



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 20 May, 2021

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1. The House met at 11.38 a.m. Mr Deputy Speaker read the Prayers.
 2. The House recited the National Pledge
 3. **Votes and Proceedings**
Mr Deputy Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 19 May, 2021.

The Votes and Proceedings was adopted by unanimous consent.
 4. **Petition**
A petition from Simon G.B.Diamond & Co. (Legal Practitioners), on behalf of Joseph Ohwojorho, on his dismissal from the service of the Ministry of Commerce and Tourism, was presented and laid by Hon. Igbakpa Ben Rollands (*Ethiope East/Ethiope West Federal Constituency*).

Petition referred to the Committee on Public Petitions.
 5. **Presentation of Bills**
The following Bills were read the *First Time*:
 - (1) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1353).
 - (2) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1354).
 - (3) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1355).
 - (4) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1360).
 - (5) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1361).
 - (6) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1364).
 - (7) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1365).

- (8) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1366).
- (9) Fiscal Responsibility Act (Amendment) Bill, 2021 (HB. 1367).
- (10) Federal College of Nursing, Maiha (Establishment) Bill, 2021 (HB. 1368).
- (11) Pension Reform Act (Amendment) Bill, 2021 (HB. 1369).
- (12) Civil Service Recruitment (Regulation) Bill, 2021 (HB. 1370).
- (13) Federal University of Agriculture, Akoko Edo (Establishment) Bill, 2021 (HB. 1371).
- (14) Nigeria Electoral Offences Commission Bill, 2021 (HB. 1372).
- (15) Federal Medical Centre, Ufuma, Anambra State (Establishment) Bill, 2021 (HB. 1373).
- (16) National Assembly Service Commission Act (Amendment) Bill, 2021 (HB. 1374).

6. Presentation of Reports

(i) **Committee on Health Institutions:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Establish the Federal Medical Centre, Hong, Adamawa State; and for other Related Matters (HB. 1264)" (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

Agreed to.

Report laid.

(ii) **Committee on Health Institutions:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Establish the Federal Medical Centre, Mubi, Adamawa State; and for other Related Matters (HB. 679)" (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

Agreed to.

Report laid.

(iii) **Committee on Health Institutions:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Provide the Legal Framework to Establish the Federal Medical Centre, Mgbakwu, Anambra State; and for Related Matters (HB. 811)" (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

Agreed to.

Report laid.

(iv) **Committee on Health Institutions:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Establish the National Agency for Sickle Cell Disease and other Heritable Blood Disorder (Prevention and Treatment) for the Treatment, Prevention, Control, Management of and Research on Sickle Cell Disease and other Heritable Blood Disorders in Nigeria; and for Related Matters (HB. 708)" (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

Agreed to.

Report laid.

(v) ***Committee on Health Institutions:***

Motion made and Question proposed, "That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Establish the Federal Medical Centre, Billiri, Gombe State; and for other Related Matters (HB. 677)" (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

Agreed to.

Report laid.

(vi) ***Committee on Health Institutions:***

Motion made and Question proposed, "That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Provide the Legal Framework to Establish the Federal Medical Centre, Igboora, Oyo State; and for Related Matters (HB. 347)" (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

Agreed to.

Report laid.

(vii) ***Committee on Ethics and Privileges:***

Motion made and Question proposed, "That the House do receive the Report of the Committee on Ethics and Privileges on the Allegation by the Independent Corrupt Practices and other Related Offences Commission (ICPC) that ₦1 trillion was wasted on Constituency Projects (HR.279/12/2019)" (*Hon. Kolawole Lawal Wasiu — Egbado South/Ipokia Federal Constituency*).

Agreed to.

Report laid.

7. **A Bill for an Act to Provide for the Establishment of the Federal University of Technology, Manchok; and for Related Matters (HB. 1135) — *Second Reading***

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Federal University of Technology, Manchok; and for Related Matters (HB. 1135) be read a Second Time" (*Hon. Garba Alhassan Ado — House Leader*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

8. **A Bill for an Act to Amend the Institute of Chartered Accountants of Nigeria Act, Cap. I11, Laws of the Federation of Nigeria, 2004 to Address Emerging Trends in the Nigerian Economic Environment; and for Related Matters (HB.1178) — *Second Reading***

Order read; deferred by leave of the House.

9. **A Bill for an Act to Alter the Second Schedule to the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to Transfer Drugs and Poisons from the Exclusive Legislative List to the Concurrent Legislative List; and for Related Matters (HB.1247) — Second Reading**
Motion made and Question proposed, “That a Bill for an Act to Alter the Second Schedule to the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to Transfer Drugs and Poisons from the Exclusive Legislative List to the Concurrent Legislative List; and for Related Matters (HB.1247) be read a Second Time” (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

Debate.

Question that the Bill be now read a Second Time — Negatived.

10. **A Bill for an Act to Amend the Matrimonial Causes Act, Cap. M7, Laws of the Federation of Nigeria, 2004 to Increase the Amount to be paid as Penalty; and for Related Matters (HB.862) — Second Reading**
Motion made and Question proposed, “That a Bill for an Act to Amend the Matrimonial Causes Act, Cap. M7, Laws of the Federation of Nigeria, 2004 to Increase the Amount to be paid as Penalty; and for Related Matters (HB.862) be read a Second Time” (*Hon. Obinna Chidoka — .. Idemili North/Idemili 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 Committee on Justice.

11. **A Bill for an Act to Amend the Companies and Allied Matters Act, 2020; and for Related Matters (HB. 1060) – Second Reading.**

Order read; deferred by leave of the House.

12. **A Bill for an Act to Repeal the Patents and Designs Act, Cap. P2, Laws of the Federation of Nigeria, 2004 and Enact the Patents and Designs Bill; and for Related Matters (HB. 678) — Second Reading**
Motion made and Question proposed, “That a Bill for an Act to Repeal the Patents and Designs Act, Cap. P2, Laws of the Federation of Nigeria, 2004 and Enact the Patents and Designs Bill; and for Related Matters (HB. 678) be read a Second Time” (*Hon. Oluga Taiwo — Ayedaade/Irewole /Isokan 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 Commerce.

13. **A Bill for an Act to Provide for the Establishment of the Federal College of Agricultural Technology, Otun, Ekiti; and for Related Matters (HB.649) — Second Reading**
Motion made and Question proposed, “That a Bill for an Act to Provide for the Establishment of the Federal College of Agricultural Technology, Otun, Ekiti; and for Related Matters (HB.649) be read a Second Time” (*Hon. Olarewaju Ibrahim Kunle — Moba/Ilejemeje/Ido Osi 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.

14. **Need to Investigate Transferred Debts Incurred by Old Electricity Customers to New Users by Distribution Companies in Nigeria**
Motion made and Question proposed:

The House:

Aware of the constant complaints by electricity consumers on the poor services provided by Electricity Distribution Companies (DISCOs) which are also in the habit of transferring outstanding debts of old customer to new users;

Also aware that the Distribution Companies, which are responsible for the collection of payments for services rendered to consumers allow unpaid bills to accumulate, do not follow the lay down principles and guidelines by Regulatory Authorities towards unpaid bills and disconnection of non paying customers;

Concerned that if nothing is done to curb the act of transferring debts incurred by other consumers to new consumers, the later will continue to bear the burden of paying for the electricity they did not consume;

Resolves to:

- (i) *mandate the Committee on Power to engage the Distribution Companies and other relevant Regulatory Agencies to find a lasting solution and report within four (4) weeks; and*
- (ii) *also mandate the Committee on Legislative Compliance to ensure compliance (Hon. Shoyinka Abiola Olatunji — Surulere II Federal Constituency).*

Debate.

Amendments Proposed:

- (i) *In Prayer (i), leave out the words “distribution companies” and insert the words “Nigerian Electricity Regulatory Commission” (Hon. Olumide Osoba — Abeokuta North/Abafemi-Owode/Adeda Federal Constituency).*

Question that the amendment be made — Agreed to.

- (ii) *Insert a new Prayer (iii) as follows:
“Mandate the Committee on Power to conduct a status enquiry on the level of implementation of prepaid meter with the Distribution Companies” (Hon. Toby Okechukwu — Aninri/Awgu/Oji-River Federal Constituency).*

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Aware of the constant complaints by electricity consumers on the poor services provided by Electricity Distribution Companies (DISCOs) which are also in the habit of transferring outstanding debts of old customer to new users;

Also aware that the Distribution Companies, which are responsible for the collection of payments for services rendered to consumers allow unpaid bills to accumulate, do not follow the lay-down principles and guidelines by Regulatory Authorities towards unpaid bills and disconnection of non paying customers;

Concerned that if nothing is done to curb the act of transferring debts incurred by other consumers to new consumers, the later will continue to bear the burden of paying for the electricity they did not consume;

Resolved to:

- (i) mandate the Committee on Power to:
 - (a) conduct a status enquiry on the level of implementation of prepaid meter with the Distribution Companies,
 - (b) engage the Nigerian Electricity Regulatory Commission and other relevant Regulatory Agencies to find a lasting solution to the practice of DISCOs transferring debts incurred by old electricity customers to new users and report back within four (4) weeks; and
- (ii) also mandate the Committee on Legislative Compliance to ensure compliance (HR. 123/05/2021).

15. Need to Initiate a Bilateral Agreement with the United States of America on the Voluntary Transfer of Nigerians Convicted in America to Complete their Prison Sentences in Nigeria

Order read; deferred by leave of the House.

16. Need for the Establishment of African Regional Parliamentary Assembly of the Sahel and Sahara Member States on the Great Green Wall

Motion made and Question proposed:

The House:

Notes the African Union Declaration, 137 VIII of 2010 wherein Burkina Faso, Chad, Djibouti, Eritrea, Ethiopia, Mali, Mauritania, Niger, Nigeria, Senegal and Sudan signed a Convention in Ndjamen, Chad to create the Great Green Wall (GGW) Agencies in their various States;

Also notes that the establishment of the Great Green Wall Agencies in member States in recent times has given rise to an integrated ecosystem management approach;

Aware that the GGW initiative has revived interest in sustainable land management in the Sahel and North of the Sahara and has galvanized action to implement the United Nations Convention to Combat Desertification (UNCCD) and has leveraged a high degree of political will and leadership from member States;

Also aware that those actions have increased awareness and several donors have also mobilized substantial investments which are offering opportunities for rapid progress, hence the need to sustain the momentum gained over the years by improving the legislative interface by member States to overcome past mistakes;

Cognizant that the purpose of the Project is the greater implementation of policies for sustainable land management in the Sahel (Great Green Wall countries) through enhanced investments, inter-sectoral coordination and engagement of marginalized groups;

Resolves to:

- (i) urge the Hon. Speaker to reach out to Speakers of other member States with a view to establishing an African Regional Parliamentary Assembly of the Sahel and the Sahara Member States on the Great Green Wall Initiative (GGWI);
- (ii) urge the Minister of Environment to liaise with his counterparts in the Great Green Wall States to enlist the African Regional Parliamentary Assembly of the Sahel and the Sahara Member States on the Great Green Wall as an agenda for discussion during the next meeting of the Conference of Heads of States and Governments of Great Green Wall via the Council of Ministers;
- (iii) mandate the Committee on Environment to ensure compliance (*Hon. Johnson Egwakhide Oghuma — Etsako East/West/Central Federal Constituency*).

