



# HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Thursday, 6 May, 2021

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1. The House met at 11.58 a.m. Mr Speaker read the Prayers.
2. The House recited the National Pledge
3. **Votes and Proceedings**  
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 5 May, 2021.

*The Votes and Proceedings was adopted by unanimous consent.*

4. **Announcement**

**Bereavement:**

- (i) Mr Speaker read a communication from Hon. Solomon Bulus Maren (*Mangu/Bokkos Federal Constituency*), announcing the demise of a former Member, Hon. Felix Wetkum (*Mangu/Bokkos Federal Constituency, 1979 - 1983*), who died at the age of 76;
- (ii) Mr Speaker announced the demise of Professor (Mrs) Felicia Adebola Adedoyin, the author of Nigeria's National Pledge, who died on Saturday, 1 May, 2021 at the age of 82.

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

**Tribute to Late Professor (Mrs) Felicia Adebola Adedoyin: Author of Nigeria's National Pledge:**

Mr Speaker referred to the sad news of the death of Professor (Mrs) Felicia Adebola Adedoyin, the author of Nigeria's National Pledge, on Saturday, 1 May, 2021 at the age of 82, describing her as a great and patriotic woman of inestimable stature.

He recalled that Professor (Mrs) Felicia Adebola Adedoyin was born on 6 November, 1938 into the Iji Ruling House of Saki in Saki West Local Government Area of Oke-Ogun, Oyo State and, in June 1976, she displayed an uncommon creativity and intelligence by composing a National Pledge for Nigeria at an early age of 38 and which was highlighted in the *Daily Times* of 15 July, 1976 in the article "Loyalty to the National Pledge".

Mr Speaker recounted that the then Head of State, General Olusegun Obasanjo extolled the virtues of Professor Adedoyin as a heroine, having identified the "Pledge", which he introduced during the formal launching of the Universal Free Primary Education with an injunction that all school Children should be reciting it.

He also recalled that Professor (Mrs) Adedoyin, who was a lecturer at the University of Lagos and a Consultant with the United Nations, was inspired to write the Pledge when her children recited the Oath of Allegiance while at Schools in New York and Achimota School, Ghana. She received a National Award as the Officer of the Order of the Niger (OON), he affirmed.

Concluding, the Hon. Speaker noted that Professor (Mrs) Adedoyin will be truly missed by Nigerians. He invited the House to pay a condolence visit to her family, the people and government of Oyo State, while urging the nation to accord her official rites in recognition of her contribution to nation building through the composition of the National Pledge.

## 5. Executive Session

*Motion made and Question proposed, "That the House do resolve into a Closed Session" (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).*

**Closed Session** — **12.09 p.m.**

**House in Open Session** — **12.58 p.m.**

## 6. Petitions

- (i) A petition from Isiaku Kadiri Chuba, on alleged non-payment of his pension arrears and gratuity by Pension Arrangement Transitional Directorate (PITAD), was presented and laid by Hon. Idem Unyime Josiah (*Ukanafun/Oruk Anam Federal Constituency*);
- (ii) Petitions from the following persons were presented and laid by Hon. Chinedu Ogah (*Ikwo/Ezza South Federal Constituency*):
  - (a) Peace Global Satellite Communication Limited, on the refusal of Asset Management Corporation of Nigeria (AMCON) to investigate its exact quantum of debt;
  - (b) Ikah Florence Mene, on alleged unauthorised withdrawal of one million naira (₦1,000,000.00) from her account by the Manager, First City Monument Bank (FCMB), National Assembly Branch, on 15 October, 2020;
  - (c) C. J. Okereke & Partners (Legal Practitioners), on behalf of Peter Nwoye & 20 others, on alleged fraudulent act and discrimination meted out to them by Jubril Hassan (village head of Gyalina village), Karimo, Abuja Municipal Area Council (AMAC) and officials of the Federal Capital Development Authority (FCDA);
  - (d) Kenneth Chukwuemeka & Co. (Legal Practitioners), on behalf of Ogbonna Ejim, on the non-payment of compensation by the National Drug Law Enforcement Agency (NDLEA), Lagos State Command;
- (iii) A petition from Eke Bartholomew, on his dismissal from the Nigerian Army, was presented and laid by Hon. Bede Eke (*Aboh Mbaise/Ngor Okpala Federal Constituency*);
- (iv) Petitions from the following persons were presented and laid by Hon. Abdullahi Sa'ad Abdulkadir (*Ningi/Warji Federal Constituency*):
  - (a) Akinnigbagbe Akiniji Olabanji, on the termination of his appointment by the National Insurance Commission (NAICOM);

- (b) Comr. Casmu Ekeh, on behalf of Onyeaghalanwanneya Youth Movement, on alleged denial of their rights as host communities of Sam Mbakwe International Cargo Airport by the Federal Airports Authority of Nigeria (FAAN) and 4 others;

*Petitions referred to the Committee on Public Petitions.*

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

**(i) Need for the Federal Government to Provide Emergency Security and Ancillary Services in Bauchi State:**

Hon. Kani Abubakar Faggo (*Shira/Giade Federal Constituency*) introduced the matter and prayed the House to:

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

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

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

**Need for the Federal Government to Provide Emergency Security and Ancillary Services in Bauchi State:**

The House:

*Notes* that on Sunday, 23 April, 2021, Geidam in Yobe State came under attack from the terror sect, Boko Haram, sending residents scampering for their lives;

*Aware* that following the attacks, displaced residents of Geidam fled to the neighbouring Bauchi State for safety;

*Worried* that the sudden influx of people into Bauchi State poses security risks as suspected members of the terrorist sect may have infiltrated the State in the guise of displaced persons;

*Also worried* that the population of displaced persons coming into Bauchi State has resulted in the overstretching of the State's resources and facilities, thereby endangering the people who may be exposed to COVID-19 as well as other life threatening communicable diseases;

*Disturbed* that bandits recently destroyed telecommunications masts in Gamawa Local Government Area in Bauchi State and, upon arrest and interrogation, revealed that the attack was part of a bigger plan to invade the surrounding communities;

*Cognizant* of the need to take extra measures to secure Bauchi State in order to protect the residents and prevent possible invasion of the State by Boko Haram insurgents;

*Resolves to:*

- (i) urge the Federal Government to deploy security personnel in order to reinforce security within Bauchi State and its environs;
- (ii) also urge the Federal Government to provide relief materials for the displaced persons from Yobe State as well as provide funds and ancillary services to the Bauchi State Government to cushion the effects of the sudden influx of displaced persons which has resulted in the overstretching of the State's resources and facilities;

- (iii) further urge the Bauchi State Government to undertake profiling of persons coming

into the State;

- (iv) mandate the Committees on National Security and Intelligence, and Emergency and Disaster Preparedness to ensure compliance (*Hon. Kani Abubakar Faggo — Shira/Giade Federal Constituency*).

***Agreed to.***

**(HR. 111/05/2021).**

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

**(ii) *Attack and Destruction of Police Station and Killing of Two Police Officers in Obosi, Idemili North Local Government Area, Anambra State:***

Hon. Obinna Chidoka (*Idemili North/South Federal Constituency*) introduced the matter and prayed the House to:

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

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

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

**Attack and Destruction of Police Station and Killing of Two Police Officers in Obosi, Idemili North Local Government Area, Anambra State:**

The House:

*Notes* that the Police Station at Obosi town in Idemili North Local Government Area, Anambra State was attacked on Thursday, 6 May, 2021, by unknown persons who killed two Police Inspectors and carted away arms and ammunitions from the armoury of the Police Station;

*Also notes* that the spates of violence in Anambra State, the South East Region and indeed the entire country is increasing at an alarmingly geometric progression, causing panic and mistrust amongst citizens;

*Concerned* that if no urgent step is taken to quell this stoking fire, the entire nation may be engulfed in a level of chaos unprecedented by any such incident in the past which may lead a war of attrition;

*Determined* to address the menace of brigandage threatening lives, properties and peace in our communities and country as a whole;

*Resolves to:*

- (i) call on the Federal Government to declare a State of Emergency on Security nationwide, in line with an earlier Resolution of the House of Representatives;
- (ii) also call on the Federal Government to urgently reorganise the security architecture to properly accommodate and fast track the creation of State Police;

- (iii) commiserate with the families of the deceased Police Inspectors, the Nigeria Police Force and the entire Obosi Kingdom of Idemili North LGA of Anambra State (*Hon. Obinna Chidoka — Idemili North/South Federal Constituency*).

*Debate.*

***Agreed to.***

The House:

*Noted* that the Police Station at Obosi town in Idemili North Local Government Area, Anambra State was attacked on Thursday, 6 May, 2021, by unknown persons who killed two Police Inspectors and carted away arms and ammunitions from the armoury of the Police Station;

*Also noted* that the spates of violence in Anambra State, the South East Region and indeed the entire country is increasing at an alarmingly geometric progression, causing panic and mistrust amongst citizens;

*Concerned* that if no urgent step is taken to quell this stoking fire, the entire nation may be engulfed in a level of chaos unprecedented by any such incident in the past which may lead a war of attrition;

*Determined* to address the menace of brigandage threatening lives, properties and peace in our communities and country as a whole;

*Resolved to:*

- (i) call on the Federal Government to declare a State of Emergency on Security nationwide, in line with an earlier Resolution of the House of Representatives;
- (ii) also call on the Federal Government to urgently reorganise the security architecture to properly accommodate and fast track the creation of State Police;
- (iii) commiserate with the families of the deceased Police Inspectors, the Nigeria Police Force and the entire Obosi Kingdom of Idemili North LGA of Anambra State (**HR. 112/05/2021**).

**8. Privilege (Order Six, Rule 2)**

Rising on Order Six, Rule 2, Hon. Soli Sada (*Jibia/Kaita Federal Constituency*) informed the House that on 27 April, 2021, the Minority Leader, Hon. Ndudi Elumelu, issued a press statement that some Members of the All Progressive Congress (APC) had approached him to indicate their interest to join the Peoples' Democratic Party (PDP). He viewed the press statement as a false representation of what transpired at the Executive Session of the House and therefore considered it as a breach of his privilege, both as a Member of the APC and the House of Representatives.

*Mr Speaker noted the matter and urged Members to be cautious in their actions and remarks.*

**9. Presentation of Bills**

The following Bills were read the *First Time*:

- (1) Nigerian Maritime Administration and Safety Agency Act (Amendment) Bill, 2021 (HB. 1315).
- (2) Nigerian Communications Commission Act (Amendment) Bill, 2021 (HB. 1316).
- (3) Nigerian Ports Authority Act (Amendment) Bill, 2021 (HB. 1317).

- (4) National Food Reserve Agency (Establishment, etc.) Bill, 2021 (HB. 1318).
- (5) National Agricultural Development Fund (Establishment) Bill, 2021 (HB. 1319).
- (6) Asset Management Corporation of Nigeria Act (Amendment) Bill, 2021 (HB. 1320).

- (7) Tertiary Education Trust Fund (Establishment) Act (Amendment) Bill, 2021 (HB. 1321).
- (8) Orthopedic Hospitals Management Board Act (Amendment) Bill, 2021 (HB. 1322) .
- (9) Tertiary Education Trust Fund Act (Amendment) Bill, 2021 (HB. 1323).
- (10) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1324).
- (11) Alex Ekwueme Federal Teaching Hospital, Abakaliki (Establishment) Bill, 2021 (HB. 1325).
- (12) Federal Medical Centre, Amagu Ikwo, Ebonyi State (Establishment) Bill, 2021 (HB. 1326).
- (13) National Institute for Policy and Strategic Studies Act (Amendment) Bill, 2021 (HB. 1327).
- (14) Public Analysts of Nigeria Act (Amendment) Bill, 2021 (HB. 1328).
- (15) Personnel Management of Nigeria Act (Amendment) Bill, 2021 (HB. 1329).
- (16) Office of the Surveyor General of the Federation (Establishment) Bill, 2021 (HB. 1330).
- (17) University of Medicine and Health Sciences, Bichi (Establishment) Bill, 2021 (HB. 1331).
- (18) National Budget Bill, 2021 (HB. 1332).
- (19) Federal Polytechnic, Tombia (Establishment) Bill, 2021 (HB. 1333).
- (20) National Adult Education Centre and Recreation (Establishment) Bill, 2021 (HB. 1334).
- (21) Federal College of Agriculture, Ukanafun (Establishment) Bill, 2021 (HB. 1335).
- (22) Mandatory Establishment of Guidance and Counselling Departments in Educational Institutions in Nigeria Bill, 2021 (HB. 1336).
- (23) Nigerian Postal Service Act (Repeal and Enactment) Bill, 2021 (HB. 1337).

**10. Presentation of Reports**

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

*Motion made and Question proposed, “That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Amend the Orthopaedic Hospitals Management Board Act, Cap. 010, Laws of the Federation of Nigeria, 2004 to provide for the Establishment of Orthopaedic Hospitals, Benin, Edo State and Jalingo, Taraba State; and for Related Matters (HB. 1284)” (Hon. Magaji Amos Gwamna — Jaba/Zangon Kataf Federal Constituency).*

***Agreed to.***

*Report laid.*

(ii) ***Ad-hoc Committee on Need to Review the Purchase, Use and Control of Arms, Ammunition and Related Hardwares:***

*Motion made and Question proposed*, "That the House do receive the Interim Report of the Ad-hoc Committee on Need to Review the Purchase, Use and Control of Arms, Ammunition and Related Hardwares by Military, Paramilitary and Other Law Enforcement Agencies in Nigeria" (*Hon. Olaide Akinremi Adewale — Ibadan North Federal Constituency*).

***Agreed to.***

*Report laid.*

(iii) ***Committee on Public Petitions:***  
***Petitions by Jerome Atse:***

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Public Petitions on the petition by Jerome Atse, a Former Staff of the Niger Dock Company Plc, against the Management of the Company for wrongfully termination of his Appointment" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

***Agreed to.***

*Report laid.*

(iv) ***Committee on Public Petitions:***  
***Petitions by Yetunde Oladimeji:***

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Public Petitions on the petition by Yetunde Oladimeji against the Nigeria Police on an Appeal for urgent intervention for the purpose of Reinstatement" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

***Agreed to.***

*Report laid.*

(v) ***Committee on Public Petitions:***  
***Petitions by Messrs Aghebe and Two Others:***

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Public Petitions on the petition by Messrs Aghebe and two others on the Non-Compliance or Implementation of the House Resolution of 15 September, 2004 by the Federal Housing Authority (now Federal Ministry of Housing and Urban Development)" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

***Agreed to.***

*Report laid.*

(vi) ***Committee on Public Petitions:***  
***Petitions by Jasper Musa:***

*Motion made and Question proposed*, "That the House do receive the Report of the Committee on Public Petitions on the petition by Jasper Musa against the Federal Roads Safety Commission for unlawful termination of his appointment without just cause" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

***Agreed to.***

*Report laid.*

**(vii) Committee on Public Petitions:****Petitions by Suru Worldwide Nigeria Limited:**

*Motion made and Question proposed*, “That the House do receive the Report of the Committee on Public Petitions on the petition by Suru Worldwide Limited on the Illegal Seizure of Property against the Assets Management Corporation of Nigeria (AMCON)” (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

*Agreed to.*

*Report laid.*

**(viii) Committee on Public Petitions:****Petitions by CLP Cletus Kikimme and CPL Appeal Ugorji:**

*Motion made and Question proposed*, “That the House do receive the Report of the Committee on Public Petitions on the petition by CLP Cletus Kikimme and CPL Appeal Ugorji against the Nigeria Police Service Commission on the unlawful dismissal from Service” (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

*Agreed to.*

*Report laid.*

**11. A Bill for an Act to Establish the Environmental Trust Fund charged with Responsibility for Imposing Tax, Managing and Disbursing the Funds for Environmental Restoration, Rehabilitation, Conservation, Research and Education; and for Related Matters (HB.1283) — Second Reading**

*Motion made and Question proposed*, “That a Bill for an Act to Establish the Environmental Trust Fund charged with Responsibility for Imposing Tax, Managing and Disbursing the Funds for Environmental Restoration, Rehabilitation, Conservation, Research and Education; and for Related Matters (HB.1283) be read a Second Time” (*Hon. Sulaiman Abubakar Gumi — Gummi/Bukkuyum Federal Constituency*).

*Debate.*

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

*Bill read the Second Time.*

*Bill referred to the Committee on Environment.*

**12. A Bill for an Act to Amend the Sheriffs and Civil Process Act, Cap. S6, Laws of the Federation of Nigeria, 2004 to Increase Fines and put the Attorney General of the Federation on a Pre-Execution Notice after a Garnishee Order Nisi involving a Public Officer has been Ruled by a Court of Competent Jurisdiction; and for Related Matters (HB.1238) — Second Reading**

*Motion made and Question proposed*, “That a Bill for an Act to Amend the Sheriffs and Civil Process Act, Cap. S6, Laws of the Federation of Nigeria, 2004 to Increase Fines and put the Attorney General of the Federation on a Pre-Execution Notice after a Garnishee Order Nisi involving a Public Officer has been Ruled by a Court of Competent Jurisdiction; and for Related Matters (HB.1238) be read a Second Time” (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

*Debate.*

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

*Bill read the Second Time.*



13. **A Bill for an Act to Provide for the Protection of the Identity of National Security Agencies Personnel, Agents, Sources, Informants and Operational Methods from Unlawful Disclosure; and to Protect their Establishments, Facilities and Equipment against Unauthorized Access, as well as Provide for the Promotion and Enhancement of Nigeria's External Security; and for Related Matters (HB.1242) — *Second Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Provide for the Protection of the Identity of National Security Agencies Personnel, Agents, Sources, Informants and Operational Methods from Unlawful Disclosure; and to Protect their Establishments, Facilities and Equipment against Unauthorized Access, as well as Provide for the Promotion and Enhancement of Nigeria's External Security; and for Related Matters (HB.1242) be read a Second Time” (*Hon. Oluwole Oke — Obekun/Oriade Federal Constituency*).

*Debate.*

*Debate adjourned.*

14. **A Bill for an Act to Establish the National Renewable Energy Development Agency and to charge it with Responsibility of Promoting the use of Renewable Energy Resources; and for Related Matters (HB.1241) — *Second Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Establish the National Renewable Energy Development Agency and to charge it with Responsibility of Promoting the use of Renewable Energy Resources; and for Related Matters (HB.1241) be read a Second Time” (*Hon. Usman Abdullahi — Lavun/Mokwa/Edati Federal Constituency*).

*Debate.*

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

*Bill read the Second Time.*

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

15. **A Bill for an Act to Provide for the Establishment of the Federal College of Nursing and Midwifery, Otu -Jeremi; and for Related Matters; and for Related Matters (HB. 402) — *Second Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Provide for the Establishment of the Federal College of Nursing and Midwifery, Otu -Jeremi; and for Related Matters; and for Related Matters (HB. 402) be read a Second Time” (*Hon. Francis Ejirogbene Waive — Ughelli North/Ughelli South/Udu Federal Constituency*).

*Debate.*

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

*Bill read the Second Time.*

*Bill referred to the **Committee on Health Institutions.***

16. **A Bill for an Act to Repeal the Nigerian Institute of International Affairs Act, Cap. N113, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Institute of International Affairs Bill to Broaden the Scope and Functions of the Nigerian Institute of International Affairs, to add more value to Foreign Missions and to provide for the power to Conduct Courses of Instruction and Learning and Create an Academic Board to Award Postgraduate Diploma (PGD) and Masters Degrees in International Relations, Diplomatic Practices; and for Related Matters (HB.1279) — *Second Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Repeal the Nigerian Institute of International Affairs Act, Cap. N113, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Institute of International Affairs Bill to Broaden the Scope and Functions of the Nigerian

Institute of International Affairs, to add more value to Foreign Missions and to provide for the power to Conduct Courses of Instruction and Learning and Create an Academic Board to Award Postgraduate Diploma (PGD) and Masters Degrees in International Relations, Diplomatic Practices; and for Related Matters (HB.1279) be read a Second Time” (*Hon Yusuf Buba Yakub — Gombi/Hong Federal Constituency*).

*Debate.*

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

*Bill read the Second Time.*

*Bill referred to the Committee on Foreign Affairs.*

**17. A Bill for an Act to Provide for Mandatory Entrepreneurship Education in Educational Institutions in Nigeria to Teach and Promote Entrepreneurship Studies; and for Related Matters (HB. 831) — Second Reading**

*Motion made and Question proposed*, “That a Bill for an Act to Provide for Mandatory Entrepreneurship Education in Educational Institutions in Nigeria to Teach and Promote Entrepreneurship Studies; and for Related Matters (HB. 831) be read a Second Time” (*Hon. Unyime Idem — Ukanafun/Oruk Anam Federal Constituency*).

*Debate.*

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

*Bill read the Second Time.*

*Bill referred to the Committees on Tertiary Education and Services, and Basic Education and Services.*

**18. Need to Appraise Nigeria's Legal Framework against Illicit Financial Flows**

*Motion made and Question proposed:*

The House:

*Notes* that Illicit Financial Flows (IFF) is the cross-border transfer of capital that was illegally earned, transferred or utilized, and often consists of commercial money laundering, tax evasion and proceeds of corruption and criminal activities;

*Also notes* that the socio-economic development of Nigeria has deeply suffered due to the unabated cross-border financial dealings in the nation's revenues resulting from Illicit Financial Flows (IFF);

*Disturbed* that the Report of the Global Financial Integrity, 2014 showed that Nigeria lost a minimum of US\$140 billion to illicit financial flows between 2000 and 2014, mainly to crude oil and commercial activities mispricing, thus Nigeria was ranked among the global top 30 countries having illicit financial outflows by dollar value and in 2015, a total of US\$8.3 billion was involved in illicit financial outflows;

*Also disturbed* that the Tax Justice Network and the International Monetary Fund (IMF) estimated that developing countries, including Nigeria, lose over US\$200 billion per year to illicit financial flows as Multinational Corporations neglect, fail and/or refuse to pay taxes, despite generating substantial profits;

*Concerned* that incessant financial drain on the country's economy by illicit financial outflow continues to have negative implications for domestic resource, mobilization and long-term economic growth and development, as approximately 5% of the IFF from Africa can be attributed to corruption, while the remaining 95% comes from commercial and criminal activities;

*Also concerned* about statistics which show that the amount of revenues lost annually is more than the sums provided as Development Aid;

*Observes* that the net official Development Aid received by Nigeria in 2017 was US\$3,358,790,000 and the United States Agency for International Development (USAID) has donated over US\$526.7 million in humanitarian assistance to Nigeria and the Lake Chad Basin since 2017, yet neither of the aforementioned figures matches the estimated US\$15 and US\$18 billion Nigeria loses to IFFs annually hence Nigeria continues to struggle with growing inequality, poor infrastructure and lacking service delivery;

*Also observes* that despite having at least 12 institutions and agencies responsible for tackling IFF and related crimes, Nigeria continues to be menaced by weak regulatory structures;

*Further observes* that global awareness has prompted governments to develop measures and policies such as the Organisation for Economic Co-operation and Development (OECD) and Common Reporting Standard (CRS) aimed at eradicating the perpetuation of IFF, and assist tax authorities to track offshore holdings of taxpayers;

*Worried* that an estimated 60% of IFF from Nigeria is predominantly committed by Multinational Corporations which continue to drive the cross-border siphoning of the country's revenues to the direct and/or indirect benefit of foreign economies;

*Also worried* that international information sharing and domestication of relevant policies have become a global priority to ensure cross-border cooperation to tackle this global threat to national revenue generation and its negative economic and developmental impacts;

*Aware* that to ensure the domestication and implementation of the international legal framework, the Federal Inland Revenue Service (FIRS) published the Income Tax (Common Reporting Standard) Regulations, 2019, through which Nigeria aims to commence the implementation of a standardised automatic exchange of information to curb future revenue losses due to tax evasion;

*Also aware* that Nigeria is taking steps to curtail IFF, especially from tax evasion given that billions of dollars have already been lost to IFF as the 2014 Financial Stability Report from the Central Bank of Nigeria (CBN) estimated that 35% of illicit financial flows out of Nigeria could be attributed to oil bunkering;

*Further aware* that the Oil Sector accounted for 95% of Nigeria's foreign exchange earnings and 80% of its total budgetary revenue, hence it has become imperative to recover those funds to increase short-term national revenues, particularly to alleviate the pressures of the current COVID-19 pandemic, while implementing a mechanism to prevent further IFFs;

*Convinced* that international best practices have shown that a carefully formulated funds and asset repatriation scheme could have multiple benefits for the country;

*Also convinced* that to foster the repatriation of Nigeria's offshore funds, the Federal Government could introduce an appealing, yet legally acceptable offshore repatriation framework, with legal and economic incentives to taxpayers and Multinational Corporations to repatriate such resources, which could be used to boost Nigeria's economic growth;

*Resolves to:*

- (i) mandate the Committees on Finance, Anti-Corruption, Financial Crimes, Banking and Currency, and Insurance and Actuarial Matters to investigate the phenomenon of Illicit Financial Flows and appraise the Federal Governments current policy framework to curb the continuous loss of Nigeria's' revenues to illicit financial flows;
- (ii) also mandate the Committees on Finance, National Planning and Economic Development, Anti-Corruption, Financial Crimes, Banking and Currency, and Insurance and Actuarial Matters to:
  - (a) appraise the Federal Inland Revenue Service (FIRS) current framework for identifying, tracing, preventing and sanctioning cross-border tax evasion and other illicit financial outflows,
  - (b) invite the Minister of Finance, the Heads of the Federal Inland Revenue Service (FIRS), the Economic and Financial Crimes Commission (EFCC), the Central Bank of Nigeria (CBN), the Independent Corrupt Practices and Other Related Offences Commission (ICPC), the Nigerian Financial Intelligence Unit (NFIU), the Nigerian Export-Import Bank (NEXIM), the Nigerian National Petroleum Corporation (NNPC) and any other relevant institutions, to address the Committees on the continuous loss of government revenues to illicit financial flows and present report on the measures to curb revenue losses, particularly the coordinated implementation of the automatic exchange of information standard, to prevent further revenue leakages, curb tax evasion and money laundering activities (*Hon. Ochiglegor Idagbo — Obanliku/Obudu/Bakwarra Federal Constituency*).

