



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 26th July, 2022

1. The Senate met at 11:08 a.m. The President of the Senate read prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 20th July, 2022.

Question was put and the Votes and Proceedings were approved.

3. **Messages from Mr. President:**

The President of the Senate announced that he had received four (4) letters from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

- (a) **Confirmation of Appointment:**



**PRESIDENT
FEDERAL REPUBLIC OF NIGERIA**

21st July, 2022

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

Dear Distinguished Senate President,

CONFIRMATION OF APPOINTMENT

In accordance with Section 10(3) (a) of the Central Bank of Nigeria (Establishment) Act 2007, I have the pleasure to present the following nominees for confirmation by the Senate for re-appointment as Non-Executive Directors of the Board of the Central Bank of Nigeria.

<u>S/No.</u>	<u>Name</u>	<u>Zone</u>
1.	Prof. Mike Idiahi Obadan	South South
2.	Prof. Justitia Odinakachukwu Nnabuko	South East
3.	Prof. Ummu Ahmed Jalingo	North East
4.	Mr. Adeola Adetunji	South West

2. Please accept, Distinguished Senate President the assurances of my highest consideration.

Yours sincerely,
(Signed)
Muhammadu Buhari

(b) Confirmation of Appointment:



PRESIDENT
FEDERAL REPUBLIC OF NIGERIA

21st July, 2022

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

Dear Distinguished Senate President,

**APPOINTMENT OF COMMISSIONER REPRESENTING THE
SOUTH-EAST ZONE AT THE NATIONAL HAJJ COMMISSION
OF NIGERIA**

In accordance with the provision of Section 3(2) of the Hajj Commission Act, Cap. 321, Laws of the Federal Republic of Nigeria 2004, I write to forward for confirmation by the Senate the appointment of Dr. Suleman Agha Afikpo as Commissioner representing South-East zone, at the National Hajj Commission of Nigeria. Find attached a copy of his Curriculum Vitae.

While looking forward to the usual expeditious consideration of the Senate, please accept, Distinguished Senate President, the assurances of my highest consideration.

Yours sincerely,
(Signed)
Muhammadu Buhari

(c) Confirmation of Chief Justice of Nigeria:



PRESIDENT
FEDERAL REPUBLIC OF NIGERIA

25th July, 2022

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

Dear Distinguished Senate President,

REQUEST FOR CONFIRMATION OF THE APPOINTMENT OF HON. JUSTICE OLUKAYODE ARIWOOLA AS THE CHIEF JUSTICE OF NIGERIA

Pursuant to Section 231 (1) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), I forward for confirmation by the Senate, the appointment of Hon. Justice Olukayode Ariwoola as the Chief Justice of Nigeria.

While I hope that the submission will be considered in the usual expeditious manner, please accept, Distinguished Senate President, the assurances of my highest consideration.

Yours sincerely,
(Signed)
Muhammadu Buhari

(d) **Confirmation of Appointment of Resident Electoral Commissioners for INEC:**



**PRESIDENT
FEDERAL REPUBLIC OF NIGERIA**

25th July, 2022

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

Dear Distinguished Senate President,

CONFIRMATION OF APPOINTMENT OF 19 RESIDENT ELECTORAL COMMISSIONERS FOR THE INDEPENDENT NATIONAL ELECTORAL COMMISSION (INEC)

In accordance with the Provisions of section 154 (1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended), I am pleased to present for confirmation by the Senate, the under listed names of nineteen (19) nominees as Resident Electoral Commissioners appointed for the Independent National Electoral Commission (INEC).

<u>S/No</u>	<u>Name</u>	<u>State</u>	<u>Remark</u>
1.	Ibrahim Abdullahi, mni	Adamawa	Renewal of Appointment
2.	Obo O. Effanga	Cross River	Renewal of Appointment
3.	Alh. Umar Ibrahim	Taraba	Renewal of Appointment
4.	Dr. Agboke Mutiu Olaleke	Ogun	Renewal of Appointment
5.	Prof. Samuel E. Egwu	Kogi	Renewal of Appointment
6.	Onyeka Pauline Ugochi	Imo	New Appointment
7.	Prof. Muhammad Lawal Bashar	Sokoto	New Appointment
8.	Prof. Ayobami Salami	Oyo	New Appointment
9.	Amb. Zango Abdussamadu Abdu, mni	Katsina	New Appointment
10.	Mrs. Queen Elizabeth Agwu	Ebonyi	New Appointment
11.	Dr. Agundu Oliver Tersoo	Benue	New Appointment
12.	Yomere Gabriel Oritsemlebi	Delta	New Appointment
13.	Prof. Yahaya Makarfi Ibrahim	Kaduna	New Appointment
14.	Dr. Nura Ali	Kano	New Appointment
15.	Agu Sylvia Uchenna	Enugu	New Appointment

16.	Ahmed Yushau Garki	FCT	New Appointment
17.	Barr. Hudu Yunusa, mni	Bauchi	New Appointment
18.	Prof. Uzochukwu Ikemefuna Chijioko	Anambra	New Appointment
19.	Mohammad B. Nura	Yobe	New Appointment

2. The Senate is invited to note that five (5) Resident Electoral Commissioners as presented in the table above, are for renewal of appointments for a second and final term of five (5) years, while fourteen (14) Resident Electoral Commissioners are for fresh appointments for an initial term of five (5) years. The curriculum vitae of the new nominees are attached herewith.

3. While hoping that this submission will receive the usual expeditious consideration of the Senate, Please accept, Distinguished Senate President, the assurances of my consideration and personal regards.

Yours sincerely,
(Signed)
Muhammadu Buhari

4. **Petitions:**

(a) Rising on Order 40, Senator Gershom H. Bassey (*Cross River South*) drew the attention of the Senate to 2 petitions from:

- (i) Ita Essien & Associates on behalf of the 2009 and 2010 Upgraded Officers of the Nigeria Customs Service against the Comptroller General of Customs and the Nigeria Customs Service Board over an alleged unjust treatment in their career advancements; and
- (ii) E.E. Ndiyo & Associates on behalf of Corporal Ita Edet against the Nigeria Police Force and Police Service Commission over an alleged illegal dismissal and refusal to reinstate him, and payment of entitlements.

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 40(3)] to report within four (4) weeks.

(b) Rising on Order 40, Senator Patrick A. Akinyelure (*Ondo Central*) drew the attention of the Senate to five (5) petitions received from the Office of the President of the Senate as follows:

- (i) Mallam Shuaibu Haruna Sagji and Comrade Aliyu Ibrahim S. Achiba against A. Awogu Vigilante Group of Atani, Osushe & Agbakuma communities in Ogbaru LGA, Anambra State over an alleged criminal conspiracy, murder, threat to life terrorist attack, kidnapping and possession of prohibited firearms;
- (ii) Abdulkarim A. against Head of Agriculture Research Council of Nigeria, CAH Consultancy Ltd and DVC Multi Ventures Ltd over an alleged fraudulent manipulation of funds, contract scams, violation of extant procurement law and economic sabotage;
- (iii) C.K. Osueke against the Nigeria Police Force over an alleged dispute between Obiator Community Welfare Union, Umundugba, Isu LGA, Imo State and the Nigeria Police Force;

- (iv) Alh. Debo Ahmed and Chief John Kekeocha on behalf of Independent Petroleum Marketers Association of Nigeria (IPMAN) against Alh. Aminu Abdulkadir, Chief Bestman Anaekwe and others over an alleged refusal to obey the Supreme Court judgement declaring Alh. Debo Ahmed as the authentic National President of IPMAN; and
- (v) Chief Riyaz Uddin against the Management of CHI Ltd over an alleged harassment, humiliation and defamation of character.

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Order 40(3)] to report within four (4) weeks.

5. Matter of Urgent Public Importance:

Rising on Orders 41 and 51, Senator Michael A. Nnachi (*Ebonyi South*) drew the attention of the Senate on the Landslide and erosion in Oguwuma and Nguzu Edda in Afikpo South Local Government Area, Ebonyi State. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

notes with great concern the landslide and erosion which occurred in Oguwuma Edda and Nguzu Edda both in Afikpo South Local Government Area, Ebonyi South Senatorial District, Ebonyi State claiming many houses;

notes that the landslide and erosion were as a result of denudation and consistent torrential down pour within the area;

aware that these roads connecting the affected communities are the major roads that connects the communities with other neighbouring towns, the State capital and other neighbouring States especially Abia;

also aware that economic and commercial activities of the affected communities are in jeopardy, even human movement are in great danger;

observes that the havoc wreaked on these communities by the landslide, erosion also completely cut off sister communities; Oso, Owutu, Nguzu, Ohafia in Abia State and Eburnwana, Ogwuma, Ekoli communities;

note that the Oso-Owutu-Nguzu road is the only Federal Government Road which was awarded for construction since 2012, which the current Minister of Works inspected and promised that the road will be completed in 2020 but today the road has become a death trap;

concerned that as a result of the consistent rain, the inhabitants of these communities are in grave danger, after being rendered homeless and properties worth millions of Naira destroyed; and

perturbed that the victims have migrated to neighbouring communities to seek refuge, thereby exposing them to untold hardships, poverty and socio economic hazards;

The Senate accordingly resolves to:

- (i) urge the Federal Ministry of Works to urgently intervene by ensuring the completion of the road;

- (ii) urge the National Emergency Management Agency (NEMA) to urgently assess the condition of the affected people and send relief materials to the victims;
- (iii) urge the Federal Road Maintenance Agency (FERMA) to take palliative measures on the affected roads to enable the inhabitants gain access to their homes; and
- (iv) urge the Ecological Fund to act immediately to restore the situation in Ogwuma Edda community landslide as so many homes have been submerged into rubbles.

Debate:

Proposed Resolution (i):

Question: That the Senate urge the Federal Ministry of Works to urgently intervene by ensuring the completion of the road — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate urge the National Emergency Management Agency (NEMA) to urgently assess the condition of the affected people and send relief materials to the victims — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate urge the Federal Road Maintenance Agency (FERMA) to take palliative measures on the affected roads to enable the inhabitants gain access to their homes — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate urge the Ecological Fund to act immediately to restore the situation in Ogwuma Edda community landslide as so many homes have been submerged into rubbles — *Agreed to.*

Resolved:

That the Senate do:

- (i) urge the Federal Ministry of Works to urgently intervene by ensuring the completion of the road;
- (ii) urge the National Emergency Management Agency (NEMA) to urgently assess the condition of the affected people and send relief materials to the victims;
- (iii) urge the Federal Road Maintenance Agency (FERMA) to take palliative measures on the affected roads to enable the inhabitants gain access to their homes; and
- (iv) urge the Ecological Fund to act immediately to restore the situation in Ogwuma Edda community landslide as so many homes have been submerged into rubbles (*S/Res/011/04/22*).

6. Presentation of Bills

- (i) Dieticians Council of Nigeria (Establishment) Bill, 2022 (HB. 515) — *Read the First Time.*
- (ii) Nigerian Institute of International Affairs Act (Repeal & Enactment) Bill, 2022 (HB. 1279) — *Read the First Time.*
- (iii) Administration of Criminal Justice Act (Amendment) Bill, 2022 (SB. 1037) — *Read the First Time.*
- (iv) Rotation of Power Bill, 2022 (SB. 1040) — *Read the First Time.*

- (v) Agricultural Research Council of Nigeria (Amendment) Bill, 2022 (SB. 1041) — *Read the First Time.*

7. Motion:

Re-Committal of Bills to the Committee of the Whole:

Motion made: The Senate recalls that the following Bills were passed by the Senate and the House of Representatives and were transmitted to the Clerk of the National Assembly for onward transmission to the President, Commander-in-Chief for Assent;

The Bills are:

1. National Oil Spill Detection and Response Agency Act, No. 15 2006 (Amendment) Bill;
2. Institute of Agriculturists (Establishment) Bill; and
3. Public Interest Disclosure and Complaints (Enactment) Bill.

observes that some fundamental issues which require fresh legislative action by both Chambers of the National Assembly emerged after a critical analysis of the Bills by Mr. President, Commander-in-Chief of the Armed Forces of the Federation;

aware that a Technical Committee of the Senate, House of Representatives and Directorate of Legal Services met and worked on the Bills;

relying on order 1(b) and order 52(6) of Senate Standing Order, 2022 as amended.

The Senate accordingly resolves to:

rescind its decision on the Bills as passed and re-commit same to the Committee of the Whole for re-consideration and passage (*Deputy Senate Leader*).

Debate:

Proposed Resolution:

Question: That the Senate do rescind its decision on the Bills as passed and re-commit same to the Committee of the Whole for re-consideration and passage — *Agreed to.*

Resolved:

That the Senate do rescind its decision on the Bills as passed and re-commit same to the Committee of the Whole for consideration and passage (*S/Res/012/04/22*).

Motion made: Pursuant to Resolution No. (*S/Res/012/04/22*), that the Senate do resolve into Committee of the Whole to consider the Bills (*Deputy Senate Leader*).

Question put and agreed to.

1. ***National Oil Spill Detection and Response Agency Act, No. 15 2006 (Amendment) Bill, 2022:***

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO AMEND THE NATIONAL OIL SPILL DETECTION AND RESPONSE AGENCY (ESTABLISHMENT) ACT, NO. 15, 2006, TO PROVIDE STATUTORY POWER FOR THE AGENCY TO CHARGE ADEQUATE FINES, INTRODUCE CRIMINAL OFFENCES AND PENALTIES TO ENSURE COMPLIANCE WITH EXISTING ENVIRONMENTAL LEGISLATION IN THE PETROLEUM SECTOR; AND FOR RELATED MATTERS, 2022

Clause 1: Amendment of Act No. 15, 2006

The National Oil Spill Detection and Response Agency (Establishment) Act, (in this Act referred to as "the Principal Act") is amended as set out in this Act.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: Amendment of section 2

Section 2 of the Principal Act is amended in subsection (2) by substituting for paragraph "(b)", a new paragraph "(b)" -

"(b) one representative each of the following Federal Ministries and Agencies not below the rank of Director and Heads of the Organisations -

- (i) Environment,
- (ii) Petroleum Resources,
- (iii) Defence,
- (iv) Water Resources,
- (v) Nigerian Civil Aviation Authority (NCAA),
- (vi) Nigerian Maritime Administration and Safety Agency (NIMASA),
- (vii) National Emergency Management Agency (NEMA),
- (viii) Ecological Fund Office,
- (ix) Nigerian Environmental Society (NES),
- (x) Oil Producers Trade Section of Lagos Chambers of Commerce (OPTS), and
- (xi) Independent Petroleum Marketers Association of Nigeria (IPMAN)."

Committee's Recommendation:

That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 3: Amendment of section 5

Section 5 of the Principal Act is amended by -

- (a) substituting for the opening paragraph a new opening paragraph -
"5. The objectives of the Agency are to monitor and regulate Tiers 1 and 2 oil spills, coordinate, implement and activate the National Oil Spill Contingency Plan for Nigeria (in this Act referred to as "the Plan") in the event of a Tier 3 oil spill and to - " and
- (b) substituting for paragraph (a), a new paragraph "(a)"-
"(a) establish a viable national operational organisation that ensures a safe, timely, effective and appropriate response to all oil spills as well as other hazardous substances in the petroleum sector".

Committee's Recommendation:

That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 4: Amendment of section 6

Section 6 of the Principal Act is amended by -

(a) substituting for subsections (2)-(4), new subsections "(2)"-"(4)" -

"(2) A facility owner or operator shall notify the Agency of an oil spill by reporting to the Agency in writing, or by electronic mail not later than 24 hours after the occurrence of an oil spill in default of which the failure to report constitute an offence and on conviction shall attract penalty of not less than ₦2,000,000 for each day of failure to report the occurrence.

(3) The failure to commence clean-up operations on the impacted site within two weeks after the completion of the Joint Investigation Visit (JIV) in accordance with the polluter-pays principle, shall constitute an offence and on conviction, the facility owner or operator shall be liable to a fine not less than ₦5,000,000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(4) Failure to submit an action plan for remediation and restoration within two weeks after the completion of post clean up assessment shall constitute an offence, and on conviction, the facility owner or operator shall be liable to a fine not less than ₦5,000,000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment."; and

(b) inserting after subsection (4), a new subsection "(5)" -

"(5) The notice required under subsection (2) of this section shall be deemed to have been made, if sent in writing, or by electronic mail and delivered to the nearest zonal or field office of the Agency closer to the impacted site or the National Control and Response Centre within the time stipulated in subsection (2) of this section."

Committee's Recommendation:

That the provision in Clause 4 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 5: Insertion of sections "7A" and "7B"

(1) Insert after section 7 of the Principal Act, new sections "7A" and "7B" -

"Abandonment and decommissioning of drill sites and oil facilities.

7A (1) The Agency, under section 1(1) this Act, shall monitor the process of decommissioning or abandonment of drill sites and oil facilities as well as oil industry operational areas to ensure that there is no oil spillage in the course of the exercise.

- (2) Where oil spill occurs in the course of decommissioning or abandonment of facilities specified in subsection (1), to ensure that it is cleaned up to all practical extent, in accordance with the procedure and guidelines issued by the Agency.
- (3) The facility owner shall notify the Agency in writing at least two months prior to the commencement of decommissioning or abandonment of any facility or installations within its area of operation.
- (4) Failure to notify the Agency prior to the commencement of such activities as specified in subsection (3) shall attract penalty of at least ₦2,000,000.

Pipeline and other oil facilities integrity monitoring and testing

7B (1) The Agency, pursuant to section 1 (1) of this Act, shall periodically inspect the records of assets and integrity tests conducted by facility owners to ensure that such assets are safe to store or convey crude oil or petroleum products effectively to minimize potential for oil spills.

(2) The Agency shall provide a programme for periodic inspection and compliance monitoring of the oil facilities in the upstream, midstream and downstream sectors in accordance with its Regulations, Guidelines and Standards."

Committee's Recommendation:

That the provision in Clause 5 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 6: Amendment of section 11

6. Section 11 of the Principal Act is amended by inserting after paragraph (b), new paragraphs "(ba)" and "(bb)" -

"(ba) 2.5% of the Ecological Fund annually for the procurement of oil spill response equipment and materials, management of oil spill disasters, clean up and remediation of oil impacted sites arising from third party interference;

(bb) penalties, permits, and certification fees prescribed in the Regulations, Guidelines and Standards";

Committee's Recommendation:

That the provision in Clause 6 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 7: Amendment of section 19

Section 19 of the Principal Act is amended -

(a) in subsection (1) by inserting after paragraph (b), a new paragraph "(ba)" -

"(ba) inspect oil facilities with a view to ensuring full compliance with existing environmental legislation on oil pollution;"

- (b) in subsection (1) (g), by inserting after the words "spillage", the words "and ensure the payment of adequate compensation to impacted party or parties"; and
- (c) by deleting subsection (3) (d).

Committee's Recommendation:

That the provision in Clause 7 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 8: Amendment of section 20

Section 20 of the Principal Act is amended by -

- (a) substituting for subsection (3), a new subsection "(3)" -
"(3) No suit shall be commenced against the Agency before the expiration of a period of three months after written notice of intention to commence the suit shall have been served on the Agency by the intending plaintiff or his agent."; and
- (b) inserting after subsection (3), a new subsection "(4)" -

"(4) Such notice shall clearly and explicitly state the cause of action, particulars of the claim, name and place of abode of the intending plaintiff and the relief which he claims."

