

FOURTH REPUBLIC

9TH NATIONAL ASSEMBLY

THIRD SESSION

No. 61

Recurrent Blackout, Wanton Misery and Degradation of Lives in Bayelsa State

3239



HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 2 February, 2022

1. The House met at 11:56 a.m. Mr Speaker read the Prayers.

2. The House recited the National Pledge.

3. **Votes and Proceedings**

Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Tuesday, 1 February, 2022.

The Votes and Proceedings was adopted by unanimous consent.

4. **Announcement**

Visitors in the Gallery.

Mr Speaker recognised the presence of the following:

(i) Members of **Parliamentary Arm, Students' Union Government, Plateau State University, Jos, Plateau State**

(ii) Members of the **National Association of Nigerian Students, Kano, Katsina and Jigawa States**

(iii) Staff and Students of **I-Scholars, International Academy, Gwarinpa Estate, Abuja.**

5. **Matter of Urgent Public Importance (Standing Order Eight, Rule 4)**

Recurrent Blackout, Wanton Misery and Degradation of Lives in Bayelsa State:

Hon. **Prevalence Goodluck Oseke (Southern Ijaw Federal Constituency)** introduced the matter and played the House.

(i) 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.

(iii) **Agreed to.**

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

Recurrent Blackout, Wantom Misery and Degradation of Lives in Bayelsa State:

The House:

Aware that the entire Bayelsa State has been thrown into darkness in the last thirty (30) consecutive days resulting from the vandalization of two transmission towers that anchor power-lines to Imiringi Feeder 1 and Agudama Feeder 2, which accommodate maximum demand customers such as hospitals, hotels, and other business places;

Also aware that the ugly scenario has projected to last for another three months;

Informed that out of the two affected, Feeders one (Imiringi Feeder 1) has been temporarily connected to the Government House Feeder after four weeks of total blackout.

Worried that as a result of the lack of power supply in most medical facilities operating in the State, casualties has been on daily increase;

Also worried that considering the youth restiveness on account of mass unemployment, the recurring blackout is tilting towards closure of businesses operating in the State, thereby increasing the likelihood of throwing more youths into the already over-bloated labour market;

Disturbed that within the referenced period, crime rate has increased exponentially, and this could lead to loss of lives and property in the state, if not timely checked;

Notes that the Bayelsa State Government has shown commitment in providing land for all substations, partnered the Transmission Company of Nigeria (TCN) in the evaluation of the right-of-way compensation, and the provision of security for the projects;

Also notes that the Bayelsa State Government has been liaising with TCN to come up with a comprehensive design of these facilities and how to go about achieving these goals, as well as interfacing with Port Harcourt Electricity Distribution Company (PHEDC) in order to expand their power distribution network in the State;

Further worried that in the face of all these efforts on the part of the Bayelsa State Government, no critical power transmission facilities required in Bayelsa State to upgrade and expand the existing 132KV transmission station has seen the light of day despite their award several years ago;

Still worried that the lack of progress on projects already awarded by the TCN has culminated in the avoidable recurring blackout currently experienced in Bayelsa State;

Resolves to:

- (i) mandate the Committee on Power to invite the Port Harcourt Electricity Distribution Company to explain the prevailing sad experience of recurring blackout in Bayelsa State;
- (ii) also mandate the Committee on Power to liaise with the Transmission Company of Nigeria in executing all projects towards the upgrade of the 132KV transmission station, and all other projects in Delta, Bayelsa, and Rivers States;
- (iii) further mandate the Committee on Power to invite the Federal Ministry of Power to oversee the process of reversing the embarrassing and continued blackout in Bayelsa State (*Hon. Preye Influence Goodluck Oseke — Southern Ijaw Federal Constituency*).

Debate.

Amendment Proposed:

Insert a new Prayer (iv) as follows:

“Mandate the Committee on Power to investigate the Transmission Company of Nigeria on the recurrent blackout nationwide” (Hon. Musa Dachung Bagos — Jos South/Jos East Federal Constituency).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Aware that the entire Bayelsa State has been thrown into darkness in the last thirty (30) consecutive days resulting from the vandalization of two transmission towers that anchor power-lines to Imiringi Feeder 1 and Agudama Feeder 2, which accommodate maximum demand customers such as hospitals, hotels, and other business places;

Also aware that the ugly scenario has projected to last for another three months;

Informed that out of the two affected, Feeders one (Imiringi Feeder 1) has been temporarily connected to the Government House Feeder after four weeks of total blackout.

Worried that as a result of the lack of power supply in most medical facilities operating in the State, casualties has been on daily increase;

Also worried that considering the youth restiveness on account of mass unemployment, the recurring blackout is tilting towards closure of businesses operating in the State, thereby increasing the likelihood of throwing more youths into the already over-bloated labour market;

Disturbed that within the referenced period, crime rate has increased exponentially, and this could lead to loss of lives and property in the state, if not timely checked;

Noted that the Bayelsa State Government has shown commitment in providing land for all substations, partnered the Transmission Company of Nigeria (TCN) in the evaluation of the right-of-way compensation, and the provision of security for the projects;

Also noted that the Bayelsa State Government has been liaising with TCN to come up with a comprehensive design of these facilities and how to go about achieving these goals, as well as interfacing with Port Harcourt Electricity Distribution Company (PHEDC) in order to expand their power distribution network in the State;

Further worried that in the face of all these efforts on the part of the Bayelsa State Government, no critical power transmission facilities required in Bayelsa State to upgrade and expand the existing 132KV transmission station has seen the light of day despite their award several years ago;

Still worried that the lack of progress on projects already awarded by the TCN has culminated in the avoidable recurring blackout currently experienced in Bayelsa State;

Resolved to:

Mandate the Committee on Power to:

- (i) invite the Port Harcourt Electricity Distribution Company to explain the prevailing sad experience of recurring blackout in Bayelsa State;*

- (ii) Liaise with the Transmission Company of Nigeria in executing all projects towards the upgrade of the 132KV transmission station, and all other projects in Delta, Bayelsa, and Rivers States;

(iii) Invite the Federal Ministry of Power to oversee the process of power transmission and distribution in the transmission Company of Nigeria on the recurrent blackout nationwide (Hon. Musa Kure, Bayelsa State).

- (iv) Investigate the Transmission Company of Nigeria on the recurrent blackout nationwide (HR, 36/02/2022).

Question that the amendment be made — Agreed to.

5. Presentation of Reports

- (i) **Committee on Health Institutions:** Agreed to.

Motion made and Question proposed.

That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Provide for Establishment of the Federal College Of Nursing and Midwifery and Health Sciences, Amaigho, Imo State; and for Related Matters (HB, 1642) (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

Agreed to.

Report laid.

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

Motion made and Question proposed.

That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Establish Federal College of Health and Management Sciences, Amaigho, Imo State to provide Full Time Courses Teaching Instructions and Training in Health, Management Sciences, Applied Sciences and Related Matters (HB, 1420) (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

Agreed to.

Report laid.

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

Motion made and Question proposed.

That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Provide for Establishment of Federal College Of Nursing And Midwifery, Otu-Jeremi; and for Related Matters (HB, 402) (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

Agreed to.

Report laid.

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

Motion made and Question proposed.

That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Establish Federal College of Medical Laboratory Science and Technology, Jos and to Provide for Courses leading to the Award of Diplomas and Certificates in Medical Laboratory Technology and for Related Matters (HB, 1421) (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

Agreed to.

Report laid.

Mandate the Committee on Power to investigate the Port Harcourt Electricity Distribution Company to explain the prevailing experience of recurrent blackout in Bayelsa State;

(v) *Committee on Health Institutions:*

Motion made and Question proposed, "That the House do receive the Report of the Committee on Health Institutions on a Bill for an Act to Repeal the Federal College of Dental Technology and Therapy (Establishment) Act, 2017 and Enact the Federal University of Health, Sciences, and Technology, Enugu to make Comprehensive Provisions for Management and Administration of the University; and for Related Matters (HB.1614)" (Hon. Paschal Obi — Ideato North/Ideato South Federal Constituency).

Agreed to.

Report laid.

7. **A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as amended) to make Provision for Establishment of Federal College of Agriculture, Kirikasamma; and for Related Matters (HB.1820) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as amended) to make Provision for Establishment of Federal College of Agriculture, Kirikasamma; and for Related Matters (HB.1820) be read a Second Time" (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kassama Federal Constituency and 1 other).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Agricultural Colleges and Institutions.

8. **A Bill for an Act to Amend the Bank Employees etc. (Declaration of Assets) Act, Cap. BI, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB.1180) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Bank Employees etc. (Declaration of Assets) Act, Cap. BI, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB.1180) be read a Second Time" (Hon. Francis Ejiroghene Waive — Ughelli North/Ughelli South/Udu Federal Constituency).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Banking and Currency.

9. **A Bill for an Act to Establish Federal College of Land Resources Technology, Rabah, Sokoto State to Provide Full-Time Courses, Teaching, Instruction and Training in Environmental Sciences, Agricultural Technology, Natural Sciences, Agronomy and Extension; and for Related Matters (HB.427) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish Federal College of Land Resources Technology, Rabah, Sokoto State to Provide Full-Time Courses, Teaching, Instruction and Training in Environmental Sciences, Agricultural Technology, Natural Sciences, Agronomy and Extension; and for Related Matters (HB.427) be read a Second Time" (Hon. Ibrahim Almustapha Aliyu — Wurno/Rabah Federal Constituency).

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

Bill read the Second Time.

Bill referred to the Committee on Agricultural Colleges and Institutions.

10. **A Bill for an Act to Establish Federal University Teaching Hospital, Lokoja, Kogi State; and for Related Matters (HB. 1586) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish Federal University Teaching Hospital, Lokoja, Kogi State; and for Related Matters (HB. 1586) be read a Second Time" (Hon. Abdullahi Ibrahim Ali Halims — Ankpa/Omala/Olamaboro Federal Constituency).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Health Institutions.

11. **A Bill for an Act to Provide for Establishment of Federal Medical Centre, Koko, Delta State; and for Related Matters (HB. 1122) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Provide for Establishment of Federal Medical Centre, Koko, Delta State; and for Related Matters (HB. 1122) be read a Second Time" (Hon. Thomas Ereyitomi — Warri South/Warri West/Warri North Federal Constituency).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Health Institutions.

12. **A Bill for an Act to Establish Federal Medical Centre, Saminaka, Kaduna State; and for Related Matters (HB. 1776) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish Federal Medical Centre, Saminaka, Kaduna State; and for Related Matters (HB. 1776) be read a Second Time" (Hon. Ahmed Munir — Lere Federal Constituency).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Health Institutions.

13. **A Bill for an Act to Establish Institute of Arid and Climate Studies, Mafa, Borno State; and for Related Matters (HB. 1786) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish Institute of Arid and Climate Studies, Mafa, Borno State; and for Related Matters (HB. 1786) be read a Second Time" (Hon. Ibrahim Mohammed Bukar — Dikwa/Mafa/Konduga Federal Constituency).

Debate.

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

Bill read the Second Time.

Bill referred to the Committees on Tertiary Education and Services, and Climate Change.

14. Need to make Provision for Adequate Signage and Directional Road Signs in the Federal Capital Territory

Motion made and Question proposed:

The House:

Notes that signage and directional signs promote orderliness and make the society more efficient as it makes locating places and navigation of facilities convenient and easy for users;

Also notes that most civilized cities across the world have adequate signage and directional road signs for usage by both inhabitants and visitors;

Concerned that there are inadequate signage and directional road signs on some major roads in the Federal Capital Territory and some of the existing ones are either worn out or poorly fixed, making it difficult for people to navigate within the city;

Also concerned about the impression of the International Community on the Federal Capital Territory, where locating places of interest and business is difficult;

Worried that many accidents have occurred as a result of motorists not being able to concentrate on driving as they encounter difficulty in navigating using the available road signs;

Also worried that easy access to correct locations and addresses can be very difficult in cases of emergency;

Resolves to:

- (i) urge the Ministry of the Federal Capital Territory to put up signages and directional road signs across the Federal Capital Territory;
- (ii) mandate the Committee on Federal Capital Territory to ensure compliance (*Hon. Kolawole Taiwo Musibau — Ajeromi Ifelodun Federal Constituency*).

Debate.

Amendment Proposed:

Insert a new Prayer (iii) as follows:

"Urge the Federal Ministry of Works and Housing to put up signages and directional signs across Federal roads nationwide" (Hon. Ganiyu Johnson Abiodun — Oshodi Isolo II Federal Constituency).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that signage and directional signs promote orderliness and make the society more efficient as it makes locating places and navigation of facilities convenient and easy for users;

Also noted that most civilized cities across the world have adequate signage and directional road signs for usage by both inhabitants and visitors;

Concerned that there are inadequate signage and directional road signs on some major roads in the Federal Capital Territory and some of the existing ones are either worn out or poorly fixed, making it difficult for people to navigate within the city;

Also concerned about the impression of the International Community on the Federal Capital Territory, where locating places of interest and business is difficult;

Worried that many accidents have occurred as a result of motorists not being able to concentrate on driving as they encounter difficulty in navigating using the available road signs;

Also worried that easy access to correct locations and addresses can be very difficult in cases of emergency;

Resolved to:

- (i) urge the Ministry of the Federal Capital Territory to put up signages and directional road signs across the Federal Capital Territory;
- (ii) also urge the Federal Ministry of Works and Housing to put up signages and directional signs across Federal roads nationwide; and
- (iii) mandate the Committee on Federal Capital Territory to ensure compliance (HR. 31/02/2022).

15. Need to Provide Infrastructural Facilities to Secure the Forward Operational Bases (FOBs) of 244 Battalion of 2 Brigade, Ikot Udo, Ika and 145 Battalion Nto Ndang, Obot Akara Local Government Areas of Akwa Ibom State

Order read; deferred by leave of the House.

16. Need to Establish a Divisional Police Station in Akunnu Akoko in Akoko North-East Local Government Area of Ondo State

Motion made and Question proposed:

The House:

Notes that there is only one police Divisional Station in Akoko North-East under which Akunnu Akoko is located;

Also notes that the distance from Oke Igbede in Ikare to Akunnu, where the Divisional Police station is located is very far, making proper coordination of policing in the area ineffective;

Concerned that Akunnu is bedeviled with incidences of kidnappings and other criminal activities associated with border communities;

Worried that the community has resorted to self-help by encouraging the youths to go after the kidnappers in the forests with bare hands due to inadequate security personnel in the area;

Cognizant that the neighbouring Local Government Area Akoko North West has three Divisional Police Stations whereas Akoko North East in which Akunnu is located has only one Divisional Police Station located at Igbede in Ikare Akoko;

Resolves to:

- (i) urge the Federal Ministry of Police Affairs and the Nigeria Police Force to establish a Divisional Police Station in Akunnu Akoko in Akoko North East/West Federal Constituency of Ondo State;
- (ii) mandate the Committee on Police Affairs to ensure compliance (*Hon. Olubunmi Tunji-Ojo — Akoko North East/West Federal Constituency*).

Agreed to.

(HR. 32/02/2022).

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

17. Need to Revitalize the National Museum, Oron, Akwa Ibom State

Order read; deferred by leave of the House.

18. Need to Investigate the Ongoing Recruitment into the Nigeria Social Insurance Trust Fund (NSITF) and Other Agencies under the Federal Ministry of Labour and Productivity

Motion made and Question proposed:

The House:

Notes that the Nigeria Social Insurance Trust Fund (NSITF) is currently recruiting for positions at the management level;

Concerned that only people from one particular part of the country are being recruited in the current exercise, which negates the principles of Federal Character;

Aware that the Minister of Labour and Productivity has been embroiled in a battle to control Ministries, Departments, and Agencies (MDAs), including the NSITF, and had been summoned by the National Assembly for the alleged misdemeanor in 2016 and 2021 respectively;

Also aware that the summons was based on allegations of employment irregularities, impunity, and anomalies indicating gross abuse of office;

Worried that the current recruitment process at the NSITF, which is alleged to be biased could negatively affect the promotion of hardworking staff of the organization;

Also worried that the Minister's alleged reign of impunity across the ministries and agencies under his supervision has continued unabated despite engagements and interventions of the National assembly;

Disturbed that the alleged undue favouritism in the ongoing recruitment exercise at the NSITF could prevent the country from deriving the maximum benefits from the MDAs;

Resolves to:

Mandate the Committees on Federal Character and Labour, Employment and Productivity to investigate the ongoing recruitment into the Nigeria Social Insurance Trust Fund and other agencies under the Federal Ministry of Labour and recommend appropriate sanctions to anyone found culpable of undue favouritism and report within four (4) weeks for further legislative action (*Hon. Ismail Tijani — Ifelodun/Offa/Oyun Federal Constituency*).

Debate.

Amendments Proposed:

- (i) In the Prayer, immediately after the word "Committees on", *insert* the words "Public Service Matters" (Hon. Beni Lar — Langtang North/Langtang South Federal Constituency).

Question that the amendment be made — Agreed to.

- (ii) In the Prayer as amended, immediately after the word "Productivity", *insert* the words "and Disability" (Hon. Princess Miriam Onuoha — Isiala Mbano/Onuigbo/Okigwe Federal Constituency).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that the Nigeria Social Insurance Trust Fund (NSITF) is currently recruiting for positions at the management level;

Concerned that only people from one particular part of the country are being recruited in the current exercise, which negates the principles of Federal Character;

Aware that the Minister of Labour and Productivity has been embroiled in a battle to control Ministries, Departments, and Agencies (MDAs), including the NSITF, and had been summoned by the National Assembly for the alleged misdemeanor in 2016 and 2021 respectively;

Also aware that the summons was based on allegations of employment irregularities, impunity, and anomalies indicating gross abuse of office;

Worried that the current recruitment process at the NSITF, which is alleged to be biased could negatively affect the promotion of hardworking staff of the organization;

Also worried that the Minister's alleged reign of impunity across the ministries and agencies under his supervision has continued unabated despite engagements and interventions of the National assembly;

Disturbed that the alleged undue favouritism in the ongoing recruitment exercise at the NSITF could prevent the country from deriving the maximum benefits from the MDAs;

Resolved to:

Mandate the Committees on Public Service Matters, Federal Character, Labour, Employment and Productivity, and Disability to investigate the ongoing recruitment into the Nigeria Social Insurance Trust Fund and other agencies under the Federal Ministry of Labour and recommend appropriate sanctions to anyone found culpable of undue favouritism and report within four (4) weeks (IIR. 33/02/2022).