*Debate.*

***Agreed to.***

The House:

*Noted* that Illicit Financial Flows (IFF) is the cross-border transfer of capital that was illegally earned, transferred or utilized, and often consists of commercial money laundering, tax evasion and proceeds of corruption and criminal activities;

*Also noted* that the socio-economic development of Nigeria has deeply suffered due to the unabated cross-border financial dealings in the nation's revenues resulting from Illicit Financial Flows (IFF);

*Disturbed* that the Report of the Global Financial Integrity, 2014 showed that Nigeria lost a minimum of US\$140 billion to illicit financial flows between 2000 and 2014, mainly to crude oil and commercial activities mispricing, thus Nigeria was ranked among the global top 30 countries having illicit financial outflows by dollar value and in 2015, a total of US\$8.3 billion was involved in illicit financial outflows;

*Also disturbed* that the Tax Justice Network and the International Monetary Fund (IMF) estimated that developing countries, including Nigeria, lose over US\$200 billion per year to illicit financial flows as Multinational Corporations neglect, fail and/or refuse to pay taxes, despite generating substantial profits;

*Concerned* that incessant financial drain on the country's economy by illicit financial outflow continues to have negative implications for domestic resource, mobilization and long-term economic growth and development, as approximately 5% of the IFF from Africa can be attributed to corruption, while the remaining 95% comes from commercial and criminal activities;

*Also concerned* about statistics which show that the amount of revenues lost annually is more than the sums provided as Development Aid;

*Observed* that the net official Development Aid received by Nigeria in 2017 was US\$3,358,790,000 and the United States Agency for International Development (USAID) has donated over US\$526.7 million in humanitarian assistance to Nigeria and the Lake Chad Basin since 2017, yet neither of the aforementioned figures matches the estimated US\$15 and US\$18 billion Nigeria loses to IFFs annually hence Nigeria continues to struggle with growing inequality, poor infrastructure and lacking service delivery;

*Also observed* that despite having at least 12 institutions and agencies responsible for tackling IFF and related crimes, Nigeria continues to be menaced by weak regulatory structures;

*Further observed* that global awareness has prompted governments to develop measures and policies such as the Organisation for Economic Co-operation and Development (OECD) and Common Reporting Standard (CRS) aimed at eradicating the perpetuation of IFF, and assist tax authorities to track offshore holdings of taxpayers;

*Worried* that an estimated 60% of IFF from Nigeria is predominantly committed by Multinational Corporations which continue to drive the cross-border siphoning of the country's revenues to the direct and/or indirect benefit of foreign economies;

*Also worried* that international information sharing and domestication of relevant policies have become a global priority to ensure cross-border cooperation to tackle this global threat to national revenue generation and its negative economic and developmental impacts;

*Aware* that to ensure the domestication and implementation of the international legal framework, the Federal Inland Revenue Service (FIRS) published the Income Tax (Common Reporting Standard) Regulations, 2019, through which Nigeria aims to commence the implementation of a standardised automatic exchange of information to curb future revenue losses due to tax evasion;

*Also aware* that Nigeria is taking steps to curtail IFF, especially from tax evasion given that billions of dollars have already been lost to IFF as the 2014 Financial Stability Report from the Central Bank of Nigeria (CBN) estimated that 35% of illicit financial flows out of Nigeria could be attributed to oil bunkering;

*Further aware* that the Oil Sector accounted for 95% of Nigeria's foreign exchange earnings and 80% of its total budgetary revenue, hence it has become imperative to recover those funds to increase short-term national revenues, particularly to alleviate the pressures of the current COVID-19 pandemic, while implementing a mechanism to prevent further IFFs;

*Convinced* that international best practices have shown that a carefully formulated funds and asset repatriation scheme could have multiple benefits for the country;

*Also convinced* that to foster the repatriation of Nigeria's offshore funds, the Federal Government could introduce an appealing, yet legally acceptable offshore repatriation framework, with legal and economic incentives to taxpayers and Multinational Corporations to repatriate such resources, which could be used to boost Nigeria's economic growth;

*Resolved to:*

- (i) mandate the Committees on Finance, Anti-Corruption, Financial Crimes, Banking and Currency, and Insurance and Actuarial Matters to investigate the phenomenon of Illicit Financial Flows and appraise the Federal Government's current policy framework to curb the continuous loss of Nigeria's revenues to illicit financial flows;

- (ii) also mandate the Committees on Finance, National Planning and Economic Development, Anti-Corruption, Financial Crimes, Banking and Currency, and Insurance and Actuarial Matters to:
- (a) appraise the Federal Inland Revenue Service (FIRS) current framework for identifying, tracing, preventing and sanctioning cross-border tax evasion and other illicit financial outflows,
  - (b) invite the Minister of Finance, the Heads of the Federal Inland Revenue Service (FIRS), the Economic and Financial Crimes Commission (EFCC), the Central Bank of Nigeria (CBN), the Independent Corrupt Practices and Other Related Offences Commission (ICPC), the Nigerian Financial Intelligence Unit (NFIU), the Nigerian Export-Import Bank (NEXIM), the Nigerian National Petroleum Corporation (NNPC) and any other relevant institutions, to address the Committees on the continuous loss of government revenues to illicit financial flows and present report on the measures to curb revenue losses, particularly the coordinated implementation of the automatic exchange of information standard, to prevent further revenue leakages, curb tax evasion and money laundering activities (**HR. 113/05/2021**).

**19. Need to Investigate the Failure of ₦2 Billion Safe School Initiative Intervention Programme:**

*Motion made and Question proposed:*

The House:

*Notes* that the Safe School Initiative Programme was launched in 2014 to promote security, the safety of schools, pupils, students and teachers, as well as facilities;

*Also notes* that the objective of the Programme was to design and implement the best global standards through the employment of qualified teachers, provision of library and laboratory equipment, conducive teaching and learning environment, as well as provision of habitable classrooms and hostels in the Nigerian educational sector;

*Observes* that the activities of insurgents and bandits have further exacerbated the already low levels of enrolment in education and literacy in the country as 910 schools have been destroyed between 2009 to 2016 while several schools have been forced to shut down due to security concerns in the last six months;

*Disturbed* that the unfortunate increase in security crisis in the country with schools as targets witnessed recently has exposed the unimaginable decadence and dilapidation of schools in Nigeria where some students learn under trees, use blocks as desks while the roofs of most classrooms are completely blown off, hostels in pitiable states and most schools are without perimeter fences, etc;

*Also disturbed* that although an initial \$20 million was donated for the takeoff of the Safe School Initiative Project in 2014 and as at 2018, a total of \$1,720,2406 (~~₦~~41 billion) has been realized as donations from countries and donor agencies, yet not much is on ground to indicate seriousness to fully implement the laudable objectives of the initiative as it relates to the safety of schools, students, teachers and facilities;

*Worried* that those incidents may instill fear in parents and guardians and thus, force them to withdraw their children and wards from schools or prevent them from sending them to schools, thereby defeating the policy of “Education for All” and the SDGs’ goals numbers 4 and 10 on quality education and reduction of inequality, apart from depriving Nigerian children of the opportunity of having quality education to compete with their peers globally;

*Concerned* that the latest development in criminal activities associated with insecurity in Nigeria, especially as it relates to the invasion of school premises and kidnapping of students and teachers for ransom could be contained and defeated through the full implementation of the safe school initiatives;

*Resolves to:*

- (i) urge the Executive Arm of Government to collaborate with State Governments to restore, revive and re-validate the Safe School Initiative and deploy special security personnel to schools in Nigeria;
- (ii) mandate the Committee on Basic Education and Services to carry out an investigation into the use of over ₦2 billion released for the Safe School Initiative alongside other donations from foreign countries and Organizations and report back within six weeks (*Hon. Aniekan Umanah — Abak/Etim Ekpo/Ika Federal Constituency*).

*Debate.*

***Agreed to.***

The House:

*Noted* that the Safe School Initiative Programme was launched in 2014 to promote security, the safety of schools, pupils, students and teachers, as well as facilities;

*Also noted* that the objective of the Programme was to design and implement the best global standards through the employment of qualified teachers, provision of library and laboratory equipment, conducive teaching and learning environment, as well as provision of habitable classrooms and hostels in the Nigerian educational sector;

*Observed* that the activities of insurgents and bandits have further exacerbated the already low levels of enrolment in education and literacy in the country as 910 schools have been destroyed between 2009 to 2016 while several schools have been forced to shut down due to security concerns in the last six months;

*Disturbed* that the unfortunate increase in security crisis in the country with schools as targets witnessed recently has exposed the unimaginable decadence and dilapidation of schools in Nigeria where some students learn under trees, use blocks as desks while the roofs of most classrooms are completely blown off, hostels in pitiable states and most schools are without perimeter fences, etc;

*Also disturbed* that although an initial \$20 million was donated for the takeoff of the Safe School Initiative Project in 2014 and as at 2018, a total of \$1,720,2406 (₦41 billion) has been realized as donations from countries and donor agencies, yet not much is on ground to indicate seriousness to fully implement the laudable objectives of the initiative as it relates to the safety of schools, students, teachers and facilities;

*Worried* that those incidents may instill fear in parents and guardians and thus, force them to withdraw their children and wards from schools or prevent them from sending them to schools, thereby defeating the policy of “Education for All” and the SDGs’ goals numbers 4 and 10 on quality education and reduction of inequality, apart from depriving Nigerian children of the opportunity of having quality education to compete with their peers globally;

*Concerned* that the latest development in criminal activities associated with insecurity in Nigeria, especially as it relates to the invasion of school premises and kidnapping of students and teachers for ransom could be contained and defeated through the full implementation of the safe school initiatives;

*Resolved to:*

- (i) urge the Executive Arm of Government to collaborate with State Governments to restore, revive and re-validate the Safe School Initiative and deploy special security personnel to schools in Nigeria;

- (ii) mandate the Committee on Basic Education and Services to carry out an investigation into the use of over ₦2 billion released for the Safe School Initiative alongside other donations from foreign countries and Organizations and report back within six (6) weeks (**HR. 114/05/2021**).

**20. Reconstruction of Lambata-Lapai-Agaie-Bida Road**

*Motion made and Question proposed:*

The House:

*Notes* that the reconstruction of the 125 kilometer Lambata-Lapai-Agaie-Bida road which links South-West to Northern Nigeria was approved by the Federal Government in 2018 for the sum of ₦33 billion, and yet no significant progress has been made after three years;

*Aware* that lack of progress in the reconstruction of the road project has brought about serious gridlock of tankers, trucks, and other articulated vehicles that ply the route as a result of its terrible state which is affecting access to medical facilities, quality education and is also leading to loss of lives and properties;

*Concerned* that if the project is not fast-tracked to ensure timely completion, there will continue to be witnessed devastating effects on the social-economic development of the people of Lambata-Lapai-Agaie-Bida respectively;

*Resolves to:*

- (i) urge the Federal Roads Maintenance Agency (FERMA) to swiftly, in the interim, intervene by reconstructing the failed sections of the roads;
- (ii) mandate the Committees on Works, and Appropriations to liaise with the Federal Ministry of Works and Housing to ensure the provision of funds in the 2022 budget estimates for the execution of the road project (*Hon. Mamudu Abdullahi — Agaie/Lapai Federal Constituency*).

*Agreed to.*

**(HR. 115/05/2021).**

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

**21. Investigation into the Operations and Management of the Export Free Zones Authorities in Nigeria**

*Motion made and Question proposed:*

The House:

*Notes* that the Calabar Free Trade Zone (CFTZ) formerly known as Calabar Export Processing Zone (CEPZ) came into existence in 1992, but was modified and rebranded as Calabar Free Trade Zone in 2001 whereas the Oil and Gas Free Trade Zone (OGFTZ), Onne, Port Harcourt was established in 1996 but began operation in 2001 as the first two established free zones followed by the establishment of Lekki Free Trade Zone in 2006, while the Warri port complex was upgraded to a free trade zone in 2011;



*Also notes* that the aims of establishing free trade zones are for the provisions of foreign exchange earnings, job creation, revenue generation, attraction of direct foreign investment to enhance knowledge, technology transfer, grants, requisite permits and licenses to conduct approved enterprises within the free trade zones, and to regulate, supervise, manage, control and coordinate the activities of free trade zones in the country;

*Further notes* that series of the country's growth and economic indices have continually slowed down because of over-reliance on the oil sector and deliberate abandonment of the non-oil sectors by successive governments and negligence of trade and commerce which remains a veritable sector to sustain the economy, particularly in the face of dwindling revenues from the oil sector and the Coronavirus pandemic;

*Aware* that billions of Naira were expended on the establishment of the Free Trade Zones and Oil and Gas Free Trade Zone and huge budgetary allocations have been provided in the past fifteen years without commensurate result in terms of infrastructural development and achieving the aims for which they were established;

*Worried* that since the inception of those Free Trade Zones, given the volume of investments by the Federal Government and the enormous revenues accruing to the operating registered companies in the designated free trade zones which are in the neighbourhood of three hundred million Naira (₦300,000,000) without proper monitoring, maintenance of proper transfer pricing audit documentation, resulting in shortchanging the country;

*Observes* that inconsistencies and concerted collaborations at the Oil and Gas Free Trade Zones have resulted in numerous shortages and leakages on effective and correct revenue collection, diversion, and non-remittance to appropriate Federal Government Agencies;

*Resolves to:*

Mandate the Committee on Commerce to investigate the activities of the Free Trade Zones, the Oil and Gas Free Trade Zones to determine revenue leakages and carry out an analytical overview of the operations of the Nigerian Exporting Processing Free Zone Authority (NEPZA) and Oil and Gas Free Trade Zone Authority (OGFTZA) and report back within six (6) weeks (*Hon. Ntufam Eta Mborah — Calabar Municipal Odukpani Federal Constituency*).

*Debate.*

***Agreed to.***

The House:

*Noted* that the Calabar Free Trade Zone (CFTZ) formerly known as Calabar Export Processing Zone (CEPZ) came into existence in 1992, but was modified and rebranded as Calabar Free Trade Zone in 2001 whereas the Oil and Gas Free Trade Zone (OGFTZ), Onne, Port Harcourt was established in 1996 but began operation in 2001 as the first two established free zones followed by the establishment of Lekki Free Trade Zone in 2006, while the Warri port complex was upgraded to a free trade zone in 2011;

*Also noted* that the aims of establishing free trade zones are for the provisions of foreign exchange earnings, job creation, revenue generation, attraction of direct foreign investment to enhance knowledge, technology transfer, grants, requisite permits and licenses to conduct approved enterprises within the free trade zones, and to regulate, supervise, manage, control and coordinate the activities of free trade zones in the country;

*Further noted* that series of the country's growth and economic indices have continually slowed down because of over-reliance on the oil sector and deliberate abandonment of the non-oil sectors by successive governments and negligence of trade and commerce which remains a veritable sector

to sustain the economy, particularly in the face of dwindling revenues from the oil sector and the Coronavirus pandemic;

*Aware* that billions of Naira were expended on the establishment of the Free Trade Zones and Oil and Gas Free Trade Zone and huge budgetary allocations have been provided in the past fifteen years without commensurate result in terms of infrastructural development and achieving the aims for which they were established;

*Worried* that since the inception of those Free Trade Zones, given the volume of investments by the Federal Government and the enormous revenues accruing to the operating registered companies in the designated free trade zones which are in the neighbourhood of three hundred million Naira (₦300,000,000) without proper monitoring, maintenance of proper transfer pricing audit documentation, resulting in shortchanging the country;

*Observed* that inconsistencies and concerted collaborations at the Oil and Gas Free Trade Zones have resulted in numerous shortages and leakages on effective and correct revenue collection, diversion, and non-remittance to appropriate Federal Government Agencies;

*Resolved to:*

Mandate the Committee on Commerce to investigate the activities of the Free Trade Zones, the Oil and Gas Free Trade Zones to determine revenue leakages and carry out an analytical overview of the operations of the Nigerian Exporting Processing Free Zone Authority (NEPZA) and Oil and Gas Free Trade Zone Authority (OGFTZA) and report back within six (6) weeks (**HR. 116/05/2021**).

## 22. Consideration of Reports

(i) ***A Bill for an Act to Establish the Federal University of Agriculture, Dadin Kowa, Gombe State to make Comprehensive Provisions for Its Due Management and Administration; and for Related Matters (HB.652) (Committee of the Whole):***

*Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish the Federal University of Agriculture, Dadin Kowa, Gombe State, to make Comprehensive Provisions for Its Due Management and Administration; and for Related Matters (HB.652)" (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).*

*Agreed to.*

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

### (HOUSE IN COMMITTEE)

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF AGRICULTURE, DADIN KOWA, GOMBE STATE, TO MAKE COMPREHENSIVE PROVISIONS FOR ITS DUE MANAGEMENT AND ADMINISTRATION AND FOR RELATED MATTERS (HB. 652)

PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL UNIVERSITY OF AGRICULTURE, DADIN/KOWA

**Clause 1: Establishment and Objects of the Federal University of Agriculture, Dadin/Kowa.**

(1) There is establish the Federal University of Agriculture Dadin/Kowa (in this Bill referred to as "the University").

(2) The University:

- (a) shall be a body corporate with perpetual succession and a common seal; and
- (b) may sue or be sued in its corporate name (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 2: Objects of the University.**

The objects of the University shall be to:

- (a) encourage the advancement of learning and to hold out to all persons without distinction of race, creed, sex or political conviction the opportunity of acquiring tertiary education in Agriculture;
- (b) to develop and offer academic and professional programmes leading to the award of diplomas, first degrees, post-graduate research and higher degrees with emphasis on Agricultural research, planning, adaptive, technical, maintenance, developmental and productive skills in the engineering, scientific, and allied professional disciplines with the aim of producing socially mature men and women with capability not only to understand, use and adapt existing technologies in the Agriculture, but also to improve on them and develop new ones;
- (c) to act as agents and catalysts, through post-graduate training, research and innovation for the effective and economic utilization, exploitation and conservation of the country's Agriculture resources;
- (d) to offer to the general population particularly in the area Agriculture as a form of public service, the results of training and research and to foster the practical applications of these results;
- (e) to establish appropriate relationships with other national institutions involved in training, research and development of technologies in the Agriculture sector;
- (f) to identify the problems and needs of the Agriculture sector in Nigeria and to find solutions to them within the context of overall national development;
- (g) to provide and promote sound basic scientific training as a foundation for the development of Agriculture in Nigeria, taking into account indigenous cultures and the need to enhance national unity;
- (h) to encourage and promote scholarship and conduct research in restricted fields of learning; and human endeavor;
- (i) to relate its activities to the technological, social, cultural and economic needs of the people of Nigeria; and
- (j) to undertake any other activities appropriate for an Agriculture university of the highest standard (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 3: Constitution of the University and its Constituents Bodies, etc.**

- (1) The University shall consist of:

- (a) a Chancellor;
  - (b) a Pro-Chancellor and a Council;
  - (c) a Vice Chancellor and a Senate;
  - (d) a Deputy Vice-Chancellor;
  - (e) a body to be called Congregation;
  - (f) a body to be called Convocation;
  - (g) the Campuses and Colleges of the University;
  - (h) the Faculties, Schools, Institutes and other teaching and research units of the University;
  - (i) the persons holding the offices constituted by the First Schedule to this Bill other than those mentioned in paragraphs (a) to (c) of this subsection;
  - (j) all graduates and undergraduates; and
  - (k) all other persons who are members of the University in accordance with provisions made by Statute in that behalf.
- (2) The First Schedule to this Bill shall have effect with respect to the Principal Officers of the University mentioned therein.
- (3) Provision shall be made by Statute with respect to the constitution of the following bodies, namely:
- (a) the Council;
  - (b) the Senate;
  - (c) the Congregation; and
  - (d) the Convocation (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 4: Powers of the University.**

- (1) For the carrying out of its objects as specified in Section 2 of this Bill, the University shall have power to:
- (a) establish such Campuses, Colleges, Faculties, Institutes, Schools, Extra-mural Departments and other teaching and research units within the University as may from time to time seem necessary or desirable, subject to the approval of the National Universities Commission;

- (b) institute professorships, readerships and associate professorships, lectureships and other posts and offices and to make appointments thereto;
- (c) institute and award fellowships, scholarships, exhibitions, bursaries, medals, prizes and other titles, distinctions, awards and forms of assistance;
- (d) provide for the residence, discipline and welfare of members of the University;
- (e) hold examinations and award degrees, diplomas, certificates and other distinctions to persons who have pursued a course of study approved by the University and have satisfied such other requirements as the University may lay down;
- (f) award honorary degrees, fellowships or academic titles;
- (g) demand and receive from any student or any other person attending the University for the purpose of instruction such fees as the University may from time to time determine, subject to the overall directives of the appropriate authority;
- (h) subject to section 22 of this Bill, to acquire, hold, grant, charge or otherwise deal with or dispose of movable and immovable property wherever situate;
- (i) accept gifts, legacies and donations, but without obligation to accept the same for a particular purpose unless it approves the terms and conditions attaching thereto;
- (j) enter into contracts, establish trusts, act as trustee, solely or jointly with any other person, and employ and act through agents;
- (k) erect, provide, equip and maintain libraries, laboratories, lecture halls, halls of residence, refectories, sports grounds, playing fields and other buildings or things necessary, suitable or convenient for any of the objects of the University;
- (l) hold public lectures and undertake printing, publishing and book selling;
- (m) subject to any limitations or conditions imposed by Statute, to invest any moneys appertaining to the University by law of endorsement, whether for general or special purposes, and such other moneys as may not be immediately required for current expenditure, in any investments or securities or in the purchase or improvement of land, with power from time to time to vary any such investments and to deposit any moneys for the time being un-invested with any bank on deposit or current account;
- (n) borrow, whether on interest or not, and if need be, upon the security of any or all of the property movable or immovable of the University, such moneys as the Council may from time to time in its discretion find necessary or expedient to borrow or to guarantee any loan, advances or credit facilities;

- (o) make gifts for any charitable purpose;
  - (p) do anything which it is authorized or required by this Bill or by any other Statute to do; and
  - (q) do all such acts or things, whether or not incidental to the foregoing powers, as may advance the objects of the University.
- (2) Subject to the provisions of this Bill and of the Statutes made thereunder and without prejudice to Section 9 (2) of this Bill, the powers conferred on the University by subsection (1) of this section shall be exercisable on behalf of the University by the Council or by the Senate or in any other manner which may be authorized by this Bill (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 5: Functions of the Chancellor and Pro-Chancellor.**

- (1) The Chancellor shall in relation to the University, take precedence before all other members of the University, and when he is present shall preside at all meetings of convocation held for conferring degrees.
- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor, and except for the Vice Chancellor when acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall when he is present, be the Chairman at all meetings of the Council (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 6: Establishment and Composition of Council.**

- (1) There shall be a Council for the University consisting of:
  - (a) the Pro-Chancellor;
  - (b) the Vice-Chancellor;
  - (c) the Deputy Vice-Chancellor;
  - (d) one person from the Ministry responsible for Education;
  - (e) four persons representing a variety of interest and broadly representative of the whole Federation;
  - (f) four persons appointed by the Senate from among its members;
  - (g) two persons appointed by the congregation from among its members; and
  - (h) one persons appointed by Convocation from among its members.
- (2) Persons to be appointed to the Council shall be persons of proven integrity, knowledgeable and familiar with the affairs and tradition of the University (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 7: Functions of the Council and its Finance and General Purpose.**

- (1) Subject to the provisions of this Bill relating to the Visitor, the Council shall

be the Governing Body of the University and shall be charged with the general control and superintendence of the policy, finances and property of the University, including its public relations.

- (2) There shall be a committee of the Council to be known as the Finance and General Purposes Committee, which shall, subject to the directions of the Council, exercise control over the property and expenditure of the Council as the Council may from time to time delegate to it.
- (3) Provision shall be made by Statute with respect to the constitution of the Finance and General Purposes Committee.
- (4) The Council shall ensure proper accounts of the University are kept and that the accounts of the University are audited annually by auditors appointed by the Council from the list and in accordance with guidelines supplied by the Auditor-General of the Federation, and that an annual report is published by the University together with certified copies of the said accounts as audited.
- (5) Subject to this Bill and the Statutes, the Council and the Finance and General Purposes Committee may each make rules for the purpose of exercising any of their respective functions or of regulating their own procedure.
- (6) Rules made under subsection (5) of this section by the Finance and General Purposes Committee shall not come into force unless approved by the Council, and where any rule so made by the Committee conflict with any directions given by the Council (whether before or after the coming into force of the rules in question), the direction of the Council shall prevail.
- (7) There shall be paid to the members of the Council, the Finance and General Purposes Committee and of any other committee set up by the Council, allowances in respect of travelling and other reasonable expenses, at such rates as may from time to time be fixed by extant government circulars.
- (8) The Council shall meet as and when necessary for the performance of its functions under this Bill, and shall meet at least four times every year.
- (9) If required in writing by any five members of the Council the Chairman shall within 28 days after the receipt of such request call a meeting of the Council:

Provided that if after 28 days of the receipt or delivering to him of such request, the chairman fails or neglects to call a meeting, the Registrar shall within 14 days thereof cause a meeting of the Council to be convened for that purpose. The request shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 8: Functions of the Senate.**

- (1) Subject to section 5 of this Bill and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general function of the Senate to organize and control teaching in the University, admission to Postgraduate courses and other admission of students, the discipline of students and to promote research in the University.

