



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

FIRST VOTES AND PROCEEDINGS

Tuesday, 13 July, 2021

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1. The House met at 11.13 a.m. Mr Speaker read the Prayer.
 2. The House recited the National Pledge
 3. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Second Votes and Proceedings* of Thursday, 8 July, 2021.

The Votes and Proceedings was adopted by unanimous consent.

4. **Announcement**
Mr Speaker read a communication from Hon. Emeka Chinedu Martins (*Ahiazu/Ezinihitte Uboma/Obowo Federal Constituency*), announcing the withdrawal of a Bill for an Act to Amend the Criminal Code Act, Cap. C38, Laws of the Federation of Nigeria, 2004 to further Preserve the Sanctity of Human Life and Property, and to Provide Specifically for Mob Action, Prescribe Punishment and Other Matters Connected Therewith due to the erroneous media reportage on some provisions of the Bill which misled the public. He noted that it was not the practice and procedure of the House for Bills to be withdrawn as a result of misrepresentation by a Newspaper and urged Journalists to always verify their facts before publication.

Bill by leave of the House, withdrawn.

5. **Matters of Urgent Public Importance (Standing Order Eight, Rule 4)**
 - (i) ***Need for a Legislative Intervention to Save the Naira from the Looming Fall and Initiate Measures to Ensure the Sustainability of the Naira:***
Hon. Satomi Ahmed (*Jere Federal Constituency*) introduced the matter and prayed the House to:
 - (a) consider and approve the matter as one of urgent public importance; and
 - (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

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

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

Need for a Legislative Intervention to Save the Naira from the Looming Fall and Initiate Measures to Ensure the Sustainability of the Naira:

The House:

Notes that the gap between the official and black-market rates of Naira to Dollar has widened in recent weeks as speculative forces, demand from importers and savers, have pushed the naira close to obscurity;

Aware of several intervention policies introduced by the Central Bank of Nigeria (CBN) to bridge the gap, between the official and parallel market rates including introduction of the Naira4Dollar plan, payment of ₦5 for every dollar of remittances received via official designated channels and adoption of the Financial Markets Dealers' Quotations Over-the-Counter (FMDQOTC) Nafex window as its official exchange rate;

Also aware of the opinions of some economists, operators and experts in the foreign exchange market that the exchange rate disparity exists because there are a number of measures that need to be taken before the naira can fall below ₦500 and perhaps, bridge the disparity between the parallel and official market;

Concerned that despite all these intervention measures introduced by the Central Bank of Nigeria (CBN), the situation seems more deteriorating as exchange rate between the Naira and dollar at the parallel market has touched a 4-year low in the last few weeks with the naira falling ₦505 to a \$1;

Disturbed by allegations by some experts that Nigeria's operation of multiple currency regimes frustrates businesses leading to the call by the World Bank for the Central Bank of Nigeria to unify the exchange rates to attract investment;

Worried by the assertion by some forex traders that Nigeria let the Naira weaken to a record low against the dollar on the official market as a move by the Central Bank to unify multiple exchange rates to comply with the World Bank directive;

Also worried that rising dollar demands has put pressure on the Naira as providers of foreign exchange, such as offshore investors, exited after the COVID-19 pandemic triggered a fall in global oil prices and dollar shortages have contributed to rising inflation and hardship to Nigerians;

Cognizant of the urgent need for a legislative intervention to save the Naira from imminent fall, halt the rate of inflation and devaluation of the Naira to ensure economic sustainability;

Resolves to:

Convene a Legislative Summit on Foreign Exchange Market Operations with the Central Bank of Nigeria (CBN), Financial Institutions, Forex Experts and Dealers and other key stakeholders to deliberate and develop a 'Secure the Naira Plan' in order to save the Naira from the looming fall (*Hon. Ahmed Sotomi — Jere Federal Constituency*).

Debate.

Amendment Proposed:

Leave out the Prayer and *insert* a new Prayer as follows:

“Mandate the Committees on Finance, Capital Market, and Banking and Currency to investigate the circumstances of continuous depreciation in the value of the Naira against other foreign currencies and report back within four (4) weeks” (*Hon. Toby Okechukwu — Aninri/Agwu/Orji-River Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that the gap between the official and black-market rates of Naira to Dollar has widened in recent weeks as speculative forces, demand from importers and savers, have pushed the naira close to obscurity;

Aware of several intervention policies introduced by the Central Bank of Nigeria (CBN) to bridge the gap, between the official and parallel market rates including introduction of the Naira4Dollar plan, payment of ₦5 for every dollar of remittances received via official designated channels and adoption of the Financial Markets Dealers Quotations Over-the-Counter (FMDQOTC) Nafex window as its official exchange rate;

Also aware of the opinions of some economists, operators and experts in the foreign exchange market that the exchange rate disparity exists because there are a number of measures that need to be taken before the naira can fall below ₦500 and perhaps, bridge the disparity between the parallel and official market;

Concerned that despite all these intervention measures introduced by the Central Bank of Nigeria (CBN), the situation seems more deteriorating as exchange rate between the Naira and dollar at the parallel market has touched a 4-year low in the last few weeks with the naira falling ₦505 to a \$1;

Disturbed by allegations by some experts that Nigeria's operation of multiple currency regimes frustrates businesses leading to the call by the World Bank for the Central Bank of Nigeria to unify the exchange rates to attract investment;

Worried by the assertion by some forex traders that Nigeria let the Naira weaken to a record low against the dollar on the official market as a move by the Central Bank to unify multiple exchange rates to comply with the World Bank directive;

Also worried that rising dollar demands has put pressure on the Naira as providers of foreign exchange, such as offshore investors, exited after the COVID-19 pandemic triggered a fall in global oil prices and dollar shortages have contributed to rising inflation and hardship to Nigerians;

Cognizant of the urgent need for a legislative intervention to save the Naira from imminent fall, halt the rate of inflation and devaluation of the Naira to ensure economic sustainability;

Resolved to:

Mandate the Committees on Finance, Capital Market, and Banking and Currency to investigate the circumstances of continuous depreciation in the value of the Naira against other foreign currencies and report within four (4) weeks (**HR. 35/07/2021**).

(ii) **Forestalling Ongoing Media Trial of Ms Chidinma Ojukwu, Alleged Killer of Mr Usifo Ataga, Chief Executive Officer, Super TV:**

Hon. Tolulope Akande-Sadipe (*Oluyole Federal Constituency*) introduced the matter and prayed the House to:

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

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

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

Forestalling Ongoing Media Trial of Ms Chidinma Ojukwu, Alleged Killer of Mr Usifo Ataga, Chief Executive Officer, Super TV:

The House:

Notes that Ms Chidinma Ojukwu, a 300-level Mass Communication student of the University of Lagos, UNILAG, was arrested on Wednesday, 23 June, 2021, over the murder of Chief Executive Officer, Super TV, Mr Usifo Ataga, in a service apartment in the Lekki area of Lagos State;

Aware that since the arrest of Ms Chidinma Ojukwu, she has been paraded around, granting interviews to various several news platforms, including the Nigerian Television Authority (NTA), on the matter, causing the internet and news media to be agog with the discussion and dissecting the matter despite ongoing Police investigation into the matter;

Also aware that the law of Nigeria has no provision for social media trials and matters that are sub judice;

Cognizant that Section 36 (5) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that *every person who is charged with a criminal offence shall be presumed to be innocent until he is proved guilty*, hence, so long as Ms Ojukwu has not been proven guilty by a court of competent jurisdiction, she is not to be described as a criminal, or paraded about to conduct series of interviews on a case currently under investigation;

Concerned that if Ms Ojukwu continues to be paraded about for a social media trial, it could affect the determination and outcome of the case, as well as amount to a breach of her fundamental right to fair hearing, especially where she is labeled or treated as one guilty of a crime;

Resolves to:

- (i) call on the Nigerian Police Force to conduct a proper investigation into the matter and refrain from parading Ms Chidinma around to grant interviews on the matter under investigation;
- (ii) also call on the Inspector General of Police to call all police personnel to order and ensure that there is no repeat of this violation of Human rights and media access to arrested persons in the future to avoid compromising the case in a court of law. This is to ensure future cases are not treated in the same manner. Also, ensure that Ms Ojukwu (the accused) does not die in custody or commit suicide while awaiting trial as in some past cases (*Hon. Tolulope Akande-Sadipe — Oluyole Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Ms Chidinma Ojukwu, a 300-level Mass Communication student of the University of Lagos, UNILAG, was arrested on Wednesday, 23 June, 2021, over the murder of Chief Executive Officer, Super TV, Mr Usifo Ataga, in a service apartment in the Lekki area of Lagos State;

Aware that since the arrest of Ms Chidinma Ojukwu, she has been paraded around, granting interviews to various several news platforms, including the Nigerian Television Authority (NTA), on the matter, causing the internet and news media to be agog with the discussion and dissecting the matter despite ongoing Police investigation into the matter;

Also aware that the law of Nigeria has no provision for social media trials and matters that are sub judice;

Cognizant that Section 36 (5) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that *every person who is charged with a criminal offence shall be presumed to be innocent until he is proved guilty*, hence, so long as Ms Ojukwu has not been proven guilty by a court of competent jurisdiction, she is not to be described as a criminal, or paraded about to conduct series of interviews on a case currently under investigation;

Concerned that if Ms Ojukwu continues to be paraded about for a social media trial, it could affect the determination and outcome of the case, as well as amount to a breach of her fundamental right to fair hearing, especially where she is labeled or treated as one guilty of a crime;

Resolved to:

- (i) call on the Nigerian Police Force to conduct a proper investigation into the matter and refrain from parading Ms Chidinma around to grant interviews on the matter under investigation;
- (ii) also call on the Inspector General of Police to call all police personnel to order and ensure that there is no repeat of this violation of Human rights and media access to arrested persons in the future to avoid compromising the case in a court of law. This is to ensure future cases are not treated in the same manner. Also, ensure that Ms Ojukwu (the accused) does not die in custody or commit suicide while awaiting trial as in some past cases (HR. 36/07/2021).

6. Personal Explanation (Order Eight, Rule 5)

Hon. Godwin Ndudi Elumelu (*Aniocha South/Aniocha North/Oshimili North/Oshimili South Federal Constituency*), drew the attention of the House on the non-implementation of his Constituency projects by Agencies under the jurisdiction of the Committees on Rural Development, and National Security and Intelligence.

Ordered: The House Leader to intervene for amicable resolution of the matter.

7. Presentation of Bills

The following Bills were read the *First Time*:

- (1) Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2021 (HB. 1495).
- (2) National Roots and Tubers Production, Processing and Research Institute, Zing, Taraba State (Establishment) Bill, 2021 (HB. 1513).
- (3) Livestock Transportation by Trekking and Vehicles (Prohibition) Bill, 2021 (HB. 1514).
- (4) Federal Medical Centre, Ikirun, Osun State (Establishment) Bill, 2021 (HB. 1515).
- (5) Federal School of Nursing and Midwifery, Mushin, Lagos State (Establishment) Bill, 2021 (HB. 1516).
- (6) National Ear Care Centre, Ideato, Imo State (Establishment) Bill, 2021 (HB.1517).
- (7) Federal School of Nursing and Midwifery, Ideato, Imo State (Establishment) Bill, 2021 (HB.1518).
- (8) Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2021 (HB.1519).
- (9) Nigerian Oil and Gas Content Development Act (Amendment) Bill, 2021 (HB. 1520).
- (10) Tertiary Education Trust Fund Act (Amendment) Bill, 2021 (HB. 1463).
- (11) Freedom of Information Act (Amendment) Bill, 2021 (HB. 1464).
- (12) Nigerian Oil and Gas Content Development Act (Amendment) Bill, 2021 (HB. 1465).
- (13) National Commission for Nomadic Education Act (Amendment) Bill, 2021 (HB. 1526).
- (14) National Broadcasting Commission Act (Amendment) Bill, 2021 (HB. 1527).

8. Presentation of Report***Committee on Human Rights:***

Motion made and Question proposed. "That the House do receive Report of the Committee on Human Rights on a Bill for an Act to Repeal the National Human Rights Commission Act, Cap. N46, Laws of the Federation of Nigeria, 2004 (as amended) and Enact the National Human Rights Commission Bill to strengthen the Commission to conduct Investigations and Sustain Activities in Nigeria; and for Related Matters (HB. 1072)" (*Hon. John Dyegh — Gboko/Tarka Federal Constituency*).

Agreed to.

Report laid.

9. Admittance into the Chamber

Motion made and Question proposed. "That the House do admit into the Chamber, the Second Deputy Speaker, Malawi Parliament, Aisha Mambo Adams, pursuant to Order Twenty-One, Rule 8 (xi) of the Standing Orders of the House" (*Hon. Fulata Abubakar Hassan — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

Agreed to.

10. Consolidation of Bills

Motion made and Question proposed, "That a Bill for an Act to Establish Federal Facilities Management Agency charged with Responsibility to ensure that Federal Real Property Assets are Properly Managed and Maintained; and for Related Matters (HB.611); a Bill for an Act to Provide for Establishment of Facility Management Agency of Nigeria; and for Related Matters (HB. 1252) be now consolidated" (*Hon. Fulata Ababakar Hassan — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

Agreed to.

11. A Bill for an Act to Establish Defence Research and Development Bureau (DRDB) to Conduct and Coordinate Robust Research and Development in the Armed Forces of Nigeria; and for Related Matters (HB. 1176) — Third Reading

Motion made and Question proposed, "That a Bill for an Act to Establish Defence Research and Development Bureau (DRDB) to Conduct and Coordinate Robust Research and Development in the Armed Forces of Nigeria; and for Related Matters (HB. 1176) be now read the Third Time" (*Hon. Garba Alhassan Ado — House Leader*).