Committee's Recommendation:

That the provision in Clause 8 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 9: Amendment of section 26

Section 26 of the Principal Act is amended by inserting new subsections "(2)"-"(4)" -

- "(2) The Agency shall under subsection (1), make regulations setting specifications and standards relating to the -
 - (a) use of dispersant;
 - (b) engagement or invitation of any oil spill responder by oil companies;
 - (c) establishment of a benchmark for oil spill contingency planning;
 - (d) development of framework to guide operators in oil spill contingency planning;
 - (e) most appropriate means of preventing and combating oil spills and its attendant oil pollution; and
 - (f) development of benchmarks for remediation threshold for different land surfaces and uses.

- (3) Any person who contravenes the regulations made under subsection (2), commits an offence and is, on conviction, liable to a fine not less than ₦2,000,000 or imprisonment for a term not less than two years or both and additional fine not less than ₦500,000 for every day the offence subsists.
- (4) Where an offence under subsection (2) is committed by a body corporate, the body corporate shall, on conviction, be liable to a fine not less than ₦5,000,000 and additional fine not less than ₦2,000,000 for every day the offence subsists."

Committee's Recommendation:

That the provision in Clause 9 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 10: Insertion of new sections "26A"- "26D"

Insert after section 26 of the Principal Act, new sections "26A" - "26D", -

Power to enter premises.

- 26A. (1) An officer of the Agency may, in the course of his duty, at any reasonable time and on presentation of his official identification, if so required -
- (a) in collaboration with relevant agencies, enter and search with a warrant issued by a court, any premises including land, vehicle, tent, vessel, floating craft including Maritime Tankers, Barges or Floating Production, Storage, Offloading (FPSO) and oil facilities or any inland waters and other structures, at all times, for the purposes of conducting inspection, searching and taking samples for analysis which he reasonably believes carries out activities or stores goods which contravene environmental standards or legislation relating to oil pollution;
 - (b) examine any article found pursuant to paragraph (a), which appears to him to be an article to which this Act or the regulations made under this Act apply or anything which he reasonably believes is capable of being used to the detriment of the environment in the petroleum sector;
 - (c) take a sample or specimen of any article to which this Act or regulations apply or which he has power to examine under paragraph (b);
 - (d) open and examine, pursuant to paragraph (a), any container or package which he reasonably believes may contain anything to which this Act or its regulations apply or which may help in his investigations;

- (e) examine any book, document or other record found pursuant to paragraph (a), which he reasonably believes may contain any information relevant to the enforcement of this Act or regulations and make copies or extracts therefrom;
 - (f) seize and detain for such time as may be necessary, any article by means of or in relation to which he reasonably believes any provision of this Act or regulations has been contravened; and
 - (g) obtain an order of a court to suspend activities, seal and close down premises including land, vehicle, tent, well head, vessel, floating craft, oil facilities or any inland waters and other structures.
- (2) A written receipt shall be given for any article or thing seized under subsection (1) and the reasons for such seizure shall be stated on such receipt.
- (3) An article seized under this Act shall be kept or stored in such a place as the officer of the Agency may direct and shall be returned to the owner or the person from whom it was seized if the article, upon analysis or examination, is found to conform with the requirements of this Act or regulations made under it.
- (4) An article seized by an officer of the Agency under this Act or regulations made under it, may be submitted to an analyst for analysis or examination and the analyst upon making such analysis or examination shall, issue a certificate or report in the prescribed form, setting forth the result of such analysis or examination and the officer of the Agency shall, on demand, deliver a copy of such certificate or report to the owner of the article if the article is to be subject of a proceeding under this Act or regulations made under it.
- (5) In this section, the word "article" to which this Act or regulations made under it apply are -
- (a) liquid, soil, vegetation;
 - (b) biological and chemical samples; and
 - (c) such other articles or samples as may be determined.

Offences and penalties

- 26B. (1) A person who obstructs an officer of the Agency in the discharge or performance of his duties under sections 5, 6, 7, 8 and 9 of this Act, commits an offence and is liable on conviction -
- (a) in the case of an individual, to a fine not less than ₦300,000 or to imprisonment for a term not less than two years or both, and an additional fine not less than ₦30,000 for each day the offence subsists; and
 - (b) in the case of a body corporate, to a fine not less than ₦5,000,000 and an additional fine not less than ₦500,000 for each day the offence subsists.

- (2) Any person who contravenes the provision of any regulations made under this Act commits an offence and is liable on conviction to the penalties specified in the regulations and as may be reviewed from time to time.
- (3) Any person who engages in any activity that causes the spillage of crude oil or petroleum products commits an offence and is liable on conviction to a fine not less than ₦2,000,000 or imprisonment for a term not less than two years or both.

Conduct of proceedings

- 26C. (1) Subject to section 174 of the Constitution of the Federal Republic of Nigeria 1999, which relates to the power of the Attorney-General of the Federation to institute, continue or discontinue criminal proceedings against any person in a court of law, the Agency may, with the consent of the Attorney-General of the Federation -
- (a) institute criminal proceedings against offenders in respect of offences under this Act or regulations made under it; and
- (b) conduct such proceedings as may be necessary for the enforcement and due administration of this Act.
- (2) Subject to subsection (1), a staff of the Agency who is a Legal Officer within the meaning of the Legal Practitioners Act, shall, while in the employment of the Agency be entitled to represent the Agency as a Legal Practitioner for the purpose and in the course of his employment.
- (3) In a judicial proceeding for an offence under this Act or any regulation made under it, the provisions of the Criminal Procedure Act or depending on the venue, the Criminal Procedure Code shall, with such modification as the circumstance may require, apply in respect of such matter to the same extent as they apply to the trial of offences generally.

Requisition.

26D. The Agency shall ensure that the polluter provides reasonable compensation for loss or damage arising from the use of any equipment, facility or personnel required under this Act".

Committee's Recommendation:

That the provision in Clause 10 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 11: Substitution for section 27
Substitute for section 27 of the Principal Act, a new section "27" -

Interpretation.

"27. In this Act -

"Agency" means the National Oil Spill Detection and Response Agency established under section 1 of this Act;

"Centre" means the National Control and Response Centre established under section 18 of this Act;

"Chairman" means the Chairman of the Governing Board of the Agency;

"Court" means Federal High Court;

"facility owner" means a registered entity given the authority to operate in the oil and gas industry;

"Governing Board" means the National Oil Spill Detection and Response Governing Board of the Agency established under section 2 (1) of this Act;

"member" means a member of the Governing Board of the Agency and includes the Chairman;

"Minister" means the Minister charged with responsibilities for matters relating to environment and Ministry shall be construed accordingly;

"officer" means any employee of the Agency;

"oil" means mineral oil (or any related hydrocarbon) or natural gas as it exists in its natural state in strata, and does not include coal or bituminous shale or other stratified deposits from which oil can be extracted by destructive distillation but including premium motor spirit, automotive gas oil, low or high pour, fuel oil, aviation fuel, kerosene, liquefied petroleum gases and any lubrication oil or grease or other lubricant oil in its natural state before it has been refined or treated;

"operator" means a person operating an oil facility whether as registered owner or on rent or lease or by any other arrangement;

"oil spill responder" includes Clean Nigeria Associates, Oil Companies Cooperative, Oil Spill Response Limited (OSRL) or any other oil spill response contractors;

"polluter" means owner or operator of a facility through which oil, oily waste or hazardous substances are released or discharged into the environment;

"release" means any spilling, leaking, pump Leaking, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, discarding or disposing into the environment;

"remediation" means the process of remedying or restoring an area or situation to its natural (or as close to natural as possible) state;

"Tier 1" means a minor oil spill of 0-25 barrels to inland waters, or 0-250 barrels to land or coastal or offshore waters;

"Tier 2" means a medium oil spill of 25-250 barrels to inland waters, or 250-2,500 barrels to land or coastal or offshore waters; and

"Tier 3" means a major oil spill above 250 barrels to inland waters, or above 2,500 barrels to land or coastal or offshore waters.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 12: Amendment of the First Schedule

The First Schedule to the Principal Act is amended in paragraph 3 by substituting for the word "six" in line three, the word "five".

Committee's Recommendation:

That the provision in Clause 12 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 13: Citation

This Act may be cited as the National Oil Spill Detection and Response Agency (Establishment) (Amendment) Act, 2022.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for an Act to Amend the National Oil Spill Detection and Response Agency (Establishment) Act, No. 15, 2006, to Provide Statutory Power for the Agency to Charge Adequate Fines, Introduce Criminal Offences and Penalties to Ensure Compliance with Existing Environmental Legislation in the Petroleum Sector; and for Related Matters, 2022 and approved as follows:

Clauses 1-13 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

2. Institute of Agriculturists (Establishment) Bill, 2022:**(SENATE IN THE COMMITTEE OF THE WHOLE)**

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN INSTITUTE OF AGRICULTURISTS TO BE CHARGED WITH THE RESPONSIBILITIES OF SETTING STANDARDS AND CODE OF ETHICS FOR THE EFFECTIVE CONTROL AND MANAGEMENT OF THE PROFESSION OF AGRICULTURE; AND FOR RELATED MATTERS, 2022

PART I - ESTABLISHMENT OF THE NIGERIAN INSTITUTE OF AGRICULTURISTS**Clause 1: Establishment of the Nigerian Institute of Agriculturists.**

- (1) There is established the Nigerian Institute of Agriculturists (in this Act referred to as "the Institute").

- (2) The Institute -
- (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name;
 - (c) may own, hold and dispose of property whether moveable or immovable;
 - (d) shall be situate in Abuja, Federal Capital Territory.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 2: Objects of the Institute.

The objects of the Institute are to:

- (a) prescribe the standards of academic qualifications and practical skills to be attained by persons seeking to become registered members, associates or fellows of the Institute;
- (b) prescribe the code of conduct and practice for agriculturists;
- (c) standardise the practice of the profession of agriculture at its various specialised disciplines in relation to each other, without contravening the principal legislation establishing those of other disciplines within the profession or related professions;
- (d) promote the farming system, production types and technological innovations as well as food security, agricultural services and agro-processing activities for the advancement of all the aspects and branches of agriculture;
- (e) encourage and promote among farmers the utilization and application of the findings of agricultural research and other studies for increased food production and food security in Nigeria;
- (f) establish a National network for the dissemination of information relating to packages on Agricultural production and methodologies arising from new discoveries and modern agriculture;
- (g) advise the Ministry and other relevant agencies on safety standards for the use of agricultural chemicals and new biotechnological products;
- (h) publish journals, magazines, newsletters and other publications of professional standards in agricultural business and industry;
- (i) establish, update and maintain a register of professional agriculturists under this Act according to their various ranks as well as streamline the prerogatives and privileges pertaining to those ranks; and
- (j) perform such other acts as may be conducive to the attainment of the functions of the Institute.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 3: Establishment and composition of the Governing Council.

- (1) There is established for the Institute a Governing Council to be known as the Council of the Nigeria Institute of Agriculturists (in this Act referred to as "the Council") which shall have overall control of the Institute as specified under this Act.
- (2) The Council shall consist of -
 - (a) a President who shall -
 - (i) be a member of Agricultural Society of Nigeria;
 - (ii) hold a minimum of first degree or its equivalent in Agriculture; and
 - (iii) preside over all Council meetings.
 - (b) a Vice President who shall -
 - (i) be a member of Agricultural Society of Nigeria;
 - (ii) hold a minimum of first degree or its equivalent in Agriculture; and
 - (iii) act in the absence of the President.
 - (c) the President of Agricultural Society of Nigeria;
 - (d) one each person elected by the Institute, to represent each of the following disciplines or group of disciplines of agriculture -
 - (i) Agricultural Business and Economics Society;
 - (ii) Agricultural Extension and Rural Sociology Society;
 - (iii) Weed Science Society of Nigeria;
 - (iv) Institute of Food Science and Technology;
 - (v) Agricultural bio-technology and Genetics Society of Nigeria;
 - (vi) Crop Science Society of Nigeria;
 - (vii) Plant Protection Society of Nigeria;
 - (viii) Horticultural Society of Nigeria;
 - (ix) Nigeria Society for Animal Production;
 - (x) Fisheries and Aquaculture Society of Nigeria;
 - (xi) Institute for Agricultural Engineering; and

- (xii) Soil Science Society of Nigeria.
- (e) the following ex-officio members -
 - (i) the Minister of Agriculture and Rural Development or his representative;
 - (ii) the Minister of Water Resources or his representative;
 - (iii) one representative of Nigerian Chamber of Commerce, Industry, Mines and Agriculture to be elected by the Chamber;
 - (iv) the Executive Secretary, National Universities Commission;
 - (v) the Executive Secretary, Agricultural Research Council of Nigeria (ARCN);
- (f) the Registrar of the Institute who shall serve as the Secretary of the Council.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 4: Election of members of Council.

The President, Vice president and other members of the Council other than ex-officio members, shall be elected by the Institute from amongst the members, at an annual general meeting of the Institute:

Provided that, the first of such general meeting shall be convened by the Agricultural Society of Nigeria for the purpose of electing such members.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 5: Tenure of office.

The President and the members of the Council, other than ex-officio members shall each hold office -

- (a) for a term of three years in the first instance and may be eligible for another term of three years and no more; and
- (b) on such terms and conditions as may be specified in the letter of appointment.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 6: Removal from office.

- (1) Notwithstanding the provision of section 5 of this Act, a member of the Council, including the President and Vice-President, shall cease to hold office as a member of the Council if he -
- (a) is relieved of his position by the Council, pursuant to any regulation made under section 42 of this Act, on the ground of ill health, misconduct or if it is in the interest of the Institute or of the public that the member, President or the Vice-president should be removed from office;
 - (b) in writing under his hand, resigns his appointment by communicating notice of his intension to the council through the body which he represents and on receipt and approval of the notice by the Council, the resignation is deemed to have taken effect; and
 - (c) absents himself from three consecutive meetings of the Council, without leave of the Council.
- (2) The body shall then elect another representative to complete the tenure of the resigning member of the Council.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 7: Emolument etc of members.

The President and members of the Council shall be paid such emoluments, allowances and benefits as the Council, in consultation with the general assembly may approve.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART II - POWERS AND FUNCTIONS OF THE COUNCIL AND THE INSTITUTE

Clause 8: Powers of the Council.

The Council shall -

- (a) provide the general policy guidelines relating to the functions of the Institute;
- (b) approve the acquisition of offices and other premises for use by the Institute;
- (c) review and approve the strategic plans for the manpower development;
- (d) appoint officers, employees, agents and consultants which in the opinion of the Council are required for carrying out the objectives of the Institute;

- (e) make regulations relating generally to appointment, promotion and disciplinary, control, including dismissal, of employees of the Institute; and
- (f) perform such other functions and enter into such transactions which, in the opinion of the Council, are necessary for the efficient attainment of the objectives of the Institute.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 9: Functions of the Institute.

The Institute shall -

- (a) carry into effect the powers of the Institute;
- (b) govern the affairs of the Institute;
- (c) effect proper management of the Institute; and
- (d) perform such other acts and things as the Council may consider necessary for performing the functions and exercising powers of the Institute.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART III - STAFF OF THE INSTITUTE

Clause 10: Appointment and functions of the Registrar.

- (1) There is appointed a Registrar for the Institute who shall -
 - (a) be appointed by the Council and is the Chief Executive Officer of the Institute;
 - (b) be a member of Agricultural Society of Nigeria;
 - (c) hold a minimum of first degree or its equivalent in Agriculture; and
 - (d) head administration of the Institute and any other assignment that may be given to him by the Council or the President;
 - (e) be responsible -
 - (i) for supervision of the performance of the staff who work within and carry out the management of the secretariat, and
 - (ii) to the Council for the employment of the staff who work within and carry out the management of the secretariat;

- (f) keep custody of the register and the common seal of the Institute, ensure entries in the register and affix the common seal to such documents as the Council may direct.
- (2) The tenure of the office of the Registrar shall be for a term of five years;
- (3) Employment and conditions of service of all other staff in the Institute shall be the same with that of the Public Service of the Federation.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 11: Removal of the Registrar of the Institute.

The Registrar may be removed from office by the President of the Institute, acting on the recommendation of the Council praying that he be removed, for his inability to perform the functions of the office, whether arising from infirmity of mind or body, misconduct or any other cause.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 12: Pensions Reforms Act, 2014.

Employment in the Institute shall be subject to the provisions of the Pensions Reform Act and officers and employees of the Institute shall be entitled to pension and other retirement benefits, as are prescribed under the Act.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 13: Condition of service.

Subject to the provisions of this Act, the Council may issue staff regulations relating generally to the conditions of service of the staff and, in particular, such regulations may provide for -

- (a) the appointment, promotion, terminations, dismissal and disciplinary control of staff or employees of the Institute;
- (b) appeals by staff or employees against dismissal or other disciplinary measure, and until such regulations are made, any instrument relating to the conditions of service in the public service of the Federation shall be applicable, with such modification as may be necessary, to the employees of the Institute.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART IV - FINANCIAL PROVISIONS

Clause 14: Funds of the Institute.

The Institute shall establish and maintain a fund which shall consist of:

- (a) contributions, levies, subscriptions, fees and other dues paid by the members;
- (b) revenue accruing to the Institute from its investments, activities and services;
- (c) grants, endowments and donations from Government and other donors;
- (d) revenue accruing to the Institute from any other source approved by the Council.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 15: Expenditure of the Institute.

- (1) The Institute shall defray from the fund, amounts payable under this Act being sums representing -
 - (a) amount payable to the President and other members of the Council, including allowances;
 - (b) reimbursement to members of the Council or any other Committee set up by the Council for such expenses as may be expressly authorized by the Council;
 - (c) remunerations and other cost of employment of the staff of the Institute;
 - (d) overhead and capital expenditure of the Institute;
 - (e) amounts payable as pensions and other retiring benefits under or pursuant to this Act or any other related enactment;
 - (f) maintenance of utilities, staff promotion, training, research and similar activities;
 - (g) costs necessary for day-to-day operations of the Institute;
 - (h) any other payment for anything incidental to the foregoing provisions or in connection with or incidental to any other function of the Institute under this Act.
- (2) The Institute may invest such surplus funds as it may have, from its operations in treasury bills or other government securities.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 16: Estimates.

The Registrar shall cause to be prepared and submitted to the Council not later than 30th of September of each year, an estimate of its income and expenditure for the succeeding year.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 17: Accounts and audits.

The Institute shall cause to be kept proper accounts and records, and such account shall, not later than six (6) months after the end of each year, be audited by auditors appointed by the Council from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 18: Annual report, etc.

The Institute shall prepare and submit to the Council, every year, a report of the preceding year in the form as the Council may direct on the activities of the Institute, and the report shall include a copy of audited accounts of the Institute for the year and of the auditor's Report.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 19: Power to accept gift.

The Institute may accept gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 20: Power to borrow.

The Institute may, with the approval of the Council, borrow by way of loan, or overdraft from any source, such sum as it may require for the performance of its function and discharge of its obligation under this Act.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 21: Records.

