



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 9 November, 2021

1. The House met at 11.20 a.m. Mr Speaker read the Prayers.
2. The House recited the National Pledge.
3. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Second Votes and Proceedings* of Thursday, 14 October, 2021.

The Votes and Proceedings was adopted by unanimous consent.

4. **Announcement**

(i) **Defection:**

Mr Speaker read a communication from Hon. Ajao Jacob Adejumo (*Ogbomosho North/Ogbomosho South/Orire Federal Constituency*), announcing his defection from Action Democratic Party (ADP) to the All Progressives Congress (APC).

(ii) **Notification of Vacancy in the Seat of Bassa/Jos North Federal Constituency:**

Honourable Members,

NOTIFICATION OF VACANCY IN THE SEAT OF BASSA/JOS NORTH, HELD BY HON. HARUNA MAITALA

I write to notify Honourable Members of the House of Representatives, pursuant to Section 68 (1) (b) of the Constitution of the Federal Republic of Nigeria, 1999, that the Seat of Bassa/Jos North Federal Constituency of Plateau State has become vacant.

2. *This vacancy is as a result of the death of Hon. Haruna Maitala on Friday, 2 April, 2021, which was announced in the House Plenary on Tuesday, 13 April, 2021. He was a member of the All Progressives Congress (APC).*

3. *This notification is in fulfilment of Section 68 (2) of the Constitution of the Federal Republic of Nigeria, 1999, and for the records.*

(Signed)

Rt Hon. Femi Gbajabamila
Speaker, House of Representatives
 9 November, 2021.

5. Petition

A petition from Star Attorneys (Legal Practitioners), on behalf of Akogboin Laguayam and Bamine Meesua, on the non-payment of their salaries and allowances by the Presidential Amnesty Office for the past 68 months, was presented and laid by Hon. Chinedu Ogah (*Ikwo/Ezze South Federal Constituency*).

Petition referred to the Committee on Public Petitions.

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

(i) ***Sudden Disappearance of Mr Tordue Henry Salem, a member of the House of Representatives Press Corps Journalist with the Vanguard Newspaper:***

Hon. Ndudi Godwin Elumelu (*Aniocha North/South/Oshimili 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.

Sudden Disappearance of Mr Tordue Henry Salem, a member of the House of Representatives Press Corps Journalist with the Vanguard Newspaper:

The House:

Notes that Mr Tordue Henry Salem is a member of the House of Representatives Press Corps who reports for the Vanguard Newspaper;

Aware that Mr Salem reported for work at the National Assembly premises on Wednesday, 13 October, 2021, and was last seen in Garki District of FCT before his disappearance same day;

Also aware that his disappearance was immediately reported to the relevant security agencies and all efforts by friends and family to reach him have been abortive;

Worried that in spite of efforts by the leadership of the House of Representatives to galvanize the security agencies at promptly resolving his disappearance, there has been no headway;

Also worried that this sudden disappearance is an extension of the deteriorating state of insecurity in Abuja, FCT, the nation's capital and again questions the efficiency of the country's security operatives;

Concerned that if necessary measures are not put in place to curtail the indiscriminate disappearance of innocent Nigerians living in Abuja, the Federal Capital Territory will soon become a breeding ground for kidnappers and bandits, hence the need for an urgent investigation;

Resolves to:

- (i) call on the Security Agencies to urgently investigate the whereabouts of Mr Tordue Henry Salem;
- (ii) mandate the Committees on National Security and Intelligence, Police Affairs, Defence, and Interior to interface with the Service Chiefs and other Security Agencies to find the missing Tordue and report within two (2) weeks (*Hon. Ndudi Godwin Elumelu — Aniocha North/South/Oshimili North/South Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Mr Tordue Henry Salem is a member of the House of Representatives Press Corps who reports for the Vanguard Newspaper;

Aware that Mr Salem reported for work at the National Assembly premises on Wednesday, 13 October, 2021, and was last seen in Garki District of FCT before his disappearance same day;

Also aware that his disappearance was immediately reported to the relevant security agencies and all efforts by friends and family to reach him have been abortive;

Worried that in spite of efforts by the leadership of the House of Representatives to galvanize the security agencies at promptly resolving his disappearance, there has been no headway;

Also worried that this sudden disappearance is an extension of the deteriorating state of insecurity in Abuja, FCT, the nation's capital and again questions the efficiency of the country's security operatives;

Concerned that if necessary measures are not put in place to curtail the indiscriminate disappearance of innocent Nigerians living in Abuja, the Federal Capital Territory will soon become a breeding ground for kidnappers and bandits, hence the need for an urgent investigation;

Resolved to:

- (i) call on the Security Agencies to urgently investigate the whereabouts of Mr Tordue Henry Salem;
- (ii) mandate the Committees on National Security and Intelligence, Police Affairs, Defence, and Interior to interface with the Service Chiefs and other Security Agencies to find the missing Tordue and report within two (2) weeks (**HR. 111/11/2021**).

- (ii) ***Need to Arrest the Fast Deteriorating Condition of the Federal Capital Territory:***
 Hon. Toby Okechukwu (*Aninri/Awgu/Oji River Federal Constituency*) introduced the matter and prayed the House to:
- (a) consider and approve the matter as one of urgent public importance; and
 - (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

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

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

Need to Arrest the Fast Deteriorating Condition of the Federal Capital Territory:

The House:

Aware of the powers and functions of the Minister of the Federal Capital Territory Administration pursuant to the provisions of Section 302 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and other extant laws of the federation;

Notes with grave concern that Abuja has never been as unsafe as it is today due, to the influx of bandits and criminals, lack of modern security infrastructure, and non-maintenance of available ones, including CCTV, streetlights, amongst others;

Also notes with concern the poor city management bedeviling the FCT giving rise to obvious disorderliness and widespread deterioration;

Further notes with serious concern the indiscriminate allocation of lands without appropriate infrastructural development;

Concerned about lack of infrastructural facilities in the satellite towns and the resort by tax-paying citizens to self-help to attain model city in the FCT and satellite towns as well as rural development in Nigeria;

Also concerned that the allocation of lands in "Green Areas" is a clear breach of the FCT Master Plan;

Further concerned that the worsening poor waste management practice in the FCT, including dearth and poor maintenance of waste treatment plants, despite Minister of State, FCT's claim of ₦8 billion annual expenditure on waste management in the FCT, is a threat to the standard expected of the city;

Worried about the status of the Gurara Water Transfer Project;

Also worried about the far-reaching consequences of the absence of a full complement of the FCTA's administrative structures such as the Mandate Secretariat, which is an equivalent of a Commissioner in the States to form the FCT Executive Council for about two years since the appointment of the FCT Minister;

Conscious that the House of Representatives legislates for the FCT and conduct oversight the FCT Administration, pursuant to Section 299 (a) of the 1999 Constitution (as amended);

Resolves to:

Invite the Minister of the Federal Capital Territory to brief the House on the deteriorating condition of the FCT (*Hon. Toby Okechukwu —Aninri/Agwu/Oji River Federal Constituency*).

Debate.

Agreed to.

The House:

Aware of the powers and functions of the Minister of the Federal Capital Territory Administration pursuant to the provisions of Section 302 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and other extant laws of the federation;

Noted with grave concern that Abuja has never been as unsafe as it is today due, to the influx of bandits and criminals, lack of modern security infrastructure, and non-maintenance of available ones, including CCTV, streetlights, amongst others;

Also noted with concern the poor city management bedeviling the FCT giving rise to obvious disorderliness and widespread deterioration;

Further noted with serious concern the indiscriminate allocation of lands without appropriate infrastructural development;

Concerned about lack of infrastructural facilities in the satellite towns and the resort by tax-paying citizens to self-help to attain model city in the FCT and satellite towns as well as rural development in Nigeria;

Also concerned that the allocation of lands in "Green Areas" is a clear breach of the FCT Master Plan;

Further concerned that the worsening poor waste management practice in the FCT, including dearth and poor maintenance of waste treatment plants, despite Minister of State, FCT's claim of ₦8 billion annual expenditure on waste management in the FCT, is a threat to the standard expected of the city;

Worried about the status of the Gurara Water Transfer Project;

Also worried about the far-reaching consequences of the absence of a full complement of the FCTA's administrative structures such as the Mandate Secretariat, which is an equivalent of a Commissioner in the States to form the FCT Executive Council for about two years since the appointment of the FCT Minister;

Conscious that the House of Representatives legislates for the FCT and conduct oversight the FCT Administration, pursuant to Section 299 (a) of the 1999 Constitution (as amended);

Resolved to:

Invite the Minister of the Federal Capital Territory to brief the House on the deteriorating condition of the FCT (**HR. 112/11/2021**).

7. Presentation of Bills

The following Bills were read the *First Time*:

- (1) Orthopaedic Hospital, Dekina, Kogi State (Establishment) Bill, 2021 (HB. 1643).

