a) a Chancellor;
- (b) a Pro-Chancellor and a Council;
- (c) a Vice-Chancellor and a Senate;
- (d) a body to be called Congregation;
- (e) a body to be called Convocation;
- (f) the campuses and colleges of the University;
- (g) the colleges, institutes and other teaching and research units of the University;
- (h) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
- (i) all graduates and undergraduates of the University; and
- (j) all other persons who are members of the University in accordance with provisions made by statute in that behalf.

(2) The First Schedule to this Bill shall have effect with respect to the principal officers of the University.

(3) Subject to section 5 of this Bill provision shall be made by statute with respect to the constitution of the Council, the Senate, Congregation and Convocation (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 2 stands part of the Bill — Agreed to.*

**Clause 3: Powers of Federal University of Technology, Auchi and its exercise.**

- (1) For the carrying out of its objects as specified in section 1 of this Bill, Federal University of Technology, Auchi shall have power:

- (a) to offer courses of instruction, training and research in Technology and allied areas for the production of quality and skilled technologists required at lower, middle and higher levels of manpower in Nigeria in particular and the world at large;
- (b) to establish such colleges, campuses, institutes, schools, departments and other teaching and research units within the University as may from time to time be deemed necessary or desirable subject to the approval of National Universities Commission;
- (c) to institute professorships, readerships or associate professorships, lectureships, and other posts and offices and to make appointments thereto;
- (d) to institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
- (e) to provide for the discipline and welfare of members of the University;
- (f) to hold examinations and grant degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- (g) to grant honorary degrees, fellowships or academic titles;
- (h) to demand and receive from any student or any other person attending the University for the purposes of instruction, such fees as the University may from time to time determine subject to the overall directives of the Minister;
- (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever it is situate;
- (j) to accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attached thereto;
- (k) to enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
- (l) to erect, provide, equip and maintain libraries, laboratories, workshops, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
- (m) to hold public lectures and to undertake printing, publishing and book selling;
- (n) subject to any limitations or conditions imposed by statute, to invest any moneys appertaining to the University by way of endowment it, not being immediately required for current expenditure in any investments or securities or in the purchase or improvement of land,



with power from time to time, to vary any such investments to deposit any moneys for the time being not invested with any bank on deposit or current account;

- (o) to borrow, whether on interest or not and if need be upon the security of any or all of the property, movable or immovable, of the University, such moneys as the Council may from time to time in its discretion find it necessary or expedient to borrow of to guarantee any loan, advances or credit facilities;
  - (p) to make gifts for any charitable purpose;
  - (q) to do anything which it is authorized or required by this Bill or by statute to do; and
  - (r) to do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the statutes and without prejudice to section 7 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in many other manner which may be authorized by the statute.
- (3) The power of the University to establish further campuses and colleges within the University shall be exercisable by statute and not otherwise (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 3 stands part of the Bill — Agreed to.*

**Clause 4: Functions of the Chancellor and Pro-Chancellor.**

- (1) The Chancellor shall, in relation to the University, take precedence before all other members of the University, and when he is present, shall preside at all meetings of Convocation held for conferring degrees.
- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University, except the Chancellor and except the Vice-Chancellor when acting as chairman of Congregation or Convocation and the Pro-Chancellor shall, when he is present, be the chairman at all meetings of the Council (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 4 stands part of the Bill — Agreed to.*

**Clause 5: Composition, tenure and powers of the council of the University.**

- (1) The Council of the University shall consist of:
  - (a) the Pro-Chancellor who shall be appointed by the President on the recommendation of the Honourable Minister of Education;
  - (b) the Vice-Chancellor;
  - (c) the Deputy Vice-Chancellor(s);
  - (d) one person from the Ministry responsible for Education;

- (e) four persons representing a variety of interests and broadly representative of the whole Federation to be appointed from:
    - (i) the Teacher's Registration Council;
    - (ii) Tertiary Education Trust Fund; and
    - (iii) two other persons, one of whom shall be a representative of the University host community;
  - (f) four persons appointed by the Senate from among its members;
  - (g) two persons appointed by Congregation from among its members;
  - (h) one person appointed by Convocation from among its members;
  - (i) two persons representing the community appointed by the President.
- (2) Persons to be appointed to the Council shall be of proven integrity, knowledgeable and familiar with the affairs and tradition of the University.
  - (3) The Council so constituted shall have a tenure of four years from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the Visitor and a new Council shall be immediately constituted for the effective functioning of the University.
  - (4) The powers of the Council shall be exercised, as in this Bill and to that extent establishment circulars that are inconsistent with this Bill shall not apply to the University.
  - (5) The Council shall be free in the discharge of its functions and exercise of its responsibilities for the good management, growth and development of the University.
  - (6) The Council in the discharge of its functions shall ensure that disbursement of funds of the University complies with the approved budgetary ratio for:
    - (a) personnel cost;
    - (b) overhead cost;
    - (c) research and development;
    - (d) library developments; and
    - (e) the balance in expenditure between academic vis-a-vis non-academic activities (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 5 stands part of the Bill — Agreed to.*

**Clause 6: Functions of the council and its finance and general purposes committee.**

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall be the governing body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University.

- (2) There shall be a committee of the Council, to be known as the Finance, and General Purposes Committee; which shall, subject to the directions of the Council, exercise control over the property and expenditure of the University and perform such other functions of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure that proper accounts of the University are kept and that the accounts of the University are audited annually by an independent firm of auditors approved by the Council and that an annual report is published by the University together with certified copies of the said accounts as audited.
- (5) Subject to this Bill and the statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under sub-section (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council; and in so far and to the extent that any rules so made by that Committee conflict with any direction given by the Council, whether before or after the coming into force of the rules in question, the directions of the Council shall prevail.
- (7) There shall be paid to the members respectively of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by the Minister.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill and shall meet at least three times in every year.
- (9) If requested in writing by any five members of the Council, the chairman shall within 28 days after the receipt of such request call a meeting of the Council.
- (10) Any request made under sub-section (9) of this section shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 6 stands part of the Bill — Agreed to.*

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

- (1) Subject to section 6 of this Bill and subsections (3) and (4) of this section and the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control the teaching by the University, the admission of student where no other enactment provides to the contrary and the discipline of students; and to promote research at the University.
- (2) Without prejudice to the generality of subsection (1) of this section and subject as therein mentioned, it shall in particular be the function of the Senate to make provision for:

- (a) the establishment, organization and control of campuses, colleges, schools, institutes and other teaching and research units of the University and the allocation of responsibility for different branches of learning;
  - (b) the organization and control of courses of study at the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
  - (c) the award of degrees, and such other qualifications as may be prescribed in connection with examinations held as aforesaid;
  - (d) the making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
  - (e) the establishment, organization and control of halls of residence and similar institutions at the University;
  - (f) the supervision of the welfare of students at the University and the regulation of their conduct;
  - (g) the granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
  - (h) determining what descriptions of dress shall be academic dress for the purposes of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, school, department, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University without the approval of the Council.
- (4) Subject to this Bill and the statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the foregoing provisions of this section or otherwise or for the purpose of making provision for any matter for which provision by regulations is authorized or required by this Bill or by statute.
- (5) Regulations shall provide that at least one of the persons appointed as the examiners at each final or professional examination held in conjunction with any course of study at the University is not a teacher at the University but is a teacher of the branch of learning to which the course relates at some other University of high repute or a person engaged in practicing the profession in a reputable organization or institution.
- (6) Subject to right of appeal to the Council from a decision of the Senate under this sub-section, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred upon him if after due enquiry he is found to have been guilty of dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 7 stands part of the Bill — Agreed to.*

**Clause 8: Functions of the Vice-Chancellor.**

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and subject to section 4 of this Bill except the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to sections 6, 7 and 14 of this Bill, the Vice-Chancellor shall have the general function, in addition to any other functions conferred on him by this Bill or otherwise of directing the activities of the University and shall be the Chief Executive and Accounting Officer of the University and ex-officio Chairman of the Senate.
- (3) The Vice Chancellor shall be the Chairman of the University Tenders' Board, which is saddled with the responsibility of approving the conduct of public procurement of goods, works and services within the approved threshold from time to time.
- (4) It shall be the responsibility of the Vice Chancellor to establish and appoint members of the Tenders' Board in line with the extant Public Procurement Rules and Regulations (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 8 stands part of the Bill — Agreed to.*

**PART II — GENERAL FUND, TRANSFER OF PROPERTY, ETC. TO THE  
UNIVERSITY AND CONDITION OF SERVICE OF EMPLOYEES**

**Clause 9: General Fund of the University.**

- (1) There shall be a general fund of the University which shall consist of the following:
  - (a) grants-in-aid;
  - (b) fees;
  - (c) income derived from investments;
  - (d) gifts, legacies, endowments and donations not accepted for a particular purpose;
  - (e) income derived from the exercise of any functions conferred or imposed on the University by this Bill;
  - (f) any other amounts, charges or dues recoverable by the University;
  - (g) revenue, from time to time, accruing to the University by way of subvention;
  - (h) interests on investments;
  - (i) donations and legacies accruing to the University from any source for the general or special purposes of the University; and
  - (j) regular TETFUND interventions.

- (2) The general fund shall be applied for the purposes of the University (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 9 stands part of the Bill — Agreed to.*

**Clause 10: Transfer of property, etc.**

- (1) All property held by or on behalf of the Provisional Council of the University shall, by virtue of this sub-section and without further assurance, vest in the University and be held by it for the purpose of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to, and to matters arising from, the transfer of property by this section and with respect to the other matters mentioned in that Schedule (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 10 stands part of the Bill — Agreed to.*

**PART III — STATUTES OF THE UNIVERSITY**

**Clause 11: Power of the University to make statutes.**

- (1) Subject to this Bill, the University may make statutes for any of the following purposes, that is to say:
- (a) making provision with respect to the composition and constitution of any authority of the University;
  - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
  - (c) regulating the admission of students (where no other enactment provides to the contrary), and their discipline and welfare;
  - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any statute, regulation or other instrument made thereunder; or
  - (e) making provision for any other matter for which provision by statute is authorized or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Bill shall apply in relation to any statute made under this section as it applies to a subsidiary instrument within the meaning of section 28 (1) of that Bill.

