



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 2nd March, 2021

1. The Senate met at 10:43 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 24th February, 2021.
Question was put and the Votes and Proceedings were approved.
3. **Messages from Mr. President:**
The President of the Senate announced that he had received two (2) letters from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

(a) **Confirmation of Appointment:**



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

25th February, 2021

*Distinguished Senator Ahmad Ibrahim Lawan
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Distinguished Senate President,

**REQUEST FOR CONFIRMATION OF APPOINTMENT OF DIRECTOR GENERAL
NATIONAL SPACE RESEARCH & DEVELOPMENT AGENCY**

Pursuant to Sections 14(1) and (2) of the National Space Research & Development Agency Act, 2010, I present for confirmation by the Senate the appointment of Mr. Halilu Ahmad Shaba as Director General of the National Space Research & Development Agency, his CV is attached herewith.

While hoping that the Senate will consider and confirm the nominee in the usual expeditious manner. Please accept, Distinguished Senate President, the assurances of my highest consideration.

Yours sincerely,
(Signed)
Muhammadu Buhari

(b) Confirmation of Appointment:



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

25th February, 2021

Distinguished Senator Ahmad Ibrahim Lawan
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Distinguished Senate President,

REQUEST FOR CONFIRMATION OF APPOINTMENT OF MUHAMMED DATTIJO
USMAN AS FEDERAL COMMISSIONER REPRESENTING NIGER STATE IN THE
NATIONAL POPULATION COMMISSION

In accordance with the provision of Section 154(1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended), I write to present, for confirmation by the Senate the appointment of Muhammed Dattijo Usman as Commissioner representing Niger State in the National Population Commission (NPC). His CV is attached herewith.

While hoping that the Senate will consider and confirm the nominee in the usual expeditious manner. Please accept, Distinguished Senate President, the assurances of my highest consideration.

Yours sincerely,
(Signed)
Muhammadu Buhari

4. Announcement:

Meeting:

The President of the Senate read a letter from Senator Kabiru I. Gaya (*Kano South*) as follows:



THE SENATE
FEDERAL REPUBLIC OF NIGERIA
Committee on Independent National Electoral Commission (INEC)
 National Assembly Complex
 Three Arms Zone, P.M.B. 1412 Garki, Abuja

2nd March, 2021

Your Excellency
Dr. Ahmad Ibrahim Lawan Ph.D., CON
The President of the Senate
National Assembly Complex
Abuja.

Your Excellency,

REMINDER/INVITATION TO INEC SPECIAL PRESENTATION

This is to remind your Excellency of the meeting of the Joint Senate and House Committee on Independent National Electoral Commission (INEC) and Electoral Matters to receive a Special Delegation led by the INEC Chairman, on a Presentation on the State of Voter Access to Polling Units in Nigeria.

2. *The presentation is scheduled to hold as follows:*

DATE: *Tuesday, 2nd March, 2021*
VENUE: *Conference Room 022, New Senate Building*
TIME: *1.30 p.m.*

3. *Your Excellency is to kindly grace the occasion as a Special Guest of Honour and also deliver a keynote address.*

4. *Distinguished Senators are invited to the presentation as issues that concern their Constituencies will be highlighted and their inputs will add credence to the proceedings at the presentation.*

5. *Please accept the assurances of the Joint Committee's high regards.*

6. *Thank you.*

(Signed)
Senator Kabiru I. Gaya
Chairman

5. Petition:

Rising on Order 41, Senator Patrick A. Akinyelure (*Ondo Central*) drew the attention of the Senate to five (5) petitions received from the Office of the President of the Senate as follows:

- (i) Engr. Raphael Owolabi, against Nigerian Ports Authority, over alleged refusal of retention claim payment of Two Hundred and Forty Seven Million, Three Hundred and Eleven thousand, Eight Hundred and Seventy Two Naira, Seventy Kobo (₦247,311,872.70) in favour of Messrs Johnak Engineering Limited;
- (ii) Sulaiman Mohammed Sulaiman, against Abuja Electricity Distribution Company (AEDC), over alleged negligence that led to the electrocution of Late Ramadan Idris Sulaiman;
- (iii) Edison Okereke and others, against National Emergency Management Agency (NEMA), over the cancellation of their appointments after the 2019 recruitment exercise;
- (iv) Deji Morakinyo of Falana & Falana Chambers, against Urban Shelter Limited, FCDA and AMAC, over alleged unlawful revocation and demolition of shops No. D1-124, D1-125 and F4-4 at the new Apo Market, Apo, Abuja belonging to Peregrino Oil and Gas Limited without compensation; and
- (v) Deji Morakinyo of Falana & Falana Chambers, against Niger-Delta Development Commission (NDDC), over alleged uncredited payment of their client's IPC-4 uploaded on 15th July, 2019 amounting to Eight Hundred and Eighteen Million, One Hundred and Ninety Nine Thousand, Forty One Naira, Sixty Five Kobo (₦818, 199,041.65)

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 41(3)] to report within two (2) weeks.

6. **Presentation of Bills:**

- (i) Federal Medical Centre Obukpa, Nsukka Enugu State (Establishment) Bill, 2021 (SB. 599) — *Read the First Time.*
- (ii) Federal Orthopaedic Hospital Ukpok, Anambra State (Establishment) Bill, 2021 (SB. 598) — *Read the First Time.*
- (iii) Federal College of Education Kaiama (Establishment) Bill, 2021 (SB. 655) — *Read the First Time.*
- (iv) Nigeria Cocoa Development Council (Establishment) Bill, 2021 (SB. 649) — *Read the First Time.*
- (v) Clean Nigeria Agency (Establishment) Bill, 2021 (SB. 652) — *Read the First Time.*

7. **Committee on Defence:**

Report of the Committee on Defence on the Confirmation of the Nominations for Appointment as Chief of Defence Staff and Service Chiefs for the Armed Forces of the Federal Republic of Nigeria:

Motion made: That the Senate do receive and consider the Report of the Committee on Defence on the confirmation of the nominations of the following persons for appointment as Chief of Defence Staff and Service Chiefs for the Armed Forces of the Federal Republic of Nigeria.

No.	Names	Position
(i)	Maj. General Lucky Eluonye Onyenucheya Irabor	Chief of Defence Staff
(ii)	Maj. General Ibrahim Attahiru	Chief of Army Staff
(iii)	Rear Admiral Awwal Zubairu Gambo	Chief of Naval Staff
(iv)	Air Vice Marshal Isiaka O. Amao	Chief of Air Staff

(Senator Aliyu M. Wamakko — Sokoto North).

Question put and agreed to.

Report Laid and presented.

Debate:

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report *(Senate Leader)*.

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Defence on the confirmation of the nomination of the following persons for appointment as Chief of Defence Staff and Service Chiefs for the Armed Forces of the Federal Republic of Nigeria:

Nominees recommended for confirmation:

(i)	Maj. General Lucky Eluonye Onyenucheya Irabor <i>(Chief of Defence Staff)</i>	—	<i>Agreed to.</i>
(ii)	Maj. General Ibrahim Attahiru <i>(Chief of Army Staff)</i>	—	<i>Agreed to.</i>
(iii)	Rear Admiral Awwal Zubairu Gambo <i>(Chief of Naval Staff)</i>	—	<i>Agreed to.</i>
(iv)	Air Vice Marshal Isiaka O. Amao <i>(Chief of Air Staff)</i>	—	<i>Agreed to.</i>

Chairman to report progress.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Defence on the confirmation of the nomination for appointment as Chief of Defence Staff and Service Chiefs for the Armed Forces of the Federal Republic of Nigeria and approved the nomination.

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

Confirmation of nominations:

Question:

“Will the Senate confirm the nomination of Maj. General Lucky Eluonye Onyenucheya Irabor for appointment as Chief of Defence Staff?” — *Resolved in the Affirmative.*

Nomination of Maj. General Lucky Eluonye Onyenucheya Irabor for appointment as Chief of Defence Staff accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Maj. General Ibrahim Attahiru for appointment as Chief of Army Staff?” — *Resolved in the Affirmative.*

Nomination of Maj. General Ibrahim Attahiru for appointment as Chief of Army Staff accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Rear Admiral Awwal Zubairu Gambo for appointment as Chief of Naval Staff?” — *Resolved in the Affirmative.*

Nomination of Rear Admiral Awwal Zubairu Gambo for appointment as Chief of Naval Staff accordingly confirmed.

Question:

“Will the Senate confirm the nomination of Air Vice Marshal Isiaka O. Amao for appointment as Chief of Air Staff?” — *Resolved in the Affirmative.*

Nomination of Air Vice Marshal Isiaka O. Amao for appointment as Chief of Air Staff accordingly confirmed.

8. Committee on Establishment and Public Service:

Report of the Committee on Establishment and Public Service on the Chartered Institute of Forensic Investigative Professionals of Nigeria (Establishment) Bill, 2021 (SB. 615):

Motion made: That the Senate do receive and consider the Report of the Committee on Establishment and Public Service on the Chartered Institute of Forensic Investigative Professionals of Nigeria (Establishment) Bill, 2021 (*Senator Ibrahim Shekarau — Kano Central*).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF FORENSIC AND INVESTIGATIVE PROFESSIONALS OF NIGERIA FOR EFFECTIVE REGULATION, REGISTRATION OF MEMBERS AND DETERMINATION OF WHAT STANDARD KNOWLEDGE AND SKILLS TO BE ATTAINED BY PERSONS SEEKING TO BECOME REGISTERED MEMBERS, AND QUALIFY TO PRACTICE AS FORENSIC AND INVESTIGATIVE PROFESSIONALS; AND FOR RELATED MATTERS (SB.615).

PART I — ESTABLISHMENT OF CHARTERED INSTITUTE OF FORENSIC AND INVESTIGATIVE AUDITORS OF NIGERIA.

- Clause 1:**
- (1) There is established the Chartered Institute of Forensic and Investigative Professionals of Nigeria (in this Bill referred to as 'the Institute').
 - (2) The Institute —
 - (a) is a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name; and
 - (c) may acquire, hold and dispose of any property, movable and immovable.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 2: Membership of the Institute.

- (1) Subject to the provision of this Bill, a person admitted to membership of the Institute shall be registered as a member into the following categories of:—
 - (a) Fellow (FCFP),
 - (b) Chartered Member (CFP),
 - (c) Member (Associate) (AFP),
 - (d) Graduate Member (GFP),
 - (e) Student Member (SFP), and
 - (f) Honorary Fellow (HFFP)

Provide they meet the criteria set by the Council for registration in the respective category from time to time.