- (2) Sickle Cell Disease (Prevention, Control and Management) Bill, 2021 (HB. 1644).
- (3) Nationwide Emergency Communications Service Bill, 2021 (HB. 1645).
- (4) Federal Medical Centre, Owutu Edda (Establishment) Bill, 2021 (HB. 1647).
- (5) National Institute for Artificial Intelligence and Robotic Studies, Abak (Establishment) Bill, 2021 (HB. 1648).
- (6) Federal College of Complementary and Alternative Medicine (HB. 1649).
- (7) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1660).
- (8) Joseph Sarwuan Tarka University, Makurdi (Establishment) Bill, 2021 (HB. 1661).
- (9) Fire Service Act (Amendment) Bill, 2021 (HB. 1662).
- (10) National Institute of Technology (NIT), Abuja (Establishment) Bill, 2021 (HB. 1663).
- (11) Port-Area Development Commission (Establishment) Bill, 2021 (HB. 1664).
- (12) Federal Medical Centre, Gumel, Jigawa State (Establishment) Bill, 2021 (HB. 1665).
- (13) Counterfeit Medical Products, Fake Drugs and Unwholesome Processed Foods (Prohibition and Control) Bill, 2021 (HB. 1666).
- (14) National Health Insurance Scheme Act (Amendment) Bill, 2021 (HB. 1667).
- (15) Compulsory, Free Universal Basic Education Act (Amendment) Bill, 2021 (HB. 1668).
- (16) Criminal Code Act (Amendment) Bill, 2021 (HB. 1669).
- (17) Companies and Allied Matters Act (Amendment) Bill, 2021 (HB. 1670).
- (18) Bureau of Defence Logistics (Establishment) Bill, 2021 (HB. 1672).
- (19) Federal College of Agriculture, Etim Ekpo, Akwa Ibom State (Establishment) Bill, 2021 (HB. 1676).
- (20) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1677).
- (21) Veterinary Teaching Hospitals of Universities and Veterinary Specialist Hospitals (Establishment) Bill, 2021 (HB. 1678).
- (22) Unified and Special Operations Forces (Establishment) Bill, 2021 (HB. 1679).
- (23) Federal School of Medical Laboratory Technology, Gboko (Establishment) Bill, 2021 (HB. 1680).
- (24) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2021 (HB. 1681).
- (25) Nigeria Social Insurance Trust Fund Act (Amendment) Bill, 2021 (HB. 1689).
- (26) National Archives Act (Amendment) Bill, 2021 (HB. 1690).
- (27) Human Resource Development Council (Establishment) Bill, 2021 (HB. 1691).

- (28) Currency Offences Act (Amendment) Bill, 2021 (HB. 1696).
- (29) Employees' Compensation Act (Amendment) Bill, 2021 (HB. 1697).
- (30) Federal University of Agriculture, Oregbeni, Ikpoba-Okha, Edo State (Establishment) Bill, 2021 (HB. 1698).
- (31) Construction Materials Standardization Agency (Establishment) Bill, 2021 (HB. 1705).
- (32) Nigeria Police Intelligence Institute, Share (Establishment) Bill, 2021 (HB. 1706).
- (33) Chartered Institute of Emergency, Crisis and Disaster Risk Management (Establishment) Bill, 2021 (HB. 1707).
- (34) Administration of Criminal Justice Act (Amendment) Bill, 2021 (HB. 1708).
- (35) Factories Act (Repeal and Enactment) Bill, 2021 (HB. 1709).

8. Presentation of Reports

(i) *Report of the Conference Committee:*

Motion made and Question proposed, "That the House do receive the Report of the Conference Committee on a Bill for an Act to Repeal the Electoral Act, No. 6, 2010 and Enact the Electoral Act, 2021 to Regulate the Conduct of Elections in the Federal, States and Area Councils in the Federal Capital Territory; and for Related Matters (HB. 981)" (*Hon. Akeem Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

Agreed to.

Report laid.

(ii) *Committee on Treaties, Protocols and Agreements:*

Motion made and Question proposed, "That the House do receive the Report of the Committee on Treaties, Protocols and Agreements on a Bill for an Act to Enable Effect to be given in the Federal Republic of Nigeria to the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and other Related Materials; and for Related Matters (HB. 1413)" (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Agreed to.

Report laid.

(iii) *Committee on Foreign Affairs:*

Motion made and Question proposed, "That the House do receive the Report of the Committee on Foreign Affairs on a visit to Accra-Ghana, Niamey-Niger, Ndjamenana-Chad and Yaounde-Cameroon between the 20 - 3 October, 2021" (*Hon. Yusuf Buba Yakub — Gombi/Hong Federal Constituency*).

Agreed to.

Report laid.

(iv) Committee on Public Petitions:**Report on the Petition by Mrs Ikah Florence Nnene:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by Mrs Ikah Florence Nnene against First City Monument Bank (FCMB), National Assembly Complex on illegal, fraudulent and unauthorized withdrawal of One Million Naira (₦1,000,000) from her Bank Account" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

Agreed to.

Report laid.

(v) Committee on Public Petitions:**Report on the Petition by Igahachi Development Association (IDA):**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by Igahachi Development Association (IDA) against the Vice-Chancellor, Federal University, Lokoja, Kogi State and Non-Recognition as the Bonafide Host Community and Non-Compliance with the Corporate Social Responsibility to the Igahachi Community by the Institution" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

Agreed to.

Report laid.

(vi) Committee on Public Petitions:**Report on the Petition by E. K. Muoneke and Co.:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by E. K. Muoneke and Co. (Mater Amabilis Chambers) against the Economic and Financial Crimes Commission (EFCC) on the Refusal to conclude investigation on the Petition against Anambra State Ministry of Environment, UTUH Micro Finance Bank Limited and Cornelius Agina who conspired to divert the sum of ₦31.8 million meant for Contract executed by Ezuson Integrated Concept Service Limited of No. 37 Sokoto Road Onitsha, Anambra State" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

Agreed to.

Report laid.

(vii) Committee on Public Petitions:**Report on the Petition by M. O. Olagunju on behalf of Mr Adeleke Teslim Oyediran**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by M. O. Olagunju on behalf of Mr Adeleke Teslim Oyediran on the unjust Premature and unfair Retirement from the Department of Petroleum Resources (DPR)" (*Hon. Jerry Alagbaoso — Orlu/Orsu/Oru East Federal Constituency*).

Agreed to.

Report laid.

9. A Bill for an Act to Provide for Establishment of Federal College of Education, Iilo, Kebbi State; and for Related Matters (HB.643) — Third Reading

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Federal College of Education, Iilo, Kebbi State; and for Related Matters (HB.643) be now read the Third Time" (*Hon. Alhassan Aco Garba — House Leader*).

Agreed to.

Bill read the Third Time and passed.

10. **A Bill for an Act to Provide for Establishment of Federal University of Agriculture and Technology, Aboh; and for Related Matters (HB.1590) — Second Reading**
Motion made and Question proposed. “That a Bill for an Act to Provide for Establishment of Federal University of Agriculture and Technology, Aboh; and for Related Matters (HB.1590) be read a Second Time” (*Hon. Alhassan Ado Garba — House Leader*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

11. **A Bill for an Act to Abolish and Prohibit Dichotomy and Discrimination between First Degree and Higher National Diploma (HND) in the same Profession/Field for the Purpose of Employment; and for Related Matters (HB. 1466 and HB. 579) — Second Reading**
Motion made and Question proposed. “That a Bill for an Act to Abolish and Prohibit Dichotomy and Discrimination between First Degree and Higher National Diploma (HND) in the same Profession/Field for the Purpose of Employment; and for Related Matters (HB. 1466 and HB. 579) be read a Second Time” (*Hon. Alhassan Ado Garba — House Leader*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

12. **A Bill for an Act to Provide for Establishment of Federal University of Science and Technology, Lau, Taraba State; and for Related Matters (HB.1587) — Second Reading**
Motion made and Question proposed. “That a Bill for an Act to Provide for Establishment of Federal University of Science and Technology, Lau, Taraba State; and for Related Matters (HB.1587) be read a Second Time” (*Hon. Alhassan Ado Garba — House Leader*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

13. **A Bill for an Act to Establish Occupational Safety and Health Association (Chartered) Charged with Responsibility of Advancing the Study, Training and Determining the Standards of Knowledge and Skills to be attained by Persons seeking to become registered members of the Association; and for Related Matters (HB. 1079) — Second Reading**
Motion made and Question proposed. “That a Bill for an Act to Establish Occupational Safety and Health Association (Chartered) Charged with Responsibility of Advancing the Study, Training and Determining the Standards of Knowledge and Skills to be attained by Persons seeking to become registered members of the Association; and for Related Matters (HB. 1079) be read a Second Time” (*Hon. Muhammad Ali Wudil — Wudil/Garko 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 Labour, Employment and Productivity, and Safety Standard and Regulations.

14. **A Bill for an Act to Amend the National Commission for Museums and Monuments Act, Cap. N19, Laws of the Federation of Nigeria, 2004 by Providing the Procedure for the Resignation of a Member of the Commission; and for Related Matters (HB.1458) — *Second Reading***
Motion made and Question proposed. “That a Bill for an Act to Amend the National Commission for Museums and Monuments Act, Cap. N19, Laws of the Federation of Nigeria, 2004 by Providing the Procedure for the Resignation of a Member of the Commission; and for Related Matters (HB.1458) be read a Second Time” (*Hon. Kolapo Korede Osunsanya — Ijebu-Ode/Ijebu North East/Odogbolu 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 Culture and Tourism.

15. **Call on the Federal Ministry of Works and Housing to Dispose of Houses Constructed Under the National Housing Programme**
Motion made and Question proposed:

The House:

Notes that since 2015, Nigeria has been contending with over 15 million housing deficit, which requires about 150,000 houses to be built yearly to bridge the gap;

Recalls that the National Housing Programme (Phase I) was launched in January 2016, with the construction of 2,500 units of houses in the 36 States and the Phase II of the Programme was launched in 2018;

Aware of the investigation by the Guardian newspaper which revealed that the Federal Ministry of Works and Housing received ₦66 billion in 2016, ₦41 billion in 2017, ₦26.7 billion in 2018, ₦34 billion in 2019 and ₦60.8 billion in 2020 budgets, respectively totaling ₦26 billion for the National Housing Programme;

Also aware that nearly 4,000 houses have been completed and have remained unoccupied and if not disposed of to interested and deserving Nigerians, they may begin to wear out, a development that will not address the Housing deficits in Nigeria;

Resolves to:

- (i) call on the Federal Ministry of Works and Housing to earnestly begin the process of disposing the completed houses to most deserving Nigerians;
- (ii) mandate the Committee on Housing and Habitat to interface with the Ministry of Works and Housing to ensure compliance (*Hon. Mansur Manu Soro — Darazo/Ganjuwa Federal Constituency*).

Debate.