**Third Scheduled.**

- (3) The statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
- (4) The power to make statutes conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the statute contained in the Third Schedule to this Bill or any subsequent statute (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 11 stands part of the Bill — Agreed to.*

**Clause 12: Mode of exercising power to make statutes.**

- (1) The power of the University to make statutes shall be exercised in accordance with the provisions of this section and not otherwise.
- (2) A proposed statute shall not become law unless it has been approved:
  - (a) at a meeting of the Senate, by the votes of not less than two thirds of the members present and voting; and
  - (b) at a meeting of the Council, by the votes of not less than two thirds of the members present and voting.
- (3) A proposed statute may originate either in the Senate or in the Council, and may be approved as required by subsection (2) of this section by either one of those bodies or the other.
- (4) A statute which:
  - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
  - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any statute.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a statute shall be treated as being made on the date on which it is duly approved by the Council after having been duly approved by the Senate, or on the date on which it is duly approved by the Senate after having been duly approved by the Council, as the case may be or, in the case of a statute falling within subsection (4) of this section, on the date on which it is approved by the President.
- (6) In the event of any doubt or dispute arising at any time:
  - (a) as to the meaning of any provision of a statute; or
  - (b) as to whether any matter is for the purposes of this Bill an academic or non-academic matter as they relate to such doubt or dispute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he shall think fit.
- (7) The decision of the Visitor on any matter referred to him under sub-section (6) of this section shall be binding upon the authorities, staff and students of the University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under that sub-section, no question as to the meaning of that provision shall be entertained by any court of law in Nigeria.
- (8) Nothing in sub-section (7) of this section shall affect any power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 12 stands part of the Bill — Agreed to.*

**Clause 13: Proof of statutes.**

A statute may be proved in any court by the production of a copy thereof bearing or having affixed to it a certificate purporting to be signed by the Vice-Chancellor or the Secretary to the Council to the effect that the copy is a true copy of a statute of the University (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 13 stands part of the Bill — Agreed to.*

**PART IV — SUPERVISION AND DISCIPLINE**

**Clause 14: The Visitor.**

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall cause a visitation to the University when necessary, at least every five years, or direct that such a visitation be conducted by such person or persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be the duty of the bodies and persons comprising the University to make available to the Visitor and to any other person conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purposes of a visitation.
- (4) The Visitor shall make the report of such visitations and white paper thereon available to the Council which shall implement same (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 14 stands part of the Bill — Agreed to.*

**Clause 15: Removal of certain members of the Council.**

- (1) If it appears to the Council that a member of the Council (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on the ground of misconduct or inability to perform the functions of his office or employment, the Council shall make a recommendation to that effect through the Minister to the President, and the President, after making such enquiries (if any) as he may consider appropriate approves the recommendation; he may direct the removal of the person in question from office.
- (2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 15 stands part of the Bill — Agreed to.*

**Clause 16: Removal and discipline of academic, administrative and professional staff.**

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from his office or employment on the ground of misconduct or of professional inability to perform the functions of his office or employment, the Council shall:



- (a) give notice of those reasons to the person in question;
  - (b) afford him an opportunity of making representations in person on the matter by the Council; and
  - (c) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (2) The Vice-Chancellor may, in a case of misconduct by a member of the staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall forthwith be reported to the Council.
- (3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Council; and for the purposes of this subsection "good cause" means:
  - (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;
  - (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
  - (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold his office;
  - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service;
  - (e) conduct which the Council considers to be generally of such nature as to render the continued appointment or service of the person concerned prejudicial or detrimental to the interest of the University.
- (4) Any person suspended pursuant to subsection (2) or (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as:
  - (a) whether to continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
  - (b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension;

- (c) whether to terminate the appointment of the person concerned, in which case such a person shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
  - (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.
- (5) In any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (6) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (7) Nothing in the foregoing provisions of this section shall:
- (a) apply to any directive given by the Visitor in consequence of any visitation; or
  - (b) prevent the Council from making regulations for the discipline of other categories of workers of the University as may be prescribed (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 16 stands part of the Bill — Agreed to.*

**Clause 17: Removal of examiners.**

- (1) If, on the recommendation of the Senate, it appears to the Vice-Chancellor that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, except in such cases as may be prescribed by the Vice-Chancellor may, after affording the examiner an opportunity of making representations in person on the matter to the Vice-Chancellor, remove the examiner from the appointment by an instrument in writing signed by the Vice-Chancellor.
- (2) Subject to the provisions of regulations made in pursuance of section 7 (5) of this Bill, the Vice-Chancellor may, on the recommendation of the Senate, appoint an appropriate person as examiner in the place of the examiner removed in pursuance of subsection (1) of this section.
- (3) It shall be the duty of the Vice-Chancellor on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it is related (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 17 stands part of the Bill — Agreed to.*

**Clause 18: Participation and discipline of students.****(1) The Students shall be:**

- (a) represented in the University's Students Welfare Board and other committees that deal with the affairs of students;
- (b) participate in various aspects of curriculum development;
- (c) participate in the process of assessing academic staff in respect of teaching; and
- (d) be encouraged to be more self-assured as part of the national development process.

**(2) Subject to the provisions of this section, where it appears to the Vice-Chancellor that any student of the University has been guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by statute or regulations, direct:**

- (a) that the student shall not, during such period as may be specified in the directions, participate in such activities of the University, or make use of such facilities of the University, as may be so specified;
- (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
- (c) that the student be rusticated for such period as may be specified in the direction; or
- (d) that the student be expelled from the University.

**(3) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, that student may, within the prescribed period and in the prescribed manner, appeal to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just either confirm or set aside the direction or modify it in such manner as the Council thinks fit.****(4) The fact that an appeal from a direction is brought in pursuance to subsection (2) of this section shall not affect the operation of the direction while the appeal is pending:**

- (a) the Vice-Chancellor may delegate his powers under this section to a disciplinary board consisting of such members of the University as he may nominate;
- (b) nothing in this section shall be construed as preventing the restriction or termination of students' activities at the University otherwise than on the ground of misconduct; and
- (c) a direction under subsection (2) (a) of this section may be combined with a direction under subsection (2) (b) of this section (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 18 stands part of the Bill — Agreed to.*

PART V — MISCELLANEOUS AND GENERAL

**Clause 19: Exclusion of discrimination on account of race, religion, etc.**

- (1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, account of race, place of birth or of family origin, or religious or political persuasion, as a condition of becoming or continuing to be a student at the University, the holder of any degree of the University or of any appointment or employment at the University, or a member of anybody established by virtue of this Bill; and no person shall be subject to any disadvantage or accorded any advantage relation to the University, by reference to any of those matters.
- (2) Nothing in subsection (1) of this section shall be construed as preventing the University from imposing any disability or restriction on any of the persons mentioned in that subsection where such person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such person or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the University reasonably justifiable in the national interest (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 19 stands part of the Bill — Agreed to.*

**Clause 20: Restriction on disposal of land by University.**

Without prejudice to the provisions of the Land Use Act, the University shall not dispose of or charge any land or an interest in any land (including any land transferred to the University by this Bill) except with the prior written consent, either general or special, by of the Governor:

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease or tenancy to a member of the University for residential purpose (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 20 stands part of the Bill — Agreed to.*

**Clause 21: Quorum and procedure of bodies established by this Bill.**

Except as may be otherwise provided by statute or by regulations, the quorum and procedure of anybody of persons established by this Bill shall be as determined by that body (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 21 stands part of the Bill — Agreed to.*

**Clause 22: Appointment of committees, etc.**

- (1) Anybody of persons established by this Bill shall, without prejudice to the Appointment of generality of the powers of that body, have power to appoint committees, which need not committees, etc. consist exclusively of members of that body, and to authorize a committee established by it:
  - (a) to exercise, on its behalf, such of its functions as it may determine; and

- (b) to co-opt members.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies, or for the appointment of committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them, and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by statute or by regulations, the quorum and procedure of a committee established or meeting held in pursuance of this section, shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting.
- (4) Nothing in the provisions of subsection (1), (2) and (3) of this section shall be construed as:
  - (a) enabling the statutes to be made otherwise than in accordance with section 1 of this Bill; or
  - (b) enabling the Senate to empower any other body to make regulations of the award degrees or other qualifications.
- (5) The Pro-Chancellor and the Vice-Chancellor shall be members of every committee of which the members are wholly or partly appointed by the Council (other than a committee appointed to inquire into the conduct of the officer in question); and the Vice-Chancellor shall be a member of every committee of which the members are wholly or partly appointed by the Senate (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 22 stands part of the Bill — Agreed to.*

**Clause 23: Retiring age of academic staff.**

- (1) Notwithstanding anything to the contrary in the Pension Act, the compulsory retiring age of the following categories of staff shall be as follows:
  - (a) Academic staff of the University in the non-Professorial cadre shall be 65 years;
  - (b) Academic staff of the University in the Professorial Cadre shall be 70 years;
  - (c) Non-academic staff of the University shall be 65 years.
- (2) A law or rule requiring a person to retire from the public service after serving for 35 years shall not apply to an academic staff of the University (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 23 stands part of the Bill — Agreed to.*

**Clause 24: Special provisions relating to pensions of professors.**

An academic staff of the University who retires as a Professor in the University shall be entitled to pension at a rate equivalent to his annual salary provided that the Professor has served continuously in the University up to the retirement age (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 24 stands part of the Bill — Agreed to.*

**Clause 25: Miscellaneous administrative provisions.**

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor, and the affixing of the seal shall be authenticated by any member of the Council and by the Vice-Chancellor, Secretary to the Council or any other person authorized by statute.
- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
- (3) 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 University by any person generally or specially authorized to do so by the Council.
- (4) The validity of any proceedings of any body established in pursuance of this Bill shall not be affected by any vacancy in the membership of the body, or by any defect in the appointment of a member of the body or by reason that any person not entitled to do so took part in the proceeding.
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall forthwith disclose his interest to the body and shall vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application in relation to subordinate legislation of certain incidental provisions) shall apply to statutes or regulations made in pursuance to this Bill.
- (7) The power conferred by this Bill on anybody to make statutes or regulations shall include power to revoke or vary any statute (including the statute contained in the Third Schedule of this Bill) or any regulation by a subsequent statute or as the case may be, by a subsequent regulation and statutes and regulations may make different provisions in relation to different circumstances.
- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of section 8 or section 18 of this Bill or the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 25 stands part of the Bill — Agreed to.*

***Restriction of suits and execution***

**Clause 26: Pre-Action Notice.**

- (1) (a) No legal proceeding shall be instituted and/or commenced against the University or any of its agents in the course of their official duties unless a 3 months' Pre-Action Notice of such intention is served on the University by an aggrieved party.

- (b) The Notice shall state the reason and the cause of action intended to be taken against the University, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.
- (c) For the avoidance of doubt, it is hereby declared that no suit shall be commenced against an officer or servant of the University, in any case where the University is vicariously liable for any alleged act, neglect or default of the officer or servant in the performance or intended performances of his duties, unless three months at least has elapsed after written notice of intention to commence the same shall have been served on the University by the intending plaintiff or his agent.
- (d) In any suit against this University, no execution or attachment or process in the nature thereof shall be issued against the University, but any sums of money which may be judgment of the court be awarded against the University shall, subject to any direction given by the court where notice of appeal has been given by the University in respect of the said judgment, be paid by the University from its general fund.

**Service of Notices.**

- (2) Service upon the University of any notice, order or other document may be effected by delivering the same or by sending it by registered post addressed to the Registrar and Secretary of the Council (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 26 stands part of the Bill — Agreed to.*

**Clause 27: Interpretation.**

- (1) In this Bill, unless the context otherwise requires:

"Campus" means any campus which may be established by the University (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "Campus" be as defined in the interpretation to this Bill — Agreed to.*

"College" means the College established pursuant to section 2 (1) (b) of this Bill for the University (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "College" be as defined in the interpretation to this Bill — Agreed to.*

"Council" means the Governing Council of the University established by section 5 of this Bill (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "Council" be as defined in the interpretation to this Bill — Agreed to.*

"Functions" includes powers and duties (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "Functions" be as defined in the interpretation to this Bill — Agreed to.*

"Graduate" means a person on whom a degree, other than an honorary degree, has been conferred by the University and any other person as may be designated as a graduate by the Council, acting in accordance with the recommendation of the Senate (Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency).