- (2) Without prejudice to the generality of the provisions of subsection (1) of this section, it shall in particular be the function of the Senate to make provision for the:
  - (a) establishment, organization and control of campuses, colleges,

faculties, departments, schools, institutes and other teaching and research units of the University, and the allocation of responsibility for different branches of learning;

- (b) organization and control of courses of study in the University and of the examinations held in conjunction with those courses, including the appointment of examiners, both internal and external;
  - (c) award of degrees, and such other qualifications as may be prescribed, in connection with examinations conducted by the University;
  - (d) making of recommendations to the Council with respect to the award to any person of an honorary fellowship or honorary degree or the title of professor emeritus;
  - (e) establishment, organization and control of halls of residence and similar institutions in the University;
  - (f) supervision of the welfare of students in the University and the regulation of the conduct;
  - (g) granting of fellowships, scholarships, prizes and similar awards in so far as the awards are within the control of the University; and
  - (h) determination of what description of dress shall be academic dress for the purpose of the University, and regulating the use of academic dress.
- (3) The Senate shall not establish any new campus, college, faculty, department school, institute or other teaching and research units of the University, or any hall of residence or similar institution at the University without the approval of the Council.
- (4) (a) Subject to this Bill and the Statutes, the Senate may make regulations for the purpose of exercising any function conferred on it either by the provisions of this section or for the purpose of providing for any matter for which provision by regulation is authorized or required by this Bill or by Statute.
- (b) The Senate shall, by regulation, provide that at least one of the persons appointed as examiners at each final or professional examination held in conjunction with any course of study in the University is not a teacher at the University but is a teacher at the branch of learning to which the course relates in some other university of high repute.
- (5) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred on him



if after due enquiry he is shown to have been guilty of any dishonourable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 9: Functions of the Vice-Chancellor.**

- (1) The Vice-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor and, subject to section 5 of this Bill, the Pro-Chancellor and any other person for the time being acting as Chairman of the Council.
- (2) Subject to the provisions of this Bill, the Vice-Chancellor shall have general function, in addition to any other functions conferred on him by this Bill or otherwise, of directing the activities of the University, and shall to the exclusion of any other person or authority be the Chief Executive and Academic Officer of the University and *ex-officio* Chairman of the Senate (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

PART II — TRANSFER OF PROPERTY

**Clause 10: Transfer of Property to the University.**

- (1) All property held by or on behalf of the Provisional Council shall, by virtue of this subsection and without further assurance, vest in the University and be held by it for the purpose of the University.
- (2) The provisions of the Second Schedule to this Bill shall have effect with respect to the transfer of property by this section and to matters arising there from and with respect to other matters mentioned in that Schedule (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

PART III — STATUTES OF THE UNIVERSITY

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

- (1) Subject to this Bill, the University may make Statutes for any of the following purposes:
  - (a) making provision with respect to the composition and constitution of any authority of the University;
  - (b) specifying and regulating the powers and duties of any authority of the University, and regulating any other matter connected with the University or any of its authorities;
  - (c) regulating the admission of students where it is done by the University, and their discipline and welfare;
  - (d) determining whether any particular matter is to be treated as an academic or non-academic matter for the purposes of this Bill and of any Statute, regulation or other instrument made there-under; and

- (e) making provision for other matters for which provision by Statute is authorized or required by this Bill.
- (2) Subject to section 25 (6) of this Bill, the Interpretation Act shall apply in relation to any Statute made under this section as it applies to a subsidiary instrument within the meaning of section 27 (1) of that Act.
- (3) The Statute contained in the Third Schedule to this Bill shall be deemed to have come into force on the commencement of this Bill and shall be deemed to have been made under this section by the University.
- (4) The power to make Statute conferred by this section shall not be prejudiced or limited in any way by reason of the inclusion or omission of any matter in or from the Statute contained in the Third Schedule to this Bill or any subsequent Statute (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 12: Mode of exercising the power to make Statutes.**

- (1) The power of the University to make Statutes shall be exercised in accordance with the provisions of this section.
- (2) A proposed Statute shall not have the force of law until it has been approved at a meeting of the:
  - (a) Senate, by the votes of not less than two thirds of the members present and voting; and
  - (b) Council by the votes of not less than two thirds of the members present and voting.
- (3) A proposed Statute may originate either in the Senate or Council, and may be approved as required by subsection (2) of this section by both bodies in no particular order.
- (4) A Statute which:
  - (a) makes provision for or alters the composition or constitution of the Council, the Senate or any other authority of the University; or
  - (b) provides for the establishment of a new campus or college or for the amendment or revocation of any Statute whereby a campus or college is established; shall not come into operation unless it has been approved by the Visitor.
- (5) For the purpose of section 2 (2) of the Interpretation Act, a Statute shall be treated as being made on the date on which it is approved by the Council and the Senate in accordance with subsection (3) of this section or in the case of a Statute falling within subsection (4) of this section, on the date on which it is approved by the President (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 13: Proof of Statute.**

A Statute may be proved in any Court by the production of a copy thereof bearing or having affixed to it a certificate signed by the Vice-Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of that University (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 14: Power to decide the meaning of Statute.**

(1) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a Statute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he deems fit.

(2) The decision of the Visitor on any matter referred to him under this section shall be binding upon the authorities, staff and students of that University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under this section, no question as to the meaning of that provision shall be entertained by any other authority in Nigeria:

Provided that nothing in this subsection shall affect the power of a court of competent jurisdiction to determine whether any provision of a statute is wholly or partly void as being ultra vires or as being inconsistent with the Constitution.

(3) The foregoing provisions of this section shall apply in relation to any doubt or dispute as to whether any matter is, for the purposes of this Bill, academic or a non-academic matter as they apply in relation to any such doubt or dispute as is mentioned in subsection (1) of this section, and accordingly the reference in subsection (2) of this section to any question as to the meaning of any provision of a statute shall include references to any question as to whether any matter is for the said purposes an academic or non-academic matter (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**PART IV — SUPERVISION AND DISCIPLINE****Clause 15: The Visitor.**

(1) The President shall be the Visitor of the University.

(2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such persons as the Visitor may deem fit and in respect of any of the affairs of the University.

(3) It shall be the duty of the bodies and persons comprising the University to:

(a) make available to the Visitor, and to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purpose of the visitation; and

(b) give effect to any instructions consistent with the provisions of this Bill which may be given by the Visitor in consequence of the visitation (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 16: Removal of certain Members of the Council.**

- (1) If it appears to the Council that a member (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on grounds of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect through the Minister to the Federal Executive Council and if the Federal Executive Council after making such enquiries (if any) as may be considered necessary, approves the recommendation it may direct the removal of the member from office.
- (2) It shall be the duty of the Minister to use his best endeavors to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 17: Removal and discipline of Academic, Administrative and Professional Staff.**

- (1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or professional staff of the University, other than the Vice-Chancellor, should be removed from office or on grounds of misconduct or inability to perform the functions of his office Council shall:
  - (a) give notice of those reasons to the person in question;
  - (b) afford such person an opportunity of making representation in person on the matter to the Council; and
  - (c) take a decision to terminate or not to terminate the appointment.
- (2) If the affected staff or any three members of the Council so request within a period of one month from the date of receipt of the notice of the Council's decision, the Council shall make arrangements for:
  - (a) a Joint Committee of the Council and the Senate to review the matter and to report on it to the Council;
  - (b) the person in question to be afforded an opportunity to appear before and be heard by an investigating Committee with respect to the matter; and
  - (c) if the Council after considering the report of the investigating Committee, is satisfied that the person in question should be removed, the Council may so remove him by an instrument in writing signed on the directions of the Council.
- (3) The Vice-Chancellor may, in a case of gross misconduct by a member of staff which in the opinion of the Vice-Chancellor is prejudicial to the interest of the University, suspend such member and any such suspension shall immediately be reported to the Council.
- (4) Any member of staff may be suspended from duty or his appointment may be terminated by Council for a good cause and for the purposes of this subsection "good cause" means:

- (a) conviction for any offence which the Council considers to be such as to render the person concerned unfit for the discharge of the functions of his office;

- (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold office;
  - (c) conduct of a scandalous or disgraceful nature which the Council considers to be such as to render the person concerned unfit to continue to hold office; or
  - (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (5) Any person suspended pursuant to subsection (3) of this section shall be on half pay and the Council shall before the expiration of a period of three months from the date of such suspension consider the case against that person and come to a decision as to whether to:
  - (a) continue such person's suspension and if so on what terms (including the proportion of his emoluments to be paid to him);
  - (b) reinstate such person in which case the Council shall restore his full emoluments with effect from the date of suspension;
  - (c) terminate the appointment of the person concerned in which case such a person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or
  - (d) take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine.
- (6) Where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against the person, the Council shall, before the expiration of three months from such decision come to a final determination in respect of the case concerning such a person.
- (7) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) above to use his best endeavors to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates.
- (8) Nothing in the foregoing provisions of this section shall prevent the Council from making regulations for the discipline of staff and workers of the University as may be appropriate (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 18: Removal of Examiners.**

- (1) If, on the recommendation of the Vice-Chancellor, it appears to the Senate that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, the Senate may, after affording the examiner an opportunity of making representations in person on the matter, direct the Vice-Chancellor to remove the examiner by an instrument in writing signed by the Registrar.
- (2) Subject to the provisions of any regulation made pursuant to section 8 (4) of this Bill, the Vice-Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in the place of the examiner removed.
- (3) It shall be the duty of the Registrar on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 19: Discipline of Students.**

- (1) Subject to the provisions of this section, where after due process it appears to the Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by Statute or regulations, direct that the:
  - (a) student shall not, during such period as may be specified in the direction, participate in such activities of the University or make use of such facilities of the University as may be so specified;
  - (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
  - (c) student be rusticated for such period as may be specified in the direction;
- (2) Where a direction is given under subsection (1) paragraphs (a) to (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.
- (3) Where an appeal is brought pursuant to subsection (2) of this section, the Senate shall, after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in such manner as the Senate thinks fit.
- (4) The fact that an appeal from a direction is brought pursuant to subsection (3) of this section shall not affect the operation of the direction while the appeal is pending.
- (5) The Vice-Chancellor may delegate his powers under this section to a disciplinary Board consisting of such members of the University as he may nominate.

- (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of Senate is prejudicial to the interest of the University or to its corporate objective or image.
- (7) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

PART V — MISCELLANEOUS AND GENERAL PROVISIONS

**Clause 20: Exclusion or discrimination on account of race, religion, etc.**

- (1) No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping) sex, place of birth, family origin, religious or political persuasion, as a condition for becoming or continuing to be a:
  - (a) student in the University;
  - (b) holder of any degree, appointment or employment in the University;  
or
  - (c) member of anybody established by virtue of this Bill.
- (2) No person shall be subjected to any disadvantage or accorded any advantage in relation to the University by reference to any of the matters referred to in subsection (1) of this section (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 21: Transfer of land to the University.**

- (1) For the purpose of the Land Use Act (which provides for the compulsory acquisition of land for public purposes) any purpose of the University shall be the same as that of the Federation.
- (2) Where an estate or interest in land is acquired by the Government pursuant to this section, the Government may, by a certificate under the hand and seal of the person so authorized or any other person authorized in that behalf transfer it to the University (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 22: Restriction on disposal of land by University.**

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

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding twenty-one years of any lease or tenancy to a member of the University for residential purpose (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 23: Quorum and procedure of bodies established by this Bill.**

Except as may be otherwise provided by Statute or by Regulation, the quorum and procedure of any body of persons established by this Bill shall be such as may be determined by that body (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 24: Appointment of Committees, etc.**

- (1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body and authorize a Committee established by it to:
  - (a) exercise on its behalf, such of its functions as it may determine; and
  - (b) co-opt members and direct whether or not co-opted members shall be entitled to vote in that Committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of Committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them and either dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by Statute or Regulations, the quorum and procedure of a Committee established or meeting held pursuant to this section shall be such as may be determined by the body or bodies which have decided to establish the Committee or hold the meeting.
- (4) The Pro-Chancellor and the Vice-Chancellor shall be members of every Committee of which the members are wholly or partly appointed by the Council, (other than a Committee appointed to inquire into the conduct of the officer in question) and the Vice-Chancellor shall be a member of every Committee of which the members are wholly or partly appointed by the Senate.
- (5) Nothing in the foregoing provisions of this section shall be construed as enabling:
  - (a) statutes to be made otherwise than in accordance with section 11 of this Bill; or
  - (b) the Senate to empower any other body to make Regulations or to award degrees or other qualifications (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 25: Miscellaneous Administrative provisions.**

- (1) The seal of the University shall be such as may be determined by the Council and approved by the Chancellor and the affixing of the seal shall:
  - (a) in the case of certificates issued by the University, be authenticated by the Vice-Chancellor and the Registrar; and

- (b) in the case of any other document, be authenticated by any member of Council, the Vice-Chancellor and the Registrar or any other



person authorized by Statute.

- (2) Any document purporting to be a document executed under the seal of the University shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- (3) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the University by any person generally or specially authorized to do so by the Council without seal.
- (4) The validity of the proceedings of anybody established pursuant to this Bill shall not be affected by
- (5) Any member of any such body who has a personal interest in any matter proposed to be considered by that body shall disclose his interest to the body and shall not vote on any question relating to that matter.
- (6) Nothing in section 12 of the Interpretation Act (which provides for the application, in relation to subordinate legislation, of certain incidental provisions) shall apply to Statutes or Regulations made pursuant to this Bill.
- (7) The power conferred by this Bill on anybody to make Statute or Regulations shall include power to revoke or vary any:
  - (a) Statute (including the Statute contained in the Third Schedule to this Bill; or
  - (b) regulation by a subsequent Statute or Regulation as the case may be:Provided that the Statutes and Regulations may have different provisions in relation to different circumstances.
- (8) No stamp or other duty shall be payable in respect of any transfer of property to the University by virtue of sections 10, 21 and the Second Schedule to this Bill.
- (9) Any notice or other instrument authorized to be served by virtue of this Bill may, without prejudice to any other mode of service, be served by post (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 26: Interpretation.**

- (1) In this Bill:

"appropriate authority" means any person, body or authority authorized by law to act in a specific or general capacity in relation to a subject- matter (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"campus" means any campus which may be established by the University (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"college" means any college which may be established by the University (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

*Question that the meaning of the word “college” be as defined in the interpretation to this Bill — **Agreed to.***

"graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

*Question that the meaning of the word “graduate” be as defined in the interpretation to this Bill — **Agreed to.***

"gross misconduct" means any act of misconduct and improper behavior that may be designated as gross misconduct by any Statute or Regulation made, pursuant to this Bill (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

*Question that the meaning of the words “gross misconduct” be as defined in the interpretation to this Bill — **Agreed to.***

"Minister" means the Minister charged with responsibility for education (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"misconduct" means any conduct which is prejudicial to the good name of the University and or discipline and the proper administration of the business of the University (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

*Question that the meaning of the word “misconduct” be as defined in the interpretation to this Bill — **Agreed to.***

"notice" means notice in writing (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

*Question that the meaning of the word “notice” be as defined in the interpretation to this Bill — **Agreed to.***

"officer" does not include the Visitor (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

*Question that the meaning of the word “officer” be as defined in the interpretation to this Bill — **Agreed to.***

"prescribed" means prescribed by Statute or Regulation made under this Bill (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

*Question that the meaning of the word “prescribed” be as defined in the interpretation to this Bill — **Agreed to.***

"professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by Statute or by Regulations (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"property" includes rights, liabilities and obligations (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"the Provisional Council" means the provisional Council appointed for the University by the President with effect from September 2016 (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"regulations" means regulations made by the Senate or Council (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"Senate" means the Senate of the University established by the Act (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"Statute" means a Statute made by the University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"the Statutes" means all such Statutes as are in force from time to time (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"teacher" means a person holding a full time appointment as a member of the teaching or research staff of the University (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"President" means the President of the Federal Republic of Nigeria (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"Constitution" means the Constitution of the Federal Republic of Nigeria (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"undergraduate" means a person in statu pupillari the University, other than:

- (a) a graduate; and
- (b) a person of such description as may be prescribed for the purposes of this definition (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"the University" the Federal University of Agriculture Dadin/Kowa incorporated and constituted by this Bill; and (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

"the Act" means the Federal University of Agriculture Dadin/Kowa Act (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

- (2) Where in any provision of this Bill, it is laid down that proposals are to be submitted or a recommendation is to be made by one authority to another through one or more intermediate authorities, it shall be the duty of every such intermediate authority to forward any proposals or recommendations received by it pursuant to that provision to the appropriate authority; but any such intermediate authority may, if it thinks fit, forward therewith its own comments thereon (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Clause 27: Citation.**

This Bill may be cited as the Federal University of Agriculture, Dadin/Kowa, (Establishment, etc.) Bill, 2021 (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**SCHEDULES**

## FIRST SCHEDULE

Section 3 (2)

## PRINCIPAL OFFICERS OF THE UNIVERSITY

*The Chancellor*

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

*The Pro-Chancellor*

2. (1) The Pro-Chancellor shall be appointed or removed from office by the President.
- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years from the date of his appointment.

*The Vice-Chancellor*

3. The procedure for the appointment and removal of the Vice-Chancellor shall be in accordance with the provision of the University (Miscellaneous Provisions) Act 1993 as amended.

*Deputy Vice-Chancellor*

4. (1) There shall be for the University, two Deputy Vice-Chancellors or such number of Deputy Vice Chancellors as the Council may, from time to time, deem necessary for the proper administration of the University.
- (2) The procedure for the appointment and removal of the Deputy Vice Chancellor shall be in accordance with the provisions of the Universities {Miscellaneous Provisions} Act 1993 as amended.
- (3) A Deputy Vice-Chancellor shall:
  - (a) assist the Vice-Chancellor in the performance of his functions;
  - (b) act in place of the Vice-Chancellor when the post of the Vice-Chancellor is vacant or if the Vice-Chancellor is, for any reason, absent or unable to perform his functions as Vice-Chancellor; and
  - (c) perform such other functions as the Vice-Chancellor or the Council may, from time to time, assign to him.

*Office of the Registrar, Bursar and University Librarian*

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

- (3) The Registrar shall hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.
6. (1) There shall be for the University, the following Principal Officers in addition to the Registrar, that is:
    - (a) the Bursar; and
    - (b) the University Librarian.
  - (2) The Bursar shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
  - (3) The University Librarian shall be responsible to the Vice-Chancellor for the administration of the University Library and the co-ordination of all library services in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.
  - (4) The Bursar and the University Librarian:
    - (a) shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

*Other Officers of the University*

7. There shall be for the University, a Director of Works, who shall be responsible to the Vice Chancellor for the administration of the Works Department. He shall be responsible for all works, services and maintenance of University facilities.
8. There shall be for the University, a Director of Health Services, who shall be responsible to the Vice Chancellor for the administration of the Health Centre. He shall be the Chief Medical Officer of the University and shall coordinate all matters relating to the health of all staff and students.

*Resignation and re-appointment*

9. (1) Any officer mentioned in the foregoing provisions of this schedule may resign his office in:
  - (a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
  - (b) the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister; and
- (2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

## SECOND SCHEDULE

## Section 10 (2)

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

*Transfer of Property to the University*

1. Without prejudice to the generality of Section 10 (1) of this Bill:
  - (a) the reference in the subsection to property held by the provisional Council and the University shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the provisional Council and the University; and
  - (b) all outstanding debts and liabilities of the provisional Council shall become debts and liabilities of the University established by this Bill.
2.
  - (1) All agreements, contracts, deeds and other instruments to which the provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University established by this Bill had been a party to it in place of the provisional Council.
  - (2) Documents not falling within sub-paragraph (1) above, including enactments, which refer whether specially or generally to the provisional Council shall be construed in accordance with that subparagraph so far as applicable.
  - (3) Any legal proceedings or application to any authority pending by or against the provisional Council may be continued by or against the University established by this Bill.

*Registration of Transfers*

3.
  - (1) If the law in force at the place where any property transferred by this Bill is situated provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees of any other matter) apply, with the necessary modifications to the transfer of the property in question.
  - (2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.
4.
  - (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
  - (2) The persons who were members of the provisional Council shall be deemed to constitute the Council until the date when the Council set up under the Third Schedule to this Bill must have been duly constituted.
  - (3) The first meetings of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.

- (4) The persons who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule of this Bill must have been duly constituted.
  - (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the faculties, faculty boards and students of the University immediately before the coming into force of this Bill shall on that day become faculties, faculty boards and students of the University as established by this Bill.
  - (6) Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointment are made in pursuance of the Statutes under this Bill.
5. Any person who was a member of the staff of the University as established or was otherwise employed by the provisional Council shall be employed at the University on such designation, status and functions which correspond as nearly as possible to those which pertained to him as a member of that staff or as such an employee.
  6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice- Chancellor (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

#### THIRD SCHEDULE

Section 11 (3)

#### FEDERAL UNIVERSITY OF AGRICULTURE DADIN/KOWA STATUTE NO. 1

*Articles:*

1. The Council.
2. Finance and General Purpose Committee
3. The Senate.
4. The Congregation.
5. Convocation.
6. Organization of Faculties and the Branches thereof.
7. Faculty Board.
8. The Dean of the Faculty.
9. Selection of Certain Principal and other key officers.
10. Creation of Academic Post.
11. Appointment of Academic Staff.
12. Appointment of Administrative and Technical Staff.

#### *The Council*

1. (1) Any member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill may, by notice to the Council resign his office.
- (2) A member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from 1st August in the year in which he was appointed.



- (3) Where a member of Council holding office pursuant to section 6 (e) (f) (g) or (h) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.
- (4) A person ceasing to hold office as a member of Council otherwise than by removal for misconduct shall be eligible for reappointment for only one further period of four years.
- (5) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Section 6 (d) and (e) of this Bill.
- (6) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to section 5 of this Bill and the provisions of this paragraph the Council may regulate its own procedure.
- (7) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose; and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.
- (8) The Council constituted by this Bill shall have a four year tenure from the date of its inauguration, provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the visitor and a new Council shall be immediately constituted for the effective functioning of the University.
- (9) The powers of the Council shall be exercised in accordance with the laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the University.

*The Finance and General Purpose Committee*

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

*The Senate*

3. (1) There shall be a Senate for the University consisting of:

- (a) the Vice-Chancellor;

- (b) the Deputy Vice-Chancellor;
  - (c) all Professors of the University;
  - (d) all Deans, Provosts and Directors of Academic units of the University;
  - (e) all Heads of Academic Departments, Units and Research Institutes of the University;
  - (f) the University Librarian; and
  - (g) academic members of the congregation who are not Professors as specified in the Laws of the University.
- (2) The Vice-Chancellor shall be the chairman at all meetings of the Senate when he is present and in his absence, one of the Deputy Vice-Chancellors appointed by him shall be the chairman at the meeting.
  - (3) The quorum of the Senate shall be one-quarter (or the nearest whole number less than one quarter), and subject to paragraph (2) above the Senate may regulate its own procedure.
  - (4) If so requested in writing by any ten members of the Senate, the Vice-Chancellor, or in his absence a person duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

*Congregation*

- 4. (1) Congregation shall consist of:
  - (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
  - (b) the full time members of the academic staff;
  - (c) the Registrar;
  - (d) the Bursar; and
  - (e) every member of the administrative and technical staff who holds a degree of any University recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.
- (2) Subject to section 5 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he is present, and in his absence one of the Deputy Vice Chancellors appointed by him shall be the chairman at the meeting.
- (3) The quorum of congregation shall be one-third (or the nearest whole number to one-third) of the total number of members of congregation or fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:
  - (a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or

- (b) the names of the persons who are members of Congregation during a particular period; shall be conclusive evidence of that number or as the case may be of the names of those persons.

- (5) Subject to the provisions of this schedule, congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by Statute or Regulations.

*Convocation*

5. (1) Convocation shall consist of:
  - (a) the Officers of the University mentioned in Schedule 1 to this Bill;
  - (b) all teachers within the meaning of this Bill; and
  - (c) all other persons whose names are registered in accordance with paragraph (2) below.
- (2) A person shall be entitled to have his name registered as a member of convocation if he:
  - (a) is either a graduate of the University or a person satisfying such requirements as may be prescribed for the purposes of this paragraph; and
  - (b) applies for the registration of his name in the prescribed manner and pays the prescribed fee.
- (3) Regulations shall provide for the establishment and maintenance of a register for the purpose of this paragraph and, subject to paragraph (3) below, may provide for the payment from time to time of further fees by persons whose names are on the register and for the removal from the register of the name of any person who fails to pay those fees.
- (4) The person responsible for maintaining the register shall, without the payment of any fees, ensure that the names of all persons who are for the time being members of convocation by virtue of paragraph (1) (a) or (b) of this paragraph are entered and retained on the register.
- (5) A person who reasonably claims that he is entitled to have his name on the register shall be entitled on demand to inspect the register, or a copy of the register at the principal offices of the University at all reasonable times.
- (6) The register shall, unless the contrary is proved, be sufficient evidence that any person named therein is, and that any person not named therein is not, a member of convocation; but for the purpose of ascertaining whether a particular person was such a member on a particular date, any entries in and deletions from the register made on or after that date shall be disregarded.
- (7) The quorum of convocation shall be fifty or one-third (or the whole number nearest to one-third) of the total number of members of convocation whichever is less.

- (8) Subject to section 5 of this Bill, the Chancellor shall be chairman at all meetings of convocation when he is present, and in his absence the Vice Chancellor shall be the chairman at the meeting.
- (9) Convocation shall have such functions, in addition to the function of appointing a member of the Council, as may be provided by statute.

*Organisation of Faculties and Branches thereof*

6. Each Faculty shall be divided into such number of branches as may be prescribed.
7. (1) There shall Be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Bill, and subject to the directions of the Vice-Chancellor, shall:
  - (a) regulate the teaching and study of, and the conduct of examinations connected with the subjects assigned to the faculty;
  - (b) deal with other matters assigned to it by Statute, by the Vice-Chancellor or by the Senate; and
  - (c) advice the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.
- (2) Each Faculty Board shall consists of:
  - (a) the Vice-Chancellor;
  - (b) the persons severally in charge of the branches of the faculty;
  - (c) such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and
  - (d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.
- (3) The quorum of the Board shall be eight members or one-quarter of the members of the Board for the time being whichever is greater.
- (4) Subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate it own procedure.