Amendment Proposed:

Insert a new Prayer (iii) as follows:

“Mandate the Committee on Housing and Habitat to ascertain the volume of fund released for all the Housing programme and the total number of houses delivered before disposing same” (*Hon. Abiante Awaji-Inombek Dagonie Andoni-Opobo/Nkom Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that since 2015, Nigeria has been contending with over 15 million housing deficit, which requires about 150,000 houses to be built yearly to bridge the gap;

Recalled that the National Housing Programme (Phase I) was launched in January 2016, with the construction of 2,500 units of houses in the 36 States and the Phase II of the Programme was launched in 2018;

Aware of the investigation by the Guardian newspaper which revealed that the Federal Ministry of Works and Housing received ₦66 billion in 2016, ₦41 billion in 2017, ₦26.7 billion in 2018, ₦34 billion in 2019 and ₦60.8 billion in 2020 budgets, respectively totaling ₦26 billion for the National Housing Programme;

Also aware that nearly 4,000 houses have been completed and have remained unoccupied and if not disposed of to interested and deserving Nigerians, they may begin to wear out, a development that will not address the Housing deficits in Nigeria;

Resolved to:

- (i) call on the Federal Ministry of Works and Housing to earnestly begin the process of disposing the completed houses to most deserving Nigerians;
- (ii) mandate the Committee on Housing and Habitat to:
 - (a) interface with the Ministry of Works and Housing to ensure compliance,
 - (b) ascertain the volume of fund released for all the Housing programmes and the total number of houses delivered before disposing same (**HR. 113/11/2021**).

16. Need to Complete the Rehabilitation of Zaria-Pambegua Federal Road in Kaduna State

Motion made and Question proposed:

The House:

Notes that roads are the major mode of the transportation system in Nigeria which contributes to the growth and economic development of the nation, thus resulting in social benefits and saving many lives if properly maintained;

Also notes that the Zaria-Pambegua road rehabilitation was awarded at the contract sum of ₦10.1 billion to the Proportion Construction and Dredge Works Limited by the Federal Ministry of Works and Housing in May 2017 with a completion date of February 2019;

Aware that the Zaria-Pambegua road, an 88.4 km road, transverses several towns, villages and farmlands within the five Local Government Areas of Zaria, Soba, Kubau, Kauru and Lere respectively, whose residents are predominantly farmers who contribute 75% of Maize production in Kaduna State;

Also aware of reports which showed that the contractor handling the road construction covered only 13% of the work as a result of unnecessary delay and lack of capacity to handle the project;

Worried about the deteriorating state of the road due to continuous delay in completing the road and dangerous potholes on the road which shows incapability on the part of the construction company;

Cognizant that the poor state of Zaria to Pambegua road which has led to loss of lives and properties, as it has become a death trap;

Resolves to:

- (i) urge the Federal Ministry of Works and Housing to take all the necessary actions to complete the project;
- (ii) mandate the Committee on Works to ensure compliance (*Hon. Hamisu Ibrahim — Ikara/Kubau Federal Constituency*).

Agreed to.

(HR. 114/11/2021).

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

17. **Call for Intervention in the Devastating Flood Disaster in Ebonyi State**

Motion made and Question proposed:

The House:

Notes the recent devastating floods in Amagu, Item-Amagu, Echara, Enyimagu, Alike and other major communities in Ikwo Local Government Area of Ebonyi state;

Also notes that the flood, which was caused by persistent heavy rainfall, resulted in loss of lives, collapsed houses, displaced residents and washed away farmlands;

Aware that the Nigerian Hydrological Services Agency (NIHSA), in its Annual Flood Outlook, categorised the likely impact of this year's flood as ranging from moderate to severe, but the general impact in most communities in Ebonyi State has been very severe as most affected areas remain submerged;

Worried that members of the affected communities now live in poorly organized settlements and poor sanitary conditions;

Also worried that if steps are not urgently taken to help the affected communities, which already do not even have standard medical facilities, there may be an outbreak of epidemic capable of killing a large number of the inhabitants;

Resolves to:

- (i) urge the Federal Government to embark on immediate evacuation and resettlement of inhabitants of the affected communities to a temporary camp for Displaced Persons;

- (ii) also urge the Federal Ministry of Humanitarian Affairs and Disaster Management and Social Development and the National Emergency Management Agency (NEMA) to urgently mobilise relief materials to the flood affected areas;
- (iii) call on the Federal Government to, as a matter of urgency, provide an economic intervention programme to cushion the effects of the disaster;
- (iv) mandate the Committee on Emergency and Disaster Preparedness to ensure compliance (*Hon. Chinedu N. Ogah — Ikwo/Ezze Federal Constituency*).

Agreed to.

(HR. 115/11/2021).

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

18. Need to Stop the Ocean Encroachment on Properties in Eti Osa Local Government Area of Lagos State

Motion made and Question proposed:

The House:

Notes that Eti-Osa Local Government Area in Lagos State lies on the narrow coastal lowland of the South-Eastern part of Lagos State and situated on about 129.5 square kilometers of landmass with sandy beaches, swamps, mangroves and creeks;

Also notes that the Intergovernmental Panel on Climate Change (IPCC) Third Assessments Report (2001) asserted that climate change is most likely to have impacts on settlements in coastal or riverine locations, especially where rapid urbanization is occurring alongside economies that are dependent on climate-sensitive resources;

Further notes that the development of official and residential estates along the coastal area of the Atlantic Ocean in Lagos State is a major problem that circumvents basic environmental principles which should be adopted in planning coastal towns and cities:

Worried that polar ice caps are already melting at an alarming rate with significant shifts being observed in the isoclines and ecosystems levels thus leading to rapid changes in the coastal areas of Nigeria;

Also worried that the projected sea-level rise in the coastal areas of Lagos State could be more than one meter by 2100 which will result in ample loss of land to the sea. considering that Lafiaji community Ocean surge which was about 420 feet is now about 100 feet. in Okun Ajah the distance to sea was about 500 meters but is now less than 40 meters while Okun Alfa is down from 850 feet to 82 feet:

Informed that the 2021 Annual Flood Outlook has predicted more flooding in Eti-Osa:

Disturbed that there are already threats to lives and properties in areas like Banana Island, Park View Estate, Osborne Foreshore Estate, Ikoyi, Victoria Island, Lekki, Ajah amongst others in Eti-Osa Local Government of Lagos State due to storm water, ocean encroachment and heavy rainfalls as several properties running into billions have been destroyed by floods causing displacement of families and even loss of lives;

Resolves to:

- (i) urge the Ecological Fund Office to carry out an immediate Environmental Impact Assessment of Eti-Osa Local Government Area of Lagos State with the aim of mitigating against climate change and natural hazards like ocean surge, flooding and storms that may occur in the nearest future;
- (ii) mandate the *Committees on Ecological Fund, and Legislative Compliance* to ensure implementation (*Hon. Ibrahim B. Obanikoro — Eti-Osa Federal Constituency*).

Agreed to.

(HR. 116/11/2021).

Motion referred to the Committees on Ecological Fund, and Legislative Compliance, pursuant to Order Eight, Rule 9 (5).

Motion made and Question proposed, "That the House do suspend Order Seven, Rule 2 (2), to enable the Speaker preside in the Committee of the Whole" — Agreed to.

19. Consideration of Reports

(i) *Report of the Conference Committee:*

Motion made and Question proposed, "That the House do consider the Report of the Conference Committee on a Bill for an Act to Repeal the Electoral Act, No. 6, 2010 and Enact the Electoral Act, 2021 to Regulate the Conduct of Elections in the Federal, States and Area Councils in the Federal Capital Territory; and for Related Matters (HB. 981)" (Hon. Akeem Adeyemi — Afijio/Oyo East/Oyo West/Atiba 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 Speaker in the Chair)

CONFERENCE COMMITTEE ON A BILL FOR AN ACT TO
REPEAL THE ELECTORAL ACT, NO. 6, 2010 AND ENACT THE
ELECTORAL ACT, 2021, TO REGULATE THE CONDUCT OF FEDERAL,
STATE AND AREA COUNCILS IN THE FEDERAL CAPITAL TERRITORY
ELECTIONS; AND FOR RELATED MATTERS

Clause 1: Establishment of Independent National Electoral Commission.

- (1) The Independent National Electoral Commission as established by the Constitution (in this Bill referred to as "the Commission") —
 - (a) shall be a body corporate with perpetual succession; and
 - (b) may sue and be sued in its corporate name.
- (2) The National Headquarters of the Commission shall be situated in the Federal Capital Territory (FCT) (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 5: Annual Estimates and Accounts.

- (1) The Commission shall keep proper accounts and records in respect of each financial year and shall cause its accounts to be audited as soon as possible after the end of each financial year as required by law" (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 6: Establishment of Offices in each States and Federal Capital Territory.

- (1) There shall be established in each state of the Federation and the Federal Capital Territory and Local Government Area, an office of the Commission which shall perform such functions as may be assigned to it by the Commission.
- (2) A person appointed to the office of a Resident Electoral Commissioner shall —
 - (a) be answerable to the Commission; and
 - (b) hold office for a period of five years from the date of his or her appointment which may be renewable for another period of five years only.
- (3) The Resident Electoral Commissioner appointed under the Constitution may only be removed by the President, acting on an address supported by two-thirds majority of the Senate praying that the Resident Electoral Commissioner be so removed for inability to discharge the functions of the Office (whether arising from infirmity of mind or body or any other cause) or for misconduct (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 15: Power to print or issue Register of Voters.

The Commission shall cause a voters' register for each State to be printed, reproduced, copied, duplicated or saved in electronic format and any person or political party may obtain from the Commission, on payment of such fees as may be determined by the Commission, a certified true copy of any voters' register for the State or for a Local Government or Area Council polling units or registration area within it (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 16: Power to print or issue voters card.

- (1) The Commission shall design, cause to be printed and control the issuance of voters' cards to voters whose names appear in the register.
- (2) No voter shall hold more than one valid voters' card.
- (3) Any person who contravenes subsection (2) commits an offence and is liable on conviction, to a fine not more than ₦500,000.00 or imprisonment for a term not more than one year or both.
- (4) The Commission may, whenever it considers it necessary, replace all or any voters' cards for the time being held by voters (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 17: Custody of Voters' Register.

Each electoral officer shall take custody of the voters register for his or her Local Government Area or Area Council under the general supervision of the Resident Electoral Commissioner (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 23: Offences of Buying and Selling Voters' Cards.