*Debate.**Agreed to.*

The House:

Noted the African Union Declaration, 137 VIII of 2010 wherein Burkina Faso, Chad, Djibouti, Eritrea, Ethiopia, Mali, Mauritania, Niger, Nigeria, Senegal and Sudan signed a Convention in Ndjamena, Chad to create the Great Green Wall (GGW) Agencies in their various States;

Also noted that the establishment of the Great Green Wall Agencies in member States in recent times has given rise to an integrated ecosystem management approach;

Aware that the GGW initiative has revived interest in sustainable land management in the Sahel and North of the Sahara and has galvanized action to implement the United Nations Convention to Combat Desertification (UNCCD) and has leveraged a high degree of political will and leadership from member States;

Also aware that those actions have increased awareness and several donors have also mobilized substantial investments which are offering opportunities for rapid progress, hence the need to sustain the momentum gained over the years by improving the legislative interface by member States to overcome past mistakes;

Cognizant that the purpose of the Project is the greater implementation of policies for sustainable land management in the Sahel (Great Green Wall countries) through enhanced investments, inter-sectoral coordination and engagement of marginalized groups;

Resolved to:

- (i) urge the Hon. Speaker to reach out to Speakers of other member States with a view to establishing an African Regional Parliamentary Assembly of the Sahel and the Sahara Member States on the Great Green Wall Initiative (GGWI);
- (ii) urge the Minister of Environment to liaise with his counterparts in the Great Green Wall States to enlist the African Regional Parliamentary Assembly of the Sahel and the Sahara Member States on the Great Green Wall as an agenda for discussion during the next meeting of the Conference of Heads of States and Governments of Great Green Wall via the Council of Ministers;
- (iii) mandate the Committee on Environment to ensure compliance (**HR. 124/05/2021**).

17. **Call on the Nigerian Electricity Regulatory Commission (NERC) to Suspend the Proposed Increase in Electricity Tariff**

Motion made and Question proposed:

The House:

Recalls that the Electric Power Sector Act of 2005 established the Nigerian Electricity Regulatory Commission with a mandate to license Distribution Companies (DISCOs), determine operating codes and standards, establish customer rights and obligations and set cost-reflective industry tariff;

Also recalls that the Act prescribed its funding from 15% of electricity charges paid by customers to Distribution Companies;

Aware that NERC, working with Distribution Companies, has increased electricity tariffs five times since 2015, the latest being on 1 January, 2021;

Also aware that despite those increases, Nigerians have not enjoyed significant improvement in power generation, instead they daily grapple with epileptic services from the DISCOs and unilateral exploitation in the name of estimated billing arising from non-metering of over 50% of consumers;

Observes that poor services by the DISCOs have impacted negatively on the socio-economic growth of the country as the International Monetary Fund (IMF) Report of 2020 on Nigeria indicated that the manufacturing sector lost over \$200 billion to inadequate power supply while a whopping \$21 billion was said to have been spent by Nigerians on generating sets within the period under review;

Further observes that the Nigerian masses have gone through so much hardship in recent times arising from acts of terrorism, banditry, kidnappings, farmers and herdsmen's crisis with its toll on agricultural activities, displacement from ancestral homes, loss of loved ones, starvation arising from inability to return to daily occupation and loss of personal properties running into several million of Naira;

Concerned that at a time governments all over the world are adopting measures to cushion the devastating effects of the dreaded COVID-19 pandemic on their citizens by providing a wide range of palliatives to losses of loved ones, jobs, businesses and general distortion in the social life, NERC is tinkering with the idea of a further increase in electricity tariff after that of 1 January, 2021, in a country where $\frac{2}{3}$ of the 200 million population is grappling with the crippling effects of the pandemic;

Also concerned that the current economic recession made worse by hyperinflation has resulted in skyrocketing prices of foodstuffs, while the increase in prices of Petroleum Products has also triggered the further increase in transport costs and rents with unemployment rates at a frightening 33.3% while the spending power of an average Nigerian has drastically reduced, any further hike in electricity tariff at this time will amount to overkill, lack of empathy and height of insensitivity;

Resolves to:

- (i) urge the Federal Government to direct the Nigerian Electricity Regulatory Commission to rescind the decision to further increase electricity tariff proposed for June, 2021 in view of the hard times Nigerian masses are currently going through;
- (ii) mandate the Committees on Power, Poverty Alleviation, and Labour, Employment and Productivity to ensure compliance (*Hon. Aniekan Umanah — Abak/Etim Ekpo/Ika Federal Constituency*).

Debate.

Agreed to.

The House:

Recalled that the Electric Power Sector Act of 2005 established the Nigerian Electricity Regulatory Commission with a mandate to license Distribution Companies (DISCOs), determine operating codes and standards, establish customer rights and obligations and set cost-reflective industry tariff;

Also recalled that the Act prescribed its funding from 15% of electricity charges paid by customers to Distribution Companies;

Aware that NERC, working with Distribution Companies, has increased electricity tariffs five times since 2015, the latest being on 1 January, 2021;

Also aware that despite those increases, Nigerians have not enjoyed significant improvement in power generation, instead they daily grapple with epileptic services from the DISCOs and unilateral exploitation in the name of estimated billing arising from non-metering of over 50% of consumers;

Observed that poor services by the DISCOs have impacted negatively on the socio-economic growth of the country as the International Monetary Fund (IMF) Report of 2020 on Nigeria indicated that the manufacturing sector lost over \$200 billion to inadequate power supply while a whopping \$21 billion was said to have been spent by Nigerians on generating sets within the period under review;

Further observed that the Nigerian masses have gone through so much hardship in recent times arising from acts of terrorism, banditry, kidnappings, farmers and herdsmen's crisis with its toll on agricultural activities, displacement from ancestral homes, loss of loved ones, starvation arising from inability to return to daily occupation and loss of personal properties running into several million of Naira;

Concerned that at a time governments all over the world are adopting measures to cushion the devastating effects of the dreaded COVID-19 pandemic on their citizens by providing a wide range of palliatives to losses of loved ones, jobs, businesses and general distortion in the social life, NERC is tinkering with the idea of a further increase in electricity tariff after that of 1 January, 2021, in a country where $\frac{2}{3}$ of the 200 million population is grappling with the crippling effects of the pandemic;

Also concerned that the current economic recession made worse by hyperinflation has resulted in skyrocketing prices of foodstuffs, while the increase in prices of Petroleum Products has also triggered the further increase in transport costs and rents with unemployment rates at a frightening 33.3% while the spending power of an average Nigerian has drastically reduced, any further hike in electricity tariff at this time will amount to overkill, lack of empathy and height of insensitivity;

Resolved to:

- (i) urge the Federal Government to direct the Nigerian Electricity Regulatory Commission to rescind the decision to further increase electricity tariff proposed for June, 2021 in view of the hard times Nigerian masses are currently going through;
- (ii) mandate the Committees on Power, Poverty Alleviation, and Labour, Employment and Productivity to ensure compliance (HR. 125/05/2021).

18. Call on the Federal Government to Ensure Speedy Resolution of the Lingering Strike Action by the Judiciary Staff Union of Nigeria (JUSUN)

Motion made and Question proposed:

The House:

Notes that Section 4 (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that the National Assembly shall have the power to make laws for the peace, order and good government of the federation or any part thereof;

Also notes that on 6 April, 2021, the Judiciary Staff Union of Nigeria (JUSUN) embarked on an indefinite strike owing to the failure of government to implement financial autonomy for the Judiciary in line with constitutional provisions and the judgement of the Federal High Court;

Concerned that the strike, which has persisted for over a month, has paralyzed the functions, operations and activities of all courts in Nigeria, thereby shutting the door on access to justice against Nigerians;

Aware that the Judiciary is a critical component of the government that is saddled with the responsibility of adjudication of disputes which facilitates the smooth running and functioning of the State and as such, the closure of courts portends grave danger to the polity and is capable of exacerbating the current security situation in the country;

Also concerned that the strike has contributed to the overcrowding of police cells and correctional facilities across the country as inmates are unable to go for trial or even get bail, as well as festering of disputes between private citizens as there is no judicial forum to submit their grievances for resolution;

Appreciates the Federal Government and some States Governments for the steps they have taken so to resolves the dispute so that the strike can be called off;

Resolves to:

- (i) urge the Federal Government and State Governments to speedily intervene and resolve the lingering strike by the Judiciary Staff Union of Nigeria (JUSUN);
- (ii) mandate the Committees on Labour, Employment and Productivity and Judiciary to interface with the Minister of Labour and Employment and the Attorney-General of the Federation and the Minister of Justice on steps taken to address the matter and report within four (4) weeks (*Hon. Sergius Oseasochie Ogun — Esan North east/Esan South East Federal Constituency*).

Debate.

Amendments Proposed:

- (i) In Prayer (ii), immediately after the words "report within", *leave out* the words "four (4) weeks" and *insert* the words "two weeks (2)" (*Hon. Nkem-Abonta Uzoma — Ukwu East/Ukwu West Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) In Prayer (ii) as amended, immediately after the word "Judiciary", *insert* the words "Federal Capital Territory Judiciary, and Justice" (*Hon. Ifeanyi Momah — Ihiala 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) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that the National Assembly shall have the power to make laws for the peace, order and good government of the federation or any part thereof;

Also noted that on 6 April, 2021, the Judiciary Staff Union of Nigeria (JUSUN) embarked on an indefinite strike owing to the failure of government to implement financial autonomy for the Judiciary in line with constitutional provisions and the judgement of the Federal High Court;

Concerned that the strike, which has persisted for over a month, has paralyzed the functions, operations and activities of all courts in Nigeria, thereby shutting the door on access to justice against Nigerians;

Aware that the Judiciary is a critical component of the government that is saddled with the responsibility of adjudication of disputes which facilitates the smooth running and functioning of the State and as such, the closure of courts portends grave danger to the polity and is capable of exacerbating the current security situation in the country;

Also concerned that the strike has contributed to the overcrowding of police cells and correctional facilities across the country as inmates are unable to go for trial or even get bail, as well as festering of disputes between private citizens as there is no judicial forum to submit their grievances for resolution;

Appreciated the Federal Government and some States Governments for the steps they have taken so to resolves the dispute so that the strike can be called off;

Resolved to:

- (i) urge the Federal and State Governments to speedily intervene and resolve the lingering strike by the Judiciary Staff Union of Nigeria (JUSUN);
- (ii) mandate the Committees on Labour, Employment and Productivity, Judiciary, Federal Capital Territory Judiciary, and Justice to interface with the Minister of Labour and Employment and the Attorney-General of the Federation and the Minister of Justice on steps taken to address the matter and report within two (2) weeks (HR. 126/05/2021).

19. Consideration of Reports

- (i) *A Bill for an Act to Provide for the Establishment of the Federal Capital Territory Transport Authority; and for Related Matters (HB. 890) (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 the Establishment of the Federal Capital Territory Transport Authority; and for Related Matters (HB. 890)" (Hon. Gideon Gwani — Kaura 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
FEDERAL CAPITAL TERRITORY TRANSPORT AUTHORITY; AND FOR
RELATED MATTERS (HB. 890)

*Debate.**Consideration deferred.**Chairman to report progress:*

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole, deferred consideration of the Report on a Bill for an Act to Provide for the Establishment of the Federal Capital Territory Transport Authority; and for Related Matters (HB. 890).

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

- (ii) *A Bill for an Act to Repeal the Nigerian Council for Management Development Act, Cap. N99, Laws of the Federation of Nigeria, 2004 and the National Centre for Economic Management and Administration Act, Cap. N14, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Council for Management Development Bill; and for Related Matters (HB. 1119) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Repeal the Nigerian Council for Management Development Act, Cap. N99, Laws of the Federation of Nigeria, 2004 and the National Centre for Economic Management and Administration Act, Cap. N14, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Council for Management Development Bill; and for Related Matters (HB. 1119)" (Hon. Abbas Tajudeen — Zaria 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 NIGERIAN COUNCIL FOR
MANAGEMENT DEVELOPMENT ACT, CAP. N99, LAWS OF THE
FEDERATION OF NIGERIA, 2004 AND THE NATIONAL CENTRE FOR
ECONOMIC MANAGEMENT AND ADMINISTRATION ACT, CAP. N14,
LAWS OF THE FEDERATION OF NIGERIA, 2004; TO ENACT THE
NIGERIAN COUNCIL FOR MANAGEMENT DEVELOPMENT
BILL, 2021; AND FOR RELATED MATTERS (HB. 1119)

PART I — ESTABLISHMENT OF THE NIGERIAN COUNCIL
FOR MANAGEMENT DEVELOPMENT, ETC.

- Clause 1: **Establishment of the Nigerian Council for Management Development.**
(1) There is established a body to be known as the Nigerian Council for Management Development (in this Bill referred to as "the Council").