*The Dean of the Faculty*

8. (1) The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He will be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.
- (2) If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.
- (3) In the absence of the Vice-Chancellor, the Dean shall be the chairman at all meetings of the Faculty Board when he is present and he shall be a member of all committees and other boards appointed by the faculty.

- (4) The Dean of a faculty shall exercise general superintendence over the academic and

administrative affairs of the faculty and it shall be the function of the Dean to present to the convocation for the conferment of Degrees, persons who have qualified for the Degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.

- (5) There shall be a committee to be known as the Committee of Deans which shall consist of all the Deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.
- (6) The Dean of a faculty may be removed from office for a good cause by the Faculty Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.
- (7) In this article, "good cause" has the same meaning as in section 17 (4) of this Bill.

*Selection of Certain Principal and other key Officers*

9. (1) When a vacancy occurs in the Office of the Registrar, Bursar, the University Librarian, Director of Works or Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of:
  - (i) the Pro-Chancellor;
  - (ii) the Vice-chancellor;
  - (iii) two members appointed by the Council, not being members of Senate; and
  - (iv) two members appointed by the Senate not being members of Council.
- (2) The Selection Board, after making such inquiries as it thinks fit, shall recommend a candidate to the Council for appointment to the vacant office, and after considering the recommendation of the Board the Council may make an appointment to that office.
- (3) A person appointed to the office of Director of Works or Director of Health Services shall hold office for such period and on such terms and conditions as may be specified in his letter of appointment.

*Creation of Academic Post*

10. Recommendation for the creation of posts other than those mentioned in paragraph 9 of this Schedule shall be made by the Senate to the Council through the Finance and General Purposes Committee.

*Appointment of Academic Staff*

11. Subject to this Bill and the Statutes derived from it, the filling of vacancies in academic posts (including newly created ones) shall be as prescribed from time to time by Statutes.

*Appointment of Administrative and Technical Staff*

12. (1) The administrative and technical staff of the University, other than those mentioned in paragraph 9 of this schedule shall be appointed by the Councilor on its behalf by the Vice-Chancellor or the Registrar in accordance with any delegation of powers made by the Council in that behalf.
- (2) In the case of administrative or technical staff that has close and important contacts with the academic staff, there shall be Senate participation in the process of selection (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to establish the Federal University of Agriculture, Dadin/Kowa, Gombe State to make comprehensive provisions for its due Management and Administration (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Establish the Federal University of Agriculture, Dadin/Kowa, Gombe State to Make Comprehensive Provisions for its Due Management and Administration and for Related Matters (HB. 652) (*Hon. Yunusa Ahmad Abubakar — Yamaltu/Deba Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House, in Committee of the Whole, considered the Report on a Bill for an Act to Establish the Federal University of Agriculture, Dadin Kowa, Gombe State, to make Comprehensive Provisions for Its Due Management and Administration; and for Related Matters (HB.652) and approved Clause 1 - 27, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

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

- (ii) **A Bill for an Act to Repeal the Veterinary Surgeons Act, Cap. V3, Laws of the Federation of Nigeria, 2004 and Enact the Veterinary Surgeons Bill; and for Related Matters (HB.70) (Committee of the Whole):**

*Motion made and Question proposed*, “That the House do consider the Report on a Bill for an Act to Repeal the Veterinary Surgeons Act, Cap. V3, Laws of the Federation of Nigeria, 2004 and Enact the Veterinary Surgeons Bill; and for Related Matters (HB.70)” (*Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency*).

*Agreed to.*

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO REPEAL THE VETERINARY SURGEONS ACT, CAP. V3, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE VETERINARY SURGEONS BILL; AND FOR RELATED MATTERS (HB. 70)

## PART I— VETERINARY COUNCIL OF NIGERIA

**Clause 1: Establishment and Functions of the Council.**

- (1) There is established the Veterinary Council of Nigeria (in this Bill referred to as "the Council") which shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (2) The Council shall be charged with the functions of :
  - (a) determining the standards of knowledge and skills to be attained by persons seeking to be registered under this Bill as Veterinary surgeons and as Veterinary para-professionals and of raising those standards from time to time as circumstances may permit;
  - (b) securing in accordance with the provisions of this Bill the establishment and maintenance of Registers of persons registered under this Bill and the publication from time to time of lists of those persons;
  - (c) registering and regulating Veterinary Practice and Veterinary Practising Premises;
  - (d) preparing and reviewing from time to time, the codes of conduct and professional ethics of veterinary surgeons and veterinary para-professionals which the Council considers desirable for the practice of the profession in Nigeria;
  - (e) making regulations for the operation of clinical laboratory practice;
  - (f) establishing, operating and supervising the Postgraduate College of Veterinary Surgeons Nigeria (hereafter in this Bill referred to as "the College") for specialist training;
  - (g) registration and setting of standards of practice for Veterinary surgeons and Veterinary para-professionals and formulating policies on veterinary education at the professional and every other level.
  - (h) maintaining discipline in the veterinary profession in accordance with the provisions of this Bill.
  - (i) formulating National veterinary drug policy and veterinary drug formulary.
  - (j) performing other functions conferred on the Council by this Bill (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 2: Membership of the Council.**

- (1) Subject to the provisions of this Bill, the Council shall consist of the following members, that is to say:
  - (a) President and Vice-President both of whom shall be elected by members of the Council from among their number;
  - (b) the Executive Director of the National Veterinary Research Institute who shall be a registered Veterinary surgeon;
  - (c) the Director of the Federal Department of Veterinary Services and the Chief Veterinary Officer of Nigeria, who shall be a registered Veterinary surgeon;
  - (d) eight Provosts or Deans of Colleges or Faculties of veterinary medicine accredited by the Council who shall be registered veterinary surgeons to serve on rotation for three years at a time, the mode of rotation to be determined by the Council.
  - (e) six Directors of veterinary services or the Chief veterinary Officers of the States and the equivalent officer in the Federal Capital Territory who shall be registered veterinary surgeons to serve on rotation for three years at a time, the mode of rotation to be determined by the Council.
  - (f) the Provost or Head of the Postgraduate College of Veterinary Surgeons Nigeria;
  - (g) eleven registered persons (hereafter in this Bill referred to as “elected members of the Council”), eight of who shall be elected by registered Veterinary surgeons from among their number and three of who shall be elected by registered Veterinary para-professionals from among their number in the manner prescribed in the First Schedule to this Bill;
  - (h) the National President of the Nigerian Veterinary Medical Association;
  - (i) the Head of Force Animal Branch of the Nigeria Police Force who shall be a registered veterinary surgeon.
- (2) The Second Schedule to this Bill shall have effect with respect to the tenure of office and procedure of the Council and other matters therein mentioned (*Hon. Munir Babba Dan’Agundi—Kumbotso Federal Constituency*).

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

**Clause 3: Financial provisions.**

- (1) The Council shall maintain a fund from which shall be defrayed all expenditure incurred by the Council.
- (2) There shall be paid and credited to the fund:
  - (a) such sums as may be provided by the Federal Government for the purpose of this Bill by way of grants in aid or budgetary appropriation; and

- (b) such other funds or moneys as may from time to time accrue to the



Council from contributions by registered Veterinary surgeons and Veterinary para-professionals, registration fees, practicing fee, donations, lease and sale of properties and from any other source.

- (3) The Council shall keep proper accounts in respect of each financial year, and proper records in relation to those accounts and when certified by the Council shall be audited within 6 months after the end of the financial year to which the accounts relate by auditors appointed by the Council from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 4: Control of Council by Minister.**

- (1) The Minister may give to the Council directions of a general character or relating generally to particular matters (but not to an individual person or case) with regard to the exercise by the Council of functions, and it shall be the duty of the Council to comply with the direction.
- (2) Before giving a direction under the foregoing subsection the Minister shall serve a copy of the proposed direction on the Council and shall afford the Council an opportunity of making representations to him with respect to the direction; and after considering any representations made to him in pursuance of this subsection, the Minister may give the direction either without modification or with such modifications as appear to him to be appropriate having regard to the representations (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 5: Powers of the Council.**

The Council shall have powers:

- (1) to acquire and own movable and immovable assets and to utilize, maintain or otherwise dispose of them as Council may determine; provided that the Council shall not dispose of any immovable property save with the approval of the President of the Federal Republic of Nigeria.
- (2) subject to the consent of the Minister, to borrow money and may invest in securities created or issued by the Federal Government or any other approved by the Council.
- (3) to establish and maintain zonal and states offices to enhance its activities in accordance with this Bill.
- (4) may accept gifts of land, money or other property upon such terms and conditions if any as may be specified by the person making the gift.
- (5) the Council shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Council.
- (6) subject to the provisions of this Bill, the Council shall have power to do anything which in its opinion is calculated to facilitate the carrying out of its activities under this Bill.

- (7) the President, Vice-President, Registrar or any other officer of the Council or any person shall not have power to suspend, dissolve, or anyway tamper with the status of Council except as provided under the provisions of this Bill (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

PART II — THE REGISTRAR

**Clause 6: Appointment of Registrar and Maintenance of a Register.**

- (1) It shall be the duty of the Council to appoint a fit and proper person as Registrar and Chief Administrative Officer of the Council.
- (2) The Registrar shall be a registered Veterinary Surgeon and Fellow of the profession and a member of Public Service with not less than 15 years post qualification experience.
- (3) Notwithstanding the provisions of sub section (2) a registered Fellow in the private sector who possesses not less than 15 years post qualification experience, may be appointed by the Council as Registrar.
- (4) The Registrar shall be appointed for a term of 4 years and may be eligible for re-appointment for second and final term of 4 years.
- (5) The Council shall appoint such other persons as the Council may from time to time think necessary.
- (6) The remuneration, tenure of office and conditions of service of the Registrar and other officers or servants appointed under this subsection shall be determined by the Council.
- (7) Anything required by this Bill to be done by or to the Registrar may be done by or to any Deputy Registrar appointed by the Council.
- (8) The Registrar shall prepare and maintain, in accordance with the rules made by the Council under this section, a Register of the names, addresses and approved qualifications, and of such other particulars as may be specified of all persons who are entitled under the provisions of this Bill to be registered therein.
- (9) Subject to the following provisions of this section, the Council shall make rules with respect to the form and keeping of the registers and the making of entries therein, and in particular:
  - (a) regulating the making of applications for registration and providing for the evidence to be produced in support of applications;
  - (b) providing for the notification to the Registrar, by the person to whom any registered particulars relate, of any change in those particulars;
  - (c) authorizing a registered person to have any qualification which is either an approved qualification or an accepted qualification for the purposes of section 8 of this Bill, registered in relation to his name in addition to or, as he may elect, in substitution for any other qualifications so registered;

- (d) specifying the fees to be paid to the Council in respect of the entry of names in the Register and authorizing the Registrar to refuse to enter a name, in the register until any fees specified for the entry has been paid;
  - (e) prescribing the fees to be charged in respect of the retention in the Register of the name of a person in any year subsequent to the year in which he was first registered;
  - (f) prescribing the fees to be charged in respect of the registration of additional qualifications, registration and renewal of Veterinary Practising Premises and any other fees to be paid; and
  - (g) specifying anything failing to be specified under the foregoing provisions of this section of this Bill.
- (10) Separate registers shall be maintained for Veterinary surgeons and Veterinary para-professionals respectively, with the register of Veterinary para-professionals categorized according to their specialization (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

**Clause 7: Correction of Register and Removal of certain Names from the Register.**

- (1) The Registrar shall:
- (a) correct, in accordance with the Council's directions, any entry in the Register which the Council directs him to correct as being in the Council's opinion an entry which was incorrectly made;
  - (b) make from time to time any necessary alterations in the registered particulars of registered persons;
  - (c) delete from the Register the name of every deceased person.
- (2) The Registrar may remove the name of a registered person from the register if:
- (a) he has ceased to practice the profession, provided that this is done at his request or with his consent; or
  - (b) he fails to pay his annual practicing fee fees or
  - (c) he fails to attend a peer approved professional Continuing Education Programme initiated or approved by the Council as regularly as Council may determine from time to time;
  - (d) he commits any act of misconduct and consequently contravenes any of the provisions of the codes of conduct and professional ethics issued by the Council in pursuance of Section 1 (2) (d) of this Bill or refuses to carry out or disobeys Council instruction or take any steps which undermine the status of Council or brings Council to disrepute in anyway.

- (3) Foundation fellows of the college and registered persons that are 70 years old and above and who have been in good standing with Council are exempted from payments of annual practicing fees and shall continue to enjoy all the benefits of a registered person.
- (4) If the Registrar:
- (a) publishes the name in a national daily or sends by post or electronically to any registered person a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct or whether he has ceased to practice and receives no reply to the letter within the period of six months from the date of publishing of the name or sending of the letter; and
- (b) upon the expiration of that period publishes in like manner the name of the person in a second similar publication or sends in like manner to the person in question a second similar letter and receives no response to that publication or letter within three months from the date of publishing or of sending it, the Registrar may remove the name and the other particulars relating to the person in question from the Register.
- (5) Where a person's name has been removed from the Register under subsection (2) or (4) of this section, the Council may, on the application of that person, direct the Registrar to restore the name or other particulars removed there from unless the original entry of his name or other particulars was incorrectly or fraudulently made or if the removal of his name was a disciplinary action (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 8: Publication of Register and list of corrections.**

- (1) It shall be the duty of the Registrar:
- (a) to cause the Registers of Veterinary surgeons, Veterinary para-professionals and of registered Veterinary practicing premises to be printed, published and put on sale to members of the public not later than two years from the beginning of the year in which this subsection comes into force;
- (b) in each year after that in which a Register is first published under paragraph (a) of this section, to cause to be printed, published and put on sale as aforesaid either a corrected edition of the Register or a list of alterations made to the Register since it was last printed;
- (c) the Council may direct that an electronic edition of the Register or the list of alterations in sub- section (b) be published electronically within three months and the publication of the hard copy thereof shall be made not later than two years; and
- (d) to cause a print of each edition of the Register and of each list of corrections to be deposited at the principal office of the Council.
- (2) The Council shall cause the Registers to be printed and published in the Federal Gazette as often as it thinks fit.

- (3) A document purporting to be a print of an edition of a Register published under this section by authority of the Registrar in the current year, or

documents purporting to be prints of an edition of a Register so published in a previous year and of a list of corrections to that edition so published in the current year, or any publication of the Register made in the Federal Gazette in the current year shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any person specified in the documents, or the documents read together or, as the case may be, in that Federal Gazette, as being registered as Veterinary surgeon or Veterinary para-professional is so registered, and that any person not so specified is not registered (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

PART III — QUALIFICATION FOR REGISTRATION, ETC.

**Clause 9: Registration of Veterinary surgeons and Veterinary para-professionals.**

- (1) Subject to this Bill, a person shall be entitled to be registered as a Veterinary Surgeon or as a Veterinary Para-professional if:
  - (a) he is of good character;
  - (b) he has attended a course of training approved by the Council under section 10 of this Bill;
  - (c) the course was conducted at an institution approved by the Council or partly at one such institution and partly at another or others;
  - (d) if the Council so requires, that he has had sufficient externship and internship and other relevant practical experience as may be prescribed by Council from time to time;
  - (e) he holds a qualification approved by the Council; and
  - (f) he has applied for registration with the Council within 12 months from the date of his graduation from an approved institution.
- (2) Subject as aforesaid, a person shall be entitled to be registered as a Veterinary surgeon or as a Veterinary para-professional if he satisfies the Council:
  - (a) that he is of good character;
  - (b) that he holds a qualification granted outside Nigeria and for the time being accepted by the Council for the purposes of this subsection;
  - (c) that he is by law entitled to practice (for all purposes) as a Veterinary surgeon or as a Veterinary para-professional in the country in which the qualification was granted and acceptable by the Council; and
  - (d) if he has had sufficient externship and internship and other relevant practical experience as may be prescribed by Council from time to time.

- (3) The Council shall from time to time publish in the Federal Gazette particulars of the qualifications for the time being accepted as aforesaid.
- (4) Where any application for registration is received by the Council from any person who is not entitled to registration under subsection (1) or (2) above, the Council may refer the application to the Board of Examiners for investigation under section 11 of this Bill.
- (5) A person who refuses or fails to register with the Council within 12 months as provided in sub-section (1) of this section shall not be qualified for registration by the Council unless he has been examined again as provided under section 11 of this Bill.
- (6) No person shall in any manner whatsoever practice as a Veterinary surgeon or as a Veterinary para-professional unless he is registered or deemed to be registered under this Bill to practice, and any person who practices in breach of this provision commits an offence.
- (7) A person to be registered by the Council, under this Bill shall swear or affirm to the Veterinary Surgeon's Oath or the Veterinary Para-professional's Oath contained in the Third Schedule to this Bill;
- (8) Subject to the provisions of this Bill, no veterinary surgeon or veterinary para professional shall practise as a veterinary surgeon or veterinary para professional as the case may be, in any year unless he has between January and February of the year paid to the Council in respect of the year the appropriate practicing fees prescribed hereunder:
  - (a) in the case of a veterinary surgeon or veterinary para professional of not less than five years ₦5000;
  - (b) in the case of veterinary surgeon or veterinary para professional of not less than ten years ₦10,000;
  - (c) in the case of veterinary surgeon or veterinary para professional of not less than twenty years ₦15,000;
  - (d) in the case of veterinary surgeon or veterinary para professional of over twenty years ₦25,000.
  - (e) a veterinary surgeon or veterinary para professional during his service year in the National Youth Service Scheme shall be exempted from payment of practicing fee.
  - (f) the Council may, with the approval of the Minister from time to time, vary the practicing fee prescribed under this sub section.
- (9) The Council shall share the aggregate amount collected as practicing fees during the year as follows:
  - (a) 70% to the Council;
  - (b) 30% to the States.
- (10) Any veterinary surgeon or veterinary para professional who in respect of any year and without paying the prescribed fee practices as such shall be guilty of an offence and be liable on conviction:

- (a) in the case of a first offence, to a fine of twice the prescribed practicing fee;
- (b) in the case of a second or subsequent offence, to a fine of not less than ten times the prescribed practicing fee and if the veterinary surgeon or veterinary para professional is in the employment of any person, that person shall also be guilty of an offence and punished in the like manner as the veterinary surgeon or veterinary para professional unless he proves that the failure to pay the practicing fee was without his knowledge, consent or connivance (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 10: Approval of courses, qualifications and institutions and recognition of postgraduate degrees and postgraduate diplomas.**

- (1) Subject to subsection (2) of this section, the Council may approve for the purposes of section (9) of this Bill.
  - (a) any course of training which is intended for persons who are seeking to, become, or are already, Veterinary surgeons and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for efficient practice of veterinary medicine or as a Veterinary para-professional;
  - (b) any institution which the Council considers is properly organized and equipped for conducting the whole or any part of course of training approved by the Council under this section; subject to payment of one million Naira accreditation fee for initial year of accreditation and five hundred thousand Naira for each subsequent year of accreditation.
  - (c) 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 they have sufficient knowledge and skill for efficient practice of veterinary medicine or as a Veterinary para-professional as the case may be.
- (2) The Council shall not, in pursuance of registration of a Veterinary surgeon approve a qualification granted by an institution in Nigeria unless the qualification bears one of the following designations, that is to say:
  - (a) Bachelor of Veterinary Medicine;
  - (b) Bachelor of Veterinary Medicine and Surgery;
  - (c) Bachelor of Veterinary Science;
  - (d) Master of Veterinary Science;
  - (e) Master of Veterinary Pharmacy;
  - (f) Doctor of Veterinary Medicine; or
  - (g) any other qualification which Council considers to be equivalent to any of the qualifications above.

- (3) The Council shall not approve a qualification granted by an institution in Nigeria for the registration of any Veterinary para-professional, unless the qualification bears one of the following designations, that is to say:
- (a) Bachelor of Animal Health Technology;
  - (b) Bachelor of Veterinary Nursing;
  - (c) Bachelor of Veterinary Radiography;
  - (d) Ordinary or Higher National Diploma in Veterinary Nursing;
  - (e) Ordinary or Higher National Diploma in Veterinary Radiography;
  - (f) Ordinary or Higher National Diploma in Animal Health Technology;
  - (g) Ordinary or Higher National Diploma in Veterinary Laboratory Technology;
  - (h) Ordinary or Higher National Diploma in Leather Technology; or
  - (i) Ordinary or Higher National Diploma in Veterinary Pharmacy;
  - (j) any other qualification which Council considers to be equivalent or acceptable to any of the above qualifications.
- (3) The Council may, if it thinks fit, withdraw any approval given under this section in respect of any course, qualification or institution; but before withdrawing such an approval the Council shall:
- (a) give notice that it proposes to do so to each person in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be; and
  - (b) afford each such person an opportunity of making to the Council representation with regard to the proposal; and
  - (c) take into consideration any representations made as respects the proposal in pursuance of the last foregoing paragraph.
- (4) As respects any period during which the approval of the Council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall not be treated as approved under this section; but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration immediately before the approval was withdrawn.
- (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 that instrument; and the Council shall:
- (a) as soon as may be published a copy of every such instrument in the Federal Gazette; and

- (b) not later than seven days before its publication as aforesaid, send a



copy of the instrument to the Minister.

- (6) The Dean of each Faculty or College of Veterinary Medicine, and Heads of Departments of tertiary institutions in Nigeria, however called, at which there is held a course of training intended for persons who are seeking to become Veterinary surgeons or Veterinary para-professionals, shall furnish to the Registrar, not later than thirty-first day of March in every year, a list of the names, and of such other particulars as the Council may by order specify, of all persons who attended any such course at the institution in question at any time during the preceding year.
- (7) The Council shall for the purposes of specialist professional designation recognize:
  - (a) fellowship diplomas of the College or Fellowship diploma of similar institutions recognized by the Council; or
  - (b) academic post-graduate qualifications awarded by recognized universities in relevant areas.
- (8) A registered Veterinary surgeons may be appointed as a Consultant to the hospital if he has relevant clinical and other relevant experience for not less than 8 years and possesses the Fellowship diploma of the College of Veterinary Surgeons, Nigeria or Fellowship diploma of similar institutions recognized by the Council in a relevant clinical area.
- (9) Council shall have power to determine and review from time to time the requisite qualifications and experience for the professional and Consultant grade as it deems fit (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 11: Supervision of instruction and examination leading to approved qualifications.**

- (1) It shall be the duty of the Council to keep itself informed of:
  - (a) the instruction given at any approved institution to persons attending approved course of training; and
  - (b) the examinations as a result of which approved qualifications are granted, and for the purpose of performing that duty, the Council may appoint either from among its own members or otherwise persons to visit approved institutions or to attend such examinations.
- (2) It shall be the duty of a visitor appointed under this section to report to the Council on:
  - (a) the courses of study, staffing, accommodation and equipment available for trainings in veterinary medicine or Veterinary para-professional training as the case may be and the other arrangements and facilities for such training in any institution visited by him;
  - (b) the sufficiency of the instruction given to the persons attending approved courses at institutions visited by him;

- (c) the standard of the examinations attended by him; and
  - (d) any other matter relating to the institution or examinations on which the Council may, either generally or in a particular case, request him to report, but no visitor 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 shall as soon as may be possible send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examinations to which the report relates requesting that person to make observations on the report to the Council within such period as may be specified in the requests, not being less than one month beginning with the date of the request (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 12: Power of Board of examiners to investigate certain applications, etc.**

- (1) There shall continue to be established a Board of Examiners which shall consist of two or more registered Veterinary surgeons appointed by the Council.
- (2) The persons who immediately before the appointed day were members of the Board of Examiners shall on that date be deemed to constitute its membership until new appointments are made in pursuance of subsection (1) of this section.
- (3) The Board of Examiners shall investigate any application referred to it by the Council under section 8 (4) of this Bill and shall:
- (a) where it is satisfied that the qualifications of the applicant afford sufficient assurance of his suitability for registration, recommend him to the Council for registration; or
  - (b) where it considers that further assurance is required as to the suitability of the applicant, examine the applicant in any manner it deems appropriate and thereafter make such recommendation to the Council as the Board of Examiners deems fit.
- (4) Where any recommendation for registration of an applicant is made to the Council pursuant to subsection (3) of this section, the Council may, if it thinks fit, authorize and require the Registrar to insert the name of such applicant in the Register, on payment to the Council by the applicant of such fees as may be prescribed (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

PART IV — PROFESSIONAL DISCIPLINE

**Clause 13: Establishment of Veterinary Council Investigation Panel and the Veterinary Council Disciplinary Tribunal.**

- (1) There shall be the Veterinary Council Investigation Panel (hereafter in this Bill referred to as “the Panel”) and the Veterinary Council Disciplinary Tribunal (hereafter in this Bill referred to as “the Tribunal”).

- (2) The Panel shall be charged with the duty of:
- (a) conducting a preliminary investigation into any case where it is alleged that a registered person has misbehaved in his capacity as a Veterinary surgeon or as a Veterinary para-professional or should for any other reason be the subject of proceedings before the tribunal; and
  - (b) deciding whether the case should be referred to the Tribunal or not.
- (3) The Fourth Schedule to this Bill shall have effect with respect to the membership of the Panel and procedure of its operation.
- (4) Subject to the provisions of paragraph 1 of the Fifth Schedule to this Bill, the Tribunal shall consist of the President of the Council and four other members appointed by the Council of whom at least two shall be elected members of the Council:
- Provided that at least one elected Veterinary para-professional shall be a member of the Tribunal to consider a case involving a Veterinary para-professional.
- (5) The Tribunal shall be charged with the duty of considering and determining any case referred to it by the Panel and any other case of which the Tribunal has cognizance under the provisions of this Bill.
- (6) The Fifth Schedule to this Bill shall have effect with respect to the Procedure of the Tribunal (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 14: Penalties for unprofessional conduct, etc.**

- (1) Where:
- (a) a registered person is judged by the Tribunal to be guilty of infamous conduct in any professional respect, or
  - (b) a registered person is convicted by any court in Nigeria or elsewhere having power to award imprisonment, of an offence (whether or not an offence punishable, with imprisonment) which in the opinion of the tribunal is incompatible with the status of a Veterinary surgeon or of a Veterinary para-professional; or
  - (c) the Tribunal is satisfied that the name of any person has been fraudulently registered, the tribunal, may, if it thinks fit, give a direction reprimanding or suspending that person, or ordering the Registrar to strike his name off the Register.
- (2) Any registered person whose case is before the Tribunal shall not be eligible to attend any meeting of Council if he is a member of Council, render any service to the Council or the College of Veterinary Surgeons, Nigeria, or serve in any committee or organ of Council or of the Nigerian Veterinary Medical Association or any other Veterinary para-professional association by whatever name called until his case is disposed of by the disciplinary tribunal.