Any person who —

- (a) is in unlawful possession of any voter's card whether issued in the name of any voter or not; or
- (b) sells or attempts to sell or offers to sell any voter's card whether issued in the name of any voter or not; or
- (c) buys or offers to buy any voters' card whether on his own behalf or on behalf of any other person; commits an offence and shall be liable, on conviction, to a fine not exceeding ₦500,000.00 or imprisonment not exceeding two years or both (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 24: Offences Relating to Register of Voters.

(1) Any person who —

- (b) after demand or requisition made of him or her under this Bill without just cause, fails to give any such information as he or she possesses or does not give the information within the time specified;
- (c) in the name of any other person, whether living, dead or fictitious, signs an application form for registration as a voter to have that other person registered as a voter;
- (d) transmits or is involved in transmitting to any person as genuine a declaration relating to registration which is false in any material particular, knowing it to be false;
- (e) intentionally procures the inclusion in the Register of voters of his or herself or any other person with the knowledge that he or she or that other person ought not to have been registered; or
- (f) by his or herself or any other person procures the registration of a fictitious person, commits an offence and is liable on conviction to a fine not more than ₦100,000.00 or imprisonment for a term not more than one year or both.

(2) Any person who —

- (a) by duress, including threats of any kind causes or induces any person or persons generally to refrain from registering as a voter or voters; or

- (b) in any way hinders another person from registering as a voter; commits an offence and is liable on conviction, to a fine not more than ₦500,000.00 or imprisonment for a term not exceeding five years (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 31: Submission of List of Candidates and their Affidavits by Political Parties.

- (1) Every political party shall, not later than 180 days before the date appointed for a general election under this Bill, submit to the Commission, in the prescribed Forms, the list of the candidates the Party proposes to sponsor at the elections, who must have emerged from valid primaries conducted by the political party.
- (2) The list or information submitted by each candidate shall be accompanied by an affidavit sworn to by the candidate at the Federal High Court, High Court of a State, or Federal Capital Territory, indicating that he or she has fulfilled all the constitutional requirements for election into that office.
- (3) The Commission shall, within seven days of the receipt of the personal particulars of the candidate, publish same in the constituency where the candidate intends to contest the election.
- (4) Any person may apply to the Commission for a copy of nomination form, affidavit and any other document submitted by a candidate at an election and the Commission shall, upon payment of a prescribed fee, issue such person with a certified copy of document within 14 days.
- (5) Any aspirant who participated in the primaries of his political party who has reasonable grounds to believe that any information given by his political party's candidate in the affidavit or any document submitted by that candidate in relation to his constitutional requirements to contest the election is false, may file a suit at the Federal High Court against that candidate seeking a declaration that the information contained in the affidavit is false.
- (6) Where the Court determines that any of the information contained in the affidavit is false only as it relates to constitutional requirements of eligibility, the Court shall issue an order disqualifying the candidate and the sponsoring political party and then declare the candidate with the second highest number of valid votes and who satisfies the constitutional requirement as the winner of the election.
- (7) A candidate for an election shall, at the time of submitting the prescribed form, furnish the Commission with an identifiable address in the State where he or she intends to contest the election at which address all documents and court processes from either the Commission or any other person shall be served on him or her.
- (8) A political party which presents to the Commission the name of a candidate who does not meet the qualification stipulated in this section, commits an offence and is liable on conviction to a fine of ₦10,000,000.00 (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 36: Death of a Candidate.

- (1) If after the time for the delivery of nomination paper and before the commencement of the poll, a nominated candidate dies, the Chief National Electoral Commissioner shall, being satisfied of the fact of the death, countermand the poll in which the deceased candidate was to participate and the Commission shall appoint some other convenient date for the election within 14 days.
- (2) The list of voters to be used at a postponed election shall be the official voters register which was to be used if the election had not been postponed.
- (3) If after the commencement of polls and before the announcement of the final result and declaration of a winner, a candidate dies —
 - (a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days; and
 - (b) in the case of election into a legislative House, the election shall start afresh and the political party whose candidate died may, if it intends to continue to participate in the election, conduct a fresh primary within 14 days of the death of its candidate and submit the name of a new candidate to the Commission to replace the dead candidate:

Provided that in the case of Presidential or gubernatorial or Federal Capital Territory Area Council election the running mate shall continue with the election and nominate a new running mate (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 43: Ballot boxes and voting devices.

- (1) The Commission shall provide suitable boxes, electronic voting machine or any other voting device for the conduct of elections.
- (2) The forms to be used for the conduct of elections to the offices mentioned in this Bill shall be determined by the Commission.
- (3) The Polling Agents shall be entitled to be present at the distribution of the election materials, electronic voting machine and voting devices from the office to the polling booth.
- (4) Polling Agents who are in attendance at a polling unit, may be entitled, before the commencement of the election, to have originals of electoral materials to be used by the Commission for the election inspected, and this process may be recorded as evidence in writing, on video or by other means by any Polling Agent, accredited observer or official of the Commission.
- (5) A Polling Agent who is in attendance at a polling unit, may observe originals of the electoral materials and this may be recorded as evidence.
- (6) The Commission shall, before the commencement of voting in each election, provide all election materials for the conduct of such election at the polling unit (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 49: Accreditation of Voters and Voting.

- (1) A person intending to vote in an election shall present himself with his voter's card to a Presiding Officer for accreditation at the polling unit in the constituency in which his name is registered.
- (2) To vote, the Presiding Officer shall use a smart card reader or any other technological device that may be prescribed by the Commission, for the accreditation of voters, to verify, confirm or authenticate the particulars of the intending voter in the manner prescribed by the Commission.
- (3) Where a smart card reader or any other technological device deployed for accreditation of voters fails to function in any unit and a fresh card reader or technological device is not deployed, the election in that unit shall be cancelled and another election shall be scheduled within 24 hours. If the Commission is satisfied that the result of the Election in that polling unit will substantially affect the final result of the whole election and declaration of a winner in the constituency concerned (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 50: Right to challenge issue of ballot paper.

A candidate or a Polling Agent may challenge the right of a person to vote on the ground that the person is not a registered voter in the polling unit (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 52: Conduct of Poll by Open Secret Ballot.

- (1) Voting at an election under this Bill shall be by open secret ballot.
- (2) Subject to section 63 of this Bill, voting at an election and transmission of results under this Bill shall be in accordance with the procedure determined by the Commission.
- (3) A voter on receiving a ballot paper shall mark it in the manner prescribed by the Commission.
- (4) All ballots at an election under this Bill at any polling station shall be deposited in the ballot box in the open view of the public (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

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

Clause 63: Counting of Votes and Forms.

- (1) The Presiding Officer shall, after counting the votes at the polling unit, enter the votes scored by each candidate in a form to be prescribed by the Commission as the case may be.
- (2) The form shall be signed and stamped by the Presiding Officer and counter signed by the candidates or their polling agents where available at the Polling unit.
- (3) The Presiding Officer shall give to the Polling Agents and the police officer where available a copy each of the completed Forms after it has been duly signed as provided in subsection (2).

- (4) The Presiding Officer shall count and announce the result at the Polling unit.
- (5) The Presiding officer shall transfer the results including total number of accredited voters and the results of the ballot in a manner as prescribed by the Commission.
- (6) A Presiding Officer who wilfully contravenes any provision of this section commits an offence and is liable on conviction to a fine not more than ₦500,000.00 or imprisonment for a term of at least six months (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

Question that Clause 63 stands part of the Bill — Agreed to.

Clause 76: Forms for use at elections.

- (1) The forms to be used for the conduct of elections under this Bill shall be determined by the Commission.
- (2) An election conducted at a polling unit without the prior recording in the forms prescribed by the Commission of the quantity, serial numbers and other particulars of results sheets, ballot papers and other sensitive electoral materials made available by the Commission for the conduct of the election shall be invalid.
- (3) A Presiding Officer who intentionally announces or signs any election result in violation of subsection (2) commits an offence and is liable on conviction to a fine of ₦10,000,000.00 or imprisonment for a term of at least one year or both (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

Question that Clause 76 stands part of the Bill — Agreed to.

Clause 87: Nomination of Candidates by Parties.

- (1) "A political party seeking to nominate candidates for elections under this Bill shall hold direct primaries for aspirants to all elective positions, which shall be monitored by the Commission".
- (2) The procedure for the nomination of candidates by political parties for the various elective positions by direct primaries shall ensure that all aspirants are given equal opportunity of being voted for by members of the party and given opportunity to have agents for the purpose of monitoring the primaries.
- (3) The procedure adopted for the direct primaries shall be spelt out in a guideline to be issued by the political party and filed with the Commission at least 14 days before the primary election.
- (4) A political party shall maintain register of its members and provide in the guideline for the conduct of the primaries that the register of its members shall be used for accreditation for the primaries.
- (5) The Commission shall deploy personnel to monitor the primaries in all the centers where the direct primaries are held.
- (6) Every aspirant cleared by the party to contest at the primary shall not later than 14 days be entitled to a copy of the guideline for the conduct of the primaries in which he or she is participating.

- (7) Notwithstanding the provisions of this Bill or rules of a political party, an aspirant who complains that any of the provisions of this Bill and the guidelines of his political party has not been complied with in the selection or nomination of a candidate of the political party for election, may apply for redress to the Federal High Court.
- (8) Nothing in this section shall empower the courts to stop the holding of primaries or general election or the processes thereof under this Bill pending the determination of the suit (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

Question that Clause 87 stands part of the Bill — Agreed to.

Clause 97: Effect on Elected Officer where Political Party Ceases to Exist.
Where a political party ceases to exist in accordance with the Constitution and this Bill, a person elected on the platform of the political party in an election under this Bill shall remain validly elected, complete his tenure, and, for purposes of identification, be regarded as a member of the political party under which he was elected (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

Question that Clause 97 stands part of the Bill — Agreed to.

Clause 98: Clause 98: Existing Political Parties.

Committee Recommendation:

Leave out the provision of Clause 98 (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

Agreed to.

Clause 117: Offences in relation to registration, etc.