- (2) A person registered under this Bill as a forensic investigative professional is entitled to be enrolled as—
 - (a) a Fellow, if he—
 - (i) satisfies the Council that for the period of 10 years immediately preceding the date of application, he has been a financial and chartered member of the Institute,

- (ii) has been in continuous active practice on his own as forensic investigator or in partnership with other forensic investigators,
 - (iii) has attended the national conference of the Institute for at least six times, and have participated in the mandatory continuing education for 10 years,
 - (iv) has been nominated by the Council or his is a Fellow of any reputable forensic body in Nigeria or abroad as may be recognised by the Council through a circular,
 - (v) has held senior management positions in organisation either in the private or public sector for at least 10 years,
 - (vi) satisfies all other criteria as may be specified by the Council.
- (b) a Chartered Member, if he —
- (i) holds a university degree or its equivalent in computer forensics, cyber forensics, cybercrimes, forensic accounting, accountancy, finance, law, criminology, taxation, economics, psychology or such other disciplines as may be approved by the Council,
 - (ii) holds professional qualification in law, criminology, accounting, taxation, auditing, economics, finance, psychology, computer forensic, system audit, with at least five years post professional experience,
 - (iii) possess practical experience as a forensic investigator in fraud detection, prevention and investigation for at least five years immediately preceding the date of application to be enrolled as chartered member, or
 - (iv) satisfies the Council that he has passed relevant examination prescribed or accepted by the Institute.
- (c) an Associate Member, if he —
- (i) holds university degree in the relevant field as may be deemed fit by the Council,
 - (ii) satisfies the Council that he has passed relevant examination prescribed or accepted by the Institute, Fourth Schedule.
 - (iii) is an associate member or its equivalent of any reputable and professional forensic bodies as set out in the Fourth Schedule and recognised by the Council through a circular, or
 - (iv) is otherwise considered by the Council eligible to be so enrolled.

- (d) a Graduate Member, if he —
 - (i) holds a university degree in computer forensics, cyber forensics, law, finance, criminology, accounting, taxation, economics, psychology, information technology and received the approved training and passed the relevant examinations prescribed by the Institute; or
 - (ii) is otherwise considered by the Institute to be eligible to be so controlled or registered;
 - (e) a Student Member, if he:—
 - (i) passed a preliminary qualifying examination or has reached a standard of education prescribed by the Council, or
 - (ii) is undergoing a degree programme or its equivalent in computer forensics, accountancy, forensic accounting, finance, criminology, psychology or other approved course acceptable to the Council for enrollment;
 - (f) an Honorary if, in the opinion of the Council, he has —
 - (i) rendered outstanding support to advance forensics and the course of forensic investigators in Nigeria and abroad, and
 - (ii) been found worthy to be invited by the Council to be so enroll.
- (3) A member of the Institute is entitled to receive from the Council, a letter of registration of membership for the category of membership and —
- (a) a member registered into the category of Student Member is entitled to use the initial, SFP;
 - (b) a member registered into the category of Graduate Member is entitled to use the initial, GFP
 - (c) a member registered into the category of Member Associate is entitled to use the initials, AFP;
 - (d) a member registered into the category of Chartered Member is entitled to use the initials, CFP;
 - (e) a member registered into the category of Fellow is entitled to use the initials, FCFP;
 - (f) a member registered into the category of Honorary Fellow is entitled to use the initials, HFFP; after his name as may be authorised by the Council.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

PART II — FUNCTIONS AND RESPONSIBILITIES OF THE INSTITUTE

- Clause 3:** (1) The Institute shall —
- (a) promote and advance the forensic sciences and technology in investigations in all ramifications, techniques and mechanisms for fraud prevention, detection and investigation in public and private organisations that engender integrity, objectivity and trust in forensic reporting process to inspire public confidence in the Nigerian economic system (in this Bill referred to as "the profession") in Nigeria;
 - (b) determine the standards of knowledge and skill to be attained by persons seeking to become registered members of the Institute, and review those standards;
 - (c) offer platform for energetic and practical professionals to learn the techniques that go beyond the basic knowledge of crimes, fraud detection, auditing and information technology;
 - (d) provide excellent opportunities on national and international level to deliver the skills and techniques of forensic investigation that engender transparency, accountability in anti-fraud and fraud investigation;
 - (e) promote and maintain high standard professional etiquette and conduct of its members in tune with global best practices;
 - (f) promote and facilitate the training, education and examination of persons desiring to become professional forensic investigators, fraud investigators, forensic auditors and cybercrime forensic specialist according to the provisions of this Bill;
 - (g) develop and improve the technique and practice of forensic investigations in all ramifications and to promote the study of, and provide instruction in, forensic investigation and forensic audit field;
 - (h) collaborate with relevant government organisations in the training of professionals on forensic investigation, forensic auditing, white collar crimes investigation, fraud prevention, detection and investigation;
 - (i) promote a specialised organisation for qualified and experienced forensic investigators, criminal investigators, fraud investigators, forensic auditors and forensic students and to do such other that may be necessary or desirable to maintain and advance the status and interest of the profession;
 - (j) promote knowledge, proficiency, professional skills of its students and members in private practice, service and employment of government and semi-government, municipal, industrial, financial institutions and commercial organisations;

- (k) provide a professional institute and certification for forensic investigators, that will further enhance anti-fraud and forensic training and education amongst members, cybercrime forensic specialists and forensic auditors;
- (l) promote and maintain high standards of professional etiquettes and conduct;
- (m) require Chartered Forensic Professionals and Chartered Cyber Forensic Specialists (CFP/CCFS) members to adhere to a strict code of professional conduct and ethics;
- (n) serve as forensic investigators, forensic auditors to businesses, the government and academic institutions;
- (o) provide skills and professional certification for forensic and investigative professionals, forensic auditors, cybercrimes forensic specialists, forensic investigators and as a whole, through knowledge based for forensic and investigative professionals;
- (p) imbibe professionalism in both the private and public sector of the economy for efficiency and effectiveness in line with global best practices;
- (q) provide bona fide qualifications for chartered forensic investigators, forensic auditing and chartered cyber forensic specialists through administration of the CFP/CCFS Examination from stage one - three (PE1-PE3);
- (r) certify members desirous to go into private practice as forensic investigators, forensic auditors and those that shall be involved in white crime investigation and other forensic investigations in Nigeria, after passing the prescribed examination or test;
- (s) be a regulatory body for forensic investigators in Nigeria;
- (t) promote and encourage the study and development of the art and science of thesis, allied subjects, practice and establishment of colleges of forensic investigation professionals of Nigeria or forensic investigation professionals academy of Nigeria for the purpose of a suitable scheme of education and system of examination in the subject of forensic investigation, cyber-crimes specialist, forensic auditing, forensic accounting, criminal investigating, cyber security and allied disciplines for candidates desirous for membership of the Institute for the purpose of laid down suitable course of study and scheme of education, to organise proper training and make adequate and comprehensive educational arrangement in the academic and practical fields;
- (u) provide consultancy services to the public and private organisations on forensic evidence and forensic investigations;

- (v) offer advice to government at all levels on matters of policy relating forensics and forensic investigations;
 - (w) arrange and organise conferences, seminars, symposia, trainings, workshops and meetings for discussion of forensic investigation, cybercrime forensic specialist and related matters, reading of papers and delivery of lectures, periodic issue of journals of the Institute, publishing copies of abridgement of papers, books, post qualification courses, lectures, records and other memoranda to increase knowledge, professional skills and efficiency of its students and members in the private and public sector; and
 - (x) perform such other functions as are incidental to the objects or as the Council may deem necessary for the attainment of all or any of the objectives of the Institute, from time to time.
- (2) From the commencement of this Bill, members of the Institute shall practise as forensic investigators in —
- (a) fraud prevention, detection and investigation;
 - (b) cyber and computer forensics (including digital and multimedia forensics);
 - (c) forensic and trace evidence analysis;
 - (d) forensic linguistics;
 - (e) criminalities and crime scene investigation;
 - (f) forensic auditing;
 - (g) forensic voice and facial recognition;
 - (h) digital and cybercrimes forensic;
 - (i) litigation support and expert witness;
 - (j) cyber security forensic;
 - (k) forensic sciences;
 - (l) forensic investigations;
 - (m) forensic pathology, anthropology and toxicology; and
 - (n) other areas that may be approved by the Council in accordance with this Bill or as may be stipulated by an Act of the National Assembly.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

PART III — ELECTION OF PRESIDENT, FIRST AND SECOND
VICE-PRESIDENTS OTHER PRINCIPAL OFFICERS OF THE INSTITUTE

Clause 4: Election of President, Qualifications and Tenure of Office.

- (1) There shall be a President and the 1st and 2nd Vice-Presidents of the Institute who shall be Fellows of the Institute.
- (2) The President and Vice-Presidents shall be elected at the Annual General Meeting (AGM) of the Institute and shall each hold office for a term of two years from the date of the election and no provision for re-election with the exception of the founding or pioneer President.
- (3) The President shall be the Chairman of the Council established under section 5 of this Bill.
- (4) The President shall preside at all meetings of the Institute and, in the event of his absence, death, permanent incapacity or disability, the First Vice-President or, in the absence of the First Vice-President, the second Vice-President shall preside.
- (5) The First Vice-President shall, in the event of the death, permanent incapacity or disability of the President, act for the unexpired terms of his office and the Second Vice-President shall assume the office of the First Vice-President, and the Council shall appoint one of its members to assume the post of the Second Vice-President and reference in this Bill to the President shall be construed accordingly.
- (6) The President shall be a Fellow of the Institute and a holder of M.Sc in Accounting or in any relevant field and shall have been fully involved in the activities of the Institute and a financial member for at least not less than 5 years to be qualified for nomination as President of the Institute.
- (7) The tenure of office of the President is two years, but in the case of the founding/pioneer President, it shall be two tenures in office as President from the date of commencement of this Bill.
- (8) If the President or any of the Vice Presidents cease to be a member of the Institute he shall ipso facto cease to hold any of the offices designated under his section.
- (9) The President shall hold office until his successor is elected to take over from him or her at the Annual General Meeting of the Institute.
- (10) The principal officers of the Institute are the —
 - (a) President;
 - (b) First and Second Vice Presidents;
 - (c) Registrar;
 - (d) Treasurer; and
 - (e) Legal Adviser.

- (11) The principal officers listed under subsection (10) shall be financial members of the Institute in the grade of Fellows and are to be elected to office biennially at the second Council meeting for another two years, and no more.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

PART IV — GOVERNING COUNCIL OF THE INSTITUTE, ITS MEMBERSHIP AND FUNCTIONS

Clause 5: Establishment of Governing Council, its Membership and Functions.

- (1) There is established for the Institute, a Governing Council (in this Bill referred to as "the Council") charged with responsibility for policy making, administration and general management of the Institute.
- (2) The Council shall consist of —
- (a) the President of the Institute, who is the Chairman of the Council;
 - (b) two Vice-Presidents;
 - (c) the immediate past President of the Institute;
 - (d) eight Fellows of the Institute who shall be experts in forensic investigation practice and financially active;
 - (e) the Registrar of the Institute, who is also the Secretary of the Council;
 - (f) two persons who are Fellows of the Institute to represent institutions of higher learning in Nigeria in rotation, but the two shall not come from the same institution;
 - (g) two representatives of the Federal Government who are not below the rank of a Director and shall be members of the Institute; and
 - (h) two pioneer trustees of the Institute and the founding or Pioneer President.
- (3) The President and members of the Council shall be paid such emoluments, allowances as may be prescribed by the Council.