*Question that the meaning of the word "Graduate" be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means the Hon. Minister of Education (Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency).

*Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.*

"Notice" means notice in writing (Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency).

*Question that the meaning of the word "Notice" be as defined in the interpretation to this Bill — Agreed to.*

"Officer" does not include the Visitor (Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency).

*Question that the meaning of the word "Officer" be as defined in the interpretation to this Bill — Agreed to.*

"Prescribed" means prescribed by statute or regulations (Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency).

*Question that the meaning of the word "Prescribed" be as defined in the interpretation to this Bill — Agreed to.*

"Professor" means a person designated as a Professor of the University in accordance with provisions made in that behalf by statute or by regulations (Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency).

*Question that the meaning of the word "Professor" be as defined in the interpretation to this Bill — Agreed to.*

"Property" includes rights, liabilities and obligations (Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency).

*Question that the meaning of the word "Property" be as defined in the interpretation to this Bill — Agreed to.*

"Provisional Council" means the provisional council appointed for the University (Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency).

*Question that the meaning of the words "Provisional Council" be as defined in the interpretation to this Bill — Agreed to.*



"Regulations" means regulations made by the Senate or the Council (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "Regulations" be as defined in the interpretation to this Bill — Agreed to.*

"Senate" means the Senate of the University established pursuant to section 2 (1) (e) of this Bill (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "Senate" be as defined in the interpretation to this Bill — Agreed to.*

"School" means a unit of closely related academic programmes (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "School" be as defined in the interpretation to this Bill — Agreed to.*

"Statute" means a statute made by each University under section 10 of this Bill and in accordance with the provisions of section 11 of this Bill (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "Statute" be as defined in the interpretation to this Bill — Agreed to.*

"the statutes" means all such statutes as are in force from time to time (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the words "the statutes" be as defined in the interpretation to this Bill — Agreed to.*

"Teacher" means a person holding a full-time appointment as a member of the teaching or research staff of the University (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "Teacher" be as defined in the interpretation to this Bill — Agreed to.*

"Undergraduate" means a person registered as a student undergoing a course of study for a first degree of the University or such other course in the University as may be approved by the Senate as qualifying a student undergoing it for the status of an under-graduate (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "Undergraduate" be as defined in the interpretation to this Bill — Agreed to.*

"University" means Federal University of Technology, Auchi established and incorporated by section 1 of this Bill (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that the meaning of the word "University" be as defined in the interpretation to this Bill — Agreed to.*

- (2) It is hereby declared that where in any provision of this Bill it is laid down that the proposals are to be submitted or a recommendation is to be made by one authority or another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals of that or recommendations received by it in pursuance of that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 27 stands part of the Bill — Agreed to.*

**Clause 28: Citation.**

This Bill may be cited as the Federal University of Technology, Auchi Bill, 2020 (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Question that Clause 28 stands part of the Bill — Agreed to.*

## SCHEDULES

### FIRST SCHEDULE

[Section 2 (2)]

#### PRINCIPAL OFFICERS OF THE UNIVERSITY

##### *The Chancellor*

1. The Chancellor shall be appointed by and hold office at the pleasure of the President.

##### *The Pro-Chancellor*

2. (1) The Pro-Chancellor who shall be the Chairman of Council shall be appointed or removed from office by Mr. President upon recommendation by the Minister of Education.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years beginning with the date of his appointment.

##### *The Vice-Chancellor*

3. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the Council in accordance with the provisions of this paragraph.
- (2) Where a vacancy occurs in the post of a Vice-Chancellor, the Council shall:
- (a) advertise the vacancy in a reputable journal or a widely read newspaper in Nigeria, specifying:
- (i) the qualities of the persons who may apply for the post; and
- (ii) the terms of conditions of service applicable to the post, and thereafter draw up a short list of suitable candidates for the post for consideration.
- (b) constitute a Search Team consisting of:

- (i) a member of the Council, who is not a member of the Senate, as chairman;
  - (ii) two members of the Senate who are not members of the Council, one of whom shall be a Professor;
  - (iii) two members of Congregation who are not members of the Council, one of whom shall be a Professor, to identify and nominate for consideration, suitable persons who are not likely to apply for the post on their own volition because they felt that it is not proper to do so.
- (3) A Joint Council and Senate Selection Board consisting of:
  - (a) the Pro-Chancellor, as chairman;
  - (b) two members of the Council, not being members of the Senate;
  - (c) two members of the Senate who are Professors, but who were not members of the Search Team, shall consider the candidates and persons in the shortlist drawn up under subsection (2) of this paragraph through an examination of their curriculum vitae and interaction with them, and recommend to the Council three candidates for further consideration.
- (4) The Council shall select and appoint as the Vice-Chancellor one candidate from among the three candidates recommended to it under subsection (3) of this section and thereafter inform the Visitor.
- (5) The Vice-Chancellor shall hold office for a single term of five years only on such terms and conditions as may be specified in his letter of appointment.
- (6) The Vice Chancellor may be removed from office by the Council on grounds of gross misconduct or inability to discharge the functions of his office as a result of infirmity of the body or mind, at the initiative of the Council, Senate or the Congregation after due process.
- (7) When the proposal for the removal of the Vice-Chancellor is made, the Council shall constitute a Joint Committee of Council and Senate consisting of:
  - (i) three members of the Council, one of whom shall be the Chairman of the committee; and
  - (ii) two members of the Senate:

Provided that where the ground for removal is infirmity of the body or mind, the Council shall seek appropriate medical opinion.
- (8) The committee shall conduct investigation into the allegations made against the Vice-Chancellor and shall report its findings to the Council.
- (9) The Council may where the allegations are proved remove the Vice-Chancellor or apply any other disciplinary action it may deem fit and notify the Visitor accordingly provided that a Vice-Chancellor who is removed shall have right of appeal to the Visitor.
- (10) There shall be no sole administrator in the University.

- (11) In any case of a vacancy in the office of the Vice-Chancellor, the Council shall appoint an acting Vice-Chancellor on recommendation of the Senate.
- (12) An acting Vice Chancellor in all circumstances shall not be in office for more than 6 months.

*Deputy Vice-Chancellor*

4. (1) There shall be for the University such number of Deputy Vice-Chancellors as Council may from time to time deem necessary for the proper administration of the University.
- (2) Where a vacancy occurs in the post of Deputy Vice-Chancellor, the Vice-Chancellor shall forward to the Senate a list of two candidates for each post of Deputy Vice-Chancellor that is vacant.
- (3) The Senate shall select for each vacant post one candidate from each list forwarded to it under subsection (2) of this paragraph and forward his name to the Council for confirmation.
- (4) A Deputy Vice-Chancellor shall:
  - (a) assist the Vice-Chancellor in the performance of his functions;
  - (b) act in the place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
  - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.
- (5) A Deputy Vice-Chancellor:
  - (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment;
  - (b) may be reappointed for one further period of two years and no more; and
  - (c) may be removed from office for good cause by the Council acting on the recommendations of the Vice-Chancellor and Senate.
  - (d) "Good cause" for the purpose of this section means gross misconduct or inability to discharge the functions of his office arising from infirmity of the body or mind.

*Office of the Registrar*

5. (1) There shall be for the University, a Registrar, who shall be the chief administrative officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administrative work of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) of this Schedule.
- (2) The person holding the office of the Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.

*Other Principal Officers of the University*

6. (1) There shall be for the University the following principal officers, in addition to the Registrar, that is:
- (a) the Bursar; and
  - (b) the University Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under paragraph 7 of this Schedule.
- (2) The Bursar shall be the Chief Financial Officer of the University and be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of the library services in the University and its campuses, colleges, schools, departments, institutes and other teaching or research units.
- (4) Any question as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor

*Selection Board for other Principal Officers*

7. (1) There shall be, for the University, a Selection Board for the appointment of principal officers, other than the Vice-Chancellor or Deputy Vice-Chancellor, which shall consist of:
- (a) the Pro-Chancellor, as chairman;
  - (b) the Vice-Chancellor;
  - (c) four members of the Council not being members of the Senate; and
  - (d) two members of the Senate.
- (2) The functions, procedure and other matters relating to the Selection Board constituted under subsection (1) of this paragraph shall be as the Council may, from time to time, determine.
- (3) The Registrar, Bursar and Librarian shall hold office for a single term of five years only beginning from the effective date of their appointments and on such terms and conditions as may be specified in their letters of appointment.
- (4) Notwithstanding subsection (3) of this section, the Council may, upon satisfactory performance, extend the tenure of the Registrar, Bursar or Librarian for a further period of one year only and thereafter such principal officer shall relinquish his post and be assigned to other duties in the University.

*Resignation and Re-appointment*

8. (1) Any officer mentioned in the foregoing provisions of this Schedule may resign his office:
- (a) in the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;

- (b) in any other case, by notice to the Council and the Council shall, in the case of the Vice-Chancellor, immediately notify the Visitor.
- (2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

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

## SECOND SCHEDULE

### TRANSITIONAL PROVISIONS AS TO PROPERTY, FUNCTIONS, ETC.

#### *Transfer of Property to University*

1. Without prejudice to the generality of section 9 (1) of this Bill:
- (a) the reference in that subsection to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council:
- (b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the University (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

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

## THIRD SCHEDULE

[Section 9 (3)]

### FEDERAL UNIVERSITY OF TECHNOLOGY, AUCHI STATUTE NO.1

#### ARRANGEMENT OF ARTICLES

##### *Articles:*

1. The Council.
2. The Finance and General Purposes Committee
3. The Senate
4. The Congregation
5. Convocation
6. Division of Colleges
7. College/School Boards
8. Dean of the College
9. Selection of certain Principal Officers
10. Creation of academic posts
11. Appointment of academic staff
12. Appointment of administrative and professional staff
13. Interpretation.
14. Short Title

#### *The Council*

1. (1) The composition of the Council shall be as provided in section 5 of this Bill.

- (2) Any member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the Council, resign his office.
- (3) A member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of the period of four years beginning with effect from 1 August in the year which he was appointed.
- (4) Where a member of the Council holding office otherwise than in pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the expiration of the period aforesaid, the body or person by whom he was appointed may appoint a successor to hold office for the residue of the term of his predecessor.
- (5) A person ceasing to hold office as a member of the Council otherwise than by removal for misconduct shall be eligible for re-appointment for only one further period of four years.
- (6) The quorum of the Council shall be five, at least one of whom shall be a member appointed pursuant to section 5 (d) or (e) of this Bill.
- (7) If the Pro-Chancellor is not present at a meeting of the Council, such other member of the Council present at the meeting as the Council may appoint as respects that meeting shall be the chairman at that meeting, and subject to section 4 of this Bill and the foregoing provisions of this paragraph, the Council may regulate its own procedure.
- (8) Where the Council desires to obtain advice with respect to any particular matter may co-opt not more than two persons for that purpose, and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.