- (1) A person who —
- (a) without authority, destroys, mutilates, defaces or remove or makes any alteration in any notice or document required for the purpose of registration under this Bill;
 - (b) present his or herself to be or does any act whereby he or she is by whatever name or description howsoever, included in the register of voters for a constituency in which he or she is not entitled to be registered or causes his or herself to be registered in more than one registration or revision centre.
 - (c) presents his or herself to be or does any act whereby he or she is by whatever name or description howsoever, included in the register of voters for a constituency in which he or she is not entitled to be registered or causes his or herself to be registered in more than one registration or revision centre;
 - (d) publishes any statement or report which he or she knows to be false or does not believe to be true so as to prevent persons who are qualified to register from registering as voters;

- (e) makes in any record, register or document which he or she is required to prepare, publish or keep for the purpose of registration, any entry or statement which he or she knows to be false or does not believe to be true;
- (f) impedes or obstructs a Registration Officer or a Revision Officer in the performance of his or her duties;
- (g) without proper authority, wears the identification of a registration officer or assistant registration officer or wears any other identification purporting to be the identification of a registration officer or assistant registration officer;
- (h) forges a registration card; or
- (i) carries out registration or revision of voters at a centre or place not designated by the Commission, commits an offence and is liable on conviction to a maximum fine of ₦1,000,000.00 or to imprisonment for a term of 12 months or both (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Aitba Federal Constituency*).

Question that Clause 117 stands part of the Bill — Agreed to.

Clause 135: Establishment of Area Council Election Appeal Tribunal.

- (1) There shall be established for the Federal Capital Territory the Area Council Election Appeal Tribunal which shall to the exclusion of any other court or tribunal hear and determine appeals arising from the decision of the Area Council Election Petition Tribunal.
- (2) The decision of the Area Council Election Appeal Tribunal in respect of Area Council elections shall be final.
- (3) An Area Council Election Appeal Tribunal shall consist of a Chairman and two other members and the Chairman shall be a Judge of the High Court and the two other members shall be appointed from among Judges of the High Court of the Federal Capital Territory, Abuja, Kadis of the Sharia Court of Appeal of the Federal Capital Territory, Abuja, Judges of the Customary Court of Appeal or other members of the Judiciary of the Federal Capital Territory, Abuja not below the rank of a Chief Magistrate.
- (5) The Chairman and other members of the Area Council Election Appeal Tribunal shall be appointed by the Chief Judge of the High Court of the Federal Capital Territory, Abuja.
- (6) The Area Council Election Appeal Tribunal shall —
 - (a) be constituted not later than 14 days before the election; and
 - (b) when constituted, open their registries for business not later than 30 days after the election.
- (7) The quorum of the Area Council Election Appeal Tribunal when hearing any appeal from decisions of the Area Council Election Tribunal shall be all three members of the Appeal Tribunal.
- (8) An election petition shall be filed within 21 days after the date of the declaration of result of the elections.

- (9) The Tribunal shall deliver a judgment in writing within 180 days from the date of the filing of the petition.
- (10) An appeal from a decision of an Area Council Election Tribunal shall be heard and disposed of within 60 days from the date of the delivery of judgment of the Tribunal.
- (11) The court in all appeals from election tribunal may adopt the practice of first giving its decision and reserving the reason to a later date (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

Question that Clause 135 stands part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to repeal the Electoral Act, No. 6, 2010 and enact Independent National Electoral Commission Bill, 2021, to regulate the conduct of Federal, State and Area Council elections and for related matters, to make provisions for the restriction of the qualification for elective office to relevant provisions of the Constitution of the Federal Republic of Nigeria, 1999 (as amended); use of Card Readers and other technological devices in elections and Political Party Primaries, to provide a time line for the submission of list of candidates, criteria for substitution of candidates, limit of campaign expenses, and address the omission of names of candidates or logo of political parties (*Hon. Akeem Adeniyi Adeyemi — Afijio/Oyo East/Oyo West/Atiba Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Conference Committee on a Bill for an Act to Repeal the Electoral Act, No. 6, 2010 and Enact the Electoral Act, 2021 to Regulate the Conduct of Elections in the Federal, States and Area Councils in the Federal Capital Territory; and for Related Matters (HB. 981) and adopted the Report.

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

- (ii) **A Bill for an Act to Provide for Retirement Age of Teachers in Nigeria; and for Related Matters (HB.1340 and HB.1381) (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 Retirement Age of Teachers in Nigeria; and for Related Matters (HB.1340 and HB.1381)" (Hon. Garba Alhassan Ado — House Leader)

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR THE RETIREMENT AGE
OF TEACHERS IN NIGERIA AND FOR RELATED MATTERS
(HB. 1381 AND HB. 1340)

Clause 1: Application.

The provisions of this Bill shall apply throughout the Federal Republic of Nigeria (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 2: Compulsory Retirement of Teachers in Nigeria.

Teachers in Nigeria shall compulsorily retire on attainment of 65 years of age or 40 years of pensionable service, whichever is earlier (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 3: Public Service Rule not to apply.

The Public Service Rule or any legislation that requires a person to retire from the Public Service at 60 years of age or after 35 years of service shall not apply to Teachers in Nigeria (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 4: Interpretation.

In this Bill —

“Teacher” means —

- (a) an education officer, or someone engaged in teaching, including a technical instructor who teaches trade, technical or a vocational subject, in a secondary school, college or professional department; and
- (b) a teacher; headmaster or headmistress in a primary school who possesses requisite teaching qualification recognised by the Teachers Registration Council of Nigeria (*Hon. Alhassan Ado Garba — House Leader*).

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

“Public Service” has the meaning ascribed to it under the Constitution of Federal Republic of Nigeria, 1999 (as amended) (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the words “Public Service” be as defined in the interpretation to this Bill — Agreed to.

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

Clause 5: Short Title.

This Bill may be cited as the Harmonised Retirement Age for Teachers in Nigeria Bill, 2021 (*Hon. Alhassan Ado Garba — House Leader*).

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

Explanatory Memorandum:

This Bill seeks to make provisions for the retirement age for Teachers in Nigeria (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Provide for the Retirement Age of Teachers in Nigeria and for Related Matters (HB. 1381 and HB. 1340) (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr 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 Retirement Age of Teachers in Nigeria; and for Related Matters (HB.1340 and HB.1381) and approved Clauses 1 - 5, the Explanatory Memorandum, and the Long Title of the Bill.

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

(iii) *A Bill for an Act to Establish Chartered Institute of Directors in Nigeria to Provide Professional training to Directors and to Promote Effective Governance, Public Accountability, Professional Efficiency; and for Related Matters (HB. 1571) (Committee of the Whole):*

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish Chartered Institute of Directors in Nigeria to Provide Professional training to Directors and to Promote Effective Governance, Public Accountability, Professional Efficiency; and for Related Matters (HB. 1571)" (Hon. Garba Alhassan Ado — House Leader)

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF DIRECTORS IN NIGERIA TO PROVIDE PROFESSIONAL TRAINING TO DIRECTORS AND TO PROMOTE EFFECTIVE GOVERNANCE, PUBLIC ACCOUNTABILITY, PROFESSIONAL EFFICIENCY AND FOR RELATED MATTERS (HB.1571)

PART I — APPLICATION, OBJECTIVES AND ESTABLISHMENT OF THE INSTITUTE

Clause 1: Application.

This Bill shall apply to:

- (a) members of the Institute;
- (b) persons performing the role of directors by whatever designation the office may deem appropriate to address the position;
- (c) persons who have the power to act on behalf of an institution without the prior express written approval of the Board subject only to certain limitations by the Board for substantial financial transactions (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 2: Establishment of the Institute.

- (1) There shall be established a body to be known as the Chartered Institute of Directors Nigeria (in this Bill referred to as 'the Institute').
- (2) The Institute shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (3) Subject to the provision of Land Use Act, the Institute shall have power to acquire, hold or dispose of any property, movable and immovable, for the purpose of carrying out any of its functions under this Bill.
- (4) The Institute shall not engage in any partisan activities nor shall any Director or Officer of the Institute engage in such activities on behalf of the Institute
(Hon. Alhassan Ado Garba — House Leader).

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

Clause 3: Objectives of the Institute.

The objectives of the Institute are to:

- (a) promote the practice of good directorship in both the public and private sectors in Nigeria;
- (b) provide well-trained directors who are persons with critical and analytical thinking and creative problem-solving skills;
- (c) prepare knowledgeable, skilled, competent, capable and compassionate corporate governance practitioners;
- (d) collaborate with individuals, organizations, and agencies interested and committed to building the capacity of Nigeria's directors and advocating for good corporate governance with the aim of developing professional and technical know-how and improving productivity and national development;
- (e) promote integrity, ethical leadership and standards in the conduct and behaviour of persons seeking to qualify as members of the Institute;
- (f) ensure that its members maintain a reputable and high standard of conduct expected of any professional practice;
- (g) provide for the training and examination of persons desiring to become members of the Institute and to promote and protect the interest of its members;
- (h) arrange conferences, seminars, symposia and meetings for discussion on practices related to the profession;
- (i) ensure the establishment and maintenance of a register of its members as well as the publication of their lists from time to time; and
- (j) establish a library that will enhance the study of the profession in Nigeria and beyond;

- (k) perform such other functions as may be determined by Council from time to time, in furtherance of the realization of the objectives of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 4: Functions of the Institute.

The Institute shall:

- (a) determine the standards of knowledge and skill to be attained by persons seeking to be members of the Institute;
- (b) establish, maintain and periodically review the standards of performance of all the powers and duties attached to the offices and positions of members of the Institute;
- (c) promote the theory and practice of good corporate governance amongst members in accordance with international best practice;
- (d) ensure observance of high standards of ethical values and professional conduct, including certification and accreditation of members;
- (e) build a body of professionals that are skilled and experienced in administration;
- (f) regulate the admission of persons into the membership of the Institute in accordance with the provisions of this Bill, including the establishment, registration and maintenance of a Register for each category of members stipulated under this Bill;
- (g) facilitate the exchange of ideas, to promote better understanding, and disseminate to the public professional opinions on the subject of directorship, good governance, corporate governance, corporate management and the problems associated therewith;
- (h) organize and conduct examinations for members and prospective members, in the theory and practice of good corporate governance;
- (i) establish and maintain a library for the use of members and the public, and collect, print, publish and distribute to members and the general public, newspapers, periodicals, journals, books, circulars and leaflets;
- (j) make recommendations to the Government and other organizations on any changes in the law relating to Directors and corporate governance; and promote policies intended to improve corporate governance; and
- (k) carry out such other functions in furtherance of the objectives of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 5: Offices of the Institute.