The Registrar shall -

- (a) keep proper accounting records, in a manner as may be determined by the President in respect of all -

- (i) revenues and expenditures of the Institute;
 - (ii) its assets, liabilities and other financial transactions; and
 - (iii) other revenues collected by the Institute, including income on investments;
- (b) prepare an annual report, including financial statements, in accordance with generally accepted accounting principles and practices; and
- (c) ensure that the available accounting resources of the Institute are adequate and used economically in the most effect and efficient manner, and that other financial records properly safe-guarded;
- Act No. 4 2011
- (d) provide replies to request made under the Freedom of Information Act; and
- (e) discharge any other duty that may be assigned by the Council.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART V - REGISTRATION OF MEMBERS OF THE INSTITUTE

Clause 22: Register of the Institute.

The Institute shall keep and maintain a register of all members.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 23: Categories of membership.

The Institute may, subject to the provisions of this Act and such rules as the Council may make in that regard, admit and register the following categories of members:

- (a) Regular Members;
- (b) Associate Members;
- (c) Fellows; or
- (d) Honorary Fellows.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 24: Eligibility of membership.

A person shall be eligible to be admitted and registered as a member if that person is:

- (a) a holder of a degree or equivalent qualification in agriculture or agricultural sciences or related science from any accredited institution and holds, in addition, three years post graduate or post qualification working experience;
- (b) a member of any equivalent professional agricultural body or institute recognized by the Council;
- (c) a holder of a postgraduate degree or postgraduate diploma in any agricultural discipline, from an institution accredited by the Council and has, in addition, two years working experience;
- (d) a holder of a higher national diploma or equivalent qualification in agriculture and related disciplines and in addition has had three years of such relevant experience as the Council may approve;
- (e) a holder of a National Diploma or equivalent qualification in agriculture and related disciplines mentioned in section 3 (2) (c) of this Act and has in addition, five years of such relevant experience as the Council may approve.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 25: Corporate member.

A company or corporate institution is eligible to be registered as a corporate member, if such organization is:

- (a) registered with the Corporate Affairs Commission (CAC) and contributes to agricultural growth and development in Nigeria to the satisfaction of the Council; and
- (b) found fit and proper to be registered as determined by the Council.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 26: Associates.

A member shall be eligible to be registered as an Associate if-

- (a) that member has contributed significantly by research efforts, publications and experience, to the growth, development and progress of agriculture or related areas; and
- (b) the council is satisfied that the member is a fit and proper person to be elevated to the rank of an associate.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 27: Fellow.

A person who is a member shall be eligible to be registered as a Fellow if-

- (a) that person has by research effort, publication and experience in any area of agriculture, contributed significantly to the growth and development of agriculture or related areas; and
- (b) the Council is satisfied that the person is fit and proper to be elevated to the rank of Fellow.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 28: Honorary Fellows.

A person may be registered as a Honorary Fellow if-

- (a) the person is distinguished in any area of agriculture or related industry; and
- (b) the Council is satisfied that the person is fit and proper person to be elevated to the rank of the Honorary Fellow.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 29: Certificates and honours.

The Council may, subject to its rules in that regard, award distinctive certificates and other honours to any person, Regular Member, Associate, Fellow or Honorary Fellow for any distinctive achievement in any discipline or area of agriculture.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART VI - APPROVAL OF CURRICULAR AND COURSES OF AGRICULTURAL INSTITUTIONS.**Clause 30: Accreditation on Institutions.**

- (1) Every faculty, college or university of agriculture in Nigeria shall, on demand by the Council, submit to the Council, details of its curricula, courses of study in agriculture and related programmes, which are in line with the provisions of the National Universities Commission Act.
- (2) The Council shall delegate a Committee of the Council to evaluate the contents of such curricula and courses and ensure that they sufficiently endow any person pursuing them with the requisite knowledge, skill and working experience for the practice of agricultural profession.
- (3) Subject to this Act, a person who has obtained his first degree or other academic qualification from an unaccredited institution shall not be eligible to be registered as a member of the Institute.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART VII - ESTABLISHMENT OF THE NIGERIAN INSTITUTE OF AGRICULTURISTS
DISCIPLINARY TRIBUNAL

Clause 31: Establishment of the Nigerian Institute of Agriculturists Investigative Panel.

- (1) There is established the Nigerian Institute of Agriculturists Investigative Panel (in this Act referred to as "the Panel").
- (2) The Panel shall -
 - (a) conduct preliminary investigations into any allegation or complaints of professional misconduct against a member or fellow of the Institute;
 - (b) determine, whether or not there is a prima facie case against the person and refer such case to the Tribunal for hearing and determination.
- (3) The Panel shall consist of a Chairman and four members appointed by the Council.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 32: Establishment of the Nigerian Institute of Agriculturists Disciplinary Tribunal.

- (1) There is established the Nigerian Institute of Agriculturists Disciplinary Tribunal (in this Act referred to as "the Tribunal").
- (2) The Tribunal shall hear and determine any case of professional misconduct against any member in the discharge of his duties as Agriculturist.
- (3) The tribunal shall consist of the President and six other members appointed by the Council.
- (4) There shall be in attendance, a legal adviser to the Tribunal nominated by the Attorney-General of the Federation.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 33: Rules.

The Council may make rules to regulate the proceedings of the Investigating Panel and Tribunal and until such rules are made, the provisions of the Schedule to this Act are applicable.

Committee's Recommendation:

That the provision in Clause 33 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 34: Penalty.

Where:

- (a) a member is adjudged by the Tribunal to be guilty of a professional misconduct,
- (b) a member is convicted of an offence by any court in Nigeria or elsewhere, having power to sentence an offender to imprisonment, whether or not the offence is punishable with imprisonment, and the offence in the opinion of the Tribunal derogates his membership of the Institute; or
- (c) the Tribunal is satisfied that any person has been fraudulently registered in the register of members,

the Tribunal shall give directives to the Registrar either to reprimand that member or to strike his name off the register and the Registrar shall comply with such directives.

Committee's Recommendation:

That the provision in Clause 34 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 35: Right of appeal.

Notwithstanding the provisions of section 34 of this Act, or any other Act, a member who is found guilty by the Tribunal shall have right of appeal to the Federal High Court against any pronouncement made by the Tribunal.

Committee's Recommendation:

That the provision in Clause 35 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 36: Professional misconduct.

In this part, "professional misconduct" means any action or behaviour considered by the Council to be unprofessional conduct and include acts unbecoming of agriculturists which may include but not limited to unjust enrichment by any person, abuse of office or corrupt practices in the conduct of a member.

Committee's Recommendation:

That the provision in Clause 36 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART VIII - LEGAL PROCEEDINGS

Clause 37: Limitation of suit against the Institute. Cap. P41 LFN 2004.

- (1) Subject to the provisions of this act, the provisions of the Public Officers Protection Act shall apply in relation to any suit Instituted against any member, officer or employee of the Institute.

- (2) Notwithstanding anything contained in any other law or enactment, no suit against a member of the Council, the President, any other officer or employee of the Institute for any act done in pursuance or execution of this Act or any other law or enactment, or any other public duty or authority or in respect of any alleged neglect or default in the execution of this Act, any other law or enactment, duty or authority instituted in any Court unless it is commenced -
- (a) within three months after the act, neglect or default complained of, or
 - (b) in the case of a continuation of damage or injury, within six months after the ceasing thereof.
- (3) No suit shall be commenced against a member of the Council, the President or any other officer or employee of the Institute before the expiration of a period of one month after written notice of the intention to commence the suit shall have been served on the Institute by the intending plaintiff or his agent.
- (4) The notice under subsection (3) shall clearly state -
- (a) the cause of action;
 - (b) the particulars of the claims;
 - (c) the name and place of abode of the intended plaintiff; and
 - (d) the relief which he claims.

Committee's Recommendation:

That the provision in Clause 37 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 38: Service of documents.

A notice, summons or other document required or authorised to be served on the Institute under the provision of this Act or any other law or enactment may be served by delivering it to the President or by sending it by registered post, addressed to the President at the principal office of the Institute.

Committee's Recommendation:

That the provision in Clause 38 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 39: Restriction on execution against property of the Institute.

- (1) In any action or suit against the Institute, no execution or attachment of process in the nature thereof shall be issued against the Institute unless not less than three months' notice of the intention to execute or attach has been given to the Institute.
- (2) Any sum of money which, by the judgment of any court, has been awarded against the Institute shall, subject to any direction given by the court where no notice of appeal against the judgment has been given, be paid from the Fund of Institute.

Committee's Recommendation:

That the provision in Clause 39 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 40: Indemnity.

A member of the council, the President or any officer or employee of the Institute shall be indemnified out of the assets of the Institute against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member, President, officer or employee of the Institute.

Committee's Recommendation:

That the provision in Clause 40 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

PART IX - MISCELLANEOUS PROVISIONS

Clause 41: Directives by the Minister.

The Minister may jointly or severally give to the Institute or the President such directives of a general nature or relating generally to matters of the policy with regards to the exercise of its or his functions as they may consider necessary and the Institute or the President shall comply with the directives or cause them to be complied with.

Committee's Recommendation:

That the provision in Clause 41 be retained (*Deputy Senate Leader*) — *Agreed to.*

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

Clause 42: Power to make regulations.

The Council may, with the approval of the Minister, make rules and regulations as in its opinion are necessary or expedient for giving full effect to the provisions of this Act and for the due administration of its provisions.

Committee's Recommendation:

That the provision in Clause 42 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 42 do stand part of the Bill, put and agreed to.

Clause 43: Interpretation.
In this Act -

"Council" means Council established by section 3(1);

"Institute" means Nigerian Institute of Agriculturists established by section 1 of the Act;

"Member" means members of the Institute and includes a Regular or Associate member of the Institute;

"Minister" means the Minister responsible for Agriculture and Rural Development;

"President" means President of the Institute;

"rank" means status of members;

"register" means register created and maintained under section 22;

"Tribunal" means Tribunal established under section 33;

"Vice President" means Vice President of the Institute.

Committee's Recommendation:

That the provision in Clause 43 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 43 do stand part of the Bill, put and agreed to.

Clause 44: Citation.

This Bill may be cited as the Nigerian Institute of Agriculturists Bill, 2022.

Committee's Recommendation:

That the provision in Clause 44 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 44 do stand part of the Bill, put and agreed to.

SCHEDULE

Section 33

Proceedings of the Council

1. The Council may make standing orders regulating the proceedings of the council or any Committee and shall meet at least once in every quarter in a year.
2. The Quorum of the council shall be seven which shall include at least three elected members, representatives of the Ministers and one elected member from one of the tertiary Institutions mentioned in this Act.
3. (1) Subject to the provisions of paragraph 1 above and the applicable standing order, the Council shall meet whenever summoned by the President, and if the President is required to do so by the notice given to him in writing by not less than five elected members, he shall summon a meeting of the Council to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Council, the President shall preside or in his absence the Vice President shall preside.
- (3) Where the Council intends to obtain the advice of any person on a particular matter, the Council may co-opt such a person as a member for such period as it thinks fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.

Committees

4. (1) The Council may appoint one or more committees to perform, on its behalf, such functions as it may determine.
- (2) A committee set up under this paragraph shall consist of the number of persons determined by the Council and not more than one-third of those persons may be persons who are not members of the Council and a person other than a member of the Council shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.

- (3) A decision of a committee of the Council shall be of no effect until it is ratified by the Council.

Authentication of instrument

5. (1) The affixing of the seal of the Council shall be authenticated by the signature of the President or the Vice President and the Secretary of the Council.
- (2) Any contract or instrument which is made or executed by a person not being a body corporate, would not be required to be under seal but may be executed on behalf of the Council by any person generally or specially authorized to act for that purpose by the Council.

Notice of Hearing

6. (1) When a complaint is referred by the Panel to the Tribunal, the Registrar shall, after consultation with the Chairman, appoint a time and place for the hearing, and shall give notice to all interested parties, including members of the Tribunal and the assessor.
- (2) If directions are for any reason not so given, it shall be sufficient compliance with this rule if the notice is-
- (a) handed to the party concerned or affected, personally; or
- (b) sent by registered post to the last known place of abode of the party.

Hearing in absence of party

7. (1) Subject to paragraph (2) of this Schedule, the Tribunal may hear and determine a case in the absence of any party.
- (2) Any party to any proceedings before a Tribunal who fails to appear or be represented may apply within one month after the date when the pronouncement of the findings and directions of the tribunal were given, for a re-hearing on the ground of want of notice or other good and sufficient reasons, and the Tribunal, in appropriate cases may grant the application upon such terms as to cost or otherwise as it deems fit.

Hearing of witnesses

8. The Tribunal may, in the course of its proceedings hear witnesses and receive any documentary evidence necessary in its opinion to assist it in arriving at a conclusion as to the truth or otherwise of the allegation of misconduct in the complainant referred to it by the Panel, and in application of this Schedule, the provisions of the Evidence Act, No. 18, 2011, shall apply to any such proceedings.

Amendment of complaint

9. If in the cause of the proceedings it appears to the Tribunal that the complaint before it requires to be amended in any respect, the Tribunal may, on such term as it thinks fit, allow the amendment to be made and the complaint as amended shall there upon be dealt with accordingly.

Public Hearing

10. (1) The proceedings of the Tribunal shall be held and its findings and directions shall be delivered in public unless otherwise directed by the Tribunal.
- (2) The Tribunal may, on its own motion, or upon the application of any party, adjourn the hearing on such terms as to costs or otherwise as the Tribunal deems fit.

False evidence

11. If any person willfully gives false evidence on oath before the Tribunal during the course of any proceedings, or willfully make a false statement in any affidavit sworn for the purpose of such proceedings, the Tribunal may refer the matter to the Attorney-General of the Federation for such action as the Attorney-General may think fit.

Findings and costs in certain cases

12. If after the hearing, the Tribunal adjudges that the charge of professional misconduct has not been proved, the Tribunal-
- (a) shall record the findings that the respondent is not guilty of such misconduct in respect of which the charge was preferred; and
 - (b) may, nevertheless order any party, except the complainant, to pay the costs of the proceedings, having regard to his conduct and to all the circumstances of the case.

Publication of findings

13. Any findings made or direction given by the Tribunal shall be published in the Federal Government Gazette immediately after such finding or direction, as the case may be.

Record of proceedings

14. The Chairman shall during the hearing, take the minutes of the proceedings, which shall be open to inspection by the parties and shall be made available to any party upon the payment of such charges as the Registrar may be instructed to publish in the Federal Government Gazette.

Power of Tribunal

15. The Tribunal may dispense with any requirements of this Schedule regarding notices, affidavit, documents, service or time for doing or omitting anything in any case where it appears to the Tribunal to be just or expedient to do so and the Tribunal may, in any particular case, extend the time for doing anything under this Schedule.

Power to retain exhibits pending appeal

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

Assessors

Appointment and duties of assessors

17. (1) An assessor shall be appointed by the Council by instrument, and the assessor shall hold and vacate office as provided in his instrument of appointment, and where the appointment is not a general one, it shall have effect only in respect of a particular proceeding of the Tribunal.
- (2) Subject to the terms of his appointment, an assessor shall attend the proceedings of the Tribunal whenever required to do so by notice in writing given to him by the Registrar not later than three days before the date fixed for the hearing of such proceedings, and he shall advise the Tribunal on question of law only.

Question that the Provision in this Schedule stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for an Act to Establish the Nigerian Institute of Agriculturists to Be Charged with the Responsibilities of Setting Standards and Code of Ethics for the Effective Control and Management of the Profession of Agriculture; and for Related Matters, 2022 and approved as follows:

Clauses 1-44 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

3. Public Interest Disclosure and Complaints (Enactment) Bill, 2022:

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF THE REPORT ON A BILL FOR AN ACT TO REPEAL THE PUBLIC COMPLAINTS COMMISSION ACT, CAP P37, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE PUBLIC COMPLAINTS COMMISSION ACT, 2022 FOR THE ESTABLISHMENT OF THE PUBLIC COMPLAINTS COMMISSION WITH WIDE POWERS TO INQUIRE INTO COMPLAINTS BY MEMBERS OF THE PUBLIC CONCERNING THE ADMINISTRATIVE ACTIONS OF ANY PUBLIC AUTHORITY AND COMPANIES OR THEIR OFFICIALS, AND TO PROVIDE A LEGAL FRAMEWORK FOR MAKING PUBLIC INTEREST DISCLOSURE FROM WHISTLEBLOWERS AND FOR OTHER MATTERS, 2022.

PART 1 — ESTABLISHMENT OF THE PUBLIC COMPLAINTS COMMISSION

Clause 1: Establishment of the Public Complaints Commission

- (1) There is established a Commission to be known as the Public Complaints Commission (in this Bill referred to as "the Commission").
- (2) The Commission—
 - (a) shall be a body Corporate with perpetual succession and a common seal and may sue and be sued in its corporate name, and
 - (b) may acquire, hold, mortgage, purchase and deal with property, whether movable or immovable.
- (3) The Commission may establish such number of branches in the States of the Federation as the National Assembly may from time to time determine.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 1 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

PART II— COMPOSITION OF THE COMMISSIONERS OF THE COMMISSION

Clause 2: Establishment and Membership of the body of Commissioners of the Commission

- (1) There is established for the Commission, a Body of Commissioners (in this Bill, referred to as "the Commissioners") which shall have oversight control of the Commission.
- (2) The Commissioners shall consist of—
 - (a) a Chief Commissioner, who shall be a person with cognizant experience in law, humanities, sciences or administrative matters;
 - (b) such other number of Commissioners as may from time to time be appointed by the National Assembly; and
 - (c) the Secretary of the Commission who shall be the Secretary of the Body of Commissioners.
- (3) The Commissioners who shall be persons of proven integrity, shall be appointed by the National Assembly, provided that no person shall be qualified to be appointed to be a Commissioner if that person—
 - (a) is not a citizen of Nigeria;
 - (b) has not attained the age of 35 years; and
 - (c) has not been educated up to at least a first degree certificate or its equivalent in an institution recognized by the Federal Ministry of Education.
- (4) The Body of Commissioners shall meet for the conduct of its ordinary meetings at least 4 times in a calendar year.
- (5) Notwithstanding the provision of subsection (4) of this section, the Commissioners may meet to conduct such other business as exigency demands

Committee's Recommendation:

That the provision in Clause 2 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 2 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 3: Tenure of Office

- (1) The Chief Commissioner and other Commissioners, shall each hold office—
 - (a) for a term of five (5) years in the first instance and may be reappointed for a further term of five (5) years and no more, and on such terms and conditions as may be specified in their respective letters of appointment; and

- (b) be paid such remuneration and allowances as the Revenue Mobilization and Fiscal Commission may, from time to time determine.
- (2) There shall be paid to a Commissioner upon completion of his or her period of service, severance gratuity calculated in such a manner as the Revenue Mobilisation, Allocation and Fiscal Commission may determine.
- (3) A Commissioner shall not, while holding office, hold any other office of emolument whether in the public service or elsewhere

Committee's Recommendation:

That the provision in Clause 3 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 3 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 4: Resignation, cessation or removal from membership of the Body of Commissioners

- (1) A Commissioner appointed by the National Assembly may resign his or her appointment by notice in writing addressed to the National Assembly through the President of the Senate, and that Commissioner shall on the date of the receipt of the notice of resignation by the Senate President cease to be a Commissioner.
- (2) A Commissioner shall cease to hold office, if he or she—
- (a) lacks physical or mental capacity to perform his or her functions;
 - (b) becomes of unsound mind;
 - (c) becomes bankrupt, and
 - (d) is convicted of a felony, misconduct or of any offence involving dishonesty.
- (3) A Commissioner may at any time be removed from office by the National Assembly acting on an address supported by two - thirds (2/3) majority of the Senate and the House of Representatives praying that the person be removed for inability to discharge the functions of office, whether arising from matters provided under subsection (2).
- (4) Where a vacancy occurs in the membership of the Commission, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of the predecessor.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 4 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 5: Standing Orders