(2) The Council:

- (a) shall be a body corporate with perpetual succession and a common seal;
- (b) may sue or be sued in its corporate name; and
- (c) may acquire, hold or dispose of any property, movable or immovable in its corporate name, for the purpose of carrying out its functions under this Bill (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 2: Membership of the Council.

(1) The Council shall consist of:

- (a) a Chairman;
- (b) a representative each of the following:
 - (i) the Ministry in charge of National Planning,
 - (ii) National Universities Commission,
 - (iii) Nigeria Employers' Consultative Association,
 - (iv) National Youth Service Corps,
 - (v) Office of the Head of Civil Service of the Federation,
 - (vi) Industrial Training Fund, and
 - (vii) Central Bank of Nigeria;
- (c) 3 persons, other than the Chairman, with knowledge and close association with management training, industry, commerce or economics; and
- (d) the Director-General, Centre for Management Development.

(2) The Chairman and members of the Council, other than the ex-officio members referred to in subsection (2) (b) of this section, shall be appointed by the President on the recommendation of the Minister.

(3) The Chairman and members of the Council shall be persons of proven integrity, ability, good repute with high professional competence in a related discipline.

(4) The provisions of Part II of the Schedule to this Bill shall have effect with respect to the proceedings of the Council and other matters therein mentioned (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 3: Tenure of Office and Cessation of Membership.

- (1) The Chairman and members of the Council other than the *ex-officio* members shall hold office at the pleasure of the President.
- (2) Notwithstanding Subsection (1) of this section, the office of the Chairman or any member of the Council shall become vacant where:
 - (a) he resigns his office by notice in writing under his hand addressed to the President through the Minister;
 - (b) he becomes of unsound mind or is incapable of carrying out his duties due to infirmity of mind or body;
 - (c) he is declared bankrupt by a court of competent jurisdiction;
 - (d) he is found guilty of gross misconduct relating to his duties or is convicted of a felony or of any offence involving dishonesty, corruption or embezzlement;
 - (e) in the case of an *ex-officio* member, he ceases to hold the office on the basis of which he became a member of the Council; or
 - (f) the President is satisfied that it is not in the interest of the Council or of the public for the person appointed to continue in office.
- (3) The Chairman and members of the Council shall hold office on part time basis (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 4: Remuneration of Members of the Council.

Members of the Council shall be entitled to sitting allowances; travel expenses and such other benefits as may be determined from time to time by the appropriate authority (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

PART II — FUNCTIONS AND POWERS OF THE COUNCIL**Clause 5: Functions and Powers of the Council.**

The Council shall:

- (a) advise the Minister on policies, plans and programmes for the enhancement of the number, quality and effective utilization of the managerial manpower resources of the country in all sectors of the economy;
- (b) formulate policies and guidelines for the co-ordination of management education and training activities;
- (c) develop, regulate and promote high national standards of management education, entrepreneurial development and supervisory training programmes in line with international standards;
- (d) accredit every management consultant, trainer or institution operating within Nigeria;

- (e) accredit every registered management training firm or institution upon the fulfillment of criteria set by the Council;
- (f) keep and maintain a register of all management consultants, management training institutions, their training programmes, curriculum, location, standards, duration, type and cost;
- (g) sanction or prohibit any management trainer, consultant or training institution from commencing, undertaking, carrying on or engaging in training programmes without accreditation;
- (h) assess periodically, the training programmes management development training institutions competence; and offered by the private and public with a view to determining their competence; and
- (i) to perform any other functions as may be necessary to achieve the goals and objectives of the Council (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 6: Appointment and Establishment of Committee.

The Council shall constitute an Appointments and Establishment Committee consisting of not less than 4 members of the Council whose function shall be to advise it on matters relating to the appointment, conditions of service, advancement, promotion and discipline of staff of the Council (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 7: Registration of Members of the Profession.

- (1) A person shall be entitled to be registered as a management Consultant or trainer member of the profession if:
 - (a) he passes the qualifying examination for registration recognized or conducted by the council under this Bill or
 - (b) he holds a qualification accepted by the Council that he has sufficient knowledge or experience as Management Consultant or trainer and
 - (c) he holds a qualification granted outside Nigeria and for the time being accepted by the Council which entitles him to practise for all purposes as a Management Consultant or trainer in the country in which the qualification was granted
- (2) An applicant for registration shall, in addition to evidence of qualification, satisfy the Council that:
 - (a) he is of good character;
 - (b) he has attained the age of 18 years; and
 - (c) he has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty.

- (3) The Council may, in its sole discretion, provisionally accept a qualification produced in respect of an application for registration, or direct that the application be renewed within such period as may be specified in the direction.
- (4) Any entry directed to be made in the register shall show that the registration is provisional and no entry so made shall be converted to full registration without the consent of the Council, signified in writing in that behalf.
- (5) The Council shall, from time to time, publish in the Gazette particulars of qualifications for the time being acceptable for registration council (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 8: Approval of Qualification, etc.

- (1) The Council may approve any qualification for the purposes of this Bill and may for those purposes approve:
 - (a) any course of training at an approved institution which is intended for persons who are to become or are already Management Consultant or trainer and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for practice as a Management Consultant or trainer;
 - (b) any qualification which, as a result of examination taken in conjunction with the course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination, indicating in the opinion of the Council that the candidates have sufficient knowledge and experience for practice as a Management Consultant or trainer.
- (2) The Council may, if it thinks fit withdraw any approval given under this section in respect of any course, qualification or institution but before withdrawing such an approval the Council shall:
 - (a) give notice that it proposes to do so to persons in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be;
 - (b) afford each person an opportunity of making the Council representations with regard to the proposal; and
 - (c) take into consideration any representations made as respects the proposal in pursuance of paragraph (b) of this subsection.
- (3) As respects any period during which the approval of the Council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall not be treated as approved under this section; but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who, by virtue of the approval, was registered or eligible for registration immediately before the approval was withdrawn.

- (4) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in the instrument and the Council shall:
- (a) as soon as may be, publish a copy of every such instrument in the Gazette; and
 - (b) not later than seven days before its publication, send a copy of the instrument of the Minister of Health (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

PART III — STAFF OF THE COUNCIL

Clause 9: Service in the Council.

- (1) Service in the Council shall be approved service for purposes of the Pension Reform Act and accordingly employees of the Council shall, in respect of their services, be entitled to pensions and other retirement benefits as are applicable to persons holding equivalent grades in the Public Service of the Federation.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of pension in respect of that office.
- (3) For the purpose of the application of the provisions of the Pension Reform Act, any power exercisable there under by the Minister or other authority of the Government of the Federation, other than the power to make regulations; is vested in and shall be exercisable by the Council and not by any other authority (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 10: Indemnity.

Every member, agent, auditor or employee for the time being of the Council shall be indemnified out of the assets of the Council 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 has been brought against him in his capacity as such a member, agent, auditor or employee (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

PART IV — FINANCIAL PROVISIONS

Clause 11: Fund of the Council.

- (1) The Council shall establish and maintain a fund into which shall be paid and credited:
 - (a) such moneys as may from time to time be appropriated or granted to the Council by the Government of the Federation or of a State;
 - (b) such moneys as may be granted to the Council by the Industrial Training Fund or any other body;

- (c) all subscription fees or charges for services rendered by the Council or any of its agents;
 - (d) all other assets that may from time to time accrue to the Council; and
 - (e) all other sums accruing to the Council by way of gift, and testamentary dispositions.
- (2) The Council shall apply the proceeds of the fund established pursuant to subsection (1) of this section:
- (i) to the cost of administration of the Council;
 - (ii) for reimbursing members of the Council and any committee of the Council for such expenses expressly authorized by the Council;
 - (iii) to the payment of salaries or other remuneration or allowances, pension and other retirement benefits payable to members or employees of the Council (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 12: Power to accept gifts.

- (1) The Council may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organisation making the gift.
- (2) The Council shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Council or any other law in Nigeria (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 13: Council estimates and expenditure.

- (1) The Council shall not later than 1st October in each financial year or soon thereafter submit to the Minister for approval, its estimate of revenue and expenditure in respect of the following financial year.
- (2) The Council shall prepare and submit to the Minister not later than 31st July in each financial year, a report on its activities during the preceding financial year and the report shall be accompanied by a copy of the audited accounts of the Council for that period and of the auditors report on the accounts (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 14: Borrowing.

The Council may, with the consent of the Minister, borrow on such terms and conditions as the Council may determine, such sums of money as the Council may require in the exercise of the functions conferred on it under this Bill (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

PART V — ESTABLISHMENT OF THE CENTRE FOR
MANAGEMENT DEVELOPMENT, ETC.

Clause 15: Establishment of the Center for Management Development.

There is established, the Centre for Management Development (in this Bill referred to as "the Centre") which shall be the operational organ of the Council (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 16: Powers of the Centre.

The Centre shall have power to:

- (a) provide to the Council information and other technical data necessary for the Council's policy making and coordinating functions;
- (b) undertake management development for small and medium enterprises in the country through the provision of relevant training and extension services;
- (c) establish and maintain a world class library on management studies;
- (d) undertake, commission and participate in in-depth research studies and consultancy services in relevant fields;
- (e) publish journals, research papers and books on modern management and supervisory techniques;
- (f) promote the development of programmes aimed at improving the performance of private and public enterprises;
- (g) provide macro and micro economic training programmes to economic planners, budget and project officers in the public service of the Federation or a State;
- (h) undertake training programmes and promotion examinations for the employees of the Public Service of the Federation and a State;
- (i) in collaboration with the National Youth Service Corps, provide regular trainings in National Youth Service Corps camps;
- (j) act as a policy laboratory for vigorous and sustained development and promotion of highly specialized skills required for enhancing efficient and effective planning and management of the Nigerian economy;
- (k) undertakes the development of executive professional postgraduate programmes and Diploma Courses for the development of professional Managers in the country;
- (l) conduct examinations and grant certificates in areas of management to persons who have pursued a course of study approved by the Council and have satisfied such other requirements as may be prescribed by the Council from time to time;
- (m) collaborate with similar management training institutions within and outside Nigeria in the execution of its mandate with a view to embracing international standards; and

- (n) do any other duties as may be necessary for the efficient discharge of its functions under this Bill (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 17: Director-General of the Centre.

- (1) There shall be for the Centre a Director - General who shall be appointed by the President on the recommendation of the Minister.
- (2) The Director- General shall be:
 - (a) the chief executive and accounting officer of the Centre;
 - (b) charged with the general responsibility for matters affecting the day-to- day management and operations of the Centre; and
 - (c) responsible for any other duties or functions as may be necessary for the effective and efficient running of the Centre.
- (3) The Director-General shall hold office at the pleasure of the President.
- (4) The terms and conditions of appointment of the Director-General shall be as specified in his letter of appointment (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 18: Power of Director-General to request for information.

The Director-General may require any management consultant or trainer, management training institution to furnish such information on any aspect of its operations as may appear to the Director-General to be necessary to enable the Council carry out any of its functions under this Bill (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

PART VI — OFFENCES AND PENALTIES

Clause 19: Offences and Penalties.

- (1) Any individual who operates as a management consultant or trainer without accreditation from the Council commits an offence and is liable on conviction to a fine not less than ₦250,000.00 or to imprisonment for a term not less than 6 months or both.
- (2) Any corporate body which operates as a management development training institution without accreditation, commits an offence and is liable on conviction to a fine not less than ₦1,000,000.00 (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 20: Power to give directives to the Council.

The President or the Minister may give to the Council directives of a general character or relating generally to particular matters with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directives (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 21: Limitation of Suits against the Council and its staff.

- (1) Notwithstanding anything to the contrary contained in any other enactment, no suit against the Council, a member or any employee of the Council, for any act done in pursuance or execution of any enactment or law, or of any public duty or authority, or in respect of an alleged negligence or default in the execution of such enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced within 12 months next after the act or neglect complained of or in the case of continuing damage or injury, within 12 months next after the ceasing thereof.
- (2) No suit shall be commenced against the Council before the expiration of a period of one month notice of intention to commence the suit shall have been served upon the Council by the intending plaintiff or his authorised agent and the notice shall clearly and explicitly state:
 - (a) the cause of action;
 - (b) the particulars of the claim;
 - (c) the name and place of abode of the intending plaintiff; and
 - (d) the relief which he claims.
- (3) The notice referred to in subsections (1) and (2) of this section and any summons, notice or other document required or authorised to be served upon the Council under the provisions of this Bill or any other enactment or law may be served by delivering the same to the Director - General, the Council Secretary or by sending it by registered post to the principal office of the Council (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 22: Regulations.