- The Institute shall have its Head office in Abuja, Federal Capital Territory (FCT) and Branch Offices in each State Capital of the Federation (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 6: Establishment, Composition and Tenure of the Members of the Governing Council.

- (1) There is established for the Institute, a Governing Council (in this Bill referred to as 'The Council'), which shall be responsible for the general governance and oversight of the Institute.
- (2) The Council shall consist of:
 - (a) the President of the Institute who shall be the Chairman;
 - (b) the 1st Vice President of the Institute who shall be the Vice-Chairman;
 - (c) the 2nd Vice President of the Institute;
 - (d) the last three past Presidents of the Institute;
 - (e) three Chairmen of branches of the Institute on a rotational basis every two years;
 - (f) the Director-General of the Institute;
 - (g) the Honorary Legal Adviser;
 - (h) the Honorary Treasurer;
 - (i) twelve (12) other elected members provided that one-third of these elected members would retire by rotation at every Annual General Meeting but may be subject to re-election; and provided that no person shall be a Council member for more than 10 years;
 - (j) a representative of:
 - (i) the Federal Ministry responsible for trade and investment, not below the rank of a Director, to be nominated by the Minister,
 - (ii) the Federal Ministry responsible for education, not below the rank of Director, to be nominated by the Minister,
 - (iii) the Securities and Exchange Commission, not below the rank of Director,
 - (iv) the Corporate Affairs Commission, not below the rank of Director,
 - (v) the Financial Reporting Council of Nigeria, not below the rank of a Director, and
 - (vi) an academic not below the rank of a professor, to be appointed by the Council on the recommendation of the President
- (3) The provisions set out in the schedule to this Bill shall have effect with respect to qualifications, tenure of office and meetings of the Council and other matters therein mentioned.

- (4) All Council members shall act in a manner consistent with their obligations to the Institute and applicable laws, regardless of any other affiliation, membership or position (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 7: Powers of the Council.

The powers of the Council shall include to:

- (a) appoint and discipline the Director-General and other members of staff of the Institute;
- (b) appoint and discipline the Secretary who shall report to the Council and the Director-General;
- (c) approve the remuneration of staff of the Institute, and allowances of members of the Council;
- (d) approve the recommendation, from the Director-General of the Institute, for the establishment of branch office(s) for the Institute;
- (e) establish committees or relevant departments for the purpose of effective regulation and discharge of the administrative functions of the Institute under the Bill;
- (f) issue rules or regulation for the Institute;
- (g) prescribe costs or penalties for violation of any provision of the Bill;
- (h) prescribe yearly dues for members of the Institute;
- (i) enforce the provisions of this Bill;
- (j) approve donations for charitable purposes; and
- (k) do any other thing for the purpose of achieving the objectives of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 8: Resignation, Cessation and Removal of Members of the Council.

- (1) The President of the Institute and member of the Governing Council may resign their appointment by notice in writing addressed to the:
 - (i) Governing Council in the case of the President; and
 - (ii) President, in the case of members of the Council.
- (2) A member of the Council may cease his membership, if he:
 - (a) dies or becomes of unsound mind;
 - (b) becomes bankrupt;
 - (c) is convicted of a felony or any offence involving dishonesty;
 - (d) is guilty of serious misconduct in relation to the office; or

- (e) is disqualified or suspended from practicing the profession.
- (3) A member of the Council may be removed, at any time, from office by the Council, if the Council is satisfied that it is not in the interest of the Institute or the public that the member should continue to hold office.
- (4) Where vacancy exists in the membership of the Council, the vacancy shall be filled:
 - (a) in the case of an elected member, by conducting a bye-election; and
 - (b) in the case of an appointed person, by appointing a person by the Council, on the recommendation of the President to fill the vacancy, from where the vacancy exists, to complete the remainder of the term of office of the predecessor, and such appointment shall be eligible for renewal for a further term, subject to satisfactory performance (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 9: Election and Tenure of Offices of the President and the Vice Presidents of the Institute.

- (1) The President and two Vice Presidents, shall be elected by the Council in accordance with the provisions of this Bill.
- (2) The President and the Vice Presidents shall hold office for a term of two (2) years each, from the date of their election.
- (3) If a vacancy exists in the Office of the President, the 1st Vice President shall act in his stead for the unexpired term of his office. In the absence of the 1st Vice President, the 2nd Vice President shall act, and in the absence of all of them, the Council shall fill the vacancy in accordance with the provisions of this Bill.
- (4) The President shall preside at the meetings of the Council. In the absence of the President, the First Vice President shall preside in his stead for the purpose of the meeting. In the absence of the 1st Vice President, the 2nd Vice President shall preside. In the absence of all of them, the Council shall choose one member from amongst themselves to preside at the meeting (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 10: Appointment of Honorary Legal Adviser and Honorary Treasurer for the Institute.

- (1) There shall be appointed for the Institute, a Honorary Legal Adviser and Honorary Treasurer, both of whom shall be appointed by the Council on the recommendation of the President and their tenure shall expire with the tenure of the President.
- (2) The Honorary Legal Adviser shall:
 - (a) be a legal practitioner, with a minimum of ten (10) years cognate experience in corporate Law and related fields of Law;
 - (b) provide legal advice to the Institute;

- (c) be answerable to the Council.
- (3) The Honorary Treasurer shall:
 - (a) be a Chartered Accountant with a minimum of ten (10) years cognate experience;
 - (b) keep the financial records of the Institute; and
 - (c) participate in the budget processes of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

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

PART II — STAFFS AND EMPLOYEES OF THE INSTITUTE

Clause 11: Appointment of Director-General and Other Staffs of the Institute.

- (1) There shall be appointed for the Institute a Director-General by the Council, who shall be the Chief Executive Officer of the Institute, and such other persons as the Council may, from time to time, deem necessary to assist the Director-General in the performance of the function of his office.
 - (a) the Director-General shall hold office for a term of four (4) years in the first instance and subject to satisfactory performance, be eligible for re-appointment for a further term of four (4) years and no more;
 - (b) the Director-General shall report to the Council, and shall receive such salary and allowances as may be approved, from time to time, by the Council.

Qualification of the Director-General.

- (2) A person shall be qualified to be appointed as Director-General of the Institute if:
 - (a) he is a citizen of Nigeria;
 - (b) he possesses a minimum of a post graduate qualification in a field relevant to the objectives of the Institute, from a recognized institution of higher learning; and
 - (c) he has at least ten (10) years cognate experience in the field relevant to the objectives of the Institute.

Functions and Duties of Director-General.

- (3) The Director-General shall:
 - (a) be bound by the terms and condition of service contained in his letter of appointment;
 - (b) be responsible for the general administration of the Institute;
 - (c) from time to time, make necessary alteration in the register of members as may be directed by Council;
 - (d) remove from the membership register, the name of any registered member who has ceased to be a member of the Institute in accordance with the provisions of Section 8 (2);

- (e) keep records of the names of the members that are in default of payment of annual subscription for a consecutive period of six (6) months and take necessary actions, including removal of such member from the Register of Members as the Council may direct.

Removal of Director-General.

- (4) The Director-General of the Institute may be removed from office in accordance with disciplinary procedure issued from time to time by the Council (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 12: Appointment of Secretary for the Institute.

- (1) There shall be appointed for the Institute, a Secretary, who shall serve as the Secretary to the Governing Council of the Institute.
- (2) The Secretary to the Governing Council shall;
- (a) be a legal practitioner with a minimum of ten (10) years cognate experience in corporate law or related field of law; or
- (b) be a Chartered Secretary with a minimum of ten years (10) years cognate experience.

Functions and Duties of the Secretary.

- (3) The Secretary shall:
- (a) attend meetings of the Council and its Committees and provide all necessary secretarial services in respect of these meetings;
- (b) maintain register and other records required to be maintained by the Institute in compliance with the statutory provisions of the Companies and Allied Matters Act, 2020 (CAMA);
- (c) provide proper returns and ensure requisite returns and notifications are given to the Corporate Affairs Commission (CAC) as required by CAMA;
- (d) carry out such other assignments and duties as may be directed from time to time by the Council.

Removal of Secretary of the Institute.

- (4) The Secretary of the Institute may be removed from office in accordance with the disciplinary procedure issued from time to time by the Council (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 13: Establishment of Management Committee of the Institute.

- (1) There is established for the Institute, a Management Committee, comprising the Director-General and all the Directors of the Institute.
- (2) The Director-General of the Institute shall be the Head of the Committee and the Director responsible for Human Capital shall be the Secretary of the Committee.

- (3) The Management Committee shall be responsible for the general administration of the Institute, including the recruitment, promotion and discipline of staff of the Institute.
- (4) Other Staff of the Institute may be removed from office in accordance with disciplinary procedure issued from time to time by the Council (*Hon. Alhassan Ado Garba — House Leader*).

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

PART III — MEMBERSHIP OF THE INSTITUTE

Clause 14: Categories of Membership of the Institute.

- (1) Subject to the provisions of this Bill, the category of persons to be admitted as members of the Institute are:
 - (a) Associate Member;
 - (b) Member;
 - (c) Fellow;
 - (d) Honorary Fellow;
 - (e) Distinguished Fellow;
 - (f) Chartered Director; and
 - (g) such other category that may be created by the Council from time to time.
- (2) The requirements for each category of persons to be admitted as members of the Institute under sub clause (1), of this clause shall be as prescribed in the regulation issued by the Council.
- (3) Where a person is duly registered as a member of the Institute under this Bill, the person shall be entitled to use such suffix after his name as may be provided in the regulation issued by the Council.

Requirements for Registration.