FIRST SCHEDULE

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

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

PART V — FINANCIAL PROVISIONS

Clause 6: Fund of the Institute, estimates, expenditure, account and audit.

- (1) There shall be established for the Institute a fund (in this Bill referred to as "the Fund"), which shall be managed and controlled by the Council.
- (2) There shall be paid into the fund —
 - (a) all fees, charges and monies payable to the Institute under this Bill; and
 - (b) such other money as may be received by the Institute in the course of its operation or in relation to the performance of any of its functions under this Bill.
- (3) There shall be paid out of the Fund of the Institute:—
 - (a) the remuneration of the Registrar and other employees of the Institute;
 - (b) such reasonable travelling and subsistence allowances of members of the Council in respect of time spent on the business of the Council as the Council may determine; and
 - (c) any other expenses incurred by the Council in the performance of its functions under this Bill.
- (4) The Council may invest money from the Fund in any security created or issued by or on behalf of the Federal Republic of Nigeria or in any other security in Nigeria approved by the Council.
- (5) The Council may borrow money for the purposes of the Institute at an interest agreed by the Council, which shall be paid out of the Fund.
- (6) All the Members in Nigeria shall cause to be paid to the Fund, an annual subscription as may be agreed by the Council.
- (7) The Institute shall, not later than 31st December of each year, approve the estimate of its expenditure and income for the next succeeding year as may be prepared by the President and lay before the Council for approval.
- (8) The Institute shall accept money in form of gift, loans, grants-in-aid, intervention from government, national, international, bilateral and multilateral agencies or otherwise.
- (9) The Council shall, on behalf of the Institute —
 - (a) keep proper books of accounts in respect of each financial year and proper records in relation to those accounts; and
 - (b) cause the accounts to be audited after the end of the year, to which the account relates by a firm of auditors approved by the Institute and, when audited, the account shall be submitted to the members of the Institute for approval at an Annual General Meeting of the Institute.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

PART VI — APPOINTMENT OF REGISTRAR AND PREPARATION OF REGISTER

Clause 7: Appointment of Registrar and preparation of register.

- (1) There shall be a Registrar of the Institute who shall be:—
 - (a) a fit and proper person and the Chief Executive Officer (CEO) of the Institute for the purpose of this Bill; and
 - (b) in charge of the day to day running of the Institute, and the Council may give directives to the Registrar in the performance of his functions under this Bill.
- (2) The Registrar shall in addition to other functions under this Bill, be the Secretary of the Council and shall keep minutes of the proceedings of all meetings of the Council.
- (3) A person shall be qualified to be appointed to the office of the Registrar of the Institute if he —
 - (a) is a citizen of Nigeria;
 - (b) possesses a minimum qualification of second degree in the relevant from a recognized institution of higher learning;
 - (c) has at least 10 years cognate experience; and
 - (d) possesses any professional qualification as the Council may deem fit from —
 - i. Institute of Forensic and Investigative Professionals of Nigeria; or
 - ii. accounting, auditing, and other relevant professional institutions, but shall report to the President and Chairman of the Council of the Institute.
- (4) If the Registrar retires or resigns from office, a qualified member of the Institute shall be appointed by the Council as the Registrar of the Institute and shall be in charge of affairs from that moment.
- (5) The Registrar to prepare and maintain, in accordance with rules made by the Council, a register of the names, addresses, approved qualifications, and of such other qualifications and particulars as may be specified in the rules of all persons who are entitled in accordance with the provisions of this Bill to be registered as members of the Institute and who, in the manner prescribed by such rules, apply to be so registered.
- (6) There shall other staff of the Institute who shall be appointed by the Registrar with the approval of the Council to assist the Registrar in the running of the Institute.

- (7) There shall be for the purpose of this Bill, the register of Members which shall consist of four parts of which:—
- (a) the first part in respect of Student Members;
 - (b) the second part in respect of Graduate Members;
 - (c) the third part in respect of Associate Members;
 - (d) the fourth part in respect of Chartered Members;
 - (e) the fifth part in respect of Fellows; and
 - (f) the sixth part in respect of Honorary Fellows.
- (8) Subject to this section, the Council shall make rules with respect to the form and keeping of the register and the making of entries in it, and in particular:—
- (a) regulate the making of applications for registration, as the case may be, and provide for the evidence to be produced in support of such applications;
 - (b) provide for the notification to the Registrar, by the person to whom any registered particulars relate, of any change in those particulars;
 - (c) authorise a registered person to have any qualification which is in relation to the relevant division of the profession, either an approved qualification or accepted qualification for the purpose of this Act, entered in relation to his name in addition or to as he may elect, in substitution to any other qualification so registered;
 - (d) specify the fees, including any annual subscription, to be paid to the Institute in respect of the entry of names on the register, and authorise the registrar to refuse to enter a name on the register until any fee specified for the entry has been paid; and
 - (e) keep all Institute's documents, seal, and other security documents:—

Provided that the rules made for the purpose of this subsection shall not come into effect until they are confirmed at a special meeting of the Institute convened for the purpose or at the next Annual General Meeting, as the case may be.

- (9) The Registrar shall —
- (a) correct any entry in the register in accordance with the Council's rules;
 - (b) make necessary alteration in respect of the particulars of registered members;
 - (c) remove from the register the name of deceased members;

- (d) record the names of members of the Institute who are in default for more than 12 months in the payment of annual subscriptions, and to take such action in relation thereto, including removal of the names of defaulters from the register, as the Council may direct or require; and
 - (e) re-register members whose name is removed from the register for being in default of payment of subscription for one year, subject to payment of outstanding subscriptions and re-registration fees as may be approved by the Council.
- (10) If the Registrar—
- (a) sends by post to any registered person, a letter addressed and delivered to him at his address usually on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within the period of six months from the date of posting it, and
 - (b) upon the expiration of six months in paragraph (a), sends in the like manner to the person in question, a second similar letter and receives no reply to that letter within three months from the date of posting it, the Registrar may include the name of the person in the list of special cases under this subsection for the Council's consideration and may if directed by the Council remove the particulars relating to the person in question from the register.

Provided that, the Registrar restore to the appropriate part of the register any particulars removed therefrom, pursuant to this subsection.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 8: Publication of Register and list of corrections, etc.

- (1) The Registrar shall —
 - (a) cause the register to be printed, published and put on sale to members of the public not later than two years from the commencement of this Bill.
 - (b) thereafter in each year, to cause to be printed, published and put on sale, either a corrected edition of the register or list of corrections made to the register, since it was last printed;
 - (c) cause a print of each edition of the register and of each list of corrections to be deposited at the principal office of the Institute; and
 - (d) keep the register and lists so deposited and to make the register and such lists available to members of the public at all reasonable times for inspection.

- (2) A document purporting to be a print of an edition of a register published under this section by the Registrar or documents purporting to be prints of an edition of a register so published, shall (without prejudice to any other mode of proof) be admissible in any proceeding as evidence that any person specified in the document or the documents read together, as being registered, was so registered at the date of the edition or of the list of corrections as the case may be, and that any person not so specified was not so registered.
- (3) Where in accordance to subsection (2), a person is, in any proceeding, shown to have been or not have been registered at a particular date, he shall, unless the contrary is proved, be taken for the purpose of those proceedings as having at all material times continued to be or not to be so registered.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 9: Registration of members of the Institute

- (1) Subject to the provisions of section 7 of this Bill, a person shall be entitled to be registered as a member of the Institute if:—
- (a) he passes the qualifying examination for registration recognized or conducted by the Council under this Bill and completes the practical training prescribed; or
 - (b) he holds a qualification granted and for the time being accepted by the Institute and satisfies the Council that he has had sufficient practical experience either as a member of the profession or in other related profession in the private and/or public sectors; or
 - (c) he holds a qualification granted outside Nigeria and for the time being accepted by the Institute and is by law entitled to practice for all purposes as a professional forensic and investigative auditor in the country in which the qualification was granted.
- (2) An applicant for registration under this Bill shall, in addition to evidence of qualification, satisfy the Council that—
- (a) he is of good character;
 - (b) he has attained the age of 21 years; and
 - (c) he has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty;
 - (d) he fulfils his financial obligations to the Institute; and
 - (e) pass the prescribed examinations of the Institute.
- (3) The Council may provisionally accept a qualification produced in respect of an application for registration under this section, or direct that the application be renewed within such period as may be specified in the direction.

- (4) Any entry directed to be made in the register under subsection (3) shall show that the registration is provisional and no entry so made shall be converted to full registration without the consent of the Council signified in writing in that behalf.
- (5) The Council shall publish, in the Federal Government Gazette, particulars of qualifications for the time being acceptable for registration by the Institute.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 10: Approval of qualifications, etc.

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

- (5) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in the instrument and the Council shall —
- (a) immediately, publish a copy of every such instrument in the Gazette; and
 - (b) not later than seven days before its publication, send a copy of the instrument to the Minister.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 11: Supervision of instructions and examinations leading to approved qualifications

- (1) The Council to keep itself informed of the nature of —
 - (a) the instruction given at approved institutions to persons attending approved courses of training; and
 - (b) the examinations as a result of which approved qualifications are granted, and for the purposes of performing that duty, the Council may appoint, either from among its members or otherwise, persons to visit approved institutions or to observe such examinations.
- (2) It is the duty of a person appointed under this section to report to the Council on —
 - (a) the adequacy of the instruction given to persons attending approved courses of training at institutions visited by him;
 - (b) the adequacy of the examinations attended by him; and
 - (c) any other matters relating to the institutions or examinations on which the Council may, either generally or in a particular case, request him to report, but no such person shall interfere with the giving of any instruction or the holding of any examination.
- (3) On receiving a report made in pursuance of this section, the Council may, if it thinks fit, and shall, if so required by the institution, send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examination to which the report relates, requesting that person to make an observation on the report to the Council within such period as may be specified in the request, not being less than one month beginning with the date of the request.
- (4) There is established Colleges of Forensic and Investigative Professionals of Nigeria or Forensic Investigation Professionals Academy of Nigeria (in this Bill referred to as "the College or Academy"), a training arm of the Institute where prospective members shall undergo training for a specified period of time and passed relevant examinations before induction into membership.