Agreed to.

Bill read the Third Time and passed.

12. A Bill for an Act to Establish Federal University of Agriculture, Akoko Edo to make Comprehensive Provisions for its Due Management and Administration; and for Related Matters — Third Reading

Motion made and Question proposed, "That a Bill for an Act to Establish Federal University of Agriculture, Akoko Edo to make Comprehensive Provisions for its Due Management and Administration; and for Related Matters be now read the Third Time" (*Hon. Garba Alhassan Ado — House Leader*).

Agreed to.

Bill read the Third Time and passed.

13. A Bill for an Act to Establish Federal College of Fisheries and Aquaculture, Tuomo, Delta State charged with Responsibility to Provide Full-Time Courses in Fisheries, Aqua-cultural Studies; and for Related Matters (HB. 557) — Third Reading

Motion made and Question proposed, "That a Bill for an Act to Establish Federal College of Fisheries and Aquaculture, Tuomo, Delta State charged with Responsibility to Provide Full-Time Courses in Fisheries, Aqua-cultural Studies; and for Related Matters (HB. 557) be now read the Third Time" (*Hon. Garba Alhassan Ado — House Leader*).

Agreed to.

Bill read the Third Time and passed.

14. A Bill for an Act to Provide for Establishment of a Specialized National Dermatology Hospital, Management Board for the Hospital to provide Dermatological Treatment, Research and Training; and for Related Matters (HB.1382) — Second Reading

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of a Specialized National Dermatology Hospital, Management Board for the Hospital to provide Dermatological Treatment, Research and Training; and for Related Matters (HB.1382) be now read a Second Time" (*Hon. Garba Alhassan Ado — House Leader*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

15. **A Bill for an Act to Amend the Firearms Act, Cap. F28, Laws of the Federation of Nigeria, 2004 to Increase the Fines, Provide for strict Prison Terms and Licensing Fees; and for Related Matters (HB.101, IIB. 1204, HB. 101) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Firearms Act, Cap. F28, Laws of the Federation of Nigeria, 2004 to Increase the Fines, Provide for strict Prison Terms and Licensing Fees; and for Related Matters (HB.101, HB. 1204, HB. 101) be now read a Second Time" (Hon. Adejoro Adeogun — Akoko South West/Akoko East Federal Constituency and 1 other).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Police Affairs, and National Security and Intelligence.

16. **A Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to Increase the Retirement Age of Judicial Officers; and for Related Matters (HB.1239) — Second Reading**

Order deferred by leave of the House.

17. **A Bill for an Act to Provide for Establishment of Federal University of Technology, Igangan to Provide Training and Teaching Instruction in every aspect of Education and such other fields of Applied Learning Relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students; and for Related Matters (HB. 311) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Federal University of Technology, Igangan to Provide Training and Teaching Instruction in every aspect of Education and such other fields of Applied Learning Relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students; and for Related Matters (HB. 311) be now read a Second Time" (Hon. Muraina Saubana Ajibola — Ibarapa Central/Ibarapa North Federal Constituency).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Tertiary Education and Services.

18. **A Bill for an Act to Establish Communal Farms in all 774 Local Government Areas of the Federation to Develop a Sustainable Agro-Allied Business in Nigeria; and for Related Matters (HB. 1110) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish Communal Farms in all 774 Local Government Areas of the Federation to Develop a Sustainable Agro-Allied Business in Nigeria; and for Related Matters (HB.1110) be now read a Second Time" (Hon. Obeuakpefe Afe — Okpe/Sapele/Uvwie Federal Constituency).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Agricultural Production and Services.

19. **A Bill for an Act to Establish Federal College of Health and Management Sciences, Amaigbo, Imo State to provide Full-Time Courses, Teaching Instructions and Training, in Health, Management Sciences, Applied Sciences; and for Related Matters (IIB. 1420) — Second Reading Motion made and Question proposed,** “That a Bill for an Act to Establish Federal College of Health and Management Sciences, Amaigbo, Imo State to provide Full-Time Courses, Teaching Instructions and Training, in Health, Management Sciences, Applied Sciences; and for Related Matters (HB. 1420) be now read a Second Time” (*Hon. Ozurigbo Ugonna — Nkwerre/Isu/Nwangele/Njaba Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Health Institutions.

20. **Need for the Federal Government to Harness the Large Deposit of China Clay in Oruk Anam Local Government Area of Akwa Ibom State**
Motion made and Question proposed:

The House:

Notes that Section 44 (3) and item 39 of the Exclusive Legislative List, Second Schedule to the Constitution of the Federal Republic of Nigeria, 1999 (as amended) vests the control and management of natural resources and hydrocarbon operations on the Federal Government for the common good and benefit of the citizens;

Also notes that the economy of Nigeria has over the years been dependent on oil whose price has been dwindling in the international market, leaving the future of the country's economy uncertain;

Further notes that the present economic challenges call for diversification of economy taking into consideration the Country's rich natural resources;

Aware of the large deposit of China Clay lying waste in Ukpom Edem Inyang, Ekparakwa Clan, Oruk Anam Local Government Area of Akwa Ibom State which is left at the mercy of the inhabitants of the community who uses it indiscriminately;

Also aware that Section 2 of the Nigerian Minerals and Mining Act, 2007 vests control of all properties and minerals in Nigeria to the Federal Government and prohibits unauthorized exploration or exploitation of minerals and that all lands in which minerals have been found in commercial quantity shall be acquired by the Federal Government in accordance with the Land Use Act;

Further aware that in 2018, China Clay ranked 69th in the world greatest traded goods, as it made an aggregate trade of \$2.29 Billion and Common clay as of 2019 was \$17 US dollars per ton;

Resolves to:

- (i) urge the Ministry of Mines and Steel Development to immediately visit the quarries, ascertain the level of resources available, develop a plan for harnessing the resources and establish a China Clay Processing Factory in Oruk Anam Local Government Area;
- (ii) mandate the Committee on Solid Minerals Development to ensure compliance (*Hon. Unyime Idem — Ukanafun/Oruk Anam Federal Constituency*).

Mr Speaker invited the Chairman, Committee on Rule and Business to brief the House on the outcome of his findings as to whether China Clay is listed as solid mineral in the Nigerian Minerals and Mining Act, 2007.

The Chairman, Committee on Rules and Business, informed the House that in the interpretation section of the Nigerian Minerals and Mining Act, 2007, China Clay is listed as one of the minerals.

Debate resumed.

Agreed to.

(HR. 37/07/2021).

Motion referred to the Committee on Solid Minerals Development.

21. Need to Save Hadejia and Auyo Towns in Jigawa State from Flood Disaster

Motion made and Question proposed:

The House:

Notes that Hadejia town, the capital of Hadejia Emirate in Jigawa State lies approximately between 1 00.00' E Longitude and between 120.25' N and 120.30' N latitude and has also a population of over 500,000 people occupying over 50,000 square kilometres;

Also notes that the town is served by Federal trunk roads linking it to Nguru on the East, Kano on the North West, Katagum on the South and Dutse on the South-West;

Aware that Hadejia and Auyo towns have fallen squarely under Hadejia Jama'are River Basin and Komadugu Wetland and are directly on the water tributary channels into Lake Chad;

Also aware of the heavy floods that occurred in the previous years that rendered hundreds of people homeless, financially disabled and mentally stressed;

Cognizance of the high magnitude of Flood disaster reoccurrence in Jigawa State that has claimed lives, properties destroyed, communities rendered inaccessible as roads were cut-off at several locations;

Concerned that in recent weeks, the United Nations Focal Person on Climate Change has drawn the attention of Government at all levels on the dangers and potential tendencies of impending massive flooding during this year's rainy season;

Also concerned that the volume of flood rains in Hadejia and Auyo towns went to an extent that an oil tank that was buried underground had to be flushed out by underground water;

Worried that due to the predictions on the possible impending flooding in Hadejia and Auyo towns by various relevant ecological experts including the United Nations, there is an urgent need to consider relocating Hadejia and Auyo towns to more suitable and safer locations;

Further worried that in 2020 alone, fifty (50) persons were confirmed dead, several persons were missing, many communities displaced and several hectares of farmlands submerged;

Resolves to:

- (i) urge the Federal Government of Nigeria to put in place mitigating mechanism to avert the impending flood threatening Hadejia and Auyo towns;
- (ii) mandate the Committee on Emergency and Disaster Preparedness to ensure compliance (*Hon. Sada Soli — Jibia/Kaita Federal Constituency*).

Agreed to.

(HR. 38/07/2021).

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

22. Need to Investigate the Activities of Anti-Corruption and Transparency Units (ACTUs) in all Ministries, Departments and Agencies (MDAs) of Government in Nigeria

Order deferred by leave of the House.

23. Call to Discourage Arming of Personnel of the Federal Fire Service

Motion made and Question proposed:

The House:

Notes the announcement by the Federal Government to present before the National Assembly a bill to repeal the Fire Service Act and grant firefighters the power to bear arms to protect the firefighters from mob attacks while carrying out their duties and responding to emergencies;

Also notes the announcement has caused anxiety to the public due to reckless use of firearms by those who have been licensed to use same by their position as security agents resulting in death or grave injuries to citizens;

Aware that the Federal Fire Service is a civil outfit, not a security agency and therefore not logical to allow personnel of the outfit to bear firearms, as they do not require such arms to carry out their duties;

Further aware that some mob attacks on firefighters are usually due to frustration on the part of victims when firefighters arrive late and ill-prepared to avert emergencies;

Believes that instead of creating an arms squad of the Federal Fire Service, adequate resources be channelled into improving the service delivery of the Federal Fire Service including the provision of Fire hydrants in every local government area, updating the Global Positioning System (GPS) service of the Federal Fire Service to locate emergency scenes swiftly;

Worried that arming the Federal Fire Service would add to the growing concerns about the reckless use of arms by the Nigeria Police Force and other security agencies as doing so would be unnecessary and insensitive to the current pensive state of the nation.

Resolves to:

- (i) urge the Executive Arm to increase the budgetary allocation of the Federal Fire Service to ensure that adequate infrastructure is put in place for efficient service delivery by the Federal Fire Service;
- (ii) also urge the Nigeria Police Force and the Nigerian Security and Civil Defense Corps to assign officers to the Federal Fire Service to accompany firefighters on emergency duties;
- (iii) mandate the Committee on Interior to liaise with the Committee on Appropriations to ensure adequate allocation to Federal Fire Service in the 2022 Budget and ensure proper oversight (*Hon. Thomas Ereyitomi — Warri South/Warri West/Warri North Federal Constituency*).

Debate.

(HR. 39/07/2021).

Agreed to.

24. Need to Ascertain the Position of Nigeria's Submission to the United Nation's Commission on the Limits of Continental Shelf (CLCS)

Order read; deferred by leave of the House.

25. Consideration of Reports

- (i) *A Bill for an Act to Repeal the National Health Insurance Scheme Act, Cap. N42, Laws of the Federation of Nigeria, 2004 and Enact the National Health Insurance Authority Bill, 2021; and for Related Matters (HB. 371) (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 National Health Insurance Scheme Act, Cap. N42, Laws of the Federation of Nigeria, 2004 and Enact the National Health Insurance Authority Bill, 2021; and for Related Matters (HB. 371)" (Hon. Godwin Ndudi Elumelu — Aniocha North/Aniocha South/Oshimili North/Oshimili South 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 NATIONAL HEALTH INSURANCE SCHEME ACT, CAP. N42, LFN, 2004, AND TO ENACT THE NATIONAL HEALTH INSURANCE AUTHORITY BILL, 2021 (HB. 371)

PART I — ESTABLISHMENT OF THE NATIONAL HEALTH INSURANCE AUTHORITY

Clause 1: Establishment of the National Health Insurance Authority.

- (1) There is established a body to be known as the National Health Insurance Authority (in this Bill referred to as "the Authority").
- (2) The Authority:

- (a) shall be a body corporate with perpetual succession and an official seal;
- (b) may sue and be sued in its corporate name;
- (c) may for the performance of its functions under this Bill acquire, hold, or dispose of any moveable and immovable property; and
- (d) may enter into contract or any other transaction in pursuance of its powers and functions under this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 2: Object of the Authority.
The object of the Authority shall:

- (a) promote, regulate and integrate health insurance schemes;
- (b) improve and harness private sector participation in the provision of health care services; and
- (c) do such other things that will assist the authority in achieving Universal Health Coverage to all Nigerians (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 3: Functions of the Authority.
For the purpose of achieving this functions, the Authority shall:

- (a) promote, integrate and regulate all health insurance schemes that operate in Nigeria;
- (b) ensure that health insurance is mandatory for every Nigerian and legal residents;
- (c) enforce the Basic Minimum package of health services for all Nigerians across all Health insurance schemes operating within the country, including Federal, States, FCT as well as private Health Insurance Schemes.
- (d) promote, support, collaborate with States through State Health Insurance Schemes to ensure that Nigerians have access to quality health care that meets national health regulatory standards;
- (e) ensure the implementation and utilization of the Basic Health Care Provision Fund as required under the National Health Act and any guidelines as approved by the Minister under that Act;
- (f) grant accreditation and re-accreditation to Health Maintenance Organisations, Mutual Health Associations, Third Party Administrators and healthcare facilities and monitor their performance;
- (g) subject to section 13, approve contributions to be made by members of the various health insurance schemes;

- (4) If upon declaration a member is found to hold personal interests in conflict with the object of this Bill in whatever form, the appointment shall be withdrawn.
- (5) The Chairman and other members of the Council shall be appointed by the President of the Federal Republic of Nigeria on the recommendation of the Minister, and shall be persons of relevant high education, experience and integrity (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 5: Functions and powers of the Council.