Ordered: The Committees to nominate one Member from each of the six geopolitical zones to constitute the Joint Committee.

19. Call to Make Skills Acquisition a Compulsory Subject in the Basic Education Curriculum

Motion made and Question proposed:

The House:

Notes that over the last two decades, innovation and creativity have become critical skills for achieving self-employment and national economic development;

Also notes that skills acquisition and creativity are only being taught in Secondary Schools and Tertiary Institutions in Nigeria;

Further notes that according to the National Bureau of Statistics (NBS), the total number of people classified as unemployed increased from 17.6 million to 20.9 million between 2017 to 2018 and keeps increasing due to the increase in Nigeria's population;

Aware that the current curriculum only prepares students towards acquiring academic qualifications without skills for self-employment;

Also aware that skills acquisition, which may take the form of innovation and creativity, has become critical for achieving success in any given economy, however, the current curriculum centered on academic qualifications and government jobs alone are not enough for a sustainable economy;

Cognizant that in Nigeria, there is a low level of practical adaptation of knowledge acquired, hence, there is a need to restructure the Basic Education curriculum by awakening the consciousness of the relevant Government Agencies;

Also cognizant that the Nigerian Educational Research and Development Council (NERDC) is responsible for curriculum development of Basic Education in Nigeria, encouragement, promotion, and coordination of educational research programs carried out in Nigeria, identification of educational problems in Nigeria which research is needed and the establishment of the order of priorities among others as being enshrined in the Nigerian constitution;

Resolves to:

- (i) urge the Nigerian Educational Research and Development Council (NERDC) to review the Basic Education Curriculum to make skills acquisition a compulsory subject;
- (ii) mandate the Committees on Basic Education and Services, and Sustainable Development Goals (SDGs) to ensure compliance and report within four (4) weeks (*Hon. Ganiyu Abiodun Johnson — Oshodi Isolo II Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that over the last two decades, innovation and creativity have become critical skills for achieving self-employment and national economic development;

Also noted that skills acquisition and creativity are only being taught in Secondary Schools and Tertiary Institutions in Nigeria;

Further noted that according to the National Bureau of Statistics (NBS), the total number of people classified as unemployed increased from 17.6 million to 20.9 million between 2017 to 2018 and keeps increasing due to the increase in Nigeria's population;

Aware that the current curriculum only prepares students towards acquiring academic qualifications without skills for self-employment;

Also aware that skills acquisition, which may take the form of innovation and creativity, has become critical for achieving success in any given economy, however; the current curriculum centered on academic qualifications and government jobs alone are not enough for a sustainable economy;

Cognizant that in Nigeria, there is a low level of practical adaptation of knowledge acquired, hence, there is a need to restructure the Basic Education curriculum by awakening the consciousness of the relevant Government Agencies;

Also cognizant that the Nigerian Educational Research and Development Council (NERDC) is responsible for curriculum development of Basic Education in Nigeria, encouragement, promotion, and coordination of educational research programs carried out in Nigeria, identification of educational problems in Nigeria which research is needed and the establishment of the order of priorities among others as being enshrined in the Nigerian constitution;

Resolved to:

- (i) urge the Nigerian Educational Research and Development Council (NERDC) to review the Basic Education Curriculum to make skills acquisition a compulsory subject;
- (ii) mandate the Committees on Basic Education and Services, and Sustainable Development Goals (SDGs) to ensure compliance and report within four (4) weeks (HR. 34/02/2022).

20. Consideration of Reports

- (i) *A Bill for an Act to Establish Counselling Practitioners Council of Nigeria charged with Responsibility of Advancing the Study, Training, and Practice of Counselling Profession; and for Related Matters (HB. 409) (Committee of the Whole):*
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish Counselling Practitioners Council of Nigeria charged with Responsibility of Advancing the Study, Training, and Practice of Counselling Profession; and for Related Matters (HB. 409)" (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 Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE COUNSELLING
PRACTITIONERS COUNCIL OF NIGERIA CHARGED WITH RESPONSIBILITY
OF ADVANCING THE STUDY, TRAINING AND PRACTICE OF COUNSELLING
PROFESSION AND FOR RELATED MATTERS (HB. 409)

PART I — ESTABLISHMENT OF THE COUNSELLING
PRACTITIONERS COUNCIL OF NIGERIA

Clause 1: Establishment of the Council.

- (1) There is established the Counselling Practitioners Council of Nigeria (in this Bill referred to as "the Council").

(2) The Council:

- (a) is a body corporate with perpetual succession and a common seal kept in its custody;
- (b) may sue or be sued in its corporate name;
- (c) may acquire, hold or dispose of any movable or immovable;
- (d) property for the purpose of its functions under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

Amendment Proposed:

Leave out all the words in Subclause (2) (c) and (d), and *insert* as follows:

- “(c) may acquire, hold or dispose of any movable or immovable property for the purpose of its functions under this Bill” (*Hon. Ajibola Saubana Muriana — Ibarapa Central/Ibarapa North Federal Constituency*).

Question that the amendment made — Agreed to.

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

Clause 2: Functions of the Council.

The Council shall:

- (a) determine the standard of knowledge and skill, to be attained by persons seeking to become registered members of the counselling profession (in the Bill referred to as "the Profession") and review the standard in circumstances may require;
- (b) establish and maintain in accordance with the provisions of this Bill, register of certified members of the Profession and the publication of the list of such members from time to time;
- (c) promote the highest standard of competence, practice and conduct among members of the Profession;
- (d) organize and conduct seminars, workshops, conferences and research in all aspects of counselling management and administration; and also provide professional training for persons aspiring to qualify and practice as chartered Counsellors in Nigeria;
- (e) secure the professional status and do all such things as may be necessary to promote the interest of its members and the advancement of the art and science of Counselling, knowledge and efficiency in Counselling management and administration in the public and private sectors of the Nigerian economy;
- (f) perform such other functions as may be required of the Council under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 3: Establishment of Governing Board.

- (1) There is established for the Council, a Governing Board (in this Bill referred to as "the Board") which shall be charged with the responsibility for Policy making, administration and general management of the Council.
- (2) The Board shall consist of:
 - (a) the President and Vice-President of the Council;
 - (b) the Registrar;
 - (c) one person to be nominated by the Minister for education charged with the responsibility of matters relating to counselling to represent the Ministry;
 - (d) six persons with professional background in counselling to be appointed by the Minister to represent each geopolitical zone of Nigeria, no two of them shall come from the same State;
 - (e) six persons appointed by the Counselling Association of Nigeria (CASSON); and
 - (f) two persons to represent the universities offering courses leading to approved qualification in Guidance and Counselling and a university shall not have more than one representative at a time.
- (3) The provisions of the First Schedule to this Bill shall have effect with respect to the qualification, tenure of office of members of the Council, powers and procedure of the Council and other matters (*Hon. Alhassan Ado Garba — House Leader*).

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

PART II — FINANCIAL PROVISIONS**Clause 4: Funds of the Institute.**

- (1) There is established for the Council a fund (in this Bill referred to as "the Fund") which shall be controlled by the Board.
- (2) The Fund shall consist of:
 - (a) all fees and other moneys payable to the Council under this Bill; and
 - (b) money as may be payable to the Council whether in the course of the performance of its functions or not.
- (3) There shall be paid out of the Fund:
 - (a) the remuneration and allowances of the Registrar and other employees of the Council;
 - (b) such reasonable travelling and subsistence allowance of members of the Council in respect of the time spent on the business of the Council as the Council may approve;

- (c) any other expenses approved and incurred by the Council in the discharge of its functions under this Bill.
- (4) The Council may invest money in the Fund in any security created or issued by or on behalf of the Government of the Federation or in any other securities in Nigeria approved by the Board.
- (5) The Council shall keep proper accounts on behalf of the Board in respect of each financial year and proper records in relation to those accounts, and the Board shall cause the accounts to be audited by an Auditor, approved for that purpose and when the accounts is audited, the Auditor's report shall be submitted to the Members of the Board, for approval at a meeting of the Board (*Hon. Alhassan Ado Garba — House Leader*).

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

PART III — THE REGISTRAR AND THE REGISTER

Clause 5: Appointment of the Registrar, etc, and preparation of register.

- (1) The Board shall appoint a person to be Registrar of the Council for the purpose of this Bill, the person appointed shall hold at least a degree certificate and must have possessed at least ten years cognate experience in the required field.
- (2) The Registrar shall:
 - (a) hold office for four years; and
 - (b) subject to satisfactory performance, be eligible for re-appointment for another four years and no more.
- (3) The Registrar shall prepare and maintain in accordance with the rules made by the Council under this section, a Register of Professional Counsellors (in this Bill referred to as "the Register").
- (4) The Register shall contain the names; addresses, approved qualifications and other particulars as may be specified by the Council, of all persons who are entitled, in accordance with the provisions of the Act, to be registered as Professional Counsellors and who apply in the specified manner, to be so registered.
- (5) The Register shall consist of:
 - (a) fully registered persons; and
 - (b) provisionally registered persons.
- (6) Subject to the provision of this section, the Council shall make rules with respect to the formal keeping of the register and the making of entries in the Register, and in particular:
 - (a) making of applications for registration and provide for the evidence to be produced in support of an application;

- (b) providing for the notification to the Registrar, by the person to whom the registered particulars relate, of any change in those particulars;
 - (c) authorising a registered person to have any qualification which is registered in relation to his name in addition to or, as he may elect in substitution for any other qualification so registered as either a corrected edition of the register or a list of alteration made to the Register since it was last printed; and
 - (d) specifying anything failing to be specified under the provisions of this section.
- (7) The Registrar shall:
 - (a) correct, in accordance with the Council's direction, any entry in the register, which the Council directs him to correct as being in the Council's entry, which was incorrectly made;
 - (b) make any necessary alteration to the registered particulars of registered persons; and
 - (c) remove from the relevant part of the Register, the name of any registered person who has died, or ceased to be entitled to be registered.
- (8) If the Registrar:
 - (a) sends by post to any registered person a letter addressed to him at his address on the Register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within the period of six months from the date of posting the letter; and
 - (b) upon the expiration of the six months, sends in like manner to the person in question, a second letter and receives no reply to that letter within three months from the date of posting the letter, the Registrar may remove the particulars relating to the person in question from the relevant part of the register.
- (9) The Council may, for any reason which seems to be sufficient, direct the Registrar to restore to the appropriate part of the register any particulars removed under this section (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 6: Publication of the register.

- (1) The Registrar shall:
 - (a) cause a list of persons whose name and qualifications are indicated in the register to be printed, published and put on sale to members of the public not later than two years from the beginning of the year in this Bill comes into effect;

- (b) in each year, after the register is first published under paragraph (a), cause to be printed, published and put on sale as either a corrected edition of the register or a list of alterations made to the register since it was last printed; and
 - (c) cause a print of a copy of each edition of the register and list of correction to be deposited at the principal office of the Council and the Council shall keep the register and list so deposited at all reasonable times for inspection by members of the public.
- (2) A document purporting to be a print of an edition of a Register published:
- (a) under this section by authority of the Registrar in the current year; or
 - (b) in a previous year and a list of corrections to that edition so published in the current year.

shall, without prejudice to any other mode of proof, be admissible in any proceeding as evidence that a person specified in the document, as being fully or provisionally registered, is so registered, and that any person not so specified is not so registered (*Hon. Alhassan Ado Garba — House Leader*).

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

PART IV — REGISTRATION

Clause 7: Registration.

- (1) Subject to the provision of this Bill and to rules made under section 6, a person shall not be entitled to be fully registered under this Bill as a Professional Counsellor, unless:
 - (a) he has attended a course of training approved by the Council under section 9;
 - (b) he has passed the Professional practice competence examination conducted by the Association and moderated by the Council; and
 - (c) he is a certified member of the Association;
 - (d) he renders professional service or assistance in or about matters of principles or details relating to counselling management and administration; or
 - (e) he renders other service which may by rules or Bye-Laws made by the Council be designated as service constituting practice as a professional counseling Administration practitioner.
- (2) An Applicant for registration under this Bill shall, in addition to the evidence of qualification, satisfy the Council that:
 - (a) he is of good character;
 - (b) he has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty.

- (3) A fully registered Professional Counsellor is entitled to a seal from the Council but any seal presented under this subsection may be withdrawn by the Council from a member on:
- (a) his ceasing to become a registered member;
 - (b) being convicted of an offence under this Bill; or
 - (c) disciplinary grounds, and his ceasing to become a member of the Association.
- (4) The Council may in its discretion, provisionally accept a qualification produced in respect of an application for registration under this section, or direct that the application be renewed within such period as may be specified in the direction.
- (5) The Council shall publish in the Federal Government Gazette, particulars of the qualification accepted for registration under this Bill.
- (6) The Council may impose further conditions for the purpose of any registration under this Bill but such conditions shall not come into force until published in the Federal Government Gazette (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 8: Approval of qualifications and training institutions.

- (1) Subject to subsection (2), the Council may approve for the purpose of section 7:
- (a) any course of training which is intended for persons who are seeking to become, or are already qualified as, Professional Counsellors;
 - (b) any institution, either in Nigeria or elsewhere which the Council, on the recommendations of the Association, considers properly organised and equipped for conducting the whole or any part of a course of training approved by the Council under this section: and
 - (c) any qualification which, as a result of examination taken in conjunction with a course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination, indicating, in the opinion of the Council that they have sufficient knowledge and skills to practise counselling as a profession.
- (2) The Council shall publish in the Federal Government Gazette a list of qualifications in the Profession of Professional Counsellors approved by it and the Council shall not approve, for the purposes of subsection (1), qualifications granted by an institution unless the qualifications have been so published by the Council.
- (3) The Council shall, on the recommendation of the Association, withdraw any approval given under this section in respect of any course, qualifications or institution, but before withdrawing the approval the Council shall:

- (a) give notice that it proposes to do so to each person in Nigeria appearing to the Council to be a person by whom the course is conducted, the qualification is granted or the institution is controlled, as the case may be; and
 - (b) give such a person an opportunity of making to the Council, representations with regard to the proposal under paragraph (b).
- (4) A period during which the approval of the Council under this section for a course qualification or institution is withdrawn, the course qualification or institution shall not be treated as approved under this section but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration immediately before the approval was withdrawn.
- (5) The giving or withdrawal of an approval under this section, shall have the effect from the date, before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in the instrument, and the Council shall:
 - (a) immediately publish a copy of every such instrument in the Federal Government Gazette and supervise instructions and examination leading to approved qualifications; and
 - (b) not later than seven days before its publication, send a copy of the instrument to the Minister (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 9: Supervision.

- (1) The Board shall keep itself informed of the nature of the instruction given at the certified institutions to persons sent for approved course of training and the examinations as a result of which approved qualification is granted.
- (2) The Board shall appoint persons, either from its own members or from outside, to visit the approved institutions, monitor their examinations and make recommendations to the Board.
- (3) The Board shall determine and make recommendations to the Council on:
 - (a) the competence of the instructors;
 - (b) the adequacy of the instruction given to persons attending approved courses at the institutions visited;
 - (c) the adequacy and quality of the examination conducted; and
 - (d) any other matter relating to the institution or examination on which the Board may request the persons appointed under subsection (2) to report.
- (4) Any person appointed by the Board under this section, shall not interface with the giving of any instruction or the holding of any examination.

- (5) On receiving a report made under this section, the Board shall, immediately send a copy of the report to the person appearing to the Board to be in charge of the institution or responsible for the examinations to which the report relates, requesting that person to make observations on the report to the Council within such period as may be specified in the request, at least one month beginning with the date of the request (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 10: Persons deemed to practice as professional Counsellors.

- (1) Any person who:
- (a) has been approved and endorsed by the Council as a "Foundation Member", this includes all persons present at the preliminary inaugural meetings of the Association held on 15 November, 1975, 17-18 June, 1976, and all persons who though absent, expressed the desire to be members at those times; or
 - (b) holds the accepted qualification or its equivalent, obtained 10 years before the commencement of this Bill and satisfies the conditions mentioned in section 7 (2),

may be exempted from taking the professional practice competence examination, but issued the certificate of professional competence after payment of the prescribed fees to enable him register fully as a Professional Counsellor, if the Council is satisfied that he has acquired adequate professional practice experience as a Professional Counsellor to deserve the exemption.

- (2) A person shall be issued a Certificate of Professional Competence if:
- (a) during his employment after qualification, he has acquired practical experience under the personal supervision and guidance of one or more fully registered Counsellors for the period of two years; and
 - (b) the manner in which he carried out the duties of his employment and his conduct during the period of his employment, are satisfactory.
- (3) The employer, being a fully registered Counsellor supervising the work of persons employed with a view to obtaining a certificate of professional competence, shall ensure that the person is given opportunity of acquiring the practical experience for the purposes of subsection (2) (a).
- (4) The Registrar shall, immediately after the entry in the Register of any person's name, or removal of such name from the register, give notice in writing to the institution of the entry or removal together with all the relevant particulars (*Hon. Alhassan Ado Garba — House Leader*).

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

PART V — PROFESSIONAL DISCIPLINE

Clause 11: Establishment of disciplinary tribunal and investigative panel.

- (1) There is established the Counsellors Investigating Panel (in this Bill referred to as "the Panel") charged with the duties of:

- (a) conducting a preliminary investigation into any case where it is alleged that a person registered has misbehaved in his capacity as a Professional Counsellor, or should for any other reason be the subject of proceedings before the Tribunal; and
 - (b) deciding whether the case shall be referred to the Tribunal.
- (2) The Panel shall be constituted by the Council and shall consist of seven members.
- (3) There is established the Counsellors Disciplinary Tribunal (in this Bill referred to as "the Tribunal") charged with the duty of considering and determining any case referred to it by the Panel.
- (4) The Tribunal shall consist of:
 - (a) the President of the Council; and
 - (b) 10 other members, appointed by the Council of which:
 - (i) at least, four shall be members of the Council, holding office by virtue of section 3 (2) (e); or
 - (ii) all members holding office by virtue section where the number of those members is for the time being less than four of those members (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 12: Professional misconduct.