- (5) There shall be the Director-General for the College who shall be in charge of the running of the College or Academy, and the activities of the College or Academy shall be regulated by the Council.
- (6) There shall be other Directors and relevant officers to be appointed by the Director-General with the approval of the Council for the smooth running of the College.
- (7) Students of Forensic that studied forensics in all ramifications at first degree level shall move strait to the College or Academy to study for one year and pass professional exams and be inducted before he can go for National Youth Service, after which such student shall be issued a post graduate diploma certificate or associate certificate upon graduation.
- (8) Professional students of forensic investigative professionals of Nigeria who have passed professional qualification examinations and inducted as chartered members of the Institute are entitled to grade level 10 in any government establishment in Nigeria.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

PART VII — PROFESSIONAL DISCIPLINE

Clause 12: Establishment of investigating panel and disciplinary tribunal.

- (1) There is established Chartered Institute of Forensic and Investigative Professionals of Nigeria the Investigating Panel (in this Bill referred to "the Panel") charged with the duties of —
 - (a) conducting a preliminary investigation into any case where it is alleged that a member has committed an act of professional misconduct, or shall for any other reason be the subject of proceedings before the Tribunal; and
 - (b) deciding whether the case shall be referred to the Tribunal after affording such a member an opportunity of being heard either personally or by a legal practitioner of his own choice in Nigeria.
- (2) The Panel shall be appointed by the Council and shall consist of five members —
 - (a) two members of the Council, one of whom shall be the Chairman of the Panel; and
 - (b) three members of the Institute who are not members of the Council or the Tribunal.
- (3) The Panel shall act independently in receiving and investigating allegations under subsection (3) (a) and shall have power to receive complaints directly from any individual or organisation.

- (4) There is established the Chartered Institute of Forensic and Investigative Professionals of Nigeria Disciplinary Tribunal (in this Act referred to as "the Tribunal") charged with the duty of considering and determining any case referred to it by the Panel established under subsection (3), and any other case which the Tribunal takes cognisance under this Bill.
- (5) The Tribunal shall be constituted by the Council and shall consist of seven members —
 - (a) the Vice-President of the Institute who shall be the Chairman;
 - (b) two Council members; and
 - (c) four members of the Institute who are not members of the Council.
- (6) A person shall not be appointed as a member of the Tribunal or of the Panel unless such a person is a Fellow of the Institute.
- (7) The provisions of Third Schedule to this Bill shall have effect with respect to the Tribunal and Panel.
- (8) The Council shall not make rules that are consistent with this Act as to acts, conducts or omissions, which constitute professional misconduct.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 13: Penalties for professional misconduct.

- (1) Where:—
 - (a) a person is adjudged by the Disciplinary Tribunal to be guilty of unprofessional conduct in any professional respect; or
 - (b) a person is convicted, by any court or tribunal in Nigeria or elsewhere having power to award imprisonment for an offence (whether or not punishable with imprisonment) which in the opinion of the Disciplinary Tribunal is incompatible with the conduct required of a member of the profession; or
 - (c) the Disciplinary Tribunal is satisfied that the name of the person has been fraudulently registered, the Tribunal shall, after receiving the confirmation of its decision from the Council; convey a direction to the person concerned reprimanding that person, or ordering the Registrar to struck out his name off the relevant part of the register.
- (2) A person who commits an offence and is found guilty by the decision of the Tribunal shall be liable to the maximum sanction of having his name struck out from the register of members.
- (3) The Tribunal may, if it thinks fit, defer or further defer its decision as to the giving of a direction under subsection (1) until a subsequent meeting of the Tribunal, but no —

- (a) decision shall be deferred under this subsection for periods exceeding three months from the conclusion of proceedings in the case; and
 - (b) person 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 Disciplinary Tribunal when the decision was deferred.
- (4) For the purposes of paragraph (1) (b), a person shall not be treated as guilty as therein mentioned, unless the guilt stands at a time when no appeal or further appeal is pending or may, without extension of time, be brought in connection with the direction.
- (5) When the Tribunal gives a direction under subsection (1), the Tribunal shall cause notice of the direction to be served on the person to whom it relates.
- (6) The person to whom such a direction relates may, at any time within 28 days from the date of service on him of the notice of the direction, appeal against the direction to the Federal High Court and where necessary to the Court of Appeal, and the Tribunal shall appear as respondent to the appeal and, for the purpose of enabling directions to be given as to the costs of the appeal and of proceedings before the Federal High Court or Court of Appeal, the Tribunal is deemed to be a party thereto whether or not it appears at the hearing of the appeal.
- (7) A direction of the Tribunal given under subsection (1), shall take effect where —
- (a) no appeal under this section is brought against the direction, within the time limited for such an appeal, or on the expiration of that time;
 - (b) 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) such an appeal is brought and is not withdrawn or struck out as a fore said, if and when the appeal is dismissed and shall not take effect except in accordance with the foregoing provisions of this subsection.
- (8) A person whose name is struck off the register in pursuance of a direction of the Tribunal under this section, is not entitled to be registered again, except, in pursuance of a direction in that behalf, and a direction under this section for the striking off of a person's name from the register prohibits him from making an application for membership or restoration of his membership until after the period specified by the direction that his name should remain struck off, and if he makes an application during the currency of the prohibition, such an application shall be invalid.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

PART VIII — MISCELLANEOUS

Clause 14: Application of the Bill to un-enrolled persons.

- (1) Any person not being a member of the Institute who, but for this Bill, would have been qualified to apply for and obtain membership of the Institute may, within a period of three months from the commencement of this Bill, apply for the membership of the Institute in such a manner as may be prescribed by the Council.
- (2) Where an application under subsection (1) is approved by the Council, the applicant shall be registered, as the case may be, according to his qualification.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 15: Rules as to practice, etc.

- (1) The Council may make rules for —
 - (a) the training of registered members of the Institute and of suitable persons in professional practice; or
 - (b) the supervision and regulation of the engagement, training and transfer of such persons.
- (2) The Council may also make rules—
 - (a) prescribing the amount and date for payment of the annual subscription and annual renewal of a studentship and for such purpose, different amounts may be prescribed by the rules for a Member, Chartered Member, Fellow, Honorary Fellow of the Institute;
 - (b) prescribing the form of licence to practice to be issued annually or, if the Council thinks fit, by endorsement on an existing licence;
 - (c) restricting the right to practice as a Chartered Member of the Institute in default of payment of the amount of the annual subscription where the default continues for longer than such period as may be prescribed by the rules;
 - (d) restricting the right to practice as a member of the Institute if the qualification granted outside Nigeria does not entitle the holder to practice as a member of the profession; and
 - (e) prescribing the period of practical training in the office of a Chartered Member of the profession in practice to be completed before a person qualifies for a license to practice as a member of the profession.

- (3) Rules when made shall, if the Chairman of the Council so directs, be published in the Gazette.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 16: When a person is deemed to practice as forensic and investigative professional

A person is deemed to practise as forensic and investigative professional if, in consideration of remuneration received or to be received, and whether by himself or in partnership with any other person, he--

- (a) engages himself in the practice stipulated under this Act or holds himself out to the public as forensic and investigative professional;
- (b) renders professional service or assistance in any of the core areas of practice for the Institute; or
- (c) renders professional services which, by regulations of the Council, are deemed to be within the core practice areas of the Institute.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 17: Provision of library facilities.

The Institute shall--

- (a) provide and maintain an equipped forensic laboratory, a library, comprising books and publications for the promotion and advancement of knowledge of the profession, and such other books and publications as the Council may deem necessary for that purpose;
- (b) encourage research into forensic auditing and forensic investigations methods and allied subjects to the extent that the Council may determine; and
- (c) offer relevant courses in collaboration with tertiary institutions in Nigeria and internationally to graduate students in their desire fields.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 18: Regulations and Rules.

Rules made for the purposes of this Bill shall be subject to confirmation by the Institute at its next Annual General Meeting or at any special meeting of the Institute convened for the purpose, and if then annulled shall cease to have effect on the day after the date of annulment, but without prejudice to anything done in pursuance or intended pursuance of any such rules.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 19: Offences and penalties

- (1) If any person, for the purpose of procuring the registration of any name, qualification or other matter:—
 - (a) makes a statement which he believes to be false, or
 - (b) recklessly makes a statement which is false, commits an offence.
- (2) If, on or after the coming into effect of this Bill, any person who is not a member of the Institute, practices as a member of the Institute or uses any name, title, addition or description implying that he is a member of the Institute, commits an offence.
- (3) In the case of a person referred to in section 14 of this Bill—
 - (a) the provisions of subsection (2) shall not apply in respect of anything done by him during the period of three months of practical training; and
 - (b) if within that period he duly applies for membership of the Institute, then unless within that period he is notified that his application has not been approved, the provision of subsection (2) shall not apply in respect of anything done by him between the end of that period and the date which he is registered or is notified.
- (4) A person employed by, or on behalf of the Institute who willfully makes any falsification in any matter relating to the register, he commits an offence.
- (5) A person who commits an offence under this section is liable—
 - (a) on summary conviction, to a fine of at least ₦500,000:00; or
 - (b) on conviction on indictment, to a fine of at least ₦1,000,000:00; or
 - (c) on conviction, to imprisonment not exceeding two years, or both.
- (6) Where an offence under this section has been committed by a body corporate is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any such capacity, he, as well as the body corporate, are deemed to commit that offence and are liable to be proceeded against and punished accordingly.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 20: Transfer to the Institute of certain assets and liabilities.

- (1) On the commencement of this Bill —
- (a) all assets and liabilities held or incurred immediately before that day by or on behalf of the Incorporated Institute shall, by virtue of this Act vest in the Institute and be held by it for the purposes of the Institute established;
 - (b) the Incorporated Institute shall cease to exist; and
 - (c) subject to subsection (2), any act or thing made or done by the Incorporated Institute is deemed to have been made or done by the Institute established by this Bill.