The Council shall have the powers to :

- (a) approve and register for the Authority third party administrators in any form;
- (b) determine the overall policies of the Authority, including the financial and operational procedures of the Authority;
- (c) ensure the effective implementation of the policies and guidelines of the Authority;
- (d) regulate and supervise the various health insurance schemes established under this Bill;
- (e) promote, oversee, collaborate and provide guidance to State Health Insurance Schemes
- (f) issue guidelines for the administration of the funds under the Authority;
- (g) approve, license, regulate and supervise Health Maintenance Organisations, Mutual Health Associations and other institutions relating to the Authority as may be determined from time to time;
- (h) establish standards, rules and guidelines for the management of the various schemes under this Bill;
- (i) approve the organisational structure of the Authority as well as the appointments, promotions and discipline of all categories of the Authority's staff and also their remuneration;
- (j) receive and investigate complaints of impropriety levied against any Health Maintenance Organisation, Mutual Health Associations, and other relevant institutions;
- (k) discipline by way of temporary suspension, revocation of license or imposition of fines to any erring operator (HMOs, MHAs, HCPs and other relevant institutions);
- (l) appoint auditors and other consultants for the Authority; and
- (m) do such other things which are necessary or expedient for the performance of its functions under this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 6: Tenure of office of Council Members.

- (1) A member of the Council other than the Director General and Chief Executive Officer:
 - (a) shall hold office for a term of 4 years in the first instance, and
 - (b) may be re-appointed for a further term of 4 years and no more.
- (2) Where a member of the Council resigns, dies, is removed from office or is, for sufficient reason, unable to act as a member of the Council, the chairperson shall notify the President through the Minister, of the vacancy, and the President shall, on the advice of the nominating authority, where applicable, appoint another person to hold office for the unexpired portion of the member's term of office.
- (3) A member of the Council may at any time resign from office in writing addressed to the President through the Minister (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 7: Meetings of Council.

- (1) The Council shall meet at least once every three months for dispatch of business.
- (2) The Chairman shall at the request, in writing, of not less than half of the membership of the Council convene an extraordinary meeting of the Council at the place and time determined by the Chairman.
- (3) The quorum at a meeting of the Council shall be one third of members of the Council including the Director General.
- (4) The Chairman shall preside at the meeting of the Council and, in the absence of the Chairman, a member of the Council elected by the members present from among their number shall preside.
- (5) Matters before the Council shall be decided by a simple majority of the members present and voting. In the event of a tie of votes, the person presiding shall have the casting vote;
- (6) The Council may invite a person acting in an expert capacity, but that person is not entitled to vote on a matter for decision by Council.
- (7) Subject to the provisions of this section, the Council shall determine the procedure for its meetings; and
- (8) Minutes in proper form of each meeting shall be kept and shall be adopted by the Council at the next meeting and signed by the Chairman and the Secretary of the meeting (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 8: Disclosure of Interest.

A member of the Council who has an interest in a contract, or any other transaction proposed to be entered into with the Authority, or an application before the Council shall disclose in writing the nature of the interest and is disqualified from participating in the deliberations of the Council in respect of the contract, application or that transaction (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 9: Committees of the Council.

The Council may, for the performance of its functions, appoint committees composed of members of the Council or non-members or both and assign to the committees any of its functions but a committee composed entirely of non-members may only advise the Council (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 10: Remuneration of members.

- (1) The members of the Council shall be paid such remunerations and allowances as the Federal Government may, from time to time, determine for the Chairman and members of Governing Council.
- (2) The members of the Council, members of Committee of the Council and persons invited to attend meetings of the Council shall be paid the traveling and any other allowances as approved by the Government (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 11: Cessation of membership.

- (1) A member of the Council ceases to hold office if he:
 - (a) becomes of unsound mind;
 - (b) becomes bankrupt or makes a compromise with his creditors;
 - (c) is convicted of a felony or of any offence involving dishonesty;
 - (d) is guilty of serious misconduct in relation to his duties; or
 - (e) fails to declare his interests to the Council as required by section 8 of this Bill.
- (2) A member of the Council may be removed from office by the President, on the recommendation of the Minister if he is satisfied that it is not in the interest of the Authority or the interest of the public that the member should continue in office.
- (3) Where a vacancy occurs in the membership of the Council, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, however, the successor shall represent the same interest and shall be appointed by the President.

- (4) The Council may in the public interest be dissolved by the President and all its members, excluding the Director General, shall cease to hold office as Council members.
- (5) A member of the Council who is absent from three consecutive meetings of the Council without sufficient cause shall cease to be a member of the Council.
- (6) The Chairperson shall, through the Minister, notify the President in writing of a vacancy that occurs on the Council within thirty days of the occurrence of the vacancy.

Dissolution of the Council.

- (7) Upon dissolution of the Council and pending its reconstitution, the Minister shall exercise the powers and functions of the Council under this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 12: Ministerial Directives.

The Minister of Health may give to the Council directives on matters of policy (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

PART II — TYPES OF HEALTH INSURANCE SCHEMES

Clause 13: Establishment of State Health Insurance/Contributory Scheme.

- (1) Every State of the Federation and the Federal Capital Territory may, for the purposes of providing access to health services to its residents, establish and implement a State health insurance and contributory scheme, to cover all residents of the State and Federal Capital Territory; the coverage of which shall be at the minimum the scope of coverage as outlined in the Basic Minimum Package of the National Health Act.
- (2) The Authority shall establish a Scheme for the coverage of employees of Ministries, Departments and Agencies in the Federal Civil Service;
- (3) For the purpose of the implementation of a Scheme provided for under subsection (2), the Authority shall, with the approval of the Council set out operational guidelines for the scheme
- (4) State health insurance/contributory schemes and the Federal Capital Territory Scheme established under subsection (1) shall comply with the requirements under this Bill, to ensure that any Health Maintenance Organisations, Health Care Facilities, Mutual Health Associations or third party administrators employed in State health insurance schemes or the Federal Capital Territory health insurance Scheme are registered by the Authority in accordance with the provisions of this Bill;

- (5) Every State and the Federal Capital Territory Scheme shall establish an Information and Communication Technology (ICT) infrastructure for the management of data and such ICT infrastructure shall be integrated with and provide information in the requisite format to the ICT infrastructure of the Authority;
- (6) A State and the Federal Capital Territory shall provide coverage for vulnerable persons under the State health insurance and contributory scheme through the Basic Health Care Provision Fund (BHC PF) and other sources and not require the payment of premiums for such coverage by vulnerable persons defined by this Bill.
- (7) Every State which has established a State health Insurance / contributory scheme and which complies with the requirements of this Bill shall be eligible to participate in the Basic Health Care Provision Fund as established under the National Health Act and its guidelines (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 14: Participation in Health Insurance to be Mandatory.

- (1) Subject to the provisions of this Bill, every person resident in Nigeria shall be required to obtain health insurance.
- (2) Residents under this Bill shall include all employers and employees into public and private sectors with five staff and above; informal sector employees and all other residents of Nigeria.
- (3) Subject to subsection (2), nothing under the provisions of this Bill shall be construed to preclude a resident in Nigeria from obtaining private health insurance provided such a person participates in any State mandated health scheme.
- (4) A person who obtains private health insurance shall not be eligible to receive free coverage as a vulnerable person as provided under section 12 of this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 15: Qualification for application.

- (1) Without prejudice to the power of a State to establish a health scheme, under section 12 of this Bill, a person shall not qualify to apply to operate any form of health insurance scheme in the country unless it is registered as a company limited by guarantee or a limited liability company and complies with the provisions of all relevant laws in Nigeria.
- (2) A private health insurance scheme/plan shall cover interested individuals, employers or employees of organizations in the private sector who may want to buy the plans for supplementary benefits.
- (3) A body corporate registered as a limited liability company under the Companies and Allied Matters Act, Cap.C20, LFN, 2004 and accredited by the Authority as a Health Managed Care Organisation may operate a private health insurance scheme, subject to compliance with the provisions of law.

- (4) A private health insurance scheme/plan shall be required as a condition for registration and licensing by the Authority to deposit with a Bank accredited by the Authority an amount of money in an interest yielding account that the Authority shall prescribe as security for its members.
- (5) The security referred to under subsection (4) shall be maintained throughout the period that the business of the private health insurance is carried on.
- (6) The Authority may review the level of the security deposit.
- (7) Where a private health insurance scheme/plan suffers a substantial loss, arising from liability to members and the loss cannot reasonably be met from its available resources, the Authority may, after ascertaining the nature of the claim, and on application made to it by the scheme, approve the withdrawal from the security deposit of the scheme of an amount sufficient to meet the liability, and an amount withdrawn shall be replaced by the scheme not later than ninety days after the date of the withdrawal.
- (8) The security deposit is the asset of the private health insurance scheme or plan, but except as provided in subsection (7), it shall be available to the scheme only in the event of the closure or winding up of the health insurance business for the discharge of the liabilities arising out of policies transacted by the insurer and remaining un-discharged at the time of the closure or winding up of the insurance business.
- (9) All Private Health Insurance Schemes or Plans shall be regulated by the Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 16: Application for accreditation and license.

- (a) Without prejudice to the right of a State to establish a health scheme under section 13 of this bill, a person, or group shall not operate a health insurance scheme of any type in Nigeria unless it has been registered with the Authority and issued a license for that purpose.
- (b) Application for accreditation and license to operate a health insurance scheme shall be made to the Authority in a form to be prescribed by the Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 17: Fee for issuance of license.

Without prejudice to the provisions of section 16 herein, the Authority, may by Regulations impose fees for the issuance of a license under this Bill, except in the case of a Government Health Insurance Scheme/Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 18: Refusal to register and license a scheme.

- (a) The Authority may refuse to register and issue a license for a scheme, and it shall notify the applicant in writing of its decision, stating the reasons for the refusal.

- (b) Where the refusal to register and issue a license is as a result of non-material defect in the application, the Authority may in the notice require the applicant to rectify the application within six (6) months (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

Clause 19: Suspension or revocation of license of a scheme.

The Authority may refuse to register or revoke the license of a scheme if it is in breach of relevant provisions of the Operational Guidelines and has failed to comply with a provision of this Bill, the Regulations or any other enactment applicable to the scheme (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

Clause 20: Third Party Administrator.

- (1) A Third Party Administrator shall:
- (a) be registered by the Authority to perform such functions as are specified under this Bill; and
 - (b) comply with all the requirements for Third Party Administrators under the regulations to be made by the Authority.
 - (c) comply with all the requirements for Third Party Administrators under the regulations to be made by the Minister.
- (2) A health maintenance organisation may act as a Third Party Administrator if:
- (a) it meets the requirements for doing so under this Bill; and
 - (b) it is contracted to do so.
- (3) A Third Party Administrator established under this Bill shall perform the following functions:
- (a) management of providers including continuous quality assurance;
 - (b) ensuring patient satisfaction through relevant mechanisms, including the operation of call centres; and
 - (c) any other administrative functions which they are required to carry out to facilitate implementation of a State health scheme or functions as required by the Commission (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

Clause 21: Display of license.

A licensed scheme, institutions, organizations or groups shall display its (their) license in a prominent place at its offices, where the license is visible to the general public (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

Clause 22: Prohibition on use of name unless licensed.

- (1) Without prejudice to the right of a State to establish a health scheme, a person shall not conduct an activity under a name which includes "health scheme", "medical insurance scheme", "health maintenance organization", "health insurance scheme" or similar name which is calculated or likely to lead people to believe that person operates a health insurance scheme unless the scheme is registered and licensed and complies with other provisions under this Bill.
- (2) A person who acts contrary to subsection (1) commits an offence and is liable on conviction to a fine not less than ₦2,000,000 (Two Million Naira) or to a term of imprisonment of not less than Five (5) years or both (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 23: Transfer and Joint Operations.

- (1) Subject to the provisions of section 12 of this Bill, a health scheme licensed under this Bill shall not transfer its activities or operate its activities jointly with another scheme unless it has the prior written approval of the Authority.
- (2) An application for approval under subsection (1) shall be made jointly to the Authority by the schemes involved and shall contain the information prescribed by regulation made by the Authority under this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

PART III — ESTABLISHMENT OF VULNERABLE GROUP FUND

Clause 24: Implementation of the Basic Health Care Provision Fund.

- (1) The Commission shall work in conjunction with the States to provide a basic minimum package of care to all residents of Nigeria.
- (2) For the purpose of subsection (1), the Commission shall implement the Basic Health Care Provision Fund as set out in the 2018 guidelines developed in that regard.
- (3) The Commission shall work in conjunction with the States to achieve the objectives of the Fund and to provide a basic minimum package of care as defined in the guidelines developed for the implementation of the Fund.
- (4) The Commission shall provide general guidance for the operation of the Fund. For this purpose, the Commission shall:
 - (a) make regulations covering accreditation, quality of care and complaints handling;
 - (b) collaborate with the State Health Schemes and including through State-owned institutions, to accredit and empanel primary and secondary health care facilities using criteria as may be contained in relevant guidelines.

- (c) provide for the administration of an Ombudsman to handle complaints of enrollees under section 54.
- (5) States health schemes shall be responsible for disbursements, management of the Fund, and monitoring and evaluation of the implementation of the Fund in the State in line with the relevant guidelines issued by the Commission.
- (6) Where a State has not yet established a State Health Scheme, it may contact a Third Party Administrator, as defined in this Bill for a temporary period, prior to establishing a State Health Scheme (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 25: Object of the Fund.

- (1) The object of this fund is to provide finance to subsidize the cost of provision of health care services to vulnerable persons in Nigeria.
- (2) For the purpose of implementing the object, the monies from the Fund Shall be expended as follows:
 - (a) to provide subsidy for Health Insurance coverage of vulnerable persons as determined by Council;
 - (b) to provide for the payment of health insurance premium for indigents (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 26: Source of Money for the Fund.