- (1) The Council may with the approval of the Minister make regulations as may be necessary or expedient to give effect to the provisions of this Bill.
- (2) Regulations made under this Bill shall be published in the official Gazette of the Government of the Federation (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 23: Repeal, Savings, etc.

- (1) The Nigerian Council for Management Development Act, Cap. N99, Laws of the Federation of Nigeria 2004 is hereby repealed.
- (2) The National Centre for Economic Management and Administration Act, Cap. N14, Laws of the Federation of Nigeria, 2004 is hereby repealed.
- (3) Without prejudice to section 6 of the Interpretation Act, Cap. 123, Laws of the Federation of Nigeria 2004, the repealed Acts referred to in subsections (1) and (2) of this section shall not affect anything done under or pursuant to the repealed Acts.

- (4) The National Centre for Economic Management and Administration established pursuant to the National Centre for Economic Management and Administration Act is hereby dissolved.
- (5) The statutory functions, rights, interests, obligations and liabilities of the National Centre for Economic Management and Administration shall by virtue of this Bill be assigned to and vested in the Nigerian Council for Management Development established by this Bill.
- (6) The Nigerian Council for Management Development shall be subject to all the obligations and liabilities to which the defunct National Centre for Economic Management and Administration was subject and all other persons shall have the same rights, powers and remedies against the Nigerian Council for Management Development as they had against the National Centre for Economic Management and Administration before the commencement of this Bill;
- (7) Any proceeding or cause of action pending or existing immediately before the commencement of this Bill by or against the National Centre for Economic Management and Administration in respect of any right, interest, obligation or liability may be continued or commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Nigerian Council for Management Development;
- (8) All assets, funds, resources, movable or immovable property which immediately before the commencement of this Bill were vested in the National Centre for Economic Management and Administration shall by virtue of this Bill and without further assurance, be vested in the Nigerian Council for Management Development;
- (9) Any person immediately before the commencement of this Bill being a holder of an office in the National Centre for Economic Management and Administration shall on the commencement of this Bill be deemed to have been appointed to his office by the Nigerian Council for Management Development (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Clause 24: Interpretation.

In this Bill, unless the context otherwise requires:

"appropriate authority" means the Revenue Mobilization, Allocation and Fiscal Commission (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

"Centre" means the Centre for Management Development (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

"Council" means the Nigerian Council for Management Development (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

"Director-General" means the Director-General of the Centre for Management Development (Hon. Abbas Tajudeen — Zaria Federal Constituency).

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

"Fees" includes annual subscription and payment for the issuance of documents or performance of duties by the Council in connection with the provisions of this Bill (Hon. Abbas Tajudeen — Zaria Federal Constituency).

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

"Management Development" means an educational process utilizing a systematic and organized procedure by which managerial personnel learn conceptual and technical knowledge for general purpose which is prescribed or approved by the Nigerian Council for Management Developments established in section 1 of this Bill (Hon. Abbas Tajudeen — Zaria Federal Constituency).

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

"Management Consultant or trainer" means a person accredited or registered by the Nigeria Council of Management Development to operate or practice Management Development (Hon. Abbas Tajudeen — Zaria Federal Constituency).

Question that the meaning of the words "Management Consultant or trainer" be as defined in the interpretation to this Bill — Agreed to.

"Management Training Firm or Institution" means a corporate body which is accredited or registered by the Nigeria Council of Management Development to operate or practice Management Development (Hon. Abbas Tajudeen — Zaria Federal Constituency).

Question that the meaning of the words "Management Training Firm or Institution" be as defined in the interpretation to this Bill — Agreed to.

"Member" means a member of the Council and includes the Chairman (Hon. Abbas Tajudeen — Zaria 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 in-charge of National Planning (Hon. Abbas Tajudeen — Zaria Federal Constituency).

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

"President" means the President of the Federal Republic of Nigeria (Hon. Abbas Tajudeen — Zaria Federal Constituency).

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

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

Clause 25: Citation.

This Bill may be cited as the Nigerian Council for Management Development Bill, 2021 (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Section 2(4)

PART I — QUALIFICATION AND TENURE OF OFFICE OF MEMBERS

1. A person under section 2 of this Bill shall not be a member of the Council unless he is a citizen of Nigeria.
2. A member of the Council other than a public office holder may resign his appointment by a letter under his hand addressed to the Minister and copied to the Chairman, or in the case of the Chairman, copied to the Director - General and the resignation shall take effect from the date of the receipt of the letter by the Minister.
3. Where a member of the Council ceases to hold office before the date when his term of office would have expired by effluxion of time, the body or person by whom he was appointed or elected shall as soon as practicable appoint or, as the case may be, elect another person to fill the vacancy for the residue of the term aforesaid, so however that the foregoing provision of this paragraph shall not apply where a person holding office as a member of the Council ceases to hold office at the time when the residue of his term does not exceed six months.
4. The foregoing provisions of this Schedule shall be without prejudice to the provisions of Section 11 of the Interpretation Act which relates to appointment.
5. Any accredited member of a profession who ceases to be such accredited member shall, if he is also a member of the Council cease to hold his position on the Council.
6. A person who is a member by virtue of his office shall cease to be a member if he ceases to occupy the particular office.

PART II — PROCEEDINGS OF THE COUNCIL

7. Subject to the provisions of this Bill and section 27 of the Interpretation Act (providing for decisions of a body to be taken by a majority of the members of the body and for the Chairman to have a second or casting vote), the Council may make standing orders regulating the proceedings of the Council or any committee thereof.
8. The Council shall meet at least four times in a year and at such other times as the Chairman may from time to time determine and in any case, shall not meet more than six times in a year.
9. Every meeting of the Council shall be presided over by the chairman and if the chairman is unable to attend, a member may be appointed by the members present to act as chairman for that particular meeting.

10. The Quorum for the meeting of the Council shall be any number above one third of the total number of members of the Council and in the case of any of its committees shall not be less than half of the members of such committee.
11. Where standing orders made under paragraph 1 of this Part 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.
12. Subject to its standing orders, the Council may appoint such number of standing and *ad-hoc* committees as it thinks fit to consider and report on any matter with which the Council is concerned.
13. Every committee appointed under paragraph 12 of this Schedule shall be presided over by a member of the Council and shall be made up of such number of persons, not necessarily members of the Council, as the Council may determine in each case.
14. A decision of a committee shall be of no effect until it is confirmed by the Council.

PART III — MISCELLANEOUS

15. The fixing of the seal of the Council shall be authenticated by the signature of the chairman and the Council Secretary.
16. Any contract or instrument which, if made or executed by any person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the Council by any person, generally or specially authorised to act for that purpose by the Council.
17. Any document purporting to be a contract, instrument or other document duly signed or sealed on behalf of the Council shall be received in evidence and shall unless the contrary is proved, be presumed to have been so signed and sealed.
18. The validity of any proceeding of the Council or of any of its committees shall not be affected by:
 - (a) any vacancy in the membership of the Council or any of its committees;
 - (b) any defect in the appointment of any member; or
 - (c) reason of the fact that any person not entitled to do so took part in the proceedings.
19. Any member of the Council and any person holding a position on a committee of the Council who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or its committee shall not be present at any deliberation relating to the contract arrangement (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to repeal the Nigerian Council for Management Development Act, Cap. N99, Laws of the Federation of Nigeria, 2004 and the National Centre for Economic Management and Administration Act, Cap. N14, Laws of the Federation of Nigeria, 2004; enacts the Nigerian Council for Management Development Bill, 2021 (*Hon. Abbas Tajudeen — Zaria Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Repeal the Nigerian Council for Management Development Act, Cap. N99, Laws of the Federation of Nigeria, 2004 and the National Centre for Economic Management and Administration Act, Cap. N14, Laws of the Federation of Nigeria, 2004; to Enact the Nigerian Council for Management Development Bill, 2021; and for Related Matters (HB. 1119) (*Hon. Abbas Tajudeen — Zaria 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 Repeal the Nigerian Council for Management Development Act, Cap. N99, Laws of the Federation of Nigeria, 2004 and the National Centre for Economic Management and Administration Act, Cap. N14, Laws of the Federation of Nigeria 2004 and Enact the Nigerian Council for Management Development Bill; and for Related Matters (HB. 1119) and approved Clauses 1 - 25, 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 Amend the Agricultural Research Council of Nigeria Act, Cap. Laws of the Federation of Nigeria, 2004 and for Related Matters (HB. 69) (Committee of the Whole):**

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. Laws of the Federation of Nigeria, 2004 and for Related Matters (HB. 69)" (*Hon. Munir Babba Dan Agundi — Kumbotso 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 AMEND THE AGRICULTURAL RESEARCH COUNCIL OF NIGERIA ACT, CAP. A12, LAWS OF THE FEDERATION OF NIGERIA, 2004; AND FOR RELATED MATTERS (HB. 69)

- Clause 1: Amendment of Agricultural Research Council of Nigeria Act, Cap. A12, LFN, 2004.**

The Agricultural Research Council of Nigeria Act 1999 (hereinafter referred to as "the Principal Act") is hereby amended as set out in this Bill (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

- Clause 2: Amendment of Section 2.**

Section 2 of the Principal Act is amended by:

- (i) substituting for the heading "Governing Board of the Council" the following new heading "Membership of the Board".

(ii) in subsection (1) by substituting the existing section with a new subsection (1) as follows:

2. (1) There is hereby established for the Council a Governing Board which shall consist of the following members to be appointed by the President on the recommendation of the Minister:

- (a) the Chairman who shall be a person in any of the fields of agricultural sciences with cognate wide knowledge and experience;
- (b) the Permanent Secretary of the Federal Ministry of Agriculture and Rural Development;
- (c) the Vice-Chancellor of one of the Universities of Agriculture on rotation for two years at a time;
- (d) the President of the Farmers Association of Nigeria;
- (e) the Chairman of the Agribusiness Group of the Manufacturers Association of Nigeria;
- (f) a technical expert each with wide knowledge and research experience in:
 - (i) crops,
 - (ii) livestock,
 - (iii) fisheries, and
- (g) the Executive Secretary of the Council who shall be the Secretary to the Council (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 3: Amendment of Section 4.

Section 4 of the Principal Act is amended by:

- (i) substituting for the heading the following new heading "Allowances"; and
- (ii) substituting for the words "remuneration and allowances" the words "Sitting Allowances" (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 4: Amendment of Section 5.

Section 5 of the Principal Act is amended by :

- (i) renaming the whole of Section 5 as Section 5 (1); and
- (ii) inserting immediately after (m) two new subsections (2) and (3):

"5. (1) The functions of the Council shall be to:

- (a) advise the Federal Government on national policies and priorities in agricultural research, training and extension activities;
- (b) plan, manage, conduct and promote research, human resource development and technology generation, assessment and adoption for the advancement of all aspects of agriculture in Nigeria;
- (c) prepare periodic master plans for agricultural research, training and extension and advise the Federal Government on the financial requirement for the implementation of such plans;
- (d) ensure the implementation of the approved master plans by the appropriate research institutes, universities and other bodies;
- (e) participate through a consultative process in the appointment of Directors of agricultural research institutes established under university statutes;
- (f) prescribe and give policy direction to the Federal Colleges of Agriculture on their overall management function, training and extension activities;
- (g) supervise research, training and extension activities of research institutes established under section 16 of this Bill;
- (h) prepare the annual budget for agricultural research, training and extension programmes of the institutes under its aegis and receive grants for allocation to the institutes for the implementation of the annual programmes and to universities and other bodies for special research or training projects;
- (i) maintain an up-to-date record of all existing facilities for research, training and extension in the agricultural sciences in Nigeria and advise the Federal Government on their adequacy and efficient utilization;
- (j) advise the Federal Government on the re-organisation of existing institutes, including the creation of new ones, as are required to implement or further the efficiency of research, training and extension in the agricultural sciences;
- (k) promote collaboration between scientists engaged in research, training and extension in the agricultural sciences in Nigeria and their counterparts in other countries or international bodies;

- (l) establish and maintain a National Agricultural Science Library and Documentation Centre and publish or sponsor the publication of research results in the agricultural sciences; and
 - (m) carry out such activities as may, in the opinion of the Council, further the advancement of research, training and extension in the agricultural sciences.
- (2) Notwithstanding anything to the contrary in this Bill, the Minister shall exercise all the powers of the Board where:
- (i) the Board has not been constituted;
 - (ii) the Board has been dissolved.
- (3) Any action taken or decision reached in compliance with the provisions of subsection 2 of this section shall be valid (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 5: Amendment of Section 6.