THIRD SCHEDULE

- (2) The supplementary provisions of the Third Schedule to this Act shall have effect with respect to matters arising from the transfer by this Bill to the Institute of the property of the Incorporated Institute and with respect to the other related matters.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 21: Interpretation

In this Bill —

"AFP" means Associate of Forensic Professional;

"audit" means to analyse and evaluate something and auditor used in this Bill is forensic analysis and evaluation as it applies to a broad spectrum of human endeavors to wit approved;

"CFP" means Chartered Forensic Professional;

"Council" means the Governing Council of the Institute established under section 5 (1) of this Bill;

"FCFP" means Fellow, Chartered Forensic Professionals;

"fees" includes annual practising fees payable by members of the Institute under the provisions of this Bill;

"forensic" means application of scientific methods and techniques to the prevention, detection and investigation of crime of fraud to come up with evidential report tenable in the court of competent jurisdiction;

"forensic and investigative professional" means any person registered as a Fellow, Chartered Member, Associate, Graduate or Student Member or Honorary Member under this Bill and who deploys cutting edge technologies or other forensic skills to investigate and procure or unravel concealed evidence necessary for the prosecution of fraud or other crimes;

"GFP" means Graduate Forensic Professional;

"HFFP" means Honorary Fellow Forensic Professional;

"Incorporated Institute" means the Chartered Institute of Forensic and Investigative Professionals of Nigeria incorporated under the Companies and Allied Matters Bill;

"Institute" means Chartered Institute of Forensic and Investigative Professionals of Nigeria;

"Investigative" means an activities that involves getting to the root and the truth or gathering facts in forensic;

"Member" means a member of the Council and includes the President and Vice-Presidents;

"Panel" means the Chartered Institute of Forensic and Investigative Professionals of Nigeria Investigating Panel established under section 12 (1) of this Bill;

"President" and "Vice President" mean respectively the office holders under those names in the Institute;

"Professionals" means persons competent or skilled in forensic investigation in all ramifications in Nigeria;

"qualification" means a university degree or its equivalent in computer forensics, cyber forensics, accountancy, forensic auditing, finance, economics, cyber security, law, criminal law, criminology, psychology, criminal justice administration or such other disciplines as may be approved by the Council;

"register" means the register of members of the Institute maintained under this Bill;

"registered" shall be construed accordingly;

"Registrar" means the Registrar of the Institute appointed by the Council under this Bill;

"SFP" means Student Forensic Professional;

"Tribunal" means the Chartered Institute of Forensic and Investigative Professionals of Nigeria under section 12 (4) of this Bill.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

Clause 22: Citation

This Bill may be cited as the Chartered Institute of Forensic and Investigative Professionals of Nigeria (Establishment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Ibrahim Shekarau — Kano Central*).

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

SCHEDULE
FIRST SCHEDULE

Section 5 (3)

Supplementary Provisions Relating to the Council, Qualifications and Tenure of Office of Members

Qualifications and tenure of office of members of the Council

1. (1) Subject to this paragraph, a member of the Council shall hold office for two years beginning from the date of his nomination.
- (2) A Council member shall be a holder of M.Sc. or MBA in accounting or finance or related fields, a fellow of the institute and professional qualification in forensic body from oversea and shall have been a financial member of the Institute for at least 10 years or as may be determined by the Council.
- (3) Any pioneer Council member who has contributed substantially to the growth of the Institute by way of financial contributions from the inception shall hold office for two tenures.
- (4) Any pioneer or founding member or trustee shall have veto power or vote in any question of removal of any principal officer of the Institute and two veto votes of any of the two pioneer or founding trustees shall override the general assembly vote on removal of any of the principal officers.
- (5) Any member of the Institute who ceases to be a member shall, if he is also a member of the Council, cease to hold office on the Council.
- (6) Any member may, by notice in writing under his hand addressed to the President of the Institute, resign his office.
- (7) A person, who retires from or otherwise ceases to be an elected member of the Council, is eligible again to become a member of the Council and any appointed member may be re-appointed.
- (8) Members of the Council shall, at its meeting next before the Annual General Meeting of the Institute, arrange for the two members of the Council appointed or elected and longest in office to retire at that Annual General Meeting.
- (9) President shall be nominated from the principal officers of the Institute according to the arrangement.
- (10) Elections or nomination to the Council shall be held in such manner as may be prescribed by rules made by the Council, and until so prescribed, they shall be decided by a show of hands.
- (11) If for any reason there is a vacation of office by a member and such member was —
 - (a) appointed by the Council or any other body, the Council or that body may appoint another fit and proper person from the area in respect of which the vacancy occurs; or
 - (b) elected, the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Institute appears to warrant the filling of the vacancy, co-opt some fit and proper person for such time.

Powers of the Council

2. The Council shall have power to do anything which, in its opinion, is calculated to facilitate the carrying on of the activities of the Institute.

Standing orders

3. (1) Subject to this Bill, the Council may, in the name of the Institute, make standing orders regulating the proceedings of the Institute or Council, and in the exercise of its powers under this Bill, may set up committees in the general interest of the Institute and make standing orders thereof.
- (2) The standing orders shall provide for decisions to be taken by a majority of the members, and in the event of equality of votes, the President of the Institute or the Chairman, as the case may be, shall have a casting vote.
- (3) The standing orders made for a committee shall provide for committee to report back to the Council on any matter referred to it by the Council.
- (4) The quorum of the Council is five and the quorum of a committee of the Council is determined by the Council.
- (5) The Council shall make bye laws for the Institute which shall be used by the Council and the State branches.
- (6) The Council shall establish offices and forensic laboratory in the 36 States of the Federation and Abuja as the headquarters.
- (7) The Council shall approve funds for the official residence and car of the President and vehicles for the Institute.

General Meeting of the Institute

4. (1) The Council shall convene the Annual General Meeting of the Institute on 30 June in every year or on such other day as the Council may appoint but if the meeting is not held within one year after the previous Annual General Meeting, not more than 15 months shall elapse between the respective dates of the two meetings:

Provided that, notice of the Annual General Meeting shall be given to all members of the Association not later than 21 days from the date of the meeting.

- (2) A special meeting of the Institute may be convened by the Council at any time and if at least 20 members of the Institute so require, by notice in writing addressed to the Chairman of the Council setting out the objects of the proposed meeting, the Chairman of the Council shall convene a special meeting of the Institute:

Provided that, notice of the Annual General Meeting shall be given to all members of the Institute not later than 21 days from the date of the meeting.

- (3) The quorum of any Annual General Meeting and shall be 20 members and that of any special meeting of the Institute shall be 10 members.

Meetings of the Council

5. (1) Subject to the provisions of any standing order of the Council, the Council shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice in writing given to him by at least five other members, he shall summon a meeting of the Council to be held within 14 days from the date on which the notice is given.

- (2) At any meeting of the Council, the Chairman or, in his absence, the First Vice-Chairman shall preside, or in the absence of the First Vice-Chairman, the Second Vice Chairman shall preside.
- (3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him as a member for such period as the Council deems fit; but a person who is a member by virtue of this subparagraph is not entitled to vote at any meeting of the Council or count towards a quorum.
- (4) Notwithstanding this paragraph, the first meeting of the Council shall be summoned by the President of the Institute.
- (5) The executive meeting shall consist of the President, the two Vice-Presidents, Treasurer, Secretary and the Legal Adviser of the Institute.

Committees

6. (1) The Council may set up one or more committees to perform, on behalf of the Institute or of the Council, such functions as the Council may determine.
- (2) A committee set up under this paragraph shall consist of the number of persons determined by the Council, of whom not more than one-third shall be persons who are not members of the Council and a person other than a member of the Council shall hold office on the Committee in accordance with the terms of the instrument by which he is appointed.
- (3) A decision of a committee of the Council is of no effect until it is confirmed by the Council.

Miscellaneous

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

10. A person shall not, by reason only of his membership of the Institute, be treated as holding an office in the Public Service of the Federation.

Question that the provision of the first Schedule stand part of the Bill, Agree to.

SECOND SCHEDULE

Section 12 (7)

Supplementary Provisions Relating to the Investigating Panel and Disciplinary Tribunal

The Investigative Panel

1. The quorum of the Panel is three.
2. (1) The Panel may, at any meeting attended by all the members of the Panel, make standing orders with respect to the Panel.
(2) Subject to the provisions of such standing orders, the Panel may regulate its own proceedings.

The Disciplinary Tribunal

3. The quorum of the Tribunal shall be four of whom at least two shall be members of the profession.
4. (1) The Council shall make rules as to the —
 - (a) election of members of the Tribunal for the purposes of any proceeding;
 - (b) procedure to be followed; and
 - (c) 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, shall be party to the proceedings;
 - (c) for securing that any party to the proceedings is, if so required, entitled to be heard by the Tribunal;
 - (d) for enabling any party to the proceedings to be represented by a legal practitioner;
 - (e) subject to section 13 (6) of this Bill, as to the costs of proceedings before the Tribunal;
 - (f) for requiring, in a case where it is alleged that the person who is subject of the proceedings is guilty of unprofessional conduct in any professional respect, that where the Tribunal adjudges that the allegation has not been proved, it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and
 - (g) for publishing notice of any direction of the Tribunal which has taken effect providing that a person's name shall be struck off the register.

5. For the purposes of any proceeding before the Tribunal, any member of the Tribunal may administer oaths and any party to the proceedings may issue out of the Registry of Federal High Courts writs of subpoena ad testificandum and duces tecum, but no person appearing before the Tribunal is compelled to —
- (a) make any statement before the Tribunal tending to incriminate himself; or
 - (b) produce any document under such a writ which he could not be compelled to produce at the trial of an action.
6. (1) For the purpose of advising the Tribunal on questions of law arising in the proceedings before it, there shall, in all proceedings, be an assessor to the Tribunal who shall be —
- (a) appointed by the Council; and
 - (b) a legal practitioner of at least seven years standing.
- (2) The Council shall make rules as to the functions of the assessor appointed under this paragraph, and in particular, such rules shall contain provisions for securing that—
- (a) 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 person representing a party to the proceedings who appears there or, if the advice is tendered while the Tribunal is deliberating in private, that every such party or person shall be informed on what advice the Assessor has tendered; and
 - (b) every such party or person shall be informed if in any case the Tribunal does not accept the advice of the assessor on such a question.
- (3) An assessor —
- (a) may be appointed under this paragraph either generally or for any particular proceedings or class of proceeding; and
 - (b) shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

Miscellaneous

7. (1) A person ceasing to be a member of the Tribunal or Panel is eligible for re-appointment as a member of the Panel or Tribunal as the case may be, but nobody shall serve in the Panel for more than two consecutive terms.
- (2) A person may, if otherwise eligible, be a member of both the Tribunal and Panel, but no person 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 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 authorised or required by virtue of this Bill to be served on the Tribunal or Panel shall be served on the Registrar.

10. Any expenses of the Tribunal or Panel shall be defrayed by the Institute.
Question that the provision of the Second Schedule stand part of the Bill, Agree to.

THIRD SCHEDULE

Section 19 (2)

Transitional provisions as to assets and liabilities

Transfer of assets and liabilities

1. (1) Every agreement to which the Incorporated Institute was a party immediately before the commencement of this Bill, whether in writing or not and whether or not of such a nature that the rights, liabilities and obligations thereunder could be assigned by the Incorporated Institute, shall, unless its terms or subject matter make it impossible that it should have effect as modified in the manner provided by these sub-paragraphs, have effect from the commencement of this Bill as if it relates to assets and liabilities transferred by this Bill to the Institute, as if—
- (a) the Institute had been a party to the agreement;
 - (b) for any reference, however worded and whether expressed or implied, to the Incorporated Institute, there were substituted as respects anything falling to be done on or after the commencement of this Bill a reference to the Institute;
 - (c) for any reference, however worded and whether express or implied, to a member or members of the Council of the Incorporated Institute or an officer of the Incorporated Institute, there were substituted, as respects anything falling to be done on or after the commencement of this Bill, a reference to a member or members of the Council under this Bill or the officer of the Incorporated Institute corresponds as nearly as may be to the member or officer in question of the Incorporated Institute.
- (2) Other documents which refer, whether specially or generally, to the Incorporated Institute shall be considered in accordance with subparagraph (1) if applicable.
- (3) Without prejudice to this Schedule, where, by the operation of section 19 of this Bill, any right, liability or obligation vests in the Institute, the Institute and all other persons shall, as from the commencement of this Act, have the same rights, powers and remedies (and, in particular, the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing that right, liability or obligation as they would have if it had at all times been a right, liability or obligation of the Institute .
- (4) Any legal proceeding or application to any authority pending on the commencement of this Bill by or against the Incorporated Institute and relating to assets or liabilities transferred by this Bill to the Institute may be continued on or after that day by or against the Institute.
2. At the commencement of this Bill, any person holding any paid appointment in the Incorporated Institute shall hold a corresponding appointment in the Institute on the same terms and conditions as to tenure and otherwise but shall not be entitled to receive remuneration both from the Incorporated Institute and from the Institute in respect of the same period of service.