- (1) The sources of money for the Fund shall include:
 - (a) basic Health Care Provision Fund to National Health Insurance Authority (NHIA);
 - (b) health insurance levy;
 - (c) telecommunications tax: not less than 1 kobo per second of GSM call shall be deducted by Federal Inland Revenue Service and remitted to National Health Insurance Authority;
 - (d) money that may be allocated to the Fund by the Government(s);
 - (e) money that accrues to the fund from investments made by the council; and
 - (f) grants, donations, gifts and any other voluntary contributions made to the fund
- (2) The Council may by regulations review the sources of funding to keep pace with development in the health insurance industry (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 27: Formula for disbursement from the Fund.

- (1) The Council shall from time to time determine and submit to the Minister for approval, the criteria for disbursement of subsidies to be paid to State Health Insurance Schemes for health care of the vulnerable and indigents in Nigeria.
- (2) The Council shall in disbursement of moneys from the Fund make specific provisions towards the health needs of indigents and prescribe the methods for determining who is indigent in Nigeria (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 28: Management of the Fund.

- (1) The Council shall give directives to the Authority for the management of the Fund.
- (2) The Council in the Management of the Fund shall have the following functions:
 - (a) formulate and implement policies towards achieving the objects of the Fund;
 - (b) approve methods for the collection of monies lawfully due to the Fund;
 - (c) account for the money in the Fund;
 - (d) provide formula for the disbursement of moneys from the Fund;
 - (e) approve any other expenditure charge on the fund under this Bill or any other enactment;
 - (f) perform any other function ancillary to the object of the Fund (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 29: Investment of the Fund.

Subject to the approval of Council, the Authority may invest a part of the Fund that it considers appropriate in securities and deposits (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 30: Expenses for the Fund.

The expenses attendant to the management of the Fund shall be charged to the Fund (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 30 stands part of the Bill — Agreed to.

PART IV — CONTRIBUTIONS UNDER THE HEALTH INSURANCE SCHEMES

Clause 31: Payment of Contributions.

(1) Contributions under :

- (a) formal sector shall be paid by the employers and employees at rates determined from time to time by the council of the various State Health Insurance Schemes;
 - (b) informal sector shall be paid by individuals, groups and family at rates determined from time to time by the council of the various State Health Insurance Schemes.
- (2) The contributions for the vulnerable person not otherwise covered by other schemes, shall be made on their behalf by one or a combination of the three levels of government, development partners and/or non- governmental organisations:
- (3) Contributions from the Federal Government for vulnerable persons shall be made from the Basic Health Care Provision Fund.
- (4) State shall be eligible to access these funds upon establishing their State Health Insurance Schemes as required under this Bill and other relevant provisions of the Guidelines of the Authority.
- (5) Individuals and or employers may pay additional premiums for voluntary supplementary or complementary private health insurance plans (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 32: Registration of employers, employees, etc.

- (1) Subject to such guidelines and regulations as may be made under this Bill, an employer shall register itself and its employees and pay into the account of States Social Health Scheme funds, its contributions and the contributions in respect of its employees, at such time and in such manner as may be specified, from time to time, in the State Health Insurance Scheme Laws and guidelines issued thereunder.
- (2) Subject to such guidelines and regulations as may be made under this Bill, an individual and/or employer may register himself or herself, and the people under him/her with a private health insurer pay into designated accounts of such insurer the necessary premium in respect of himself and others under supplementary or complementary private health insurance schemes (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

PART V — HEALTH MAINTENANCE ORGANISATIONS, MUTUAL HEALTH ASSOCIATIONS AND THIRD-PARTY ADMINISTRATORS

Clause 33: Accreditation of Health Maintenance Organisations, Mutual Health Associations and Third-Party Administrators.

- (1) The Authority shall accredit —

- (a) Health Maintenance Organizations (HMOs) (hereinafter referred to as organizations);
 - (b) Mutual Health Associations (MHAs) (hereinafter referred to as MHA);
 - (c) Third Party Administrators (hereinafter referred to as TPAs).
- (2) The accreditation of organizations, MHAs, and TPAs shall be in such form and manner as may be determined by the Operational Guidelines of the Authority;
 - (3) The Authority is empowered to withdraw licence of any accredited Organization, MHA, and TPA where the Organization, MHA, and TPA breaches its provision(s) as provided in the operational guideline.
 - (4) When the accreditation of an Organisations, MHAs, and TPAs is withdrawn, the Authority shall decide on the best way to keep its activities going either temporarily or permanently to safeguard the interest of the enrollees.
 - (5) The Authority may refuse to register and issue a license to an Organisations, MHAs, and TPAs, and it shall notify the applicant in writing of its decision (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause-34: Functions of Health Maintenance Organisations, Mutual Health Associations and Third Party Administrators.

- (1) An Organisation referred to in this Bill shall have the following functions:
 - (a) roles as may be assigned to it by the State Health Insurance Schemes (SHIS) including but not limited to the role of third party administrator;
 - (b) where employed to collect contributions, ensure prompt remittance of contributions to State pools;
 - (c) perform other administrative actions as required under this Bill;
 - (d) pay administrative charges to the Authority for purposes of regulation and related issues;
 - (e) the payment for services rendered by healthcare providers accredited under the Authority, for private Health Insurance;
 - (f) establish a Quality Assurance system to ensure that qualitative care is given by the healthcare providers to enrolees;
 - (g) render to the Authority returns on its activities as may be required by the Council; and
 - (h) any other function as may be determined by the Authority from time to time.

- (2) Any private Health Insurance plans marketed by Organizations, shall be subject to approval by the Authority.
- (3) Notwithstanding any provisions contained in this Bill, a Health Maintenance Organisation shall not be involved in the direct delivery of health care services
- (4) The Mutual Health Associations shall have the following functions:
 - (a) continuous community mobilization and sensitisation;
 - (b) negotiation with providers and purchasing of services for its members and their families in consultation with the Authority;
 - (c) ensuring prompt remittance of contribution, collected on behalf of the members to the State Health Insurance Scheme;
 - (d) assisting in ensuring quality assurance; and
 - (e) any other functions as may be determined by the Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 35: Third Party Administrators.

- (1) A Third-Party Administrator shall:
 - (a) be a company duly incorporated as a limited liability company under the Companies and Allied Matters Act;
 - (b) be registered by the Authority to perform such functions as are specified under this Bill; and
 - (c) comply with all the requirements for Third Party Administrators under the regulations to be made by the Authority.
- (2) An Organisation may act as a Third-Party Administrator if:
 - (a) it meets the requirements for doing so under this Bill; and
 - (b) it is contracted to do so.
- (3) A Third-Party Administrator established under this Bill shall perform the following functions:
 - (a) carry out continuous quality assurance;
 - (b) ensuring patient satisfaction through relevant mechanisms, including the operation of call centres;
 - (c) any other administrative functions which they are required to carry out to facilitate implementation of a State health scheme; and

- (d) any other function as may be required by the Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 36: Accreditation/Functions of healthcare providers.

- (1) The accreditation of health care providers shall be in such form and manner that complies with the Operational Guidelines of the Authority which shall be determined by the Authority, from time to time.
- (2) A health care provider accredited under the Authority shall:
- (a) in consideration for a capitation payment made in respect of each insured person registered with it, render quality healthcare services in accordance with the approved benefit package;
- (b) for payment of approved fee for service as may be determined by council from time to time, render quality healthcare services to insured persons in accordance with the benefit package;
- (c) any other function as may be determined by the Authority from time to time (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 37: Quality assurance.

The Authority shall ensure that beneficiaries receive quality health care services as shall be provided in the Operational Guidelines (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 38: Appointment of Actuary.

The Authority shall appoint a licenced Actuary on such terms and conditions as may be determined from time to time (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 39: Directives of the Authority.

The Authority may direct a scheme or an officer of a scheme to comply with the directives of the Authority specified in writing and where there is failure to comply, the Authority may apply sanctions as provided for in its Operational Guidelines (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

PART VI — STAFF OF THE AUTHORITY

Clause 40: Director-General and Chief Executive Officer and other staff of the Authority.

- (1) The President shall appoint a Director - General and Chief Executive Officer for the Authority, subject to confirmation by the Senate.

- (2) The Director General and Chief Executive Officer shall —
- (a) be a person of integrity with relevant professional qualifications and expertise;
 - (b) be the Accounting Officer of the Authority;
 - (c) hold office:
 - (i) for a period of 5 years in the first instance and may be re-appointed for a further term of 5 years and no more, and
 - (ii) on such terms and conditions as may be specified in the letter of appointment.
- (3) The Director General and Chief Executive Officer shall —
- (a) organize and direct the day-to-day operation of the Authority in accordance with the Bill;
 - (b) be responsible for the general direction and control of all other employees of the Authority;
 - (c) be responsible for the administration of the Secretariat of the Council; and
 - (d) be responsible for keeping of the books and proper records of the Authority.
- (4) The Director-General and Chief Executive Officer shall be a voting member of the Council as well as its Secretary-
- (5) The Council shall:
- (a) appoint, for the Authority, such number of directors and other employees as may, in the opinion of the Council, be required to assist the Authority in the discharge of any of its functions under this Bill; and
 - (b) pay to persons so appointed such remuneration (including allowances) as the Council may, after consultation with the National Salaries, Incomes and Wages Commission determines (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 41: Establishment of Offices in States and FCT.

- (1) The Authority shall with the approval of the Council, establish in each State of the federation and Federal Capital Territory, an office for the Authority.
- (2) The Administration, finances and other functions of the States and FCT Offices shall be determined by the Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

PART VII — FINANCIAL PROVISIONS

Clause 42: Establishment of fund for the Commission.

- (1) The Authority shall establish and maintain a fund from which all its expenses shall be defrayed.
- (2) The fund established under subsection (1) of this section shall consist of:
 - (a) annual subvention from the Federal Government;
 - (b) such monies as may be due to the Authority as administrative charge from private health insurance plans;
 - (c) fees, fines and commissions charged by the Authority;
 - (d) income from any investments of the Authority;
 - (e) such money as may be received from time to time or be from international or donor organisations and Non-Governmental organisations; and
 - (f) all other monies which may, from time to time, accrue to the Authority.
- (3) The Authority shall, from time to time, apply the funds at its disposal —
 - (a) to the cost of administration of the Authority;
 - (b) to the payment of allowances and benefits of members of the Council;
 - (c) to the payment of salaries, allowances and benefits of officers and employees of the Authority;
 - (d) for the maintenance of any property vested in the Authority or under its administration; and
 - (e) for and in connection with the objectives of the Authority under this Bill.
- (4) The Authority shall invest any money not immediately required by it in the Federal Government securities or in such other securities and deposit as the Council may determine (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 43: Power to Accept Gifts.

- (1) The Authority may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.
- (2) The Authority shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with the objectives and functions of the Authority under this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 44: Annual Accounts.

- (1) The Authority shall cause to be prepared, not later than 30th September in each year, an estimate of the expenditure and income of the Authority during the succeeding year and when prepared, they shall be submitted to the National Assembly for appropriation.
- (2) The Authority shall cause to be kept proper accounts of the Authority and proper records in relation thereto and such accounts shall be audited by auditors appointed by the Authority from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.
- (3) Any member, agent or employee of the Authority who fails, without reasonable cause, to comply with a requirement of an auditor under subsection (2) of this section, commits an offence and is liable on conviction to a fine not exceeding Two million Naira (N2,000,000) or imprisonment for a term not exceeding three years or to both such fine and imprisonment (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 45: Annual Reports.

The Council shall not later than 6 months immediately following the end of a year

- (a) submit to the Minister a report on the activities and the administration of the Authority during the immediately preceding year and shall include in the report the audited accounts of the Authority and the auditor's report on the accounts; and
- (b) present and publish the audited annual accounts, auditor's report on the accounts and reports on the activities of the Authority to the Minister (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 46: Exemption from Tax.

- (1) The Authority shall be exempted from the payment of tax on any income accruing from investments made by the Council for the Authority or otherwise.
- (2) The provisions of any enactment relating to the taxation of companies or trust funds shall however not apply to the Authority or the Council (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

PART VIII — ARBITRATION

Clause 47: Mediation/Arbitration.

- (1) Whenever there is dispute amongst parties under this Bill, the dispute shall first be referred to the Authority for mediation and conciliation in accordance with the Operational Guideline. Where conciliation fails, parties may result to arbitration.
- (2) The parties referred to in subsection (1) include, the Organisations, the Health Care Providers, the contributors or the Authority or its agents.
- (3) The applicable arbitral procedure shall be as provided in the Arbitration and Conciliation Act.
- (4) No action shall lie against the Authority, its agents, employees without prior notice in writing given one month before the institution of a legal action (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

PART IX — OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

Clause 48: Offences and penalties.

- (1) Any person or organisation who:
 - (a) fails to pay into the account of the Authority and/or a State Health Insurance Scheme, or any health insurance fund under this Bill, within the specified period; or
 - (b) deducts the contribution from the employee's wages and withholds the contribution or refuses or neglects to remit the contribution to the appropriate fund concerned within the specified time; or
 - (c) fails to remit payments to Healthcare Providers within the specified period indicated in the Operational Guidelines; or
 - (d) fails to settle fee-for-service or other claims from the Healthcare Providers within the stipulated time allowed in the Operational Guidelines;
 - (e) manipulates the enrollee register for the benefit of other parties before or after the release of the register by the Health Insurance Schemes;
 - (f) fails to provide care to a duly registered enrollee; or
 - (g) issues dud cheque(s), commits an offence.
- (2) A person who commits an offence under subsection (1) (g) is liable on conviction:
 - (a) in the case of first time offence, to a fine of not less than ₦1,000,000 or imprisonment for a term not exceeding two years or to both such fine and imprisonment; and

- (b) in the case of a second or subsequent offender, to a fine of not less than ₦2,000,000 or for a term not exceeding five years or to both such fine and imprisonment.
- (3) A person who commits any offence in subsection (1) is liable to prosecution under the relevant laws guiding financial transactions (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 49: Powers to Sanction.