*The Finance and General Purposes Committee*

2. (1) The Finance and General Purposes Committee of the Council shall consist of:
  - (a) the Pro-Chancellor, who shall be the chairman of the Committee at any meeting at which he is present;
  - (b) the Vice-Chancellor and Deputy Vice-Chancellors;
  - (c) six other members of the Council appointed by the Council, two of whom shall be selected from among the four members of the Council appointed by the Senate and one member appointed to the Council by Congregation;
  - (d) the Permanent Secretary of the Federal Ministry of Education, or in his absence, such member of his Ministry as he may designate to represent him; and
  - (e) the Executive Secretary of the Petroleum Technology Development Fund, or in his absence, such member of the Fund as he may designate to represent him.
- (2) The quorum of the Committee shall be five.
- (3) Subject to any directions given by the Council, the Committee may regulate its own procedure.

*Annual budget and estimates, etc.*

- (4) (i) The estimates of income and expenditure for a financial year shall be presented by the Vice-Chancellor to the Council and may be approved by the Council before the beginning of that financial year:

Provided that the Vice-Chancellor may during any financial year present and the Council may approve supplementary estimates of income or expenditure:

- (ii) The annual and supplementary estimates shall be prepared in such form and shall contain such information as the Council may direct.

*Gifts, donations, etc.*

- (5) (i) The Council may on behalf of the University accept by way of grants, gift, testamentary disposition or otherwise, property and money in aid of the finances of the University on such conditions as it may approve;

- (ii) Registers shall be kept of all donations to the University including the names of donors and any special conditions under which any donation may have been given:

Provided that the University shall not be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attaching to such donation;

- (iii) All property, money or funds donated for any specific purposes shall be applied and administered in accordance with the purposes for which they are donated and shall be accounted for separately.

*Payment into bank*

- (6) All sums of money received on account of the University shall be paid into such bank as may be approved by the Council for the credit of the University's general, current or deposit account:

Provided that the Council may invest, as it deems fit, any money not required for immediate use other than donations of money referred to in subsection (1) of this section.

*Audit*

- (7) (1) The Council shall cause the accounts of the University to be audited by auditors appointed by the Council as soon as may be after the end of each financial year or for any such other period as the Council may require.
- (2) The appointment and other matters relative to the auditors, their continuance in office and their functions, as the case may be, shall, subject to the provisions of this section, be prescribed by statute.

*The Senate*

3. (1) The Senate shall consist of:

- (i) the Vice-Chancellor;



- (ii) Deputy Vice-Chancellors;
  - (iii) the Deans of respective Colleges;
  - (iv) the Professors in the University;
  - (v) Heads of Academic Departments and Units;
  - (vi) the University Librarian;
  - (vii) one elected representative of each College;
  - (viii) two members of Academic Staff elected by the Congregation;
  - (ix) one elected representative of each department;
  - (x) two members representing a variety of interests of the professional bodies outside the University appointed by the Senate on the recommendation of the Vice-Chancellor;
  - (xi) Registrar-Secretary.
- (2) The procedure for election of members of Senate to the Council shall be prescribed by Regulations.
- (3) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present, and in his absence any of the Deputy Vice-Chancellors present at the meeting as the Senate may appoint for that meeting shall be the chairman at the meeting.
- (4) The quorum of the Senate shall be one quarter or the nearest whole number less than one quarter; and subject to paragraph (3) of this Article, the Senate may regulate its own procedure.
- (5) An elected member may, by notice to the Senate, resign his office.
- (6) Subject to paragraph (8) of this article, there shall be elections for the selection of elected members which shall be held in the prescribed manner on such day in the month of May or June in each year as the Vice-Chancellor may from time to time determine.
- (7) An elected member shall hold office for the period of two years beginning with 1 August in the year of his election, and may be a candidate at any election held in pursuance to paragraph (6) of this article in the year in which his period of office expires, so however that no person shall be such a candidate if at the end of his current period of office he will have held office as an elected member for a continuous period of six years or would have so held office if he had not resigned it.
- (8) No election shall be held in pursuance of this article in any year if the number specified in the certificate given in pursuance to paragraph (11) of this article does not exceed by more than one the figure which is thrice the number of those elected members holding office on the date of the certificate who do not vacate office during that year in pursuance of paragraph (7) of this article.

- (9) For the avoidance of doubt it is hereby declared that no person shall be precluded from continuing in or taking office as an elected member by reason only of reduction in the after 30 April in any year in which he is to continue in or take office as all elected member.
- (10) If so requested in writing by any fifteen members of the Senate, the Vice-Chancellor or in his absence any of the Deputy Vice-Chancellor duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.
- (11) In this article "total of non-elected members" means as respect any year, such number as may be certified by the Vice-chancellor on 30 April of that year to be the number of persons holding office as members of the Senate on that day otherwise than as elected members.

#### *Congregation*

- 4. (1) Congregation shall consist of:
  - (i) Vice-Chancellor;
  - (ii) the Deputy Vice-Chancellors;
  - (iii) the full-time members of the academic staff;
  - (iv) the Registrar;
  - (v) the Librarian; and
  - (vi) every member of the administrative staff who holds a degree, other than honorary degree, of any University recognized for the purposes of this statute by the Vice- Chancellor.
- (2) Subject to section 4 of this Bill, the Vice-Chancellor shall be the chairman at all meetings of Congregation when he is present: and in his absence any of the Deputy Vice Chancellors present at the meeting as Congregation may appoint for that meeting, shall be the chairman at the meeting.
- (3) The quorum of Congregation shall be one third or the whole number nearest to one third of the total number of members of Congregation of fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:
  - (a) the total number of members of Congregation for the purpose of any particular meeting or meetings of Congregation; or
  - (b) the names of the persons who are members of Congregation during a particular period, shall be conclusive evidence of that number or, as the case may be, of the names of those persons.
- (5) The procedure for election of members of Congregation to the Council and the Senate shall be prescribed by Regulations.
- (6) Subject to the foregoing provisions of this article, Congregation may regulate its own procedure.

- (7) Congregation shall be entitled to express by resolutions or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions, in addition to the function of electing a member of the Council, as may be provided by statute or regulations.

*Convocation*

5. (1) Convocation shall consist of:
- (i) the officers of the University mentioned in the First Schedule to this Bill;
  - (ii) all teachers within the meaning of this Bill;
  - (iii) all other persons whose names are registered in accordance with paragraph (2) of this article.
- (2) A person shall be entitled to have his name registered as a member of convocation if:
- (a) he is either a graduate of a University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
  - (b) he applies for the registration of his name in the prescribed manner and pay the prescribed fees.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and subject to paragraph (4) of this article may provide for the payment, from time to time, of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
- (4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of the Convocation by virtue of paragraph (1) (a) or (b) of this article are entered and retained on the register.
- (5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register or a copy of the register at the principal times of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is not, a member of Convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of Convocation shall be fifty or one third or the whole number nearest to one third or the whole number of members of Convocation whichever is less.
- (8) Subject to section 4 of the Act, the Chancellor shall be chairman at all meetings of Convocation when he is present, and in his absence the Vice-chancellor shall be the chairman at the meeting.
- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute or regulations.

*Division of Colleges*

6. Each College shall be divided into such number of branches as may be prescribed.

*College Boards*

7. (1) There shall be established in respect of each College, a Board of Studies which, subject to the provisions of this Statute, and subject to the directions of the Vice-Chancellor, shall:
- (a) regulate the teaching and study of, and the conduct of examinations connected with, the subjects assigned to the college;
  - (b) deal with any other matter assigned to it by statute or by the Vice-Chancellor or by the Senate; and
  - (c) advise the Vice-Chancellor or the Senate on any matter referred to it by the Vice-Chancellor or the Senate.
- (2) Each College Board of Studies shall consist of:
- (a) the Vice-Chancellor;
  - (b) the Dean;
  - (c) the persons severally in charge of the branches of the school;
  - (d) the College Examination Officer;
  - (e) such of the teachers assigned to the college and having the prescribed qualifications as the Board may determine; and
  - (f) such persons, whether or not members of the University, as the Board may determine with the general or special approval of the Senate.
- (3) The quorum of the Board shall be eight members or one quarter, whichever is greater, of the members for the time being of the board; and subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate its own procedure.

*Deans of the Colleges*

8. (1) The Board of each College shall, at a meeting in the last term of any academic year which the term of office of the Dean expires, nominate one of its members, being one of the Professors assigned to that teaching unit, for appointment by the Senate as Dean of the College.
- (2) The person appointed under paragraph 1 of this Article shall act as Dean of the College and chairman of all meetings of the College Board when he is present and shall be a member of all committees and other boards appointed by the College.
- (3) The Dean shall hold office for two years and shall be eligible for re-appointment one further period of two years. Thereafter he shall not be eligible for re-appointment until two years have elapsed.

- (4) The Dean of a College shall exercise general superintendence over the academic and administrative affairs of the College.
- (5) It shall be the function of the Dean to present to Convocation for the conferment of degrees to persons who have qualified for the degrees of the University at examination held in the branches of learning for which responsibility is allocated to that College.
- (6) There shall be a committee to be known as the Committee of Deans consisting of all the Deans of the several Colleges and that Committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the University by the Senate.
- (7) The Dean of a College may be removed from office for good cause by the College Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of a Dean, an acting Dean may be appointed by the Vice-Chancellor:  
  
Provided that at the next College Board meeting an election shall be held for a new Dean.
- (8) In this article "good cause" has the same meaning as in section 15 3) of the Act.

*Departmental Board of Studies*

- (9) (1) There shall be a Departmental Board of Studies whose membership shall be made of all academic staff of the Department.
- (2) It shall be headed by a Professor who shall be appointed by the Vice Chancellor and in the absence of a Professor, a senior academic staff shall be appointed in acting capacity.
- (3) For a Professor the term is for 3 years while 1 year is for acting capacity. The Board shall superintend over all teachings and examinations in the Department.
- (4) The Board shall handle all disciplinary matters in the Department and make recommendations to the College where necessary.
- (5) Allocation of courses in the department shall be done by the Departmental Board on recommendation of the Head of Department.

*Selection of Directors of Physical Planning and  
Development, Works and Services and Health*

9. (1) When a vacancy occurs in the office of the Directors of Physical Planning and Development, Works and Services and Health, a Selection Board shall be constituted by the Council which shall consist of:
  - (a) the Pro-Chancellor;
  - (b) the Vice-Chancellor;
  - (c) two members appointed by the Council, not being members of the Senate;
  - (d) two members appointed by the Senate.

- (2) The Selection Board after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office; and after considering the recommendation of the board the Council may make an appointment to that office.

*Tenure of Directors*

10. A Director shall hold office on such terms and conditions as may be specified in his letter of appointment subject to the extant Regulations.

*Creation of Academic Posts*

11. Recommendations for the creation of academic posts other than principal officers shall be made by the Senate to the Council through the Finance and General Purposes Committee.

*Appointment of Administrative and Professional Staff*

12. (1) The administrative and professional staff of the University other than principal officers shall be appointed by the Council on its behalf by the Vice-Chancellor in accordance with delegation of powers made by the Council on its behalf.
- (2) A Selection Board, with power to appoint, shall consist of:
- (i) Vice Chancellor;
  - (ii) Deputy Vice Chancellor;
  - (iii) Registrar;
  - (iv) Bursar;
  - (v) University Librarian;
  - (vi) the Head of Department concerned; and
  - (vii) Establishment and Human Resources Officer who shall serve as Secretary
- Quorum shall be three (3) including the Chairman.