Question that the provision of the Third Schedule stand part of the Bill, Agree to.

FOURTH SCHEDULE

Professional Bodies

AFFILIATIONS:

The Chartered Institute of Forensic and Investigative Professionals of Nigeria is affiliated with the following Forensic Professional Bodies outside the Nigeria:

1. International Institute of Certified Forensic Accountants, USA (IICFA).
2. Chartered Institute of Professional Forensic Investigators, INC USA (CIPFI).
3. Chartered Institute of Professional Financial Managers, (CIPFM) USA.

Question that the provision of the Fourth Schedule stand part of the Bill, Agree to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Establishment and Public Service on the Chartered Institute of Forensic Investigative Professionals of Nigeria (Establishment) Bill, 2021 and approved as follows:

- | | | |
|---------------|---|----------------|
| Clauses 1-22 | — | As Recommended |
| Schedules 1-4 | — | As Recommended |

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

9. Committee on Women Affairs:

Report of the Committee on Women Affairs on the Child Rights Act 2003 (Amendment) Bill, 2021 (SB. 227):

Motion made: That the Senate do receive and consider the Report of the Committee on Women Affairs on the Child Rights Act, 2003 (Amendment) Bill, 2021 (*Senator Betty J. Apiafi — Rivers West*).

Question put and agreed to.

Report Laid and Presented.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE CHILD'S RIGHT ACT 2003, TO PROVIDE FOR A PERSON CONVICTED OF SEXUAL OFFENCES TO BE UNSUITABLE TO WORK WITH CHILDREN AND FOR OTHER MATTERS CONNECTED THERETO

Clause 1: The Child Right Act 2003 (in this Act referred to as "the Principal Act") is amended by insertion of New 195A as follows:

"195A. Persons unsuitable to work with Children:

- (1) In Criminal proceedings, a person will be found unsuitable to work with children —
 - (a) on conviction of murder, attempted murder, rape, indecent assault or assault with the intent to do grievous bodily harm with regards to a child ; or
 - (b) "persons whom the court have deemed incapable of understanding proceedings or entering a proper defence due to mental illness as ruled by the court especially in matters which constitute murder, attempted rape, indecent or other sexual offences with intent to do grievous bodily harm where the court would have convicted such person but for the defence of mental illness."
- (2) Any person who has been convicted of murder, attempted rape, indecent assault or sexual offences with the intent to do grievous bodily harm with regard to a child during the five years preceding the commencement of this amendment, is deemed to have been found unsuitable to work with children".

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Betty J. Apiafi — Rivers West*).

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

Clause 2: Citation

This Bill may be cited as the Child's Right Act, 2003 (Amendment) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Betty J. Apiafi — Rivers West*).

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Women Affairs on the Child's Right Act, 2003 (Amendment) Bill, 2021 and approved as follows:

Clauses 1-2 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

10. **Committee on Women Affairs:**

Report of the Committee on Women Affairs on the Older Persons (Rights & Privileges) Bill, 2021 (SB. 114):

Motion made: That the Senate do receive and consider the Report of the Committee on Women Affairs on the Older Persons (Rights & Privileges) Bill, 2021 (*Senator Betty J. Apiafi — Rivers West*).

Question put and agreed to.

Report Laid and presented.

Motion made: That the Senate do resolve into the Committee of the Whole to Consider the Report (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO PROVIDE CERTAIN RIGHTS AND PRIVILEGES FOR OLDER PERSONS, IN ORDER TO ENSURE HEALTH, ECONOMIC RELIEFS AND PROTECTION OF THEIR SOCIAL AND CIVIL RIGHTS AND FOR OTHER RELATED MATTERS BILL, 2021

PART I

PROHIBITION OF DISCRIMINATION AGAINST OLDER PERSONS

Clause 1: Prohibition of Discrimination and Penalty

- (1) An Older Person shall not be discriminated against on the ground of his age or disability by any person or institution in any manner or circumstances whatsoever.
- (2) Any person who contravenes subsection (1) of this Section commits an offence and shall be liable on conviction to, if the person is:
 - (a) a body corporate, a fine of ₦2,000,000.00; and
 - (b) an individual, a fine of ₦200,000.00 or 6 months imprisonment or both.
- (3) Without prejudice to this Bill, any prosecution, conviction or otherwise of any person for any offence under this Bill, does not preclude the right of the victim to maintain a civil action against any such person committing the offence or causing the injury.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

PART II
ORIENTATION

Clause 2: Orientation and Awareness

The Federal Ministry of Information shall make provisions for promotion of orientation and awareness regarding:

- (a) the rights and respect for the inherent dignity of Older Persons;
- (b) the capabilities, achievements and contributions of Older Persons;
- (c) respect for individual autonomy, including the freedom of Older Persons to make individual choices;
- (d) respect for interdependence and caring relationships of Older Persons;
- (e) respect for family relationships and intergenerational solidarity;
- (f) respect for full and effective participation and inclusion in society;
- (g) respect for and recognition of Older Persons as part of human and cultural diversity; and
- (h) respect for ageing as an integral and continuous part of life.
- (i) encouraging their families and the communities they live with to reaffirm the valued Nigerian tradition of caring for Older Persons;

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 3: Old age grants.

- (1) States operating Social Protection Programmes shall be entitled to grants from the Federal Government.
- (2) Older Persons shall be included in every National Action Programme on Income Generation of the State or Federal Government.
- (3) Older Persons have the right to express their wishes and preferences regarding future health and long term care-related decisions and to have those expressions respected.
- (4) Older Persons have the right to social protection, including income security without discrimination on the basis of age, gender or health status.
- (5) All elderly small-holder farmers shall be entitled to financial services accruing to other age groups.
- (6) Equality, non and equal opportunity. Discrimination against Older Persons on the basis of age, gender or health status is prohibited.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 4: Health and Long Term Care

- (1) Older Persons shall have the right to:
 - (a) enjoyment of the highest attainable standards of physical and mental health and long term care without discrimination on the basis of age, including public health, preventive medicine, palliative care and rehabilitation free of cost under the aegis of the NHIS;
 - (b) the benefits of scientific progress and health and long term care-related research;
 - (c) self-determination in health and long term care-related matters and to make such decisions based on informed consent;
 - (d) dignity, privacy and autonomy in making health and long term care-related decisions;
 - (e) express their wishes and preferences regarding future health and long term care-related decisions and such decisions shall be respected;
 - (f) assistance and support in receiving, understanding and processing information in making informed health and long term care-related decisions.
- (2) Public Hospitals shall establish geriatric wards/for Older Persons:
 - (i) such geriatric wards shall be for the exclusive use of Older Persons;
 - (ii) such wards shall be conspicuously labeled "Geriatric Ward"
 - (iii) geriatric wards may be used for other emergency purposes, after which they shall be reverted for exclusive geriatric purposes.
 - (iv) Primary Health Care Centres shall be modified to serve Geriatric Population.
 - (v) Mobile "hospital on wheel" hospital units for easy access to service physically challenged older persons.
- (3) The Federal and State Ministries of Health and National Health Insurance Scheme (NHIS), shall institute a National Health Programme and shall provide an Integrated Health Service for Older Persons.
- (4) Government shall encourage and create enabling environment for the establishment of DAY CARE Centres, Nursing/Respite Homes, HOSPICE throughout the country, the approval of which shall be done by the relevant Government agencies. throughout the country.
- (5) The Federal and State Ministries of Health shall train Community-Based Health Workers among Older Persons and Health Personnel to specialize in the geriatric care and health problems of Older Persons.
- (6) Government shall provide enabling environment for private institutions to train same as approved by the Federal Ministry of Health.

- (7) Without prejudice to Section 4(2), Older Persons shall be entitled to the grant of fifty percent (50%) discount and exemption from the valued-added tax (VAT), on medical and dental services, pharmaceutical services diagnostic and laboratory fees in all private hospitals, medical facilities, outpatient clinics and home health care services, as determined by the National Health Insurance Scheme (NHIS).
- (8) Medical and dental services, diagnostic and laboratory outfits and pharmaceutical outfits shall file documentations of discounted geriatric services to the Federal Inland Revenue Service (FIRS) in their tax returns for commensurate tax reliefs.
- (9) All indigent Older Persons shall be covered by the National Health Insurance Programme.
- (10) Social Safety Nets: Social Safety assistance intended to cushion the effects of economic shocks, disasters and calamities shall be available for Older Persons.

The social safety assistance which shall include, but not limited to, food, medicines, and financial assistance for domicile repair, shall be sourced from National Emergency Management Agency (NEMA)/State Emergency Management Agency (SEMA)/Local Government Emergency Management Agency (LGEMA) and the National Commission for Refugees and Internally Displaced Persons (IDPs).

- (11) To provide a comprehensive health care and rehabilitation system for disabled Older Persons, to foster their capacity to attain a more meaningful and productive ageing.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 5: Monthly stipends

- (1) Indigent Older Persons shall be entitled to a monthly stipend amounting to not less than fifty percent (50%) of the national minimum wage, subject to review every five (5) years by the National Assembly.
- (2) the social welfare units of Local Governments shall be responsible for the payments of the monthly stipends referred to in this Section in conjunction with an officer of the National Identity Management Commission (NIMC) responsible for such disbursements.

Clause 6: Adequate Standard of Living

Government shall ensure that Older Persons enjoy the right to adequate standard of living, including the right to food, water, clothing and housing, and to improve their living conditions without discrimination on the basis of age.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

PART IV
MOBILITY AND ACCESSIBILITY TO PHYSICAL STRUCTURES

Clause 7: Right of safe movement

Older Person shall have right to safe and smooth movement on streets, walkways, gatherings and physical structures free of unreasonable physical contact from other persons.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 8: Access to public facilities

(1) Public buildings shall be constructed and provided with the necessary accessibility and mobility aids such as lifts for multi-level buildings, ramps, wheel chairs, automated or manual transportation carriers and any other facility that shall make such facilities conveniently accessible and usable by
Older Persons.