Notwithstanding anything contained in any other provisions of the sections under Part VII of this Bill, the Authority shall at all times retain the power to sanction erring Health Maintenance Organizations, Health Care Providers, Mutual Health Associations, Insurance Brokers, Insurance Companies, Banks, or any other operator or Manager licensed or accredited person in line with the Operational Guidelines as may from time to time be issued by the Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

Clause 50: Limitation of suit against the Authority.

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Authority.
- (2) No suit shall be commenced against the Authority, a member of the Council, the Director General, of the Authority before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Authority by the intending plaintiff or his agent(s).
- (3) The notice referred to in subsection (2) shall clearly and explicitly state the cause of action, the particulars of the claims, the name and place of abode of the intended plaintiff and the relief which he claims (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 50 stands part of the Bill — Agreed to.

Clause 51: Service of Documents.

A notice, summon or other document required or authorised to be served on the Authority under the provisions of this Bill or any other enactment of law may be served by delivering it to the Director General or by sending it by registered post and addressed to the Director General at the Head Office of the Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 51 stands part of the Bill — Agreed to.

Clause 52: Indemnity of Officers.

A member of the Council, the Director General and Chief Executive Officer, any officer or employee of the Authority shall be indemnified out of the assets of the Authority against any liability incurred by him in defending any proceeding, whether civil or criminal, if such proceeding is brought against the person in his capacity as

a member, Director General and Chief Executive Officer, officer or other employee of the Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 52 stands part of the Bill — Agreed to.

PART X — MISCELLANEOUS PROVISIONS

Clause 53: Contributions to be Inalienable.

Contributions payable to the Authority shall be inalienable and shall not be assets for the benefit of creditors in the event of the bankruptcy or insolvency of a contributor or an organization (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 53 stands part of the Bill — Agreed to.

Clause 54: Contributions to form Part of Tax Deductible Expense.

Notwithstanding anything in any law or enactment, contributions whether by an employer or an employee under this Bill shall form part of tax deductible expenses in the computation of tax payable by an employer or, as the case may be, by an employee, under any other relevant law applicable to Income Tax (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 54 stands part of the Bill — Agreed to.

Clause 55: Transfer of liability.

Where, under section 591 of the Companies and Allied Matters Act 1990, an order is made by a court under subsection (3) of that section which includes the transfer to the company of the whole or any part of the undertaking and of the property and liabilities of a transfer or company, the order shall include provisions for the taking over, as from such date as may be specified in the order, of any liability for any contribution which has become due and payable under this Bill (together with any accrued interest thereon) in respect of the employees concerned in the undertaking, property or liability transferred (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 55 stands part of the Bill — Agreed to.

Clause 56: Exclusion from the Trustee Investment Act.

The provisions of the Trustee Investment Act shall not apply to any investment made by the Authority under this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 56 stands part of the Bill — Agreed to.

Clause 57: Reciprocal agreement with other countries.

The Federal Government may enter into a reciprocal agreement with the government of any other country in which an Authority similar to that establishment by this Bill has been established, and the provisions of the agreement shall be read in conformity with the provisions of this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 57 stands part of the Bill — Agreed to.

Clause 58: Interpretation.

In this Bill unless the context otherwise requires:

"Administrative Charge" means the deduction from contributions or premiums set aside for operations of the Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

"Authority" means the National Health Insurance Authority established under section 1 of this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

"Benefit" means a benefit or advantage of any kind whatsoever derived from a Scheme (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

"Benefit packages" these are services that the authority defines as within its scope of coverage (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

"Capitation" this is a payment made to a primary healthcare provider on behalf of a contributor for services to be rendered by the healthcare provider. This payment is made regularly and in advance irrespective of whether the enrollee utilizes the service or not (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

"Council" means the Governing Council established under section 3 of this Bill for the Authority (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

"Employee" means any person who is ordinarily resident in Nigeria and is employed in the public service or private service or an apprenticeship with an employer whether the contract is express or implied, oral or in writing (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

"Employer" means an employer with five or more employees which includes the Federal, State and Local Government or any Extra-Ministerial Department or a person with whom an employee has entered into a contract of service or apprenticeship and who is responsible for the payment of the wages or salaries of the employee including the lawful representative, successor or assignee of that persons (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

"Enrollee" means a person who has enrolled with NHIA and who being up to date with payment of premium is entitled to access health care in accordance with the benefit package (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

"Fee-For-Service" means payment made directly for completed health care services, not included in the capitation fees and paid to health care facility or prescription following appropriate referrals or professionals following appropriate referrals or prescriptions sent to them by health care providers under this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that the meaning of the words "Fee-For-Service" be as defined in the interpretation to this Bill — Agreed to.

"Functions" includes powers and duties (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

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

"Health Care Facility" means any government or private health care facility, hospital, maternity centre, pharmacy, physiotherapy, etc. and includes all primary healthcare facility, secondary healthcare facility and tertiary healthcare facility accredited by the Authority for the provision of prescribed health services for insured persons and their dependants under this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that the meaning of the words "Health Care Facility" be as defined in the interpretation to this Bill — Agreed to.

"Health Maintenance Organization" means an organization accredited under section 37 of this Bill to carry out the functions as stipulated in this Bill (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that the meaning of the words "Health Maintenance Organization" be as defined in the interpretation to this Bill — Agreed to.

"Informal Sector Programme" means health insurance plans designed to cover people not on regular income (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that the meaning of the words "Informal Sector Programme" be as defined in the interpretation to this Bill — Agreed to.

"Insured Person" means any person and eligible dependant who pays the required contribution or for whom contribution is made under this Bill (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

"Mandatory State Social Health Insurance Scheme" means social health insurance schemes designed to cover residents in a State (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

Question that the meaning of the words "Mandatory State Social Health Insurance Scheme" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the Minister charged with responsibility for matters relating to health (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

"Ministry" shall be construed accordingly (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

"Mutual Health Association" means a group accredited by the Authority to perform such roles as defined in the Bill (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

Question that the meaning of the words "Mutual Health Association" be as defined in the interpretation to this Bill — Agreed to.

"Persons" means persons, organisations, institutions, groups, etc. (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

"Premium" means a contribution payable for health coverage under this Bill (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

"Public Service of the Federation" and "Public Service of State" have the meaning respectively assigned to them in the Constitution of the Federal Republic of Nigeria 1999 (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

Question that the meaning of the words "Public Service of the Federation" and "Public Service of State" be as defined in the interpretation to this Bill — Agreed to.

"Scheme" means any Health Insurance scheme approved by the Authority (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

"States and FCT Office" means offices established by the Authority in the States of the Federation and FCT (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

Question that the meaning of the words "States and FCT Office" be as defined in the interpretation to this Bill — Agreed to.

"Third Party Administrators" means any organization with expertise and capability to administer all or a portion of the insurance claims process, including administration of claims, collection of premiums, enrolment and other administrative activities, and which is registered by the Authority (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

"Vulnerable Group" include children under 5, pregnant women, the aged, the physically and mentally challenged and the indigent; as may be defined from time to time (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

"Wage" means remuneration in money paid to an employee under his contract of service or apprenticeship, as the case may be and whether agreed to be paid at fixed or determined intervals of time (Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency).

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

Question that Clause 58 stands part of the Bill — Agreed to.

Clause 59: Repeal of NHIS Act.

- (1) The National Health Insurance Scheme Act Cap N42, Laws of the Federation of Nigeria, 2004 is repealed.
- (2) The repeal shall not:
 - (a) affect the previous operation of the enactment or anything duly done or suffered under the enactment;
 - (b) affect any right, privilege, obligation or liability accrued or incurred under enactment;

- (c) affect any penalty, forfeiture or punishment incurred in respect of any offence committed under the enactment; or
- (d) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment, and any such investigation, legal proceeding or remedy in respect of any such right (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 59 stands part of the Bill — Agreed to.

Clause 60: Citation.

This Bill may be cited as the National Health Insurance Authority Bill, 2021 (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Question that Clause 60 stands part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to repeal the existing National Health Insurance Scheme Act, Cap. N42, LFN Laws of the Federation of Nigeria 2004 and to enact the National Health Insurance Authority Bill to ensure an effective implementation of a national health insurance policy that ensures the attainment of Universal Health Coverage in Nigeria (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Repeal the National Health Insurance Scheme Act, Cap. N42, LFN, 2004, and to Enact the National Health Insurance Authority Bill, 2021 (HB. 371) (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South 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 National Health Insurance Scheme Act, Cap. N42, Laws of the Federation of Nigeria, 2004 and Enact the National Health Insurance Authority Bill, 2021; and for Related Matters (HB. 371) and approved Clauses 1 - 60, 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.

(ii) Committee on Environment:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Environment on a Bill for an Act to Regulate the Profession of Forestry in Nigeria; and for Related Matters (HB. 801)" (*Hon. Johnson Egwakhide Oghuma — Etsako East/Etsako West/Etsako Central Federal Constituency*).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN INSTITUTE OF
CHARTERED FORESTERS AND; FOR RELATED MATTERS (HB. 801)**

PART I — ESTABLISHMENT OF THE INSTITUTE OF CHARTERED FORESTERS

Committee's Recommendation:

Clause 1: Establishment of the Institute of Chartered Foresters.

- (1) There shall be established a body to be known as the Nigerian Institute of Chartered Foresters (in this Bill referred to as "the Institute").
- (2) The Institute:
 - (a) shall be a body corporate with perpetual succession and a common seal which shall be kept in such custody as the Council may from time to time authorize;
 - (b) may sue and be sued in its corporate name; and
 - (c) shall have power to own, hold and dispose of property whether movable or immovable (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:

Clause 2: Functions of the Institute.

The functions of the Institute are:

- (a) determining who chartered Foresters are for the purposes of this Bill;
- (b) determining the standards of knowledge and skill required to become a member of the forestry profession and raising those standards from time to time as deemed appropriate for registration of individuals seeking to become registered as Members, Associates or Fellows of the Institute;
- (c) securing in accordance with the provisions of this Bill the establishment and maintenance of registers of individuals entitled to practice as foresters and the publication from time to time the lists of those individuals; and
- (d) performing through the Council under this Bill; the functions conferred on it by this Bill (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:

Clause 3: Powers of the Institute.

The Institute shall powers to:

- (a) establish such offices, departments, units and branches of the Institute a may be required for the proper administration and operation of the Institute

- (b) subject to such terms and conditions as the Institute may approve, engage staff;
- (c) establish necessary organization for the proper and efficient conduct of the affairs of the Institute;
- (d) provide staff regulations for all staff of the Institute and provide pension and welfare schemes for the staff; and do such other acts and things as may be necessary for the performance of the functions of the Institute (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:

Clause 4: Council of the Institute and Membership.

- (1) There is established for the Institute the Chartered Foresters Council (in this Bill referred to as the "Council")
- (2) The Council shall comprise of eleven (11) members, all of whom shall be Fellows or Chartered Foresters in the manner outlined below:
 - (a) the President;
 - (b) the Vice - president;
 - (c) the Registrar;
 - (d) two representatives nominated by the Minister of Environment (in this Bill referred to as the Minister);
 - (e) the National Secretary of the Forestry Association of Nigeria (in this Bill referred to as the Association);
 - (f) Director General of Forestry Research Institute of Nigeria or his/her representative;
 - (g) four individuals elected by the Council of Forestry Association of Nigeria (in this Bill referred to as the Council of the Association) alongside the President, Vice President and Registrar (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:

Clause 5: President of the Institute.