- (1) The provisions of the Second Schedule to this Bill shall, be applicable to the Tribunal and the Panel respectively.
- (2) Where:
 - (a) a person fully registered or provisionally registered under this Bill is judged by the Tribunal to be guilty of infamous misconduct in any professional respect;
 - (b) such a person is convicted of any offence in Nigeria or elsewhere by any Court having power to impose imprisonment (whether or not such offence is punishable with imprisonment), which in the opinion of the Tribunal is incompatible with the status of the Professional Counsellor; or
 - (c) the Tribunal is satisfied that the name of any person has been fraudulently registered, the Tribunal may, if it deems fit, give a direction reprimanding that person or ordering the Registrar to strike his name off the relevant part of the Register.
- (3) The Tribunal may, if it deems fit, defer its decision as to the giving of a direction under subsection (2), until a subsequent meeting of the Tribunal, but:

- (a) no decision shall be deferred under this subsection for a period exceeding two years in the aggregate; and
 - (b) no person shall be a member of the Tribunal for the purpose or reaching a decision which has been deferred, unless he was present as member of the Tribunal when the decision was deferred.
- (4) For the purpose of subsection (2), a person shall not be treated as convicted, unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.
- (5) When the Tribunal gives a direction under subsection (2), it shall cause notice of the direction to be served on the person to whom it relates.
- (6) A person to whom a direction relates may, at any time within 28 days from the date of service on him of the notice of the direction, appeal against the direction to the Court of Appeal, and the Tribunal may appear as respondent to the appeal and for the purpose of enabling directions to be given as to the cost of the appeal and of proceedings before the Tribunal, shall be deemed to be a party thereto whether or not it appears to the hearing of the appeal.
- (7) A direction of the Tribunal under subsection (2) shall take effect:
 - (a) where no appeal under this section is brought against the direction within the time for the appeal, on the expiration of that time;
 - (b) where an appeal is brought and is withdrawn or struck out for want of diligent prosecution, on the withdrawal or striking out of the appeal; and
 - (c) where an appeal is brought and is not withdrawn or struck out if and when the appeal is dismissed.
- (8) A person whose name is removed from the Register in pursuance of a direction of the Tribunal under this section, shall not be entitled to be registered again, except in pursuance of a direction in that behalf given by the Tribunal on the application of that person, and a direction under this section of the removal of a person's name from the Register may prohibit an application under this subsection by that person until the expiration of period from the date of the direction, and where he has duly made an application, from the date of his last application, as may be specified in the direction (*Hon. Alhassan Ado Garba — House Leader*).

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

PART VI — MISCELLANEOUS

Clause 13: Registration of temporary practitioners.

- (1) Where a person satisfies the Council that he:
 - (a) has been selected for employment for a specified period in a capacity in which a person registered as a Counsellor under this Bill is qualified to be employed and that he is or intends to be in Nigeria temporarily for the purpose of serving for that period in the employment in question;

- (b) holds a qualification or has passed the necessary examination;
 - (c) obtained some qualification granted outside Nigeria which is for the time being accepted by the Council as respects the capacity in which if employed, he is to serve, the Council may, if it deems fit, give a direction that the person shall be temporarily registered as a Counsellor.
- (2) The temporary registration of a person shall continue while the person is in employment as is mentioned in subsection (1) (a) and shall cease at the end of the period of the employment specified to the Council under this section or the prior determination of the employment whichever occurs.
 - (3) Nothing in subsection (2) shall preclude the Council from giving a further direction under subsection (1) in respect or specified period, whose commencement coincides with the termination or prior determination of another employment.
 - (4) A person who is temporarily registered shall, in relation to his employment and to things done or omitted to be done in the course of that employment, be deemed to be fully registered, but in relation to all matters, he shall be treated as not so registered.
 - (5) In determining whether a person's employment has been terminated, the decision of the Council shall be conclusive for the purpose of subsection (2).
 - (6) The Registrar, as directed by the Council, shall remove from the Register, the name of any person ceasing to be entitled to the benefit of this section (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 14: Offences and penalties.

- (1) A person, not being a registered Professional Counsellor, who:
 - (a) for or in expectation of reward, practices or holds himself out to practice as such; or
 - (b) without reasonable excuse takes or uses any name, title addition or description, implying that he is authorised by law to practice as a registered Counsellor, Commits an offence under this Bill.
- (2) A person who, for the purpose of procuring the registration of any name, qualification or other matter:
 - (a) makes a statement which he believes to be false; or
 - (b) recklessly makes a statement which is false, commits an offence under this Bill.
- (3) A Registrar or any other person employed by the Council who, willfully makes any falsification in any matter relating to the register, commits an offence under this Bill.

- (4) Any person who commits an offence under subsections (1) - (3) or any section for which no punishment is provided under this Bill is liable on conviction:
- (a) to a fine of at least ₦500,000.00 or imprisonment for a term of two years or both; and
 - (b) where the offence is a continuous one, to a further fine, of at least ₦50,000 for each day the offence continues.
- (5) Where an offence under this section is committed by a body corporate and is proved to have been committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or any person purporting to act in any such capacity, he, as well as the body corporate, commits an offence under this Bill (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 15: Proof of validity of certificate.

- (1) A certificate required by any written law from any class of persons for whom a Register is maintained under this Bill, shall not be valid unless the person signing it is registered in accordance with this Bill.
- (2) Subject to the provisions of this section, a person not exempted, shall not hold an appointment requiring status of a Professional Counsellor under this Bill in the Public and Civil Service of the Federation, State or in the Armed Forces of the Federation or public or private limited or unlimited liability organisations, unless he is a Counsellor, registered under this Bill.
- (3) A Counsellor shall, to the extent only of his particular qualification, be entitled to practice as a registered Counsellor throughout the Federation.
- (4) A person in charge of any university in the Federation, offering courses leading to an approved qualification intended for persons who are seeking to become registered as Professional Counsellors under this Bill shall furnish the Registrar, not later than 31 March in every year, with a list of the names and or such other particulars as the Council may specify, of all persons who attended any course at the university in question at any time during the preceding year.
- (5) In this section, "public service" includes services as a registered Professional Counsellor in or with any educational institution, Commission, Corporation or State (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 16: Powers of the Minister to give directives.

- (1) The Minister may give to the Council directions of a general character relating generally to particular matters with regard to the exercise by the Council of its functions and the Council shall comply with the directions:

Provided the direction does not infringe on the ethics and codes of conduct of the Profession.

- (2) Before giving a direction under subsection (1), the Minister shall serve a copy of the proposed direction on the Council, which shall afford the Council an opportunity of making representations to him with respect to the direction, and after considering any representation made to him under this subsection, the Minister may give the direction, either without modification or with such modifications as appear to him to be appropriate having regard to the representations (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 17: Regulations.

- (1) The Council shall have power to make regulations, which in its opinion, is necessary or expedient for giving full effect to the provisions of this Bill.
- (2) Any power to make regulations, rules and orders under this section shall include power to make:
- (a) provision for such incidental or supplemental provision, as the person or authority making the instrument considers expedient for the purpose of the instrument; and
- (b) different provisions for different circumstances (*Hon. Alhassan Ado Garba — House Leader*).

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

Clause 18: Interpretation.

In this Bill:

"Counselling" means to assist individual and corporate bodies to explore their environments, Discover their strength, weakness, talents and skills, so as to determine their needs, set personal realistic goals, and adjust suitably to achieve them in harmony with their environments (*Hon. Alhassan Ado Garba — House Leader*).

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

"approved qualification" means qualification which is approved for the time being by the Council (*Hon. Alhassan Ado Garba — House Leader*).

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

"Association" means the Counselling Association of Nigeria (CASSON) (*Hon. Alhassan Ado Garba — House Leader*).

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

"Board" means Governing Board of the Council (*Hon. Alhassan Ado Garba — House Leader*).

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

"Council" means the Counselling Practitioners Council of Nigeria established under section 1 of this Bill (*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.

"Counsellor" means a professionally trained Guidance and Counselling personnel, which also includes professionals from therapeutic counselling, etc. (Hon. Alhassan Ado Garba — House Leader).

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

"Minister" means the Minister of Education charged with the responsibility of matters, relating to counselling, Education and Allied Profession (Hon. Alhassan Ado Garba — House Leader).

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

"Professional Counsellor" means any person fully registered as such under this Bill (Hon. Alhassan Ado Garba — House Leader).

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

"Register" means the Register maintained under this Bill and "Registered" shall be constructed accordingly; and (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.

"Registrar" means the Registrar appointed under section 6 of this Bill (Hon. Alhassan Ado Garba — House Leader).

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

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

Clause 19: Citation.

This Bill may be cited as the Counselling Practitioners Council of Nigeria Bill, 2022 (Hon. Alhassan Ado Garba — House Leader).

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

SCHEDULES

FIRST SCHEDULE

Section 3 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

- I. (1) A person shall not be appointed as a member of the Board unless he is a citizen of Nigeria and he is registered as a Professional Counsellor under this Bill.

- (2) Subject to the provisions of this paragraph, a person who is a member of the Board other than by virtue of section 3 (3) (d) of this Bill shall hold office for a period not exceeding five years beginning with the date of his appointment or election as the case may be:

Provided that a person shall not hold office, whether appointed or elected, for five years unless the Minister after consultation with the Board otherwise directs.

- (3) Any member of the Board holding office other than as mentioned in subparagraph (2) may, with notice to the Board, resign his office.
- (4) Subject to this Bill, a person who has ceased to be a member of the Council may be eligible again to become a member of the Board.
- (5) When a member of the Board ceases to hold office before his term of office expires by effluxion of time, the body or person by whom he was appointed or elected shall, immediately appoint or elect a person to fill the vacancy for the residue of the term, but the provisions of this subparagraph shall not apply where a person holding office as a member of the Board ceases to hold office at a time when the residue of his term does not exceed one year.
- (6) The power of appointing a person as President of the Council shall:
- (a) during the period beginning with the date when this Bill comes into effect, be exercisable by the Minister on the recommendations of the Association; and
- (b) after the expiration of that period, be exercisable by the Board and where an existing member of the Board is appointed President, his office as an existing member shall become vacant and his term of office as President shall begin on the date of his appointment as President.
- (7) Notwithstanding that the term of office of a member of the Board has expired by effluxion of time, a person appointed as President, Vice President and one other member shall continue in that office until a fresh appointment is made to the office.
- (8) The quorum of the Board shall be seven and at least two of the persons elected by the Association and two of the representatives of the States of the Federation are present at the particular meeting, and the quorum of any committee of the Board shall be determined by the Council.

Power of Board

2. (1) The Board shall have power to do anything, which in its opinion is calculated to facilitate the carrying on of its activities.
- (2) The Board shall have power to borrow money, dispose off any property and pay remuneration (including pensions) allowances, or expenses to any member, officer or servant of the Board or any person.

Proceedings of the Board

3. Subject to the provision of this Bill and of section 27 of the Interpretation Act (which provides for decisions of a body to be taken by a majority of the members of the body and for the President of the Board to have a second or casting vote), the Board may make standing orders regulating the proceedings of the Council or of any of its committee.

Vice-President of the Board

4. (1) The Board shall appoint one of its members to be the Vice-President of the Board for such period as the Board may determine and the Vice-President who ceases to be a member shall cease to be a Vice-President;
- (2) At any time while the office of the President is vacant or the President is, in the opinion of the Board permanently or temporarily unable to perform the function of his office, the Vice-President shall perform those functions, and references in this schedule to the President shall be constructed accordingly.

Meetings of the Board

5. (1) Subject to the provisions of any standing orders of the Board, the Board shall meet whenever it is summoned by the President and if the President is required so to do, by notice given to him by not less than six other members, he shall summon a meeting of the Board to be held within seven days from the date of which the notice is given.
- (2) At any meeting of the Board, the President or in his absence the Vice-President shall preside, but if both are absent, the members present at the meeting shall appoint one of them to preside at that meeting.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it deems fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.
- (4) Notwithstanding anything in this paragraph, the first meeting of the Board shall be summoned by the Minister who may give such directions as he thinks fit as to the member who shall preside and as to the procedure which shall be followed at the meeting.

Committee

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

Miscellaneous

7. (1) The fixing of the seal of the Council shall be authenticated by the signature of the President or of some other member authorised generally or specifically to act for that purpose by the Board.
- (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 Board by any person authorized to act for that purpose by the Board.

- Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
8. The validity of any proceeding of the Counsel or its Committee shall not be affected by any vacancy in the membership of the Counsel or its Committee, defect in the appointment of a member of the Board or its committee, or by reason that a person not entitled to do so took part in the proceedings.
9. A member of the Board or any person holding office on a committee of the Board who has a personal interest in any contractual arrangement entered into or proposed to be considered by the Board or its committee, shall immediately disclose his interest to the Board and shall not vote on any question relating to the contractual arrangement (*Hon. Alhassan Ado Garba — House Leader*).

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

SECOND SCHEDULE

Section 12 (1)

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATIVE PANEL

The Tribunal

The Quorum of the Tribunal

1. The quorum of the Tribunal shall be four of whom at least two shall be members of Council.
2. (1) The Attorney-General of the Federation may make rules with regard to the procedure to be followed by the Tribunal and the Panel and on the rules of evidence in such proceedings.
- (2) Until the rules are made, the Tribunal and the Panel shall conduct their proceedings in such manner as to provide:
- (a) that notice of the proceedings is given in good time and shall clearly specify the complaint, to the person who is the subject of the proceedings;
 - (b) for determining who, in addition to the person under subparagraph (a), shall be a party to the proceedings;
 - (c) that any party to the proceedings shall, if so required, be entitled to be heard by the Tribunal;
 - (d) that any party to the proceedings may be represented by a legal practitioner;
 - (e) subject to the provisions of section 12 (5) of this Bill, as to the costs of proceedings before the Tribunal;
 - (f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Tribunal adjudges that the allegation has not been proved, it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and

(g) for publishing in the Federal Government Gazette, notice of any direction of the Tribunal, which has taken effect, providing that a person's name shall be struck off a register.

For the purposes of any proceedings before the Tribunal, any member of the Tribunal may administer oath and any party to the proceedings may issue out of the Registry of the High Court, writs of subpoena ad testificandum and duces tecum but no person appearing before the Tribunal shall be compelled to:

- (a) make any statement before the Tribunal tending to incriminate himself; or
- (b) produce any document under such a writ, which he can could not be compelled to produce at the trial.

4. (1) For the purpose of advising the Tribunal on questions of law arising in proceedings before it, there may in all proceedings be an assessor to the Tribunal (who may be the legal adviser to the Council or may be appointed by the Board) and who shall be a legal practitioner of not less than ten years standing.

(2) The Attorney-General of the Federation may make rules as to the functions of assessors appointed under this paragraph and in particular, such rules shall contain provisions for securing:

- (a) that where an assessor advises the Tribunal on any question of law as to evidence, procedure or any other matter specified by the rules, he shall do so in the presence of every party or person representing a party to the proceeding who appear thereat or, if the advice is tendered while the Tribunal is deliberating in private, that every such party or person shall be informed, what advice the assessor has tendered; and
- (b) that every party or person shall be informed, if in any case, the Tribunal does not accept the advice of the assessor on such a question.

(3) An assessor may be appointed under this paragraph, either generally or for any particular proceeding or class of proceedings, and shall hold and vacate office in accordance with the terms of his appointment.

The Investigative Panel

5. The quorum of the Panel shall be three.

(1) The Panel may, at any of its meeting attended by all the members of the Panel, make standing orders with respect to its proceedings.

(2) Subject to the provisions of any standing orders, the Panel may regulate its own procedure.

Miscellaneous

7. A person may, if eligible, be a member of both the Tribunal and the Panel but no person who acted as a member of the Panel with respect to any case shall act as a member of the Tribunal with respect to that case.

8. The Tribunal or the Panel may act notwithstanding any vacancy in its membership, and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body or subject to paragraph 7 of this Schedule, by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
9. Any document authorised or required by virtue of this Bill to be served on the Tribunal or the Panel shall be served on the Secretary to the Council.
10. All expenses of the Disciplinary Tribunal or the Investigative Panel shall be defrayed by the Council.
11. A person shall not, by reason only of his appointment as an assessor to the Tribunal or as a member of the Panel, be treated as holding an office in the public service of the Federation or of any State (*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 Counselling Practitioners Council of Nigeria charged with responsibility of advancing the study, training and practice of counselling profession (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Long Title.

A Bill for an Act to Establish the Counselling Practitioners Council of Nigeria Charged with Responsibility of Advancing the Study, Training and Practice of Counselling Profession and for Related Matters (HB. 409) (*Hon. Alhassan Ado Garba — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish Counselling Practitioners Council of Nigeria charged with Responsibility of Advancing the Study, Training and Practice of Counselling Profession; and for Related Matters (HB. 409) and approved Clause 1 as amended, approved Clauses 2 - 19, the Schedules, the Explanatory Memorandum and the Long Title of the Bill.

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

(ii) Committee on Aviation:

Motion made and Question proposed, "The House do consider the Report of the Committee on Aviation on a Bill for an Act to Repeal the Federal Airports Authority of Nigeria Act, Cap. F5, Laws of the Federation of Nigeria, 2004 and Enact the Federal Airports Authority of Nigeria Bill to Provide for the Effective Management of Airports in Nigeria; and for Related Matters (HB. 461)" (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency)

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE FEDERAL AIRPORTS AUTHORITY OF NIGERIA ACT, CAP. F5, LAWS OF THE FEDERATION OF NIGERIA, 2004; TO ENACT THE FEDERAL AIRPORTS AUTHORITY OF NIGERIA ACT TO PROVIDE FOR THE EFFECTIVE MANAGEMENT OF AIRPORTS IN NIGERIA; AND FOR RELATED MATTERS (HB. 461)

PART I — ESTABLISHMENT OF THE FEDERAL AIRPORTS AUTHORITY OF NIGERIA

*Committee's Recommendation:***Clause 1: Establishment of the Federal Airports Authority of Nigeria.**

- (1) There is established a body to be known as the Federal Airports Authority of Nigeria (in this Bill referred to as "the Authority").
- (2) The Authority —
 - (a) shall be a body corporate with perpetual succession and common seal;
 - (b) may sue or be sued in its corporate name; and
 - (c) shall acquire, hold or dispose of property (whether movable or immovable).
- (3) The Authority shall manage the airports listed in the First Schedule to this Bill and any other airport that may be assigned to it by the Minister, from time to time (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 2: Establishment and composition of the Governing Board.**

- (1) There is established for the Authority a Governing Board (in this Bill referred to as the "Board") which shall have the functions set out in this Bill.
- (2) The composition of the Board shall reflect equity and fairness as enshrined in Section 14 (3) of the 1999 Constitution (as amended)
- (3) The Board shall consist of —
 - (a) a Chairman;
 - (b) one representative each, not below the rank of a Director from the Ministries responsible for matters relating to —
 - (i) Aviation,
 - (ii) Defence,
 - (iii) Justice, and
 - (iv) Tourism;

- (c) 1 representative of the Nigerian College of Aviation Technology not below the rank of a director;
 - (d) 2 other persons outside the public service with requisite qualification and experience in the field of aviation;
 - (e) the Managing Director of the Authority; and
 - (f) the Secretary who shall be the Director Legal Services/Company Secretary of the Authority.
 - (g) the Secretary to the Board shall be a Legal Practitioner and shall have been so qualified for a period of not less than 15 years.
- (4) The Supplementary Provisions set out in the Second Schedule to this Bill, shall have effect with respect to proceedings of the Board and any other matter contained in it (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 3: Appointment and tenure of office of the Chairman and members of the Board.