Section 6 of the Principal Act is amended by:

- (1) inserting immediately after the existing subsection (3) the following new subsection:
- “(4) (a) The Board shall on the recommendation of the Council appoint the following and such other Deputy Executive Secretaries it may deem fit on a tenure of two years renewable for a final term of two years:
- (i) a Deputy Executive Secretary (Crops Research);
 - (ii) a Deputy Executive Secretary (Livestock, Fisheries & Marine Research);
 - (iii) a Deputy Executive Secretary (Education; Training & Extension); and
 - (iv) a Deputy Executive Secretary (Technical Cooperation and Communication) who shall each be persons with requisite experience and academic qualifications and assigned such responsibilities as are determined by the Board;
- (b) The persons appointed by the Board shall each be:
- (i) persons with requisite academic qualification and experience;
 - (ii) persons who, in the opinion of the Board, will assist the Council in the effective discharge of any of its functions;

- (2) Deleting subsections (5) and (6) of the Principal Act.
- (3) Renumbering the existing subsections (4), (5), (6) and (7) as (4), (5) and (6) respectively; and
- (4) Amending and renumbering subsection 4 (b) as 4 (c):
 - "(c) pay to such persons so appointed such allowances as the Board shall in consultation with the National Salaries Income and Wages Commission determine" (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 6: Amendment of Section 7.

Section 7 of the Principal Act is amended:

- (a) by substituting for the heading the following new heading "Application of the Pensions Reform Act";
- (b) in subsection (2) by substituting therefore the following new subsection:
 - "(2) Employees of the Council shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the universities" (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 7: Deletion of Section 8.

Section 8 of the Bill is deleted.

Committee Recommendation:

Leave out the provision of Section 8 (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

Agreed to.

Clause 2: Insertion of new Part V and amendment of section 14.

Part V of the Principal Act is amended as follows —

- (a) by substituting for the heading the following new heading —
 - "Establishment of Research Institutes and constitution of Technical Committees, etc."
- (b) immediately after the existing subsection (1), insert the following new subsections —
 - "(2) The Minister shall, after consultation with the Board of the Council constitute for each research institute a Technical Committee.
 - (3) The Technical Committee of each research institute shall consist of —

- (a) a Chairman who shall be a person with requisite professional qualifications in the area of specialization of the mandate of the research institute and two other members;
 - (b) the Executive Director shall act as the Secretary of the Technical Committee.
- (4) The Chairman and members of each Technical Committee shall hold office for a term of three years and no more.
- (5) Each Technical Committee shall —
- (a) be charged with responsibility for giving policy directions for the management of the research institute; and
 - (b) carry out such other functions as will facilitate optimum output of each research institute" (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 9: - Insertion of a new Part VI.

Part VI of the Principal Act of amended as follows —

- (a) by substituting for the heading the following new heading —

"Establishment of Federal Colleges of Agriculture and Constitution of Technical Committees, etc."
- (b) immediately after the existing Part V of the Principal Act, insert the following new Part VI —

"16. (1) The Minister may, with the approval of the President, by order published in the Gazette, establish Federal Colleges of Agriculture under this Bill (in this Bill referred to as "Colleges of Agriculture").

(2) The Minister shall, after consultation with the Board of the Council constitute for each College of Agriculture a Technical Committee.

(3) The Colleges of Agriculture shall provide training for middle level manpower for the agricultural sector.

(4) The statutory functions, rights, interests, obligations and liabilities of the Colleges of Agriculture in subsection (2) of this section, existing before the commencement of this Bill under any contract or instrument, or in law or in equity shall, by virtue of this Bill, be deemed to have been assigned to and vested in the Council established by this Bill.

(5) Any such contract or instrument as is mentioned in subsection (4) of this section shall be of the same force and effect against or in favour of the Council established by this Bill and shall be enforceable as fully and effectively as if instead of the Colleges of Agriculture in subsection (2) of

this section existing before the commencement of this Bill, the Council established by this Bill has been named therein or had been a party thereto.

- (6) The Council established by this Bill shall be subject to all the obligations and liabilities to which the Colleges of Agriculture in subsection (2) of this section existing before the commencement of this Bill were subject immediately before the commencement of this Bill and all other persons shall have the same rights, powers and remedies against the Council established by this Bill as they had against the Colleges of Agriculture specified in subsection (2) of this section and existing before the commencement of this Bill.
- (7) Any proceeding or cause of action pending or existing immediately before the commencement of this Bill, by or against the Colleges of Agriculture specified in subsection (2) of this section and existing before the commencement of this Bill in respect of any right, interest, obligation or liability of the Colleges of Agriculture specified in subsection (2) of this section and existing before the commencement of this Bill may be continued or as the case may be commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Council established by this Bill to the same extent that such proceeding or cause of action or determination might have been continued, commenced or enforced by or against the Colleges of Agriculture specified in subsection (2) of this section and existing before the commencement of this Bill.
- (8) All assets, funds, resources and other movable or immovable property which immediately before the commencement of this Bill were vested in the Colleges of Agriculture existing before the commencement of this Bill shall by virtue of this Bill and without further assurance, be vested in the Council established by this Bill.
- (9) Any person who immediately before the coming into force of this Bill is the holder of any office in any of the Colleges of Agriculture specified in subsection (2) of this section and existing before the commencement of this Bill shall, on the commencement of this Bill, continue in office and be deemed to have been appointed to his office by the Council established by this Bill unless authority by which the person was appointed terminates the appointment."

(c) Renumber the existing Part VI as "Part VII"; and

(d) Renumber the existing section 15 as section 16 (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 10: Insertion of New Section 17.

- (a) Immediately after section 16 of the Principal Act as renumbered, there shall be inserted the a new section 17:

- "17. (1) The Institutes and Colleges referred to in sections 15 and 19 of this Bill and such other institutes and colleges as may be established by order of the Minister pursuant to sections 16 (1) and 20 (1) of this Bill, shall have power, after consultations with the Minister, to incorporate spin off companies in the agricultural research system in Nigeria.
- (2) The spin off companies incorporated pursuant to subsection (1) of this section shall be charged with the responsibilities of providing the platform for the commercialization, privatization and marketing of scientific, agricultural and technological discoveries, innovations and findings of products developed by the Institutes and Colleges referred to in this Bill.
- (3) For the avoidance of doubt, the scientific, agricultural and technological discoveries, innovations and findings of the Council, Institutes and Colleges established under this Bill shall have intellectual property rights attached to them as prescribed and protected under the Nigeria Copyright Commission Act, 2004 and the National Office for Technology Acquisition and Promotion Act, 2004"
- (b) The existing sections 16 - 17 of the principal Act are renumbered as sections 18 - 19 respectively (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 11: Amendment of Section 19.

Section 19 of the Principal Act as renumbered, is amended by inserting after the existing subsection (1) the following new subsections:

- "(2) Any research institute established for agricultural research under the Nigerian Research Institutes Act 1964 and the Research Institutes (Establishment, etc.) Order 1975, shall each be deemed to be established under this Bill.
- (3) For the avoidance of doubt, the governing boards of Institutes constituted under the Act and Order referred to in subsection (2) of this section shall be deemed to have been dissolved and the staff of the Institutes deemed to have transferred to the employment of the Council from the date of their appointment by the respective Institutes.
- (4) Accordingly, the Nigerian Research Institutes Act 1964 and the Research Institutes (Establishment, etc.) Order 1975 are hereby consequently repealed.
- (5) The statutory functions, rights, interests, obligations and liabilities of the repealed Institutes in subsection (4) of this section, existing before the commencement of this Bill under any contract or instrument, or in law or in equity shall by virtue of this Bill, be deemed to have been assigned to and vested in the Council established by this Bill.

- (6) Any such contract or instrument as is mentioned in subsection (5) of this section shall be of the same force and effect against or in favour of the Council established by this Bill and shall be enforceable as fully and effectively as if instead of the Institutes in subsection (4) of this section existing before the commencement of this Bill, the Council established by this Bill has been named therein or had been a party thereto.
- (7) The Council established by this Bill shall be subject to all the obligations and liabilities to which the Institutes in subsection (5) of this section existing before the commencement of this Bill was subject immediately before the commencement of this Bill and all other persons shall have the same rights, powers and remedies against the Council established by this Bill as they had against the Institutes in subsection (5) of this section existing before the commencement of this Bill.
- (8) Any proceeding or cause of action pending or existing immediately before the commencement of this Bill, by or against the Institutes in subsection (5) of this section existing before the commencement of this Bill in respect of any right, interest, obligation or liability of the Institutes in subsection (5) of this section existing before the commencement of this Bill may be continued or as the case may be commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Council established by this Bill to the same extent that such proceeding or cause of action or determination might have been continued, commenced or enforced by or against the Institutes in subsection (5) of this section existing before the commencement of this Bill.
- (9) All assets, funds, resources and other movable or immovable property which immediately before the commencement of this Bill were vested in the Institutes existing before the commencement of this Bill shall by virtue of this Bill and without further assurance, be vested in the Council established by this Bill.
- (10) Any person who immediately before the coming into force of this Bill is the holder of any office in the Institutes in subsection (5) of this section existing before the commencement of this Bill shall, on the commencement of this Bill, continue in office and be deemed to have been appointed to his office by the Council established by this Bill unless authority by which the person was appointed terminates the appointment" (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 12: Insertion of a new Section 20.

- (a) Immediately after the existing section 19 of the Principal Act as renumbered, there shall be inserted the following new section 20:

"20. (1) The National Centre for Agriculture Mechanization Act, 1990 is hereby repealed.

- (2) The National Centre for Agriculture Mechanization, the Federal College of Co-operatives and the Federal College of Land Resources Technology, respectively operational under the Departments of Co-operatives and Agricultural Land Resources of the Ministry, shall be deemed to be established under this Bill.

- (3) Accordingly, the provisions of section 16 (4) - (9) of this Bill shall apply mutatis-mutandi to the Centres and Colleges specified under subsection (2) of this section with such modifications as are applicable."
- (b) The existing sections 19-21 as renumbered are hereby re-numbered as sections 20-22 (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 13: Amendment of Interpretation.

In this Bill, unless the context otherwise requires —

"Agricultural Sciences" includes crop sciences, fisheries, forestry and veterinary sciences;

"Board" means the Governing Board of the Council;

"Chairman" Means the Chairman of the Board;

"Council" means the Agricultural Research Council of Nigeria established under section 1 of this Bill;

"Endowment Fund" means the National Agricultural Research and Extension Endowment Fund under section 8 of this Bill;

"Executive Secretary" means the Executive Secretary appointed for the Council under section 6 of this Bill;

"Members of the Board" includes the Chairman;

"Minister" means the Minister charged with responsibility for Agriculture.

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

Clause 14: Amendment of First Schedule.

The First Schedule to the Principal Act is amended in paragraph 3 by:

- (a) inserting immediately after sub-paragraph (1) a new sub-paragraph (2) as follows:
- "(2) The Board shall appoint a Standing Agricultural Scientific and Technological Research Committee of the Board to be known as "the Technical Committee" which shall be charged with the responsibility of advising the Board and the Council on research and innovation matters.";
- (3) A Committee appointed under this paragraph shall consist of such number of persons (not necessarily members of the Board) as may be determined by the Board and a person other than a member of the Board shall hold office in the committee in accordance with the terms of his appointment.
- (4) A decision of a Committee of the Board shall be of no effect until it is confirmed by the Board (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 15: Amendment of Second Schedule.