The President, the Vice - President, Registrar and other members of the Council mentioned in section 4 (2) (g) of this Bill shall be elected by the Council of the Association, at an annual general meeting of the Association (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 6: Tenure of Office.**

- (1) The term of office of a member of the Council shall be two (2) years from the date of election but such member may, at the end of that term, be eligible for re-election, for one more term only.
- (2) The President shall be Chairman at all meetings of the Council while the Vice President shall hold the position of Vice Chairman.
- (3) Where the President is unavailable, due to death, incapacity or removal, the Vice President shall act in his stead for the unexpired portion of the term.
- (4) If the President or Vice President ceases to be a member of the Institute he shall also cease to hold any of the offices designated under this section.
- (5) The office of a member of the Council shall become vacant if the member:
 - (a) resigns from office, by a written notice to the Council;
 - (b) is removed from office by the Council, by reason of professional misconduct or physical or mental infirmity; or
 - (c) without leave of Council, absents from 3 consecutive meetings of the Council.
- (6) The provisions of the First schedule of this Bill shall have effect with respect to the qualification and tenure of office of members of the Council and other matters related therewith (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 7: Functions of the Council.**

The functions of the Council shall be to:

- (a) govern the affairs of the Institute;
- (b) effect proper administration and management of the Institute;
- (c) implement policy directions as conveyed from the Council of the Association
- (d) make regulations that provide for the increase or reduction of the Council's membership and make such amendments to section 4(2) as the Council considers expedient.
- (e) appoint such officers and other employees as it may deem necessary to complement the functions of the Registrar in operating the Institute.
- (f) undertake other activities as the Council may consider necessary in fulfillment of its functions and as directed by the Council of the Association (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 8: Fund of the Institute.**

- (1) The Council shall establish and maintain a fund (in this Bill referred to as "the fund") which shall comprise:
- (a) contributions, levies, subscriptions, fees and other dues paid by the members of the Institute;
 - (b) revenue accruing to the Institute from investments, activities and services;
 - (c) grants, endowments and donations from Governments, Agencies, Organizations, benefactors and other donors; and
 - (d) revenue accruing to the Institute from any other source approved by the Council.
- (2) The management and control of the fund shall be solely handled by the Council in accordance to this Act and as determined by policy directions of the Association (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 9: Bank Account.**

The funds of the Institute shall be paid into an account in a reputable bank approved by the Council and no instrument for the withdrawal of any money from that account shall be valid unless it is authenticated by the signatures of the President and the Registrar or by the signatures of such officers of the Institute as may from time to time be approved by the Council (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 10: Expenditure.**

The Institute may apply the proceeds of the Fund for:

- (a) the cost of administration of the Council;
- (b) the payment of salaries of employees of the Council;
- (c) fees and other remuneration for experts or professionals appointed by the Council;
- (d) maintenance of any property acquired by or vested in the Council;
- (e) any other expenditure of the Institute connected with its functions under this Bill, as approved by the Council (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 11: Power to invest.**

The Institute may, from time to time, subject to such terms and conditions as the Council may approve, invest any part of its funds in any Government or Government approved security and may at any time dispose of such securities (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 12: Power to Borrow.**

The Institute may from time to time, subject to such terms and conditions as the Council may approve, borrow such money as the Council may require for carrying out any of the functions or the powers of the Institute. Provided that all interests payable on the amount borrowed are paid out of the Institute's funds (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 13: Account of the Institute.**

- (1) The Institute shall keep and maintain proper accounts of its income and expenditure and shall, by the 30th day of September of each year, submit such accounts to be audited by any auditor approved by the Accountant - General of the Federation.
- (2) The audited accounts of the Institute and the auditor's report shall, not later than the 31st day of December of each year, be submitted by the Institute, or the Council to the Association at the next general meeting (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 14: Appointment and Functions of the Registrar.**

- (1) The Council of the Association shall appoint a fit and proper individual to be the Registrar of the Institute and such other individuals that may assist the Registrar in the fulfillment of his/her duties as prescribed by the Bill.
- (2) It shall be the duty of the Registrar to:
 - (a) be the Secretary to the Council;
 - (b) prepare and maintain in accordance with the rules of the Council, a register of members comprising, the names, addresses, approved qualifications and such other particulars as prescribed by the act;
 - (c) keep custody of the register of the Institute and make such entries in the register as the Council may, from time to time by resolution, direct in respect to:
 - (i) Fellows,
 - (ii) Chartered Members,
 - (iii) Associates,

- (iv) registered students and members;
- (d) keep custody of the Common Seal of the Institute and affix same to such documents as the Council may direct; and
- (e) carry out other duties as the Council or the President may from time to time direct (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

PART II — REGISTRAR AND REGISTRATION

Committee's Recommendation:

Clause 15: Register of members.

- (1) The Registrar shall maintain a "Register of Members" for the following category of Members:
 - (a) Fellows;
 - (b) Chartered Members;
 - (c) Associates; or
 - (d) Ordinary Members and Student Members
- (2) Subject to the following provisions of this section, the Council shall make rules with respect to the form and keeping of the Registers and the making of entries therein, and in particular —
 - (a) regulating applications for enrolment or registration inclusive of evidence of the requisite supporting documents;
 - (b) providing for the notification of the Registrar, any changes in an individual's particulars;
 - (c) authorizing a registered member to have any qualification which is, in relation to the relevant division of the profession, either an approved qualification or an accepted qualification for the purposes of this Bill, registered in relation to his name in addition to or, as he may elect, in substitution for any other qualifications so registered;
 - (d) specifying the fees, including any annual subscription, to be paid to the Institute in respect of the entry of names on the register, and authorizing the Registrar to refuse to enter a name on the register until the specified fee for entry has been paid;
 - (e) ensuring that rules made for the purposes of (d) are not implemented until they are confirmed at a special meeting of the Institute convened for that purpose or at the next Annual General meeting of the Association's Council.

- (3) It shall be the duty of the Registrar:
- (a) to correct, in accordance with the Council's directions, any entry in the Register which the Council directs him to correct as being, in the Council's opinion, an entry which was incorrectly made;
 - (b) to make from time to time any necessary alterations, in the particulars of registered individuals;
 - (c) to remove from the Register the name of any registered individual who has died;
 - (d) to record the names of Members of the Institute that are in default for non-payment of annual subscription, four months after the end of the financial year and to take such requisite action as the Council may direct;
 - (e) to remove, subject to the Council's direction, names of members in default under subsection (d) above ;
 - (f) to remove from the appropriate Register, any individual who, after due inquiry, is adjudged by the Council to have been guilty in his professional capacity of infamous conduct, gross negligence or incompetence; or
 - (g) remove from the appropriate register, any individual who is convicted of any criminal offence which, in the opinion of the Council, renders him unfit to practice.
- (4) In maintaining the Register of Members, the Registrar:
- (a) shall periodically, send by post to any registered person, a registered letter, addressed to him at his address on the Register, enquiring whether the registered particulars relating to him, are correct; if a response is received, the particulars shall be duly noted and updated but if no reply is received within the period of six months from the date of posting it, action will be taken as outlined in (i) below;
 - (b) upon the expiration of the period specified in (a) above, send a reminder and if he receives no reply to that letter within three months from the date of posting it, the Registrar may remove the particulars relating to the individual;
 - (c) upon appeal by the affected Member, shall seek the directive of the Council on the matter and if so directed by the Council, the Registrar shall restore to the appropriate part of the register, the particulars so removed.
- (5) It shall be the duty of the Registrar:
- (a) to cause the Register to be printed, published and put on sale to Members of the public not later than two years from the beginning of the year in which the subsection comes into force;

- (b) in each year after the first publication of the register under paragraph (a) of this subsection, to cause to be printed, published and put on sale as aforesaid, either a corrected edition of the Register or a list of alterations made to the register since it was last printed;
 - (c) to cause a print of each edition of the register and of each list of corrections to be deposited at the principal offices of the Institute; and
 - (d) to keep the updated register and lists so deposited, available at all reasonable times for inspection by Members of the public.
- (6) A document purporting to be a print of an edition of the Register published under this section by authority of the Registrar, or documents purporting to be prints of an edition of the Register so published, and of a list of corrections to that edition so published, shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any individual specified in the document, or the documents read together, as being fully or provisionally registered, was so registered at the date of the edition or of the list of corrections, as the case may be, and that any individual not so specified was not so registered.
- (7) Where in accordance with subsection (6) of this section an individual is, in any proceedings, shown to have been, or not to have been, registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those proceedings as having at all material times thereafter continued to be, or not to be, so registered (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:

Clause 16: Eligibility of Members as Fellows.

- (1) The Institute shall confer the status of Fellow on an individual, if:
 - (a) he has been a chartered Forester for at least five years preceding the date of application;
 - (b) he is a holder of the approved academic qualifications; and
 - (c) has been in continuous practice on his own as a Chartered Forester or is in partnership with other Chartered Forester.
- (2) In same vein, an individual shall be conferred the status of Fellow of the Institute if:
 - (a) he has been a Chartered Forester for a period of not less than ten (10) years immediately preceding the date of application of such enrolment. Provided that the period of membership of the Association shall also count as a qualifying factor in this regard;
 - (b) he has been enrolled as a Chartered Forester, or qualified to be so enrolled; and
 - (c) has made substantial contribution to enhance the forestry profession.

- (3) The first Fellows of the Institute shall only be enrolled after commencement of this Bill, if they:
- (a) made an application in writing supported by a curriculum vitae submitted to the Institute upon commencement of the Bill;
 - (b) are enrolled and recognized as Chartered Foresters; and
 - (c) have been duly recognized by the Institute as consistent and committed members for the period of two years (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:

Clause 17: Chartered Members.

- (1) The Institute shall confer the status of Chartered Member to an individual if he possesses any of the following qualifications:
- (a) a forestry or forestry allied degree (Bachelors, Masters or Doctorate) from a University duly accredited by the Institute;
 - (b) a postgraduate diploma in forestry or forestry allied diploma from an Institution duly accredited by the Institute.
- (2) An applicant with either qualification shall —
- (a) submit details of his work in forestry in a log book endorsed by a Chartered Forester;
 - (b) pass the competence examination and or professional interview conducted by the Council; and
 - (c) must have been actively engaged in the forestry profession for a period of at least five years under this Bill; provided that section 16 and 17 of this section shall not be operative until two years after the commencement of this Bill (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:

Clause 18: Associates.

The Institute shall confer on an individual the status of an Associate Member if he:

- (a) possesses a Higher National Diploma in Forestry or its equivalent from an Institution accredited by the Institute;
- (b) submit details of his work in forestry in a log book endorsed by a Chartered Forester; and
- (c) pass the professional interview conducted by the Council (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 19: Ordinary and Student Members.**

- (1) The Institute shall confer the status of a Member on any fit individual if he has duly satisfied the Council's entry qualification for that position;
- (2) The Institute shall confer the status of a Student Member on any fit individual if he has duly satisfied the Council's entry qualification for that position (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 20: Titles to be used by Registered Members.**

- (1) Where an individual is enrolled or registered in the Institute, he shall be entitled to the use of such letter after his name as may be authorized by the Council, dependent on the status of his Membership as a Fellow, Chartered Forester, Associate/Registered Member or Student Member;
- (2) In furtherance of subsection (1) above, the Registrar may issue the appropriate certificate to a Member upon approval of the Council (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 21: Registration of Members.**

- (1) Subject to section 23 of this Act and to rules made under section 15 of this Bill an individual registered as a Member shall be entitled to entry of his qualification in the register as a Forester and may so apply if:
 - (a) he possesses the required qualifications prescribed for the status in any Institution duly accredited for that purpose by the institute, and completes the practical training prescribed; or
 - (b) he holds the equivalent qualification granted outside Nigeria and for the time being accepted by the Institute and, if the Council so requires, satisfies the Council that he has had sufficient practical experience as a Forester.
- (2) An applicant for registration under subsection (1) of this section shall, if so by the Council, in addition to evidence of qualification, satisfy the Council:
 - (a) that he has attained the age of twenty-one years;
 - (b) that he is of good character; and
 - (c) that he has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty.
- (3) Any person not a member of the Institute who, but for this Bill, would have been qualified to apply for and obtain membership of an approved Institute outside Nigeria may within the period of three months beginning from the

commencement of this Bill, apply for membership of the Institute in such manner as may be prescribed by rules made by the Council; and if approved, he shall be enrolled or registered, as the case maybe, according to his qualifications.

- (4) The Council may in its sole discretion provisionally accept a qualification produced in respect of an application for registration under this section, or direct that an entry be made in the Register accordingly, or where applicable direct that the application be renewed within such period as may be specified in the direction.
- (5) Any entry directed to be made in the Register under subsection (3) of this section shall show that registration is provisional, and no entry so made shall be converted to full registration without the consent of the Council signified in writing (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:

Clause 22: Approval of Courses, Qualifications and Institutions.

- (1) The Council may approve for the purposes of this Bill:
 - (a) any course of training at an approved Institution, which is intended for individuals who are seeking to become or are already Foresters and which the Council considers designed to confer on individuals completing it sufficient knowledge and skill for admission to a membership status in the Institute;
 - (b) any Institution either in Nigeria, or elsewhere, which the Council considers is properly organized and equipped for conducting the whole or any part of a course of training, approved by the Council under this section;
 - (c) any qualification which, as a result of an 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 members of the Council that the candidates have sufficient knowledge and skill to practice as Foresters;
- (2) The Council shall from time to time publish in the Federal Gazette, particulars of qualifications in the forestry profession for the time being accepted and approved by the Council of the Association;
- (3) 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 individuals in Nigeria appearing to the Council to be an individual by whom the course is conducted or the qualification is granted or the Institution is controlled; and
 - (b) afford each individual an opportunity to make representations to the Council with regard to the proposal; and

- (c) take due consideration of any representations made in respect of (b) above.
- (4) With regard to 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 before the approval was withdrawn.
- (5) The giving or withdrawal of an approval under this section shall have effect from the date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in that instrument; and the council shall:
- (a) as soon as practicable, publish a copy of every such instrument in the Federal Gazette; and
- (b) not later than seven days before its publication as aforesaid, send a copy of the instrument to the Honourable Minister of Environment (Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency).

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

PART III — PROFESSIONAL DISCIPLINE

Committee's Recommendation:

Clause 23: Definition of Professional Misconduct.

In this part, professional misconduct means any conduct considered by the Council to be unprofessional and which includes all acts of professional indiscipline, unjust enrichment, abuse of office and other forms of corrupt practices (Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency).

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

Committee's Recommendation:

Clause 24: Tribunal.

- (1) There is established for the Institute, a Tribunal to be known as the Nigerian Institute of Chartered Foresters Disciplinary Tribunal (in this Bill hereafter referred to as 'the Tribunal).
- (2) The Tribunal shall be charged with the duty of considering and determining all cases of professional misconduct against any Forester in the discharge of official duties as a Chartered Forester.
- (3) The Tribunal shall consist of the Chairman of the Council and six other members appointed by the Council, two of whom shall be Chartered Foresters but non Council members who are knowledgeable about the matter under investigation (Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency).