The Chief Commissioner in consultation with other Commissioners may make Standing Orders for regulating the Commission's proceedings or those of any of its Committees.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 5 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

PART III — FUNCTIONS AND POWERS OF THE COMMISSIONERS**Clause 6: Powers and Duties of Commissioners**

- (1) All Commissioners shall be responsible to the National Assembly, but the Chief Commissioner shall be responsible for coordinating the work of other Commissioners.
- (2) A Commissioner shall have power to investigate either on his/her own initiative or following complaints lodged before him/her by any person, any administrative action taken by—
 - (a) any Ministry, Department or Agency of the Federal or any State Government;
 - (b) any Department of any Local Government Authority (howsoever designated) set up in any State in the Federation;
 - (c) any statutory corporation or public institution set up by any Government in Nigeria;
 - (d) any entity incorporated under or pursuant to the Companies and Allied Matters Act whether owned by any Government aforesaid or by private individuals in Nigeria;
 - (e) any business concern employing more than 2 (two) persons whether or not incorporated under the Companies and Allied Matters Act; and
 - (f) any officer or official of any of the bodies mentioned above.
- (3) For the purposes of this Bill—
 - (a) the Chief Commissioner may determine the manner by which complaints are to be lodged;
 - (b) a Commissioner may determine in his or her absolute discretion whether, and if so, in what manner to notify the public of his or her actions or intended actions in any particular case;
 - (c) a Commissioner shall have access to all information necessary for the efficient performance of his or her duties under this Bill and for this purpose may visit and inspect any premises belonging to any person or body mentioned in subsection (2) of this section;

- (d) a Commissioner shall ensure that administrative action by any person or body mentioned in subsection (2) of this section will not result in the commitment of any act of injustice against any citizen of Nigeria or any other person resident in Nigeria and for that purpose shall investigate with special care administrative acts which are or appear to be—
- (i) contrary to any law or regulation,
 - (ii) mistaken in law or arbitrary in the ascertainment of fact,
 - (iii) unreasonable, unfair, oppressive or inconsistent with the general functions of administrative organs,
 - (iv) improper in motivation or based on irrelevant considerations,
 - (v) unclear or inadequately explained, or
 - (vi) otherwise objectionable; and
- (e) a Commissioner shall be competent to investigate administrative procedures of any court of law in Nigeria.
- (4) Where concurrent complaints are lodged with more than one Commissioner, the Chief Commissioner shall decide which Commissioner shall deal with the matter and the decision of the Chief Commissioner thereon shall be final.
- (5) All Commissioners and all staff of the Commission shall maintain confidentiality in respect of all matters that come to their knowledge in the exercise of their duties.
- (6) In the exercise of the powers conferred upon a Commissioner under this section, the Commissioner shall not be subject to the direction and control of any other person or authority.
- (7) It shall be the duty of anybody or person required by a Commissioner to furnish information pursuant to subsection 3 (c) of this section to comply with such requirements not later than 14 days from receipt thereof.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 6 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 7: Limitation of Jurisdiction

- (1) A Commissioner shall not investigate—
- (a) any matter that is outside the Commissioner's terms of reference;
 - (b) that is pending before the National Assembly, the Federal Executive Council or the National Council of State;

- (c) that is pending before any court of law in Nigeria;
 - (d) in which the complainant has not, in the opinion of the Commissioner, exhausted all available administrative procedures;
 - (e) relating to any act or thing done in respect of which the complaint is lodged later than twenty four (24) months after the date of the act or thing done from which the complaint arose;
 - (f) in which the complainant has no personal interest.
- (2) For the purposes of paragraph (b) of subsection (1) of this section, a notice signed by the Secretary to the Government of the Federation and addressed to a Commissioner certifying that any matter is pending before any of the bodies mentioned in that paragraph, shall be conclusive as to the pendency of the matter.
- (3) in every case where a Commissioner decides not to investigate a complaint, the Commissioner shall inform the complainant in writing of the reason for that decision.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 7 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 8: Discretion not to investigate certain cases

A Commissioner may decline to investigate a complaint if the Commissioner considers that—

- (a) there are in existence adequate remedies under any written law or administrative practice; or
- (b) the complaint is trivial, frivolous, vexatious or is not made in good faith.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 8 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 9: Power not limited by other laws

- (1) The provisions of this Bill are in addition to and do not in any manner derogate from the provisions of any other laws guaranteeing liberty of access to courts of law for redress.
- (2) The powers granted to a Commission under this Bill may be exercised despite a provision in any written law to the effect that any action is final or cannot be appealed, challenged, reviewed, or called to question.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 9 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

PART IV — REPORTS, RECOMMENDATIONS AND ENFORCEMENT

Clause 10: Recommendations after investigation

- (1) The Commission may recommend to the appropriate person or responsible Administrative Agency after due investigation of any complaint any of the following steps, that is -
 - (a) that a further consideration of the matter be made:—
 - (b) that a modification or cancellation of the offending administrative or other act be effected;
 - (c) that an alteration of a regulation or administrative decision be effected; or
 - (d) that full reasons behind a particular administrative or other act be given.
- (2) Where appropriate, the Commission may refer cases where existing laws or administrative regulations or procedures are inadequate, to the National Assembly or any State Assembly or to any other appropriate person or body.
- (3) In every case where it is discovered that a crime may have been committed by any person, the Commission shall report such findings to the appropriate authority or recommend that the person be prosecuted.
- (4) In every case the Commission is of the opinion that the conduct of any person is such that disciplinary action against such a person be taken, the Commission shall make a report in that regard to the appropriate authority which shall take further actions as may be necessary in the circumstances.
- (5) The Commission may require the Respondent or Organisation that is subject of investigation to submit a report to the Commission within a specified period on the steps, if any, taken to implement the recommendations of the Commission.
- (6) If there is failure or refusal to implement the recommendations of the Commission within a specified period, a report may be prepared and submitted to the President and the National Assembly, detailing the failure or refusal to implement the recommendations and the President or the National Assembly shall take appropriate action to ensure compliance with the recommendations.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 10 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

- Clause 11: Recognition and enforcement of Decisions and Recommendations**
- (1) Without prejudice to any other provision in this Bill, a decision or recommendation made by the Commission shall be effective and binding and subject to the provisions of this Bill, shall, upon application in writing to the Court, be registered and enforced by the Court.
- (2) Where any application by the Commission is heard and determined by the Court, the decisions of the court shall be enforced accordingly.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 11 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

- Clause 12: Report to Complainants**
- The Commission shall inform Complainants of the results of the investigation in writing.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 12 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

PART V—PUBLIC INTEREST DISCLOSURE

- Clause 13: Functions of the Commission in respect of Public Interest Disclosure.**
- The Commission shall—
- (a) be responsible for the management of public interest disclosure and complaint in the manner specified under this Bill;
- (b) monitor the management of public interest disclosures and complaint, including—
- (i) monitoring compliance with this Bill,
- (ii) collecting statistics about public interest disclosures and complaint,
- (iii) monitoring trends in relation to public interest disclosures and complaint, and
- (iv) review, from time to time, the way in which public interest disclosures and complaint are dealt with under this Bill by persons and authority concerned with the handling of public interest disclosures;
- (c) shall perform an educational and advisory role, including—
- (i) promoting the objectives of this Bill,
- (ii) providing advice about public interest disclosures and complaint, and

- (iii) providing, or co-coordinating the provision of education and training programmes about public interest disclosures and complaint.
- (d) determine the type of protective measures to be applied for persons making public interest disclosures under the provisions of this Bill;
- (e) advise any public authority or any other person on the adoption of strategies and measures on public interest disclosures;
- (f) collate, analyse, store and disseminate information relating to public interest disclosures;
- (g) give such instructions to a protected person as the Commission may consider necessary;
- (h) provide guidelines for the protection of the identity and anonymity of a discloser of public interest disclosure including the allocation of appropriate identifier to be used by all parties involved;
- (i) recommend to the appropriate or competent authority any line of action considered appropriate following any investigation or enquiry into any public interest disclosure; and
- (j) perform such other functions as may be necessary for effective implementation of the objectives of this Bill.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 13 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 14: Powers of the Commission in respect of Public Interest Disclosure.

The Commission shall have power to—

- (a) enter into arrangements with other persons, bodies or organisations within or outside Nigeria as it may consider desirable or appropriate in furtherance of the objectives and purpose of this Bill;
- (b) enter into confidential agreements with relevant foreign authorities, international criminal courts or tribunals and other regional or international bodies relating to the relocation of protected persons and witness protection measures;
- (c) search a protected person and his property and seize items regarded by the Commission to be a threat to the protected person or another person or the integrity of the Public Interest Disclosure;
- (d) request for any public record or document from any department, agency or office with the appropriate order of court;
- (e) demand from any appropriate or competent authority the report and the action taken with respect to any public interest disclosure referred for investigation by the appropriate or competent authority;

- (f) represent Nigeria at any international fora on issues relating to public interest disclosure and witness protection;
- (g) issue Guidelines in respect of—
 - (i) minimum standards of conduct and integrity to be complied with by a person making a public interest disclosure and complaint under this Bill, and ways in which appropriate or competent authorities are to deal with public interest disclosures; and
 - (ii) internal procedures relating to how public interest disclosures are handled, and the responsibilities of appropriate or competent authorities in connection with public interest disclosures under this Bill and ensure that all appropriate or competent authorities have copies of the Guidelines; and
- (h) carry out such other activities as are necessary or expedient for the full discharge of the functions conferred on it under this Bill.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 14 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 15: Making public interest disclosure

- (1) A person makes a public interest disclosure as provided under this Bill if the person—
 - (a) believes on reasonable grounds that the disclosure is true; or
 - (b) has no reasonable grounds on which to form a belief about the truth of the information but believes on reasonable grounds that the disclosure may be true and not solely for personal gain.
- (2) A person may make a public interest disclosure about events that—
 - (a) happened or may have happened, whether before or after the commencement of this Bill;
 - (b) are or may be happening at the time of making the disclosure; or
 - (c) will or may happen at a later date.
- (3) The making of a public interest disclosure in accordance with the provisions of this Bill, does not excuse, absorb or pardon a person from liability in respect of his conduct or involvement in the matter of the public interest disclosure.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 15 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 16: Mode of making public interest disclosure

- (1) A person may make a public interest disclosure orally, in writing or in such other manner as may be prescribed by the Commission in a regulation made under this Bill to—
 - (a) the Commission; or
 - (b) an appropriate authority listed in the Schedule to this Bill and responsible for the matter to which a public interest disclosure relates.
- (2) Where a public interest disclosure is made to the Commission or an appropriate authority, the Commission or an appropriate authority, as the case may be, is considered to have received the disclosure for the purpose of this Bill.

Committee's Recommendation:

That the provision in Clause 16 be retained (Deputy Senate Leader) — *Agreed to.*

Question that Clause 16 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 17: Public interest disclosure in respect of an unidentified person

A person may make a public interest disclosure whether or not the person is able to identify a particular person to whom the disclosure relates.

Committee's Recommendation:

That the provision in Clause 17 be retained (Deputy Senate Leader) — *Agreed to.*

Question that Clause 17 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 18: Public interest disclosure made under legal requirement

- (1) A person may make a public interest disclosure under a legal obligation.
- (2) The fact that a person made a public interest disclosure under a particular provision of this Bill does not prevent the person from making the disclosure under another provision of this Bill or any other applicable law.

Committee's Recommendation:

That the provision in Clause 18 be retained (Deputy Senate Leader) — *Agreed to.*

Question that Clause 18 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 19: Public interest disclosure in court proceedings

- (1) Where a person—
 - (a) has information that he may disclose as a public interest disclosure to the Commission; and
 - (b) discloses the information to a court in which the information is relevant and admissible, the disclosure is considered to be a public interest disclosure made to the court.

- (2) The court may, after due consideration, refer the disclosure, for the purpose of this Bill to the Commission or directly to the appropriate or competent authority.

Committee's Recommendation:

That the provision in Clause 19 be retained (Deputy Senate Leader) — *Agreed to.*

Question that Clause 19 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

PART VI — OFFENCES AND PENALTIES, ETC.

Clause 20: Immunity for public interest disclosure.

A person who makes a public interest disclosure under this Bill—

- (a) does not incur civil or criminal liability for doing so; and
- (b) is not, for doing so, liable—
 - (i) to any disciplinary action under a written law,
 - (ii) to be dismissed,
 - (iii) to have his services dispensed with or otherwise terminated, or
 - (iv) for any breach of a duty of secrecy or confidentiality or any other restriction on disclosure, whether or not imposed by a written law, applicable to the person.

Committee's Recommendation:

That the provision in Clause 20 be retained (Deputy Senate Leader) — *Agreed to.*

Question that Clause 20 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 21: Offence of Reprisal

- (1) A person who takes or threatens to take detrimental action against another person because a person has made, or intends to make, a public interest disclosure under this Bill commits an offence and is liable on conviction to a fine not exceeding ₦500,000.00 or imprisonment for a term of not exceeding two years or both.
- (2) A person who—
 - (a) attempts to commit an offence created by subsection (1);
 - (b) intends that an offence provided under subsection (1) be committed; or
 - (c) incites another person to commit that offence, commits an offence and is liable on conviction to a fine not exceeding ₦500,000.00 or imprisonment for a term not exceeding two years or both.

Committee's Recommendation:

That the provision in Clause 21 be retained (Deputy Senate Leader) — *Agreed to.*

Question that Clause 21 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 22: Remedies for acts of victimization

- (1) A person who takes or threatens to take detrimental action against another person because such a person has made, or intends to make a public interest disclosure under this Bill, commits an act of victimization which may be dealt with as a tort.
- (2) Proceedings in tort under subsection (1) may be taken against the perpetrator of an act of victimization or an employer of the perpetrator.
- (3) In proceedings against an employer of the perpetrator of an act of victimization, it is a defence for the employer to prove that the employer —
 - (a) was not knowingly involved in the act of victimization;
 - (b) did not know and could not reasonably be expected to have known about the act of victimization; and
 - (c) could not, by the exercise of reasonable care, have prevented the act of victimization.
- (4) Notwithstanding any other provision in this Bill, this section has no retrospective effect and no proceeding may be taken under this section in relation to an act of victimization that occurred before the commencement of this Bill.

Committee's Recommendation:

That the provision in Clause 22 be retained (Deputy Senate Leader) — *Agreed to.*

Question that Clause 22 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 23: Compensation for victimization

- (1) A person may present to the Commission a complaint that he has been subjected to an act of victimization in contravention of this Bill.
- (2) Where a complaint is presented under this Bill and the act of victimisation to which the person is subjected to is—
 - (a) the termination of the person's employment, he shall be paid such compensation for any loss he has suffered, as the authority or court hearing the complaint determines to be just and equitable; or
 - (b) dismissal, he shall be paid such compensation as shall be prescribed by regulations made under this Bill.
- (3) Compensation may be paid under this section, even if a prosecution in relation to an offence under sections 22 and 23 of this Bill has not been brought, or cannot be brought.

Committee's Recommendation:

That the provision in Clause 23 be retained (Deputy Senate Leader) — *Agreed to.*

Question that Clause 23 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 24: Duty as to secrecy and confidentiality

- (1) A person receiving, investigating, or otherwise dealing with a public interest disclosure under this Bill, shall regard and deal with, as secret and confidential—
 - (a) the identity of the person making the public interest disclosure and the disclosure made; and
 - (b) any statement given, or document, information or thing provided to the person in the course of carrying out an investigation, except that any statement given, or document, information or thing provided, in furtherance of an investigation, or any legal or disciplinary proceedings, shall not be regarded as being inconsistent with the obligation for secrecy and confidentiality.
- (2) A person shall not make a disclosure that might identify or tend to identify a person as the person who has made a public interest disclosure under this Bill, unless the person who made the public interest disclosure consents to the disclosure that might identify or tend to identify him.
- (3) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding five hundred thousand naira or imprisonment for a term not exceeding two years or to both.

Committee's Recommendation:

That the provision in Clause 24 be retained (Deputy Senate Leader) — *Agreed to.*

Question that Clause 24 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 25: Preservation of confidentiality

- (1) Without prejudice to section 24 of this Bill, if a person gains any other confidential information because of the person's involvement in the administration of this Bill, the person shall not make a record of the information, or intentionally or recklessly disclose the information to anyone, other than as provided under subsection (4) of this section.
- (2) A person who contravenes subsection (1), commits an offence and is liable on conviction to a fine not exceeding five hundred thousand naira or imprisonment for a term not exceeding two years or to both.
- (3) A person gains information because of his involvement in the administration of this Bill if the person gains the information, including receiving information relating to a public interest disclosure for an appropriate or competent authority, because of being involved, or an opportunity given to him by being involved, in the administration of this Bill.
- (4) A person may make a record of confidential information or disclose it to another person—
 - (a) for the purposes of this Bill;

- (b) to discharge a function under another legislation, including the investigation of matters disclosed by a public interest disclosure;
 - (c) for a proceeding in a court;
 - (d) if the person to whom the confidential information relates consents in writing to the making of the record or disclosure of the information;
 - (e) where—
 - (i) the person cannot reasonably obtain the consent of the person to whom the confidential information relates, and
 - (ii) making the record or disclosing the information is unlikely to harm the interests of the person to whom the confidential information relates and is reasonable in all the circumstances;
 - (f) if there are reasonable grounds to believe that making the record or disclosing the information is necessary to—
 - (i) prevent or reduce the risk of injury to any person or damage to any property; and
 - (ii) provide for the safety or welfare of a person; or
 - (g) if authorised under regulations made under this Bill or under any other law.
- (5) This section does not affect an obligation a person may have under the principles of natural justice to disclose information to a person whose rights would otherwise be adversely affected.
- (6) In this section, "confidential information"—
- (a) includes information—
 - (i) disclosed by a public interest disclosure,
 - (ii) about an individual's personal affairs, and
 - (iii) that, if disclosed, may be detrimental to a person; and
 - (b) does not include information publicly disclosed in a public interest disclosure made to a court, tribunal or other body that may receive evidence under oath, unless further disclosure of the information is prohibited by law.

Committee's Recommendation:

That the provision in Clause 25 be retained (Deputy Senate Leader) — *Agreed to.*

Question that Clause 25 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 26: Loss of Protection

(1) A person who makes a public interest disclosure under this Bill and—

(a) fails, without reasonable excuse, to assist a person investigating a matter to which the disclosure relates by supplying the person with any information requested, whether orally or in writing, by the person in such manner, and within such period, as is specified by the person making the request; or

(b) discloses information contained in a public interest disclosure otherwise than under this Bill, forfeits the protection given by this Bill.

(2) Where a court is considering whether a person has pursuant to subsection (1) forfeited the protection under this Bill and is of the opinion that the failure or disclosure—

(a) has not materially prejudiced the public interest served by the appropriate disclosure; and

(b) is of a minor nature, it may make an order restoring, in whole or in part, the protection afforded under this Bill, and such consequential orders as are necessary to give effect to the order.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 26 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

PART VII — STRUCTURE AND STAFF OF THE COMMISSION**Clause 27: Appointment of the Secretary of the Commission**

(1) There shall be for the Commission, a Secretary to the Commission who shall—

(a) be appointed by the Chief Commissioner from among the serving Directors in the Commission through a competitive selection process;

(b) be the head of the Commission's Civil Service;

(c) keep the books and proper records of the proceedings of the Body of Commissioners;

(d) be responsible for the general direction and control of all other employees of the Commission;

(e) be responsible for the execution of policy and day to day administration of the affairs of the Commission; and

(f) perform such other duties as the Body of Commissioners may, from time to time, assign.