(a) The Second Schedule of the Principal Act is amended in paragraph 1 by:

(a) deleting paragraph I and substituting therefore a new paragraph:

"1. All references to "the Governing Board" in this Part of the Act shall be construed as "the Council".

2. For the avoidance of doubt, reference in this Part of this Bill to "the Council" means the Agricultural Research Council of Nigeria."

(b) delete paragraph 3 and renumber paragraphs 4, 5, 6, 7, 8, and (9) as paragraphs 3, 4, 5, 6, 7, 8 respectively.

(c) '4'. Amended and Renumbered as '3':

4. Each Institute may appoint such employees as are deemed necessary for the proper discharge of the functions of the Institute under this Bill and pay such employees such remuneration and allowances as are payable to persons of equivalent grades in the service of the Council.

(d) '8'. Amended and renumbered as '7':

Each Institute shall prepare and submit to the Council an annual report on the activities of the Institute.

The Bill seeks to amend the Agricultural Research Council of Nigeria Act, 1990 to, among other things, provide for the:

1. (a) Reconstitution of the membership of the Board of the Council;
- (b) Appointment of Deputy Executive Secretaries;
- (c) Conditions of service of staff to be as applicable in the universities;
- (d) Powers of the Council to advise the Vice Chancellors on the appointment of Directors of agricultural research institutes established under university statutes;
- (e) Establishment of Federal Colleges of Agriculture under the Act and placing them under the control of the Council;
- (f) Powers of the Council, after consultation with the Minister, to incorporate spin off companies in Institutes and Colleges;

- (g) Establishment of the National Centre for Agriculture Mechanization, Federal Colleges of Co-operatives and Federal Colleges of Land Resources Technology under the Act and placing them under the control of the Council;
- (h) Dissolution of the governing boards of all the Research Institutes established under the Act and for the Board of the Council to exercise control and powers over all the research institutes so established; and
- (i) Repeal of the National Agricultural Research Institutes Act, 1964 and the Research Institutes (Establishment, etc.) Order, 1975 and the transfer of staff of the Institutes to the Council.

2. The provisions relating to the Board of the Council shall *mutatis mutandi*, apply to all the research institutes and colleges so established (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 16: Insertion of a new Third Schedule.

Immediately after the existing Second Schedule of the Principal Act, insert the following new Third Schedule:

THIRD SCHEDULE

(Section 16)

FEDERAL COLLEGES OF AGRICULTURE

1. 11-16 renumbered

S/No. Name of College

1. Federal College of Agriculture, Akure, Ondo State.
2. Federal College of Agriculture, Ibadan, Oyo State.
3. Federal College of Agriculture, Ishiagu, Ebonyi State.
4. Federal College of Animal Health and Production Technology, Ibadan, Oyo State.
5. Federal College of Animal Health and Production Technology, Vom, Plateau State.
6. Federal College of Freshwaters Fisheries Technology, New Bussa, Niger State.
7. Federal College of Freshwaters Fisheries Technology, New Baga, Borno State.
8. Federal College of Fisheries and Marine Technology, Lagos, Lagos State.
9. Federal College of Veterinary and Medical Laboratory Technology, Vom, Plateau State.
10. Federal College of Agricultural Produce Technology, Kano, Kano State.
11. Federal College of Horticulture, Dadin Kowa, Gombe State.

12. Federal Co-operative College, Ibadan.
13. Federal Co-operative College, Kaduna
14. Federal Co-operative College, Oji River.
15. Federal College of Land Resources Technology, Owerri.
16. Federal College of Land Resources Technology, Kuru-Jos.

Proceedings of the Board

2. (1) All references to "the governing board" in this Part of the Act shall be construed as "the Council";
- (2) For the avoidance of doubt, reference in this Part of this Bill to "the Council" means the Agricultural Research Council of Nigeria;

Powers

3. (1) Subject to the provisions of this Bill, each College shall have power to:
 - (a) provide full-time courses in teaching, instruction and training in agricultural production and distribution and for research in the development and adaptation of techniques in the agricultural sector;
 - (b) prepare a programme of academic training, for middle level manpower for the agricultural sector, within the field for which the College is responsible, under the approved master plan prepared by the Council together with detailed estimates of the expenditure which will be required for carrying out the programme;
 - (c) review and, if necessary revise, each year the programme approved under sub-paragraph (1) (a) of this paragraph for the following year, together with the estimated budget for that year;
 - (d) carry out the programmes of academic training approved by the Council;
 - (e) make suitable arrangement for extension services to Federal and State Ministries, agencies and the private sector;
 - (f) to arrange conference, seminars and workshops relative to agricultural training and extension; and
 - (g) do anything and enter into any transaction which in its opinion ought to be done in the proper discharge of its functions.
- (2) Each College shall, in particular, and without prejudice to the generality of the foregoing power, have power to acquire and hold immovable property.
- (3) For the purpose of the Land Use Act, the purposes of a College shall be public purposes of the Federation within the meaning of that Act.

Provost

4. (1) There shall be a Provost for each College to be appointed by the Minister on the advice of the Council.
- (2) The Provost shall be:
 - (a) a person with relevant qualification and wide experience of the matter with which the College is concerned;
 - (b) charged with the day to day management of the affairs of the College in accordance with such instruction as may from time to time be given to him by the Board ; and
 - (c) appointed in accordance with the regulations and conditions of service approved by the Council.

Other staff

5. The Board may appoint such employees as are deemed necessary for the proper discharge of the functions of the College under this Bill and pay such employees such remuneration and allowances as are payable to persons of equivalent grades in the service of the Council.

Fund

6. (1) Each College shall establish and maintain a fund from which shall be defrayed all expenditures incurred by the College.
- (2) There shall be paid into the fund such sums as may be made available to the College by the Council and such other assets as may accrue to the College from time to time.
- (3) The fund shall be managed in accordance with rules made by the Federal Minister of Finance, and without prejudice to the generality of the power to make rules conferred by this section, the rules shall include provisions:
 - (a) specifying the manner in which the assets and the fund are to be held and regulating the making of payments to and from the fund;
 - (b) requiring the keeping of proper accounts and records for the fund in such form as may be specified by the rules;
 - (c) for ensuring that the accounts are audited annually by an auditor approved by the Council.

Annual Estimates and Accounts

7. (1) Each College shall prepare and submit its programme and estimated budget and any annual revision for approval by the Council;
- (2) Each College shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause its accounts to be audited within six months after the end of each year

by auditors appointed from the list in accordance with the guidelines supplied by the Auditor General for the Federation, through the Council.

Annual Report

8. The Technical Committee of each of College shall prepare and submit to the Council not later than 30th June in each year a report in such form as prescribed in this Bill on the activities of the College during the immediate preceding year, and shall include in the report a copy of the audited accounts of the College for that year and of the auditor's report thereon.

Power to Borrow Money

9. Each College may borrow or lend money only with the approval of the Council (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Clause 17: Short Title.

This Bill may be cited as the Agricultural Research Council of Nigeria (Amendment) Bill, 2021 (*Hon. Munir Babba Dan'Agundi — Kumbotso Federal Constituency*).

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

Long Title:

A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 69) (*Hon. Munir Babba Dan'Agundi — Kumbotso 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 Amend the Agricultural Research Council of Nigeria Act, Cap. Laws of the Federation of Nigeria, 2004 and for Related Matters (HB. 69) and approved Clauses 1 - 6, Rejected Clause 7, approved Clauses 8 - 17, and the Long Title of the Bill.

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

(iv) Committee on Health Institutions:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to Establish the Nigerian Health Infrastructure Development Bank to Enhance and Promote the Health and Wellbeing of Nigerians of all Walks of Life, to Boost Local Healthcare Capacity and for Related Matters (HB. 908)" (*Hon. Bagos Dachung Musa — Jos South/Jos East 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 NIGERIAN HEALTH INFRASTRUCTURE DEVELOPMENT BANK, TO ENHANCE AND PROMOTE THE HEALTH AND WELLBEING OF NIGERIANS OF ALL WALKS OF LIFE, TO BOOST LOCAL HEALTHCARE CAPACITY AND FOR RELATED MATTERS

Committee Recommendation:**Clause 1: Establishment of the Nigerian Health Infrastructure Development Bank.**

- (1) There is hereby established the Nigerian Health Infrastructure Development Bank (in this Bill referred to as "the Bank").
- (2) The Bank —
 - (a) shall be a body corporate with perpetual succession and common seal;
 - (b) may sue and be sued in its corporate name; and
 - (c) may, for the purpose of its functions, acquire, hold, or dispose of property, whether movable and immovable (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 2: Establishment of the Board of Directors.**

- (1) There is hereby established for the Bank a board of directors (in this Bill referred to as "the Board") which shall comprise of —
 - (a) a Chairman who shall be appointed by the President;
 - (b) one person to represent the Federal Ministry of Health;
 - (c) one person to represent the Federal Ministry of Finance;
 - (d) one person to represent the Central Bank of Nigeria;
 - (e) one person to represent the Federal Inland Revenue Service (FIRS);
 - (f) the Managing Director of the Bank;
 - (g) the two Executive Directors of the Bank;
 - (h) one person to represent professional health bodies on rotation; and
 - (i) one person to represent development partners and NGOs.
- (2) The members of the Board shall be appointed by Mr. President with the confirmation of the National Assembly.
- (3) The members of the Board shall be paid such allowances as the Bank in a general meeting may, from time to time, approve.

- (4) The provisions of the Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters mentioned therein (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 3: Tenure of Office.

- (1) A member of the Board appointed, otherwise than by office, shall hold office for a term of four years, and subject to the provisions of subsection (2) of this section, shall be eligible for reappointment for only one further term of four years.
- (2) The office of a member of the Board shall become vacant if —
- (a) he resigns as a member by notice in writing under his hand addressed to the Managing Director
 - (b) he becomes bankrupt, suspends payment of his debts or compounds with his creditors; or
 - (c) he is convicted of an offence involving dishonesty or fraud; or
 - (d) he becomes of unsound mind; or
 - (e) he becomes a director or an officer of a healthcare and wellbeing provider (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 4: Removal from office of members of the Board.

- (1) If it appears to the Board that a member of the Board should be removed from office on the grounds of misconduct or inability to perform the functions of his office, the Board shall make a recommendation through the Minister to the President.
- (2) If the President, after making such inquiries as he considers necessary, approves the recommendation, the Minister shall, in writing, declare the office of the member vacant.
- (3) Notwithstanding the provisions of subsection (1) of this section, the President may remove a member of the Board from office if he is satisfied that it is in the public interest so to do (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 5: Functions of the Bank.

The functions of the Bank shall be to —

- (a) provide long-term credit facilities to Nigerian-owned health and wellbeing infrastructure or project in Nigeria at such terms as may be determined by

the Board in accordance with the policy directed by the Federal Government, being rates and terms designed to support the sustainability and to accelerate operational efficiency of the enterprise or project;

- (b) provide such loans either in Naira or other foreign currencies or both for the requirements of the eligible infrastructure or project;
- (c) subject to the approval of the Minister, raise loans from the local and international capital markets from bilateral or multilateral sources as the market situation permits;
- (d) encourage and promote the development of indigenous healthcare infrastructure, enterprises and projects in Nigeria;
- (e) do anything and enter into any transaction which in the opinion of the Board is necessary to ensure the proper performance of its functions under this Bill
(Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency).

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

Committee Recommendation:

Clause 6: Functions of the Bank.