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

Committee's Recommendation:**Clause 25: Investigating Panel.**

- (1) There shall be a body, to be known as the Investigating Panel of the Institute (in this Bill hereafter referred to as "the Panel").
- (2) The Panel shall be charged with the duty of:
 - (a) conducting a preliminary investigation into any case where it is alleged that a member has misbehaved in his capacity as a member of the Institute;
 - (b) deciding whether the member has a case to answer before the Tribunal and where applicable, to refer such case to the Tribunal for hearing and determination.
- (3) The panel shall be appointed by the Council and comprise of three members of the Council and one Associate who is not a member of the Council but knowledgeable in the matter under investigation (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 26: Rules of the Council for Tribunal and Investigating Panel.**

The Council may make rules to regulate the proceedings of the Tribunal and the Investigating Panel as appropriate; however, all rules contained in the Second Schedule of this Bill shall be fully applicable to these bodies as well (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:**Clause 27: Penalties for Unprofessional Conduct.**

- (1) Where:
 - (a) a member is judged by the Tribunal to be guilty of any form of professional misconduct; or
 - (b) a member is convicted of an offence, by any Court in Nigeria or elsewhere (having power to sentence an offender to imprisonment) which in the opinion of the tribunal is incompatible with his status in the Institute; or
 - (c) the Tribunal is satisfied that the name of any individual has been fraudulently registered in the Register of Members; then
 - (d) the Tribunal may if it deems fit, give directions to the Registrar to either reprimand the Member or strike off the Member's name from the relevant part of the Register.
- (2) The Tribunal may, if it thinks fit, defer or further defer its decision as to the giving of a direction under the foregoing subsection until a subsequent meeting of the Tribunal is held; but —
 - (a) no decision shall be deferred under this subsection for a period exceeding two years in the aggregate; and

- (b) so far as possible, no individual shall be a member of the Tribunal for the purposes of reaching a decision which has been deferred or further deferred unless he was present as a member of the Tribunal when the decision was deferred.
- (3) For the purposes of subsection (1) (b) of this section, an individual shall not be treated as convicted as therein mentioned unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.
- (4) When the Tribunal gives a direction under subsection (1) of this section, the Tribunal shall cause notice of the direction to be served on the individual to whom it relates.
- (5) The individual to whom such a direction relates may, at any time within twenty-eight days from the date of service on him of notice of the direction, appeal against the direction to the Court of Appeal and the Tribunal may appear as respondent to the appeal and, for the purposes of enabling directions to be given as to the costs of the appeal and of proceedings before the Tribunal, shall be deemed to be a party thereto whether or not it appears on the hearing of the appeal.
- (6) A direction of the Tribunal under subsection (1) of this section shall take effect:
- (a) where no appeal under this section is brought against the direction within the time limited for such an appeal, on the expiration of that time;
 - (b) where such an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal;
 - (c) where such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed, and shall not take effect except in accordance with the foregoing provisions of this subsection (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

PART IV — MISCELLANEOUS AND GENERAL PROVISIONS

Committee's Recommendation:

Clause 28: Supervision and Control of the Institute.

- (1) Supervision and Control of the Institute by the Minister:
- (a) the Minister shall perform supervisory/oversight functions over the Institute particularly in:
 - (i) ensuring the timely submission of deliverables to the Ministry and/or other Government Agencies,
 - (ii) ensuring the Institute's compliance with rules/regulations/policies outlined in section 29 of this Bill;

- (b) the Minister may give policy directions to the Council on the recommendation of the Association regarding the effective fulfillment of its mandate;
 - (c) prior to giving such policy direction under subsection (a) of this section, the Minister shall forward a copy of the proposed direction to the Council and shall afford the Council an opportunity of making representations to him accordingly. After considering the representations made, the Minister may give the direction without modification or with such modifications as considered appropriate
- (2) Supervision and Control of the Institute by the Council of the Association:
- (a) the Council of the Association shall via its General Meeting ratify the decisions of the Council on such policies or rules which are fundamental to the practice of the forestry profession.
- (3) Supervision and Control of the Institute by its Council:
- (a) the Council of the Institute shall supervise the administration of the Institute and oversee the Registrar's implementation of its policies and directives in respect of members or the maintenance of the Register of members (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:

Clause 29: Rules and Regulations of the Institute.

- (1) Rules and Regulations shall be made for the Institute in the manner prescribed below:
 - (a) the Minister shall have powers to make rules and regulations for the Institute on the recommendation of the Council of the Association;
 - (b) the Association shall from time to time prescribe policy directions for the optimal performance of the Institute with regards to practices in the Forestry Profession;
 - (c) the Council shall make rules and regulations to guide its operations at a general meeting attended by all eleven members of the Council;
 - (d) the Registrar shall make recommendations to the Council regarding:
 - (i) rules to facilitate the proper maintenance of the Institute's Register of members, and
 - (ii) formulation of policies that will enhance the administration and management of the Institute;
 - (e) regulations made under this section shall be published in the Federal Gazette as soon as they are made;

- (f) rules made for the purposes of this Bill (other than Rules made by the Minister) shall be subject to confirmation by the Association at its next Annual General Meeting or at any special meeting of the Council convened for that purpose, and if not confirmed shall cease to have effect on the day after the date of the confirmation but without prejudice to anything done in pursuance or intended pursuance of any such rules.
- (2) Additional Rules made in respect of section 29 (1) (d) by the Council, shall comprise the following:
- (a) rules for training suitable individuals in forestry methods and practice;
 - (b) rules for the supervision and regulation of members professional activities;
 - (c) rules for engagement, training and transfer of staff of the Institute on recommendation of the Registrar;
 - (d) rules for distinguishing between foresters and other auxiliary forestry personnel;
 - (e) rules prescribing the amount payable as annual subscription for each category of members;
 - (f) rules prescribing the due date for payment of annual subscription;
 - (g) rules prescribing the form of license to be issued to practicing Foresters at intervals of three years. However, this requirement shall not apply to Student Members of the Institute;
 - (h) rules restricting the right of Members to practice where such Members are in default of payment of annual subscription, for a period longer than prescribed by the rules;
 - (i) rules restricting the a Member's right to practice where the qualification granted outside Nigeria does not entitle the holder to practice as a member of the Institute;
 - (j) rules prescribing the qualification or practical experience required for a Member restricted under subsection (j) of this section to qualify as a practicing Forester (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Committee's Recommendation:

Clause 30: Interpretation.

In this Bill —

"Association" means the Forestry Association of Nigeria (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

"Council" means the Institute's Council established under section 4 (1) (Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency).

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

"Council of the Association" means Council of the Forestry Association of Nigeria (Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency).

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

"Institute" means the Nigerian Institute of Chartered Foresters established under section 1 of this Bill (Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency).

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

"Member" means a Member of the Institute and includes a Fellow, a Chartered Member, an Associate, Ordinary Member and Student Member (Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency).

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

"Minister" means the Honourable Minister of Environment, charged with supervisory oversight of the Institute and all forestry and forestry allied matters (Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency).

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

"Panel" means Investigating Panel established under section 25 of this Bill (Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency).

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

"Professional misconduct" means any act outlined below or considered unprofessional:

- (a) deliberate refusal to follow the standard of conduct and practice of Foresters,
- (b) gross negligence in a professional capacity,
- (c) release of professional licence to a non member to practice in a Member's name,
- (d) abuse of position of trust, expertise or authority,

- (3) With the exception of the Policy Formulation Committee, any other Committee appointed under this paragraph shall consist of the Council Members nominated by the Council but may co-opt any non Council member whose advice is desired to aid the Committee's assignment. However, such co-opted member shall not be entitled to vote at any meeting of the Committee and shall not count towards a quorum.
- (4) A decision of a Committee of the Council shall be of no effect until it is confirmed by the Council.

Miscellaneous

10. Fixture of the Institute's seal shall be authenticated by the signature of the President or of such other member of the Council that is authorised generally or specifically by the Institute to act accordingly.
11. The validity of any proceedings of the Institute, its Council or Committee(s) shall not be affected by:
 - (a) any vacancy in membership;
 - (b) any defect in the appointment of a Member or an individual nominated to serve on a Committee; or
 - (c) the attendance or participation of one not entitled to take part in the proceedings.
12. Any member of the Institute or its Council, that has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council on behalf of the Institute, or on behalf of the Council or a Committee thereof, shall forthwith disclose his interest to the President or to the Council, and shall not vote on any question relating to the contract or arrangement.
13. An individual shall not by reason only of his membership of the Institute be treated as holding an office of emolument under the Federal Republic of Nigeria or any state thereof (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

SECOND SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE
TRIBUNAL AND INVESTIGATING PANEL

The Tribunal

1. The quorum of the tribunal shall be four of whom at least two shall be Chartered Foresters.
2. (1) The Chief Justice of Nigeria shall make rules as to the selection of members of the Tribunal for the purposes of any proceedings and as to the procedure to be followed and the rules of evidence to be observed in proceedings before the Tribunal.

- (2) The rules shall in particular provide:
 - (a) for securing that notice of the proceedings shall be given, at such time and in such manner as may be specified by the rules, to the person who is the subject of the proceedings;
 - (b) for determining who in addition to the person aforesaid, shall be a party to the proceedings;
 - (c) for securing that any party to the proceeding shall, if he so requires, be entitled to appear and be heard by the Tribunal;
 - (d) for the representation of a party to the proceedings by a Legal Practitioner;
 - (e) for costs of proceedings before the tribunal, subject to the provisions of section 24 of this Bill;
 - (f) for a record to indicate that an individual alleged to be guilty of misconduct has been found, not guilty of such conduct;
 - (g) for publishing in the Federal Gazette, notice of any direction of the Tribunal which has taken effect, providing that an individual's name shall be struck off the Register of Members due to professional misconduct.
3. For the purposes of any proceedings before the Tribunal, any Member of the Tribunal may administer oaths and any party to the proceedings may sue out of the registry of the High Court as the case may require; but no individual appearing before the Tribunal shall be compelled:
 - (a) to make any statement before the Tribunal tending to incriminate himself; or
 - (b) to produce any document under such a writ which he could not be compelled to produce at the trial of an action in Court.
4.
 - (1) For the purpose of advising the Tribunal on questions of law arising in proceedings before it, there shall in all such proceedings be An assessor to the Tribunal who shall be appointed by the Council on the nomination of the Chief Justice of Nigeria.
 - (2) The Assessor shall be a Legal Practitioner with not less than ten years post call experience.
 - (3) The Chief Justice of Nigeria shall make rules as to the functions of Assessors appointed under this paragraph, and in particular such rules shall contain provisions for ensuring:
 - (a) that where an Assessor advises the Tribunal on any question of law as to evidence, procedure or any other matters specified by the rules, he shall do so in the presence of every party or individual representing a party to the proceedings who appears thereat or, if the advice is tendered while the Tribunal is deliberating in private, that every such party or person, as aforesaid shall be informed of the advice the Assessor has tendered;
 - (b) that every such party or individual in subparagraph (a) shall be informed if in any case the Tribunal does not accept the advice of the Assessor on such a question as aforesaid.

- (c) an Assessor may be appointed under this paragraph either generally or for any specific proceeding, and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

The Panel

5. The quorum of the Panel shall be three.
6. (1) The Panel may, at any meeting of the Panel attended by all the members of the panel, make standing orders with respect to its activities.
- (2) Subject to the provisions of any such standing orders, the Panel may regulate its own procedure of operation subject to policy directions by the Council of the Association.

Miscellaneous

7. (1) An individual ceasing to be a member of the Tribunal or the Panel shall be eligible for reappointment as a member of that body.
- (2) An individual may, if otherwise eligible, be a member of both the Tribunal and the Panel; provided that no individual who acted as a member of the Panel with respect to any case shall act as a Member of the Tribunal with respect to that case.
8. The Tribunal or the Panel may act notwithstanding any vacancy in its membership; and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body, or (subject to paragraph 7 (2) of this Schedule) by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
9. Any document authorized or required by virtue of this Bill to be served on the Tribunal or the Panel, shall be served on the Registrar appointed in pursuance of section 15 of this Bill.
10. Any expenses of the Tribunal or the Panel in the execution of its mandate shall be defrayed by the Institute (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

THIRD SCHEDULE

NIGERIAN INSTITUTE OF CHARTERED FORESTERS
DISCIPLINARY TRIBUNAL RULES

Proceedings before the Tribunal

Reference of Case to the Tribunal

1. Where the Investigating Panel establishes a prima facie case of professional misconduct against a Member, a comprehensive report of the findings shall be made and forwarded to the Tribunal alongside all relevant documentation considered by the Panel.

Parties and Appearance

2. (1) The parties to any proceeding of the Tribunal shall be:
 - (a) the complainant;

- (b) the respondent; and
 - (c) any other person required by the Tribunal to be joined, or joined by leave of the Tribunal.
- (2) Subject to subparagraph (3) of this paragraph, parties to the proceedings may enter an appearance in person, or by their respective legal practitioners acting as counsel.
 - (3) The Tribunal may require the attendance of the complainant or respondent in person if that is necessary in the interest of justice.

Notice of Hearing

- 3. (1) When a complaint is referred by the Panel to the Tribunal, the Registrar shall:
 - (a) after consultation with the Chairman, appoint a date, time and place for the hearing; and
 - (b) in the form specified in the Schedule, give notice to all concerned parties (including members of the Tribunal and the Assessor) as directed or required by the Chairman.
- (2) If the directions are, for any reason, not given, it is sufficient compliance with this paragraph if the notice is:
 - (a) handed to the party concerned or affected, personally, or
 - (b) sent by registered post to the last known place of abode of the party.

Hearing in absence of Parties

- 4. (1) Subject to paragraph 2 (2) of this schedule, the Tribunal may hear and determine a case in the absence of any party.
- (2) A party to any proceeding before a Tribunal who fails to appear or be represented may apply within one month after the date when the pronouncement of the findings and directions of the Tribunal were given, for a rehearing on the ground of want of notice or other good and sufficient reason, and the Tribunal in appropriate cases, may grant the application upon such terms as to costs or otherwise as it deems fit.

Hearing of Witnesses

- 5. The Tribunal may, in the course of its proceedings, hear witnesses and receive any documentary evidence necessary in its opinion to assist it in arriving at a conclusion as to the truth or otherwise of the allegation of misconduct, in the complaint referred to it by the Panel, and in the application of this paragraph, the provisions of the Evidence Act shall apply in all proceedings.