- (2) A retired Secretary to the Commission shall be entitled to all retirement and fringe benefits applicable to a retired Permanent Secretary in the Federal Public Service, particularly 100% of total emolument as pension for life.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 27 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 28: Appointment of Other Staff of the Commission

The Chief Commissioner shall have power to—

- (a) appoint such additional officers (not being Commissioners) as he may determine to assist him and other Commissioners for proper performance of the functions of the Commission;
- (b) 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 Commission, be required to assist the Chief Commissioner and the Secretary of the Commission in the discharge of their functions;
- (c) pay to persons so employed such remuneration including allowance as the Commission may recommend, with the approval of the National Salaries, incomes and Wages Commission.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 28 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 29: Staff regulations

- (1) Subject to the provisions of this Bill, the Chief Commissioner in consultation with other Commissioners shall make staff regulations relating to the Conditions of Service of employees of the Commission and without prejudice to the generality of the foregoing, the regulations may provide for—
- (a) the appointment, promotion and disciplinary control (including dismissal) of employees of the Commission; and
- (b) appeals by such employees against dismissal or other disciplinary measures, and until the regulations are made, any instrument relating to the conditions of service of officers in the Public Service of the Federation shall be applicable, with such modifications as may be necessary, to the employees of the Commission.
- (2) The Staff regulations made under subsection (1) shall not have effect until approved by the Commission, and when so approved, the Secretary to the Commission shall cause a notice of the Staff Regulations to be issued to all affected staff.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 29 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 30: Pension

- (1) Service in the Commission shall be approved service for purposes of Pension Reform Act.
- (2) Employees of the Commission shall be entitled to pension and other retirement benefits as are enjoyed by persons holding equivalent grades in the Public Service of the Federation.
- (3) Nothing in this Bill shall prevent the appointment of a person to any office in the Commission on terms which preclude the grant of pension.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 30 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 31: Structure of the Commission

- (1) The Commission shall establish Departments and Special Units for the effective and efficient discharge of its functions and powers under this Bill.
- (2) All Departments and Special Units shall carry out such duties as may be required in the exercise, performance or carrying out of the powers, functions and duties of the Commission under this Bill.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 31 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 32: Fund of the Commission

There shall be established and maintained for the Commission, a Fund (in this Bill referred to as "the Fund") into which shall be paid all,—

- (a) monies as may be appropriated to the Commission from time to time by the Federal Government;
- (b) monies, dividends, royalties, interest or income received from any transaction made under the power of the Commission under this Bill;
- (c) gifts, loans, grants, aids;
- (d) other assets that may from time to time be vested in or accrue to the Commission in the course of performing its functions under this Bill, and

- (e) monies received by the Commission from the disposal of lands and properties, movable or immovable as well as the income generated by investing the fund in other profit yielding ventures, and
- (f) other sums accruing to the Commission from time to time.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 32 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 33: Expenditure of the Commission

- (1) The administrative expenses of the Commission, including all salaries and allowances payable to or in respect of persons serving with the Commission, shall be charged on the Consolidated Revenue Fund of the Federation.
- (2) All funds allocated to the Commission shall be under Statutory Transfer, provided that such funds shall not be disbursed by the Commission without appropriation.

Committee's Recommendation:

That the provision in Clause 33 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 33 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 34: Annual Estimates and Expenditure

- (1) The Commission shall not later than 30th September each year or other date stipulated by law or policy, submit to the National Assembly through Senate President and the Speaker of the House of Representatives an estimate of expenditure or income of the Commission as approved by the Body of Commissioners for the next fiscal year for incorporation into the National budget.
- (2) The Commission shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause its accounts to be audited within six months after the end of each year by auditors appointed from the List of Auditors and in accordance with the guidelines supplied by the Auditor-General of the Federation.

Committee's Recommendation:

That the provision in Clause 34 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 34 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 35: Annual Report

- (1) The Body of Commissioners shall prepare and submit to the National Assembly not later than 30th June in each year, a report in such form as the Chief Commissioner may direct, the activities of the Commission during the immediate preceding year.

- (2) The Chief Commissioner shall, upon receipt of the report referred to in subsection (1) of this section, cause a copy of the report and the audited accounts of the Fund and the auditor's report thereon to be submitted to each House of the National Assembly.

Committee's Recommendation:

That the provision in Clause 35 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 35 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 36: Power to accept gifts.

- (1) The Commission may accept gifts, endowments, aid and assistance from international bilateral and multilateral agencies provided that the purpose for such gifts, endowments, aids and assistance does not conflict with the objectives of this Bill.
- (2) The Commission shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with the functions of the Commission under this Bill.

Committee's Recommendation:

That the provision in Clause 36 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 36 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 37: Power to borrow.

The Commission may, with the approval of the National Assembly borrow, on such terms and conditions as the Commission may require in the exercise of its functions under this Bill.

Committee's Recommendation:

That the provision in Clause 37 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 37 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 38: Power to invest

The Commission may invest the Fund in any profitable venture that will project returns for the Commission on the approval of the National Assembly.

Committee's Recommendation:

That the provision in Clause 38 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 38 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

PART VIII — OFFENCES AND PENALTIES

Clause 39: Offences and penalties in respect of investigation of administrative injustice.

- (1) Any complaints lodged before the Commission shall not be made public by any person except a Commissioner, and any person who contravenes the provision of this sub-clause commits an offence, and shall be liable on conviction to a fine not exceeding ₦500,000.00 or imprisonment to a term not exceeding five years or to both.

- (2) If any person required to furnish information under this Bill fails to do so or in purported compliance with such requirement to furnish information knowingly or recklessly makes any statement which is false in any material particular, that person commits an offence, and shall be liable on conviction to a fine not exceeding ₦500, 000.00 or imprisonment to a term not exceeding five years or to both.
- (3) Any person who willfully obstructs, interferes with, assaults or resists any Commissioner or any other officer or servant of the Commission in the execution of their duties under this Bill, or who aids, invites, induces, or abets any other person to obstruct, interfere with, assault or resist any such Commissioner, officer or servant of the Commission, commits an offence, and shall be liable on conviction to a fine not exceeding ₦500,000.00 or imprisonment to a term not exceeding five years or to both.
- (4) Any person who in respect of any complaint lodged knowingly makes to a Commissioner any statement, whether or not in writing, which is false in any material particular, commits an offence and shall be liable on conviction to a term of imprisonment not exceeding two years.
- (5) Any person who fails to appear before a Commission when required to testify on any matter, or to give evidence in the matter, commits an offence, and shall be liable on conviction to a fine not exceeding ₦500,000.00 or to a term of imprisonment not exceeding five years or both.

Committee's Recommendation:

That the provision in Clause 39 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 39 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 40: False or misleading disclosure

- (1) Any person who makes a statement to the Commission or to an appropriate or competent authority intending that it be acted on as a public interest disclosure and in the statement, or in the course of inquiries into the statement, intentionally gives information that the person—
 - (a) knows is false or misleading; or
 - (b) is reckless about whether it is false or misleading in a material particular, commits an offence, and shall be liable on conviction to a fine not exceeding ₦500,000.00 or to a term of imprisonment not exceeding five years or both.
- (2) For the purposes of subsection (1), a statement is made to the Commission or to an appropriate or competent authority if, were the statement truly a public interest disclosure, it is disclosed to Commission or to an appropriate or competent authority for the purposes of the Schedule to this Bill.
- (3) Any person who makes a statement in contravention of this section is not protected by this Bill in respect of that statement, whether or not it is truly a public interest disclosure.

Committee's Recommendation:

That the provision in Clause 40 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 40 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 41: Offences and penalties for making untrue disclosure in relation to public funds, assets

Any person who does not act in good faith or makes an allegation pertaining to wrongful or unlawful use of public funds or assets without having reasonable grounds for believing it to be substantially true, or makes it for purposes of personal gain or makes it maliciously, commits an offence and shall be liable on conviction to a fine not exceeding ₦500, 000.00 or to a term of imprisonment not exceeding one year or both.

Committee's Recommendation:

That the provision in Clause 41 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 41 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 42: Making untrue statement for the purpose of receiving a reward under the Protection

Any person who for the purpose of receiving a reward under this Bill, provides information that is false or misleading in any way, commits an offence and shall be liable on conviction to a term of imprisonment not exceeding three years or both.

Committee's Recommendation:

That the provision in Clause 42 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 42 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 43: Offences relating to disclosures concerning participants

Any person who, without lawful excuse, discloses information—

- (a) about the identity or location of a person who is or has been a discloser under the Programme; or
- (b) which compromises the security of that discloser, commits an offence and is liable on conviction to a fine not exceeding ₦1,000,000.00 or imprisonment for a term not exceeding five years or to both.

Committee's Recommendation:

That the provision in Clause 43 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 43 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 44: Prohibition of false representation

Any person who, without prior written approval of the Commission, in connection with an activity carried on by him, takes, assumes, uses or in any manner publishes a name, description, title or symbol—

- (a) conveying or purporting to indicate or convey; or

- (b) which is calculated or is likely to lead other persons to believe or infer, that the activity is carried on under or by virtue of the provisions of this Bill or on behalf of the Commission, commits an offence and is liable on conviction to a fine not exceeding ₦1,000,000.00 or imprisonment for a term not exceeding five years or both.

Committee's Recommendation:

That the provision in Clause 44 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 44 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

PART IX — LEGAL PROCEEDINGS

Clause 45: Immunity from Legal Process and Limitation of civil Suits against the Commission, etc

- (1) No Commissioner or any person holding an office or appointment under the Commission shall be liable to be sued in any court of law for an act done or omitted to be done in the due exercise of their duties under or pursuant to this Bill.
- (2) Any report, statement or other communications or record of any meeting, investigation or proceedings which a Commissioner, officer or servant of the Commission may make in the due exercise of their functions under this Bill shall be privileged in that its production may not be compelled in any legal proceedings unless the Attorney General of the Federation certifies that such production is in the public interest.
- (3) 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 Commission.
- (4) Notwithstanding any provision in any other law, no civil suit shall be brought against any Commissioner, the Secretary to the Commission or any other officer or employee of the Commission for any act done in pursuance or execution of this Bill or any other law, or of 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, shall lie or be instituted in any court unless—
- (a) it is commenced within three months after the act, neglect or default complained of; or
- (b) in the case of a continuation of damage or injury, within six months after the ceasing thereof.
- (5) No civil suit shall be commenced against any Commissioner, the Secretary to the Commission or any other officer or employee of the Commission before the expiration of a period of one month, after written notice of intention to commence the suit have been served on the Commission by the intending plaintiff or their agent.
- (6) The notice referred to in subsection (3) 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.

Committee's Recommendation:

That the provision in Clause 45 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 45 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 46: Service of Documents

Any summons, notices or other documents required or authorized to be served on the Commission under the provisions of this Bill or any other law or enactment may be served by—

- (a) delivering same to the Secretary at the Head Office of the Commission, or
- (b) sending such document by registered post, addressed to the Secretary at the Head Office.

Committee's Recommendation:

That the provision in Clause 46 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 46 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 47: Restriction on Execution against Property of the Commission

- (1) In any action or suit against the Commission, no execution or attachment of process in the nature thereof shall be issued against the property of the Commission.
- (2) Any sum of money which may, by the judgment of any court, be awarded against the Commission shall, subject to any direction given by the court, and where notice of appeal of the said judgment has been given, be paid from the fund of the Commission.

Committee's Recommendation:

That the provision in Clause 47 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 47 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 48: Indemnity of Officers.

Every Commissioner, agents or employees of the Commission shall be indemnified from liability incurred in defending any proceeding brought against the persons under this Bill, in the person's capacity as member, agent or employee of the Commission.

Committee's Recommendation:

That the provision in Clause 48 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 48 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 49: Secrecy

A Commissioner, or the Secretary to the Commission, or agents or employees of the Commission shall—

- (a) not for their personal gain, make use of any information, which has come to their knowledge in the exercise or is obtained by them in the ordinary course of their duty as a Commissioner, agents or employees of the Commission;

- (b) treat as confidential any information which has come to their knowledge in the exercise of their power or is obtained by them in the performance of their duties under this Bill;
- (c) not disclose any information referred to under paragraph (b) of this subsection, except when required to do so by a court or in such other circumstances as may be prescribed by the Commission, from time to time.

Committee's Recommendation:

That the provision in Clause 49 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 49 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 50: Prosecution of Offences

Every prosecution for the offences under this Bill shall be undertaken by Counsel employed or engaged by the Commission and shall be deemed to be done with the consent of the Honourable Attorney General of the Federation.

Committee's Recommendation:

That the provision in Clause 50 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 50 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

PART X — MISCELLANEOUS

Clause 51: Power to Make Regulations

The Chief Commissioner may make regulations for or with respect to any matter necessary or expedient to be prescribed for carrying out or giving effect to this Bill, especially in respect of the following—

- (a) procedural requirement for Public interest disclosure, protection and complaints;
- (b) Public interest disclosure protection programme;
- (c) reward and compensation of stolen or illegally concealed public funds or assets and from other public disclosure; and
- (d) matters relating to investigation of administrative injustice.

Committee's Recommendation:

That the provision in Clause 51 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 51 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 52: Seal of the Commission

- (1) The fixing of the seal of the Commission shall be authenticated by the signature of the Chief Commissioner and the Secretary of the Commission.
- (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, and may be made or executed on behalf of the Commission by the Secretary or any other person generally or specially authorized by the Commission.

- (3) Any document purporting to be a contract, instrument or other document duly signed and sealed on behalf of the Commission shall be received in evidence and shall, unless the contrary is proved, be presumed without further proof to have been so signed or sealed.

Committee's Recommendation:

That the provision in Clause 52 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 52 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 53: Repeal

The Public Complaints Commission Act, CAP P37, Laws of the Federation of Nigeria, 2004 is repealed.

Committee's Recommendation:

That the provision in Clause 53 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 53 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 54: Savings

Notwithstanding the provisions of this Bill—

- (a) any order, decision or notice made or issued by the Commission under the repealed Act shall be deemed to have been made or issued under this Bill;
- (b) any function carried out by the Commission under the repealed Act shall be deemed to have been carried out under this Bill;
- (c) all rights, powers, duties, whether arising under any written law or otherwise which immediately before the coming into operation of this Bill were vested in the Commission under the repealed Act shall be transferred to, vested, imposed on, or be enforceable by or against the Commission under this Bill;
- (d) all actions, suits or legal proceedings by or against the Commission under the repealed Act shall be carried out on, prosecuted by or against the Commission under this Bill and no such suit, action or legal proceedings shall abate or be affected by the coming into operation of this Bill; and
- (e) all assets and liabilities which immediately before the commencement of this Bill were vested in, or enforced against the Commission under the repealed Act shall, by virtue of this paragraph, vest in the Commission.

Committee's Recommendation:

That the provision in Clause 54 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 54 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 55: Transitional Provisions.

- (1) All complaints relating to administrative injustice, which immediately before the commencement of this Bill were made to the Commission at the commencement of this Bill, shall be deemed to have been made under this Bill.
- (2) The Commission shall be bound in all contracts, including contracts of service, if any, subsisting at the commencement of this Bill and to which the Commission was a party.

Committee's Recommendation:

That the provision in Clause 55 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 55 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 56: Interpretation

In this Bill, unless the context otherwise requires—

"Appropriate Authority" means a person or authority to which a public interest disclosure can be made or referred to for the purpose of investigation and contained in list in the Schedule to this Act and includes the National Judicial Council or the Presiding Officer of a Legislative House;

"Attorney-General" means the Attorney-General of the Federation and Minister of Justice;

"Commission" means the Public Complaints Commission established under Section 1 of this Bill.

"Commissioner" means any person appointed as such pursuant to Section 2 of this Bill and references to Commissioner or Commissioners includes where appropriate references to the Chief Commissioner;

"Competent authority" means any person or authority contained in the list in the Schedule to this Bill with responsibility to investigate and prosecute any of the offences referred in this Bill;

"Complaint" includes an allegation, application, charge, motion, objection, petition, report, request or summons;

"Detrimental Action" includes action causing, comprising, or involving—

- (a) injury, damage, or loss;
- (b) intimidation or harassment;
- (c) adverse discrimination, disadvantage, or adverse treatment in relation to a person's career, profession, employment, trade, or business; or
- (d) a reprisal; "discloser" means a person, his affiliate or agent including a complainant who makes a disclosure of public interest information or complaint under this Bill;

"Employee" includes a public officer and a worker of in a company registered under the Companies and Allied Matters Act;

"Employer" includes the Government of the Federation and a company registered under the Companies and Allied Matters Act;

"Environment" has the meaning given to it in the Environmental Impact Assessment Act (Cap. E121 LFN 2004);

"Family" means a spouse, child, adopted child, step child, grandchild, parent, grandparent, niece, nephew, aunt, uncle or any other relative or person with whom the witness maintains a close family relationship;

"Government" means the Federal Government of Nigeria;

"Judge" means a Judge of a Court;

"Legislative House" means the Senate or the House of Representatives;

"Law" means any Act or Law and includes subsidiary legislation made under any of them.

"Ministry, Department or Agency of the Federal Government" include the Nigeria Police, the Nigerian Army, the Nigerian Air Force, and the Nigerian Navy.

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

"Participant" means a witness who is included in the Programme;

"Proceedings" means any procedure conducted by or under supervision of the Judge or judicial officer, however described in relation to any alleged or proven offence, or any property derived from an offence, and include an inquiry, investigation, or preliminary or final determination of facts;

"Property derived from an offence" means any property derived or realized directly or indirectly from an offence and includes—

- (a) on a proportional basis, property into which any property derived or realized directly from the offence was later successfully converted, transformed or intermediate; and
- (b) income, capital or other economic gains derived or realized from the property at any time since the commission of the offence;

"Protected Person" means a witness included in the Programme;

"Public Authority" means—

- (a) a Ministry, a department, extra Ministerial Department or any public office or institution;
- (b) a Legislative House or the Judiciary;
- (c) a prescribed person; or
- (d) any other body that is established for a public purpose under a written law;

"Public Interest Disclosure":—

- (1) means the disclosure of information that—
 - (a) shows or tends to show that, in relation to the performance of a public function, a public authority, a public officer, or a public sector contractor is, has been, or proposes to be, involved in a wrongful or unlawful activities in relation to his office, and shall include offences relating to public Funds/revenue;
 - (b) relates to any criminal act under any law in force in Nigeria.
- (2) includes assistance given by a discloser.
- (3) not a public interest disclosure if the discloser commits an offence by making it.
- (4) is not a public interest disclosure if it is information made in respect of which a claim to legal professional privilege could be maintained.
- (5) is a legal professional privilege only if it is disclosed in the course of obtaining legal advice in legal proceedings

"Public Officer" means an officer in the service of the Federation and includes—

- (a) a Minister of the Government of the Federation;
- (b) a member of a Legislative House;
- (c) a judicial officer;
- (d) a police officer;
- (e) a person authorised under a written law to execute or serve any process of a court or tribunal for remuneration;
- (f) a member, officer, or employee of a public authority;
- (g) the holder of—
 - (i) a public office that is established for a public purpose under a written law; or
 - (ii) an office that is established by a Minister;
- (h) and any other person holding public office under the Government of the Federation; and

"Public Sector Contractor" means—

- (a) a person who, other than as an employee, contracts with a public authority to supply goods or services to or on behalf of the authority or the Government of the Federation or as directed in accordance with the contract;
- (b) a person who, other than as an employee, contracts with a public authority or the Government of the Federation to perform a public function; or

- (c) a subcontractor or employee of a person referred to in paragraph (a) or (b) above and each person who contracts with another person for the execution of the whole or part of the requirements of a contract referred to in those paragraphs.