- (3) The Tribunal may, if it thinks fit, defer or further defer its decision as to the giving of a direction under the foregoing subsection until a subsequent meeting of the disciplinary tribunal; but:
  - (a) no decision shall be deferred under this subsection for periods exceeding one year in the aggregate; and
  - (b) no 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 this section a person shall not be treated as convicted as mentioned in paragraph (b) of that subsection unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.
- (5) When the Tribunal gives a direction under subsection (1) of this section, the Tribunal shall cause notice of the direction to be served on the person to whom it relates.
- (6) The person to whom such a direction relates may, at any time within twenty-eight days .from the date of service on him of the notice of the direction, appeal against the direction to the Federal High Court; and the Tribunal may 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 Tribunal, shall be deemed to be a party thereto whether or not it appears on the hearing of the appeal.
- (7) A direction of the Tribunal under subsection (1) of this section shall take effect:
  - (a) where no appeal under this section is brought against the direction within the time limited for the appeal, on the expiration of that time;
  - (b) where such an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal;
  - (c) where such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed; and shall not take effect except in accordance with the foregoing provisions of this subsection (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 15: Regulation of Veterinary Practicing Premises.**

- (1) The Council shall have power to register all categories of Veterinary Practicing Premises in Nigeria (hereafter in this Bill referred to as “the Premises”).
- (2) The procedures for registration and control of the Premises shall be in the manner prescribed in the Sixth Schedule to this Bill and the Guidelines for registration of Veterinary Practicing Premises, published by the Council from time to time.

- (3) All Veterinary or animal hospital, veterinary or animal clinic, veterinary pharmacy, ambulatory services or House call and veterinary diagnostic center shall be headed by a registered Veterinary Surgeon.
- (4) Only registered premises shall display the veterinary emblem.
- (5) The Council may close any of the Premises for reasons of non-registration or non-compliance with any of the Regulations contained in Sixth Schedule to this Bill.
- (6) Any person who keeps any animal or animals:
  - (a) shall maintain the animal under his control and confinement at all times and prevent the animal from straying and damaging other people's properties or crop or farm land; and
  - (b) shall not carry out or facilitate in any way or allow his premises to be used for any act of cruelty to the animals, including baiting animals to fight, starving of animal, over-crowding animals, overloading of animal, over driving of animal, or operating on an animal without anesthesia;
  - (c) shall not carry out drug or vaccine trials or conduct out any experiments on or using animals without veterinary supervision.
- (7) Any person who keeps a wild animal as a companion animal or for game or for circus performance, or for ornamental purposes or for any other purpose, shall:
  - (a) register such a wild animal with the Director of Veterinary Services of the State;
  - (b) provide suitable accommodation, lighting, feeding and care for the wild animal to the satisfaction of a veterinary officer;
  - (c) obtain appropriate vaccination, routine examination and treatment of diseases for such a wild animal from a registered Veterinary Surgeon and obtain appropriate veterinary certificate; and
  - (d) restrain and control such wild animal at all times, so as to prevent the wild animal from causing injury to any person or to other animal or animals and from constituting a nuisance to any person or the public.
- (9)
  - (a) Any person who is in violation of any provision of this section or who operates a premises contrary to the manner prescribed in the Sixth Schedule to this Bill, shall be guilty of an offence and liable on conviction to a fine of not less than One hundred thousand naira or to imprisonment for a term not exceeding 6 months or to both fine and imprisonment.
  - (b) When the offence is committed by a body corporate, the body corporate shall be liable on conviction to a fine of not less than Five hundred thousand naira.

- (10) Where any person is guilty of:
- (a) displaying the veterinary emblem illegally or displaying fake emblem, the Veterinary Inspector shall confiscate the emblem;
  - (b) any person who is in violation of sub-section(a) shall be guilty of an offence and liable on conviction to 3 months imprisonment or fifty thousand naira fine
  - (c) violating the provisions relating to the keeping of any animal or wild animal, the Veterinary Officer may confiscate the animal or wild animal.
  - (d) any person who is in violation of sub-section (c) shall be guilty of an offence and liable on conviction to 3 months imprisonment or fifty thousand Naira fine (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 16: Establishment of the Postgraduate College of Veterinary Surgeons Nigeria.**

- (1) There is hereby established the Postgraduate College of Veterinary Surgeons Nigeria (hereafter in this Bill referred to as "the College") of the Council.
- (2) The College shall have power to organize specialist and clinical training for the award of Fellowship diploma and any other certificates that may be approved by the Council.
- (3) The College shall organize trainings in various specialties as may be approved by the Council from time to time.
- (4) The Seventh Schedule to this Bill shall have effect with respect to the procedures for the operations of the College (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

PART V — MISCELLANEOUS AND GENERAL

**Clause 17: Offences.**

- (1) If any person who is not a registered Veterinary surgeon:
  - (a) practices or holds himself out to practice as a Veterinary surgeon: or
  - (b) takes or uses the title of Veterinary surgeon, or
  - (c) offers to perform or performs any service involving knowledge of veterinary science: or
  - (d) renders professional service or assistance in or about matters of principle or details relating to veterinary professional procedure or the processing of data; or
  - (e) renders any other service, which may be regulations made by the Council, be designated as service constituting practice as veterinary surgeon or veterinary para professional under this Bill; or

- (f) without reasonable excuse takes or uses any name, title, addition or description implying that he is authorized by law to practice as a

Veterinary surgeon, or veterinary para professional he shall be guilty of an offence.

- (2) If any person, for the purpose of procuring the registration of any name, qualification, or Premises or for any other matter under this Bill:
  - (a) makes a statement which he believes to be false in a material particular; or
  - (b) recklessly makes a statement which is false in a material particular, he shall be guilty of an offence.
- (3) If any person who is not a registered Veterinary para-professional practices, holds himself out to practice as a Veterinary para-professional or makes a statement which is believed to be false in material particular he shall be guilty of an offence.
- (4) If the Registrar or any other person employed by the Council makes any falsification in any matter relating to the Register or commits any act of misconduct his case shall be referred to the Staff Disciplinary Committee and dealt with in accordance with the procedure in the Eighth Schedule to this Bill.
- (5) A person who is guilty of an offence under this section shall be liable on conviction to a fine not exceeding Two Hundred thousand naira or to imprisonment for a term not exceeding two years, or to both.
- (6) Except as otherwise provided in this Bill, any person who is guilty of an offence, non-compliance or contravention of any section of this Bill or of the regulations, shall be guilty of an offence and shall be liable on conviction to a fine of not less than five hundred thousand Naira or to imprisonment for a term not exceeding two years, or to both fine and imprisonment.
- (7) Where an offence under this Bill which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any action or neglect on the part of any Head, Dean, 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 shall be deemed to be guilty of that offence punishable by a fine of not less than one million Naira for the corporate body and five hundred thousand Naira for each of the categories of officers of the corporate body stated in this sub-section (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 18: Miscellaneous Supplementary Provisions.**

- (1) Where any office in the public service of the Federation or of a State or a local government therein or in the Armed Forces or in the Nigeria Police Force or any other security services or any educational institution or in the private sector requires a veterinary qualification, a person shall not be appointed to that office, or hold or remain in that office unless he is a registered Veterinary surgeon.

- (2) Where any office in the public service of the Federation or of a State therein, or in the Armed Forces or in the Nigeria Police Force of the Federation or in any educational institution or in the private sector, requires a Veterinary para-professional qualification, a person shall not be appointed to that office, or hold or remain in that office unless he is a registered by Council as a Veterinary para-professional.
- (3) A registered Veterinary surgeon shall be entitled to practice as Veterinary surgeon throughout the Federation.
- (4) A registered Veterinary para-professional shall be entitled to practice as a Veterinary para-professional throughout the Federation.
- (5) Where any veterinary document or veterinary certificate is required by any law for the time being in force in the Federation, to be issued or signed after this subsection comes into force, it shall be invalid unless it is issued or signed by a Veterinary surgeon registered under this Bill.
- (6) Without prejudice to the rule of law whereby a contract may be void if it is inconsistent with the provisions of an enactment, no person other than a registered Veterinary surgeon or Veterinary Para- Professional shall be entitled to bring any proceedings in any court of law for the purpose of recovering any fee or other consideration whatsoever payable in respect of services rendered or facilities or things supplied by him when purporting to act as a Veterinary surgeon.
- (7) Any approval, consent, direction, notice, observation, report, representation or request authorized or required to be given or made by or under this Bill shall be in writing and may, without prejudice to any other method of service but subject to the provisions of to this Bill, be served by post.
- (8) Subject to the provisions of Section 174 of the Constitution of the Federal Republic of Nigeria, 1999 (which relates to the power of the Attorney-General of the Federation to institute, continue or discontinue criminal proceedings against any person in a court of Law), the Council may, with the consent of the Attorney-General of the Federation, conduct criminal proceedings in respect of offences under this Bill or Regulations made under this Bill (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 19: Regulations, Rules and Orders.**

- (1) Any power to make regulations, rules or orders conferred on the Minister or Council by this Bill shall include power:
  - (i) to make provision for such incidental and supplementary matters as the authority making the instrument considers expedient for the purposes of the instrument; and
  - (ii) to make different provision for different circumstances.
- (2) Subject to the approval of the Minister, the Council shall have powers to make or to amend Regulations on functions of the Council as contained in section 1 (2) and on any other matter or function of the Council contained in this Bill.

- (3) Any power to make regulations, rules or orders conferred by this Bill shall



include power:

- (a) to make provision for such incidental and supplementary matters as the authority making the instrument considers expedient for the purposes of the instrument.
  - (b) to make different provision for different circumstances.
  - (c) all regulations, rules or orders made shall not come into effect until approved by the Minister.
- (4) It shall be responsibility of the Council to issue standards, policies and guidelines on the operations of the College, animal research issues, the use of animal restrain facilities, distribution, sale and usage of veterinary drugs, biologics, vaccines and designing animal environments and, zoological gardens, fish ponds for the purposes of disease prevention and control.
- (5) Nothing in this Bill shall be construed as indicating a contrary intention for the purposes of section 12 (1) of the Interpretation Act (which contains additional provisions with respect to powers to make subordinate legislation) (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 20: Repeal, Savings and Transitional Provisions.**

- (1) The Veterinary Surgeons Act, Cap, V3, Laws of Federation of Nigeria, 2004 is hereby repealed.
- (2) Notwithstanding subsection 1 of this section:
  - (a) any register kept in pursuance of the repealed enactment shall be deemed to be part of the registers to be kept in pursuance of this Bill;
  - (b) any Regulation made by the Minister under the repealed Act shall remain valid and shall be deemed to have been made under relevant sections of this Bill.
- (3)
  - (a) Any person whose name was immediately before the coming into force of this Bill included in the register maintained under the repealed enactment shall, without further application or payment of any other fee, be deemed to be registered under the appropriate provision of this Bill.
  - (b) Any person whose name was not immediately before the coming into force of this Bill included in the register maintained under the repealed enactment, by reason of having been erased or removed in consequence of inquiry into his conduct held under section 14 of that Act shall be deemed to have had his name removed from the Register maintained under this Bill.
- (4) Any institution approved by Council to grant qualification to persons who have completed a course of study in veterinary medicine conducted at an institution recognized by the repealed Act, the institution, course and qualification shall be deemed to be approved under section 8 of this Bill.

- (5) The persons who were elected to serve as elected members of the Council before the activities of Council were interrupted in 2015, shall continue to serve as elected members of the Council under this Bill and shall complete their tenure of five years as provided for in section 2 (1) of this Bill.

- (6) Where any offence, being an offence for continuance of which a penalty was provided, has been committed under the repealed enactment, proceedings may be taken under this Bill in respect of the continuance of the offence after the commencement of this Bill, in the same manner as if the offence had been committed under the corresponding provisions of this Bill.
- (7) Any document referring to a provision of the repealed enactment shall be construed as a reference to the corresponding provision of this Bill.
- (8) Any document referring to a provision of the repealed Act shall be construed as a reference to the corresponding provision of this Bill.
- (9) As from the commencement of this Bill, the President without reference to any person or authority, shall convene a regular meeting of the Council.
- (10) All assets, funds, resources and other movable or immovable assets or properties which immediately before the commencement of this Bill were vested in the Council established in the repealed enactment shall by virtue of this Bill and without any further assurances vested in the Council.
- (11) As from the commencement of this Bill:
  - (a) the rights, interests, obligations and liabilities of the Council referred to in subsection 10 of this section existing immediately before the commencement of this Bill under any contract or instrument or at law or in equity are hereby assigned to and vested in the Council without further assurance; and
  - (b) any such contract or instrument shall be of the same force and effect against or in favour of the Council and shall be enforceable as fully and effectively as if instead of the Council mentioned in the repealed enactment, the Council has been named therein or had been a party thereto.
- (12) Any proceedings or cause of action pending or existing immediately before the commencement of this Bill by or against the Council mentioned in the repealed enactment in respect of any right, interest, obligation or liabilities of the Council aforesaid may be continued or, as the case may be, commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the Council to the same extent that any such proceeding, cause of action or determination could have been continued, commenced or enforced by or against the body aforesaid as if this Bill had not been made (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

**Clause 21: Interpretation.**

In this Bill, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:

"abattoir" means premises where animals are slaughtered and where ante-mortem and post-mortem inspection are carried out by the Veterinary surgeons to detect and prevent transmission of diseases to man (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"animal" means horse, mule, donkey, camel, cattle, buffalo, sheep, goat, swine, dog, cat, laboratory animals, rabbit, lion, non-human primates, tortoise, snakes, crocodiles, and poultry including domestic fowl, turkey, duck, goose, pigeon, guinea fowl, ostrich, bees, aquatic animals which shall include fish, molluscs and crustaceans and any other domestic or wild animal species (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"Animal facility" means premises where animals are kept for research (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"approved" means for the time being approved under section 9 of this Bill (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"approved qualification" means a qualification which is approved under section 9 of this Bill (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"Board of Examiners" means the Board of examination established under section 12 of this Bill (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"the College" means the Postgraduate College of Veterinary Surgeons established under this Bill (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"the Council" means the Veterinary Council of Nigeria established under this Bill; and vested with the authority to set standards and authorize tasks for each category of animal health workers (Veterinary surgeons and Veterinary para-professionals) depending on qualifications, training and needs (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"the Director" and (e) of this Bill (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"elected member of the Council" has the meaning assigned thereto by section 2 (1) (g) of this Bill (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"Externship" means a field practice programme in a veterinary hospital or clinic, livestock farms, zoological garden, fish ponds, diagnostic laboratory, abattoir and veterinary control posts (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"ex-officio member" means a member of the Council by virtue of holding an office in the public service (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"the Federal Gazette" means an official periodic publication of the Federal government of Nigeria authorized to publish legal and public notices (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"Foundation fellows" includes registered Veterinary surgeons that were awarded Fellowships at the inception of the College's academic programme in 1998 (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"investigation panel" has the meaning assigned thereto by section 13 of this Bill (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"Internship" means a qualified veterinary surgeon who works in an approved hospital or veterinary practicing premises in order to gain work experience or satisfy requirements for full registration (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"the Minister" means the Minister of the Government of the Federation responsible for matters relating to animal health and production (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"the Panel" has the meaning assigned thereto by section 13 of this Bill (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"prescribed" means prescribed by regulations (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"President" means the President of the Council elected in pursuance of section 2 (1) (a) of this Bill (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"Register" means a register maintained under this Bill, and "registered" shall be construed accordingly (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"the Registrar" means the registrar appointed in pursuance of section 6 of this Bill (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"regulations" means Regulations made by the Minister (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"State" means any of the states listed in the Constitution of the Federal Republic of Nigeria, 1999 or any other such state created in accordance with the constitution of the Federal Republic of Nigeria (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"the Disciplinary Tribunal" has the meaning assigned thereto by section 13 of this Bill (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"Veterinary" means the practice or science of prevention and cure or elevation of disease and injury in animals and other measures for the protection of animal health and welfare (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"Veterinary drugs" means any substance of plant, animal or mineral origin or any organic or inorganic preparations or admixture thereof, applied or administered to any animal species for the diagnosis, treatment, mitigation or prevention of any disease, disorder, abnormal physical state or the symptoms thereof in animals; and restoring, correcting or modifying organic functions in animals; and for disinfection or the control of vermin, insects or pests (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"veterinary drug formulary" means a compendium of drugs, vaccine and biologics that are approved to be prescribed in the national animal health care system, published by the Council and included recommended doses, the side-effects, contra-indications and withdrawal periods of such drugs, vitamins, vaccines and biologics (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"veterinary emblem" means the symbol indicating a registered veterinary practicing premises issued by the Council (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"Veterinary para-professional" means a person who is authorized by the Council to carry out certain diagnostic and clinical tasks on animals depending on qualification and delegated under the supervision and responsibility of a Veterinary surgeon; and these shall include Veterinary nurses, superintendents, technologists, Veterinary radiographers and Veterinary pharmacists (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"veterinary practicing premises" means any premises established either partly or wholly for the purposes of providing veterinary services under this Bill, or for dispensing any medicines or drugs, or other substances for the care and treatment of such animals or livestock and shall include premises used as House call, Veterinary clinic, Veterinary hospital, Veterinary pharmacy and Abattoirs (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"Veterinary surgeon" means a person trained and certified with a degree in Veterinary Medicine registrable by the Council in accordance with this Bill (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

"veterinary surgery" means the art and science of veterinary surgery and medicine and, without prejudice to the generality of the foregoing shall be taken to include:

- (i) the diagnosis of diseases in, and injuries to, animals including tests performed on animals for diagnostic purposes,
- (ii) the giving of advice based upon such diagnosis,
- (iii) the medical or surgical treatment of animals,
- (iv) the performance of surgical operations on animals,
- (v) ante-mortem and post-mortem inspection of animal slaughter for food for man and animals, and
- (vi) handling, uses and sale of veterinary drugs, medicaments, vaccines, biologics, and veterinary medical devices (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

"wild animals" include monkeys, chimpanzee, gorilla other non-human primates, elephant, antelope, hyena, tiger, lion, leopard, monkeys and tortoises, turtles, terrapin, snakes, crocodiles, cane rat, civet cat, parrot, owl, peacock, peahen, pigeon, and any other aquatic or terrestrial wild animals (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

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

**Clause 22: Citation.**

This Bill may be cited as the Veterinary Surgeons Bill, 2021 (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

## SCHEDULES

### FIRST SCHEDULE

#### NOTIFICATION OF VACANCY

1. Subject to the provisions of Section 2 (1) g of this Bill, whenever at the expiration occurs among the elected members of the Council and that vacancy is required under this Bill to be filled by a fresh election, the Registrar shall:
  - (a) inform all registered persons then in Nigeria of the vacancy;
  - (b) invite nominations to fill the vacancy; and

- (c) require that such nominations shall be received by him on or before a date fixed by the President.

*Signing of nominations*

2. No person other than a registered:
- (a) Veterinary surgeon shall propose or second a nomination of a registered Veterinary surgeon; and
- (b) Veterinary para-professional shall propose or second a nomination of a registered Veterinary para-professional.

*Election of persons nominated*

3. If, by midnight on the date fixed for the receipt of nominations, the number of nominations received does not exceed the number of vacancies to be filled, the persons nominated shall be deemed elected.

*Voting papers*

5. If the number of nominations received exceeds the number of vacancies the Registrar shall:
- (a) issue to each registered Veterinary surgeon and each registered Veterinary para-professional a voting paper on which shall be recorded the number of vacancies to be filled and the names of the persons nominated to fill them; and
- (b) require that such voting paper be returned to him on or before a date fixed by the President.

*Methods of voting*

5. Each registered Veterinary surgeon shall vote either manually or by electronic means:
- (a) record his vote by marking a line through the name or names of the person or persons for whom he wishes to vote for provided that the number of names so marked shall not exceed the number of vacancies; and
- (b) sign the voting paper, and return it to the Registrar by means provided for in the election rules.

*Counting of votes*

6. (1) The Registrar shall appoint two persons to be approved by the Council (hereinafter called Scrutinizers), not being registered Veterinary surgeons or registered Veterinary para-professionals to count the voting papers received by the Registrar.
- (2) On the day following the closing date fixed for the receipt of voting papers, the scrutinizers shall proceed to open the envelopes or voting portal and to count the votes at the office of the Registrar.
- (3) The candidate receiving the highest number of votes shall be deemed elected. If there are two vacancies to be filled, the candidate receiving the higher number of votes shall be deemed to be elected
- (4) The Scrutinizers shall then report the result of the ballot to the Registrar.



- (5) The Scrutinizers shall reject any voting paper which has not been completed in accordance with these rules.

*Safe custody of voting papers*

6. All voting papers, whether valid or rejected, shall be retained in safe custody by the Scrutinizers until the Council directs their destruction.

*Announcement of results*

7. (1) On completion of the election, the Registrar shall inform the successful candidates of their election in a letter sent by post or by electronic means.
- (2) The results of the election may also be published in the Federal Gazette and in popular National Newspapers, after 14 days that the results have been announced to the successful candidates

*Power to order fresh election*

8. (1) Any person nominated as a candidate for election who is dissatisfied with the conduct of an election may lodge a complaint in writing with the Registrar within 14 days of the announcement of the result of the election.
- (2) The Council shall inquire into such complaint and may, in its discretion, annul the election and order a further election to be held forthwith.

*Citation*

9. These rules may be cited as the Veterinary Council (Elections) Rules, 2021 (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

SECOND SCHEDULE

[Section 2(2)]

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

*Eligibility and tenure of office of a member of Council*

1. (1) Subject to the provision of Section 2 (1) of the Principal Act, a person shall not be a member of the Council unless he is registered with the Council.
- (2) Subject to the provisions of this Schedule, the term of office of an elected member of Council elected in pursuance to Section 2 (1) (g) of the Principal Act, shall be five years and the day on which a member of the Council ordinarily retires shall be the day immediately before the regular general meeting of the Council.
- (3) The President and Vice-President of the Council shall each hold offices for a term of three years and be eligible for one more term of two years, so however that a person who ceases to be a member of the Council shall cease to be a President or Vice-President.
2. An elected member of the Council may at any time by notice in writing addressed to the Registrar, resign his office as a member.

3. An elected member of the Council shall cease to hold office if he ceases to be a registered person.

4. If any University or institution ceases to be an approved institution for the purposes of this Bill, any member representing that University or institution on the Council shall there upon cease to hold office.

*Elections, Appointments and Casual Vacancies*

5. A member of Council convicted for offense under this Bill or fraud or dishonesty shall cease to be a member of the Council.
6. Elections or appointments to fill any vacancy occurring under paragraph 1 of this Schedule shall be held or made before the regular general meeting of the Council at which the vacancy occurs.
7.
  - (1) Where a casual vacancy occurs among the elected members of the Council, the vacancy shall be filled:
    - (a) by the unsuccessful candidate at the previous ordinary election of such members who at that election received the greatest number of votes and has not since become a member, or
    - (b) if two or more such candidates received an equal number of votes, by the candidate who has been registered longest on the Register or, if two or more such candidates have been registered longer than any other but for the same period as each other, by one of them with the lowest Veterinary Council number; or
    - (c) if there were no unsuccessful candidates at that election by a person elected from among themselves by registered persons at a special election: provided that no such election need be held if an ordinary election of elected member will take place within twelve months after the casual vacancy occurred.
  - (2) Where a casual vacancy occurs among members of the Council appointed by the Minister the vacancy shall be filled by the Minister.
  - (3) A person filling a casual vacancy among the elected members of the Council shall hold office until the date on which the person whose vacancy he fills would have regularly retired.
8. A person ceasing to be a member of the Council shall be eligible to be re-elected or reappointed.
9. Elections of elected members of the Council shall be conducted in accordance with rules made by the Council.
10.
  - (1) When in the opinion of the Council the President is temporarily unable to perform the functions of his office or due to allegations of misconduct against him, the Vice-President shall perform those functions; and in the absence of the Vice-President, a person elected by the Council shall perform those functions.
  - (2) The Council may suspend a member of Council from attending one or two meetings of Council for unruly behaviour and may refer the case to the Veterinary Council Investigation Panel.

*Powers of the Council*

11. (1) Subject to the following sub-paragraph and to any directions of the Minister under this Bill, the Council shall have power to do anything which in its opinion is calculated to facilitate the carrying on of its functions.)
- (2) The Council shall not have power to pay remuneration including pensions, allowances or other expenses to any member, officer or servant of the Council or to any other person except in accordance with scales approved by the Federal government, except on items that there is no existing approved scale, in that case, Council shall approve as appropriate.
- (3) The Council shall be represented at local and international conferences or meetings organized to promote animal health, veterinary education, aquaculture and public health by the President, Registrar and any member or person, provided Council has approved the attendance.