- (1) The Chairman and other members of the Board, other than *ex-officio* members, shall —
- (a) be appointed by the President on the recommendation of the Minister;
 - (b) hold office for a term of 4 years in the first instance and may be re-appointed for a further term of 4 years and no more and on such terms and conditions as may be specified in their letters of appointment;
 - (c) be paid such remuneration and allowances as may be determined from time to time in accordance with extant laws and regulations; and
 - (d) be persons with proven integrity and ability.
- (2) The Chairman shall be a person with at least 20 years cognate experience in aviation, administration or related field (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 4: Cessation of membership.

- (1) A member of the Board appointed by the President may resign their appointment by notice in writing addressed to the President through the Minister.
- (2) A member of the Board shall cease membership, if the member —
- (a) lacks physical or mental capacity to perform his or her functions;

- (b) dies;
 - (c) becomes of unsound mind;
 - (d) becomes bankrupt or makes a compromise with creditors;
 - (e) is convicted of a felony, gross misconduct or any offence involving dishonesty or fraud;
 - (f) is disqualified or suspended from professional practice in any part of the world, by an order of a competent Authority; or
 - (g) in the case of an ex-officio member, ceases to hold the office on the basis of which the member became a member of the Board.
- (3) A member of the Board may be removed from office by the President, if the President is satisfied that it is not in the interest of the Authority or public that the member should continue in that office.
- (4) Where a vacancy occurs in the membership of the Board, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of the predecessor (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART II — FUNCTIONS AND POWERS

Committee's Recommendation:

Clause 5: Functions of the Authority.

- (1) The Authority shall —
- (a) develop, provide and maintain airports within Nigeria and provide all necessary services and facilities for the safe, secure, orderly, expeditious and economic operation of air transport;
 - (b) provide adequate airport facilities and services under which passengers and goods may be transported by air and under which aircraft may be used for other gainful purposes;
 - (c) provide accommodation and other facilities and services for the effective handling of passengers and freight at airports;
 - (d) develop and provide facilities and services for surface transport within airports;
 - (e) provide adequate facilities, services and personnel for effective security at airports owned by the Federal Government;
 - (f) provide personnel for fire and security services at State and private airports;
 - (g) promote economic development of airports and air transport services;

- (h) do such other things as are necessary for the efficient performance of functions and powers of the Authority under this Bill.
- (2) In executing its functions, conform to all binding international agreements on standards and recommended practices of safety, security and regulation of civil aviation (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 6: Powers of the Authority.

The Authority shall have power to —

- (a) charge total cost recovery charges for services it shall provide at airports;
- (b) carry out at airports, either by itself, an agent or in partnership with any other person or body corporate, such —
 - (i) economic activities that are relevant to air transport, and
 - (ii) commercial and non-aeronautical activities which in the opinion of the Authority are not prejudicial to the functions of the Authority under this Bill;
- (c) notwithstanding the provision of any other law, policy or circular in force, any fees imposed by and on behalf of the Authority shall not be subject to any deduction by or remittance to any other body.
- (d) procure temporary or intermittent service of experts or consultants with requisite qualifications;
- (e) negotiate and enter into agreements with individuals, private entities, departments and agencies of government, governments of foreign countries or international organizations for giving effect to the provisions of the Act;
- (f) ensure adequate trainings for its employees for the proper performance of their functions under the Act; and
- (g) invest its funds as it deems fit, in line with extant Government Regulations (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 7: Functions and powers of the Board.

The Board shall —

- (a) formulate and ensure implementation of general policies, guidelines and programmes of the Authority;
- (b) consider terms and conditions of service at the Authority including remuneration, appointment, promotion, termination, dismissal and exercise of disciplinary control over staff of the Authority;

- (c) structure the Authority into such number of directorates, departments and units as it deems fit for the effective discharge of its functions; and
- (f) do such other things which in the opinion of the Board is considered necessary or expedient to ensure the performance of the functions of the Board under this Bill (*Hon. Nnolim John Nhaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 8: Delegation of functions.

The functions of the Authority in this Bill are vested in the Managing Director of the Authority who may exercise them directly or through the Directors, any staff of the Authority or any other person he may deem fit (*Hon. Nnolim John Nhaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART III — STAFF OF THE AUTHORITY

Committee's Recommendation:

Clause 9: Managing Director of the Authority.

- (1) There shall be for the Authority, a Managing Director who shall be appointed —
 - (a) by the President on the recommendation of the Minister; and
 - (b) on such terms and conditions as may be specified in the letter of appointment or as may be determined, from time to time, by the President.
- (2) The Managing Director shall be the Chief Executive and Accounting Officer of the Authority, and shall be responsible for the —
 - (a) day to day administration, organisation, control and management of the affairs of the Authority;
 - (b) the execution of the policies of the Authority and decisions of the Board;
 - (c) the organisation, control and management of the affairs of the Authority;
 - (d) direction, supervision and control of other employees of the Authority;
 - (e) transparent maintenance of accounting records in accordance with applicable laws; and
 - (f) performance of such other duties as the Board may assign from time to time.
- (3) The Managing Director shall be a person with recognised qualification and experience in aviation and administration or related field for a period of not less than 15 years, 5 of which shall be in the senior management cadre.

- (4) The Managing Director shall be appointed for a term of 4 years in the first instance and may be re-appointed for a further term of 4 years and no more.
- (5) The Managing Director may be suspended or removed from office by the President, where the Managing Director —
 - (a) demonstrates inability to effectively perform the duties of the office;
 - (b) is guilty of serious misconduct in relation to his or her duties;
 - (c) is disqualified or suspended from professional practice;
 - (d) is in contravention of the conflict of interest provisions contained under paragraphs 20-23 of the Second Schedule to this Bill; or
 - (e) in the case of a person possessed of professional qualifications, is disqualified or suspended from practising his profession in any part of the world by an order of a competent authority (*Hon. Nnolim John Nhaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 10: Other staff of the Authority.

- (1) The Authority shall, subject to the approval of the Board —
 - (a) employ either directly or on transfer or secondment from any civil or public service in the Federation such number of employees as may, in the opinion of the Authority, be required to assist the Board and the Managing Director in the discharge of their functions;
 - (b) the composition of the Directors and Senior Management staff of the Agency appointed under sub-section (1) (a) of this Section shall reflect equity and fairness as enshrined in Section 14 (3) of the 1999 Constitution (as amended)
 - (c) employ such other persons from outside the public service of the Federation or of a State, where it deems it necessary;
 - (d) recruit security officers for the Authority and the officers so recruited shall subject to the general laws and regulations relating to the use of fire arms, be entitled to carry fire arms on their persons while on duty;
 - (e) notwithstanding the provision of subsection (d) of this section, it shall be an offence to carry arms and ammunition within the premises of all airports unless specifically authorized by the Airport Manager;
 - (f) violators of subsection (e) of this section shall be prosecuted by the by the Authority and, if found guilty will be liable to a fine of ₦100,000 (one Hundred Thousand Naira) only or a term of imprisonment of not more than sixty (60) days.

- (g) pay to persons so employed such remuneration including allowances, benefits and pensions, as may be determined by the Board.
- (2) The Authority shall have overall responsibility for security at all airports, and shall for this purpose have the Authority to:
 - (a) request from the Inspector General of Police, the Director General of the State Security Services, the Commandant General of the National Security and Civil Defence Corps and the Service Chiefs of the Armed Forces, either on transfer or secondment, such number of personnel as the Authority may require to ensure adequate security at all airports.
 - (b) make regulations and establish guidelines for the conduct of security personnel assigned to all airports.
 - (c) reject the assignment of unauthorized security personnel to all airports; and
 - (d) dismiss from the airports, any security personnel found to be acting beyond the scope of the Authority's guidelines and recommendations.
- (3) The deployment of personnel to all airports whether on secondment or transfer by the Armed Forces, the Nigerian Police Force, the State Security Services and the Nigerian Security and Civil Defence Corps shall be for a minimum term of eighteen (18) months in the first instance except where the personnel is dismissed by the Authority from service at the airports for failure to follow regulations and guidelines.
- (4) Personnel of the Armed Forces, the Nigerian Police Force, the State Security Services and the Nigerian Security and Civil Defence Corps deployed to all Airports, whether on transfer or secondment are for the duration of their deployment, security officers appointed under this section (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 11: Staff Regulations.

- (1) Subject to the provisions of this Bill, the Authority shall make staff regulations relating to the Conditions of Service, including —
 - (a) the appointment, promotion and discipline of staff; and
 - (b) such other matters as it may deem necessary to ensure the efficient performance of the functions of the Authority under this Bill.
- (2) The Staff regulations made under sub-clause (1) shall not have effect until approved by the Board (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 12: Pension.**

- (1) Service in the Authority shall be public service for the purpose of the Pension Reform Act No. 4 of 2014 and accordingly, officers and other staff of the Authority shall in respect of their service in the Authority, be entitled to such pension and retirement benefits as are prescribed in the Pension Reform Act No. 4 of 2014.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of pension and retirement benefits in respect of that office (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 13: Service in the authority to be pensionable.**

- (1) Service in the Authority shall be public service for the purpose of the Pension Reform Act and accordingly, officers and other staff of the Authority shall in respect of their service in the Authority, be entitled to such pension and retirement benefits as are prescribed in the Pension Reform Act.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of pension and retirement benefits in respect of that office.
- (3) For the purpose of the application of the provisions of the Pension Reform Act, any power exercisable by a Minister or other authority of the Government of the Federation, not being the power to make regulations, are hereby vested in and shall be exercisable by the Board (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 14: Structure of the Authority.**

- (1) The Authority shall have powers, with the approval of the Board to —
 - (a) set up directorates, departments, special units, technical committees, working groups and task forces to assist the Authority in the performance of its duties and functions under this Bill; and
 - (b) make changes to or vary its structure.
- (2) There shall be appointed for each of the departments and special units a principal officer who shall be known by such designation as the Authority may determine (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART IV — FINANCIAL PROVISIONS

*Committee's Recommendation:***Clause 15: Fund of the Authority.**

- (1) There shall be established and maintained for the Authority, a Fund (in this Bill referred to as "the Fund"), into which shall be paid and credited all -
 - (a) subventions and budgetary allocations from the Government of the Federation;
 - (b) fees and funds accruing from —
 - (i) landing fees,
 - (ii) parking fees,
 - (iii) passenger service charge (local and international),
 - (iv) rents,
 - (v) Management fees,
 - (vi) VIP lounge charges,
 - (vii) utilities,
 - (viii) fuel charge,
 - (ix) port charge,
 - (x) air cargo fee,
 - (xi) cargo vehicular fee,
 - (xii) frontier service charge,
 - (xiii) sales of information,
 - (xiv) rental of warehouse,
 - (xv) rental of plant and equipment,
 - (xvi) fines (for violation of bye law),
 - (xvii) car park charges,
 - (xviii) aviobridge charges,
 - (xix) public affairs protocol service fee,
 - (xx) training and consultancy fees,
 - (xxi) common use terminal charges,
 - (xxii) advertisement charges,

- (xxiii) transshipment fee,
 - (xxiv) premium,
 - (xxv) ground rent,
 - (xxvi) service recovery charge,
 - (xxvii) car hire charges,
 - (xxviii) vehicle towing fee,
 - (xxix) processing fee,
 - (xxx) 5% custom levy,
 - (xxxi) access fee, and
 - (xxxii) cost and sustainability recovery charges; and
- (c) other sums which may, from time to time, accrue to the Authority.
- (2) Any person who collects and fails to remit to the Authority any monies due to it pursuant to subsection (2) of this section, commits an offence under this Bill and shall be liable on conviction to -
- (a) imprisonment for a term of 2 years or to a fine of ₦2,000,000.00 or to both fine and imprisonment; and
 - (b) refund of the monies owed.
- (3) Funds accruing from the charges referred to under subsection (1) (b) (iii) of this Bill shall be shared in the following manner -
- (a) Federal Airports Authority of Nigeria — 95%; and
 - (b) NSIB — 5%.
- (4) Funds accruing from the charges referred to under subsection (1)(b)(i) of this Bill shall be shared in the following manner -
- (a) Federal Airports Authority of Nigeria — 90%; and
 - (b) Nigerian Meteorological Agency — 10% (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 16: Expenditure of the Authority.

The Authority shall apply the proceeds of the Fund established pursuant to Section 14 of this Bill to -

- (a) the cost of administration of the Authority;

- (b) the reimbursement of members of the Board or any Committee set up by the Board or the Authority for authorised expenses;
- (c) the payment of salaries, fees, allowances and other remunerations payable to members of the Board, employees, experts or professionals appointed by the Authority;
- (d) the payment for all purchases and contracts, including mobilization, fluctuations, variations, legal fees and cost on contract administration;
- (e) the maintenance of any property acquired or vested in the Authority; and
- (f) undertake any other activity or matter connected with all or any of the functions of the Authority under this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 17: Annual estimate and expenditure.

The Authority shall, not later than 30th September in each year, submit to the President, through the Minister, an estimate of the expenditure and income of the Authority during the next succeeding year (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 18: General duty to be financially prudent.

- (1) It shall be the duty of the Authority to conduct its affairs in such a manner that will ensure that its revenue, including any allocation or grant made to it by the Federal Government, is sufficient to meet charges properly chargeable to revenue account, taking one year with another.
- (2) It shall generally be the Authority's financial objective to recover the whole of its costs and to achieve a reasonable return on capital (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 19: Borrowing powers.

- (1) The Authority may from time to time, with the approval of the Board, borrow by overdraft or otherwise, such monies as it may require for the performance of its functions under this Bill.
- (2) Notwithstanding the provisions of subsection (1) of this section, the Authority may, with the approval of the Minister, borrow monies in foreign currency (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

- (xxiii) transhipment fee,
 - (xxiv) premium,
 - (xxv) ground rent,
 - (xxvi) service recovery charge,
 - (xxvii) car hire charges,
 - (xxviii) vehicle towing fee,
 - (xxix) processing fee,
 - (xxx) 5% custom levy,
 - (xxxi) access fee, and
 - (xxxii) cost and sustainability recovery charges; and
- (c) other sums which may, from time to time, accrue to the Authority.
- (2) Any person who collects and fails to remit to the Authority any monies due to it pursuant to subsection (2) of this section, commits an offence under this Bill and shall be liable on conviction to -
- (a) imprisonment for a term of 2 years or to a fine of ₦2,000,000.00 or to both fine and imprisonment; and
 - (b) refund of the monies owed.
- (3) Funds accruing from the charges referred to under subsection (1) (b) (iii) of this Bill shall be shared in the following manner -
- (a) Federal Airports Authority of Nigeria - 95%; and
 - (b) NSIB - 5%.
- (4) Funds accruing from the charges referred to under subsection (1)(b)(i) of this Bill shall be shared in the following manner -
- (a) Federal Airports Authority of Nigeria - 90%; and
 - (b) Nigerian Meteorological Agency - 10% (Hon. Nnolim John Nnaji - Nkanu East/Nkanu West Federal Constituency).

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

Committee's Recommendation:

Clause 16: Expenditure of the Authority.

The Authority shall apply the proceeds of the Fund established pursuant to Section 14 of this Bill to -

- (a) the cost of administration of the Authority;

- (b) the reimbursement of members of the Board or any Committee set up by the Board or the Authority for authorised expenses;
- (c) the payment of salaries, fees, allowances and other remunerations, payable to members of the Board, employees, experts or professionals appointed by the Authority;
- (d) the payment for all purchases and contracts, including mobilization, fluctuations, variations, legal fees and cost on contract administration;
- (e) the maintenance of any property acquired or vested in the Authority; and
- (f) undertake any other activity or matter connected with all or any of the functions of the Authority under this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 17: Annual estimate and expenditure.

The Authority shall, not later than 30th September in each year, submit to the President, through the Minister, an estimate of the expenditure and income of the Authority during the next succeeding year (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 18: General duty to be financially prudent.

- (1) It shall be the duty of the Authority to conduct its affairs in such a manner that will ensure that its revenue, including any allocation or grant made to it by the Federal Government, is sufficient to meet charges properly chargeable to revenue account, taking one year with another.
- (2) It shall generally be the Authority's financial objective to recover the whole of its costs and to achieve a reasonable return on capital (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 19: Borrowing powers.

- (1) The Authority may from time to time, with the approval of the Board, borrow by overdraft or otherwise, such monies as it may require for the performance of its functions under this Bill.
- (2) Notwithstanding the provisions of subsection (1) of this section, the Authority may, with the approval of the Minister, borrow monies in foreign currency (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 20: Power to accept gifts.**

- (1) The Authority may accept gift of land, money or other property or things on such terms and conditions, if any, as may be specified by the person or organisation making the gift.
- (2) The Authority shall not accept any gift where the terms or conditions attached by the person or organisation making the gift are inconsistent with the objectives and functions of the Authority under this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 21: Accounts and audit.**

The Authority shall cause to be kept proper accounts and records of the Authority in respect of each year and shall cause the accounts to be audited not later than 6 months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 22: Annual Report.**

- (1) The Authority shall prepare and submit to the Minister through the Board not later than 30th June in each year, a report in such form as the Minister may direct, the activities of the Authority during the immediate preceding year, and shall include in the report, a copy of the audited accounts of the Fund for that year and the auditor's report.
- (2) The Minister shall, upon receipt of the report referred to in Subsection (1) cause a copy of the report and the audited accounts of the Fund and the auditor's report to be submitted to each House of the National Assembly (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 23: Exemption from tax and statutory remittances.**

The Authority shall be exempted from the payment of all —

- (a) taxes and tenement rates; and
- (b) statutory remittances (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART V — OTHER POWERS OF THE AUTHORITY*Committee's Recommendation:***Clause 24: Power to discontinue use of airport.**

The Authority shall —

- (a) with the consent of the Minister, discontinue the use of any airport maintained by it pursuant to this Bill; and
- (b) make and submit the valuation of the discontinued airport to the Federal Government (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 25: Management of additional airport.