(2) Government shall ensure the provision of seats on walkways, other public facilities specifically designed for the comfort of older persons.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 9: Safety of Public Facilities

Older Persons shall enjoy safe and convenient usage of side-walks, pedestrian crossings, pedestrian bridges etc including those with wheel chairs and the visually impaired.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 10: Transitional Period

There shall be a transitional period of four (4) years from the commencement of this Act, within which all public buildings and structures whether temporary or permanent, rented, acquired or built, moveable, immoveable or automobile, which were inaccessible to Older Persons, shall be modified to be accessible and usable by Older Persons, including those with wheel chairs.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 11: Building Plans

(1) Building plans shall be scrutinized by the relevant authorities to ensure that all public building plans conform with the intendment of this Act.

- (2) Government shall ensure that town planners provide age friendly environments all over Nigeria.
- (3) No government or government agency, body or individual responsible for the approval of building plans shall approve the plan of a public building if the plan does not make provision for accessibility facilities line with building codes that accommodate the needs and requirements of Older Persons.
- (4) Any officer who approves or directs the approval of any public building plan that contravenes the building code referred to in subsection (2) of this Section shall be liable to a fine of a minimum of ₦2,000,000 or two (2) years imprisonment or to both such fine and imprisonment.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 12: Barriers in Public Buildings

- (1) Subject to Section 10, in the event of the existence of a state of inaccessibility or barrier to access of an Older Person to a public building or facility, he may, without prejudice to his or her right to seek redress in court, notify the relevant authority in charge of the environment, and it shall be the duty of the relevant authority in charge to take immediate and necessary steps to remove the barrier and make the environment accessible to Older Persons.
- (2) If the relevant authority in charge receives the notice in Subsection (1) above but fails to comply, it shall be liable to:
 - (a) if a corporate body, ₦20,000.00 damages payable to the complainant for each day that the defaults continues, commencing 6 months from the date the complaint was lodged;
 - (b) if an individual, ₦10,000.00 payable to the complainant for each day that the default continues, commencing 6 months from the date that the complaint was lodged.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

PART V
HOUSING

Clause 13: Housing

- (1) An Older Person residing in a residential facility has, in addition to the rights he or she has in terms of the Bill of Rights or any other rights he/she may have, the right to:
 - (a) adequate housing;
 - (b) choose on an equal basis with other persons, their place of residence, the persons with whom they may live, and they are not obliged to live in any particular living arrangement;

- (c) security of statutory tenures, full terms of allocations and tenancies.
 - (d) appoint a representative to act on his or her behalf;
 - (e) have reasonable access to assistance and visitation;
 - (f) keep and use personal possessions;
 - (g) be informed about the financial status of the residential facility and changes of management;
 - (h) participate in social, religious and community activities of his/her choice;
 - (i) privacy;
 - (j) his/her own physician if he/she can afford it.
- (2) In the monitoring of registered residential facilities, a Social Worker in the employment of the Local Government may at any time, and any Social Worker or person designated by the LG Chairman must if requested to do so by the LG Chairman:
- (a) visit and monitor Older Persons in order to ensure compliance with this Act;
 - (b) interview any Older Person cared for or accommodated in such a residential facility;
 - (c) either with or without the assistance of a health care provider, enquire into the well-being of any such Older Person;
 - (d) direct any person who has in his/her possession or custody, any book or document relating to such residential facility, to submit such book or document to him/her for inspection;
 - (e) submit a report to the LG Chairman on the outcome of the inspection.
 - (f) provide the operator for the residential facility with a report on the findings of the inspection;
- (3) The Federal/State/Local Government shall include in their shelter programme the social housing needs of Older Persons, such as establishment of housing units for the Ageing.
- (4) With respect to ensuring support for services delivered to Older Persons by any Third Party:
- (a) Social Worker must open and maintain a register of all assets bought with Government funds and prescribe conditions for the management of such assets.
 - (b) a designated emergency contact phone number to all Local Government social worker shall be provided for.

- (5) Long Term Care Facilities shall be provided with increased residential facilities, under Formal Boarding Institutions.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

PART VI
ROAD TRANSPORTATION

Clause 14: Goods, Services and Facilities

It is unlawful for a person (the provider) who (whether for payment or not) provides goods or services, or makes facilities available, to discriminate against Older Person:

- (a) by refusing to provide those goods or services or make those facilities available to him;
- (b) on such terms or conditions on which the provider provides those goods or services or makes those facilities available to him; or
- (c) in a manner in which the provider provides those goods or services or makes those facilities available to him.
- (d) by not providing reserved seats for older persons;
- (e) violation of this Section shall attract same punishment as in Section 9 of this Bill.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 15: Accessibility of Vehicles

- (1) Government Transport services providers shall make provisions for lifts, ramps and other accessibility aids to enhance the accessibility of their vehicles, parks and bus-stop to persons for Older Persons including those on wheel chairs.
- (2) Every public vehicle should have functional audible and visual display of their destination within four (4) years from the commencement of this Bill.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 16: Waiver of Charges on Assistives

Wheelchairs, crutches, braces and any other mobility aid and appliance or assistive devices used by Older Persons shall not be subject to charges, provided they are not carried in commercial quantities and for commercial purposes.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 17: Reserved spaces

- (1) At public parking lots, suitable spaces shall be properly marked and reserved for Older Persons.
- (2) For Older Persons to be entitled to the use of the reserved space in Subsection (1) of this Section, his car shall have been properly identified with the necessary insignia.
- (3) A person, organization or corporate body in control of a public parking lot who fails to provide for the reserved spaces in Subsection (1) of this Section commits an offence and is liable on conviction to a fine of ₦5,000 for each day of default.
- (4) A non-permitted person who parks a vehicle in the reserved space in Subsection (1) of this Section commits an offence and is liable on conviction to a fine of ₦5,000.
- (5) A person who unlawfully obstructs the reserved space in subsection (1) of this Section commits an offence and is liable on conviction to a fine of ₦5,000.
- (6) Subsection (4) of this Section does not apply if an Older Person is a passenger in the vehicle.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

PART VII
SEAPORTS AND RAILWAYS

Clause 18: Seaports and Railways

- (1) Seaports and facilities therein as well as vessels shall be made accessible to and convenient for Older Persons.
- (2) Railway stations, trains and facilities therein shall be made accessible to and convenient for Older Persons.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 19: Transitory Period for Railway and Seaports

The provision of Section 14 shall be subjected to the transitory provision contained in Section (8).

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Betty J. Apiafi— Rivers West*) — Agreed to.

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

PART VIII
AIRPORT FACILITIES

Clause 20: Assistive Service and Airline

- (1) All airlines operating in Nigeria shall:
 - (a) ensure the accessibility of their aircraft to Older Persons;
 - (b) make available presentable and functional wheelchairs for the conveyance of Older Persons who need it to and from the aircraft;
 - (c) ensure that Older Persons are assisted to get on and off board in safety and reasonable comfort;
 - (d) ensure that Older Persons are accorded priority while boarding and disembarking from the aircraft.
- (2) All airports shall make available for the conveyance of Older Persons who need it to and from the aircraft, a presentable and functional assistive and protective device.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Betty J. Apiafi— Rivers West*) — Agreed to.

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

Clause 21: Special safety briefing of Older Persons

Any general information shall be translated into the accessible format appropriate to the Older Persons present.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Betty J. Apiafi— Rivers West*) — Agreed to.

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

PART IX
REBATES

Clause 22: Discounts

- (1) Older Persons shall be entitled to the grant of fifty percent (50%), in actual fare of land transportation travel in public and private facilities, buses, taxis and rail;
- (2) Older Persons shall be entitled to the grant of fifty percent (50%), in actual transportation by sea shipping vessels and the like, based on actual fare and advanced booking;

- (3) Public and private air transport establishments shall provide air fares and other transport facilities at discounted rates of fifty percent (50%) to Older Persons;
- (4) Express lanes shall be provided for Older Persons, in all commercial and government establishments (wherever queues are required), in the absence thereof, priority shall be given to them.
- (5) At least fifty percent (50%) discount, which shall be granted on the consumption of electricity, water, and telephone by the Older Persons Centre and residential care/group homes that are government-run or non-stock, non-profit domestic corporation organized and operated primarily for the purpose of promoting the well-being of abandoned, neglected, unattached, or homeless Older Persons.
- (6) Older Persons shall be granted fifty percent (50%) discount, in the utilization of services in hotels and similar lodging establishments, restaurants and recreation centres.
- (7) On admission fees charged by theatres, cinema houses and concert halls, leisure and amusement, Older Persons shall be granted fifty percent (50%) discount of rates charged.
- (8) All utility companies, hotels, holiday resorts referred to in subsections 5-7 of this Section shall file documentations of discounted geriatric services to the Federal Inland Revenue Service (FIRS) in their tax returns for commensurate tax reliefs.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

PART X

RIGHT TO FIRST CONSIDERATION IN QUEUES AND IN EMERGENCIES

Clause 23: Service of queues

In all situations of risks, including situations of violence, emergencies and the occurrences of natural disasters:

Government shall take all necessary steps to ensure the safety and protection of Older Persons taking cognizance of their peculiar vulnerability.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

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

Clause 24: Penalty

- (1) In queues, Older Persons shall be given first consideration, and as much as possible should be attended to outside the queue.
- (2) Any person in breach of this Section shall be liable on conviction to 6 months imprisonment or fine of ₦50,000.00 or both.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Betty J. Apiafi— Rivers West*) — Agreed to.

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

PART XI
LIBERTY

Clause 25: Prohibition of use of Older Persons in soliciting for alms and penalty

- (1) No person shall:
 - (a) employ, use or involve an Older Person in begging;
 - (b) parade Older Persons in public with intention of soliciting alms;
 - (c) use condition of old age as a guise for the purpose of begging in public.
 - (d) Older Persons have a right to liberty and security of persons;
 - (e) Older Persons have a right to personal mobility with the greatest possible independence;
- (2) A person who contravenes Subsection (1) of this Section commits an offence and is liable on conviction to 6 months imprisonment or a fine of ₦100,000.00 or both.
- (3) Any person who suspects that an Older Person has been abused or suffers from abuse related injury, must immediately notify the Local Government Social Worker or a Police Officer, of his/her suspicion. Nothing in this Bill invalidate the existing Act prohibiting all forms of violence.
- (4) Any conduct or lack of appropriate action, occurring within any relationship, where there is an expectation of trust, which causes harm or distress is likely to cause harm or distress to an Older Person constitutes abuse of an Older Person.
- (5) For the purposes of Subsection (4) "abuse" includes physical, sexual, psychological, or economic abuse.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Betty J. Apiafi— Rivers West*) — Agreed to.

Question that Clause 25 do stand part of the Bill, put and agreed to.

PART XII
COMMUNAL LIFE

Clause 26: Freedom of Movement

Older Persons shall have the liberty of movement within or out of the country and freedom to choose their residence on an equal basis with others.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 26 do stand part of the Bill, put and agreed to.