*Proceedings of Council*

12. (1) Subject to this Bill and section 27 of the Interpretation Act, the Council shall make Rules regulating its procedure and those of its Committees.
- (2) The Council shall hold regular general meetings two times in each year, and may hold such other meetings as the President of the Council may determine.
- (3) Subject to Sub-paragraph (1) of this paragraph, the meetings of the Council shall be held on such days and at such place and time as the President of the Council may determine.
- (4) Every member of the Council shall be entitled to vote on any question coming or arising before the Council, and all such questions shall be determined by a majority of the members present and voting thereon.
- (5) The President of the Council shall be the Chairman at all meetings of the Council and when he is absent the Vice-President shall preside, but when both are absent, the members present at the meeting shall elect one of their number to preside at the meeting.
- (6) At any meeting of the Council, the President or Vice-President or the member presiding at the meeting, as the case may be, and nine other members, of whom at least three shall be elected members, shall form a quorum.
- (7) Where the Council desires to obtain the advice of any person upon any particular matter, the Council may co-opt that person to be member for any meeting or meetings of the Council, and that person while so co-opted shall have all the powers of a member, save that he shall not be entitled to vote on any question and his presence at any meeting shall not count towards the constitution of a quorum.
- (8) Subject to the foregoing provisions of this Schedule and to Section 27 of the Interpretation Act (which provides for decisions of a body to be taken by a majority of the members of the body and for the chairman to have a second or casting vote), the Council may make standing orders regulating the proceedings of the Council or any of its Committees.

*Committees*

13. (1) The Council may appoint one or more Committees to carry out, on behalf of the Council, such of its functions as the Council may determine.
- (2) A Committee appointed under this paragraph shall consist of the number of persons determined by the Council, and not more than one-third of those persons may 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 shall be of no effect until it is confirmed by the Council.

*Supplementary*

14. (1) The fixing of the seal of the Council shall be authenticated by the signature of the President or Registrar or of some other member authorized generally or specially by the Council to act for that purpose.
- (3) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
15. The powers of the Council and of any of its Committees may be exercised notwithstanding any vacancy, and no proceedings of the Council or any of its Committees shall be invalidated by any defect in the election or appointment of a member or by reason that a person not entitled to do so took part in the proceedings.
16. A person shall not, by reason only of his membership of the Council, be treated as holding an office of emolument under the Federal Government or the government of a State.
17. A person shall not, by reason only of his membership of the Council, be treated as holding an office of emolument under the Federal Government or the government of a State.
18. In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:

"elected member" means a person elected into Council by virtue of election conducted in accordance with Section 2 (1) (g) of the Principal Act;

"*ex-officio* member" means a person who is a member of Council by virtue of holding an office in the Public service;

"Public service" means government institutions and agencies providing public duties such as education, health care, security and municipal services to the people.

*Citation*

19. These Regulations may be cited as the Supplementary Provisions Relating to Council, 2021 (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

## THIRD SCHEDULE

[Section 8(7)]

## THE OATH OF THE VETERINARY PROFESSION

1. **The Veterinary Oath**

"Being admitted to the profession of Veterinary Medicine, I, ..... solemnly declare and pledge to use my scientific knowledge and professional skills for the benefit of the society, through the protection of animal health, promotion of animal welfare, the prevention and relief of animal suffering, the conservation of animal resources, the promotion of animal production and public health and the advancement of veterinary medical knowledge.

I will practice my profession conscientiously with dignity, respect for my teachers and senior professional colleagues and in keeping with the principles of veterinary ethics. I accept as a life-long obligation the continual improvement of my professional knowledge and competence", so help me God.....

Signature of Declarant.....

Signature of Registrar.....

Signature of Dean .....  
Faculty/College of Veterinary Medicine

Date .....

2. **Veterinary para-professional Oath**

I, ..... being admitted to the Veterinary para-profession declare and pledge that I shall dedicate myself to aiding society by collaborating with the Veterinary Surgeon in providing excellent care and services for the relief of animal suffering, the promotion of animal production and public health.

I accept as a life-long obligation to practice my profession conscientiously and with dignity, adhering to the Code of Ethics of the Veterinary para-profession and furthering my knowledge and competence through a commitment to life-long learning.....

So help me God.

Signature of Declarant.....

Signature of Registrar.....

Signature of Head College of Animal Health.....

Date .....

- (3) The Council shall have the power to amend the oath in sub-paragraphs (1) and (2) from time to time but such amendments will not take effect until it is approved by the Minister (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

## FOURTH SCHEDULE

[Section 12(3)]

STANDING ORDERS AND RULES OF PROCEDURE OF THE  
VETERINARY COUNCIL INVESTIGATION PANEL*Membership and Quorum*

1. (1) There shall be five members on the Panel, of whom at least two shall be elected members one of which shall be a Para Professional the Council, and where the allegation to be investigated is against a Veterinary para-professional, an elected Veterinary para-professional is to serve as a member of the Panel.
- (2) The Panel may invite a legal practitioner to its deliberations in advisory capacity.
- (3) Any three members of the Panel, of whom one shall be an elected member of the Council shall constitute the quorum.
- (4) If no quorum is formed an hour after the time appointed for the meeting, the meeting, if an ordinary meeting, shall be adjourned by the members present to a later date or sine dine, and if an emergency meeting, shall stand adjourned to a later date.

*Officers*

2. (a) The Council shall appoint one of the members of the Panel as the Chairman.
- (b) There shall be a Secretary who shall be the Registrar of the Council or his representative
- (c) The Chairman may hold office for a term of three years and may be re-appointed for another term of two years.
3. (1) The Chairman shall preside at every meeting of the investigating panel.
- (2) In the absence of the Chairman, the members present shall have the power to appoint from amongst themselves, a Chairman for the meeting.

*Duties of the Investigation Panel*

4. (1) The Panel shall be charged with the duty of:
  - (a) conducting a preliminary investigation into any case where it is alleged that a registered person has misbehaved in his capacity as a Veterinary surgeon or as a Veterinary para-professional and has consequently violated any of the provisions of the codes of conduct and professional ethics issued by the Council in pursuance to Section 1 (2) (d) of this Bill, or should for any other reason be the subject of proceedings before the Tribunal: and
  - (b) deciding whether the case should be referred to the Tribunal.
5. (1) The Panel may sit in two or more divisions.
- (2) The Secretary to the Panel shall keep an attendance register which every member attending the meeting of the Panel shall sign.

*Voting*

6. (1) The Panel shall decide issues by voting where necessary.
- (2) Voting shall be by show of hands.
- (3) In the event of a tie in the number of votes cast, the Chairman shall have a casting vote.
- (4) No person other than members of the Panel, the Council's staff assigned on duty to the Panel meeting shall be present at any meeting of the Panel except on the invitation of the Chairman.

*Order of Business*

7. Unless the meeting otherwise resolves, the order of business at an ordinary meeting shall be as follows:
  - (i) call to order;
  - (ii) minutes of the last meeting;
  - (iii) matters arising from the last meeting; and
  - (iv) cases to be investigated.

*Investigation of cases procedure*

8. (1) On receipt of any allegation of professional misconduct against any registered Veterinary surgeon or a registered Veterinary para-professional, the panel shall direct the Registrar to send to the registered person complained about a written statement of the facts of the allegation.
- (2) The Veterinary surgeon or Veterinary para-professional shall reply by a sworn affidavit to the allegation.
- (3) The Registrar shall cause copies of the statement of the allegation and the affidavit in reply and any other documents related there-to to be sent with notice of meeting to the members of the Panel.
- (4) The Registrar shall summon the Veterinary surgeon or the Veterinary para-professional against whom allegation is made to appear before the Panel meeting specifying time and place and inform the Veterinary surgeon or Veterinary para-professional to come with a legal practitioner if he so desires.
- (5) Where the Veterinary surgeon or the Veterinary para-professional appears before the Panel the Chairman shall ask him if he (the Veterinary surgeon or the Veterinary para-professional) objects to the presence of any member, and the reason for the objection.
- (6) The other members of the Panel shall, if they consider the grounds of objection reasonable and justifiable, decide that the member shall not take part in the investigating proceeding of the case, and shall leave the Panel.
- (7) If the other members of the Panel consider the grounds of the objection not tenable the objection shall be over-ruled.

8. (1) The Chairman shall briefly inform the Veterinary surgeon or the Veterinary para-professional the reason for the investigation, and if the Veterinary surgeon or the Veterinary para-professional has replied by affidavit as provided in Paragraph 8 (2) above, the Chairman shall ask the Veterinary surgeon or the Veterinary para-professional or his legal practitioner, as the case may be, whether he wishes to add to the facts deposed to in the affidavit.
  - (2) All witnesses testifying before the Panel shall do so on Oath.
  - (3) The Oath may be administered by the Registrar or any member of the Panel nominated by the Chairman.
9. The Panel may ask the Veterinary surgeon or the Veterinary para-professional questions on the facts deposed to in the affidavit and any additional facts that the Veterinary surgeon or the Veterinary para-professional may have made available to the Panel.
10. The Panel shall retire to consider the evidence before it on any case after hearing the Veterinary surgeon or the Veterinary para-professional as stipulated in Paragraph 10 above, and shall decide whether there is a prima facie case against the Veterinary surgeon or the Veterinary para-professional, as the case may be.
11. The Panel, in any case where in pursuance of Section 12 (2) of the Veterinary Surgeons Act is of the opinion that a prima facie case is made against a Veterinary surgeon or a Veterinary para-professional, shall prepare a report of the case and any appropriate charge or charges and forward them to the Registrar together with all the documents considered by the Panel.
12. If the Panel decides that a prima facie case has been made, and notwithstanding that the Veterinary surgeon or the Veterinary para-professional complained about neglects or fails to appear before the Panel for viva voce evidence after the Panel had duly invited him to attend the meeting of the Panel for that purpose, in so far that the Panel is satisfied from the deposition of the Veterinary surgeon or the Veterinary para-professional complained about, the Panel shall prepare a report of the case and formulate any appropriate charge or charges and forward them to the Registrar of the Council together with all the documents considered by the Panel, for onward transmission to the Tribunal.
13. Except on matters relating to fair hearing, the Panel's decision shall be final.

*Amendment*

14. Where there is need for amendment to the standing Order and Rules of the Council's investigation panel, the Panel shall refer the matter to the Council.

*Miscellaneous*

15. (1) A person ceasing to be a member of the Panel or the Tribunal shall be eligible for re-appointment as a member of that body.
  - (2) A person may, if otherwise eligible, be a member of both the Panel and the Tribunal: 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.
  - (3) Any document authorized or required by virtue of this Bill to be served on the Panel or the Tribunal shall be served on the Registrar.



- (4) The Panel or the Tribunal 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 by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
- (5) Any expenses of the Panel or the Tribunal shall be defrayed by the Council.
- (6) A person shall not by reason only of his appointment as a member of the Panel or as a legal assessor to the Tribunal be treated as holding an office or emolument in the Public service of the Federation.

*Interpretation*

15. In this Bill:

"Chairman" means the Chairman of the investigation Panel;

"the Council staff" includes any officer of the Veterinary Council of Nigeria;

"the panel" means the Veterinary Council Investigation Panel of the Veterinary Council of Nigeria;

"Meeting" includes the regular meeting of the panel or any emergency meeting duly convened by the Chairman;

"Members" means members of the Panel;

"Member who has interest" includes a member who is complainant, or witness, a relation of the complainant;

"Prima facie case" means a case in which there is some evidence of the allegation and which stand unless it is disproved;

"Secretary" means the Secretary of the Panel;

"Sine die" means without any time fixed;

"the Tribunal" means the Veterinary Council Disciplinary Tribunal;

*Citation*

16. These rules may be cited as the Veterinary Council Investigating Panel Rules and Standing Orders, 2021 (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

FIFTH SCHEDULE

[Section 12(6)]

VETERINARY COUNCIL (DISCIPLINARY TRIBUNAL (AND ASSESSORS) RULES, 2021

*Composition of Tribunal*

1. (1) There shall be five members of the Tribunal of whom at least two shall be elected members; one of which shall be a Veterinary Para-professional.

- (2) Where the person to appear before the Tribunal is a Veterinary para-professional, an elected Veterinary para-professional is to serve as a member of the Tribunal.
- (3) For the purpose of advising the Tribunal on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the Tribunal who shall be a legal practitioner of not less than ten years of practicing experience.
- (4) The quorum of the Tribunal shall be three of whom at least one shall be an elected member of the Council.
- (5) The President of the Council, or in his absence anyone appointed in that behalf among themselves, shall be the chairman of the Tribunal.

*Composition of Tribunal Panel for Hearing*

2. Whenever any case of professional misconduct against any registered person is referred to the Tribunal by the Panel, such a case shall be heard by a division of not less than three members of whom at least one shall be an elected member.

*Parties and appearances*

3. (1) Parties to proceedings before the Tribunal shall be:
  - (a) the complainant;
  - (b) the respondent;
  - (c) any other person required by the Tribunal to be joined or joined by leave of the Tribunal.
- (2) Any party to the proceedings may appear in person or be represented by a legal practitioner, so however that the Tribunal may order a party to the proceedings to appear in person if it is of the opinion that it is necessary in the interest of justice but without prejudice to his right to counsel.

*Notice of hearing and service*

4. (1) On the direction of the chairman, the Secretary shall fix a day for the hearing of the case and forth with thereafter shall, in the form in the Appendix to these Rules, serve notice thereof on each party to the proceedings.
- (2) The Secretary shall serve on each party, other than the complainant, copies of the report and all the charges prepared by the Panel and all documents considered by the Panel.
- (3) It shall be sufficient compliance with this rule; if, any process required to be served is handed to the party concerned or effected personally or is sent by registered post to the last known place of residence or abode of the party, or electronically or by publication in a popular Newspaper.

*Hearing in absence of parties*

5. (1) Subject to the next succeeding paragraph, the Tribunal may hear and determine a case in the absence of any party

- (2) Any party to the proceedings before a Tribunal who fails to appear or be represented may apply, within thirty days after the date when the pronouncement of the findings and directions of the Tribunal were given, for a re-hearing on the ground of want of notice or other good and sufficient reason: and the Tribunal may, in appropriate cases, grant the application upon such terms as to costs or otherwise as it thinks fit.

*Witness and evidence*

6. The Tribunal may in the course of its proceedings hear such witnesses and receive such documentary evidence as in its opinion may assist in arriving at a conclusion as to the truth or otherwise of the charges referred to it by the Panel; and in the application of this rule, the provisions of the Evidence Act or Law in force in the State where the Tribunal holds its sitting shall apply to any such proceedings.

*Amendment of charges*

7. Any party to the proceedings may appear in person or be represented by a legal practitioner, so however that the Tribunal may order a party to the proceedings to appear in person if it is of the opinion that it is necessary in the interest of justice but without prejudice to his right to counsel.

*Proceedings to be in public*

8. The proceedings of the Tribunal shall be held, and its findings and directions shall be pronounced, in public.

*Adjournment of hearing*

9. The disciplinary tribunal may, of its own motion, or upon application of any party, adjourn the hearing on such terms as to costs or otherwise as the disciplinary tribunal may think fit.

*Witness and evidence*

10. If any person willfully gives false evidence on oath before the Tribunal during the course of any proceedings, or willfully makes a false statement in any affidavit sworn for the purpose of any such proceedings, the disciplinary tribunal may refer the matter to the Attorney-General of the Federation for any action he may deem fit.

*Findings and costs*

11. If after the hearing, the disciplinary tribunal adjudges that the charge of professional misconduct has not been proved, the disciplinary tribunal:
- (a) shall record a finding that the respondent is not guilty of such conduct in respect of the matters to which the charge relates;
  - (b) may, without any misconduct proved against the respondent, nevertheless order any party (except the complainant) to pay the costs of the proceedings if, having regard to his conduct and to all the circumstances of the case, the disciplinary tribunal thinks fit so to order.

*Publication of disciplinary tribunal's findings*

12. Subject to section 15 of the Bill (which relates to appeals), any direction given by the Tribunal shall be published in the Federal Gazette as soon as may be after the direction takes effect.

*Records of proceedings*

13. (1) Shorthand notes, electronic records and transcripts of proceedings may be taken by a person appointed by the Tribunal and any party who appeared at the proceedings shall be entitled to inspect the records thereof
- (2) The Secretary shall supply to any person entitled to be heard upon an appeal against the direction of the Tribunal, and the Council, but to no other person, a copy of the records of such records of proceedings on the payment of such charges as may be determined by the Registrar.
- (3) If no shorthand notes are taken, the chairman shall take a note of the proceedings and, accordingly, the provisions of these Rules as to inspection and taking of copies shall apply to such notes.

*Dispensing with certain provisions*

14. The Tribunal may dispense with any requirement of these Rules respecting notices, affidavits, documents, service or time in any case where it appears to the Tribunal to be just to do so; and the Tribunal may in any appropriate case extend the time to do anything under these Rules.

*Power to retain exhibits pending appeal*

15. The Tribunal may order that any documents or other exhibits produced or used at the hearing shall be retained by the Secretary until the time within which an appeal may be entered has expired, and if notice of appeal is given, until the appeal is heard or otherwise disposed of
16. (1) An assessor, when nominated in accordance with paragraph 1 (3) of this Schedule to the Act, shall be appointed by the Council by instrument, and the assessor shall hold and vacate office as provided in the instrument; and where the appointment is not a general one, it shall have effect only in respect of a particular meeting of the Tribunal.
  - (2) Subject to the terms of his appointment, an assessor shall attend any meeting of the Tribunal as and when requested to do so by notice in writing given to him by the Secretary not later than three clear days before the date appointed for the meeting; and he shall there advise the Tribunal on questions of law arising in proceedings before it.
  - (3) Except where the Tribunal is deliberating in private, the advice of the assessor on questions of law as to evidence, procedure and as to compliance with the Act shall be tendered in the presence of every party or of his counsel.
  - (4) If the advice by the assessor to the Tribunal is given otherwise than in the presence of all parties, or as the case may be of their counsel, the assessor shall, as soon as may be thereafter.
  - (5) Fees to be paid to the assessor shall be such as may be determined by the Council from time to time with the consent of the assessor.

*Interpretation*

17. In these Rules unless the context otherwise requires:  
"chairman" means the chairman of the Veterinary Council Disciplinary Tribunal;

"respondent" means the person required to answer any charge of professional misconduct;

"Secretary" means a person appointed to act as the Registrar under section 1 (5) of the Act.

"Secretary" means a person appointed to act as the Registrar under section 5 (1) of the Act.

*Citation*

18. These Rules may be cited as the Veterinary Council (Disciplinary Tribunal and Assessors) Rules, 2021.

*Appendix*

Notice of hearing by the Veterinary Council Disciplinary Tribunal in the matter of the Veterinary Surgeons Act; and

In the matter of A.B. a Veterinary Surgeons or a Veterinary para-professional

Take Notice that the report and charges prepared by the Veterinary Council Investigating Panel in the above matter are fixed for hearing by the Veterinary Council Disciplinary Tribunal at \_\_\_\_\_ on the day of \_\_\_\_\_, 20.....

COPIES of:

- (a) the report;
- (b) the charges; and
- (c) are annexed hereto.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20.....

.....  
*Secretary of the Tribunal (Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency).*

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

SIXTH SCHEDULE

[Section 14 (2)]

VETERINARY PRACTICING PREMISES REGISTRATION  
AND CONTROL REGULATIONS, 2021

*Special Powers of Council on Veterinary Practicing Premises*

1. Council shall have power to:
- (1) approve the application for veterinary practice and practicing premises of all categories;
  - (2) appoint Veterinary inspectors for the purpose of enforcing the provisions of these Regulations;

- (3) cause investigations to be conducted to ascertain persons involved in offences under these Regulations;
- (4) determine whether any person has committed an offence under these Regulations; and
- (5) close any practicing premises for breaching any of the following conditions:
  - (i) change of ownership without approval of Council,
  - (ii) non-compliance with prescribed standard of practice, including breach of professional ethics, non-engagement of adequate and qualified veterinary personnel;
  - (iii) in appropriate location or unsanitary conditions of the premises;
  - (iv) unsanitary conditions of premises;
  - (v) on the request of the owner of the premises;
  - (vi) operating without a license.
  - (vii) operating without registration or possession of a valid annual license.

*Establishment of Veterinary Practicing Regulation Committee for the States*

2. (1) There is hereby established a Veterinary Practicing Regulation Committee for each State and the Federal Capital Territory (hereafter in these Regulations referred to as "the Committee").
- (2) The Committee shall consist of:
  - (a) the Director of Veterinary Services of the State or Head of Animal Health Section of Federal Capital Territory (as the case may be) as the Chairman;
  - (b) Zonal or State Officer of the Council;
  - (c) Chairman of the Nigerian Veterinary Medical Association of the State or of the Federal Capital Territory;
  - (d) Chairman, Association of Private Veterinary Practitioners of the State or Federal Capital Territory;
  - (e) representative of the Federal Department of Veterinary Services;
  - (f) the Coordinator of Veterinary Inspectors (to be appointed by the Committee); and
  - (g) any other person that may be co-opted by the Committee on the approval of the Council.

*Establishment of Veterinary Practicing Committee of  
Council of the Veterinary Council of Nigeria*

3. (1) There is hereby established a Veterinary Practice Premises Regulation Committee of the Veterinary Council of Nigeria.

- (2) The Committee shall consist of five members to be appointed by Council.
- (3) The Committee shall be charged with the following functions:
  - (a) receive, collate and analyse reports of Veterinary Practicing Committees of States and the Federal Capital Territory.
  - (b) submit quarterly reports of to the Council.
  - (c) advice Council on matters relating to Veterinary Practicing Regulations.
  - (d) implements decisions of the Council on Veterinary Practicing Regulations.
  - (e) carry out any other functions directed by Council.

*Categories and Location of Veterinary Practicing Premises*

4. (1) There shall be the following types of Veterinary Practicing Premises, namely:
  - (i) Veterinary or Animal Hospital;
  - (ii) Veterinary or Animal Clinic;
  - (iii) ambulatory services or house call,
  - (iv) Veterinary Pharmacy;
  - (v) Veterinary Diagnostic Center;
  - (vi) Animal Hotel or animal boarding for veterinary care;
  - (v) animal security outfit;
  - (vi) veterinary day shop;
  - (vii) abattoirs (including slaughter house and slaughter slabs);
- (2) Except veterinary pharmacy, no premises shall be located in market places, motor parks or an environment where commercial activities are conducted.
- (3) No premises shall be located in an unhygienic environment or any area subject to flooding.
- (4) Any premises located in any such places as stated in sub-regulation (2) and (3) of this regulation shall relocate to a suitable place not later than 90 days after formal notification to that effect by the Veterinary Inspector.

*Powers of Veterinary Inspector*

4. (1) The Veterinary inspector shall have power to:
  - (a) enter into any premises in which he reasonably believes that an article to which these regulations apply is manufactured, prepared, stored., preserved., packaged., dispensed, or marketed therein;

- (b) examine any article in the premises to which these Regulations apply which he reasonably believes is used or its capable of being used for the manufacture, preparation, preservation, packaging, storage or sale of any such article;
- (c) take sample or specimen of any article to which these Regulations apply, open and examine while in the premises and in the presence of the owner or his representative any container or package which he reasonably believes may have any article to which these Regulations apply;
- (d) examine any books, documents or other records found in the premises which he reasonably believes may contain information relevant to the enforcement of these Regulations and to make copies of the same;
- (e) seize and detain for such time as may be necessary any article by means of which he reasonably believes any provision of these Regulations has been contravened.
- (f) seize and detain for such time as may be necessary any article kept, displayed, sold or dispensed in any unauthorized premises or place;
- (g) seize and detain for such time as may be necessary any article he may reasonable grounds to suspect that such items are or likely to be unwholesome, impure, fake, expired, adulterated or banned;
- (h) inspect premises proposed for registration as veterinary practicing premises and make appropriate recommendations to the Committee; and
- (i) conduct periodic inspection on all categories of the premises with or without prior notice.

*Seizure of articles*

- 5. (1) Any article seized under these Regulations shall be kept or stored in such place as the Veterinary inspectors may direct.
- (2) Any such article seized under these Regulations may be submitted to an analyst for examination for the purpose of determining its chemical properties and content.
- (3) The analyst making such examination shall issue a report setting out the result of his findings on the article;
- (4) The Veterinary inspector shall on demand deliver a copy of the analyst's report to the owner of the article if it is a subject of proceedings under these Regulations;
- (5) If upon examination the article is found to conform with the requirements of these Regulations, the Veterinary inspector shall return it to the owner or the person from whom it was seized without paying any compensation.

*Duty of owner of veterinary Practicing Premises*

- 6. (1) The owner or person in charge of any premises where veterinary articles are kept, displayed, sold or dispensed (whether authorized or not), and every person found therein shall co-operate with and give all necessary assistance to Veterinary inspectors, including making available to such inspectors such information as may be required for the purpose of giving effect to these Regulations.



- (2) Any person who conducts business in any premises which, in the opinion of a Veterinary inspector, amounts to selling or dealing in veterinary drugs, wares, vaccines, agro-chemicals or veterinary devices (whether wholesale or retail) shall, on being required by the Inspector, state the name and other particulars of the owner of the business and produce all books, documents and other information as may be necessary for the purpose of verifying the nature and status of such business by the Inspector.