Without prejudice to section 1 (3) of this Bill, the Authority may, with the consent of the Minister, assume the management of any airport in Nigeria in addition to those assigned to it under this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 26: Compulsory acquisition of land.

- (1) For the purposes of the Land Use Act, Cap. L4, Laws of the Federation of Nigeria, 2004 or any State Land Administration Law which provides for the compulsory acquisition of land for overriding interest, any requirement of land by the Authority shall be deemed to be for public purposes of the Federation.
- (2) The compensation if any, payable under the Land Use Act, Cap. L4, Laws of the Federation of Nigeria, 2004 for the acquisition of any land under this section or, payable under the appropriate law for the revocation of any right relating to the land, as the case may be, shall be paid by the Federal Government or the State Government (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 27: Power to acquire land compulsorily.

- (1) Where there is any hindrance to the acquisition by the Authority of any land required for any purpose of the Authority under this Bill by agreement or negotiation, including any failure by the Authority to reach an agreement as to the amount to be paid in respect of the acquisition, the Minister, on the application of the Authority and after such enquiry as he may think necessary may declare that the land is required for the service of the Authority.
- (2) Where a declaration is made under subsection (1) of this section, the land to which the declaration relates shall be deemed to be land required for a public purpose of the Federation within the meaning of the Land Use Act for acquiring the land for the Federal Government.
- (3) A plan of any land referred to in subsection (1) of this section —
 - (a) containing measurements of the boundaries of the land;
 - (b) showing the relationship of the land to any sufficient description of the land for the purposes of any application under that subsection; and

(c) signed by the Managing Director of the Authority.

shall be a sufficient description of the land for the purpose of any application under that subsection (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 28: Power to enter land to make survey, etc.

- (1) Subject to the provisions of this section, the Authority may by its officers or agents enter any land from time to time to discharge the functions of the Authority under this Bill for -
 - (a) survey;
 - (b) construction, placing, maintenance, examination, repair, alteration or removal of any beacon for the purposes of any survey; or
 - (c) cutting and removal of such trees and under wood as may interfere with such surveys.
- (2) The Authority shall when practicable serve on the occupier of any land on which it intends to enter pursuant to subsection (1) of the section, a notice which shall be in writing giving a description of the nature of the purpose of such entry.
- (3) In the discharge of its functions pursuant to subsection (1) of this section, the officers and agents referred to in it may remain on the land for such reasonable time as may enable them to execute and do all the work and things as may be necessary.
- (4) The Authority shall not construct, place, maintain, examine, repair, alter or remove any beacon in or upon any land, road, building, embankment, dock, harbour or pier under the control of any Agency of government without prior approval of the head of the Agency.
- (5) In the exercise of the powers conferred under subsections (1)-(4) of this section, the Authority, its officers or agents shall ensure that buildings, crops, and economic trees are protected from damage and the Federal or State Government, as the case may be, shall pay compensation for any damage done to any building, crops and economic trees (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 29: Establishment of staff housing scheme.

The Authority may with the approval of the Minister establish a staff housing scheme and issue guidelines for its management (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART VI — LEGAL PROCEEDINGS

*Committee's Recommendation:***Clause 30: Limitations of suits against Authority.**

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Authority.
- (2) Notwithstanding anything contained in any other law, no suit shall lie or be instituted in any court against the Authority, any member of the Board, the Managing Director or any other officer or employee of the Authority for an act done in pursuance or execution of this Bill or any law, or any public duty or authority or in respect of any alleged neglect or default in the execution of this Bill or such law, duty or authority, unless —
 - (a) it is commenced within 3 months after the act, neglect or default complained of; or
 - (b) in the case of a continuation of damage or injury, within 6 months after the ceasing of it.
- (3) A suit shall not be commenced against the Authority, a member of the Board, the Managing Director, officer or employee of the Authority before the expiration of a period of 2 months after written notice of intention to commence the suit have been served upon the Authority by the intending plaintiff or their agent; and the notice shall explicitly state the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 31: Service of documents.**

Any notice, summons or other document required or authorised to be served upon the authority under the provision of this Bill or any other law shall be served by delivering the same to the office of the Managing Director of the Authority, or by sending it by registered post addressed to the Managing Director at the headquarters of the Authority (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 32: Restriction on execution of judgment against the Authority.**

- (1) In any action or suit against the Authority, no execution, attachment or process shall be issued against the Authority, unless at least 3 months' notice of the intention to execute or attach the Authority property has been given to the Authority and approval of the Attorney-General of the Federation obtained.
- (2) Any sum of money, which may by the Judgment of any court be awarded against the Authority, shall, subject to any direction given by a competent court where notice of appeal of the said judgement has not been given, be paid from the fund of the Authority (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 33: Indemnity of officers.

A member of the Board, the Managing Director, employees or agents of the Authority shall be indemnified from liability incurred in defending any proceeding brought against the person under this Bill, in the person's capacity as a member of the Board, Managing Director, employee or agent of the Authority (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 34: Arresting an officer on essential services.

An officer or agent of the Authority shall not be arrested while on essential duty where his arrest may result in danger to life or goods unless —

- (a) the head of department in which he is employed; or
- (b) his immediate supervisor, has been given the opportunity to immediately assign a substitute to replace the officer (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 35: Representation of the Authority at hearing of suit.

- (1) In any proceeding before a court of law or tribunal, the Authority may be represented by its legal officers who shall have the right to appear at any stage of a proceeding.
- (2) The Legal Officers of the Authority or the Police shall prosecute any offence under this Bill or Regulation made pursuant to this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART VII — JURISDICTION

Committee's Recommendation:

Clause 36: Jurisdiction.

The Federal High Court shall have jurisdiction to try matters under this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART VIII — OFFENCES AND PENALTIES

Committee's Recommendation:

Clause 37: Prohibition of construction or reconstruction by unauthorized persons or body corporate.

- (1) A person or body corporate shall not commence construction or reconstruction of an aerodrome or airport in Nigeria without consultation with the Authority in line with its functions under this Bill.

- (2) Any person or body corporate that contravenes the provisions of subclause (1) commits an offence, and shall be liable on conviction to a fine not exceeding ₦2,000,000.00 in the case of an individual or ₦5,000,000.00 in the case of a corporate body (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 38: Failure to remit funds.

Any person or body corporate that collects and fails to remit to the Authority any monies due to it under this Bill, commits an offence and shall be liable on conviction —

- (a) in the case of an individual, to a term of imprisonment not exceeding 2 years or to a fine not exceeding ₦2,000,000.00, or to both fine and imprisonment;
- (b) in the case of a body corporate, to a fine not exceeding ₦5,000,000.00; and
- (c) refund of the monies owed (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 39: Offences by staff of a body corporate.

Where an offence under this Bill has been committed by a body corporate, and is proven to have been committed with the consent or connivance of, or attributable to any neglect on the part of the Managing Director, a Director, Manager, Secretary or other similar officer of the body corporate or any person purporting to act in any of those capacities, the person, shall be liable on conviction to a fine not exceeding ₦500,000.00 or a term of imprisonment not exceeding six months, or to both (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART IX — MISCELLANEOUS

Committee's Recommendation:

Clause 40: Power of the Minister to issue directives to the Authority.

The Minister may issue to the Authority, such directives of a general nature or relating to particular matters of policy with regards to the exercise of its functions, as may be considered necessary and it shall be the duty of the Authority to comply with the directives (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 41: Power to make bye-laws.

The Authority may, with the approval of the Minister, make, alter and revoke bye-laws, rules and guidelines for the purpose of giving effect to the provisions of this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 42: Designation of essential services.**

- (1) All services which facilitate and maintain the smooth, orderly and safe takeoff, flight and landing of aircraft, embarkation and the disembarkation and evacuation of passengers and cargo respectively in all aerodromes in Nigeria are hereby designated as essential services pursuant to the provisions of section 11 (1) of the Constitution of the Federal Republic of Nigeria, 1999 (as altered).
- (2) The Minister may by regulations prohibit all or such class or classes of workers, officers and other employees or persons whether corporate or natural, engaged in the provision of the services specified in subsection (1) of this section from taking part in a strike or other industrial action (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 43: Application of Cap. T9, LFN, 2004.**

- (1) The provisions of the Trade Disputes (Essential Services) Act, Cap. T9, Laws of the Federation of Nigeria, 2004 shall apply to service in the Authority, facilities managed by the Authority and in the implementation of this Bill.
- (2) There shall be no strikes, lock-outs, pickets, blockades, service disruptions, etc. of any kind within all facilities managed by the Authority and where any labour dispute arises, such dispute shall be resolved by the Authority (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 44: Repeal.**

The Federal Airports Authority of Nigeria Act, Cap. F5, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Repealed Act") is hereby repealed (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 45: Savings and Transitional Provisions.**

- (1) The repeal of the Act under section 40 shall not affect anything done or purported to have been done under the repealed Act.
- (2) The Managing Director and all staff of the Authority employed under the repealed Act, and existing before the commencement of this Bill, shall continue in office and be deemed to have been appointed under this Bill in accordance with the same terms and conditions.
- (3) There shall be vested in the Authority all assets, funds, resources and other immovable property, which immediately before the commencement of this Bill were vested in the Authority under the repealed Act.

- (4) All rights, interests, obligations and liabilities of the Authority under the repealed Act existing immediately before the commencement of this Bill under any contract or instrument, or in law or in equity shall by virtue of this Bill be assigned to and vested in the Authority established under this Bill (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

Committee's Recommendation:

Clause 46: Interpretation.

In this Bill, unless the context otherwise requires —

"Aerodrome" means a defined area on land or water (including any buildings, installations, and equipment) intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

"Airport " means any defined area on land or water including any building, installation and equipment intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

"Authority" means the Federal Airports Authority of Nigeria established by section 1 of this Bill (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

"Board" means the Governing Board of the Authority as constituted under section 2 (1) of this Bill (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

"Management fee" means the concession fee paid on management contract (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

"Managing Director" means the Managing Director of the Authority appointed pursuant to section 9 of this Bill (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

"Member" means a member of the Board appointed pursuant to section 2 of this Bill, including the chairman (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"Minister" means the Minister charged with responsibility for matters relating to Aviation; and (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"strike" means the cessation of work by a body of persons employed, acting in combination or a concerted refusal or a refusal under a common understanding of persons employed to continue to work for an employer in consequence of a dispute, done as a means of compelling their employer, or the Government of the Federation of Nigeria or any part of it, or to aid any other worker in compelling his employer or any person or body of persons employed, to accept or not to accept terms of employment and physical conditions of work or any government economic policy or pricing of any essential product; and in this definition —

- (a) "cessation of work" includes working at less than usual speed or with less than usual efficiency without reasonable operational justification; and
- (b) "refusal to continue to work" includes a refusal to work at usual speed or with usual efficiency (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

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

Committee's Recommendation:

Clause 47: Short Title.

This Bill may be cited as the Federal Airports Authority of Nigeria Act (Repeal and Re-enactment) Bill, 2022 (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

SCHEDULES

FIRST SCHEDULE

[Section 1 (3)]

LIST OF AIRPORTS MAINTAINED BY THE FEDERAL AIRPORTS AUTHORITY OF NIGERIA

<i>S/No.</i>	<i>State</i>	<i>City Served</i>	<i>ICAO</i>	<i>IATA</i>	<i>Airport Name</i>
1.	Adamawa	Yola	DNYO	YOL	Yola Airport
2.	Benue	Makurdi	DNMK	MDI	Makurdi Airport
3.	Borno	Maiduguri	DNMA	MIU	Maidugri International Airport
4.	Cross River	Calabar	DNCA	CBQ	Margaret Ekpo International Airport
5.	Edo	Benin	DNBE	BNI	Benin Airport
6.	Enugu	Enugu	DNEN	ENU	Akanu Ibiam International Airport
7.	FCT	Abuja	DNAA	ABV	Nnamdi Azikiwe International Airport
8.	Imo	Owerri	DNMI	QOW	Sam Mbakwe International Cargo Airport
9.	Kaduna	Kaduna	DNKA	KAD	Kaduna Airport
10.	Kaduna	Zaria	DNZA	ZAR	Zaria Airport
11.	Kano	Kano	DNKN	KAN	Mallam Aminu Kano International Airport
12.	Katsina	Katsina	DNKT	DKA	Umaru Musa Yar'Adua International Airport
13.	Kwara	Ilorin	DNIL	ILR	Ilorin Airport
14.	Lagos	Ikeja	DNMM	LOS	Murtala Mohammed International Airport
15.	Niger	Minna	DNMN	MXJ	Minna Airport
16.	Ondo	Akure	DNAK	AKR	Akure Airport
17.	Oyo	Ibadan	DNIB	IBA	Ibadan Airport
18.	Plateau	Jos	DNJO	JOS	Yakubu Gowon Airport
19.	Rivers	Port Harcourt	DNPO	PHC	Port Harcourt International Airport
20.	Sokoto	Sokoto	DNSO	SKO	Sadiq Abubakar III International Airport

(Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

SECOND SCHEDULE

[Section 2 (5)]

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Board

1. Subject to this Bill and section 27 of the Interpretation Act, Cap. I23, Laws of the Federation of Nigeria, 2004, the Board shall have power to regulate its proceedings and may make standing orders with respect to the holding of its meetings and those of its committees, notices to be given, keeping of minutes of its proceedings, custody and production for inspection of such minutes and such other matters as the Board may, from time to time determine.
2. The Board shall meet not less than 4 times in each year, and whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice given by not less than 4 other members, the Chairman shall summon a meeting of the Board to be held within 30 days from the date on which the notice is given.
3. At any meeting of the Governing Board, the Chairman shall preside but if absent, the members present at the meeting shall appoint one of them to preside at that meeting.
4. The minutes of the Board shall be recorded by the Secretary and signed by the Chairman or the person who presided at the meeting, after confirmation by the Board.
5. A quorum at a meeting of the Board shall be one-third of the total number of members.

Convening of Meetings of the Board

7. The Chairman shall, at any time, if 5 other members request in writing, convene an emergency meeting of the Board, provided that not less than 48 hours' notice is given to members for the meeting.
8. Where the office of Chairman is at any time vacant, or the Chairman is absent from Nigeria or is in the opinion of the Board permanently or temporarily unable to perform the functions of the office, the Managing Director shall convene such meetings of the Board as are required during the period of vacancy, absence or otherwise.
9. The Board shall meet for the conduct of its business at such places and on such days as the Chairman may appoint.
10. A question put before the Board at a meeting shall be decided by consensus and where this is not possible, by a majority of the votes of the members present and voting.
11. The Chairman shall, in the case of an equality of votes, have a casting vote in addition to the Chairman's deliberative vote.

12. Where the Board seeks the advice of any person on a particular matter, the Board may invite that person to attend its meeting for such period as it may deem fit provided that a person who is invited by virtue of this paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards the quorum.

Committees

13. The Board may appoint one or more committees to carry out on behalf of the Board such of its functions as the Board may determine and report on any matter with which the Board is concerned.
14. A committee appointed under paragraph 13 of this Schedule shall be presided over by a member of the Board and shall consist of such number of persons (not necessarily all members of the Board) as, may be determined by the Board.
15. A person who is not a member of the Board shall hold office on the committee in accordance with his letter of appointment.
16. A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Seal of the Authority

17. The application of the common seal of the Authority shall be authenticated by the signature of the Managing Director on behalf of the Authority.
18. A contract or an instrument which, if made or executed by any person not being a body corporate, and not required to be under seal, may be made or executed on behalf of the Authority by the Managing Director or by any person generally or specifically authorised to act for that purpose by the Board.
19. A document purporting to be a contract, an instrument or other document signed or sealed on behalf of the Authority shall be received in evidence and, unless the contrary is proved, be presumed without further proof, to have been properly signed or sealed.

Conflict of Interest

20. The Minister, members of the Governing Board, the Managing Director and employees of the Ministry in charge of civil aviation and the Authority shall not control, manage or operate any air transport undertaking while in office.
21. Any of the persons specified in paragraph 18 of this Schedule, having a financial interest in any air transport undertaking shall make full disclosure of such interest to their respective appointing authorities.
22. The persons mentioned in paragraph 18 of this Schedule are prohibited from participating in any action or decision that may, whether directly or indirectly affect their financial interest in any air transport undertaking or other concern which the Authority proposes to carry out or with which the Authority proposes to make any contract or arrangement.

23. Any member of the Board or committee who has a personal interest in any arrangement entered into or proposed to be considered by the Board or any committee shall —
- (a) disclose his interest to the Board or committee; and
 - (b) not vote on any question relating to the arrangement.

Miscellaneous

24. The validity of any proceeding of the Board or its committees shall not be affected by —
- (a) any vacancy in the membership of the Board or its committees;
 - (b) reason that a person not entitled to do so took part in the proceedings; or
 - (c) any defect in the appointment of a member.
25. A resolution of the Board is valid, even though it is not passed at a meeting of the Board, where —
- (a) the notice in writing of the proposed resolution was given to each member; and
 - (b) the resolution is signed or assented to by a majority of members of the Board, including the Managing Director (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Explanatory Memorandum:

(This Memorandum does not form part of the Bill but is intended to explain its purport)

This Bill seeks to repeal the Federal Airports Authority of Nigeria Act, Cap. F5, Laws of the Federation of Nigeria, 2004 and to enact the Federal Airports Authority of Nigeria Act to provide for the management of airports in Nigeria and for other related matters (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

Agreed to.

Long Title.

A Bill for an Act to Repeal the Federal Airports Authority of Nigeria Act, Cap. F5, Laws of the Federation of Nigeria, 2004; to Enact the Federal Airports Authority of Nigeria Act to Provide for the Effective Management of Airports in Nigeria; and for Related Matters (HB. 461) (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Aviation on a Bill for an Act to Repeal the Federal Airports Authority of Nigeria Act, Cap. F5, Laws of the Federation of Nigeria, 2004 and Enact the Federal Airports Authority of Nigeria Bill to Provide for the Effective Management of Airports in Nigeria; and for Related Matters (HB. 461) and approved Clauses 1 - 47, 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.