- (4) Subject to the provisions of Clause 14 (2), the applicant shall:
 - (a) be of good character;
 - (b) have attained the age of 21 years;
 - (c) not be convicted of any offence involving criminal act, fraud or dishonesty within and outside Nigeria;
 - (d) be of sound mind;
 - (e) not be adjudged a bankrupt; and
 - (f) fulfil all requirements stipulated by the Council under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

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

PART IV — REGISTER OF MEMBERS

Clause 15: Register of Members.

- (1) The Register of members shall be made of such parts as may be necessary to reflect the categories of members in accordance with the provisions of section 14 (1) of this Bill.

Alteration of Register.

- (2) Subject to the approval of Council, the Director-General shall have the powers to effect necessary alterations in the Register of Members, and such alterations may include any of the following:
 - (a) correction of wrong entry;
 - (b) de-registration of the name of deceased members of the Institute;
 - (c) removal of names of members that failed to comply with the provisions of this Bill;
 - (d) removal of names of suspended or expelled members of the Institute; and
 - (e) removal of name of a member of the Institute for any reason as may be approved by the Council in furtherance of the objectives of the Institute.

Restoration of Names of Suspended or Expelled Members.

- (3) Where the name of a member is removed from the Register on the account of an issue that can be rectified, upon rectification of such issue, or compliance with the law, the Council may direct the Director-General to restore the name of the member in the Register.
- (4) The Director-General shall publish from time to time updated register of members, in accordance with the directives of the Council under this Bill each edition of the Register shall be available at the principal office of the Institute for public view.
- (5) The Register shall be made available for inspection by any member of the public during official hours (*Hon. Alhassan Ado Garba — House Leader*).

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

PART V — FINANCIAL PROVISIONS

Clause 16: Funds of the Institute.

There shall be established for the Institute a fund into which shall be paid all monies due to the Institute including but not limited to the following:

- (a) annual subscriptions, levies or fees collected for services rendered by the Institute;
- (b) penalties imposed for violation of any provisions of this Bill, rules and regulations made thereunder;

- (c) donations from Government, philanthropists, and other Donor agencies and organisations made in furtherance of the objectives of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 17: Application of Funds.

- (1) The Institute shall apply the Funds established under Clause 16 of this Bill on:
- (a) the general administration of the Institute;
 - (b) the payment of salaries, remuneration and allowances of the Members of the Council, Director-General and other employees of the Institute;
 - (c) such expenses incurred for travelling and subsistence allowance by members of the Council and staff of the Institute as may be approved by Council;
 - (d) any other expenses approved by the Council in the discharge of its functions under this Bill.

Borrowing Power.

- (2) Subject to the approval of the Council, the Institute, may invest Funds in equities and such other investment portfolios that may yield reasonable income to the Institute.
- (3) Subject to the approval of Council, the Institute may, from time to time, borrow money to carry out any assignment in furtherance of the objectives of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 18: Accounts and Audit.

- (1) The Institute shall keep proper books of accounts or records in respect of each financial year and the Council shall cause the accounts to be audited by auditors, not later than the first quarter of the following year. The Council shall submit the audited accounts to the members of the Institute for approval at the next Annual General Meeting.
- (2) The Auditors, for the purpose of subsection (1) of this section, shall be appointed at the Annual General Meeting of the Institute on the recommendation of the President and the Auditors so appointed shall not be members of the Council (*Hon. Alhassan Ado Garba — House Leader*).

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

PART VI — ESTABLISHMENT, POWERS AND COMPOSITION OF INVESTIGATIVE PANEL AND DISCIPLINARY TRIBUNAL

Clause 19: Establishment of Investigative Panel.

- (1) There is established for the Institute an Investigative Panel (in this Bill referred to as 'The Panel')

Powers of the Investigative Panel.

- (2) The Panel shall have the powers to:

- (a) conduct preliminary investigation into any case of alleged misconduct by a member, which for any reason, shall be subject of proceedings before the tribunal to be established under this Bill; and;
- (b) power to decide whether a prima facie case has been established; to be referred to the Tribunal for adjudication.

Appointment and Composition of the Investigative Panel.

- (3) (a) Members of the Panel shall be appointed by the Council.
- (b) The Panel shall consist of three (3) members, one of whom shall be a Legal Practitioner of not less than ten years (10) post-call experience and two others, one of whom must be a member of Council (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 20: Establishment of Disciplinary Tribunal.

- (1) There is established for the institute a body to be known as the Disciplinary Tribunal (in this Bill referred to as 'Tribunal'), which shall be responsible for considering and determining any case referred to it by the Investigative Panel established under Section 17 of this Bill and any other case of which the Tribunal has taken cognisance of, under the provisions of this Bill

Appointment and Composition of the Investigative Panel.

- (2) Members of the Tribunal shall be appointed by the Council and shall consist of a Chairman and four (4) other members, one of whom shall be a legal practitioner with not less than ten years (10) post-call experience and the members shall not be members of the Council.

Powers and Procedure of the Disciplinary Tribunal.

- (3) The powers and procedures of the Tribunal shall be contained in the regulation issued by the Council from time to time.
- (4) Appeals arising from the decision of the Tribunal shall be made to the Federal High Court (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 21: Offences and Penalties for Unprofessional Conduct.

- (1) A member is guilty of unprofessional conduct, if such a member:
 - (a) is convicted of a felony by any court of law in Nigeria or anywhere else for an offense which is incompatible with his status as a member;
 - (b) has been fraudulently registered, the Tribunal may reprimand the member or order the Director-General to strike out the name of the member from the Register.
 - (c) makes a misrepresentation of qualifications, experience, or any other thing relating to the requirement for registration of membership of the Institute and obtains registration;
 - (d) violates any of the provisions contained in the rules of professional conduct;

- (e) violates any of the provisions of this Bill, commits an offence and shall be liable on conviction to a fine of ₦500,000.00 (Five Hundred Thousand Naira) or imprisonment for a term of not less than 1 year or both.
- (2) Any person who is not a registered member of the Institute and fraudulently parades and practices as a member commits an offense and shall be liable on conviction to a fine of ₦500,000 or to imprisonment of a term of not less than 1 year or both.
- (3) The offences under this section shall be tried by the Federal High Court (*Hon. Alhassan Ado Garba — House Leader*).

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

PART VII — MISCELLANEOUS

Clause 22: Provision for Library.

The Institute shall:

- (a) establish and maintain a library comprising books and publications for the advancement of knowledge of the theory and practice of corporate governance and directorship;
- (b) stimulate and promote research and publication on the theory and practice of corporate governance and directorship (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 23: Pre-action Notice.

A person who has a cause of action against the Institute shall:

- (a) give the Institute three months' notice in writing of his intention to commence an action, disclosing the cause of action and serve the processes on a principal officer at the Head office of the Institute;
- (b) commence the legal action within two years from the date the cause of action arose (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 24: Indemnity.

- (1) If any person who is or was a director, officer, employee, trustee, authorised representative, or agent of the Institute, acting in good faith and in a manner reasonably believed to be in the interest of the Institute, has been made a party, or is threatened to be made a party, to any action or proceeding by reason of being a representative, whether civil, criminal, administrative or investigative, such representative may be indemnified against reasonable expenses and liabilities, including attorney fees actually and reasonably incurred.

- (2) The indemnity provided under this section shall not be deemed exclusive of any other rights to which those seeking indemnity may be entitled under any law, and any such indemnity shall continue to a person who has ceased to be a director, officer, employee trustee, authorised representative, or agent, and shall inure to the benefit of the heirs, executors, and administrators of such person.
- (3) The indemnity made pursuant to this section shall not be made in any case where the act or failure to act, giving rise to the claim for indemnity is determined by the court to have constituted wilful misconduct or recklessness of the director, officer, employee, trustee, authorised representative, or agent of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 25: Insurance.

The Institute shall have power to —

- (a) require members to take up insurance;
- (b) maintain such liability insurance or bonding scheme for which members shall subscribe to and pay for; and
- (c) maintain such other funds for the protection of third parties against director's liability for gross negligence, breach of fiduciary obligations, fraud, defalcation, etc. (*Hon. Alhassan Ado Garba — House Leader*).

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

Transitional Provision

Clause 26: Qualification of Members before Commencement of the Bill.

- (1) Any person, who is qualified to be registered as a member of the Institute before the commencement of this Bill, shall immediately after the commencement of the Bill or at the time provided by the Council, apply in an appropriate form for registration under the qualified category.
- (2) All assets and liabilities held or incurred immediately before the commencement date of this Bill by or on behalf of the Institute of Directors Nigeria shall vest in the Chartered Institute of Directors Nigeria, established under this Bill and be held by it for the purpose of the Institute.
- (3) The provision of the second schedule to this Bill shall have effect with respect to the matters arising from transfer of assets and liabilities to the Chartered Institute of Directors Nigeria, the properties of the Institute of Directors Nigeria and with respect to other matters mentioned in the schedule (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 27: Regulations.

The Council may subject to the provisions of this Bill, make regulations, for-

- (a) the proceedings of the Panel and the Tribunal;
- (b) election of the President, Vice Presidents and other members of the Council;

- (c) determine the procedure for becoming a member of the Institute;
- (d) the disciplinary procedure for members of the Institute;
- (e) appointment, promotion and discipline of staff of the Institute;
- (f) all categories of training suitable for the purposes of the objectives of this Bill;
- (g) prescribing the amount and due date for payment of annual subscriptions and any other levy;
- (h) restricting right to practice as directors, in default of payment of the annual subscription;
- (i) establishing the professional scale of rates chargeable by members for the various types of directorial services;
- (j) making applications for enrolment or registration and providing for the evidence to be produced in support of such applications;
- (k) specifying the particulars for notification to the Director-General, by the person to whom any registered particulars relate, or any change in those particulars;
- (l) authorising a registered member to have any qualification which, in relation to the relevant division of the profession, is either an approved qualification or an accepted qualification for the purpose of this Bill, registered in relations to his name-in addition to, or as he may elect in substitution for any other qualifications so registered; and
- (m) any other thing for effective implementation of the provision of this Bill
(Hon. Alhassan Ado Garba — House Leader).