*Requirement for Registration of Veterinary Practicing Premises*

7. (1) (a) Personnel — All Veterinary or animal hospital, veterinary or animal clinic, veterinary pharmacy, ambulatory services or House call shall have a registered Veterinary Surgeon as the head of the medical team.
- (b) A veterinary or animal hospital shall have the following facilities:
- (i) reception room,
  - (ii) examination rooms or facilities for small and large animals,
  - (iii) functional laboratory,
  - (iv) sterilization room and facility,
  - (v) small and large animal surgical theatre,
  - (vi) avian clinic,
  - (vii) hospitalization facility for all animal species,
  - (viii) post mortem room,
  - (ix) incineration or carcass disposal facility,
  - (x) consulting rooms,
  - (xi) facilities for aquatic practice (where applicable),
  - (xii) hospital pharmacy,
  - (xiii) store,
  - (xiv) radiography,
  - (xv) electro-cardiography, and
  - (xvi) ultrasound
- (c) Conditions:
- (i) a Veterinary Surgeon shall be available 24 hours on service to attend to in-patients and out-patients, and such other staff as animal health technologists, laboratory attendants, cleaners, etc must be present round the clock to ensure continual veterinary care for patients;
  - (ii) clinical standards must be maintained and improved by monitoring performance and outcome of treatment;

- (iii) quality range of facilities and equipment must be available at all times;

- (iv) the standard of the premises and facilities must be examined periodically to ensure cleanliness and sterility; and
  - (v) a hospital shall satisfy the Council that it has met the diagnostic and hospitalization requirements specific to its type of practice as the type of care and facilities suitable to meet the needs of animals vary.
- (2) To register a veterinary or animal clinic, the proprietor shall:
- (a) a complement of staff headed by a Veterinary surgeon;
  - (b) provide 24 hour emergency services to patients either by the clinic itself or by an emergency house call provider affiliated to the clinic;
  - (c) have arrangement for taking care of patients kept overnight;
  - (d) have a system for monitoring the outcome of treatment;
  - (e) show on-going commitment to educating and training feedback;
  - (f) keep the premises clean and well maintained;
  - (g) have a policy for communicating with clients and obtaining feedback;
  - (h) ensure that clients are given estimates of the costs of treatments and that their consent is obtained before procedures are undertaken;
  - (i) have access to laboratory facility for diagnosis;
  - (j) meet legal and health safety requirements covering its premises, equipment, clients and employees;
  - (k) must establish a good referral system;
  - (l) must establish a good referral system; and
  - (m) a good record system.
- (3) For the purpose of registration, the proprietor of an ambulatory services or house call shall have:
- (a) a permanent communication base;
  - (b) a specific non-mobile area set aside for the storage of drugs and equipment, sterilization facility and other facilities for minor surgery.
  - (c) a record of Veterinary examination with procedures and confidentiality strictly maintained; and
  - (d) animal restraining equipment for the type of practice; and
- (4) To register a veterinary pharmacy, the applicant shall meet the following requirements:

- (a) a well-ventilated, air-conditioned room for display of drugs;
- (b) availability of compartmentalized drug shelves;

- (c) veterinary drugs, veterinary vaccines and biologics which require cold storage must be put in drug freezers and refrigerators;
- (d) a sworn and signed statement averring that only drugs, biologics and equipment for veterinary use will be kept and dispensed;
- (e) sanitary control shall be ensured at all time;
- (f) drugs on shelves shall have adequate labels and literature to guide users;
- (g) manufacture and expiry dates must be visible on the containers;
- (h) a special room or a drug box or cupboard for controlled veterinary drugs; and
- (i) a special room shall be provided for animal feeds.

*Application and approval procedures*

8. (1) An applicant requesting for registration of a premises shall obtain the Veterinary Practising Premises Application Form from any office of the Council or office of the Director of Veterinary Services of each State or Head of Animal Health section of the Federal Capital Territory.
- (2) The duly completed application form shall be submitted to the Council through the Committee accompanied by:
  - (a) an application fee of ₦5,000.00 (five thousand Naira);
  - (b) list of facilities and equipment of the proposed practice;
  - (c) a copy of the certificate of registration of the Veterinary Surgeon(s) in charge and his/their current practicing license or certificates of any person in charge (for premises that does not need the presence of a veterinary surgeon); and
  - (d) photocopy of the registration certificate of the company or business entity with the Corporate Affairs Commission or any other registration document acceptable to Council.
- (3) A report of the inspection conducted to the proposed premises by the States Veterinary Practising Premises Regulation Committee shall accompany the documents submitted by the applicant to the Council.
- (4) The approval given by the Council shall relate to, and be used, only for the premises indicated on the application form, subject to review from time to time.

*Fees*

9. (1) The annual registration fees shall be as follows:  
 Veterinary animal hospital — ₦20, 000.00;

Veterinary or animal clinic — ₦15,000.00;

Ambulatory services or House Call — ₦10,000.00;

Veterinary pharmacy — ₦20,000

Animal hotel and Animal security outfit — ₦10,000

Abattoir (including slaughter house or slab — ₦20,000.00);

- (2) The Council shall have power to review all fees stated in these Regulations from time to time.

#### *Interpretation*

10. In these Regulations, unless the context otherwise appears:

"Ambulatory services or house call" means a veterinary practice that offers health care services to animals and its environment in places where animals are kept and managed including a private home, a livestock farm, a poultry, a zoological garden and fish pond;

"Animal hotel or animal boarding" means premises used for accommodation and feeding of animals on behalf of the owner for a fee;

"Article" includes any veterinary drug, veterinary device, agro chemicals or anything used in the manufacture, preparation, preservation, packaging and storing of any veterinary drug, agro chemicals or veterinary device and any labelling or advertising of material relating to or for use in with any veterinary drug or veterinary device, agro chemical.

"Prescribed officer" means a person duly authorized by the Council to perform a duty or exercise a power in relation to which the expression is used;

"Veterinary or animal clinic" means a veterinary practicing premises for rendering primary veterinary services for small animals, farm animals, equines or emergency veterinary services for sick animals but may not include hospitalization for animals undergoing treatment;

"Veterinary or animal hospital" means veterinary practicing premises which provides secondary or tertiary animal health services and which includes hospitalization for animals undergoing treatment;

"Veterinary day shop" means a premises where animal accessories such as collars, animal models, horse shoes, animal grooming and restraining equipment are sold;

"Veterinary Inspector" means a registered Veterinary Surgeon duly appointed by the Council as such under these Regulations;

"Veterinary pharmacy" means a building or premises designated for sale, procurement and dispensing veterinary drugs, veterinary vaccines, biologics, pet food agro-chemicals and veterinary medical equipment;

#### *Citation*

11. These Regulations may be cited as the Veterinary Practicing Premises Registration and Control Regulations, 2021 (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

SEVENTH SCHEDULE

[Section 15(4)]

POSTGRADUATE COLLEGE OF VETERINARY  
SURGEONS NIGERIA REGULATIONS, 2021

*Administrative organs of the College*

1. (1) The administrative and academic organs of the College shall consist of the Congregation, the Academic Board (therein after referred to as "the Board") and the Heads of Specialties or Faculties;
- (2) Provost and Deputy-Provost, who shall be elected at the first meeting of the Board after the election of the Board by the Congregation.
- (3) There shall be a College Secretary who shall be a fellow of the College and shall serve as the administrative officer of the College.
- (4) The tenure of the College Secretary shall be determined by the Council.
- (5) The Provost shall be responsible to the Council.

*The Congregation*

2. (1) The Congregation shall consist of all the Fellows of the College.
- (2) The Congregation shall meet every three years, provided that the Provost may with the approval of the President of Council, call an emergency meeting of the Congregation.
- (3) The Provost shall be the Chairman of the Congregation when he is present, and in his absence, the Deputy Provost shall be the Chairman of the meeting.
- (4) The quorum at a regular meeting of the Congregation shall be twenty, provided that at least three members from each specialty are present.

*Power of the Congregation*

3. The Congregation shall have power to:
  - (a) elect members of the Board;
  - (b) consider issues concerning the academic programme of the College or issues of importance to the Veterinary profession, livestock production and zoonoses control in Nigeria and make appropriate recommendations to the Board and the Council; and
  - (c) consider any other issue or item referred to the Congregation by the Board and the Council).

*Membership of the Board*

4. (1) The Board shall consist of:

- (a) four members of each Specialty elected among their members at Congregation;
  - (b) the Provost and the Deputy provost who shall be elected by the members of the Board from among their members and who shall be of different Specialties/Faculties;
  - (c) a representative of each study center
  - (d) the Registrar of the Council)
- (2) Where a vacancy occurs among the representatives of the specialty as a result of the election of the Provost and Deputy Provost, resignation, expulsion of a member due to act of misconduct or death or incapacity of a member, the vacancy shall be filled:
- (a) by the unsuccessful candidate at the previous specialty election of such representative who at the election received the higher number of votes and has not since become a representative of the specialty in the Board; or
  - (b) if two or more such candidates receive an equal number of votes, by the candidate, who first obtained the Fellowship Diploma qualification and if two or more obtained the qualification on the same date, by the candidate who has been registered longest on the register of Council and if two or more such candidates have been registered on the same date, by the candidate with the lowest (oldest) Veterinary Council of Nigeria number (VCN Number).
  - (c) if there were no unsuccessful candidates at that election, by a person elected from among members of the specialty at a special election congress organized by the Provost, provided that no such election need be held if an election of representatives of the specialty will take place within 12 months after the vacancy occurred.
- (3) A person may be co-opted to provide information or make a special contribution to the meeting of the Board, but his presence shall not count towards satisfying the requirements of a quorum and he shall not have a voting right.

*Tenure of Office of the Academic Board and Officers of the College*

- 5.
- (1) The tenure of office of an elected member of the Board shall be three years and may be re-appointed for a final term of three years.
  - (2) An elected member of the Board may resign his membership of the Board, by way of notice in writing to the Provost.
  - (3) No person can serve as Provost, Deputy-Provost and Head of Specialty for more than two terms.
  - (4) Where a member of the Academic Board conducts himself in an unruly manner, the Provost shall have the power to suspend him from not more two sittings of the Board, provided that he may be restored after showing remorse otherwise his case shall be referred to the Veterinary Council Investigating Panel.
  - (5) The Board shall remove a member if such a member is found guilty of an act of misconduct by the Veterinary Council's Disciplinary Tribunal.

*Meetings of the Board*

6. (1) The President of Council shall inaugurate the first meeting of the Board after the election of members at Congregation and supervise the election of the Provost and Deputy Provost, and Heads of Specialties.
- (2) The Board shall meet two times a year, provided the Provost may with the approval of the President of Council call emergency meeting of the Board.
- (3) The quorum at a regular meeting of the Board shall be eight members, provided there is at least one member from each specialty.
- (4) The Provost shall be the chairman at all meetings of the Academic Board and in his absence, the Deputy Provost shall chair the meeting.
- (5) In the absence of the Provost and the Deputy-Provost, the Board shall appoint a Fellow to act until a new Provost is appointed.

*Powers of the Board*

7. (1) The Board shall have power to:
  - (a) accredit institutions as study centers for College training;
  - (b) conduct all the academic activities including de-centralized examinations in study centers and centralized examinations of the College;
  - (c) appoint invigilators for each decentralized examination from a different study center;
  - (d) appoint external examiners for Fellowship final examinations;
  - (e) set rules and conditions for each examination of the college;
  - (f) assign distinct colour codes to each academic Specialty or Faculty;
  - (g) discipline erring students or residents and further refer the case to Veterinary Council Investigation Panel;
  - (h) recommend erring resource persons to the Veterinary Council Investigating Panel and erring staff of the College to Staff Disciplinary Committee of the Council;
  - (i) organize annual convocation of the College in consultation with the Council;
  - (j) consider the award of Honorary Fellowship (Honoury causa) to deserving members of the public subject to a prior approval by Council; and
  - (k) carry out any activity referred to the Board and the Council or any other activities for the progress of the College with the approval of Council.
- (2) The Board may set up Committees on finance, residents or student discipline and any other Committee as the Board may consider necessary.
- (3) The Board shall be responsible to the Council.

*Specialties of the College*

8. (1) There shall be the following specialties that is to say:
- (a) medicine;
  - (b) surgery;
  - (c) theriogenology;
  - (d) pathology;
  - (e) public health and preventive medicine;
  - (e) pathology; and
  - (f) any other specialty as may be approved by Council on the recommendation of the Board from time to time.
- (2) Each specialty shall be headed by a Head who shall be elected by members belonging to that specialty.
- (3) The Head of Specialty shall coordinate all the academic activities of the Specialty and report to the Board.
- (4) There shall be an academic supervisor for each specialty in each study centre, who shall coordinate the activities at each study centre and report to the Head of Specialty.

*Convocation*

9. (1) The Convocation of the College shall be held every year.
- (2) The Convocation shall:
- (a) award Fellowship Diplomas to deserving residents;
  - (b) award prizes and recognition of Distinctions for deserving residents;
  - (c) award Honorary Fellowship to deserving individuals;
  - (d) award any other certificates of the College to deserving individuals;
  - (e) carry out the investiture of the Grand Patrons and Patrons of the College; and
  - (f) carry out any other activities as may be approved by the Council from time to time.

*Interpretation*

10. In these regulations, unless otherwise requires, the following expressions have the meaning hereby assigned to them respectively, that is to say —

"Academic Board" means the Board of the Postgraduate College of Veterinary Surgeons Nigeria;

"College" means the Postgraduate College of Veterinary Surgeons Nigeria established by the Veterinary Surgeons Act;



"Provost" means Provost of the Postgraduate College of Veterinary Surgeons Nigeria elected by the Board of the College;

"Resident" means student of the College;

"Specialty" means a specialized training field recognized for the award of fellowship or other types of certificate by the College; and

"Study Centre" means a University or Institution which has been accredited by the College to conduct academic activities of the College in one or more Specialties.

*Citation*

11. These regulation may be cited as the Postgraduate College of Veterinary Surgeons Nigeria Regulations, 2021 (*Hon. Munir Babba Dan'Agundi—Kumbotso Federal Constituency*).

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

EIGHTH SCHEDULE

[Section 16(4)]

VETERINARY COUNCIL STAFF AND STUDENTS DISCIPLINARY PROCEDURES

*Members of the Staff Disciplinary Committee*

1. (1) There shall be established the Staff Disciplinary Committee of Council (hereafter in this Schedule referred to as "the Committee").
- (2) There shall be five members of the Committee of whom at least two shall be elected members of the Council
- (3) The Council shall appoint one of the members as the Chairman.
- (4) The Registrar or his representative shall be the Secretary.
- (5) No staff having a case or an allegation before the Committee shall serve in the Committee, except as a witness.

*Powers of the Staff disciplinary committee*

2. (1) The Committee shall have power to:
  - (a) set or amend its regulations for its operations, but such regulations shall not be applied until they are approved by the Council;
  - (b) co-opt any person to assist the Committee in its investigation;
  - (c) invite any staff or other persons that may provide useful information on any matter, to witness before the Committee; and

- (d) set up a panel consisting of three persons including at least two of its members to carry out specific investigation on any matter before it, but shall not include the head of department or unit of the staff on trial or the complainant in each case.)
- (2) Regulations made in section 1 (a) of this Schedule, need not be published in the Federal Gazette but the Registrar shall bring them to the notice of all staff in such manner as he may from time to time determine.

*Meetings of disciplinary committees*

- 3. (1) The Committee shall meet at least once in a year and as regularly as may be necessary to prevent delays of cases.
- (2) The quorum of the Committee shall be three, of whom at least one shall be elected member of Council, provided that the presence of any co-opted person or anyone attending the meeting in attendance shall not count towards the constitution of a quorum.

*Disciplinary procedures*

- 4. (1) The Committee on receiving a report in accordance with Section 15(4) of the Principal Act shall:
  - (a) give notice of those allegations in writing to the person; and
  - (b) afford him reasonable opportunity to defend himself including an opportunity to make representations in writing and in person on the matter to the Committee.
- (2) Any person on trial or appearing as a witness before the Committee shall testify on oath, to be administered by the Secretary.
- (3) In a situation that a case against a person under suspension is not concluded within three months, the Committee may extend his suspension for a specified period.
- (4) The decisions of the Committee shall be arrived at by consensus or through a positive vote by a simple majority of members present with the Chairman having a deciding vote in case of a tie.
- (5) Each case before the Committee shall be considered on its own merit.
- (6) The decision of the Committee shall not be faulted by reason of any vacancy in the membership of the committee.

*Disciplinary penalties*

- 5. (1) The Committee shall submit its report to Council which shall include observations on whether the person is guilty of the allegation against him or not and a clear determination of the appropriate punishment for the staff if he is confirmed to be guilty.
- (2) The Committee upon concluding investigation and trial, may recommend to Council that the staff or student be acquitted if the allegations against him cannot be established

- (3) In case the person is confirmed to be guilty, the Committee may recommend that the staff be subjected to one or more of these sanctions:
- (a) reprimanded in writing;
  - (b) loss of annual increment or delay in promotion for a specified period;
  - (c) interdicted;
  - (d) surcharged;
  - (e) loss of headship or other administrative position or responsibility;
  - (f) deferment of confirmation of appointment;
  - (g) disciplinary probation for a specified period;
  - (h) demotion;
  - (i) forced resignation (non-compliance leads to termination of appointment);
  - (j) termination of appointment; or
  - (k) dismissal.
- (4) In all cases, disciplinary sanctions shall depend on the level of involvement, the gravity of the offence and the person's previous disciplinary records.

*Handling of special cases*

6. (1) For a good cause, any member of staff may be suspended from his duties for a specified period or his appointment may be terminated or he may be reprimanded or warned by the Registrar based on the recommendations of the Committee, and for the purposes of this section, "good cause" means:
- (a) a conviction for a criminal offence by a court of law which the Committee considers to be such as to render the person concerned unfit for the discharge of the functions of his office; and
  - (b) any physical or mental incapacity which the Committee, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold office or take part in the activities of the Council.
- (2) Where a staff is found guilty of embezzling funds belonging to the Council, a client or a union or an association recognized by the Council, the Registrar shall take steps to recover the amount from the salary or other emoluments of the staff in addition to other sanctions that the Committee may impose on him.

*Handling cases of criminal offence*

7. (1) Where a staff is suspected to have committed such criminal offence as rape, cultism, murder, vandalism, armed robbery, possession of fire arms, possession, use of or trafficking in hard drugs, arson, advanced fee fraud, the Registrar shall report the case to the Police for investigation and possible prosecution in a Court of competent jurisdiction and inform the Council and the Committee.

- (2) If he is convicted, the Council may terminate his appointment on the recommendation of the Committee.

*Implication of suspension of a staff*

8. (1) Any staff placed on suspension, interdiction or disciplinary probation by the Registrar or on the recommendation of the Committee shall be paid half of his monthly emolument during the period of his suspension, interdiction or disciplinary probation.
- (2) Where a staff under trial is acquitted of the allegations against him or he is to be warned or reprimanded, his emoluments that was withheld during the period of his suspension shall be paid to him, but if he is retired from service or his appointment is terminated, he shall not be entitled to the proportion of his emoluments that was withheld.
- (3) Any staff facing the disciplinary procedure cannot be considered for promotion to the next grade until the case against him is disposed of by the Committee.
- (4) In case of professional misconduct involving a staff who is a Veterinary surgeon or a Veterinary para-professional staff and where the veterinary ethics or ethics of any other professional body is suspected to be violated by the action or inaction of the staff, the Registrar shall hereafter forward the report to the Veterinary Council Investigating Panel for further sanctions.

*Appeal*

9. (1) The Registrar shall ensure that the letter(s) containing the decisions of the Committee are promptly communicated to the staff concerned as soon as reasonably practicable.
- (2) In case a person is dissatisfied with the decisions of the Committee against him, he shall within a period of 21 days from the date of the letter communicating the decision, address a petition to the Council to reconsider his case.
- (3) The decision of the Council on the matter shall be final.

*Interpretation*

10. (1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:  
  
"Examination misconduct" shall include any acts or inaction of any staff or student especially in around the examination hall or carried out in any other place which is considered to be inimical to the integrity of the examination process;  
  
"indecent behaviour" shall include sexual gestures, drunkenness, indecent dressing, crossing the lawn, violation of environmental rules of the Council, and any other behaviour that the Committee may regard as indecent behaviour;  
  
"misconduct" means a specific act of wrong doing or an improper behaviour which is inimical to the image of the service such as habitual lateness to work, delays in treating official records, failure to keep records, unauthorized removal of public records, dishonesty, negligence, insubordination, refusal to carry out assignment, disregard for the dress code of the Council, malingering and any action or inaction which the Committee may regard as a misconduct;

"scandalous conduct" means immoral behaviour, unruly behaviour, use of foul language, assault, battery, improper dressing, sleeping on duty, discourteous behaviour of the public, sexual harassment, hawking merchandise within Council's premises, and any action or inaction which the Committee may regard as a scandalous conduct.

"serious misconduct" shall include a specific act of very serious wrongdoing such as absenteeism, general inefficiency, falsification or suppression or damage to records, absence from duty without leave, cultism, false claim against government official, engaging in partisan political activities, bankruptcy and serious financial embarrassment, unauthorised disclosure of official information, bribery, corruption, embezzlement, misappropriation, advanced fee fraud and holding more than one full paid jobs, nepotism, divided loyalty, sabotage, cybercrime, willful damage to public property and any action or inaction which the Committee may regard as a serious misconduct;

"unruly behaviour "means disorderly behaviour indicating lack of self-restraint especially on the premises of the Council.

- (2) Such acts may include reckless driving, disturbance of peace, damage to Councillor other persons' property, defacing public building or facilities, throwing missiles, fighting, pilfering, and other action or inaction which the Committee may regard as unruly behaviour.

*Citation*

11. These Regulations may be cited as the Veterinary Council Staff Disciplinary Procedures, 2021 (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

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

**Long Title:**

A Bill for an Act to Repeal the Veterinary Surgeons Act, Cap. V3, Laws of the Federation of Nigeria, 2004 and Enact the Veterinary Surgeons Bill; and for Related Matters (HB. 70) (*Hon. Munir Babba Dan 'Agundi—Kumbotso Federal Constituency*).

***Agreed to.***

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Repeal the Veterinary Surgeons Act, Cap. V3, Laws of the Federation of Nigeria, 2004 and Enact the Veterinary Surgeons Bill; and for Related Matters (HB.70) and approved Clauses 1 - 22, the Schedules, and the Long Title of the Bill.

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

- (iii) ***A Bill for an Act to Provide for Establishment of Federal Medical Centres; and for Related Matters (HB. 182) (Committee of the Whole):***

*Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Provide for Establishment of Federal Medical Centres; and for Related Matters (HB. 182)" (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).*

***Agreed to.***

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO PROVIDE FOR ESTABLISHMENT OF FEDERAL MEDICAL CENTRES; AND FOR RELATED MATTERS (HB. 182)

PART I — ESTABLISHMENT OF THE FEDERAL MEDICAL CENTRES

**Clause 1: Establishment of the Federal Medical Centres**

- (1) There is hereby established Federal Medical Centres (in this Bill referred to as "the Medical Centres") as specified in the Second Schedule to this Bill.
- (2) Each of the Medical Centres:
  - (a) shall be a body corporate;
  - (b) may sue and be sued in its corporate name; and
  - (c) shall have perpetual succession and a common seal (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 2: Establishment of the Board of Management of the Medical Centres.**

There is hereby established for the management of each Medical Centre a Board of Management (in this Bill referred to as "Board") which shall be constituted and have the functions and powers set out in this Bill (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 3: Membership of the Board.**

- (1) The Board shall consist of:
  - (a) a chairman;
  - (b) the Medical Director of the Medical Centre;
  - (c) the Director of Clinical Services;
  - (d) Association of Medical Laboratory Scientists of Nigeria (AMLSN);
  - (e) one person to represent each Medical and Health Workers Union;
  - (f) one person to represent National Union of Allied Health Professional;
  - (g) the representative of the Minister of Health who should not be below the rank of Assistant Director;
  - (h) the Federal Ministry of Health;
  - (i) the National Planning Commission;

- (k) the Pharmaceutical Society of Nigeria;
  - (l) the Paediatrics Association of Nigeria;
  - (m) the National Association of Nigerian Nurses and Midwives; and
  - (n) one person to represent public interest.
- (2) The Director of Administration shall be the Secretary of the board.
- (3) The chairman and members of the Board, other than ex-officio members, shall be:
- (a) appointed by the President; and
  - (b) persons of proven integrity and ability.

**Schedule.**

- (4) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters contained therein (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 4: Tenure of office.**

Subject to the provisions of section 5 of this Bill, a member of the Board, other than *ex-officio* members, shall each hold office:

- (a) for a term of three years in the first instance and may be re-appointed for a further term of three years and no more; and
- (b) on such terms and conditions as may be specified in his letter of appointment (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 5: Cessation of membership.**

(1) Notwithstanding the provisions of section 4 of this Bill a person shall cease to hold office as a member of the Board if:

- (a) he becomes bankrupt, suspends payment principal loan with his creditors;
- (b) he is convicted of a felony or any offence involving dishonesty or fraud;
- (c) he becomes of unsound mind or is incapable of carrying out his duties;
- (d) he is guilty of a serious misconduct in relation to his duties; or
- (e) in the case of a person possessed of professional qualifications, he is disqualified or suspended, other than at his own request, from practising his profession in any part of the world by an order of a competent authority made in respect of that member; or

- (f) he resigns his appointment by a letter addressed to the President.
- (2) If a member of the Board ceases to hold office for any reason whatsoever, before the expiration of the term for which he is appointed, another person

representing the same interest as that member shall be appointed to the Board for the unexpired term.

- (3) A member of the Board may be removed by the President if he is satisfied that it is not in the interest of the Medical Centres or the interest of the public that the member continues in office (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 6: Allowances of the Board.**

There shall be paid to every member of the Board such allowances and expenses as the Revenue Mobilization Allocation and Fiscal Commission may, from time to time, direct (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

PART II — FUNCTIONS AND POWERS OF THE BOARD, ETC.

**Clause 7: Function of the Board.**

(1) The Board shall:

- (a) equip, maintain and operate the Medical Centres so as to provide facilities for diagnosis, curative, preventive and rehabilitative services in medical treatment;
- (b) construct, equip, maintain and operate such training schools and similar institutions as the Board considers necessary for providing the Medical Centres at all times with a proper staff of the Medical Centres technicians and nurses;
- (c) construct, equip, maintain and operate such clinics, out-patient departments, laboratories, research or experimental stations and other like institutions as the Board considers necessary for the efficient functioning of the Medical Centres.

(2) The Board shall ensure that the standards of teaching provided at all establishments under its control and the standards of treatment and care provided for patients at those establishments do not fall below those usually provided by similar establishments of international repute.