*Interpretation*

13. In this Statute, the expression "the Act" means the Federal University of Technology, Auchi Act and any word or expression defined in the Act has the same meaning in this Statute (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to upgrade the Federal Polytechnic Auchi to the Federal University of Technology, Auchi, Edo State (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Provide for Establishment of Federal University of Technology, Auchi, Edo State and for Related Matters (HB. 527) (*Hon. Johnson E. Oghuma — Etsako East/West Central Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of Federal University of Technology, Auchi, Edo State; and for Related Matters (HB. 527) and approved Clauses 1 - 23, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

*Question that the House do adopt the Report of the Committee of the Whole — Agreed to.*

- (vi) **Report of the Conference Committee on *Police Act (Repeal and Enactment) Bill*:**  
*Motion made and Question proposed, "That the House do consider the Report of the Conference Committee on a Bill for an Act to Repeal the Police Act, Cap. P19, Laws of the Federation of Nigeria, 2004 and Enact Nigeria Police Bill, 2020 to Provide the Framework for the Police Force and ensure Cooperation and Partnership between the Police and Host Communities in Maintaining Peace, protecting lives and Property; and for Related Matters (HB.685)" (Hon. Usman Bello Kumo — Federal Constituency).*

*Agreed to.*

*Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.*

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO REPEAL THE POLICE ACT, CAP. P19,  
LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT NIGERIA  
POLICE ACT, 2020 TO PROVIDE FOR THE FRAMEWORK FOR THE  
POLICE FORCE AND ENSURE COOPERATION AND PARTNERSHIP  
BETWEEN THE POLICE AND COMMUNITIES IN MAINTAINING  
PEACE, COMBATING CRIME, PROTECTING LIBERTIES, LIFE  
AND PROPERTY; AND FOR RELATED MATTERS

**Committee Recommendation:****Clause 1: General Objective.**

The Objective of this Bill is to provide for a more efficient and effective police force that is based on the principles of:

- (a) accountability and transparency;
- (b) protection of human rights and fundamental freedoms; and
- (c) partnership with other security agencies (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 1 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 2: Specific Objectives.**

The Specific objectives of this Bill are to:

- (a) provide for a Police Force that is more responsive to the needs of the general public and has entrenched in its operations the values of fairness, justice and equity;
- (b) reposition the Police Force to uphold and safeguard the fundamental rights of every person in Nigeria in its operations;
- (c) bring about a positive change in the public perception of the Police Force by ensuring that its functions are performed in a manner sensitive to the needs and well-being of the general public;
- (d) empower the Police Force to effectively prevent crimes without threatening the liberty and privacy of persons in Nigeria;
- (e) strengthen the Police Force in the performance of its functions, including safety and security of all persons, communities and property in Nigeria;
- (f) ensure that the police performs its functions by creating the enabling environment to foster cooperation and partnership between it and the communities it serves to effectively prevent, reduce or eradicate crimes;
- (g) develop professionalism in the Police Force by providing relevant training in all police formations in Nigeria for enhanced performance; and
- (h) respect for rights of victims of crime and an understanding of their needs (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 2 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 3 Establishment, composition and duties of the Nigeria Police Force.**

- (1) There is established for Nigeria the Nigeria Police Force (in this Bill referred to as "the Police Force") which shall, subject to the provisions of the Constitution of the Federal Republic of Nigeria:
  - (a) be organised and administered in accordance with the provisions of this Bill; and
  - (b) have such powers and duties and carry out such responsibilities as are conferred on it under this Bill or any other law.
- (2) The Police Force shall consist of:
  - (a) all persons who immediately before the commencement of this Bill were members;
  - (b) the Inspector-General of Police;
  - (c) persons appointed to offices in the Police Force by the Police Service Commission under Part IV of this Bill;
  - (d) Special Constables appointed under this Bill; and



(e) such other persons that may be appointed under this Bill.

- (3) The hierarchy of the Police Force is as specified in the Schedule to this Bill (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 3 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 4: Primary functions of the Police Force.**

The Police Force shall:

- (a) prevent and detect crimes, and protect the rights and freedom of every person in Nigeria as provided in the Constitution, the African Charter on Human and Peoples' Right, and any other law;
- (b) maintain public safety, law and order;
- (c) protect the lives and property of all persons in Nigeria;
- (d) enforce all laws and regulations without prejudice to the enabling Acts of other security agencies;
- (e) discharge such duties within and outside Nigeria as may be required of it under this Bill or any other law;
- (f) collaborate with other agencies to take any necessary action and provide the required assistance or support to persons in distress, including victims of road accidents, fire disasters, earthquakes and floods;
- (g) facilitate the free passage and movement on highways, roads and streets open to the public;
- (h) adopt community partnership in the discharge of its responsibilities under this Bill or under any other law; and
- (i) to vet and approve the registration of private Detective Schemes and private Investigative outfits (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 4 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 5: Duty of Police Force to enforce certain constitutional provisions, etc.**

- (1) The Police Force is responsible for promoting and protecting the fundamental rights of persons in police custody as guaranteed by the Constitution.
- (2) For the purpose of subsection (1) of this section, the Police Force shall collaborate with and maintain close working relationships with any Government agency or relevant private initiatives in the establishment of schemes or mechanisms offering legal services to accused persons, detainees or accused persons in police custody in need of legal services to ensure that they have full access to justice as laid down under the relevant provisions of Chapter IV of the Constitution.

- (3) In addition to the provisions of subsections (1) and (2) of this section, the Police Force is also charged with the responsibility for promoting and protecting the fundamental rights of all persons as guaranteed under the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act and other international legal instruments on Human Rights to which Nigeria is a signatory (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 5 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 6: Establishment and functions of the Nigeria Police Council.**

- (1) There is established for the Federation the Nigeria Police Council (in this Bill referred to as "the Police Council") which is the highest policy making body in matters relating to the Police Force.
- (2) The Police Council consists of:
  - (a) the President, who is the Chairman;
  - (b) the Governor of each State of the Federation;
  - (c) the Chairman of the Police Service Commission; and
  - (d) the Inspector-General of Police.
- (3) The functions of the Police Council shall include:
  - (a) the organisation and administration of the Police Force and all other matters relating to the Police Force (not being matters relating to the use and operational control of the Police, or the appointment, disciplinary control and dismissal of members of the Police Force);
  - (b) the general supervision of the Police Force;
  - (c) advising the President on the appointment of the Inspector-General of Police; and
  - (d) receiving and deliberating on reports and advising the President or Inspector-General of Police on actions to be taken:
    - (i) pertaining to policing matters from the States of the Federation and the Federal Capital Territory, Abuja on any crucial decision of their Security Committee meetings held during the three months preceding a quarterly meeting of the Police Council, and
    - (ii) on security concerns relating to policing from the States and the Federal Capital Territory, Abuja, and taking such action as it may consider appropriate.
- (4) The Police Council shall meet at least twice in a year and may hold emergency meetings when necessary.

- (5) The Permanent Secretary, Ministry of Police Affairs, shall serve as secretary to the Police Council and his office shall provide the necessary secretarial support for the work of the Police Council.
- (6) Subject to the provision of this section, the Police Council shall regulate its own proceedings (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 6 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 7: Appointment of the Inspector-General of Police.**

- (1) The Inspector-General of Police shall be the head of the Nigeria Police Force and shall exercise full Command and Operational Control over the Police and all its departments/units.
- (2) The person to be appointed as Inspector-General of Police shall be a Senior Police Officer not below the rank of an Assistant Inspector-General of Police with the requisite academic qualifications of not less than a first degree or its equivalent in addition to professional and management experience.
- (3) The Inspector-General of Police shall be appointed by the President on the advice of the Police Council from among serving members of the Nigeria Police Force.
- (4) The Inspector-General of Police shall not be removed from Office except for gross misconduct, gross violation of the constitution of the Federal Republic of Nigeria or demonstrated incapacity to effectively discharge the duties of the Office.
- (5) The Inspector-General shall only be removed from office by the President on the advice of the Police Council.
- (6) The person appointed to the Office of the Inspector-General of Police shall hold Office for four (4) years subject to the provision of Clause 21 (8) of the Bill (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 7 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 8: Functions and powers of the Inspector-General of Police.**

- (1) The powers and functions of the Inspector-General shall include:
  - (a) the development of an overall national policing plan with inputs from the Police Force Headquarters and all the various police formations nationwide before the end of each financial year, setting out the priorities, objectives, cost implications and expected outcomes of policing for the next succeeding financial year;
  - (b) taking into cognisance the security situation across the country and its population, determine the manpower distribution of the Police based on its numerical strength after due consultation with the Police Service Commission;
  - (c) administer and organise the Police Force into various components, units or groups for overall optimal performance and effectiveness;

- (d) ensuring regular training and re-training of police officers and other staff and personnel of the Police Force and, for this purpose, establish and maintain training institutions or centres for the training of members of the Police Force; and
  - (e) ensuring the physical, mental and psychological wellbeing of all police personnel;
  - (f) seeing to the welfare and conditions of service of Police personnel;
  - (g) making Standing Orders relating to operational control of the Police Force which shall be:
    - (i) binding on all police officers, and
    - (ii) published in the Federal Government Gazette; and
  - (h) performing such other functions or exercising such powers as may be conferred on him under this Bill or any other law.
- (2) The Inspector-General shall, in addition to his functions under this section, ensure the discharge by the Police Force of the responsibilities referred to under section 5 of this Bill, and for this purpose, the Inspector-General shall:
  - (a) facilitate access to legal support for suspects, accused persons or detainees in police custody;
  - (b) ensure that police officers assigned to work under the relevant scheme provide necessary assistance as may be required by legal counsel; and
  - (c) for the purposes of performing the functions under this section, submit to the Attorney-General of the Federation and National Assembly an annual report on how those responsibilities referred to under section 5 (2) of this Bill are discharged.
- (3) The Attorney-General of the Federation shall, after a review of the annual report received, send his findings and recommendations to the President and publish same in his official website
- (4) The Inspector-General shall, by order published in the Federal Government Gazette, make detailed provisions and specifications for the establishment and proper working of the schemes or mechanisms under section 5 of this Bill
- (5) The Inspector-General shall, in performing his functions under this Bill, obtain inputs, from the Deputy Inspectors-General and Assistant Inspectors-General of the Zonal Commands, on the priority areas of policing for the Zones and incorporate submissions from Commissioners of Police of the States to be included in the overall national strategic plan for the next succeeding financial year.
- (6) The Inspector-General may:
  - (a) re-engage a retired police officer for a period of two years; and

- (b) upon application by the retired police officer, re-engage him for another period of two years (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 8 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 9: Command of Police in Case of Active Service.**

When required to perform military duties in accordance with the provisions of section 4 of this Bill, such duties entailing service with the armed forces of Nigeria or any force for the time being attached thereto or acting therewith, the Police shall be under the command and subject to the orders of the Officer in command of the armed forces in Nigeria, but for the purposes of internal security shall remain under the control of a Superior Police Officer (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 9 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 10: Appointment and duties of the Deputy Inspectors-General and Assistant Inspectors-General.**

- (1) The Police Service Commission on the recommendation of the Inspector General of Police, shall appoint for the Police Force such numbers of Deputy Inspectors-General and Assistant Inspectors-General as are required for the efficient performance of the functions of the Police Force.
- (2) A person appointed under subsection (1) shall:
  - (a) hold office until promotion, retirement or removal by the Police Service Commission on account of gross misconduct or incapacity to perform the functions of his office after following due process; and
  - (b) perform such functions and responsibilities and exercise such powers as are assigned to him by the Inspector-General.
- (3) The most senior Deputy Inspector-General of Police shall, in the absence from office of the Inspector-General, act on behalf of the Inspector-General in performing any of the functions and discharging the duties of the Inspector-General under this Act or under any law or in respect of any function as may be delegated by the Inspector-General.
- (4) On resumption of duty by the Inspector-General, the said Deputy Inspector-General shall furnish reports, in such form or details as the Inspector-General may specify, of all matters dealt with by the Deputy Inspector-General in the absence of the Inspector-General from office (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 10 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 11: Delegation by the Inspector-general of Police.**

- (1) The Inspector-General of Police may delegate any of his powers under this Bill to any Police Officer so that the delegated powers may be exercised by the delegate with respect to the matters or class of matters specified or defined in the instrument of delegation.