- (1) Without prejudice to the generality of section 5 of this Bill, the Bank shall have power to —
 - (a) accept deposits and savings from healthcare providers, enterprises, projects, and other institutional depositors;
 - (b) issue its own securities, including debentures and bonds under Federal Government guarantees and issue promissory notes and other bills of exchange for the purpose of raising funds from financial institutions;
 - (c) establish a sinking fund for the redemption of securities issued by the Bank and provide for contributions by it to the sinking fund;
 - (d) carry out research on healthcare finance activities and health and wellbeing sectors in Nigeria;
 - (e) organise and operate, in collaboration with reputable insurance companies, a healthcare protection system designed to guarantee liquidity to healthcare institutions as well as afford them the opportunity of having liberal premium terms; and
 - (f) do anything and enter into any transaction which in its opinion is necessary to ensure the proper performance of its functions under this Bill.
- (2) The liability of the Bank, which may be incurred in connection with the exercise of the Bank's powers under subsection (1) of this section, shall be re-discountable with the Central Bank of Nigeria (Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency).

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

Committee Recommendation:**Clause 7: Functions of the Board.**

The Board shall be responsible for —

- (a) managing and superintending the affairs of the Bank;
- (b) the overall policy and general management of the Bank;
- (c) formulating policies and guidelines for operating the loans from the Bank and ensuring their implementation;
- (d) working closely with the management of the Bank to ensure smooth operation of the affairs of the Bank;
- (e) deciding on and approving the borrowing power and credit limits of the Bank;
- (f) approving annual reports and statement of accounts of the Bank;
- (g) appointing and approving fees for external auditors; and
- (h) carrying out such other activities connected with or incidental to the other functions of the Board (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 8: Powers of the Board.**

There Board shall have power to —

- (a) to acquire offices and other premises for the use of the Bank;
- (b) to fix terms and conditions of service including remuneration of the employees of the Bank;
- (c) establish such zonal and other branches of the Bank as it may deem necessary for the proper performance of its functions; and
- (d) to do such other things as are necessary for the successful performance of its functions under this Bill (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 9: Managing Director and Executive Directors.**

- (1) There shall be appointed for the Bank, by the President, the following officers, that is —

- (a) a Managing Director, who shall be the Chief Executive of the Bank and be responsible for the day-to-day management of the affairs of the Bank; and
- (b) such number of Executive Directors, not exceeding two, as he may determine who shall perform such duties as may be assigned to them, from time to time, by the Board or the Managing Director.

- (2) A person appointed as the Managing Director or an Executive Director shall not, while holding that office, qualify to hold any office as a Director in any other bank, corporation, company or any other establishment without the approval of the Board.
- (3) The Managing Director and Executive Directors appointed pursuant to the provisions of subsection (1) of this section shall hold office for a period of five years and may be re-appointed for a further period of five years.
- (4) Subject to subsection (3) of this section, the Managing Director and Executive Directors shall each hold office on such terms and conditions as may be specified in their letters of appointment (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 10: Secretary and other staff.

- (1) The Board shall appoint a Secretary to the Bank who shall —
 - (a) be responsible to the Managing Director;
 - (b) keep the records and conduct the correspondence of the Board; and
 - (c) perform such other duties as the Board or the Managing Director may, from time to time, determine.
- (2) The Board shall appoint such number of officers and other persons as employees of the Bank as may appear expedient and necessary to the Board for the proper and efficient conduct of the business and functions of the Bank.
- (3) The terms and conditions of service (including remuneration, allowances and pension benefits) of the Secretary to the Bank and other employees of the Bank shall be as may be determined by the Board (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 11: Capital.

- (1) The capital of the Bank shall consist of equity and loan capital.
- (2) The authorised capital of the Bank shall be one hundred billion naira which shall be divided into 10,000,000 shares of ₦10,000.00 each and be subscribed and paid up at par by the Federal Government.
- (3) The loan capital of the Bank shall be provided by the Federal Government in such amount and on such terms as may be determined by the Minister of Finance (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 12: General reserve fund.**

- (1) The Bank shall establish a general reserve fund to which shall be allocated from the net profits of the Bank at the end of each financial year of the Bank —
 - (a) 50% of the net profits of the Bank for the year, when at the end of the year the fund is less than the authorised capital of the Bank;
 - (b) 25% of the profits of the Bank for the year, when the fund is equal to or exceeds the authorised capital of the Bank.
- (2) After any allocation has been made in respect of subsection (1) of this section, the balance of the net profits shall be applied to the retirement of any loan granted to the Bank by the Federal Government or any other body.
- (3) The remainder of the net profits, if any, shall be paid to the shareholders of the Bank (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 13: Borrowing powers.**

- (1) Without prejudice to section 6 of this Bill, the Bank shall not, except with the approval of the Board and Minister of Finance, borrow from any source any money exceeding its share capital.
- (2) The Bank shall have power to secure the repayment of any money borrowed by the Bank in such manner as the Bank may think fit and, in particular, by the issue of debentures charged on all or any of the Bank's properties, and shall also have power to purchase, redeem and pay up any of those securities.
- (3) The Bank shall have power to receive grants, loans and advances and other moneys on deposit from the Federal Government, the Central Bank of Nigeria and any licensed bank and also the public in general under such conditions as may be approved by the Board.
- (4) The Federal Government may guarantee foreign loans in such manner and on such terms as it may deem fit and ensure the redemption and the repayment by the Bank (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 14: Funds of the Bank.**

Without prejudice to section 13 of this Bill, the Bank shall maintain a fund which shall consist of —

- (a) such sums as may, from time to time, be provided by the Federal Government for the purpose of this section by way of grant or loan or otherwise;

- (b) such sums as may be paid to the Bank in the course of its operations;
- (c) all interests received in respect of moneys invested by the Bank;
- (d) all moneys raised for the purposes of the Bank by way of gifts, loans, grants-in-aid, testamentary dispositions or otherwise;
- (e) monies borrowed from any source approved by the Board; and
- (f) such other monies as may, from time to time, accrue to the Bank (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 15: Expenditure of the Bank.

The Bank may, from time to time, apply the proceeds of the fund established in pursuance of section 14 (1) of this Bill —

- (a) to the cost of administration of the Bank;
- (b) to paying or reimbursing members of the Board or of any committee set-up by the Board for expenses as may be expressly authorised by the Board;
- (c) to the payment of the salaries, fees or other remuneration, allowances, pensions and gratuities payable to the officers and other employees of the Bank;
- (d) for the maintenance of any property vested in the Bank;
- (e) to the payment of all expenses incurred on behalf of the Bank; and
- (f) to and in connection with performing all or any of the functions of the Bank and the Board (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:

Clause 16: Annual accounts.

- (1) The Board shall, in respect of each year, keep proper accounts of the revenue and expenditure of the Bank and of all deposits received and repaid and interests credited to depositors during the year, from 1 January to the 31st December of the same year, together with a statement of the assets and liabilities of the Bank.
- (2) The accounts of the Bank kept under subsection (1) of this section shall, after being audited and certified by an auditor appointed from the list and in accordance with guidelines supplied by the Auditor-General for the Federation, be submitted to the Minister and shall thereafter be published by the Bank in selected national newspapers for general information (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 17: Annual report.**

The Bank shall prepare and submit to the President through the Minister, in such form as the Minister may direct and not later than 30 June in each year, a report on the activities of the Bank during the immediately preceding year and shall include in the report a copy of the audited accounts of the Bank for that year and the Auditor-General's report thereon (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 18: Offices and branches.**

The Bank may, subject to the approval of the Board, open offices and branches in such parts of Nigeria as the Board may decide and appoint agents and correspondents in accordance with the decision of the Board (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 19: Exemptions.**

- (1) The Bank shall be exempt from the payment of income tax, and the provisions of any enactment relating to taxation of companies shall not apply to the Bank.
- (2) The provisions of the Banks and Other Financial Institutions Act shall not apply to the Bank (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 20: Regulations.**

The Board may make regulations with respect to any of the following matters, to wit —

- (a) the granting of loans, advances and the making of deposits;
- (b) the terms, conditions, rates of interest, fees or administrative charges in respect of advances, credits, guarantees and any other transaction which the Bank may undertake from time to time;
- (c) the form of application, agreements and other materials necessary for the control of the grant of advances, credits, guarantees and other transactions which the Bank may undertake from time to time;
- (d) the securities that may be required for loans to be granted by the Bank; and
- (e) any other matter that may be incidental or supplemental to the functions of the Bank under this Bill (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 21: Eligibility for funding.**

- (1) An enterprise or a project shall not be eligible to access funds at the Bank unless the enterprise or project —
 - (a) possesses a record of at least 10 years active participation in the Nigerian healthcare and wellbeing sector prior to its application to access funds; and
 - (b) is wholly-owned by Nigerians.
- (2) A State government may access funds at the Bank through a participating private health management company (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Committee Recommendation:**Clause 22: Interpretation.**

In this Bill —

"Board" means the Board of Directors of the Bank constituted under section 2 of this Bill (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

"Central Bank" means the Central Bank of Nigeria established under the Central Bank of Nigeria Act (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

"Chairman" means the Chairman of the Board (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

"financial institutions" and "licensed bank" have the meaning assigned to them under the Banks and Other Financial Institutions Act (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Question that the meaning of the words "financial institutions" and "licensed bank" be as defined in the interpretation to this Bill — Agreed to.

"enterprise" means a duly registered company wholly-owned by Nigerians and whose principal business is activities in the healthcare sector (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

"Managing Director" means the employee of the Bank appointed as such under section 9 of this Bill (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

"Minister" means the Minister charged with responsibility for matters relating to finance (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

"Bank" means the Nigerian Health Infrastructure Development Bank established under section 1 of this Bill (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

"President" means the President of the Federal Republic of Nigeria (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

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

Committee Recommendation:

Clause 23: Short Title.

This Bill may be cited as the Nigerian Health Infrastructure Development Bank (Establishment) Bill, 2021 (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

SCHEDULE

[Section 2 (4)]

PROCEEDINGS OF THE BOARD

1. Subject to this Bill and section 27 of the Interpretation Act the Board may make standing orders regulating the proceedings of the Board and of any committee of the Board, and in particular, as respects —
 - (a) the holding of meetings;
 - (b) notices to be given of those meetings and the proceedings thereat;
 - (c) the keeping of minutes, and the custody, production and inspection of those minutes; and
 - (d) the opening, keeping, closing and auditing of accounts.
2. A meeting of the Board shall be presided over by the chairman or, if the chairman is unable to attend any particular meeting, by another member appointed by the members present at the meeting to act as chairman for that particular meeting.
3. The quorum at a meeting of the Board shall be the chairman (or, in an appropriate case, the person appointed to act as chairman under paragraph 2 of this Schedule) and four members.

4. Where standing orders made under paragraph 1 of this Schedule provide for the Board, to co-opt persons who are not members of the Board, those persons may advise the Board on any matter referred to them by the Board, but shall not be entitled to vote at a meeting of the Board or count towards a quorum.

Committees

5. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such of its functions as the Board may determine.
- (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board, and not more than one third of those persons may be persons who are not members of the Board; and a person other than a member of the Board shall hold office on the committee in accordance with the terms of the letter by which he is appointed.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

6. The Board shall provide for the safe custody of the seal of the Bank which shall only be used by the authority of the Board or of a committee of the Board authorised by the Board in that behalf, and every instrument to which the seal is affixed shall be signed by a member of the Board and counter-signed by the secretary to the Board or by another member or some other person appointed by the Board for that purpose.
7. A document purporting to be an instrument issued by the Bank and to be sealed with the seal of the Bank authenticated in the manner provided by this paragraph, or to be signed by the managing director, shall be received in evidence and be deemed to be the instrument without further proof, unless the contrary is shown.
8. A contract or an 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 Bank by a person authorised either generally or especially by the Bank to act for that purpose.
9. The validity of a proceeding of the Board shall not be affected —
- (a) by a vacancy in the membership of the Board; or
- (b) by a defect in the appointment of a member of the Board; or
- (c) by reason that a person not entitled to do so took part in the proceedings.
10. A member of the Board, and a person holding office on a committee of the Board, who has a personal interest in a contract or an arrangement entered into or proposed to be considered by the Board or the committee shall forthwith disclose his interest to the Board or committee and shall not vote on any question relating to that contract or arrangement (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

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

Explanatory Note:

This Bill Seeks to Establish the Nigerian Health Infrastructure Development Bank, to Enhance and Promote the Health and Wellbeing of Nigerians of all walks of Life, so Boost Local Healthcare Capacity (*Hon. Dachung Musa Bagos — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Nigerian Health Infrastructure Development Bank, to Enhance and Promote the Health and Wellbeing of Nigerians of All Walks of Life, to Boost Local Healthcare Capacity and for Related Matters (HB. 908) (*Hon. Dachung Musa Bagos — Jos South/Jos East 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 Committee on Health Institutions on a Bill for an Act to Establish the Nigerian Health Infrastructure Development Bank to Enhance and Promote the Health and Wellbeing of Nigerians of all Walks of Life, to Boost Local Healthcare Capacity and for Related Matters (HB. 908) and approved Clauses 1 - 23, the Schedule, the Explanatory Note, and the Long Title of the Bill.