(3) Subject to this Bill, the Board shall perform such other functions which in its opinion are calculated to facilitate the carrying out of its functions under this Bill (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 8: Power of the Board.**

The Board shall have power to:

- (a) provide the general policies and guidelines relating to major expansion programmes of the Medical Centres;



- (b) provide facilities for the training of medical students of associate universities;
- (c) manage and superintend the affairs of the Medical Centres;
- (d) subject to the provisions of this Bill, make, alter and revoke rules and regulations for carrying on the functions of the Medical Centres;
- (e) fix terms and conditions of service, including remuneration of the employees of the Medical Centres subject to the approval of National Salaries Incomes and Wages Commission;
- (f) do such other things which in the opinion of the Board are necessary to ensure the efficient performance of the functions of the Medical Centres (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

### PART III — STAFF OF THE MEDICAL CENTRES

**Clause 9: Medical Director of the Medical Centres.**

- (1) There shall be for each Medical Centre a Medical Director who shall be appointed by the President on the recommendation of Hon. Minister of Health on such terms and conditions as may be specified in his letter of appointment or as may be determined, from time to time, by the National Salaries Income and Wages Commission.
- (2) The Medical Director shall:
  - (a) be the chief executive and accounting officer of the Medical Centres;
  - (b) be responsible to the Board for the day-to-day administration of the Medical Centres;
  - (c) be appointed for a term of four years in the first instance and may be reappointed for a further term of four years subject to satisfactory performance;
  - (d) be a person who is a medical practitioner and shall have been so qualified for a period of not less than 15 years;
  - (e) have considerable administrative experience in matters of health;
  - (f) hold a post-graduate specialist qualification obtained not less than ten years prior to the appointment as Medical Director (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 10: Appointment of Director of Administration and Recruitment of other staff of each Medical Centre.**

- (1) The Board shall appoint for the Medical Centres:
  - (a) a Director of Administration, who shall:

- (i) be responsible to the Medical Director for the effective functioning of all the administrative divisions of the Medical Centres,
  - (ii) conduct the correspondence of the Board and keep the records of the Medical Centre, and
  - (iii) perform such other functions as the Board or the Medical Director, as the case may be, may, from time to time, assign to him;
- (b) a Director of Clinical Services;
  - (c) a Director of Finance;
  - (d) a Director of Maintenance.
- (2) The Directors appointed under paragraphs (b), (c) and (d) of subsection (1) of this section shall each be responsible to the Medical Director for the effective running of the clinical services, the finance and accounts and the co-ordination of the maintenance of the Medical Centre, as the case may be.
- (3) The Board shall appoint for the Medical Centre such number of employees as may in opinion of the Board expedient and necessary for the proper and efficient performance of the functions of the Medical Centres for the proper and efficient.
- (4) Notwithstanding the provisions of subsections (1) and (2) of this section the Board shall have power to appoint for the Medical Centres either directly or on secondment from any public service in the Federation, such number of employees as may, in the opinion of the Board, be required to assist the Medical Centres in the discharge of any of its functions under this Bill.
- (5) Nothing in subsection (4) of this section shall preclude the Board from appointing persons from outside the public service of the Federation or of the State whenever it deems it necessary so to do.
- (6) The terms and conditions of service of the employees of the Medical Centres shall be as determined by the National Salaries Income and Wages Commission (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 11: Service in the Medical Centres to be pensionable.**

- (1) Service in the Medical Centres shall be approved service for the purposes of the Pensions Reforms Act.
- (2) The officers and other persons employed in the Medical Centres shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation.
- (3) Nothing in subsections (1) and (2) of this section shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 12: Establishment of the Medical advisory committee, etc.**

- (1) There shall be for each Medical Centre a Medical Advisory Committee which shall:
  - (a) consist of a chairman who shall be the Director, Clinical Services and such number of other members as may be determined from time to time;
  - (b) be responsible to the Medical Director for all the clinical and training activities of the Medical Centres; and
  - (c) be appointed by the Board.
- (2) Subject to this Bill, the Board shall have power to appoint either directly or on secondment and discipline consultants holding or acting in any office in the hospital; and any such appointment shall be made having due regard to the approved personnel establishment of the Medical Centre.
- (3) Notwithstanding anything to the contrary, the Board may, from time to time, appoint consultants outside the hospital to perform such medical duties as the Board or the Medical Director may assign to such consultants (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

#### PART IV — FINANCIAL PROVISIONS

**Clause 13: Fund of the Medical Centres.**

There shall be established and maintained for the Medical Centres a fund into which shall be paid and credited:

- (a) all subventions and budgetary allocation from the Government of the Federation;
- (b) all fees and funds accruing from the sale of drugs and other services;
- (c) all sums accruing to the Medical Centres by way of gifts, endowments, bequests, grants or other contributions by persons and organisations;
- (d) foreign aid and assistance from bilateral agencies; and all other sums which may, from time to time, accrue to the Medical Centres (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 14: Expenditure of the Medical Centres.**

The Medical Centres shall, from time to time, apply the funds at its disposal to:

- (a) the cost of administration and maintenance of the Medical Centres;
- (b) publicize and promote the activities of the Medical Centres;
- (c) pay allowances, expenses and other benefits of members of the Board and committees of the Board;
- (d) pay the salaries, allowances and benefits of employees of the Medical Centres;

- (e) pay other overhead allowances, benefits and other administrative costs of the Medical Centres; and

undertake such other activities as are connected with all or any of the functions of the Medical Centres under this Bill (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 15: Power to accept gifts.**

- (1) The Medical Centres may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Medical Centres shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Medical Centres under this Bill (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 16: Annual estimate and expenditure.**

- (1) The Board shall, not later than 30 September in each year, submit to the President through the Secretary to the Government of the Federation an estimate of the expenditure and income of the Medical Centres during the next succeeding year.
- (2) The Board shall cause to be kept proper accounts of the Medical Centres in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than six months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 17: Annual report.**

The Board shall prepare and submit to the President, not later than 30th June in each year, a report in such form as the President may direct on the activities of the Medical Centres during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Federal Medical Centres for that year and the auditor's report thereon (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 18: Power to borrow.**

- (1) The Medical Centres may, from time to time, borrow by overdraft or otherwise such sums as it may require for the performance of its functions under this Bill.
- (2) The Medical Centres shall not, without the approval of the President, borrow money which exceeds, at any time, the limit set by the President.

- (3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Medical Centres shall not borrow the sum without the prior approval of the President (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 19: Exemption from tax.**

- (1) The Medical Centres shall not pay income tax on any income derived by the Federal Medical Centres under this Bill or accruing to it from any of its investments.
- (2) Accordingly, the provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Board of the Federal Medical Centres (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 20: Exemption from customs duties, etc.**

The Medical Centres shall not pay customs duty on or be restricted or prohibited from importing any equipment, material, supply and any other thing required by the Medical Centres for the purposes of this Bill:

Provided that nothing in this section shall be construed as preventing the Nigeria Customs Service from inspecting any equipment, or material imported by the Centres (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

PART V — GENERAL PROVISION

**Clause 21: Discipline of student.**

- (1) Notwithstanding anything to the contrary contained in any other enactment, where it appears to the Board that any student of the Medical Centres has been guilty of misconduct, the Board may, without prejudice to any other disciplinary powers conferred on it by regulations, direct:
- (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Medical Centres, or make use of such facilities of the Medical Centres as may be so specified;
- (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
- (c) that the student be rusticated for such period as may be specified in the direction; or
- (d) that the student be expelled from the Medical Centres.
- (2) The fact that an appeal from a direction is brought in pursuance of subsection (1) of this section shall not affect the operation of the direction while the appeal is pending.

- (3) The Board may delegate its powers under this section to a disciplinary committee consisting of such members of the Medical Centres as the Board may nominate.
- (4) Nothing in this section shall be construed as preventing the restriction or termination of student's activities at the Medical Centres otherwise than on the ground of misconduct.
- (5) A direction issued under subsection (1) (a) of this section may be combined with a direction issued under subsection (1) (b) of this section.
- (6) Nothing in this Bill shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, midwives, nurses or members of any other profession or calling (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 22: Removal and discipline of clinical administrative and technical staff.**

- (1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of the Medical Centres, other than the Medical Director, should be removed from his office or employment, the Board shall require the Director of Administration to:
  - (a) give notice of those reasons to the person in question;
  - (b) afford him an opportunity of making representations in person on the matter to the Board; and
  - (c) if the person in question so requests within a period of 1 month beginning with the date of the notice, make arrangements for:
    - (i) a committee to investigate the matter and report on it to the Board; and
    - (ii) the person in question to be afforded an opportunity of appearing before and being heard by an investigating committee set up with respect to the matter, and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove him by a letter signed on the direction of the Board.
- (2) The Medical Director may, in a case of misconduct by a member of the staff which in the opinion of the Medical Director is prejudicial to the interest of the Medical Centres, suspend any such member and any such suspension shall forthwith be reported to the Board.
- (3) For good cause, any member of staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board and for the purposes of this section, "good cause" means:
  - (a) a conviction for any offence which the Board considers to be such as to render the person concerned unfit for the discharge of the functions of his office;

- (b) any physical or mental incapacity which the Board, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office;
  - (c) conduct of a scandalous or other disgraceful nature which the Board considers to be such as to render the person concerned unfit to continue to hold his office; or
  - (d) conduct which the Board considers to be such as to constitute a failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended shall, subject to subsections (2) and (3) of this section be on half pay and the Board shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to:
  - (a) whether to continue the person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him);
  - (b) whether to reinstate the person, in which case the Board shall restore his full emoluments to him with effect from the date of suspension;
  - (c) whether to terminate the appointment of the person concerned, in which case he shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
  - (d) whether to take such lesser disciplinary action against the person (including the restoration of his emoluments that might have been withheld), as the Board may determine, and in any case where the Board, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.
- (5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) of this section to use his best endeavours to cause a copy of the letter to be served as soon as reasonably practicable on the person to whom it relates.
- (6) Nothing in the foregoing provisions of this section shall preclude the Board from making such regulations not inconsistent with the provisions of this Bill for the discipline of students and all other categories of employees of the hospital as the Board may prescribe.
- (7) Regulations made under subsection (6) of this section need not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 23: Discipline of junior staff.**

- (1) If any junior staff is accused of misconduct or inefficiency, the Medical Director may suspend him for not more than a period of 3 months and shall direct a Committee to:
  - (a) consider the case; and
  - (b) make recommendations as to the appropriate action to be taken by the Medical Director.
- (2) In all cases under this section of this Bill, the officer shall be informed of the charge against him and given a reasonable opportunity to defend himself.
- (3) The Medical Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, or take such other disciplinary action against the officer concerned.
- (4) Any person aggrieved by a decision of the Medical Director made under subsection (3) of this section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

## PART VI — MISCELLANEOUS

**Clause 24: Regulations.**

- (1) The Board may, with the approval of the President, make regulations:
  - (a) as to the access of members of the public either generally or of a particular class, to premises under the control of the Board and as to the orderly conduct of members of the public on those premises; and
  - (b) for safeguarding any property belonging to or controlled by the Board from damage by members of the public.
- (2) Bye-laws under this section shall not come into force until they are confirmed (with or without modification) by the National Assembly and published in such manner as he may direct (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 25: Power to give directives.**

The "Minister of Health" may give to the Board directions of a general character or relating generally to particular matters (but not to any individual person or case) with regard to the exercise by the Board of its functions under this Bill, and it shall be the duty of the Board to comply with the directions; but no direction shall be given which is inconsistent with the duties of the Board under this Bill (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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



**Clause 26: Transition and savings provision.**

- (1) On the commencement of this Bill, any person employed by or serving in, the Medical Centres shall be deemed to have been employed or serving in the Medical Centres established under this Bill.
- (2) All Assets or liabilities belonging to the Medical Centres shall be deemed to belong to the Medical Centres established under this Bill (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Clause 27: Interpretation.**

In this Bill, unless the context otherwise requires:

"associate universities" means the universities whose medical students receive aspects of their training from the Medical Centre (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

"Board" means the Board of Management of each Medical Centre (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

"chairman" means the chairman of the Board (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

"functions" include powers and duties (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

"Federal Medical Centres" means the Federal Medical Centres; established under Section 1 of this Bill (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

"junior staff" means staff of such grade as may be determined, from time to time, by the Board (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

"medical student" means a student whose course of instruction is:

- (a) designed (either alone or in conjunction with other courses) to enable him to qualify as a medical practitioner; or

- (b) designed for the further training of medical practitioners (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

*Question that the meaning of the words “medical student” be as defined in the interpretation to this Bill — Agreed to.*

"Minister" means the Minister charged with responsibility for matters relating to health; and (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

"student" means a person enrolled at an institution controlled by the Board for the purpose of pursuing a course of instruction at the institution (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

*Question that the meaning of the word “student” be as defined in the interpretation to this Bill — Agreed to.*

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

**Clause 28: Short Title.**

This Bill may be cited as the Federal Medical Centres (Establishment) Bill, 2021 (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

## SCHEDULES

### FIRST SCHEDULE

[Section 3 (3)]

#### SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

##### *Proceedings of the Board*

1. (1) Subject to this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.
- (2) The quorum of the Board shall be the chairman or the person presiding at the meeting and 5 other members of the Board, 2 of whom shall be ex-officio members, and the quorum of any Committee of the Board shall be as determined by the Board.
2. (1) The Board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than 8 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board, the chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside at the meeting.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this "sub-section" shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

*Committees*

3. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such functions as the Board may determine.
- (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

*Miscellaneous*

4. (1) The fixing of the seal of the Medical Centres shall be authenticated by the signatures of the Chairman, the Medical Director or any person generally or specifically authorized by the Board 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 Medical Centre by the Medical Director or any person generally or specifically authorized by the Board to act for that purpose.
  - (3) A document purporting to be a document duly executed under the seal of the Medical Centre shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
5. The validity of any proceedings of the Board or of a committee shall not be adversely affected by:
- (a) a vacancy in the membership of the Board or committee;
  - (b) a defect in the appointment of a member of the Board or committee; or
  - (c) reason that a person not entitled to do so took part in the proceedings of the Board or committee (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

## SECOND SCHEDULE

[Section 1 (1)]

## THE FEDERAL MEDICAL CENTRES

1. Federal Medical Centre, Abakaliki,
2. Federal Medical Centre, Abeokuta
3. Federal Medical Centre, Asaba
4. Federal Medical Centre, Azare
5. Federal Medical Centre, Bida
6. Federal Medical Centre, Birni-Kebbi
7. Federal Medical Centre, Birni-Kudu
8. Federal Medical Centre, Ebute-Meta
9. Federal Medical Centre, Gusau
10. Federal Medical Centre, Ado-Ekiti
11. Federal Medical Centre, Jalingo
12. Federal Medical Centre, Katsina

13. Federal Medical Centre, Keffi
14. Federal Medical Centre, Lokoja
15. Federal Medical Centre, Makurdi
16. Federal Medical Centre, Nguru
17. Federal Medical Centre, Owerri
18. Federal Medical Centre, Owo
29. Federal Medical Centre, Umuahia
20. Federal Medical Centre, Wase
21. Federal Medical Centre, Yenagoa
22. Federal Medical Centre, Yola (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

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

**Explanatory Note:**

This Bill seeks to Establish the Federal Medical Centres (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Provide for the Establishment of Federal Medical Centres; and for Related Matters (HB. 182) (*Hon. Tajudeen Abbas — Zaria Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of Federal Medical Centres; and for Related Matters (HB. 182) and approved Clauses 1 - 28, the Schedules, the Explanatory Note, and the Long Title of the Bill.

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

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

*Motion made and Question proposed, “That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to Amend the Orthopedic Hospitals Management Board Act, Cap. O10, Laws of the Federation of Nigeria, 2004 to provide for Establishment of Orthopedic Hospitals, Benin, Edo State and Jalingo, Taraba State; and for Related Matters (HB. 1284)” (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).*

*Agreed to.*

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO AMEND THE ORTHOPAEDIC HOSPITALS MANAGEMENT BOARD ACT, CAP. O10, LAWS OF THE FEDERATION OF NIGERIA, 2004, TO PROVIDE FOR ESTABLISHMENT OF THE ORTHOPAEDIC HOSPITAL BENIN, EDO STATE AND JALINGO, TARABA STATE; AND FOR RELATED MATTERS (HB. 1284)

**Committee Recommendation:****Clause 1: Amendment of the Principal Act.**

The Orthopaedic Hospitals Management Board Act, Cap, O10, Laws of the Federation of Nigeria, 2004 is amended as set out in this Bill (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee Recommendation:****Clause 2: Amendment of the Second Schedule.**

The Second Schedule to the Orthopaedic Hospitals Management Board Act is amended by inserting a new paragraphs 5 and 6 as set out below:

“5. The Orthopaedic Hospital, Benin, Edo State.

6. The Orthopaedic Hospital, Jalingo, Taraba State” (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee Recommendation:****Clause 3: Amendment of the Third Schedule.**

The Third Schedule to the Orthopaedic Hospitals Management Board Act is amended by inserting a new paragraph 4 as set out below:

“The Orthopaedic Hospital, Benin, Edo State;

Affiliated Hospital:

University of Benin Teaching Hospital, Benin, Edo State; and

The Orthopaedic Hospital, Jalingo, Taraba State;

Affiliated Hospital:

University of Maiduguri Teaching Hospital, Maiduguri, Borno State” (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Committee Recommendation:****Clause 4: Citation.**

This Bill may be cited as the Orthopaedic Hospitals Management Board Act (Amendment) Bill, 2021 (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill seeks to amend the Orthopaedic Hospitals Management Board Act, Cap.O10, Laws of the Federation of Nigeria, 2004 to provide for the establishment of the Orthopaedic Hospital Benin, Edo State and Jalingo, Taraba State under the control of the Orthopaedic Hospitals Management Board and affiliated to the University of Benin Teaching Hospital and University of Maiduguri Teaching Hospital, to provide specialized orthopaedic treatment and medical services (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

***Agreed to.***

**Long Title:**

A Bill for an Act to Amend the Orthopaedic Hospitals Management Board Act, Cap. O10, Laws of the Federation of Nigeria, 2004, to Provide for Establishment of the Orthopaedic Hospital Benin, Edo State and Jalingo, Taraba State; and for Related Matters (HB. 1284) (*Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency*).

***Agreed to.***

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on a Bill for an Act to Amend the Orthopaedic Hospitals Management Board Act, Cap. O10, Laws of the Federation of Nigeria, 2004 to provide for Establishment of Orthopaedic Hospitals, Benin, Edo State and Jalingo, Taraba State; and for Related Matters (HB. 1284) and approved Clauses 1 - 4, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

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

- (v) ***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 of 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 (HB. 791) (Committee of the Whole):***

*Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Establish the Chartered Institute of Forensic and Investigative Professionals of Nigeria for Effective Regulation, Registration of Members and Determination of what Standard of 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 (HB. 791)” (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency).*

***Agreed to.***

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF FORENSIC AND INVESTIGATIVE PROFESSIONALS OF NIGERIA FOR EFFECTIVE REGULATION, REGISTRATION OF MEMBERS AND DETERMINATION OF WHAT STANDARD OF 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 (HB.791)

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

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

- (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 (*Hon. Uzoma Nkem-Abonta — Ukwa East/West Federal Constituency*).

*Question that Clause 1 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

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

## PART II — FUNCTIONS AND RESPONSIBILITIES OF THE INSTITUTE

**Clause 3: Functions and Responsibilities of the Institute.**

- (1) The Institute shall —
- (a) promote and advance the forensic sciences and enhance capacity for fraud prevention, detection and investigation in public and private organizations that engender integrity, objectivity and trust in forensic reporting process to inspire public confidence in the Nigerian economy;
  - (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 and traditional knowledge of crimes and fraud detection;
  - (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, and cybercrime forensic specialist according to the provisions of this Bill;
  - (g) develop and improve the technique and practice of forensic investigations and to promote the study of, and provide instruction in forensic investigation;
  - (h) collaborate with relevant government organizations in the training of professionals on forensic investigation, forensic auditing, white collar crimes investigation, fraud prevention, detection and investigation;
  - (i) promote a specialized and professional training for qualified and experienced forensic investigators, criminal investigators, fraud investigators, 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 organization;
  - (k) provide a professional certification for forensic investigators, that will further enhance anti-fraud and forensic training and education amongst members, cyber-crime forensic specialists, etc.;

- (l) promote and maintain high standards of professional etiquette 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, cyber-crimes forensic specialists, forensic investigators and as a whole, through knowledge based for forensic and investigative professionals;
  - (p) instill professionalism in all its members working 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 and chartered cyber forensic specialists through administration of appropriate professional examination;
  - (r) certify its members as forensic investigators including those that shall be involved in white collar crime investigation in Nigeria, after passing the prescribed examination or test;
  - (s) to regulate the professional conduct and ethics of its members in the discharge of their functions through the issuance of professional code of conduct for its members with the intention to ensure that the profession is not brought to disrepute;
  - (t) provide capacity building programmes to public and private organizations on forensic evidence and forensic investigation;
  - (u) offer advice to government at all levels on matters of policy relating forensics and forensic investigations;
  - (v) organize conferences, seminars, symposia, trainings, workshops and meetings for discussion of forensic investigation, cyber-crime forensic specialist and related disciplines as part of measures to keep members abreast of development in the field of forensic investigations; and
  - (w) 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 3 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 4 stands part of the Bill — 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 not below the rank of a Director from:

(i) the Office of the Secretary to the Government of the Federation, and

(ii) the Federal Ministry of Justice;

(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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 5 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 6 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 7 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 8 stands part of the Bill — 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;
  - (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  
(*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 9 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 10 stands part of the Bill — 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 the training arm of the Institute where students undergo pre-qualification trainings for a specified period of time to qualify as a forensic professional (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 11 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 12 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 13 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 14 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

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

**Clause 16: When a person is deemed to practice as a 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 16 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 17 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that Clause 18 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

*Question that Clause 19 stands part of the Bill — 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 (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

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

**Clause 21: Interpretation.**

In this Bill —

"AFP" means Associate of Forensic Professional (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

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

"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 (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

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

"CFP" means Chartered Forensic Professional (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

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

"Council" means the Governing Council of the Institute established under section 5 (1) of this Bill (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

*Question that the meaning of the word "Council" be as defined in the interpretation*

*to this Bill — **Agreed to.***

"FCFP" means Fellow, Chartered Forensic Professionals (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

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

"fees" includes annual practising fees payable by members of the Institute under the provisions of this Bill (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

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

"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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

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

"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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that the meaning of the words "forensic and investigative professional" be as defined in the interpretation to this Bill — **Agreed to.***

"GFP" means Graduate Forensic Professional (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

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

"HFFP" means Honorary Fellow Forensic Professional (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

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

"Incorporated Institute" means the Chartered Institute of Forensic and Investigative Professionals of Nigeria incorporated under the Companies and Allied Matters Bill (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

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

"Institute" means Chartered Institute of Forensic and Investigative Professionals of Nigeria (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

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

“Investigative” means an activities that involves getting to the root and the truth or gathering facts in forensic (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

*Question that the meaning of the word “Investigative” be as defined in the interpretation to this Bill — Agreed to.*

"Member" means a member of the Council and includes the President and Vice-Presidents (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

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

"Panel" means the Chartered Institute of Forensic and Investigative Professionals of Nigeria Investigating Panel established under section 12 (1) of this Bill (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

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

"President" and "Vice President" mean respectively the office holders under those names in the Institute (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

*Question that the meaning of the words “President” and “Vice President” be as defined in the interpretation to this Bill — Agreed to.*

“Professionals” means persons competent or skilled in forensic investigation in all ramifications in Nigeria (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

*Question that the meaning of the word “Professionals” be as defined in the interpretation to this Bill — Agreed to.*

"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 (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

*Question that the meaning of the word “qualification” be as defined in the interpretation to this Bill — Agreed to.*

"register" means the register of members of the Institute maintained under this Bill (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

*Question that the meaning of the word “register” be as defined in the interpretation to this Bill — Agreed to.*

"registered" shall be construed accordingly (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

*Question that the meaning of the word “registered” be as defined in the interpretation to this Bill — Agreed to.*

"Registrar" means the Registrar of the Institute appointed by the Council under this Bill (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

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

“SFP” means Student Forensic Professional (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

*Question that the meaning of the abbreviation “SFP” be as defined in the interpretation to this Bill — Agreed to.*

"Tribunal" means the Chartered Institute of Forensic and Investigative Professionals of Nigeria under section 12 (4) of this Bill (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

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

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

**Clause 22: Citation.**

This Bill may be cited as the Chartered Institute of Forensic and Investigative Professionals of Nigeria (Establishment) Bill, 2021 (*Hon. Uzoma Nkem-Abonta — Ukwá East/West Federal Constituency*).

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

## SCHEDULES

### 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that the provisions of the First Schedule stand part of the Bill — Agreed 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 tectum*, 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 (*Hon. Uzoma Nkem-Abonta — Ukwa East/West Federal Constituency*).

*Question that the provisions of the Second Schedule stand part of the Bill — Agreed 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Question that the provisions of the Third Schedule stand part of the Bill — Agreed 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 (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

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

##### **Explanatory Memorandum:**

This Bill seeks to establish the Chartered Institute of Forensic and Investigative Professionals of Nigeria to provide a regulatory framework aimed at promoting and advancing forensic science and technology in investigations with the utilisation of forensic auditing system, forensic investigation, techniques and mechanisms in auditing, fraud prevention, detection and investigation through a well-structured study programme for practitioners to qualify and be certified to practice as forensic investigators in Nigeria (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Agreed to.*

##### **Long Title:**

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 (HB.791) (*Hon. Uzoma Nkem-Abonta — Ukwu East/West Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

#### (HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House, in Committee of the Whole, considered the Report on a Bill for an Act to Establish the Chartered Institute of Forensic and Investigative Professionals of Nigeria for Effective Regulation, Registration of Members and Determination of what Standard of Knowledge and Skills to be Attains by Persons seeking to become Registered Members and Qualify to Practice as Forensic and Investigative Professionals; and for Related Matters (HB. 791) and approved Clauses 1 - 22, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

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

**23. Adjournment**

*That the House do adjourn till Tuesday, 18 May, 201 at 11.00 a.m. (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).*

*The House adjourned accordingly at 3.56 p.m.*

**Femi Hakeem Gbajabamila**  
*Speaker*