(iii) Committee on Aviation:

Motion made and Question proposed, “The House do consider the Report of the Committee on Aviation on a Bill for an Act to Repeal the Nigerian Airspace Management Agency Act, Cap. N90, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Airspace Management Agency Bill to provide Efficient Air Navigation Services in Nigeria, Ensure Safety and Regulation of Air Navigation in Nigeria and to any other place which Nigeria has Responsibility of Providing Air Navigation Services; and for Related Matters (HB. 462)”
(Hon. Nnoli Nnaji — Nkanu East/Nkanu West Federal Constituency)

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE NIGERIAN AIRSPACE MANAGEMENT AGENCY ACT, CAP. N90, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND TO RE-ENACT THE NIGERIAN AIRSPACE MANAGEMENT AGENCY ACT FOR THE PURPOSES OF PROVIDING EFFECTIVE AIR NAVIGATION SERVICES IN NIGERIA; ENSURING SAFETY AND REGULARITY OF AIR NAVIGATION IN NIGERIA AND TO ANY OTHER PLACE WHICH NIGERIA HAS RESPONSIBILITY OF PROVIDING AIR NAVIGATION SERVICES; AND OTHER RELATED MATTERS (HB. 462)

PART I — OBJECTIVES AND APPLICATION***Committee's Recommendation:*****Clause 1: Objective.**

The objective of this Bill is to provide a comprehensive legal and institutional framework for the provision of effective air navigation services in Nigeria, ensuring safety and regularity of air navigation in Nigeria and any other place in which Nigeria has responsibility of providing air navigation services and other related matters (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

*Committee's Recommendation:***Clause 2: Application.**

This Bill applies in respect of every aircraft in the Nigerian airspace or any other airspace in respect of which Nigeria has responsibility for the provision of air traffic control service (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART II — NIGERIAN AIRSPACE MANAGEMENT AGENCY*Committee's Recommendation:***Clause 3: Establishment of the Nigerian Airspace Management Agency.**

- (1) There is established a body to be known as the Nigerian Airspace Management Agency (in this Bill referred to as "the Agency").
- (2) The Agency —
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue or be sued in its corporate name; and
 - (c) may acquire, own, hold, mortgage, lease or dispose of property, whether movable or immovable for the purpose of carrying out any of its functions under this Bill.
- (3) The Agency shall be the sole body responsible for providing air navigation services in Nigeria and any other place in which Nigeria has responsibility for providing air navigation services and other related matters (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 4: Establishment and membership of the Governing Board.**

- (1) There is established for the Agency a Governing Board (in this Bill referred to as "the Board").
- (2) The Board shall consist of —
 - (a) a part time chairman;
 - (b) one representative not below the rank of a Director from each of the —
 - (i) Federal Ministry in charge of Aviation,
 - (ii) Nigerian Air Force,

- (iii) Federal Ministry in charge of Communications, and
 - (iv) Federal Ministry in charge of Transportation;
- (c) 2 other persons to represent public interest; and
- (d) the Managing Director of the Agency.
- (3) The Chairman and members of the Board, other than the *ex-officio* members, shall be —
 - (a) appointed by the President on the recommendation of the Minister; and
 - (b) persons with proven integrity and ability.
- (4) The composition of the Governing Board shall reflect equity and fairness as enshrined in Section 14 (3) of the 1999 Constitution (as amended)
- (5) The Chairman shall be a person with at least 15 years cognate experience in matters relating to aviation.
- (6) The Supplementary Provisions set out in the Schedule to this Bill, shall have effect with respect to proceedings of the Board and any other matter contained in it (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 5: Tenure of office.

The Chairman and members of the Board other than the *ex-officio* members shall —

- (a) hold office for a term of 4 years on such terms and conditions as may be specified in the letter of appointment; and
- (b) be eligible for re-appointment for another term of 4 years and no more (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 6: Cessation of office.

- (1) Notwithstanding the provisions of section 5 of this Bill, a person shall cease to hold office as a member of the Board where —
 - (a) his term of office expires;
 - (b) he resigns his office by a notice in writing under his hand addressed to the President through the Minister;

- (c) he dies;
 - (d) he becomes incapable of carrying out his duties due to physical or mental illness;
 - (e) he has been declared bankrupt;
 - (f) he has been convicted of a felony or any offence involving dishonesty;
 - (g) he is found guilty of a gross misconduct relating to his duties;
 - (h) in the case of a person possessed of professional qualification, is disqualified or suspended from practicing his profession in any part of the world by an order of a competent authority; or
 - (i) in the case of an ex-officio member, ceases to hold the office on the basis of which he became a member of the Board.
- (2) Notwithstanding the provisions of subsection (1) of this section, a member of the Board may be suspended or removed from office by the President if he is satisfied that it is not in the interest of the Agency and public that such member should continue in office.
- (3) Where a vacancy occurs in the membership of the Board, it shall be filled by an appointment by the President of a successor to hold office for the remainder of the term of office of his predecessor and the successor shall represent the same interest as that member whose exit created the vacancy (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 7: Allowances of Board Members.

There shall be paid to every member of the Board such allowances and expenses as the Federal Government may, from time to time, direct (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART III — FUNCTIONS AND POWERS

Committee's Recommendation:

Clause 8: Functions of the Agency.

- (1) The functions of the Agency shall be to —
- (a) provide air traffic services in Nigeria and any other place where Nigeria has responsibility for provision of air navigation services,

- including air traffic control, visual and non-visual aids, aeronautical information services, aeronautical telecommunication, telecommunication, communication, flight calibration services and electricity supplies relating thereto, to enable public transport, private, business and military aircraft to fly, as far as practicable and as safely as possible;
- (b) provide at all Nigerian airports and aerodromes air navigation services necessary for the operation of aircraft taking-off and landing and integrate them into the overall flow of air traffic within the Nigerian airspace;
 - (c) carry out obstruction evaluation necessary to minimise or prevent interference with the use or effectiveness of all apparatus used in connection with air navigation and for prohibiting the use of such apparatus and the display of any sign, light, tower and masts liable to endanger aircraft and endanger the use of the Nigerian airspace;
 - (d) generally secure the safety, efficiency and regularity of air navigation;
 - (e) require any person engaged or employed in connection with air navigation, to supply meteorological information for the purpose of air navigation or as may be deemed necessary from time to time;
 - (f) provide adequate personnel for providing effective security for navigational aids facilities outside the airport perimeters;
 - (g) create conditions for the development, in the most efficient and economic manner, of air navigation services;
 - (h) procure, install and maintain adequate aeronautical telecommunication, communication, navigation and surveillance, telecommunication facilities for air traffic management and other allied services at all Nigerian airports and aerodromes;
 - (i) provide enhanced operational techniques and improve air navigation safety and national airspace capacity system through integration of new technologies, implementation of next generation systems, air traffic control modernization projects, integration of unmanned aircraft system and drones into the national airspace, deployment of unmanned air traffic control management system and system-wide information management in line with global and regional air navigation plans;
 - (j) provide seamless engineering and infrastructure technology for implementation of aviation system block upgrade, to ensure global interoperability and safety in the Nigerian airspace;

- (k) ensure effective co-ordination in the use of Nigerian airspace in line with established standard and procedure;
- (l) provide the co-ordination at all levels of collaborative decisions-making relating to airspace management and air traffic control in Nigeria;
- (m) ensure innovative airspace design development and utilization to meet air traffic capacity within the Nigerian airspace in order to improve flight efficiency and reduce flight time;
- (n) provide and manage on commercial basis, air traffic and air navigation services to private and state owned airports;
- (o) hold regular meetings with the armed forces on Nigeria's international obligations as it relates to civil and military co-ordination;
- (p) promote familiarisation visits by civil and military personnel to any air traffic service unit;
- (q) maintain permanent liaison with the civil air traffic services units and all relevant defence units, in order to ensure daily integration or segregation of civil and military air traffic operations within the same or adjacent portions, employing civil or military radars as necessary;
- (r) preclude the need for civil aircraft to obtain special air defence clearance;
- (s) take any necessary step to reasonably prevent the penetration of controlled airspace by any aircraft, civil or military without co-ordination with the air traffic control unit concerned;
- (t) undertake research and study relating to air navigation activities in order to promote the development of air navigation services and align with relevant changes in global, regional and national plans, procedures, mechanisms, essential for the provision of efficient, safe and orderly air navigation services;
- (u) undertake systems engineering development, implementation for communications, navigation and surveillance, air traffic management and telecommunications and other allied services;
- (v) conduct investigation into any air traffic incidents with a view to determining the cause and take necessary measures to prevent such re-occurrence;
- (w) charge for all services provided by the Agency;

- (x) co-ordinate the implementation of aeronautical search and rescue and may demand by requisition from any organisation any available equipment, facilities or personnel which may assist in the speedy and effective use in aeronautical search and rescue emergency situations;
 - (y) discharge the operational, technical and financial air traffic service commitments arising from Nigeria's membership to any international organisation and other air navigation agencies.
- (2) Further to the provisions of subsection (1) of this section, the Agency shall
- (a) conduct routine safety surveys and where necessary make any improvement to conform compliance with applicable Safety Management System;
 - (b) ensure that the necessary safety measures are put in place to prevent compromise of air navigation safety standards within and outside the airport;
 - (c) ensure the continued operations and availability of airborne and ground components of the Air Traffic Management system through cooperation with relevant parties;
 - (d) cooperate with anybody through partnership or joint venture for the purpose of providing aeronautical telecommunication and telecommunications services within the airports and to discharge any other function of the Agency;
 - (e) deploy terrestrial and satellite communication facilities for air navigation services;
 - (f) conduct hazard identification and risk assessment and mitigation processes which may include a determination of the scope, boundaries and interfaces of the constituent part being considered, as well as the identification of the functions that the constituent part is to perform and the environment of operations in which it is intended to operate;
 - (g) maintain a data bank that will provide accurate, dependable and reliable information to the entire Aviation sector for effective planning and advisory to industry users and stakeholders to build capacity for safe air transportation;
 - (h) carry out the design, regular and periodic review of national airspace architecture including appropriate instrument approach procedures for aircraft operations to enhance airspace capacity;

- (i) undertake the publication and distribution of aeronautical information and any other guidance material in the form of Aeronautical Information Publications (AIPs), Notices to Airmen (NOTAM), Aeronautical Information Circulars (AICs), etc.;
 - (j) produce charts that will provide flight crew with detailed information on the airport or aerodrome to facilitate the ground movement of aircraft between the taxiways and the aircraft stands and the parking or docking of aircraft within the airport or aerodrome;
 - (k) develop and manage the framework for cyber-resistance to help mitigate cyber-threats and risks to air navigation systems and facilities and share cyber related incident information with relevant aviation stakeholders; and
 - (l) undertake the classification and allocation of the use of the Nigerian airspace for aircraft operations in collaboration with the relevant Government Agency.
- (3) A person other than the Agency shall not provide air navigation services in respect of the Nigerian airspace or any other airspace which Nigeria has responsibility to provide such services.
- (4) The Agency may with the approval of the Minister, introduce or increase, terminate, or reduce air navigation services, and close or relocate facilities used by it in connection with navigation services within the Nigerian airspace or any other airspace which Nigeria has responsibility for the provision of air navigation services.
- (5) A person shall not commence construction or reconstruction of an aerodrome in Nigeria without the necessary input of the Agency in line with its functions under this Bill.
- (6) The functions of the Agency in this Bill is vested in the Managing Director of the Agency who may exercise them directly or through the Directors or any other staff of the Agency he may deem fit (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 9: Powers of the Agency.

- (1) Subject to the provision of this Bill, the Agency shall have powers to —
- (a) make, alter and revoke rules, byelaw and guidelines for the purpose of giving effect to the provisions of this Bill;
 - (b) charge cost and sustainability recovery charges for services rendered by the Agency to users;

- (c) levy such charges or fees on aircraft operators, private and state aerodrome operators for air traffic control services, international and domestic en-route flight services, over-flight services, terminal navigation services and any other charges or fees as may be determined by the Agency from time to time;
 - (d) deny or withhold flight clearance to any operator until the amount of charges or fees imposed by the Agency has been paid by the operator or a security or guarantee has been given to the satisfaction of the Agency for the payment of the charges or fees;
 - (e) inspect or examine accounts, records and memoranda required to be kept by aircraft and aerodrome operators; or
 - (f) cooperate and collaborate with the relevant authority within and outside Nigeria to ensure coordinated search and rescue operations for missing aircraft and aircraft in distress; and
 - (g) do anything, which in its opinion is calculated at facilitating the execution of its functions under the provisions of this Bill.
- (2) Notwithstanding the provision of any other law, policy or circular in force, any fees and charges imposed by the Agency shall not be subject to any deductions or remittance to any other body (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 10: Functions and powers of the Board.

The Board shall —

- (a) provide the general policies and guidelines relating to the discharge of the functions of the Agency;
- (b) monitor the implementation of the policies and programmes of the Agency;
- (c) consider terms and conditions of service including remuneration of the employees of the Agency; and
- (d) do such other things which in the opinion of the Board is considered necessary or expedient to ensure the performance of the Board's functions under this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART IV — MANAGEMENT AND STAFF OF THE AGENCY

*Committee's Recommendation:***Clause 11: Managing Director of the Agency.**

- (1) There shall be appointed for the Agency a Managing Director —
 - (a) by the President on the recommendation of the Minister; and
 - (b) on such terms and conditions as may be specified in the letter of appointment or as may be determined, from time to time, by the Government of the Federation.
- (2) The Managing Director shall be —
 - (a) the chief executive and accounting officer of the Agency;
 - (b) responsible for the day-to-day administration of the Agency;
 - (c) appointed for a term of 5 years and may subject to satisfactory performance be re-appointed for a further term of 5 years and no more;
 - (d) a person who possesses relevant and adequate professional qualification in a senior management cadre; and
 - (e) a person who has been qualified in air navigation services for a period of not less than 15 years, 5 of which shall be in the senior management cadre in an air navigation services provider environment.
- (3) Without prejudice to the foregoing provisions of this section, the Managing Director may be removed from office by the President where he —
 - (a) has demonstrated inability to effectively perform the duties of his office;
 - (b) has been absent from 5 consecutive meetings of the Board without the consent of the Chairman or good reason for such absence;
 - (c) is guilty of serious misconduct;
 - (d) is disqualified or suspended from practicing his profession in any part of the world by an order of competent authority; or
 - (e) is guilty of conflict of interest as stipulated under section 14 of this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 12: Appointment of Secretary of the Board.**

There shall be appointed for the Board a secretary who shall —

- (a) be the Director Legal Services and Legal Adviser of the Agency and a legal practitioner and shall have been so qualified for a period of not less than 12 years;
- (b) have power to conduct the correspondences and keep the records of the Board; and
- (c) perform such other functions as the Board or the Managing Director, may assign to him from time to time (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 13: Other Staff of the Agency.**

- (1) The Agency shall appoint such number of employees which in their opinion is expedient and necessary for the proper and efficient performance of its function under this Bill.

- (2) The composition of the Directors and Senior Management staff of the Agency appointed under the Bill shall reflect equity and fairness as enshrined in Section 14 (3) of the 1999 Constitution (as amended).

- (3) The staff of the Agency appointed under subsection (1) of this section shall be appointed on such terms and conditions of service as the Agency may determine in accordance with the approved Government Policy.

- (4) Notwithstanding the provisions of subsections (1) and (2) of this section, the Agency shall have power to appoint either directly or on secondment from any public service in the Federation, such number of employees as may in the opinion of the Board be required to assist the Agency in the discharge of any function under this Bill.

- (5) Nothing in subsection (3) of this section shall preclude the Agency from appointing such number of persons from outside the public service of the Federation or of the State, where it deems it necessary so to do.

- (6) The Agency may subject to the approval of the Board, make regulations relating generally to the terms and conditions of service of its employees providing for —

- (a) the appointment, promotion and staff discipline;
- (b) remuneration, allowances, benefits and pension of the employees of the Agency;

(c) appeals by employees against disciplinary measures; and

(d) such other matters to ensure the efficient performance of the functions of the Agency under this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 14: Conflict of Interest, Insider Dealing and Confidentiality.

(1) The Members of the Governing Board, the Managing Director, Directors and the employees of the Agency shall not control, manage or operate any aviation enterprise while in office.

(2) Any of the persons specified in subsection (1) of this section, having a financial or other interest in any aviation enterprise shall make full disclosure of such interest to their respective appointing authorities.

(3) Any of the persons mentioned in subsection (1) of this section is prohibited from participating in any action or decision that may, whether directly or indirectly affect their financial interest in any aviation enterprise.

(4) A member of the Board, the Managing Director or any other officer or employee of the Agency shall —

(a) not for his personal gain, make use of any information which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of his duty as a member of the Board, the Managing Director, officer or employee of the Agency;

(b) treat as confidential any information which has come to his knowledge in the exercise of his powers or is obtained by him in the performance of his duties under this Bill; and

(c) not disclose any information referred to under paragraphs (a) and (b) of this subsection, except when required to do so by a court of competent jurisdiction or in such other circumstances as may be prescribed by the Board, from time to time.

(5) Any person who contravenes the provisions of subsection (4) of this section, commits an offence and is liable on conviction to a fine of not less than ₦200,000.00 or to a term of not less than 6 months imprisonment or to both (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 15: Service in the Agency to be pensionable.

(1) Service in the Agency shall be the approved service for the purposes of the Pension Reform Act.

- (2) Officers and other persons employed in the Agency shall be entitled to pensions, severance and other retirement benefits, as are enjoyed by persons holding equivalent grades in the Civil Service of the Federation.
- (3) Nothing in subsections (1) and (2) of this section shall prevent the appointment of a person to any office on terms which preclude the grant of pension and severance package in respect of that office.
- (4) For the purpose of the application of the provisions of the Pension Reform Act, No. 4 of 2014, any power exercisable under the Act by the Minister or other authority of the Government of the Federation, other than the power to make regulations is hereby vested in and shall be exercisable by the Board and not by any other person or authority (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 16: Appointment of Experts.

In exercising and performing the powers, functions and duties conferred on it under this Bill, the Agency may appoint, contract, liaise or co-operate with experts, including specialised agencies, academic or technical institutes in order to assist it in carrying out its functions (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 17: Delegation of Powers.

- (1) For the effective discharge of the functions conferred on the Managing Director under this Bill, the Managing Director may discharge any of the functions through the directors in charge of any of the following Directorates —
 - (a) Air Traffic Services;
 - (b) Safety, Electronics and Engineering Services;
 - (c) Finance and Accounts;
 - (d) Human Resources and Administration;
 - (e) Legal and Compliance Services;
 - (f) Administration; or
 - (g) any other Directorate as may be established from time to time by the Agency.