- (2) Guided by the principle of efficiency and effectiveness, and for ease of delegation of powers, the Inspector-General of Police shall devolve powers to Zonal, States, Area Commands, Divisions and Police Posts to ensure quick response to safety and security needs (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 11 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 12: Appointment of other persons.**

The Police Service Commission shall appoint such other persons to offices in the Police Force as are required for the effective and efficient performance of the functions of the Police Force on such terms and conditions as may be prescribed by the Police Service Commission (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 12 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 13: Pensions and gratuities.**

- (1) Persons appointed to offices under this Part, are entitled to such pensions, gratuities and other retirement benefits as are prescribed under the Pension Reform Act.
- (2) Nothing in this Bill prevents the appointment of a person to any office on terms which preclude the grant of a pension, gratuity or other retirement benefits in respect of that office (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 13 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 14: Standing Orders.**

- (1) The Inspector-General of Police may make Standing Orders relating to operational control of the Police.
- (2) Such Standing Orders shall be binding upon all Police Officers and shall be published in the Federal Gazette and in one national daily.
- (3) The Police Service Commission may, subject to the provisions of this Bill, make Standing Orders relating to:
  - (a) the appointment, promotion and disciplinary control, including dismissal of persons appointed by it into the Police Force; and
  - (b) appeals by persons appointed by it into the Police Force against dismissal or other disciplinary measures.
- (4) The Standing Orders made under subsection (1) is binding on all persons appointed by the Police Service Commission and shall be published in the Federal Government Gazette (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 14 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 15: Remuneration.**

- (1) The police officer shall not be paid salary below what is payable to officers in other security agencies.
- (2) A police officer shall not get himself involved in indebtedness of any kind while still in service, and where he does, he shall be disciplined and the debt or liability shall be recovered from his remuneration if the creditor can prove the indebtedness by withholding from the police officer's remuneration an amount not exceeding one-third of his monthly remuneration until the amount of the debt or liability is made good.
- (3) Where the recovery of the debt or liability is by a court order, the court making the order shall give due notice to the senior police officer in charge of the command to which the indebted officer belongs, and the amount ordered shall be withheld or deducted from the indebted officer's remuneration until the amount of the debt is made good (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 15 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 16: Recruitment, Appointment and Service.**

- (1) The responsibility for the recruitment of recruit constables into the Nigeria Police Force and recruit cadets into the Nigeria Police Academy shall be the duty of the Inspector-General of Police.
- (2) For the purpose of subsection (1), there shall be the Nigeria Police Recruitment Committee (in this Bill referred to as "the Police Recruitment Committee").
- (3) The Police Recruitment Committee is responsible for the recruitment of recruit-constables into the Nigeria Police Force.
- (4) The Police Recruitment Committee shall consist of:
  - (a) the Inspector-General of Police as Chairman;
  - (b) all the serving Deputy Inspectors-General of Police;
  - (c) the Force Secretary;
  - (d) Commandants of Staff College, Jos;
  - (e) Police Academy Wudil, Kano;
  - (f) a representative of the Police Colleges; and
  - (g) the Officer-in-charge of the Legal Section of the Nigeria Police Force.
- (5) The recruitment of recruit constables into the Nigeria Police Force shall be of national spread across each State of the Federation.

- (6) The members of the Police Recruitment Committee shall have power to delegate officers, not below the rank of Chief Superintendent of Police, to represent them at any meeting or recruitment exercise.
- (7) The decision of the Police Recruitment Committee is final on any matter concerning the recruitment of recruit constables into the Nigeria Police Force.
- (8) Every police officer shall, on recruitment or appointment, serve in the Nigeria Police Force for a period of 35 years or until he attains the age of 60 years, whichever is earlier.
- (9) Professionals from the relevant fields, including engineering, medicine, pathology, aviation, law, psychology, accountancy and forensic science, shall:
  - (a) be appointed into the Nigeria Police Force as specialists; and
  - (b) practise their professions and use their expertise in the advancement of the objectives of the Police Force.
- (10) All candidates wishing to be recruited or appointed into the Nigeria Police Force shall undergo psychological and other medical evaluations as may be required as part of the recruitment or appointment process to ascertain their character and suitability for the job.
- (11) Within the period of recruitment or appointment, every police officer shall undergo specialised training in any professional field relevant to policing and law enforcement (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 16 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 17: Training Programmes.**

- (1) The Inspector-General shall ensure that all police officers undergo regular training and re-training in:
  - (a) basic policing, ethics, code of conduct and standard operating procedures;
  - (b) crime detection and law enforcement;
  - (c) investigation and gathering of evidence;
  - (d) effective nationwide citizen engagement;
  - (e) human rights, gender issues, public relations and other emerging issues;
  - (f) democratic policing and emotional intelligence
  - (g) prosecution and defence.



- (2) The Inspector-General, in consultation with the Ministry and the Police Service Commission, is responsible for the revision of the training, duration and content of the training of police officers, at least once in every five years.
- (3) The Inspector-General shall ensure that training programmes are made available to all police officers, irrespective of gender and for all other staff or employees charged with responsibilities for discharging the duties and responsibilities of the Police Force.
- (4) All police officers shall undergo periodic training and retraining in basic policing and law enforcement courses as well as specialized courses relevant to law enforcement (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 17 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 18: Appointment of Supernumerary Police Officers to Protect Property.**

- (1) Any person (including any government department or private company) who desires to avail himself of the services of one or more Police Officers for the protection of property owned or controlled by him may make application therefore to the Inspector-General of Police, stating the nature and situation of the property in question and giving such other Particulars as the Inspector-General of Police may require.
- (2) On an application under the foregoing subsection the Inspector-General of Police may, with the approval of the President, direct the appropriate authority to appoint as Supernumerary Police Officers in the Force such number of persons as the Inspector-General of Police thinks requisite for the protection of the property to which the application relates.
- (3) Every Supernumerary Police Officer appointed under this section-
  - (a) shall be appointed in respect of the area of the Police Command or, where there is no Police Command, the Police Area Command or Police division in which the property which he is to protect is situated;
  - (b) shall be employed exclusively on duties connected with the protection of that property;
  - (c) shall, in the Police Area in respect of which he is appointed and in any Police Area adjacent thereto, but not elsewhere, have the powers, privileges and immunities of a Police Officer; and
  - (d) subject to the restrictions imposed by paragraphs (b) and (c) of this subsection and to the provisions of section 79 of this Bill, shall be a member of the Force for all purposes and shall accordingly be subject to the provisions of this Bill and in Particular the provisions thereof relating to discipline.
- (4) Where any Supernumerary Police Officer is appointed under this section, the person availing himself of the services of that officer shall pay to the Accountant-General of the Federation:

- (a) on the enlistment of the Officer, the full cost of the Officer's uniform; and
- (b) quarterly in advance, a sum equal to the aggregate of the amount of the Officer's pay for the quarter in question and such additional amounts as the Inspector-General of Police may direct to be paid in respect of the maintenance of the Officer during that quarter, and any sum payable to the Accountant-General of the Federation under this subsection which is not duly paid may be recovered in a summary manner before a Magistrate on the complaint of any Superior Police Officer:

Provided that this subsection shall not apply in the case of an appointment made on the application of a department of the Government of the Federation.

- (5) Where the person availing himself of the services of any Supernumerary Police Officer appointed under this section desires the services of that officer to be discontinued, he must give not less than two months' notice in writing to that effect, in the case of an Officer appointed in respect of a Police Area within that Part known as the Federal Capital Territory, to the Inspector-General of Police or, in the case of an officer appointed in respect of a Police area within a State, to the Commissioner of Police of that State; and on the expiration of such notice the services of the Supernumerary Police Officer in question shall be withdrawn.
- (6) Where the services of a Supernumerary Police Officer are withdrawn in pursuance of subsection (5) of this section in the course of a quarter for which the sum mentioned in subsection (4) (b) of this section has been paid to the Accountant-General of the Federation, the Accountant-General of the Federation shall pay to the person by whom that sum was paid a sum which bears to that sum the same proportion as the unexpired portion of that quarter bears to the whole of that quarter.
- (7) In this section, "the Accountant-General" means the Accountant-General of the Federation; "government department" means any department of the Government of the Federation or of the Government of a State; and "quarter" means any period of three months; and any reference in this section to the person availing himself of the service of a Supernumerary Police Officer appointed under this section is a reference to the person on whose application the Officer was appointed or, if that person has been succeeded by some other person as the person owning or controlling the property for the protection of which the Officer in question was appointed, that other person (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 18 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 19: Appointment of supernumerary police officers where necessary in the public interest.**

- (1) If, at any time, the Inspector-General with the consent of the Police Service Commission, is satisfied, as regards any police area, that it is necessary in the public interest for supernumerary police officers to be employed in that area, he may authorise the appropriate authority to appoint persons as supernumerary police officers in the Police Force in accordance with the authorisation.