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

(v) Committee on Healthcare Services:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Healthcare Services Report on a Bill for an Act to Amend the National Agency for Food and Drug Administration and Control Act, Cap. N1, Laws of the Federation of Nigeria 2004, to Provide for the Payment of all Monies Received by the Agency into the Federation Account in Accordance with Section 162 of the Constitution of the Federal Republic of Nigeria 1999 (As Amended); and for Related Matters (HB. 168)" (*Hon. Yusuf Tanko Sununu — Ngaski/Shanga/Yauri 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 AMEND THE NATIONAL AGENCY
FOR FOOD AND DRUG ADMINISTRATION AND CONTROL ACT,
CAP. N1, LAWS OF THE FEDERATION OF NIGERIA, 2004
AND FOR RELATED MATTERS

Committee Recommendation:

Clause 1: Amendment of the Principal Act.

The National Agency for Food and Drug Administration and Control Act, Cap. N1, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

Committee Recommendation:**Clause 2: Amendment of Section 2.**

- (1) Section of the Principal Act is amended by substituting for the existing Sections 2 (1) (f) and 2 (2), new provisions:
 - (f) the Registrar of the Pharmacists Council of Nigeria or his representative;
- (2) Other than the Chairman and members representing public interest, a member of the council shall be appointed on the recommendation of the representative body, in the absence of which, the Minister appoints (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

Committee Recommendation:**Clause 2: Amendment of Section.**

Section 3 of the Principal Act is amended in section 3 (2) (b) by substituting for the existing provision, New Provision thus:

- (b) the Minister is satisfied that it is not in the interest of the Agency for the person appointed to continue in office based on the recommendation of the Council (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

Committee Recommendation:**Clause 4: Amendment of Section 5.**

Section 5 of the Principal Act is amended thus:

- (a) regulate and control the importation, exportation, manufacture, advertisement, distribution, sale and use of food, drugs, cosmetics, medical devices, chemicals and packaged water;
- (b) conduct appropriate tests and ensure compliance with standard specifications designated and approved by the Council for the effective control of the quality of food, drugs, cosmetics, medical devices, chemicals and packaged water and their raw materials as well as their production processes in factories and other establishments;
- (c) undertake appropriate investigations into the production premises and raw materials for food, drugs, cosmetics, medical devices, chemicals and packaged water and establish relevant quality assurance systems, including certificates of the production sites and of the regulated products;
- (d) undertake inspection of imported food, drugs, cosmetics, medical devices, chemicals and packaged water and establish relevant quality assurance systems, including certification of the production sites and of the regulated products;
- (e) compile standard specifications and guidelines for the production, importation, exportation, sale and distribution of food, drug, cosmetics, medical devices, chemicals and packaged water;
- (f) undertake the registration of food, drugs, cosmetics, medical devices, chemicals and packaged water;

- (g) control the exportation and issue quality certification of food, drugs, cosmetics, medical devices, chemicals and packaged water intended for export;
- (h) establish and maintain relevant laboratories or other institutions in strategic areas of Nigeria as may be necessary for the performance of its functions under this Bill;
- (i) pronounce on the quality and safety of food, drugs, cosmetics, medical devices, chemicals and packaged water after appropriate analysis;
- (j) undertake measures to ensure that the use of narcotic drugs and psychotropic substances are limited to medical and scientific purposes;
- (k) grant authorisation for the import and export of narcotic drugs and psychotropic substances as well as other controlled substances;
- (l) collaborate with the National Drug Law Enforcement Agency in measures to eradicate drug abuse and cooperate with other relevant Agencies in pursuance of her functions.
- (m) advise Federal, State and local governments, the private sector and other interested bodies regarding the quality, safety, and regulatory provisions on food, drugs, cosmetics, medical devices, chemicals and packaged water;
- (n) coordinate the activities of clinical trials in collaboration with other relevant agencies;
- (o) issue guidelines on, approve and monitor the advertisement of food, drugs, cosmetics, medical devices, chemicals and packaged water;
- (p) compile and publish relevant data resulting from the performance of the functions of the Agency under this Bill or from other sources;
- (q) sponsor such national and international conferences as it may consider appropriate;
- (r) liaise with relevant establishments within and outside Nigeria in pursuance of the functions of the Agency;
- (s) determine the suitability or otherwise of medicines, drugs, food products, cosmetics, medical devices, chemicals and packaged water for human and animal use;
- (t) maintain posts at points of entry for the purpose of carrying out inspection and enforcement of imported drugs, food, cosmetics, medical devices, chemicals, packaged water etc;
- (u) upon court warrant, seal or place on hold premises, facilities, warehouses or part of same or similar places as may be necessary in pursuance of this Bill where there is reasonable belief that a provision of this Bill, other NAFDAC related Acts or Regulations have been contravened;
- (v) carry out pharmacovigilance and post-marketing surveillance of food, drug, cosmetics, medical devices, chemical and packaged water;

- (w) grant provisional approval for use of food, drugs, medical devices, chemicals and packaged water in emergency health situations in pursuance of this Bill, related Acts and Regulations;
- (x) adopt reliance, where necessary, with other regulatory bodies' pronouncements or decisions in carrying out her functions; and
- (y) carry out such activities as are necessary or expedient for the performance of its functions under this Bill (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

Committee Recommendation:

Clause 5: Amendment of Section 6.

Section 6 of the Principal Act is amended thus:

- (a) advise the Federal Government generally on the national policies on the control and quality specifications of food, drugs, cosmetics, medical devices, chemicals and packaged water;
- (b) designate, establish and approve quality specifications in respect of food, drugs, cosmetics, medical devices, chemicals and packaged water necessary for their certification;
- (c) establish the relevant guidelines and measures for quality control of food, drugs, cosmetics, medical devices, chemicals and packaged water in conformity with the Agency's standard specifications;
- (d) appoint, promote and discipline employees necessary for the proper discharge of the functions of the Agency;
- (e) establish committees as may be expedient which shall be charged with specific functions delegated by the Council;
- (f) establish appropriate programmes for the quality, safety and rational use of the food, drugs, cosmetics, medical devices, chemicals and packaged water;
- (g) encourage and promote activities related to this process, standard specifications, guidelines on importation, exportation, sale and distribution of food, drugs, cosmetics, medical devices, chemicals and packaged water;
- (h) utilise and promote the expansion of research, experiments, surveys and studies by public or private agencies, institutions and organisations concerning the quality, safety and use of food, drug, cosmetics, medical devices, chemicals and packaged water and such other matters related to this Bill as the Agency may, from time to time, determine as necessary or useful (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

Committee Recommendation:

Clause 6: Amendment of Section 9.

Section 9 of the Principal Act is amended by substituting for the existing provision, new provision thus:

- (c) shall be responsible for the reporting of the activities of the Agency to the Council (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

Clause 7: Amendment of Section 13.

Section 13 of the Principal Act is amended by inserting new subsection (3):

- “(3) All monies received by or on behalf of the Agency shall be receipted and shall be paid into the Federation Account within 24 hours of receipt or the next working day”.

Committee Recommendation:

Leave out the provision of new Subsection (3) (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

Agreed to.

Committee Recommendation:

Clause 8: Amendment of Section 24.

Section 24 of the Principal Act is amended in Section 24 (1) (5) (a) by substituting for the existing provision, new provision thus:

- (a) any food, drug, cosmetics, medical devices, chemicals or packaged water;
- (b) anything used for the manufacture, preparation, preservation, packaging or storage of any food, drug, cosmetics, medical device, chemical or packaged water; and
- (c) any labelling or advertising material relating to or for use in connection with any food, drug, cosmetics, medical device, chemical or packaged water, but does not include a live animal (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

Committee Recommendation:

Clause 9 Amendment of Section 25.

Section 25 of the Principal Act is amended by —

- (1) A person who obstructs an officer of the agency in the performance of his duties under Section 24 of this Bill commits an offence and shall be liable, on conviction, to a fine of not less than ₦1,000,000 or to imprisonment for a term not less than five years or to both such fine and imprisonment.
- (3) Where no penalty has been specified, the person shall be liable, on conviction, to a fine of not less than ₦1,000,000 or imprisonment for a term not exceeding five years or to both such fine and imprisonment.
- (4) Where an offence, under this Bill which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any of those capacities, he, as well as the body corporate shall be deemed to have committed the offence and shall be liable, on conviction, to a fine of not less than ₦50,000,000.

- (5) Any person who imported, exported drug, food, cosmetics, medical devices, chemicals, etc without registration/authorization commits an offence and shall be liable, on conviction, to a fine of not less than ₦5,000,000 or imprisonment for a term of not less than five years or to both such fine and imprisonment.
- (6) Any person who tampers with products on hold/unauthorized removal of hold label commits an offence and shall be liable, on conviction to a fine of not less than ₦3,500,000 or imprisonment for a term not less than 5 years or to both such fine and impoundment.
- (7) Any person who sells expired, fake, banned or unwholesome drug, food, cosmetics, medical devices or packaged water commits an offence and shall be liable, on conviction, to a fine of not less than ₦5,000,000 or to imprisonment for a term not less than five years or to both such fine and imprisonment.
- (8) The Federal High Court shall have exclusive jurisdiction to try offences under this Bill (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

Committee Recommendation:

Clause 10: Amendment of Section 26.

Section 26 of the Principal Act is amended in Section 26 (2) by substituting for the existing provisions, New Provision thus:

- (2) In a judicial proceeding for an offence under this Bill or any regulation made under it, the provisions of the Administration of Criminal Justice Act or depending on the venue, the Administration of Criminal Justice Act shall, with such modifications as the circumstance may require, apply in respect of such matter to the same extent as they apply to the trial of offences generally (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

Committee Recommendation:

Clause 11: Interpretation: Insertion of new paragraphs.

"emergency health situations" means any health situation that has consequences with potentials to overwhelm routine capability of Nigeria to address them (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

Question that the meaning of the words "emergency health institutions" be as defined in the interpretation to this Bill — Agreed to.

"regulated products" means food, drugs, cosmetics, medical devices, detergents, chemicals and packaged water (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

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

Committee Recommendation:**Clause 12: Short Title.**

This Bill may be cited as the National Agency for Food and Drug Administration and Control Act (Amendment) Bill, 2021 (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to amend the National Agency for Food and Drug Administration and Control Act in order to capture the other forms of packaging water, other than in bottles, encourage cooperation with other relevant agencies in carrying out its functions, introduce the coordination of clinical trials, and some new offences and increase penalties for commission of offences under the Bill (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the National Agency for Food and Drug Administration and Control Act, Cap. N1, Laws of the Federation of Nigeria, 2004 and for Related Matters (*Hon. Tanko Sununu Yusuf — Ngaski/Shanga/Yauri 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 Committee on Healthcare Services on a Bill for an Act to Amend the National Agency for Food and Drug Administration and Control Act, Cap. N1, Laws of the Federation of Nigeria, 2004, to Provide for the Payment of all Monies Received by the Agency into the Federation Account in Accordance with Section 162 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended); and for Related Matters (HB. 168) and approved Clauses 1 - 6, Rejected Clause 7, approved Clauses 8 - 12, 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.

20.

Adjournment

That the House do adjourn till Tuesday, 1 June, 2021 at 11.00 a.m. (Hon. Peter Akpatason — Deputy House Leader).

The House adjourned accordingly at 2.24 p.m.

Idris Ahmed
Deputy Speaker