Amendment of Complaint

- 6. If in the course of proceedings, it appears to the Tribunal that the complaint before it requires amendment, the Tribunal may, on such terms as it deems fit, allow the amendment to be made and the amended complaint shall thereupon be dealt with accordingly.

Proceedings to be in Public

7. The proceedings of the Tribunal shall be held in public, and its findings and directions shall also be delivered in public unless otherwise directed by the Tribunal.

Findings and Costs in Certain cases

8. The Tribunal may, on its own motion or upon the application of any party, adjourn the hearing, on such terms as to cost or otherwise, as the Tribunal deems fit.

False Evidence

9. (1) If any person willfully gives false evidence on oath before the Tribunal during the course of any proceedings or willfully makes a false statement in any affidavit sworn to for the purpose of such proceedings, the Tribunal may refer the matter to the Attorney - General of the Federation for such action as the Attorney - General may think fit.
- (2) If after the hearing, the Tribunal adjudges that the charge of professional misconduct has not been proven, the Tribunal:
- (a) shall record findings that the respondent is not guilty of the misconduct in respect of which the charge was referred; and
 - (b) may order any party (except the complainant) to pay the costs of the proceedings, having regard to his conduct and the circumstances of the case.

Publication of Findings

10. Any finding made or direction given by the Tribunal shall be published in the Federal Gazette immediately after such findings or direction, as the case may be.
11. The Chairman shall, during the hearing, take the minutes of the proceedings which shall be open to inspection by the parties and shall be made available to any party upon the payment of such charges as the Registrar may fix, by the relevant instrument published in the Federal Gazette.

Miscellaneous Powers of Tribunal

12. The Tribunal may dispense with any requirement of this Schedule regarding notices, affidavits, documents, services or time for doing or omitting anything in any case where it appears to the Tribunal that it would be just or expedient to do so, and the Tribunal may, in any particular case, extend the time for doing anything under the schedule as provided for in the policy direction of the Chief Justice of Nigeria.

Powers to Retain Exhibit Pending Appeal

13. Books and other exhibits produced or used at the hearing shall, unless the Tribunal otherwise directs, be retained by the Registrar until the expiry of the time for filing an appeal against any finding or direction of the Tribunal or, if notice of any such appeal is given, until the hearing and disposal of the appeal.

Appointment and Duties of Assessors

14. (1) The Council shall, by instrument, appoint an Assessor who shall hold and vacate office as provided in his instrument of appointment, and where the appointment is not a general one, it shall have effect only in respect of a particular proceeding of the Tribunal.
- (2) Subject to the terms of appointment, an Assessor shall attend the proceedings of the Tribunal whenever required to do so by notice in writing given to the Assessor by the Registrar, not later than 3 days, before the date fixed for the hearing of such proceeding and the Assessor shall advise the Tribunal on questions of law only.

Interpretation

15. In this Schedule:

"Complainant" means a person or body who brings a complaint before the Tribunal, alleging professional misconduct against a member of the Institute;

"Respondent" means the person required to answer to any charge of professional misconduct (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

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

Long Title:

A Bill for an Act to Establish the Nigerian Institute of Chartered Foresters and; for Related Matters (HB. 801) (*Hon. Johnson Egwakhide Oghuma — Etsako East/West Central Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Environment on a Bill for an Act to Regulate the Profession of Forestry in Nigeria; and for Related Matters (HB. 801) and approved Clauses 1 - 31, the Schedules, and the Long Title of the Bill.

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

(iii) Special Committee on National Security:

Motion made and Question proposed, "That the House do consider the Report of the Special Committee on National Security and approve the recommendations therein" (Hon. Alhassan Ado Garba — House Leader).

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) Recommendations for Immediate Actions by the Legislature:

Recommendation (i):

Set a declassification period and process (backed by law) for security votes; security votes at all levels should be declassified at the end of four years for legislative review and four years thereafter for public access, towards improving the utilization of the votes for enhancing security (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (ii):

Establish Development Commissions across all the six (6) geo-political zones such as Niger Delta Development Commission, South West Development Commission, North East Development Commission, and South East Development Commission, etc (*Hon. Alhassan Ado Garba — House Leader*).

Debate.

Amendment Proposed:

In Recommendation (ii), immediately after the words “such as”, *leave out* the words “Niger Delta”, and insert the words “South South” (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Question that the amendment be made — Agreed to.

Question that Recommendation (ii) as amended stands part of the Report — Agreed to.

Recommendation (iii):

Strengthen the Federal Character law, to ensure better and more vigorous enforcement and implementation. Every Nigerian deserves to be treated with respect and dignity irrespective of where they may physically be located in the country (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (iv):

Establish interventionist agency (or add to the role of an existing agency) to identify and provide little investment and sustenance opportunities to ex-convicts, jobless youths, discharged but indigents military and paramilitary personnel among others; Maintain a central database of convicted persons, persons who have served out their terms, and persons in prisons and awaiting trial (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (v):

Establish a national transitional justice framework. The absence of a unifying Transitional justice framework remains a challenge in addressing Nigeria's intractable conflicts. Existing Transitional Justice framework e.g., designed to address the Niger Delta or the Boko Haram insurgency, will require review, towards applying them to the many victims of the other security challenges (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (vi):

Invite representatives from google, Facebook, instagram, WhatsApp; and twitter to a special dialogue to discuss a voluntary platform regulations framework that centres the need for platforms to have content regulation policies themselves that are well designed and consistently enforced in Nigeria. (Increasingly complex phenomena such as the use of automation to manipulate algorithms that control the digital information, we see mean that it is ever more difficult to navigate online spaces. Social media analysis has revealed that the Nigerian online space were written to artificially increase the visibility of certain kinds of content in recognition of this, social media companies themselves have an ever more important role to play in moderating content on their platforms) (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (vii):

Resolve legislatively, the crisis of overlapping mandates amongst the various security related agencies (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

(b) Recommendations for immediate actions by the Executive:**Recommendation (i):**

Instruct the immediate enhanced training for the Police Mobile Unit to improve their capacity to deal with insecurity. A special team of 40,000 Police Mobile Unit officers should undergo this special training. 1,000 should then be deployed to every state for immediate operations. North East, South West, South East can receive the officers remaining out of the 40,000 (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (ii):

Create a new team under the Nigeria Police Force (NPF) to train and work with the guards of Nigeria's forest. This unit will collaborate with the current Forest Guards who will remain under the control of States (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (iii):

Encourage the Intelligence Agencies (working with the National Security Adviser and the Chief of Defence Staff) to initiate a screening and vetting program of all frontline officers of the Nigerian military to fish out moles and double-agents who have so far compromised most efforts at combating insecurity and win the war against insurgents and terrorists (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (iv):

Strategically, the Executive should initiate a Presidential Police Reform initiative that will be resident in one central place within the Presidency. Also, an operational specialised unit should be established within the NPF to champion and drive all the change initiatives (based on a Presidential Policing Reform Roadmap) from within the institution (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (v):

Direct the use of the Nigerian Police Trust Fund to procure some of the immediate equipment need by the rank-and-file police officers in Nigeria. This intervention will include the procurement of modern critical equipment for the Nigeria Police Force as specified by the leadership of the NPF (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (vi):

Give immediate consideration to the use of Private Defence Contractors for targeted security operations to combat insurgency and terrorism especially (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (vii):

Urge the Executive to use all means at its disposal (while Legislation is pending), to require the creation of a protocol that will compel intelligence (as a matter of necessity) sharing amongst all security agencies (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (viii):

Deploy Early Warning Systems nationwide including installation of CCTV cameras and other surveillance, satellite and electronic equipment along major highways, public places, and major cities and our borders (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (ix):

Establish and strengthen a National Crisis Centre (NCC) within the Nigerian Police. The NCC will be the national coordinating centre for all civil security response actions and monitoring of resolutions of such with monthly reporting on all incidents. It will also be the central place for any Nigerian to report major security incidents (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (x):

Through an Executive Order, initiate a Civilianisation program in all our security agencies. This should compel the agencies to use civilian staff to perform most back-office and non-tactical duties. This initiative will free up thousands of security personnel for frontline duties immediately (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (xi):

Encourage and resource the National Orientation Agency and the Federal Ministry of Information to begin a structured strategic Communication and orientation campaign using all available media channels and platforms to promote peaceful coexistence and national unity (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (xii):

Support for the creation of Local Security Committees in all 774 Local Government Areas. This panel should include Traditional Rulers, Religious institutions, and local opinion leaders. This should be managed by the NPF as part of its Community Policing mandate (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (xiii):

The use and development of grazing reserves and ranching should be pursued in lower population areas. Pilot schemes should commence immediately in all states that are positively disposed to it (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (xiv):

Strengthening the judicial and law enforcement administration through a Digitisation initiative for the judiciary. This will speed up the administration of Justice and reduce corruption. Swift administration of justice will help reduce causes of disaffection which feeds into insecurity (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (xv):

Strengthen and instruct widespread use of the centralized national criminal database by the NPF and mandate access for other security agencies, providing resources to ensure this can be done. This should also include modernization of the national fingerprint database (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (xvi):

The NSA in collaboration with civil security agencies should identify, map, and arrest cult group leaders, violent agitators, and networks of criminal groups at tertiary education level as well as society at large (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (xvii):

The nation's dependence on the import of basic security requirements should be reduced by enhancing the existing military production facilities and private companies across the country for immediate supply of needed security equipment (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (xviii):

Target poverty as a must; as poverty is the main driver for all the insecurity issues currently prevalent across the nation. This can be done through a focus on infrastructure and a new jobs' creation drive and initiative by the Federal Government of Nigeria, the Executive is also urged to consider doing even more by declaring a state of emergency on job creation-considering the high rate of unemployment (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Recommendation (xix):

That Nigeria must take major steps to control the flow of illegal arms into the country. The first step must strengthen the control of our borders to detect and seize any illegal shipment of arms into the country, and arrest and prosecute any person associated with the illegal flow of arms into the country. In the next step, Nigeria should reach out to overseas arms dealers to enlist their cooperation against the sales of arms to non-state actors. A third step should be a major diplomatic initiative with the governments of countries known to have companies engaged in selling arms to non-state actors. Continuous Arms-Collection and Depository scheme should be established national to encourage disposal and collection of illegal firearms (Hon. Alhassan Ado Garba — House Leader).

Agreed to.

Chairman to report Proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Special Committee on National Security and approved Recommendation (a) (i), approved Recommendation (a) (ii) as amended, approved Recommendations (a) (iii) - (vii), and Recommendations (b) (i) - (xix) of the Report.

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

(iv) Committees on Air Force and Justice:

Motion made and Question proposed, "That the House do consider the Report of the Committees on Air Force and Justice on Investigation on the Alleged Use of Excessive Force and Abuse of Due Process by the Nigerian Air Force against the Blue Boulevard Limited" (Hon. Shehu Mohammed Koko — Koko-Besse/Maiyama 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)

Recommendation (i):

Urge the Federal Government of Nigeria to acquire the liability on behalf of the Nigerian Air Force and its Establishment, Nigerian Air Force Properties Limited by Paying off Total Investments made by Blue Boulevard Nigeria Limited for work done in the construction of a Shopping Mall located at NAF Base Port Harcourt, Rivers State the sum of thirty-five billion, four hundred and two million, seven hundred and twenty-five thousand, six hundred and twenty-two Naira (₦35,402,725,622.00) only as a result of the collapse of agreements between the parties which ought to end in 2032 (Hon. Shehu Mohammed Koko — Koko-Besse/Maiyama Federal Constituency).

Agreed to.

Recommendation (ii):

order Blue Boulevard Nigeria Limited after it has been paid the sum of thirty-five billion, four hundred and two million, seven hundred and twenty-five thousand, six hundred and twenty-two Naira (₦35,402,725,622.00) to return subscribers funds in the sum of One Billion, Two hundred and seventy-five million, eight hundred and sixty-seven thousand, six hundred and eleven Naira (₦1,275,867,611) only to the Nigerian Air Force Properties Limited (*Hon. Shehu Mohammed Koko — Koko-Besse/Maiyama Federal Constituency*).

Agreed to.

Recommendation (iii):

also urge Blue Boulevard Nigeria Limited to approach the Court(s) to vacate all pending injunctions including Federal High Court judgment in Suit No. FHC/PH/FHR/71/2017 restraining the defendant from gaining access and taking possession of the Shopping Mall upon the receipt of (₦35,402,725,622.00) (*Hon. Shehu Mohammed Koko — Koko-Besse/Maiyama Federal Constituency*).

Agreed to.

Amendment Proposed:**Additional Recommendation:**

Insert a new Recommendation (iv) as follows:

“Mandate the Committee on Appropriations to include the sum of thirty-five billion, four hundred and two million, seven hundred and twenty-five thousand, six hundred and twenty-two Naira (₦35,402,725,622.00) in the 2022 budget as liability of the Federal Government” (*Hon. Abbas Adigun — Ibadan North East/Ibadan South East Federal Constituency*).

Question that the amendment be made — Agreed to.

Question that new Recommendation (iv) stands part of the Report — Agreed to.

Chairman to report Proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committees on Air Force and Justice on Investigation on the Alleged Use of Excessive Force and Abuse of Due Process by the Nigerian Air Force against the Blue Boulevard Limited and approved Recommendations (i) - (iii), and approved a new Recommendation (iv) of the Report.

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

26. Adjournment of First Sitting

That the House do adjourn the First Sitting till 2.00 p.m. (Hon. Alhassan Ado Garba — House Leader).

The House adjourned accordingly at 1.50 p.m.

Femi Hakeem Gbajabamila
Speaker