- (2) Every authorisation under this section shall be in writing and shall specify the police area to which it relates and the maximum number of supernumerary police officers who may be appointed under that authorisation.
- (3) Every supernumerary police officer appointed under an authorisation given under this section shall:
  - (a) be appointed in respect of the police area to which the authorisation relates;
  - (b) in the police area in respect of which he is appointed and in any police area adjacent thereto, have the powers, privileges and immunities of a police officer;
  - (c) be a member of the Force for all purposes and shall accordingly be subject to the provisions of this Bill, particularly to the provisions relating to discipline;
  - (d) not bear arms; and
  - (e) not be covered by the provision relating to pensions as stipulated in section 13 under this Bill (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 19 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 20: Appointment of Supernumerary Police Officers for Attachment as Orderlies.**

- (1) The appropriate authority may at the request of the Inspector-General of Police or of the Commissioner of Police of a State appoint any person as a Supernumerary Police Officer in the Force with a view to that person's attachment as an orderly to —
  - (a) a Minister; or
  - (b) a Commissioner of the Government of a State; or
  - (c) a Police Officer of or above the rank of Assistant Commissioner.
- (2) Every Supernumerary Police Officer appointed under this section —
  - (a) shall be employed exclusively on duties connected with the activities of the person to whom he is attached;
  - (b) shall, while so employed, have throughout Nigeria the powers, privileges and immunities of a Police Officer; and
  - (c) may be trained to bear fire arms with the approval of the Inspector-General (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 20 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 21: Provisions supplementary to sections 22 to 25.**

- (1) Every supernumerary police officer shall, on appointment, be enlisted to serve in the Police Force from month to month, and a supernumerary police officer may, at any time, resign his appointment by giving one month's notice in that behalf to his employer and senior police officer in charge of the police area in respect of which he is appointed, and his appointment may be determined by the appropriate authority on one month's notice in that behalf or on payment of one month's pay instead of such notice.
- (2) The ranks to which supernumerary police officers may be appointed shall be prescribed by Inspector-General with the consent of the Police Service Commission, but shall not exceed the rank of Commissioner of Police throughout his life time.
- (3) A Supernumerary Police Officer shall have no claim on the Police Reward Fund; and, without prejudice to any liability under the Workmen's Compensation Act, to pay compensation to or in respect of any person by virtue of his employment as a Supernumerary Police Officer, a person's service as such as Officer shall not render him or any other person eligible for any pension, gratuity or annual allowance under this Bill or the Pensions Act.
- (4) The badges of ranks of the supernumerary police shall be the same as that worn by general duty or regular police (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 21 stands part of the Bill — Agreed to.*

**Committee Recommendation:****Clause 22: Funding of the Police Force.**

- (1) There is established and maintained for the Police Force a fund (in this Bill referred to as "the General Fund") into which shall be paid —
  - (a) budgetary allocations for capital and recurrent expenditure, for members of the Police Force and the Traffic Warden Service established under this Bill and the other staff of the Police Force; as may be appropriated by an Act of the National Assembly for the Police Force;
  - (b) such contributions as may be made available to the Police Force for the purposes of this Bill by the State Governments and the Federal Capital Territory, Abuja;
  - (c) aid and assistance from international bilateral and multilateral organisations if the purpose for the aid or assistance does not conflict with the objectives of this Bill;
  - (d) all sums of money accruing to the Police Force by way of grants-in-aid, gifts, testamentary dispositions, endowments and contributions from any other source;
  - (e) all money generated by the Police Force in the course of its operations, including:

- (i) two-thirds of fees paid by members of the public in respect of extracts from police reports,
  - (ii) two-thirds of fees paid in accordance with Standing Orders for services of police officers who would otherwise be off duty, and
  - (iii) tuition fees from the Police Force training institutions; and
- (f) any other financial resource that may be vested in or accrue to the Police Force in the course of performing its functions under this Bill or any other law.
- (2) A State Government or the Federal Capital Territory, Abuja, as the case may be, shall:
  - (a) keep records of all contributions made; and
  - (b) specify the purpose for which a contribution is made, under subsection (1) (b) of this section (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 22 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 23: Expenditures by the Police Force.**

- (1) The Police Force shall, from time to time, apply the money accruing in the General Fund to:
  - (a) the cost of administration and operations of the Police Force;
  - (b) for the payment of salaries, allowances, expenses and other benefits of the members of the Police Force and the Warden Service established under this Bill and the other staff of the Police Force;
  - (c) the payment of pensions and other retirement benefits under any law;
  - (d) costs of acquisition and upkeep of premises belonging to the Police Force and any other capital expenditure of the Police Force;
  - (e) all costs connected with or incidental to the operations of the Community Police Forums and Boards established under Part XIII of this Bill;
  - (f) the investments, maintenance of utilities, training, research and similar activities; and
  - (g) any other payment for anything incidental to the provisions of this section or any other function of the Police Force under this Bill.
- (2) Any contribution made by a State Government or the Federal Capital Territory under section 27 (1) (b) of this Bill or any other contribution in respect of which a purpose was specified shall be used by the Police Force for the purpose specified (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 23 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 24: Estimates.**

- (1) The Police Force shall, not later than 30th September of each year, submit to the National Assembly through the Minister estimates of its income and expenditure for the next succeeding financial year.
- (2) Notwithstanding the provisions of subsection (1) of this section, the Police Force may, where necessary due to unforeseen circumstances, submit supplementary or adjusted statements of estimated income and expenditure to the Minister for submission to the National Assembly.
- (3) The Police Force shall, in preparing its estimates under this section, obtain inputs from the Force Headquarters, Zonal Headquarters, State Commands, Area Commands and Divisional Commands on their budgetary needs based on the annual policing plans for the various policing formations to be included in the overall estimates for the Police Force for the next succeeding financial year (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 24 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 25: Accounts, records and audit.**

- (1) The Police Force shall:
  - (a) keep proper records and accounts of the income and expenditures of the Police Force; and
  - (b) prepare a statement of account in respect of each financial year.
- (2) The Police Force shall, within the first four months of each financial year, submit for auditing, the accounts of the Police Force to auditors appointed by the Police Force from the list and in accordance with guidelines approved by the Auditor-General of the Federation.
- (3) The audited accounts of the Police Force and the Auditor-General's report on the accounts shall be forwarded to the National Assembly by the Auditor-General annually (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 25 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 26: Annual report.**

- (1) The Police Force shall, not later than 30th June of each financial year, submit to the Minister, in respect of the preceding financial year, an annual report on the activities of the Police Force in such form as the Minister may direct.
- (2) The report under subsection (1) of this section shall include:
  - (a) detailed information with regards to the activities and expenditures of the Police Force utilized in the carrying out of its policing plan;
  - (b) a copy of the audited accounts of the Police Force for that year together with the Auditor-General's report on the accounts;

- (c) information and description of all contributions made to the Police Force under section 27 (1) (b) of this Bill, including contributions other than cash; and
  - (d) such other information as the Minister may request.
- (3) The Police Force shall, from time to time, provide the Police Council, Police Service Commission and Minister with such information relating to the affairs of the Police Force as they may request (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 26 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 27: Power to arrest on warrant but without the warrant.**

A warrant of arrest may be executed notwithstanding that it is not in the possession of the person at the time of executing the warrant, but the warrant shall, on the demand by the suspect, be shown to him within 24 hours (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 27 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 28: Police officer and indebtedness.**

- (1) A police officer shall not get himself involved in indebtedness of any kind while still in service, and where he does, he shall be disciplined and the debt or liability shall be recovered from his remuneration if the creditor can prove the indebtedness by withholding from the police officer's remuneration an amount not exceeding one-third of his monthly remuneration until the amount of the debt or liability is made good.
- (2) Where the recovery of the debt or liability is by a court order, the court making the order shall give due notice to the senior police officer in charge of the command to which the indebted officer belongs, and the amount ordered shall be withheld or deducted from the indebted officer's remuneration until the amount of the debt is made good (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 28 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 29: Private business and conflict of interest.**

A police officer shall not, while in service, be directly involved in managing and running any private business or trade except farming (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 29 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 30: Assault on police officer.**

A person who assaults, obstructs or resists a police officer in the discharge of his duty, or aids or incites any other person to assault, obstruct or resist a police officer

or other person aiding or assisting the police officer in the discharge of his duty, commits an offence and is liable on conviction to a fine of ₦500,000 or imprisonment for six months or both (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 31 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 32: Private business and conflict of interest.**

A police officer shall not, while in service, be directly involved in managing and running any private business or trade except farming (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 32 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 33: Drinking of Alcohol or Use of Psychotropic Substances and Stimulants While on Duty.**

(1) While on duty, a Police Officer shall not take any intoxicating liquor, psychotropic substances or stimulants, where he does, he shall be punished in accordance with the Police disciplinary procedures.

(2) A person who:

(a) knowingly harbours or entertains, or either directly or indirectly, gives any intoxicating liquor, psychotropic substance or stimulant to any Police Officer while on duty, or permits any such Police Officer to abide or remain in his house unlawfully; except in cases of extreme urgency,

(b) by threats or by offer of money, gift, spirits, liquors, psychotropic substances or stimulants induces or attempts to induce any Police Officer to commit a breach of his duty as a Police Officer or to omit any part of such duty,

commits an offence and is liable on conviction to a fine of at least ₦50,000.00 only (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 33 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 34: Impersonation of Police Officer.**

A person not being a police officer who:

(a) puts on or assumes either in whole or in part, the apparel, name, designation, or description of any police officer or resembling and intended to resemble the apparel, name or designation of any police officer, or

(b) in any way pretends to be a police officer for the purpose of obtaining admission into any house or other place, or of doing any act which such person would not by law be entitled to do of his own authority,

commits an offence and is liable and, on summary conviction to a fine of at least ₦100,000 or imprisonment for at least one year or both (*Hon. Bello Usman Kumo — Akko Federal Constituency*).



*Question that Clause 34 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 35: Obtaining Admission Into the Nigeria Police Force by Fraud.**

- (1) A person who:
  - (a) knowingly uses or attempts to pass off any forged or false certificate, character, letter, or any other document for the purpose of obtaining admission into the Nigeria Police Force, or
  - (b) on applying for enlistment, makes any false answer to any statement put to him by any appropriate authority,
- commits an offence and, on summary conviction to a fine of ₦50,000 or imprisonment for three months or both.
- (2) A police officer may arrest without a warrant any person whom he reasonably believes or suspects of having committed an offence under this section (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 35 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 36: Application of the Act to Persons Already Serving.**

All the provisions of this Bill shall extend to all persons who, at the commencement of this Bill are serving in the Nigeria Police Force established by the Constitution of the Federal Republic of Nigeria as if such persons had been appointed under this Bill (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 36 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 37: Equipment.**

- (1) The Inspector-General of Police may provide for use by Special Constables such as batons, clothing and other equipment as he considers necessary for the proper carrying out of their duties.
- (2) Any expenses incurred by the Inspector-General of Police under this section shall be defrayed out of the funds of the Police Force (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 37 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 38: Duties of Community Policing Officers.**

- (1) The duties of Community Policing Officers shall include assisting the Police in:
  - (a) crime detection and prevention;
  - (b) conflict resolution;
  - (c) criminal intelligence gathering and dissemination to the local Police Commanders;
  - (d) maintenance of Law and Order;

- (e) deployment to complement the conventional Police in the patrol of the public space within their local communities;
  - (f) reassuring and advising the public on public safety, crime prevention and security tips;
  - (g) dealing with minor offences and social vices;
  - (h) working with the community, schools, and young people, business communities, religious bodies, cultural groups, community-based Associations, recreational centres and hospitality businesses toward crime control;
  - (i) they could also assist in traffic management and school safety duties.
- (2) The Inspector-General of Police in implementing Community Policing shall promote organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address conditions that cause crime, social disorder and fear of crime.
- (3) The Inspector-General of Police in implementing Community Policing may vary strategies according to the needs of the communities involved and the cultural context. Local models will vary and evolve according to the differing needs of differing communities, whilst retaining and sharing the same set of goals and basic principles (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 38 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 39: Establishment of Divisional Community Police Committee.**