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

Clause 28: Interpretation.

In this Bill —

"Appointed Day" means the commencement date of the Bill (Hon. Alhassan Ado Garba — House Leader).

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

"Council" means the Council established as the governing Council of the Institute (Hon. Alhassan Ado Garba — House Leader).

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

"Director" includes all categories of members of the Institute (Hon. Alhassan Ado Garba — House Leader).

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

"Fees" includes annual subscription and license fees (*Hon. Alhassan Ado Garba — House Leader*).

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

"Fund" includes all income, investments and liquid assets of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

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

"Panel" means Investigating Panel of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

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

"President, 1st and 2nd Vice President" means elected members the Council to act in those capacities (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the words "President, 1st and 2nd Vice President" be as defined in the interpretation to this Bill — Agreed to.

"The President" means President and Chairman of the Governing Council (*Hon. Alhassan Ado Garba — House Leader*).

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

"Unenrolled person" means a person not admitted to membership under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

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

"Register" means the names of registered members of the Institute (*Hon. Alhassan Ado Garba — House Leader*).

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

"Rules of Professional Conduct" means the set of rules that guide the conduct of members (*Hon. Alhassan Ado Garba — House Leader*).

Question that the meaning of the words "Rules of Professional Conduct" be as defined in the interpretation to this Bill — Agreed to.

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

Clause 29: Short Title.

This Bill may be cited as the Chartered Institute of Directors Nigeria (Establishment, etc.) Bill, 2021 (*Hon. Alhassan Ado Garba — House Leader*).

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

SCHEDULES

FIRST SCHEDULE

(Clause 5 (3))

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Qualifications and Tenure of Office of Members

1. Subject to the provisions of this Bill and this schedule, a member of the Council shall hold office for a period of two (2) years, beginning from the date of his election or nomination.
2. Any member of the Institute who ceases to be a member thereof shall, if he is also a member of the Council, cease to be a member of the Council.
3. Any elected member may by notice in writing under his hand addressed to the President, resign his office, and any nominated member may, with the consent of the nominating authority, likewise so resign his office.
4. A person who retires from or otherwise ceases to be an elected member of the Council shall be eligible again to become a member of the Council, and any nominated member may likewise be re-appointed.
5. Members of the Council shall at its meeting next before the Annual General Meeting of the Institute, arrange for four (4) elected members of the Council that are longest in office, to retire at the Annual General Meeting.
6. Election to the Council shall be held in such manner as may be prescribed by the Rules and Regulations made by the Council and until so prescribed, they shall be by secret ballot.
7. If for any reason there is a vacation of office by a member and:
 - (a) such member was appointed by the appointing authority, that appointing authority shall appoint another person from the establishment in respect of which the vacancy occurs; or
 - (b) such member was elected, the Council may, if the time between the unexpired term of office and the next general meeting of the Institute appears to warrant the filing of vacancy, co-opt another member for such time as aforesaid.

Power of Council

8. The Council shall have the power to do anything, which in its considered opinion will facilitate the carrying on of the functions of the Institute.

Quorum of the Council and Committees

9. The quorum of the Council shall be nine (9), and the quorum of a committee of the Council shall be as determined by the Council.

Meetings of the Institute

10. (1) The Council shall convene the Annual General Meeting of the Institute not later than six (6) months after the year-end or on such other days as the Council may, from time to time, determine, in so far as not more than fifteen (15) months shall elapse between the respective dates of the two meetings.

- (2) An extraordinary general meeting of the Institute may be convened by the Council at any time, if not less than twenty (20) members of the Institute require it by notice in writing addressed to the President of the Institute, setting out the objects of the proposed meeting, the President of the Institute shall convene an extraordinary general meeting of the Institute for that purpose.
- (3) The quorum of any general meeting of the Institute shall be twenty (20) members and that of any extraordinary general meeting of the Institute shall be twenty-five (25) members.
- (4) The notice of any general meeting of the Institute shall be 21 days, and that of an extraordinary general meeting shall be 14 days.
- (5) Notices and reports may be issued and served on members electronically.

Meeting of the Council

11. (1) Subject to the provisions of the Rules and Regulations of the Institute, the Council shall have its regular meetings whenever it is summoned by the President and Chairman of Council. However, if a notice in writing is given to the President by not less than five (5) members of Council, the President is required to summon a meeting of the Council to be held within seven (7) days from the date on which the notice is given.
- (2) At any meeting of the Council, the President or in his absence, 1st Vice President shall preside; or in the absence of the 1st Vice President, the 2nd Vice President, shall preside; but if all are absent, after 30 minutes from the time the meeting is scheduled to commence, the members present at the meeting shall appoint one of their members to preside over the meeting.
- (3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him/her as a member for such period as the Council deems fit. However, a person who is a member by virtue of this sub-paragraph; shall not be entitled to vote at any meeting of the Council, and shall not count towards a quorum.
- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the President, and the Council shall approve such directions as it deems fit as to the procedure which shall be followed at Council meetings.

Committees

12. (1) The Council may appoint one or more Committees to carry out on behalf of the Institute or the Council, such functions as the Council may determine.
- (2) A decision of a Committee appointed under this paragraph shall not be adversely affected by any defect in the appointment of a member of the Committee or by reason that a person not entitled to do so, took part in the proceedings.
- (3) 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, investigation, complaint, investigation or other related matters or arrangements entered into or under consideration by the Council on behalf of the Institute, or on behalf of the Council or a Committee thereof, shall forthwith disclose his interest in writing to the President or the Council, and shall not vote on any question relating to the matter, contract or arrangement.

- (4) A person shall not by reason only of his membership of the Institute be required to disclose any interest, relating solely to the audit of the accounts of the Institute.
- (5) A decision of a committee of the Council shall be of no effect until it is laid before Council and duly approved or confirmed.

Miscellaneous

13. (1) The fixing of the seal of the Institute shall be authenticated by the signature of the President and the Director General of the Institute or other member of the Council authorized 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 be by any person generally or specially authorized 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 shall unless the contrary is proved, be deemed to be so executed.
- (4) The validity of any proceedings of the Institute or a Committee of the Council shall not be affected by any vacancy in the membership of the Committee or Council (*Hon. Alhassan Ado Garba — House Leader*).

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

SECOND SCHEDULE

(Clause 37 (2))

TRANSFER OF PROPERTIES

1. Every agreement to which the Incorporated Institute was a part immediately before the commencement of this Bill, whether it is in writing or not, and whether or not is in such nature that the rights, liabilities and obligations thereunder could be assigned by the Incorporated Institute, shall unless the terms or subject matter make it impossible that it should have effect or be modified in the manner provided by this subparagraph, have effect from the appointed day so far as it relates to property transferred by this Bill to the Council as if:
 - (a) the Institute had been a party to the agreement;
 - (b) for any reference (however worded, and whether express or implied) to the incorporated Institute, there were substituted as respects anything failing to be done on or after the commencement of bill, a reference to the Council; and
 - (c) for any reference (however worded and whether express or implied) to a member or members of the Council; and of the incorporated Institute there were substituted, as respect anything failing to be done on or after the commencement of the Bill, reference to a member or members of the Council under this Bill.
2. Other documents, which refer, whether specifically or generally, to the incorporated Institute shall be constructed in accordance with subparagraph (1) of this paragraph so far as applicable.

3. Without prejudice to the generality of the foregoing provisions of this schedule, whereby the right, liability or obligation shall vest in the Institute and all other persons shall, as from the commencement of this Bill, have the same rights as to the taking or resisting of legal proceedings, of the making or resisting of applications to any authority for ascertaining, perfecting or enforcing that right, liability or obligation of the Institute.
4. Any legal proceeding or application to any authority pending on the commencement of this Bill or against the incorporated Institute may be continued on or after that day or against the Institute.
5. On the commencement of this Bill, any person holding any paid appointment in the Incorporated Institute shall hold corresponding appointment in the Chartered Institute of Directors Nigeria on the same terms and conditions as to tenure or otherwise but shall not be entitled to receive remuneration from the incorporated Institute in respect of the same period of service.
6. If the law in force at the place where any property transferred by this Bill is situated provides for the registration or transfer of property of the kind in question (whether by reference to the instrument of transfer or otherwise), the law shall, so far as it provides for alteration of a register (but not for avoidance to transfer the payment of fees or any other matter), apply with the necessary modifications to the property, and the Institute shall transfer to the officer of the registration authority, and the transfer effected accordingly (*Hon. Alhassan Ado Garba — House Leader*).

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

Explanatory Memorandum:

This Bill seeks to establish the Chartered Institute of Directors Nigeria, to serve as a professional body for its members serving as directors in both private and public sectors, to determine the standards of knowledge and skills to be attained by members seeking to become directors, make provision for continuous training and development of directors; and to ensure professionalism and promote corporate governance values by directors in Nigeria (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Chartered Institute of Directors in Nigeria to Provide Professional Training to Directors and to Promote Effective Governance, Public Accountability, Professional Efficiency and for Related Matters (HB.1571) (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish Chartered Institute of Directors in Nigeria to Provide Professional training to Directors and to Promote Effective Governance, Public Accountability, Professional Efficiency; and for Related Matters (HB. 1571) and approved Clauses 1 - 29, 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.

- (iv) *A Bill for an Act to Provide a Framework to Establish Federal Medical Centre, Mubi; and for Related Matters (HB.1342):*

Order read; deferred by leave of the House.

- (v) *Committee on Agricultural Colleges and Institutions:*

That the House do consider the Report of the Committee on Agricultural Colleges and Institutions on a Bill for an act to Establish Federal Universities of Agriculture and Technology, Kwale and Damaturu to make Comprehensive Provisions for their Due Management and Administration; and for Related Matters (HB. 1290).

Order read; deferred by leave of the House.

18. Adjournment

That the House do adjourn till Tuesday, 16 November, 2021 at 11.00 a.m. (Hon. Alhassan Ado Garba — House Leader).

The House adjourned accordingly at 2.11 p.m.

Femi Hakeem Gbajabamila
Speaker