- (2) Notwithstanding the provisions of subsection (1) of this section, the Agency shall with the approval of Board have the powers to —
- (a) set up special units, technical Committee, working groups and task forces to assist the Agency in the performance of its duties and functions under this Bill; and
 - (b) make changes to its structure, including the review or merging of Directorates (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART V — FINANCIAL PROVISIONS

Committee's Recommendation:

Clause 18: Funds of the Agency.

- (1) There shall be established and maintained by the Agency, a fund into which shall be paid and credited —
- (a) all subventions and budgetary allocations from the Government of the Federation;
 - (b) all fees and funds accruing from —
 - (i) over flight and enroute international charges,
 - (ii) domestic enroute charges,
 - (iii) charges on Class B messages,
 - (iv) 23 percent of the air ticket sales charges,
 - (v) 23 percent of the cargo sales charges,
 - (vi) 23 percent of charter sales charges,
 - (vii) terminal navigation charges,
 - (viii) sales of information,
 - (ix) violation of airspace fines,
 - (x) rentage of property, plant and equipment,
 - (xi) calibration fees,
 - (xii) obstacle evaluation fees,
 - (xiii) telecommunications services,

- (xiv) provision of air traffic services at private and state aerodromes,
 - (xv) hajj or pilgrimage operations,
 - (xvi) cartographic survey and cartography charges,
 - (xvii) aerial operations charges,
 - (xviii) consultancy services, and
 - (xix) sales, rents or lease of landed properties;
- (c) sums accruing to the Agency by way of gifts, endowments, bequests, grants or other contributions by persons and organisations;
- (d) return on investments;
- (e) domestic and foreign aids and assistance;
- (f) any other fund that may be approved for the development of Civil Aviation in Nigeria; and
- (g) other sums which may, from time to time, accrue to the Agency.
- (2) The owner and operator of an aircraft or aerodrome shall jointly and severally be liable for any charges for air navigational services rendered by the Agency in respect of their aircraft.
- (3) The Agency may impose charges or fees which may be reviewed from time to time for services provided by the Agency under this Bill.
- (4) Charges and fees payable in respect of the services performed by the Agency shall be paid within 30 days from the commencement of the service. If the Charges or fees are not paid within the period specified, the Agency may apply a 6 percent compound interest on the amount of charges or fees until the time the charges or fees are paid or a security satisfactory to the Agency has been posted as evidence of payment of the charges or fees (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 19: Duty to be financially prudent.

- (1) The Managing Director shall conduct the Agency's affairs with prudence and due diligence to ensure that the Agency does not become insolvent.

- (2) Where the Agency suffers any financial loss as a result of any waiver granted by any person, body or institution, the Agency shall be compensated for the financial loss sustained in complying with the waiver by the person, body or institution that grants such a waiver (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 20: Collection of unpaid or overdue charges.

- (1) The Agency may suspend the provision of service to any aircraft or aerodrome operator who fails to pay overdue charges until payment of such amount is made or bond or any other security satisfactory to the Agency for the amount due is deposited with the Agency.
- (2) In addition to any other remedy provided for in this Bill or guidelines made pursuant to this Bill in relation to collection of unpaid and overdue charges imposed by the Agency for air navigation services, whether or not a Judgment for the collection of the charges has been obtained, the Agency may apply to the Federal High Court, for an order authorising the Agency to seize and detain any aircraft belonging to the defaulting operator until the charges are paid or a bond or collateral security acceptable to the Agency is provided for the unpaid and overdue amount.
- (3) An application for an order referred to in subsection (1) of this section, may be made *ex-parte* if the Court has reason to believe that the person liable to pay the charges is about to leave Nigeria, or remove from Nigeria any aircraft owned or operated by him.
- (4) The Agency may release from detention, an aircraft seized and detained under this section, where —
- (a) the amount in respect of which the seizure is made has been paid; or
- (b) a bond or other security in a way that is satisfactory to the Agency for the amount in respect of which the seizure was made is discharged.
- (5) Any person who collects and fails to remit to the Agency any such monies due to the Agency pursuant to this Bill commits an offence and shall be liable on conviction to a term of 2 years imprisonment or a fine of ₦5,000,000.00 or both in addition to the refund of total monies unremitted (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 21: Expenditure of the Agency.

The Agency may, from time to time, apply the proceeds of the fund established in pursuance of section 18 of this Bill —

- ° (a) to pay overhead allowances, benefits and other administrative costs of the Agency;
- (b) for the reimbursement of members of the Board or any Committee set up by the Board or the Agency for such expenses as may be authorised in accordance with the rates approved by the Government of the Federation;
- (c) for the payment of salaries, fees and other remunerations or allowances, payable to members of the Board, employees, experts or professionals appointed by the Agency;
- (d) to publicise and promote the activities of the Agency;
- (e) for the maintenance of any property acquired or vested in the Agency; and
- (f) ° to undertake any other activity or matter connected with all or any of the functions of the Agency under this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 22: Power to accept gifts.

- (1) The Agency may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.
- (2) The Agency shall not accept any gift, where the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Agency under this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 23: Annual estimates and expenditure.

- (1) The Agency shall, not later than 30th September in each year, submit to the National Assembly through the President, an estimate of the expenditure and income of the Agency during the next succeeding year.
- (2) The Agency shall cause to be kept, proper accounts and records of the Agency in respect of each year and shall cause the accounts to be audited not later than 6 months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 24: Annual reports.**

- (1) The Board shall receive and review annual report from the management of the Agency and submit same to the President, through the Minister, not later than 30th June of each year.
- (2) The report shall be in such form as the President may direct on the activities of the Agency during the immediate preceding year and shall include the accurate statistical data on traffic of aircraft and passenger movement, over-flights and en-routes, a copy of the audited accounts of the Agency for the year and the auditor's report on it (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 25: Power to borrow.**

- (1) The Agency may from time to time, obtain loan in form of an overdraft or otherwise, such sums as it may require for the performance of its functions under this Bill.
- (2) The Agency shall not without the approval of the President borrow money which exceeds at any time the limit set by the Government of the Federation.
- (3) Notwithstanding the provisions of subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Agency shall not borrow the sum without the prior approval of the President (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 26: Power to invest funds.**

- (1) The Agency may invest any of its funds in securities or any other profit yielding investment as may be approved by the Board.
- (2) The Agency may, subject to the provisions of this Bill, invest any of its funds as may be financially prudent and maintain a general reserve (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 27: Exemption from tax.**

- (1) The Agency shall be exempted from the payment of tenement rates and income tax or any other tax on any income accruing from investments made by the Agency.

- (2) The provisions of any law relating to the taxation of income of companies or contribution to any funds or trust funds shall not apply to the Agency (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART VI — GENERAL POWERS OF THE AGENCY

Committee's Recommendation:

Clause 28: Power to obtain information.

- (1) For the purposes of obtaining relevant information for the proper discharge of the functions conferred upon it under this Bill, any authorised officer of the Agency may by notice in writing —
- (a) require any person who undertakes the business of carrying passengers or cargo in an aircraft for reward, to furnish him with such information relating to such flights or class of flights, either at the beginning or at the end of the same point or at different points;
 - (b) as may be specified in the notice, furnish the Agency with such information relating to the flight plan, instrument carried on the aircraft and any other information required for the safe landing within and exit of any aircrafts from the Nigerian airspace; and
 - (c) specify the times at which, the form and manner in which, any information required under paragraph (a) or (b) of this subsection shall be made.
- (2) For the purposes of this section, "authorized officer" means the Managing Director or any other officer of the Agency specifically or generally authorised by the Managing Director to carry out the functions of an authorized officer under this section (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 29: Penalties for refusal to give information.

- (1) A person or entity who fails to give information as required under section 28 of this Bill, commits an offence and is liable on conviction —
- (a) in the case of an individual, to a fine of not less than ₦200,000.00 or a term of 6 months imprisonment or to both; and
 - (b) in the case of an entity or body corporate, a fine of not less than ₦500,000.00.
- (2) A person or entity who knowingly makes a false statement to any particulars given pursuant to a request made by the Agency under section 28 of this Bill, commits an offence and is liable on conviction —

- (a) in the case of an individual, to a fine of not less than ₦200,000.00 or a term of 6 months imprisonment or to both; and
- (b) in the case of an entity or body corporate, a fine of not less than ₦500,000.00 (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 30: Restriction on disclosure of information.

- (1) The estimates, returns or information relating to an air transport undertaking to obtain the foregoing provisions of this Bill shall not, without prior consent of the person carrying on the undertaking, which is the subject of the estimate, returns or information, be disclosed except —
 - (a) in accordance with directions given by the Agency, for the purpose of exercising any of its functions under this Bill; or
 - (b) for the purpose of any proceedings for which an offence under this Bill or any report of those proceedings is required.
- (2) Any person who discloses any estimates, returns or any information in contravention of the provisions of this section, commits an offence and is liable on conviction to a fine of not less than ₦200,000.00 or to a term of not less than 6 months imprisonment or to both (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 31: Power to enter land to make a survey, etc.

- (1) The Agency may through its authorised officers or agents, enter any land for the purposes of —
 - (a) discharging its functions under this Bill;
 - (b) inspecting and examining lands, buildings and equipment of any air carrier;
 - (c) inspecting or examining accounts, records and memoranda required to be kept by air carriers; or
 - * (d) the cutting and removal of trees, underwood or structures that may interfere with survey and any installation which constitute a hazard to safety of air navigation.

- (2) The Agency shall, where practicable, serve on the occupier of any land which it intends to enter pursuant to subsection (1) of this section, a notice which shall be in writing, giving a description of the work intended to be carried out on the land.
- (3) In the discharge of its function pursuant to subsection (1) of this section, the officers or agents of the Agency may remain on any of such land for a reasonable time as to enable them execute and do all such work as may be necessary (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 32: Compensation for damages, etc.

- (1) In the exercise of the powers conferred by section 31 of this Bill, the Agency or its officers, or agent shall ensure that buildings, crops, and economic trees are protected from damages and Agency shall pay compensation for any damage done to any building, crops and economic trees.
- (2) In the case of dispute as to the amount of compensation payable, the same shall be determined by the Federal High Court (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 33: Grant of aircraft flight clearance.

- (1) The Agency may on application made to it by an airline or airline handling agent, grant an aircraft flight clearance to —
 - (a) operate scheduled flight within the Nigerian airspace;
 - (b) operate non-scheduled flights within the Nigerian Airspace; or
 - (c) overfly the Nigerian airspace.
- (2) Any person who operates an aircraft without flight clearance commits an offence under this Bill and shall be liable on conviction to a fine of not less than ₦3,000,000:00 for body corporate and where the contravention is by an individual, to a fine not less than ₦1,000,000:00 (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 34: Conditions for the grant of aircraft flight clearance.**

The Agency shall by guideline published in the Aeronautical Information Publication (AIP), Aeronautical Information Circular (AIC) or Gazette prescribe the terms and conditions for granting aircraft flight clearance (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART VII — AIR TRAFFIC INCIDENT INVESTIGATION REPORT**Committee's Recommendation:****Clause 35: Air Traffic Incident Investigation and Report not to be admissible in evidence.**

- (1) The Agency shall investigate air traffic incidents and provide report to appropriate Government Agencies.
- (2) The reports provided under subsection (1) of this section shall provide remedial or corrective measures (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 36: Air Traffic Incident Investigation Report not admissible in evidence.**

Notwithstanding the provisions of the Evidence Act, No.18 of 2011 and any other law, the proceedings and other contents of an air traffic incident investigation report including papers, air traffic control (ATC) strips, tape recording, flight plan, log book, and records used for the investigation shall be treated as confidential materials and shall not be admissible in evidence as to form the basis of liability in any criminal or civil proceedings (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART VIII — PROVISIONS RELATING TO THE ACQUISITION OF LAND**Committee's Recommendation:****Clause 37: Power to acquire land.**

- (1) The Agency may subject to Land Use Act, Cap. L4, Laws of the Federation of Nigeria, 2004 acquire any land for the purpose of discharging its functions under this Bill.
- (2) Where there is any hindrance to the acquisition of any land under this Bill including any failure by the Agency to reach an agreement as to the amount to be paid in respect of the acquisition, the Agency may apply to the Minister to request for a declaration under subsection (3) of this section.

- (3) The Minister on receiving an application from the Agency and after such enquiry as he may deem necessary, may request the Governor, or his equivalent, of the state in which the land situate to declare that the land is required for the service of the Agency and accordingly, for an overriding public interest.
- (4) Where a declaration is made under subsection (3) of this section, the land to which the declaration relates shall be deemed to be land required for the overriding public interest purpose of the Federation within the meaning of the Land Use Act, Cap. L4, Laws of the Federation of Nigeria, 2004 and the Agency shall acquire the land accordingly.
- (5) Where a declaration has been made under subsection (3) of this Bill in respect of any land and the land has been acquired pursuant to subsection (4) of this section; or the Governor of the State concerned is satisfied that there are no rights subsisting in respect of the land, the Governor may vest the land in the Agency by issuing a Certificate of Occupancy in respect of the land, in favour and in the name of the Agency.
- (6) The compensation, if any, payable under the Land Use Act, Cap. L4, Laws of the Federation of Nigeria, 2004 for the revocation of rights relating to the land and other incidental expenses, where applicable, shall be borne by the Agency.
- (7) The plan of the land referred to in subsection (2) of this section —
- (a) containing measurement of the boundaries of the land;
 - (b) showing the relationship of the land to any sufficient identifying mark; and
 - (c) signed by the Surveyor-General,
- shall be a sufficient description of the land for the purpose of an application under that subsection.
- (8) The Agency shall not, without the approval in writing of the Governor of the State in which the land situates alienate, mortgage, charge or otherwise demise any immovable property which has been vested in the Agency under this section or in respect of which a right of occupancy has been granted to the Agency (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 38: Establishment of estate scheme.

- (1) The Agency may with the approval of the Minister engage in the development of estate, land building, real properties, staff housing scheme

and any other commercially viable venture or any description including leasehold on such terms and conditions as the Agency may from time to time determine.

- (2) The Agency shall with the approval of the Minister issue guidelines for development of estate, land building, real properties, staff housing scheme and any other commercially viable venture or any description including leasehold referred to under subsection (1) of this section (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 39: Calibration of navigational aids and equipment.

- (1) The Agency shall establish and operate calibration workshop at designated locations for purposes of carrying out regular calibration of navigational aids and equipment.
- (2) The Agency shall have power to certify that a calibrated navigational aids or equipment meets the standards as may be specified by relevant national and international organisations (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART IX — LEGAL PROCEEDINGS

Committee's Recommendation:

Clause 40: Service of notice.

- (1) Any notice required under this Bill or authorised by this Bill, shall be served either by —
 - (a) delivering it to the person or his agents or servant;
 - (b) leaving it at the person's proper address; or
 - (c) posting it to the person's principal office through registered post or courier and addressed to the person at his principal office.
- (2) Where a notice is served by post otherwise than in registered letters, service shall not be deemed to have been effected if it is proved that the notice was not received by the person to whom it was addressed.
- (3) Any notice required or authorised to be served upon a body corporate shall be deemed to have been duly served if it is served on a director or the secretary to the body corporate.
- (4) For the purposes of this section, the proper address of any person on whom such a notice is to be served shall in —

- (a) the case of a body corporate, be the registered or principal address of the body corporate; and
 - (b) any other case, be the last known address of the person to be served.
- (5) Where the name of a person carrying on an air transport undertaking at any premises is not known and any of such notice is sent by post in a registered letter, the letter shall be deemed for the purposes of this section to have been properly addressed if addressed to the premises at which the undertaking is carried on (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 41: Service of documents.

A notice, summons or other documents required or authorised to be served on the Agency under the provisions of this Bill or any other law, may be served by delivering it to the office of the Managing Director situate at the headquarters of the Agency (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 42: Limitation of suits against the Agency.

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act, Cap P41 Laws of the Federation of Nigeria, 2004 shall apply in relation to any suit instituted against any officer or employee of the Agency.
- (2) Notwithstanding anything contained in any other law, no suit shall lie or be instituted in any court against the Agency, any member of the Board, the Managing Director or any other officer or employee of the Agency for an act done in pursuance or execution of this Bill or any law, or any public duty or authority or in respect of any alleged neglect or default in the execution of this Bill or such law, duty or authority, unless —
 - (a) it is commenced within 3 months after the act, neglect or default complained of; or
 - (b) in the case of a continuation of damage or injury, within 6 months next after the ceasing of it.
- (3) A suit shall not be commenced against the Agency, a member of the Board, the Managing Director, officer or employee of the Agency before the expiration of a period of 1 month after written notice of intention to commence the suit have been served upon the Agency by the intending plaintiff or his agent.

- (4) The notice referred to in subsection (3) of this section shall clearly and explicitly state the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 43: Restriction on execution of an order against the property of the Agency.

- (1) In any action or suit against the Agency, no execution or attachment in any nature thereof shall be issued or levied against the Agency, unless —
- (a) at least 3 months' notice of the intention to execute judgment or attach the Agency's property has been given to the Agency; and
- (b) the consent or approval of the Attorney-General of the Federation obtained.
- (2) Subject to any direction given by a competent court where notice of appeal has been given, any sum of money, which may by the Judgment of any court be awarded against the Agency, shall be paid from the fund of the Agency.
- (3) In any proceeding before a court of law or tribunal, the Agency may, with the consent of the Attorney-General of the Federation, be represented by its legal officers or any legal practitioner authorised by the Agency who shall have the right to appear at any stage of a proceedings and who shall satisfy the court that he is duly authorized by the Agency in that behalf (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 44: Arrest of employee of the Agency on essential duty.

- (1) An employee of the Agency shall not be arrested while on essential duty.
- (2) Notwithstanding the provisions of subsection (1) of this section, where such arrest is unavoidable and might result in danger to life or goods or safety of airspace in the execution of a warrant or otherwise during the performance of his lawful duty —
- (a) the head of Department in which the person to be arrested is employed; or
- (b) the officer in charge of the person to be arrested,
- shall be given a reasonable time within which to make provision for the replacement of the officer to be arrested before he is released to the person carrying out the arrest (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 45: Indemnity of officers.

A member of the Board, the Managing Director, any officer or employee of the Agency, shall be indemnified out of the assets of the Agency, against any proceedings, whether civil or criminal, if any of such proceeding —

- (a) is brought against him in his personal capacity as a member of the Board, the Managing Director, officer and other employee of the Agency; and
- (b) arose from the lawful discharge of any of his functions or in the exercise of any of the powers conferred on the Agency under this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

PART X — OFFENCES AND PENALTIES

Committee's Recommendation:

Clause 46: Obstruction of services.