Committee's Recommendation:

That the provision in Clause 56 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 56 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

Clause 57: Citation.

This Bill may be cited as the Public Complaints Commission Bill, 2022.

Committee's Recommendation:

That the provision in Clause 57 be retained (*Deputy Senate Leader*) — *Agreed to.*

Question that Clause 57 do stand part of the Bill, by unanimous consent (74 Senators present) agreed to.

SCHEDULE

APPROPRIATE OR COMPETENT AUTHORITIES

- (1) For the purpose of this Bill, the appropriate or competent authorities includes where the disclosure relates to—
- (a) an act or omission that constitutes an offence under a written law, it is made to a police officer;
 - (b) an unauthorised or irregular use of, or substantial mismanagement of public resources, it is made to, the—
 - (i) Auditor-General of the Federation,
 - (ii) Economic and Financial Crimes Commission, or
 - (iii) Fiscal Responsibility Commission.
 - (c) a case of corruption, gratification or related offence, it is made to the Independent Corrupt Practices and other related offences Commission;
 - (d) a case of money laundering, economic or financial crime, it is made to the Economic and Financial Crimes Commission;
 - (e) a case of terrorism or related activities, to the Department of State Security;
 - (f) drugs and drug trafficking, to the National Drug Law Enforcement Agency;
 - (g) the trafficking or violence against persons, to the National Agency for the Prohibition of Trafficking in Persons;
 - (h) the violation of the customs and excise laws, it is made to the Nigeria Customs Service;
 - (i) the violation of any law on the recovery of proceeds of crime, to any agency of the Federal Government responsible for the recovery of proceeds of crime under any law passed by the National Assembly;

- (j) income tax and related taxes, it is made to the Federal Inland Revenue Services;
 - (k) a matter of administration of funds or assets of a Government Ministry, department, agency or office, it is made to a person who occupies a position specified under section 38 (1)(a) of this Bill in relation to the Ministry, department, agency or office concerned;
 - (l) a person who holds an appointment made under the Police Act, it is made to the Inspector-General of Police;
 - (m) a judicial officer, it is made to the National Judicial Council;
 - (n) a legislator, it is made to the Presiding Officer of the Legislative House to which the legislator belongs;
 - (o) an officer in the civil service of the Federation, it is made to the Federal Civil Service Commission;
 - (p) a matter falling within the area of responsibility of a public authority, it is made to a person who occupies a position specified under section 38 (1)(a) of this Bill in relation to that authority; and
 - (q) a person or a matter of a prescribed class if it is made to any authority specified in this Bill or by regulations made under this Bill.
 - (r) a person prescribed by an order of the Attorney-General under section 9 of this Act to be a appropriate authority for the purposes of section 2 (1) (b) of this Bill in relation to the disclosure; or
 - (s) any other authority specified in this Bill or by regulations made under this Bill.
- (2) Where a "public interest disclosure" has the meaning given to it in section 3 of this Bill; disclosure falls within two or more paragraphs of this Schedule, then it is made to an appropriate or competent authority if made to any or all of the authorities contemplated by the applicable paragraphs.

Question that the Provision in this Schedules Stand part of the Bill, by unanimous consent (74 Senators present) — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report on a Bill for an Act to Repeal the Public Complaints Commission Act, Cap P37, Laws of the Federation of Nigeria, 2004 and Enact the Public Complaints Commission Act, 2022 for the Establishment of the Public Complaints Commission with Wide Powers to Inquire into Complaints by Members of the Public Concerning the Administrative Actions of Any Public Authority and Companies or Their Officials, and to Provide a Legal Framework for Making Public Interest Disclosure from Whistleblowers and for Other Matters, 2022 and approved as follows:

Clauses 1-57	—	As Recommended
Schedule	—	As Recommended

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

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

Question put, by unanimous consent (74 Senators present) agreed to.

Bill accordingly Read the Third Time and Passed.

8. Federal High Court Act, Cap F12, LFN 2004 (Amendment) Bill, 2022 (SB. 1038):

Consideration of Bill deferred to another Legislative Day.

9. Hydroelectric Power Producing Areas Development Commission (Amendment) Bill, 2022 (SB. 742):

Motion made: That a Bill for an Act to Amend the Hydroelectric Power Producing Areas Development Commission (HYPADEC) Act, 2010 and for Other Related Matters Thereto, 2022 be read the Second Time (*Senator Sadiq S. Umar — Kwara North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Power to report within four (4) weeks.

10. Patents and Design Act, Cap. P2 LFN 2004 (Repeal and Re-enactment) Bill, 2022 (SB.880):

Motion made: That a Bill for an Act to Repeal the Patents and Design Act Cap P2 LFN 2004 and Enact the Patents Act 2022 to provide for the protection of inventions and Other Related Matters, 2022 be read the Second Time (*Senator Ibikunle O. Amosun — Ogun Central*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Trade and Investments to report within four (4) weeks.

11. National Poverty Alleviation Management Commission (Establishment) Bill, 2022 (SB.883):

Motion made: That a Bill for an Act to establish National Poverty Alleviation Management Commission, to be saddled with the responsibility of coordinating and regulating all forms of poverty alleviation management funds in Nigeria and Other Related Matters, 2022 be read the Second Time (*Senator Abdullahi K. Barkiya — Katsina Central*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Poverty Alleviation to report within four (4) weeks.

12. Committee on National Planning:

Report on the Confirmation of the Nomination of Mohammed Bello for Appointment as Chairman, Revenue Mobilization Allocation and Fiscal Commission:

Motion made: That the Senate do consider the Report of the Committee on National Planning on the confirmation of the nomination of Mohammed Bello for appointment as Chairman, Revenue Mobilization Allocation and Fiscal Commission (*Senator Olubunmi A. Adetunmbi — Ekiti North*).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on National Planning on the confirmation of the nomination of Mohammed Bello for appointment as Chairman, Revenue Mobilization Allocation and Fiscal Commission.

Nominee recommended for confirmation:

Mohammed Bello

— *Agreed to*

Chairman to report progress.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on National Planning on the confirmation of the nomination of Mohammed Bello for appointment as Chairman, Revenue Mobilization Allocation and Fiscal Commission and approved the nomination.

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

Confirmation of nomination:

Question:

“Will the Senate confirm the nomination of Mohammed Bello for appointment as Chairman, Revenue Mobilization Allocation and Fiscal Commission?” — *Resolved in the Affirmative.*

Nomination of Mohammed Bello for appointment as Chairman, Revenue Mobilization Allocation and Fiscal Commission accordingly confirmed.

13. Committee on Education (Basic & Secondary):

Report on the National Senior Secondary Education Commission (Establishment) Bill, 2022 (SB. 996):

Motion made: That the Senate do receive and consider the Report of the Committee on Education (Basic & Secondary) on the National Senior Secondary Education Commission (Establishment) Bill, 2022 (*Senator Akon E. Eyakenyi — Akwa-Ibom South*).

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION ON THE REPORT OF THE COMMITTEE ON EDUCATION (BASIC & SECONDARY) ON A BILL FOR AN ACT TO REPEAL THE NATIONAL SECONDARY EDUCATION COMMISSION ETC ACT CAP.N73, LFN 2004 AND ENACT THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION ACT, 2022 TO PRESCRIBE AND ENFORCE MINIMUM STANDARDS FOR SENIOR SECONDARY EDUCATION IN NIGERIA, MANAGE THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION FUND, AND FOR OTHER RELATED MATTERS, 2022

PART I — OBJECTIVES AND APPLICATION

Clause 1: Objectives

The objective of this Bill is to set and enforce standards, and provide Federal Government intervention towards repositioning Senior Secondary Education in Nigeria

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*) — *Agreed to.*

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

Clause 2: Application

This Bill shall apply for the purposes of providing infrastructure and qualitative senior secondary education in Nigeria

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*) — *Agreed to.*

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

PART II — ESTABLISHMENT OF THE NATIONAL SENIOR SECONDARY EDUCATION COMMISSION AND ITS GOVERNING BOARD

Clause 3: Establishment of the National Senior Secondary Education Commission

- (1) There is established a body known as the National Senior Secondary Education Commission ("the Commission").
- (2) The Commission
 - (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, hold and dispose of property whether moveable or Immoveable

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— Agreed to.

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

Clause 4: Governing Board of the Commission

- (1) There is established for the Commission a Governing Board ("the Board").
- (2) The Board shall consist of -
 - (a) a part-time Chairman, who shall be an experienced educationist;
 - (b) a representative each of the Federal Ministry responsible for education, and finance not below directorate cadre;
 - (c) a representative of each of the six geo-political zones of the Federation, on rotational basis amongst the States within the Zones for a single term, who shall be an experienced educationist;
 - (d) a person to represent the Federal Capital Territory (FCT), Abuja, who shall be an experienced educationist;
 - (e) a person to represent;
 - (i) the Nigerian Educational Research and Development Council;
 - (ii) the National Teachers Institute;
 - (iii) The Nigeria Union of Teachers;
 - (iv) A representative of a recognized National Association of Proprietors of Private Schools (NAPPS) and Association of Private School Owners of Nigeria, on a two year rotational basis;
 - (v) The Teachers Registration Council of Nigeria (TRCN);
 - (vi) A representative of relevant examination bodies on a two year rotational basis;
 - (vii) All Nigeria Confederation of Principals of Secondary Schools; and
 - (f) the Executive Secretary of the Commission, who shall serve as the Secretary to the Board.
- (3) The Chairman and other members of the Board other than ex-officio members shall be appointed by the President on the recommendation of the Minister of Education.

- (4) The supplementary provisions contained in the Schedule to this Bill shall have effect with respect to the proceeding of the Board and matters provided in it.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*) — *Agreed to.*

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

Clause 5: Tenure of Office

The Chairman and other members of the Board, other than an ex-officio member shall hold office-

- (a) for a term of four years in the first instance and may be re-appointed for a further term of four years and no more; and
- (b) on such terms and condition as may be specified in the letter of appointment

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*) — *Agreed to.*

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

Clause 6: Removal and cessation of membership

- (1) Notwithstanding the provisions of section 5 of this Act, a member of the Board shall cease to hold office as a member, where the member-
- (a) resigns the appointment by one month notice in writing addressed to the President;
- (b) is of unsound mind;
- (c) is bankrupt or makes a compromise with his creditors;
- (d) is convicted of a felony or any offence involving dishonesty or corruption;
- (e) is incapable of discharging the functions of the office, whether arising from infirmity of mind, body or any other cause; or
- (f) is guilty of misconduct.
- (2) Where the President is satisfied that it is not in the interest of the Commission or the Public for a member to continue in office, the President may, in writing remove the member.
- (3) Where a vacancy occurs in the membership of the Board, it shall be filled by appointing a successor to represent the same interest for the unexpired term of office of such member.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*) — *Agreed to.*

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

Clause 7: Allowances and benefits of Board Members

The Chairman and members of the Board shall be paid such allowances and benefits as the Federal Government may, from time to time direct.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

Clause 8: Powers of the Board

The Board shall have power to ;-

- (a) approve the policy guidelines for the operation of the senior secondary education programme in Nigeria;
- (b) approve staff regulations and conditions of service;
- (c) approve the structuring of the Commission into such number of Departments and Units as it deems fit for the effective discharge of the functions of the Commission; and
- (d) perform any other function assigned to the Board under this Bill.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

PART III — FUNCTIONS AND POWERS OF THE COMMISSION

Clause 9: Functions of the Commission

The Commission shall -

- (a) prescribe and enforce the national minimum standards for senior secondary education in Nigeria;
- (b) formulate policy on Senior Secondary Education subject to the approval of the Federal Government;
- (c) develop policy guideline for the operation of senior secondary education programme in Nigeria;
- (d) advise the Federal Government on the funding and development of senior secondary education in Nigeria;
- (e) implement the senior secondary education programme in Nigeria;
- (f) present periodic progress reports, subject to the approval of the Board, on the implementation of senior secondary education programme to the President through the Minister;
- (g) identify areas of possible intervention in the provision of senior secondary education facilities;

- (h) collate and prepare after consultation with the relevant stakeholders, periodic master plans for development of senior secondary education in Nigeria;
- (i) coordinate the implementation of the senior secondary education related activities in collaboration with non-governmental and multi-lateral agencies;
- (j) collaborate with the Nigerian Educational Research and Development Council, NERDC to ensure effective research, development, implementation and monitor of curriculum for senior secondary education;
- (k) develop and disseminate instructional materials for senior secondary education in Nigeria in collaboration with other relevant agencies; and
- (l) establish senior secondary education data bank and conduct research on senior secondary education in Nigeria.
- (m) support national capacity building for teachers and managers of senior secondary education in Nigeria;
- (n) regulate the implementation of the safe school initiatives in senior secondary schools in Nigeria;
- (o) collaborate with relevant agencies and organizations to promote science, technology, engineering, arts and design, and mathematics (STEAM), technical, vocational education and training (TVET) and entrepreneurial skills at senior secondary education level;
- (p) collaborate with relevant examination bodies to monitor the conduct of external examination at the senior secondary education level;
- (q) collaborate with other relevant agencies and stakeholders to promote inclusive senior secondary education programmes in accordance with the provisions of this Act;
- (r) collaborate with state governments to coordinate personnel audit of teaching and non-teaching staff of all senior secondary educational institutions in Nigeria from time to time;
- (s) collaborate with donor agencies and other development partners on matters relating to senior secondary education;
- (t) carry out such functions as the Minister may, from time to time, determine as are necessary or expedient to ensure the efficient performance of the functions of the Commission in this Bill; and

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

PART IV—APPOINTMENT OF THE EXECUTIVE SECRETARY
AND STAFF OF THE COMMISSION

Clause 10: Appointment of the Executive Secretary

- (1) There shall be for the Commission, an Executive Secretary, who shall be -
 - (a) appointed by the President on the recommendation of the Minister;
 - (b) the Chief Executive Officer and Accounting Officer of the Commission, and
 - (c) responsible for the execution of the policy and the day-to-day running of the affairs of the Commission.
- (2) A person shall not be qualified to be appointed as the Executive Secretary of the Commission unless the person possesses an academic qualification in education and cognate experience of not less than ten years.
- (3) The Executive Secretary shall hold office -
 - (a) for a term of five years in the first instance and may be re-appointed for a further term of five years and no more; and
 - (b) on such terms and conditions as may be specified in the letter of appointment.
- (4) Notwithstanding the provisions of subsection (3) of this section, the Executive Secretary may -
 - (a) resign the appointment by notice in writing addressed to the President through the Board; or
 - (b) be removed by the President for;
 - (i) inability to discharge the functions of the office, whether arising from infirmity of mind, body or any other cause; or
 - (ii) misconduct.
- (5) Notwithstanding the provisions of subsection (4) of the section, the Executive Secretary may be removed by the President, where the President is satisfied that it is not in the interest of the Commission or the public for the Executive Secretary to remain in office.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— Agreed to.

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

Clause 11: Staff of the Commission

- (1) The Commission may, subject to the approval of the Board, appoint staff as it deems necessary for the Commission-
 - (a) for the performance of its functions under this Act; and

- (b) on terms and conditions with allowances and benefits as may be determined by the Board in consultation with the National Salaries Incomes and Wages Commission.
- (2) Notwithstanding the provisions of subsection (1) of this section, staff of the Commission may be appointed by the Commission by way of transfer, secondment, posting or deployment from the public services of the Federation.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*) — *Agreed to.*

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

Clause 12: Service in the Commission

- (1) Service in the Commission shall be approved service for the purpose of the Pension Reform Act and staff of the Commission shall be entitled to pensions, gratuities and other retirement benefits prescribed under the Pension Reform Act.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Act shall prevent the appointment of a person to any office on terms, which preclude the grant of pension, gratuity or other retirement benefit 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 Federal Government, other than the power to make regulations under the Pension Reform Act is vested in and shall be exercisable by the Board and not by any other person or authority.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*) — *Agreed to.*

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

Clause 13: Staff Regulations and discipline

- (1) Subject to the provisions of this Act, the Commission may make staff regulations relating generally to the conditions of service of the staff, and without prejudice to the generality of the foregoing, such regulations may provide for -
 - (a) the appointment, promotion and disciplinary control of staff of the Commission; and
 - (b) appeal procedure for staff against dismissal or other disciplinary measures and until such regulations are made any instrument relating to conditions of service in the Public Service of the Federation shall be applicable, with such modifications as may be necessary, to the staff of the Commission.
- (2) The Staff regulations made under subsection (1) of this section shall not have effect until approved by the Board, and where approved the Commission shall cause a notice of the staff regulations to be issued to all affected staff in such manner as it may, from time to time, determine.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

PART V — FINANCIAL PROVISIONS OF THE COMMISSION

Clause 14: Account of the Commission

- (1) The Commission shall maintain an account ("the Account") into which shall be credited and be defrayed all the expenditure incurred by the Commission.
- (2) There shall be paid into the Account maintained in subsection (1) of this section -
 - (a) such budgetary allocations from the Federal Government for the running expenses of the Commission; and
 - (b) all other assets accruing, from time to time, to the Commission other than payment made pursuant to section 21 of this Bill.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

Clause 15: Expenditure of the Commission

The Commission may, from time to time, apply the proceeds of the Account established under section 14 (1) of this Bill:-

- (a) to the cost of administration of the Commission;
- (b) to reimburse members of the Board or any committee set up by the Board, for such expenses as may be expressly authorized by the Board;
- (c) to the payment of salaries, allowances, pensions, and other retirement benefits payable to the staff of the Commission, provided that no payment of any kind except as may be expressly authorized by the Board, shall be made to a person who is in receipt of emoluments from the Federal or State Government;
- (d) for the maintenance of property vested in the Commission; and
- (e) for other expenditure in connection with the functions of the Commission under this Bill.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

Clause 16: Annual estimates and accounts

- (1) The Commission shall, not later than 31st October in each year, submit to the Minister an estimate of its expenditure and income, including payments to the Fund, for the preceding year.
- (2) The Commission shall keep proper accounts in respect of each financial year and proper records of every account and shall cause such accounts to be audited within six months after the end of each financial year by auditors appointed from the list of auditors and in accordance with the guidelines by the Auditor-General for the Federation.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— Agreed to.

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

Clause 17: Annual reports

The Commission shall prepare and submit to the President through the Minister, not later than six months after the end of each financial year, a report on the activities of the Commission during the preceding year and shall include in the report, a copy of the audited accounts of the Commission for that year and the auditor's report on the accounts.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— Agreed to.

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

Clause 18: Power to accept gifts

- (1) The Commission may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Commission shall not accept any gift, where the conditions attached by the person or organization making the gift are inconsistent with the functions of the Commission under this Bill, any other law, or the code of conduct for public officers.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— Agreed to.