- (1) A Commissioner of Police of a State or Federal Capital Territory shall, in collaboration with the relevant stakeholders in the community, establish Divisional Community Policing Committee (in this Bill referred to as "Divisional Committee") in all Police Divisions within the State.
- (2) A Divisional Committee shall, in collaboration with the relevant stakeholders in the community, establish Divisional Community Police Committee in all police formations in the Division.
- (3) Subject to section 116 (1) and (2) of this Bill, the Divisional Police Officer and the members designated by him, from time to time for that purpose, shall be members of the Divisional Committee concerned (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 39 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 40: Objectives of Community Police Committee.**

- (1) The objectives of the Committee are to:
  - (a) maintain a partnership between the community and the Police Force;
  - (b) promote communication between the Police Force and the community;

- (c) promote co-operation between the Police and the community in fulfilling the needs of the community regarding policing;
  - (d) improve the police service to the community; and
  - (e) improve transparency and accountability in the provision of police services to the community.
- (2) This section does not prevent police liaison with the community by means other than Committee, Sub-Committee and Divisional Committees (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 40 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 41: Functions of Community Policing Committee.**

A State Community Policing Committee or Divisional Community Policing Sub-committee shall perform the functions it deems necessary and appropriate to achieve the objects stated in section 64 of this Bill (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 41 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 42: Recruitment of traffic wardens.**

- (1) Notwithstanding anything to the contrary in any law, the Inspector-General has power to recruit, promote, transfer, dismiss or exercise disciplinary control over traffic wardens.
- (2) Subject to the provisions of this Bill, a person may be recruited a traffic warden if he:
  - (a) is not less than 18 years and not more than 25 years of age;
  - (b) is in possession of a minimum educational qualification of Senior Secondary School Certificate;
  - (c) at least 167.64 centimeters and 162.56 centimeters tall respectively for the men and women;
  - (d) in the case of men, has at least 86.36 centimeters chest measurement when fully expanded;
  - (e) is of good character and physically fit; and
  - (f) has signified his willingness to serve as a traffic warden.
- (3) The Police Service Commission on the recommendation of the Inspector-General of Police shall from time to time by notice published in the Federal gazette, fix the maximum number of persons who may at any given time hold office under this section; and a person shall not be enlisted as a traffic warden if his enlistment would cause the number for the time being so fixed to be exceeded.

- (4) The Inspector-General may —
- (a) from time to time with the approval of the Police Service Commission, fix the maximum number of traffic wardens who may, at any time hold appointments in any State;
  - (b) at his own discretion, fix the maximum number of traffic wardens who may, at any time, hold any particular rank in the Warden Service in any State; and
  - (c) in either case, fix different numbers with respect to different States (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 42 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 43: Period of Service.**

Every Traffic Warden enlisted under this Bill shall be enlisted to serve as a Traffic Warden for a period of 35 years or until he/she attains 60 years of age, whichever comes first, and only in the Police Command in which he resides (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 43 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 44: Declarations by traffic wardens.**

- (1) A traffic warden on appointment, or if re-appointed for a further term, shall make and subscribe to the police declaration prescribed by the Oaths Act as modified under subsection (2) of this section.
- (2) The police declaration prescribed by the Oaths Act is modified by substituting for the words:
  - (a) "police officer", wherever it occurs, the words "traffic warden"; and
  - (b) "for the preservation of peace" to the end of the declaration, the words, "to discharge all duties of my office according to law" (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 44 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 45: Tenure of office of traffic wardens.**

- (1) A traffic warden appointed under this Bill shall be:
  - (a) appointed to serve as a traffic warden for 35 years or 60 years of age, whichever comes first; and
  - (b) pensionable and only in the Police State Command in which he resides.
- (2) A traffic warden may, subject to satisfactory conduct and service, be re-appointed for another three years until the expiration of the 10th year of his appointment in the Warden Service, when he may elect to determine his appointment or elect that his service be allowed to continue until he is 55 years of age (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 45 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 46: Certificate of appointment and discharge.**

A traffic warden:

- (a) on first appointment, shall be issued with a Certificate of Appointment in a form approved by the Inspector-General; and
- (b) on the determination of first or any subsequent appointment, whether by effluxion of time or under section 105 of this Bill, shall, in like manner, be issued with a Certificate of Discharge (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 46 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 47: Resignation.**

- (1) A traffic warden may, at any time, give, to any senior police officer under whom he is serving, notice in writing of his intention to resign his appointment on a date mentioned in the notice not being less than 28 days later than the date on which the notice is given.
- (2) On receipt by the senior police officer of the notice referred to in subsection (1), the senior police officer shall immediately refer the notice to the Commissioner and traffic warden having control over him, and if the Commissioner consents to the notice, the appointment of the traffic warden is terminated (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 47 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 48: Discipline.**

- (1) In so far as the context so admits, but subject to the provisions of this Bill, a Traffic Warden shall be subject to the provisions of the Police Regulations subsidiary to this Bill, for purposes of discipline.
- (2) In the application to Traffic Wardens of the Second Schedule to the Police Regulations, references to Constables, Corporals, Sergeants, Inspectors and Senior Police Officers shall include respectively references to Traffic Wardens Grade III-I and Senior Traffic Wardens Grade II-I and Superintendents of Traffic respectively (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 48 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 49: Delegation of power by Inspector-General.**

- (1) The Inspector-General may delegate any of his powers under this Part to the Commissioner of a State or the Commandant of a Police College (except his power of delegation), so that the delegated powers may be exercised by the delegate with respect to the matters or class of matters specified or defined by the instrument of delegation.

- (2) Guided by the principle of efficiency and effectiveness, and for ease of delegation of powers, the Inspector-General of Police shall devolve powers to Zonal, States, Area Commands, Divisions and Police Posts to ensure quick response to safety and security needs (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 49 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 50: Instruction of Traffic Warden, etc.**

- (1) A traffic warden is required to undergo a course of training at the Traffic Training School of a Police College for 12 weeks or such other or further period as the Inspector-General may determine.
- (2) A traffic warden shall, on appointment, be allocated a service number with the letters, "TW" and the service numbers of all traffic wardens shall appear on the register kept for that purpose by the Inspector-General.
- (3) A traffic warden to whom a service number has been allocated under subsection (2) shall wear his service number on the shoulder flaps of his uniform whenever he is on duty (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 50 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 51: Functions of the Unit.**

- (1) The Unit shall receive:
  - (a) complaint or information of Police Officers misconduct from the public; or
  - (b) complaint of Police Officers misconduct from other Police members or authority.
- (2) The Unit may receive:
  - (a) any complaint alleging that the conduct complained of resulted in the death of or serious injury or other gross human rights violations; or
  - (b) any complaint showing that a Police Officer may have committed a criminal offence;
  - (c) any complaint which shows that a Police Officer is involved in an act constituting professional misconduct.
- (3) The Unit shall monitor the investigations initiated by the Unit.
- (4) While conducting investigation into any complaint by any member of the public against a Police Officer, the Nigeria Police Force shall afford the person against whom the complaint has been made opportunity to defend himself.

- (5) Upon the conclusion of an investigation, the appropriate investigative unit shall make available a copy of its findings or investigation report to the Unit within 21 days from the day the complaint was made (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 51 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 52: Steps to be taken after investigation.**

After investigation, the head of the Unit through the Force Public Relations Officer or Public Relations Officer of a State or Federal Capital Territory shall forward the report and its recommendations to the Inspector-General or Commissioner of Police of the State or Federal Capital Territory who shall:

- (a) send a copy of the investigation report and recommendations to the appropriate Police or oversight authority for proper disciplinary action if the investigations reveal that the offence committed is against discipline as specified in this Bill and in the Police Regulations made under this Bill; and
- (b) where it is discovered after investigations that the complainant knowingly gave false information against the police officer or should have reasonably known that the information is false, the complainant shall be tried according to relevant laws for the time being in force (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 52 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 53: Application.**

All the provisions of this Bill shall extend to all persons who, at the commencement of this Bill are serving in the Nigeria Police Force established by the Constitution of the Federal of Nigeria as if such persons had been appointed under this Bill (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 55 stands part of the Bill — Agreed to.*

**Committee Recommendation:**

**Clause 56: Citation.**

This Bill may be cited as the Nigeria Police Bill, 2020 (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Question that Clause 56 stands part of the Bill — Agreed to.*

## SCHEDULE

[Section 3 (3)]

### HIERARCHY OF THE POLICE.

Pursuant to Section 215 (1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended), the hierarchy of the Police shall consist of the following:

- (i) the Inspector-General of Police;
- (ii) Deputy Inspectors- General of Police;

- (iii) Assistant Inspectors-General of Police;
- (iv) Commissioners of Police;
- (v) Deputy Commissioners of Police;
- (vi) Assistant Commissioners of Police;
- (vii) Chief Superintendents of Police;
- (viii) Superintendents of Police;
- (ix) Deputy Superintendents of Police;
- (x) Assistant Superintendents of Police I
- (xi) Assistant Superintendents of Police II;
- (xii) Cadet Assistant Superintendents of Police;
- (xiii) Chief Inspectors of Police;
- (xiv) Deputy Chief Inspectors of Police;
- (xv) Assistant Chief Inspectors of Police;
- (xvi) Principal Inspectors of Police;
- (xvii) Senior Inspectors of Police;
- (xviii) Inspectors of Police I (Confirmed);
- (xix) Inspectors of Police II (Unconfirmed);
- (xx) Cadet Inspectors of Police;
- (xxi) Sergeant Majors;
- (xxii) Sergeants;
- (xxiii) Corporals;
- (xxiv) Constables I ;
- (xxv) Constables II;
- (xxvi) Recruits; and
- (xxvii) such other Officers as the Nigeria Police Council may, from time to time consider necessary for effective discharge of the functions of the Police (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

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



**Explanatory Memorandum:**

This Bill seeks to repeal the Police Act, Cap. P19, Laws of the Federation of Nigeria, 2004 and enact the Nigeria Police Bill, 2020 to provide for a more effective and well-organised Police Force driven by the principles of transparency and accountability in its operations and management of its resources.

This Bill also seeks to establish an appropriate funding framework for the Police Force in line with what is obtainable in other Federal Government key institutions in the bid to ensure that all police formations nationwide are appropriately funded for effective policing.

This Bill further seeks to:

- (a) enhance professionalism in the Police Force through the provision of increased training opportunities for police officers and other persons employed by the Police Force; and
- (b) create an enduring cooperation and partnership between the Police Force and communities in maintaining peace and fighting crimes nationwide (*Hon. Bello Usman Kumo — Akko Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Conference Committee on a Bill for an Act to Repeal the Police Act, Cap. P19, Laws of the Federation of Nigeria, 2004 and Enact Nigeria Police Bill, 2020 to Provide the Framework for the Police Force and ensure Cooperation and Partnership between the Police and Host Communities in Maintaining Peace, protecting lives and Property; and for Related Matters (HB.685) and adopted the Conference Committee Report.

*Question that the House do adopt the Report of the Committee of the Whole — Agreed to.*

**31. Adjournment of First Sitting**

*That the House do adjourn the First Sitting till 3.30 p.m. (Hon. Garba Alhassan Ado — House Leader).*

*The House adjourned accordingly at 3.25 p.m.*

**Femi Hakeem Gbajabiamila**  
*Speaker*