- (1) A person, entity or group of persons shall not obstruct or hinder the provision of civil air navigation services to a flight.
- (2) Any person or group of persons who contravenes the provisions of subsection (1) of this section commits an offence and shall on conviction be liable —
 - (a) in the case of an individual, to a fine of not less than ₦200,000.00 or a term of 6 months imprisonment or to both; and
 - (b) in the case of an entity, body corporate or group of persons, a fine of not less than ₦500,000.00.
- (3) Where any person or an entity violates any of the provisions of this section, such person or entity shall during the subsistence of the offence be liable to a fine for each day or part of the day the offence continues to —
 - (a) ₦100,000.00 in the case of a corporation;
 - (b) ₦50,000.00 in the case of a person acting in the capacity of an officer or representative of the Agency or where the offence was committed; and
 - (c) ₦25,000.00 in any other case (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 47: Damage or theft to air navigation equipment or facilities.**

- (1) Any person who destroys, vandalises or damages air navigation equipment or facilities, shall be liable to —
 - (a) pay compensation to the Agency for the value of the equipment or facility destroyed, damaged or vandalized; or
 - (b) replace or repair the damaged equipment or facility; as the Agency may determine.
- (2) Any person who steals or causes to be stolen any air navigation equipment or facility commits an offence and is liable on conviction to a fine of not less than ₦1,000,000.00 or a term of not less than 1 year imprisonment or to both.
- (3) Any person who willfully disrupts air navigation services in such manner that is likely to interfere with software, communication or the signals transmitted to aircrafts commits an offence and is liable on conviction to a fine of not less than ₦10,000,000.00 or a term of not less than 5 years imprisonment or to both (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

*Committee's Recommendation:***Clause 48: Offences by a body corporate or unincorporated body.**

- (1) Where an offence under this Bill is committed by a body corporate, a firm or association of individuals, every —
 - (a) director, manager, secretary or other similar officers of the body corporate;
 - (b) partner or officer of the firm;
 - (c) person concerned in the management of the affairs of the association; or
 - (d) person who was purporting to act in any of such capacity aforesaid, who had knowledge or believed to have had knowledge of the offence and who did not exercise due diligence to ensure compliance with this Bill,

shall be deemed to have committed the offence and shall be proceeded against in accordance with this Bill unless he proves that the Act or omission constituting the offence took place without his knowledge, consent, connivance or neglect or he took reasonable steps to prevent the commission of the offence.

- (2) Where a person is convicted of an offence under subsection (1) of this section, he shall in the case of —
- (a) an individual, be liable to a fine of not less than ₦500,000.00 or to a term of 6 months imprisonment or to both; and
 - (b) corporate body be liable to a fine of not less than ₦2,000,000.00
(Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

Committee's Recommendation:

Clause 49: Prevention of further violation of the provisions of this Bill.

Where the Agency is satisfied that a person is violating or is about to violate any provision of this Bill, the Agency may take action which in the opinion of the Agency is necessary to prevent further violation of any of the provisions of this Bill
(Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

PART XI — JURISDICTION

Committee's Recommendation:

Clause 50: Jurisdiction.

- (1) The Federal High Court shall have jurisdiction to try offences, hear and determine proceedings arising under this Bill.
- (2) The Federal High Court shall have jurisdiction to impose any penalty provided for an offence under this Bill or any other related law.
- (3) The penalty imposed on a person convicted of an offence referred to in that subsection may be reduced in such manner as the court deems fit where that person has, before any proceeding, made possible or facilitated the identification of other accused persons and their sponsors or who, after the commencement of the proceedings, has made possible or facilitated the arrest of such persons.
- (4) In any trial for an offence under this Bill, the Court shall have power, to adopt all legitimate measures that it may deem necessary to avoid unnecessary delays and abuse in the conduct of proceedings (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

PART XII — MISCELLANEOUS

Committee's Recommendation:**Clause 51: Power of Minister to give Directives.**

- (1) The Minister may give directives of a general character with regards to the performance or exercise by the Agency or Board of its functions or powers under this Bill and it shall be the duty of the Agency or Board to comply with the directives.
- (2) The general directives referred to in subsection (1) of this section shall relate to matters of policy and shall not be inconsistent with the provisions of this Bill and shall be in —
 - (a) the interest of the national security;
 - (b) relation to any matter that appears to the Minister that it may likely affect the relations of Nigeria with a country or territory outside Nigeria;
 - (c) order to discharge or facilitate the discharge of any obligation binding on Nigeria by virtue of its being a member of an international organisation or a party to an international agreement;
 - (d) order to obtain or facilitate the attainment of any object, which in his opinion is considered as appropriate in view of Nigeria's being a member of an international organisation or a party to an international agreement; or
 - (e) order to enable Nigeria become a member of an international organisation or a party to an international agreement.
- (3) The Agency in the exercise of carrying out its functions and powers in accordance with the provisions of this Bill shall be guided by such directions (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:**Clause 52: Designation of essential services.**

- (1) All services which facilitate and maintain the smooth, orderly and safe take off, flight and landing of aircrafts and the disembarkation and evacuation of passengers and cargo respectively in all aerodromes in Nigeria are hereby designated as essential services pursuant to the provisions of section 11 (1) of the Constitution of the Federal Republic of Nigeria, 1999.
- (2) The Minister may by regulations prohibit all or such class or classes of workers, officers and other employees of persons whether corporate or natural, engaged in the provision of the services specified in subsection (1) of this section from taking part in a strike or other industrial action.

(3) In this section, —

"strike" means the cessation of work by a body of persons employed, acting in combination or a concerted refusal or a refusal under a common understanding of persons employed to continue to work for an employer in consequence of a dispute, done as a means of compelling their employer, or the Government of the Federation of Nigeria or any part of it, or to aid other workers in compelling their employer or any persons or body of persons employed, to accept or not to accept terms of employment and physical conditions of work or any government economic policy or pricing of any essential product;

"cessation of work" includes working at less than usual speed or with less than usual efficiency without reasonable operational justification; and

"refusal to continue to work" includes a refusal to work at usual speed or with usual efficiency (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 53: Regional co-operation in the provision of air navigation services.

The Agency shall encourage national and regional cooperation in the provision of air navigation services and may —

- (a) enter into agreements for co-operative endeavours in air navigation services with other bodies; and
- (b) in conjunction with the Ministry negotiate, agree to and manage such regional co-operative agreements (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 54: Repeal and Saving Provisions.

- (1) The Nigerian Airspace Management Agency Act, Cap. N90, Laws of the Federation of Nigeria, 2004, is repealed.
- (2) Without prejudice to section 6 of the Interpretation Act, Cap. 123, Laws of the Federation of Nigeria, 2004, the repeal of the Act specified in subsection (1) of this section, shall not affect anything done under or pursuant to the repealed Act.
- (3) Every regulation, order, requirement, contract, certificate, notice, direction, decision, authorisation, consent, application, ongoing cases in the courts, request or thing made, issued, given or done under the repealed Act shall,

if in force at the commencement of this Bill, continue to be in force and have effect as if made, issued, given or done under the corresponding provisions of this Bill.

- (4) Every reference to the Agency established under the repealed Act (in this Bill referred to as "the former Agency"). Minister, Board, Managing Director or any person under their control, or a document issued in the name of the former Agency, Minister, Board, Board Chairman, Managing Director or employee of the former Agency shall be read, unless the context otherwise requires, as a reference to the Agency, Minister, Board, Board Chairman, Managing Director or an employee of the Agency established under this Bill, as the case may be.
- (5) The statutory functions, rights, interests, obligations and liabilities of the Agency established under the repealed Act, existing before the commencement of this Bill, under any contract or instrument or in law or in equity shall, by virtue of this Bill, be deemed to have been assigned to and vested in the Agency established under section 3 of this Bill; and shall be of the same force and effect against or in favour of the Agency established by this Bill and shall be enforceable as fully and effectively as if instead of the Agency existing before the commencement of this Bill, the Agency established by this Bill has been named in it or had been party to it (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 55: Transitional provisions.

- (1) Subject to the provisions of this Bill, the Managing Director of the Agency established under the repealed Act is deemed to have been transferred to the Agency established under this Bill under the same terms and conditions as Managing Director.
- (2) Any person who immediately before the commencement of this Bill was a staff of the Agency established under the repealed Act shall continue in office and be deemed to have been appointed under this Bill for purposes of Pension.
- (3) Any proceeding or cause of action pending or existing immediately before the commencement of this Bill by or against the Agency established under the repealed Act in respect of any right, interest, obligation or liability of the Agency may be continued or commenced, as the case may be, and any determination of a court of law, tribunal or other Commission or person may be enforced by or against the Agency established by this Bill to the same extent that such proceeding, cause of action or determination might have been continued, commenced or enforced by or against the Agency established under the repealed Act.

- (4) As from the commencement of this Bill, any disciplinary proceeding pending or existing against any employee of the Agency shall be continued and completed by the Agency established under this Bill.
- (5) All rights, liabilities, assets, funds, resources and other movable or immovable property which immediately before the commencement of this Bill, were vested in the former Agency established under the repealed Act, shall by virtue of this Bill, and without further assurance be vested in the Agency established under section 3 of this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 56: Interpretation.

- (1) In this Bill, unless the context otherwise requires —

"aerodrome" means a defined area of land on land or water including any buildings, installations and equipment intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"Agency" means the Nigerian Airspace Management Agency established by section 3 of this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"airport" means a defined area on land or water including any building, installation and equipment intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"air navigation services" includes air traffic control services, aeronautical communication, telecommunication, navigational aids, surveillance services, calibration, aeronautical information services, flight information services, signals and other facilities furnished, issued or provided in connection with the navigation or movement of aircraft and the control of movement of vehicles in any part of an airport used for the movement of an aircraft (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

Question that the meaning of the words "air navigation services" be as defined in the interpretation to this Bill — Agreed to.

"Board" means the Governing Board of the Agency as established and constituted under section 4 of this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"cargo" includes mail (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"essential duties" are the job duties that are fundamental to the operations of the Agency and in some cases are highly specialised in line with section 52 of this Bill, and —

- (a) shall be performed to ensure public order, health, safety and security,
- (b) the person in the position is hired for special expertise or ability to perform it, and
- (c) there are a limited number of other employees available to perform the function, or among whom the function can be distributed (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"flight" means a journey by air beginning when the first person boards the aircraft in question with intent to fly and ending when the last person disembarks (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"Managing Director" means the Managing Director appointed pursuant to section 11 of this Bill (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"member" means a member of Board and includes the chairman and Managing Director (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"Minister" means the Minister charged with responsibility for matters relating to aviation (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

"Ministry" means the Ministry charged with responsibility for matters relating to Civil Aviation (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

"operator" or "air carrier" in relation to an aircraft means the person for the time being having the management of the aircraft (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

Question that the meaning of the words "operator" or "air carrier" be as defined in the interpretation to this Bill — Agreed to.

"owner" in respect of section 18 (2) of this Bill includes —

- (a) the person in whose name the aircraft was registered,
- (b) a person in possession of an aircraft as a purchaser under a conditional sale or hire purchase agreement that reserves to the vendor the title to the aircraft until payment of the purchase price or performance of certain conditions,
- (c) a person in possession of the aircraft as charter, mortgagor under charter mortgage, and
- (d) a person in possession of the aircraft under a bonafide lease or agreement of hire (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

"power" includes functions and duties (Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency).

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

"premises" includes lands, plants and ancillary works (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"President" means the President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"reward" in relation to a flight, includes any form of consideration received or required to be received, wholly or partly in connection with the flight irrespective of the person whom or to whom the consideration has been or is to be given; and (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

"Regulations" in this Bill, where the context so permits, is a reference to the Civil Aviation Regulations made pursuant to the Civil Aviation Act (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

- (2) Every other term shall have the same meaning as contained in the Convention on International Civil Aviation, 1944 (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Committee's Recommendation:

Clause 57: Short Title.

This Bill may be cited as the Nigerian Airspace Management Agency (Establishment, etc.) Bill, 2022 (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

[Section 4 (5)]

Proceedings of the Board

1. Subject to this Bill and section 27 of the Interpretation Act, the Board shall have power to regulate its proceedings and may make standing orders with respect to the holding of its meetings, and those of its committees, notices to be given, the keeping of minutes of its proceedings, the custody and production for inspection of such minutes and such other matters as the Board may, from time to time determine.
2. There shall be at least 1 ordinary meeting of the Board in each quarter of the year and subject to it, the Board shall meet whenever it is convened by the Chairman, and if the Chairman is requested to do so by notice given to him by not less than 4 other members, he shall convene a meeting of the Board to be held within 30 days from the date on which the notice was given.
3. Every meeting of the Board shall be presided over by the Chairman and where the Chairman is unable to attend a particular meeting, the members present at the meeting shall elect 1 of them to preside at the meeting.
4. The Minutes of the Board shall be recorded by the Secretary and signed by the Chairman or the person who presided at the meeting, after confirmation by the Board.
5. A quorum at a meeting of the Board shall be one-third of the total number of members

Convening of Meetings of the Board

6. The Chairman shall, at any time, if 5 other members request in writing, convene an emergency meeting of the Board, provided that not less than 48 hours' notice is given to members for the meeting.
7. If the office of Chairman is at any time vacant, or the Chairman is absent from Nigeria or is in the opinion of the Board permanently or temporarily unable to perform the functions of his office, the Managing Director shall convene such meetings of the Board as are required during the period of vacancy, absence or otherwise.
8. The Board shall meet for the conduct of its business at such places and on such days as the Chairman may appoint.
9. A question put before the Board at a meeting shall be decided by consensus and where this is not possible, by a majority of the votes of the members present and voting.
10. The Chairman shall, in the case of an equality of votes, have a casting vote in addition to his deliberative vote.

Whereas the Board seeks the advice of any person on a particular matter, the Board may invite that person to attend its meeting for such period as it may deem fit provided that a person who is invited by virtue of this paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards the quorum.

Committees

12. The Board may appoint one or more committees to carry out on behalf of the Board such of its functions as the Board may determine and report on any matter with which the Board is concerned.

13. A committee appointed under paragraph 12 of this Schedule shall be presided over by a member of the Board and shall consist of such number of persons (not necessarily all members of the Board) as may be determined by the Board, and a person other than a member of the Board shall hold office on the Committee in accordance with the terms of his appointment.

14. A person who is not a member of the Board shall hold office on the Committee in accordance with his letter of appointment.

15. A decision of a Committee of the Board shall be of no effect until it is confirmed by the Board.

Seal of the Agency

16. The Common Seal of the Agency shall be in the custody of the Legal Adviser and shall be authenticated by the signature of the Managing Director on behalf of the Agency.

17. A contract or an instrument which, if made or executed by any person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Agency by the Managing Director or by any person generally or specifically authorised to act for that purpose by the Board.

18. A document purporting to be a contract, an instrument or other document signed or sealed on behalf of the Agency shall be received in evidence and, unless the contrary is proved, be presumed without further proof, to have been properly signed or sealed.

Conflict of Interest

19. Members of the Board and staff of the Agency shall not control, manage or operate any aviation enterprise during the subsistence of their office.

20. Where any of the persons specified in subsection (1) of this section is having financial interest in any aviation enterprise, he shall make full disclosure of such interest to their respective appointing authorities.

21. Where any of the persons specified in subsection (1) of this section is appointed into the Board of the Agency, he is prohibited from participating in any action or decision that may, whether directly or indirectly, affect their financial interest in the aviation enterprise in which they have interest."

22. Any member of the Board or Committee who has a personal interest in any arrangement entered into or proposed to be considered by the Board or any committee shall —

- (a) disclose his interest to the Board or Committee; and
- (b) not vote on any question relating to the arrangement.

Miscellaneous

23. The validity of any proceeding of the Board or its Committees shall not be affected by —

- (a) any vacancy in the membership of the Board or its Committees;
- (b) reason that a person not entitled to do so took part in the proceedings; or
- (c) any defect in the appointment of a member.

24. A resolution of the Board is valid, even though it is not passed at a meeting of the Board, where —

- (a) the notice in writing of the proposed resolution was given to each member; and
- (b) the resolution is signed or assented to by a majority of members of the Board, including the Managing Director (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

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

Explanatory Memorandum:

(This Explanatory Memorandum does not form part of this Bill but is intended to explain its purport)

This Bill seeks to repeal the Nigerian Airspace Management Agency Act, Cap. N90, Laws of the Federation of Nigeria, 2004 and to re-enact the Nigerian Airspace Management Agency Act for the purposes of providing effective air navigation services, ensuring safety and regularity of air navigation in Nigeria and to any other place which Nigeria has responsibility of providing air navigation services and other related matters (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

Agreed to.

Long Title.

A Bill for an Act to Repeal the Nigerian Airspace Management Agency Act, Cap. N90, Laws of the Federation of Nigeria, 2004 and to Re-enact the Nigerian Airspace Management Agency Act for the Purposes of Providing Effective Air Navigation Services in Nigeria; Ensuring Safety and Regularity of Air Navigation in Nigeria and to any Other Place which Nigeria Has Responsibility of Providing Air Navigation Services; and Other Related Matters (HB. 462) (*Hon. Nnolim John Nnaji — Nkanu East/Nkanu West Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Aviation on a Bill for an Act to Repeal the Nigerian Airspace Management Agency Act, Cap. N90, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Airspace Management Agency Bill to provide Efficient Air Navigation Services in Nigeria, Ensure Safety and Regulation of Air Navigation in Nigeria and to any other place which Nigeria has Responsibility of Providing Air Navigation Services; and for Related Matters (HB. 462) and approved Clauses 1 - 57, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

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

21. Adjournment

That the House do adjourn till Thursday, 3 February, 2022 at 11.00 a.m. (Hon. Peter Akpatason — Deputy House Leader).

The House adjourned accordingly at 2.37 p.m.

Femi Hakeem Gbajabiamila
Speaker

The range of investment

CHAPTER 11

approved Clause 1-57, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill. Responsibility for providing Air Navigation Services and for Related Matters (196, 403) and Enactment 2.104 and Regulation of Air Navigation in Nigeria and in any other place, which Nigeria has Nigerian Airports Management Agency Bill to provide Efficient Air Navigation Services in Nigeria. Management Agency Act Cap. 190, Laws of the Federation of Nigeria, 2004 and passed the Report of the Commission on Aviation on a Bill for an Act to Regulate the Airports Airports. Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the

Question: What has been the impact of the 1990s on the economy of the United States? — Answer:

References

[illegible]

407532 *See* 407531

SECRET