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

Clause 19: Power to borrow

The Commission may, with the approval of the Minister, borrow by way of loan, overdraft or otherwise from any source, such sums as it may require for the performance of its functions and meeting its obligations under this Bill.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— Agreed to.

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

PART VI — OBJECTIVES, ESTABLISHMENT AND DISBURSEMENT OF THE NATIONAL SENIOR
SECONDARY EDUCATION COMMISSION FUND

Clause 20: Objectives of the National Senior Secondary Education Commission Fund

The objectives of the National Senior Secondary Education Fund are:-

- (a) to provide and maintain essential physical infrastructure for teaching and learning, instructional material and equipment;
- (b) to enhance science, technology, engineering, arts and design, and mathematics (STEM), technical, vocational education, and training (TVET) and entrepreneurial skills;
- (c) to train and develop the academic and non-academic staff; and
- (d) any other need as may be approved by the Board for the improvement and maintenance of quality standard in senior secondary education in Nigeria.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

Clause 21: Establishment of the National Senior Secondary Education Commission Fund

- (1) There is established a National Senior Secondary Education Commission Fund ("the NSSEC Fund") into which shall be paid -
 - (a) Federal Government allocation of not less than two per cent of the Consolidated Revenue Fund;
 - (b) take off grants from the Federal Government for the Commission;
 - (c) money received by the Commission from endowments and fund-raising activities relating to senior secondary education; and
 - (d) money received as foreign aid, local and international donor grants for senior secondary education in Nigeria.
- (2) For any State and the FCT to qualify for the Federal Government intervention pursuant to sub-section (1) of this section, such State and FCT shall:
 - (a) Establish the senior secondary education board in accordance with this Bill.
 - (b) Contribute not less than 5 percent of the total cost of projects as its commitment in the execution of the project.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

Clause 22: Disbursement of the NSSEC Fund

- (1) The Commission shall disburse the money in the NSSEC Fund established under section 21 of this Bill for the development of senior secondary education in Nigeria.
- (2) The NSSEC fund shall be disbursed by the Commission directly to:
 - (a) Federal Unity Colleges; and
 - (b) States Senior Secondary Education Board, and FCT Senior Secondary Education Board in accordance with the criteria set by the Commission.
- (3) The Commission shall, before the disbursement of the money in the NSSEC Fund, set aside in each year 5 percent of the total monies accruing to the NSSEC Fund in the preceding year, which shall be applied to:
 - (a) monitor and evaluate Federal Government interventions under this Bill; and
 - (b) such activities as legal services or any other activities incidental to the objective of the NSSEC Fund.
- (4) Notwithstanding the provisions of subsection (2) of this section, the Commission shall have power to disqualify any Senior Secondary Education Board that applied previous disbursement of the NSSEC Fund for other purposes outside the provisions of this Bill.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

PART VII — ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF THE FCT AND
STATE SENIOR SECONDARY EDUCATION BOARD

Clause 23: Establishment and composition of the FCT Senior Secondary Education Board

- (1) For the purposes of implementation of the provisions of this Bill, the Federal Capital Territory (FCT), shall establish a Senior Secondary Education Board, ("the Education Board"), which shall consist of :-
 - (a) a full time Chairman who shall be:-
 - (i) an experienced educationist or administrator with proven integrity; and
 - (ii) the Chief Executive and accounting officer responsible for the day to day activities of the Education Board.
 - (b) a representative of the Ministry responsible for education in the FCT, not below directorate cadre;
 - (c) a representative of the Ministry responsible finance in the FCT, not below directorate cadre;
 - (d) a representative of the Commission, not blow directorate cadre;

- (e) a representative of All Nigeria Confederation of Principals of Secondary Schools;
 - (f) three members appointed from different Area Councils in the FCT in rotational basis for two years; and
 - (g) the Secretary to the Education Board of the FCT
2. The Chairman, members and Secretary of the Education Board who are not ex-officio members shall be appointed by the Minister of FCT on a full time basis.
3. Members of the Education Board, except Area Councils representatives, shall hold office:
- (a) for a term of four years in the first instance and may be re-appointed for a further term of four years and no more; and
 - (b) on such terms and conditions as may be specified in the letters of appointment.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

Clause 24: Establishment and composition of the State Senior Secondary Education Board

- (1) For the purposes of implementation of the provisions of this Bill, each State of the Federation), may establish a Senior Secondary Education Board, ("the Education Board"), which shall consist of
- (a) a full time Chairman who shall be -
 - (i) an experienced Educationist with proven integrity; and
 - (ii) the Chief Executive and accounting officer responsible for the day to day activities of the Education Board.
 - (b) a representative of the Ministry responsible for education in the State, not below directorate cadre;
 - (c) a representative of the Ministry responsible for finance in the State, not below directorate cadre;
 - (d) a representative of the Commission, not below directorate cadre;
 - (e) three members appointed from different local government areas in the State in rotational order for two years, who shall be experienced educationist; and
 - (f) the Secretary to the Education Board of the State.

- (2) The Chairman and members of the Education Board who are not public officers shall be appointed by the Governor of the State on the recommendation of the Commissioner responsible for Education.
- (3) Members of the Education Board, except local government representatives, shall hold office:
 - (a) for a term of four years in the first instance and may be re-appointed for a further term of four years and no more; and
 - (b) on such terms and conditions as may be specified in the letters of appointment.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— Agreed to.

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

Clause 25: Functions and powers of the States and FCT Senior Secondary Education Boards

The Education Board shall be responsible for -

- (a) the management of senior secondary schools in the States and FCT;
- (b) the recruitment, appointment, promotion and discipline of teaching and non-teaching staff on grade level 07 and above;
- (c) posting and deployment of staff, including inter State transfer;
- (d) disbursing funds accruing to it from both Federal and State Government sources;
- (e) setting up an effective functional, monitoring and supervisory unit in collaboration with the Commission;
- (f) undertaking new capital projects;
- (g) the training and re-training of teaching and non-teaching staff;
- (h) assessing and funding of salaries and allowances of teaching and non-teaching staff based on the scheme of service approved by the State Government;
- (i) ensuring that annual reports are rendered by heads of schools on teachers appointed to assist them;
- (j) preparing testimonials and certificates of service for teaching and non-teaching staff, whenever necessary;
- (k) dealing with leave matters, including annual vacation; and
- (l) Submission of an annual action plan to the Commission; and
- (m) Carrying out such other functions as the Commission may, from time to time, assign to it.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

Clause 26: Establishment of a separate account by the Education Board

- (1) An Education Board shall establish and maintain a separate account into which shall be paid and credited money from the Federal or State Governments or any other source.
- (2) There shall be disbursed from the account all expenses relating to the management of senior secondary education in the State.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

PART VIII — MISCELLANEOUS PROVISIONS

Clause 27: Power to obtain information

- (1) For the purpose of carrying out the functions conferred on the Commission under this Bill, the Executive Secretary or any other officer of the Commission authorized in that behalf:
 - (a) shall have right of access to all the records of any institution or authority to which this Bill applies; and
 - (b) may, by notice in writing served on any person in charge of any institution or authority require that person or authority to furnish information on such matters as may be specified in the notice.
- (2) A person or authority required to furnish information pursuant to subsection (1) of this section shall comply within 7 days of receipt of the notice.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

Clause 28: Regulations

The Commission shall, with the approval of the Board make regulations as are necessary for giving full effect to the provisions of this Bill.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

Clause 29: Directives by the Minister

The Minister may give the Commission directives of a general nature or relating generally to matters of policy with regards to the exercise by the Commission of its functions, and it shall be the duty of the Commission to comply with such directives.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— Agreed to.

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

Clause 30: Repeal

The National Secondary Education Commission Act, CAP N73, LFN 2004 is repealed.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— Agreed to.

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

Clause 31: Savings and transitional provision

- (1) The power, duties and functions of the National Senior Secondary Commission established under the National Secondary Education Commission Act, CAP N73 LFN 2004 ("the repealed Act") are transferred to the Commission under this Bill.
- (2) Anything made, done or having effect under the repealed Act and having any resulting or continuing effect shall be treated as from the commencement of this Bill, as if it were made or done by the Commission established under this Bill.
- (3) A person who before the commencement of this Bill, was deployed, appointed or employed by the Commission established under the repealed Bill shall continue in office and be deemed to have been deployed, appointed or employed by the Commission established under this Bill.
- (4) All assets, rights, liabilities and obligations of the Commission under the repealed Act shall, by virtue of this Bill, be deemed to be that of the Commission established under this Bill.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— Agreed to.

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

Clause 32: Interpretation

In this Bill:

"Authority" means the State Senior Secondary Education Board or its equivalent in the Federal Capital Territory and the Local Government;

"Board" means the Board established for the Commission under section 4 of this Bill.

"Commission" means the National Senior Secondary Education Commission established under section 3 of this Bill.

"Education Board" means the State Senior Secondary Education Board established under section 24 of this Bill;

"Ex-Officio" means a non-voting member who holds public office from a recognized association or Ministry Department and Agency, MDA

"Federal Government" means the Federal Government of Nigeria;

"Account" means the account of the Commission established under section 15 of this Bill;

"Institution" means a Senior Secondary School or any other institution in Nigeria recognized as such by the Commission, the Education Board or any other authority which benefits from the National Fund;

"Member" means a member of the Board established under section 4 of this Bill;

"Minister" means the Minister charged with responsibility for matters relating to education; and

"NSSEC Fund" means the National Senior Secondary Education Commission Fund established under section 21 of this Bill.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

Clause 33: Short title

This Bill may be cited as the National Senior Secondary Education Commission Bill, 2022

Committee's Recommendation:

That the provision in Clause 33 be retained (*Senator Akon E. Eyakenyi — Akwa-Ibom South*)
— *Agreed to.*

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

SCHEDULE

{Section 4 (4)}

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD ETC

1. Proceedings of the Governing Board
 - (1) Subject to this Bill and to section 27 of the interpretation Act, the Board may make standing orders regulating the proceeding of the Board or a committee.
 - (2) The quorum at a meeting of the Board shall be not less than one-third of the total number of the Board members present at the meeting.

2. Meeting
 - (1) The Board shall meet not more than four times in each year.
 - (2) At any meeting of the Board, the Chairman shall preside but, in his absence, the members present at the meeting shall appoint one of their number to preside at the meeting.
 - (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him for such period as it thinks fit, but a person co-opted by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.
 - (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister.
3. Committee
 - (1) The Board may appoint one or more Committees to carry out on behalf of the Board such functions as the Board may determine.
 - (2) A Committee appointed under this paragraph shall consist of such number of persons, 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.
 - (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.
4. Miscellaneous
 - (1) The fixing of the seal of the Board shall be authenticated by the signature of the Chairman or any other member authorized generally or specially 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, may not be required to be under seal may be made or executed on behalf of the Board by the Executive Secretary or any person generally or specially authorized to act for that purpose by the Board.
5. The validity of any proceedings of the Board or a committee shall not be affected by:
 - (a) Any vacancy in the membership of the Board or committee or;
 - (b) reason that a person not entitled to do so took part in the proceedings of the Board or a committee.
6. A member of the governing board or of a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the governing board or the committee shall forthwith disclose his interest to the governing board or committee and shall not vote on any question relating to the contract or arrangement.

Question that the Provision in this Schedule stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on Education (Basic & Secondary) on a Bill for an Act to Repeal the National Secondary Education Commission Etc Act Cap. N73, LFN 2004 and Enact the National Senior Secondary Education Commission Act, 2022 to Prescribe and Enforce Minimum Standards for Senior Secondary Education in Nigeria, Manage the National Senior Secondary Education Commission Fund, and for Other Related Matters, 2022 and approved as follows:

Clauses 1- 33	—	As Recommended
Schedule	—	As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

**14. Committee on National Security and Intelligence:
Report on the National Commission against the Proliferation of Small Arms and Light Weapons (Establishment) Bill, 2022 (SB. 513):**

Motion made: That the Senate do receive and consider the Report of the Committee on National Security and Intelligence on the National Commission against the proliferation of Small Arms and Light Weapons (Establishment) Bill, 2022 (*Senator Ibrahim A. Gobir — Sokoto East*).

Question put and agreed to.

Report Laid and Presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION ON THE REPORT OF THE COMMITTEE ON NATIONAL SECURITY AND INTELLIGENCE ON A BILL FOR AN ACT TO ESTABLISH A NATIONAL COMMISSION FOR THE COORDINATION AND CONTROL OF THE PROLIFERATION OF SMALL ARMS AND LIGHT WEAPONS IN NIGERIA AND OTHER RELATED MATTERS, 2022

PART I — OBJECTIVE AND APPLICATION

Clause 1: Objectives of this Bill

The objectives of this Bill are to —

- (a) control the proliferation of small arms and light weapons in Nigeria;
- (b) provide a framework for the coordination, implementation and monitoring of all efforts geared towards the control of small arms and light weapons in Nigeria; and
- (c) prevent, combat and eradicate the illicit trade in small-arms and light weapons.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 2: Application

This Bill shall apply throughout the Federal Republic of Nigeria.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

PART II — ESTABLISHMENT AND MEMBERSHIP OF THE COMMISSION FOR THE
COORDINATION AND CONTROL OF THE PROLIFERATION OF SMALL ARMS
AND LIGHT WEAPONS

Clause 3: Establishment of the Commission for the coordination and control of the Proliferation of Small Arms and Light Weapons

- (a) There is established a body known as the National Commission for the Coordination and Control of the Proliferation of Small Arms and Light Weapons (in this Bill referred to as "the Commission") which is a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.
- (b) the Commission may enter into contracts, and acquire, hold and dispose of property; and
- (c) the Commission may exercise the rights, powers and privileges and incur the liabilities and obligations of a natural person of full age and capacity.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 4: Membership of the Commission

- (1) The Commission shall consist of —
 - (a) an Executive Chairman who shall have knowledge of Small Arms and Light Weapons;
 - (b) one person, not below the rank of Director or its equivalent, to be appointed from each of the following Ministries, Departments and Agencies, as the case may be —
 - (i) Ministry of Foreign Affairs;
 - (ii) Federal Ministry of Justice;
 - (iii) Office of the National Security Adviser;
 - (iv) Department of State Services;
 - (v) National Intelligence Agency;
 - (vi) Defence Intelligence Agency;
 - (vii) Defence Headquarters;
 - (viii) Nigeria Police Force;
 - (ix) Nigeria Security and Civil Defence Corps;
 - (x) Nigeria Customs Service;
 - (xi) Nigerian Immigration Service;
 - (xii) Nigerian Ports Authority;
 - (xiii) Ministry of Finance;
 - (xiv) West African Action Network on Small Arms and Light Weapons (WAANSA).
 - (xv) National Taskforce to Combat Illegal Importation of Arms, Ammunition, Light Weapons, Chemical Weapons (NATFORCE).
 - (c) the Secretary of the Commission;
- (2) The Commission may co-opt in adhoc capacity a person to act as adviser at its meetings, but such a person shall not count in terms of a quorum or vote at the meeting.
- (3) A member of the Commission, including a person so coopted shall be paid such reasonable allowance in accordance with the scale approved by the Federal Government.

- (4) The supplementary provisions set out in the Schedule to this Bill relate to the proceedings of the Commission and the other matters specified therein.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 5: Tenure of Office of Members

- (1) A member of the Commission —
- (a) shall hold office for a term of five years commencing on the date of appointment on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may, at the end of his term unless he previously vacates or is otherwise removed from office, be re-appointed for a further term of five years and no more.
- (2) The office of the Executive Chairman or a member of the Commission, shall become vacant where—
- (a) his term has expired;
 - (b) he resigns his office by notice in writing under his hand addressed to the President in the case of the Executive Chairman and to the President, through the Executive Chairman in the case of a member;
 - (c) he dies;
 - (d) he becomes of unsound mind or incapable of carrying out his duties;
 - (e) he becomes bankrupt;
 - (f) he is found guilty of gross misconduct relating to his duties;
 - (g) he ceases to hold the office on the basis of which he became a member of the Commission;
 - (h) the Commission shall by two-third resolution of all its members recommend to the President that the member should be removed from office for contravening the provisions of paragraph 3 (1) of the Schedule to this Bill; or
 - (i) the President is satisfied that it is not in the interest of the Commission or of the public for the person appointed to continue in office.
- (3) Where a vacancy occurs in the Commission, it shall be filled by an appointment by the President of a successor who shall represent the same interest as that member whose exit created the vacancy.

- (4) Where the office of a member of the Commission becomes vacant, the President shall appoint another person in his place in accordance with the provisions of this Bill.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

PART III — FUNCTIONS OF THE COMMISSION

Clause 6: Functions and powers of the Commission

The Commission shall —

- (a) implement strategies, plans and policies for the eradication of proliferation of small arms and light weapons;
- (b) supervise the implementation of the strategies, plans and policies for the eradication of proliferation of small arms and light weapons, by law enforcement agencies and other relevant Ministries, Departments and Agencies in Nigeria;
- (c) receive from the Nigeria Police Force, reports of activities on registration and licensing of fire arms and ammunition for the purposes of updating the national database;
- (d) register and securely store or destroy small arms —
 - (i) collected from the Nigeria Police Force, Armed Forces and other security agencies, and
 - (ii) seized or recovered from criminals, terrorist, insurgents and any other person in possession of illegal small arms and light weapons;
- (e) organize programmes of action to prevent, control, combat and eradicate the illegal trade in small arms and light weapons;
- (f) coordinate the design and implementation of an effective public education and awareness campaign relative to small arms and light weapons;
- (g) create and maintain a national database of all small arms and light weapons (SALW);
- (h) update the register of small arms and light weapons and transmit same to the United Nations (UN), African Union (AU), the Economic Community of West African States (ECOWAS) and any other international organization in keeping with International Protocols and Conventions;

- (i) advise the Economic Community of West African States (ECOWAS), the African Union (AU) and United Nations (UN) on exemptions to be granted to member states for weapons of categories 1, 2 and 3 of the ECOWAS protocol on SALW to meet legitimate national defence and security needs, or to participate in peace keeping or other operations in accordance with the decisions of the United Nations, African Union, Economic Community of West African States or other regional or sub-regional body of which it is a member;
- (j) liaise with the Economic Community of West African States, African Union, United Nations in all matters relating to the eradication of proliferation of small arms and light weapons in general at the regional, continental and global levels;
- (k) initiate and develop mechanisms for exchanging information and experience with the National Centres, Commissions or National coordinating bodies for the eradication of proliferation of small arms and light weapons of other member states of the Economic Community of West African States, African Union and United Nations;
- (l) conduct periodic research, studies and surveys to gather accurate information on impacts of interventions, to track the mutating dimension of the problem of small arms and light weapons and the lessons learned; and to use such information; and
- (m) perform such other functions that may be assigned to it by the Federal Government of Nigeria applicable to the Commission's core mandate.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

PART IV — MANAGEMENT STAFF

Clause 7: Appointment of Executive Chairman and Secretary of the Commission

- (1) There shall be for the Commission, an Executive Chairman to be appointed by the President subject to confirmation by the Senate.
- (2) The Chairman —
 - (a) shall hold office for a term of five years commencing on the date of appointment on such terms and conditions as may be specified in his letter of appointment; and
 - (b) may, at the end of his term unless he previously vacates or is otherwise removed from office, be re-appointed for a further term of five years and no more.
- (3) The Executive Chairman shall —
 - (a) be experienced and knowledgeable in matters relating to small arms and light weapons;