Clause 27: Freedom from Segregation

Except on medical grounds or in accordance with the provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended), an Older Person shall not be isolated or segregated from the community or compelled to live in a particular area.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 27 do stand part of the Bill, put and agreed to.

Clause 28: Right to Free Education

- (1) Every Older Person shall have an unfettered right to education without discrimination or segregation in any form.
- (2) Older Persons shall be entitled to free education to secondary school level.
- (3) The Federal/State Ministries of Education and Local Governments in consultation with non-governmental organizations (NGOs), CSOs and CBOs for Older Persons, shall institute programmes that will ensure access to formal and informal education.
- (4) Older Persons shall be entitled to educational assistance to pursue post-secondary, tertiary, post-tertiary, vocational and technical education, as well as short term courses for retooling in both public and private schools through provision of scholarships, grants, financial aids, subsidies and other incentives to qualified Older Persons, including support for books, learning materials, uniform allowances, to the extent feasible: provided that Older Persons shall meet minimum admission requirement.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 28 do stand part of the Bill, put and agreed to.

Clause 29: Right to Education

- (1) All public schools, whether primary, secondary or tertiary shall be run to be inclusive of an accessible to Older Persons, accordingly every school shall have:
 - (a) at least a trained personnel to cater for the educational development of Older Persons;
 - (b) special facilities for the effective education of Older Persons.

- (2) Braille, sign language and other skills for communicating with Older Persons with disabilities shall form part of the curricula of primary, secondary and tertiary institutions.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 29 do stand part of the Bill, put and agreed to.

Clause 30: Subsidized Education

The education of special education personnel shall be highly subsidized.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 30 do stand part of the Bill, put and agreed to.

Clause 31: Inclusiveness of Education

Government shall ensure that the education of Older Persons, particularly, who are blind or deaf is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximizes academic and social development.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 31 do stand part of the Bill, put and agreed to.

Clause 32: Free Education for Special Education Personnel

- (1) Government shall guarantee that Older Persons have unfettered access to adequate health care without discrimination on the basis of old age.
- (2) A person with mental disability shall be entitled to free medical and health service in all public health institutions.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 32 do stand part of the Bill, put and agreed to.

Clause 33: Obtaining Certificates

- (1) Every Older Person shall obtain a Certificate of Old Age.
- (2) The National Identity Management Commission (NIMC) shall issue Certificates of Old Age to Older Persons within sixty (60) days of attaining the age of 60 years.
- (3) Any person issued with a Certificate of Old Age, shall be entitled to all rights and privileges in this Bill.

- (4) Any person who unlawfully issues or unlawfully obtains Certificate of Old Age shall be liable to a fine of ₦200,000.00 or 1 year imprisonment or both.

Committee's Recommendation:

That the provision in Clause 33 be retained (*Senator Betty J. Apiafi— Rivers West*) — Agreed to.

Question that Clause 33 do stand part of the Bill, put and agreed to.

Clause 34: Right to Health

Any public hospital where a person with old age is medically attended to shall ensure provision for special communication.

Committee's Recommendation:

That the provision in Clause 34 be retained (*Senator Betty J. Apiafi— Rivers West*) — Agreed to.

Question that Clause 34 do stand part of the Bill, put and agreed to.

Clause 35: Right to work

- (1) Older Persons shall have the right to work, on an equal basis with others this includes the right to opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open.
- (2) A person in breach of this Section shall be liable on conviction to nominal damages of a minimum of ₦250,000.00 payable to the affected Old Person.
- (3) Where a company is in breach of this Section:
- (a) the company shall be liable to nominal damages of a minimum of ₦500,000.00 payable to the affected old person; and
- (b) any principal officer of the company involved in the violation shall be liable to ₦50,000 damages payable to the affected Older Person.

Committee's Recommendation:

That the provision in Clause 35 be retained (*Senator Betty J. Apiafi— Rivers West*) — Agreed to.

Question that Clause 35 do stand part of the Bill, put and agreed to.

Clause 36: Employment

All employers of labour in public organization shall as much as possible have Older Persons constituting at least 5% of their employment.

Committee's Recommendation:

That the provision in Clause 36 be retained (*Senator Betty J. Apiafi— Rivers West*) — Agreed to.

Question that Clause 36 do stand part of the Bill, put and agreed to.

PART XIII
ADEQUATE STANDARD OF LIVING AND SOCIAL PROTECTION

Clause 37: First consideration

Where accommodation is being provided by schools for their students, employers for their employees, service providers for their customers, organizations for their members, government for the people and in any other circumstance whatsoever, Older Persons shall be given first consideration.

Committee's Recommendation:

That the provision in Clause 37 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 37 do stand part of the Bill, put and agreed to.

PART XIV
PARTICIPATION IN POLITICS AND PUBLIC LIFE

Clause 38: Participation in public life

- (1) Older Persons shall be encouraged to fully participate in public life.
- (2) Government shall actively promote an environment in which Older Persons can effectively and fully participate:
 - (a) the conduct of public affairs without discrimination;
 - (b) Non-governmental organizations and associations concerned with the public and political life of the country; and

Committee's Recommendation:

That the provision in Clause 38 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 38 do stand part of the Bill, put and agreed to.

Clause 39: Miscellaneous

- (1) Nothing in this Act shall invalidate the provisions of:
 - (a) Pensions Reform Act, 2004;
 - (b) National Health Insurance Scheme Act, 2004;
 - (c) National Social Insurance Trust Fund Act, 2004; or
 - (d) Provident Fund Act.
- (2) Any other law in relation to any matter under this Bill shall be read in conformity with the provisions of this Bill, but this Bill shall not apply to any individual who is a beneficiary of any scheme established under the Act listed in subsection (1) including all Military, Para-Military or private pension schemes.

Committee's Recommendation:

That the provision in Clause 39 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 39 do stand part of the Bill, put and agreed to.

PART XV
INTERPRETATION

Clause 40: Interpretation

In this Act:

"Accessibility aid" includes any fixture and device that aids accessibility;

"Accommodation" (in the context of housing) include residential or business accommodation;

"Assistive Device" means any device that assist, increases or improves the functional capabilities of Older Persons;

"Closed Captioning" is a term describing several systems developed to display text on a television or video screen to provide additional or interpretive information to viewers who wish to access it;

"Old Age" means any age from 60 years and above;

"Discrimination" means differential treatment and its verbs and infinite form (discriminate, to discriminate) have the corresponding signification;

"Document" includes any book register or other record of information, however compiled, record or stored;

"Educational Authority" means a body of person(s) administering an education institution;

"Employer" includes prospective employer, principal and a person who engages or proposes to engage a commission agent, contract worker or independent contractor;

"Employer of Labour" means "Employer" as interpreted by the workmen's Compensation Act;

"Economic Abuse" means:

- i. the deprivation of economic and financial resources to which an Older Person is entitled under any law;
- ii. the unreasonable deprivation of economic and financial resources which the Older Person requires out of necessity; or
- iii. the disposal of household effects or other property that belongs to the Older Person without the older person's consent.

"Function" includes duty;

"Government employee" means a person who is appointed, employed or engaged in the public service of, or by a public authority of the Federation, a State, the Federal Capital Territory or a Local Government, or holds an administrative office;

"Indigent Person" is one who lives without any income whatsoever or lives below 50% of the national minimum wage.

"Persons" includes natural, artificial, juristic or judicial persons, companies, enterprises firms, organizations, association, government departments, ministries, parastatals;

"Older Persons" means: a person who has attained the age of 60 years or has received Certificate of Old Age from the National Identity Management Commission (NIMC);

"Physical Abuse" means an act or threat of physical violence towards an Older Persons;

"President" means President and Commander in Chief of the Armed Forces of the Federal Republic of Nigeria;

"Premises" includes a structure, building, aircraft, vehicle, train or vessel; a place (whether enclosed or built on or not); and a part of any premises;

"Psychological Abuse" means any pattern of degrading or humiliating conduct towards an Older Person; including:

- i. repeated insults, ridicule or name calling;
- ii. repeated threats to cause emotional pain; and
- iii. repeated invasion of an Older Person's privacy, liberty, integrity or security;

"Public Building" means a building owned or used by government or government agency or a building available for the use of members of the public;

"Sexual Abuse" means any conduct that violates the sexual integrity of an Older Person;

"Subtitles Caption" means caption displayed at the bottom of a movie or television screen that translate or transcribe the dialogue or narrative;

"Special Facilities" means any provision whether movable or immovable that will enhance easy access and enjoyment in public buildings by Older Persons, significantly decreased endurance so that he cannot perform his everyday' routine, living and working without significantly increased hardship and vulnerability to everyday obstacles and hazards;

"Student" in relation to an education institution, includes a candidate or application for admission into that education institution;

"Undue hardship" means significant difficulty or expense, when considered in light of such factor as:

- (a) the nature and cost of the accommodation needed to take care of an Older Person's needs;
- (b) the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility;
- (c) the effect on expenses and resources or the impact otherwise of such accommodation upon the operation of the facility;

- (d) the overall finances of the persons or organization having to deal with Older Persons, with overall size of his or its business with respect to the number of its employees; the number, type, and location of its facilities; and
- (e) the type of operation or operations of such person or organization, including the composition, structure and function of his or its workforce; the geographic, separateness, administrative, or fiscal relationship of the facility or facilities in question to such person or organization.

Committee's Recommendation:

That the provision in Clause 40 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 40 do stand part of the Bill, put and agreed to.

Clause 41: Short title

This Bill may be cited as Older Persons (Rights and Privileges) Bill, 2021.

Committee's Recommendation:

That the provision in Clause 41 be retained (*Senator Betty J. Apiafi— Rivers West*) — *Agreed to.*

Question that Clause 41 do stand part of the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Women Affairs on the Older Persons (Rights and Privileges) Bill, 2021 and approved as follows:

Clauses 1 - 41 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. Specialized National Dermatology Hospital, Garkida (Establishment) Bill, 2021 (SB. 631):

Consideration of Bill deferred to another Legislative Day.

12. University Teaching Hospitals (Reconstitution of Boards, etc), Bill, 2021 (SB. 617):

Consideration of Bill deferred to another Legislative Day.

13. **Federal University of Health and Medical Sciences Suleja (Establishment) Bill, 2021 (SB.633):**

Consideration of Bill deferred to another Legislative Day.

14. **Motion:**

Need for Immediate Completion of the Abadigba-Egwume Power Plant Project in Dekina Local Government Area of Kogi State:

Consideration of Motion deferred to another Legislative Day.

15. **Adjournment:**

Motion made: That the Senate do now adjourn till Wednesday, 3rd March, 2021 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 1:00 p.m.

Ahmad Ibrahim Lawan, Ph.D, CON
President,
Senate of the Federal Republic of Nigeria.