- (b) have vast knowledge in security, intelligence or law enforcement background;
 - (c) have been a retired personnel with not less than 25 years of cognate experience in any of the security, intelligence and law enforcement agencies;
 - (d) not be a person below the rank of a Brigadier-General or its equivalent on retirement;
- (4) The Executive Chairman shall —
- (a) be the Chief Executive and Accounting Officer of the Commission;
 - (b) be responsible for the day-to-day administration and management of the Commission;
 - (c) ensure that, in conducting its affairs, the Commission is guided by the laws of Nigeria and international best practices;
 - (d) perform such other functions as are assigned to him under this Act or any other applicable law.
- (5) There shall be appointed by the President for the Commission a Secretary who —
- (a) shall be a legal practitioner with at least 10 years post call experience.
 - (b) shall hold office for a term of five years commencing on the date of appointment on such terms and conditions as may be specified in his letter of appointment; and
 - (c) may, at the end of his term unless he previously vacates or is otherwise removed from office, be re-appointed for a further term of five years and no more.
- (6) The Secretary shall —
- (a) keep records and proceedings of the meetings of the Commission;
 - (b) preserve or keep the common Seal;
 - (c) issue notices of meetings to members;
 - (d) ensure efficient and effective administration of the Secretariat; and
 - (e) perform such other functions under this Act as the Commission may assign to him from time to time.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 8: Delegation of powers by the Executive Chairman

- (1) The Executive Chairman may —
 - (a) delegate, in writing, any of his powers under this Bill to one of the Part-Time Commissioners of the Commission; or
 - (b) direct any other employee to perform any of the functions assigned to the Commission under this Bill.
- (2) A delegation or instruction under subsection (1) of this section —
 - (a) is subject to the limitations or conditions that the Executive Chairman may direct; and
 - (b) does not relieve the Executive Chairman of the ultimate responsibility concerning the exercise of the delegated power or the performance of the assigned function.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 9: Other staff

- (1) The National Commission may, from time to time, appoint directly or on secondment from law enforcement and security agencies, Ministries or the private sector, such professional, technical and other staff as it may consider necessary to assist the Commission in the effective and efficient performance of its functions under this Bill.
- (2) For the purposes of this Bill, a public officer who is transferred or seconded to the Commission under subsection (1) of this section, shall be regarded as a staff of the Commission and be subject only to the control and direction of the Commission.
- (3) The Commission shall make staff regulations and determine conditions of service, including allowances, pensions and other benefits and disciplinary control, as are appropriate for its employees, provided that such Conditions of Service shall not be at variance with what obtains in the Public Service.
- (4) The Commission shall publish regulations made under subsection (4) of this section in such manner as it may determine.
- (5) The Commission shall, for the purpose of achieving maximum efficiency in the discharge of its functions set out in this Bill, institute schemes for the training of its staff.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 10: Salaries and Emoluments

There shall be paid to every member and staff of the Commission such salaries and emoluments as the National Salaries, Income and Wages Commission may from time to time direct.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

Clause 11: Security screening of staff

A person, other than the Executive Chairman, shall not be appointed or seconded to perform any of the functions of the Commission except such a person has been subjected to security vetting by the Department of State Services.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

Clause 12: Service in the Commission to be pensionable

- (1) Service in the Commission is pensionable for purposes of the Pension Reform Act, 2004 (2004 No. 2) and accordingly, employees of the Commission shall, in respect of their services, be entitled to pensions and other retirement benefits as are enjoyed by persons holding equivalent grades in the public service of the Federation.
- (2) Subject to 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 in respect of that office.
- (3) For the purpose of applying 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 under section 97 of that Act) are hereby vested in and shall be exercisable by the Commission.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

Clause 13: Establishment of Departments and Special Units

The Commission shall establish Departments and Special Units for the effective and efficient discharge of its functions and powers under this Bill.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

Clause 14: Establishment of Offices in the Six (6) Geo-political Zones

- (1) The Commission shall have offices in each of the six (6) geo-political zones and any other office as it may deem necessary.
- (2) The Commission shall have as many offices and staff in the six (6) geo-political zones as it may determine for the proper and effective performance of its functions.
- (3) The Zonal Offices shall perform functions as shall be prescribed by the Commission.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

PART V — FINANCIAL PROVISIONS

Clause 15: Funds of the Commission

- (1) All funds accruing to the Commission shall be applied towards the discharge of its functions and duties under this Bill and into which shall be credited —
 - (a) take off grants and annual subventions received from the Government of the Federation;
 - (b) budgetary allocations approved by the National Assembly;
 - (c) grants, gifts or donations from international organisations and donor agencies, provided that the terms and conditions attached to a grant, gift or donation are not inconsistent with the functions of the Commission; and
 - (d) charges, fees and other sums collected or received for services rendered by the Commission.
- (2) The funds accruing to the Commission pursuant to subsection (1) of this section shall be managed in accordance with extant Financial Regulations applicable in the public service of the Federation.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

Clause 16: Expenditure of the Commission

The Commission may apply the proceeds of the fund established pursuant to section 15(1) of this Bill for the following purposes —

- (a) the cost of administration of the Commission;
- (b) the reimbursement of members of the Commission or any committee set up by the Commission for such expenses as may be authorised in accordance with the rates approved by the Government of the Federation;
- (c) the payments of salaries, fees and other remunerations or allowances, payable to members of the Commission, committee, employees, experts or professionals appointed by the Commission;
- (d) the maintenance of any property acquired or vested in the Commission; and
- (e) any matter connected with all or any of the functions of the Commission under this Bill.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 17: Estimates, accounts and audit

- (1) The Commission shall not later than 30th August of each year, submit to the Presidency for approval, estimates of the income and expenditure of the Commission for the next financial year.
- (2) The Commission shall —
 - (a) keep proper records and accounts of its income and expenditure
 - (b) prepare a statement of accounts in respect of each year; and
 - (c) ensure that the bank accounts are held with reputable banks.
- (3) The Commission shall, within the first four months of each financial year, submit its accounts to auditors appointed by the Commission in accordance with guidelines approved by the Auditor-General for the Federation, for auditing.
- (4) The audited accounts of the Commission and the Auditor-General's report on those accounts shall form part of the Auditor General's overall annual report to the National Assembly.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 18: Provisions of Quarterly and Annual Reports

- (i) The Inspector-General of Police shall provide to the Commission a quarterly return/report of activities on registration and licensing of fire arms and ammunition for the purposes of updating the National Database.
- (ii) The Commission shall, within the first six months of each year, submit to the President, a report on its activities and administration during the preceding year which shall include the report of the audited accounts.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

PART VI — LEGAL PROCEEDINGS AGAINST THE COMMISSION**Clause 19: Limitation of suits against the Commission**

- (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 the Executive Chairman, a member of the Commission or its employee.
- (2) Subject to the provisions of any other law or enactment, no suit shall lie or be instituted in any court against the Executive Chairman, a member of the Commission, or its employee for any act done in pursuance of this Bill or any other law or enactment on the eradication of the proliferation of small arms and light weapons or of any public duty or authority or in respect of any alleged neglect or default in the execution of this Bill or such other law or enactment, duty or authority except —
 - (a) it is commenced within three 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 its cessation.
- (3) No suit shall be commenced against the Executive Chairman, a member of the Commission or its employee before the expiration of 3 months after written notice of the intention to commence the suit shall have been served on the Commission by the intending plaintiff or his agent.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 20: Service of documents

A notice, summons or other documents required or authorized to be served on the Commission under the provisions of this Bill or any other law or enactment may be served by delivering it to the Executive Chairman or by sending it by registered post and addressed to the head office of the Commission.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 21: Restriction on execution against property of the Commission

- (1) In an action or a suit against the Commission, no execution or attachment process in any nature thereof shall be issued against the Commission unless not less than 3 months' notice of the intention to execute or attach has been given to the Commission.
- (2) Any sum of money which may by the judgment of any court awarded against the Commission shall, subject to any direction given by the court, where no notice of appeal against the said judgment has been given, be paid from the fund of the Commission.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

Clause 22: Indemnity of officers

The Executive Chairman, a member of the Commission, or its employee shall be indemnified against any proceedings brought against him in his capacity as the Executive Chairman, member of the Commission or its employee where the act complained of is not ultra vires his powers.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

**PART VII - COLLECTION, STORAGE, DESTRUCTION, MANAGEMENT AND STOCKPILING
OF SMALL ARMS AND LIGHT WEAPONS****Clause 23: Collection and storage of small arms and light weapons**

- (1) The Commission shall have power to collect —
 - (a) small arms which are surplus to the national needs or have become obsolete;
 - (b) seized light weapons;

- (c) unmarked light weapons;
 - (d) illegally held light weapons; and
 - (e) small arms collected in the implementation of peace accords or programmes for the voluntary handing over of the weapons.
- (2) A small arm or light weapon collected pursuant to the provisions of subsection (1) of this section shall be registered and securely stored or destroyed.
- (3) The Commission shall promote and carry out programmes of voluntary handing over of small arms and light weapons.
- (4) All seized small arms and light weapons in the custody of the Commission shall be destroyed burning, shredding or crushing at a place so designated by the Commission.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) —
Agreed to.

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

Clause 24: Management and security of stockpiles

- (1) The Commission shall take the necessary measures to ensure the safe and effective management, storage and security of national stocks of small arms and light weapons.
- (2) The Commission shall, pursuant to the provisions of subsection (1) of this section, establish effective standards and procedures for stockpile management, storage and security, including —
- (a) appropriate site;
 - (b) physical security measures of storage facilities;
 - (c) inventory management and record keeping;
 - (d) staff training;
 - (e) security during manufacture and transportation; and
 - (f) sanctions in case of theft or loss.
- (3) The Commission shall ensure that stockpiles of small arms and light weapons by manufacturers, dealers as well as individuals are securely stored in accordance with the appropriate standards and procedures.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) —
Agreed to.

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

PART VIII — REGISTER OF SMALL ARMS AND LIGHT WEAPONS

Clause 25: Establishment of register of small arms and light weapons

- (1) The Commission shall keep and maintain a computerized register of small arms and light weapons and a comprehensive national database, in which shall be recorded the Following information —
- (a) description of the product (type, model and caliber) and quality (where it concerns a batch);
 - (b) content of the marking;
 - (c) names and addresses of the former and current owners and, where possible, successive owners;
 - (d) date of registration; and
 - (e) information concerning each transaction, including —
 - (i) the name and address of the shipper, the intermediary (where applicable), the consignee and the user indicated on the end-user-certificate,
 - (ii) the point of departure, transit and destination, as well as the customs references and the dates of departure, transit and delivery to the end-user,
 - (iii) the export, transit and import licence (quantities and batches corresponding to the same licence as well as the validity of the licence),
 - (iv) full details concerning the method of transport and the transporter,
 - (v) the controlling agency or agencies at point of departure, transit and entry,
 - (vi) the nature of the transaction, whether commercial, non-commercial, private or public, conversion, repair, and
 - (vii) where applicable, the insurer and the financial institution intervening in the transaction.
- (2) The records in the Register of the Commission shall also be kept in the custody of designated agencies.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) —
Agreed to.

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

Clause 26: Register of arms for peace operations

- (1) The Commission shall —
- (a) keep and maintain a register of small arms and light weapons destined for use in peacekeeping operations both within and outside the ECOWAS or AU territory to ensure the control of movements of small arms and light weapons and their effective withdrawal at the end of peace operations in which member states are participating; and
 - (b) declare to the executive secretariat of ECOWAS, AU or UN organization of all small arms and light weapons —
 - (i) used in peace keeping operations, or
 - (ii) seized, collected or destroyed during peace keeping operations in Nigeria and in the ECOWAS or AU region.
- (2) For the purpose of implementing the provisions of subsection (1) of this section —
- (a) the Armed Forces, the Police and any other security agency engaged in peace keeping operations shall —
 - (i) prior to the commencement of the operation, submit to the Commission a register or record of small arms and light weapons to be used in the operation, and
 - (ii) after the operation, submit to the Commission a register or record of small arms and light weapons used in the operations or seized, collected or destroyed during the operations;
 - (b) the Commission may at any time necessary, request from the Armed Forces, the Police or any other security agency engaged in peace keeping operations, a register or record of small arms and light weapons to be used, used, seized, collected or destroyed during the operations;
 - (c) a register of small arms and light weapons used by arms bearing agencies shall be forwarded to the Commission quarterly; and
 - (d) a list of ammunitions before and after a peace keeping mission by arms bearing agencies shall be forwarded to the Commission.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) —
Agreed to.

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

Clause 27: Small arms registry

The Commission shall establish a National Small Arms Registry to be managed by an arms Registrar who shall —

- (a) keep, maintain and update, from time to time, the Registers established under this Bill;
- (b) transmit the Registers to the secretariat of the ECOWAS in accordance with the provisions of ECOWAS Convention; and
- (c) carry out any other responsibility in respect of small arms and light weapon record and documentation in Nigeria.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) —
Agreed to.

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

Clause 28: Tracing

- (1) The Commission shall exchange with other ECOWAS, AU and UN State Parties, information on —
 - (a) illegal small arms and light weapons;
 - (b) seized small arms and light weapons; and
 - (c) trafficking in weapons that contravene international law or the internal laws of the States in which the operations take place, including condemnation of the person or institution implicated, sanctions, disposal, destruction methods and neutralization.
- (2) The Commission shall, in the case of other small arms and light weapons, exchange the following data on a regular basis with the bodies mentioned in subsection (1) of this section —
 - (a) manufacture, marking system and techniques used and authorized manufacturers;
 - (b) transfers, exports to and imports from all other states, and transits;
 - (c) information available concerning national legislation, existing practices and controls, authorized dealers and brokers; and
 - (d) existing stockpiles, management, inventory, security, surplus, loss, theft and destruction.
- (3) The Commission may initiate a tracing request through ECOWAS, AU or UN in relation to small arms and light weapons found within Nigeria that it considers to be illegal.

- (4) A request by the Commission for assistance in tracing illegal small arms or light weapons shall contain sufficient information, including
 - (a) information describing the illegal nature of the small arms and light weapons, its legal justification and circumstances under which the small arms and light weapons were found;
 - (b) marking, type, caliber and other relevant information; and
 - (c) intended use of the information being sought.
- (5) Where the Commission receives through the ECOWAS, AU or UN request for assistance in tracing illegal small arms and light weapons found in the requesting member state, the Commission shall acknowledge its receipt within a reasonable time frame.
- (6) A request from a member state received under subsection (5) or this section shall contain the information set out in subsection(4) of this section and any other information as may be specified by the Commission.
- (7) The Commission shall provide reliable responses to tracing requests made by other member states within I month from the date of receipt of the request.
- (8) In responding to a tracing request, the Commission shall provide all available information sought by the requesting member state that is relevant for the purposes of tracing illegal small arms and light weapons.
- (9) The Commission may seek additional information from the requesting member state where a tracing request does not contain the information required under this section.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — *Agreed to.*

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

PART IX — MISCELLANEOUS

Clause 29: Offences and penalties

- (1) Any person in possession of firearms or ammunition without a licence shall on conviction be liable to 5 years imprisonment or a fine of not less than ₦5,000,000.00 or both where the person has no previous criminal record.
- (2) Any person with previous criminal records found in possession of firearms without a licence shall on conviction be liable to 5 years imprisonment without fine.

- (3) Where a person commits an act of violence with a firearm that is not licenced such person shall on conviction be liable to 6 years imprisonment.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

Clause 30: Public education and awareness programme

- (1) The Commission shall, in the interest of promoting peace, design public and community education and awareness programmes at national, state and local levels in order to involve Nigerians in the efforts to control the proliferation of small arms and light weapons.
- (2) The Commission shall, in pursuance of subsection (1) of this section, develop and partner with civil society organizations at national, state and local levels, including women, youth and other organisations, for better information and public awareness on the danger of proliferation of small arms and light weapons.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

Clause 31: Regulations

The Commission may make regulations and issue guidelines as are necessary or expedient for the effective and efficient implementation of the provisions of this Bill.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

Clause 32: Dissolution of the Presidential Committee for the Control of Small Arms and Light Weapons

As from the commencement of this Bill, the Presidential Committee for the Control of Small Arms and Light Weapons (PRESCOM) constituted by the President is hereby dissolved.

Committee's Recommendation:

That the provision in Clause 32 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

Clause 33: Savings and transitional provisions

- (1) The dissolution of PRES COM as specified in section 45 of this Act shall not affect anything done or purported to have been done by the PRESCOM.
- (2) The right, interest, obligation, proceedings, assets and liability of the PRESCOM existing before the commencement of this Act shall by virtue of this Act be deemed to be that of the Commission, to the extent that they are not inconsistent with any of the provisions of this Bill.
- (3) Any reference to the PRESCOM or any person under its control or a document issued in the name of the PRESCOM shall be read, unless the context otherwise requires, as a reference to the Commission established under this Bill.

Committee's Recommendation:

That the provision in Clause 33 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) —
Agreed to.

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

Clause 34: Interpretation

In this Bill —

"ammunition" means devices designed to be shot or projected through the means of firearms including—

- (a) cartridges,
- (b) projectiles and missiles for light weapons, and
- (c) mobile containers with missiles or projectiles for anti-aircraft or anti-tank single action systems;

"AU" means the African Union;

"Convention" means the Economic Community of West African States Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials, done at Abuja on 14th June, 2006;

"ECOWAS" means the Economic Community of West African States;

"illicit" means all that is carried out in violation of this Bill and the Convention;

"light weapons" means portable arms designed to be used by several persons working together in a team and include notably—

- (a) heavy machine guns,
- (b) portable grenade launchers, mobile or mounted,
- (c) portable anti-aircraft cannons,

- (d) portable anti-tank cannons, non-recoil guns,
- (e) portable anti-tank missile launchers or rocket launchers, and
- (f) mortars with a caliber of less than one hundred millimeters;

"marking" means inscriptions permitting the identification of arms covered by this Bill and the Convention;

"muzzle-loading firearm" means firearms into which the projectile and usually the propellant charge is loaded from the muzzle of the gun, including Dane-guns, Flint-lock guns and Cap-guns;

"Commission" means the Commission for the Coordination and Control of Small Arms and Light Weapons established under section 3 of this Bill;

"other related materials" means all components, parts or spare parts for small arms or light weapons or ammunition necessary for its functioning; or any chemical substance serving as active material used as propelling or explosive agent;

"small arms" means arms used by one person and include-

- (a) firearms and other destructive arms or devices such as an exploding bomb, an incendiary bomb or a gas bomb, a grenade, a rocket launcher, a missile system or landmine,
- (b) revolvers and pistols with automatic loading,
- (c) rifles and carbines,
- (d) machine guns,
- (e) assault rifles, and
- (f) light machine guns;

"small arms and light weapons" includes ammunition and other related materials;

"tracing" includes the systematic monitoring of the movement of small arms and light weapons and their ammunition and other related materials, from the manufacturer until the end user, with a view to helping member states or competent authorities to detect illegal manufacture and trading; and

"weapons of categories I, 2 and 3" means light weapons, small arms and ammunition, respectively.

Committee's Recommendation:

That the provision in Clause 34 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) —
Agreed to.

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

Clause 35: Citation

This Bill may be cited as the Coordination and Control of the Proliferation of Arms and Light Weapons Commission (Establishment, etc.) Bill, 2022.

Committee's Recommendation:

That the provision in Clause 35 be retained (*Senator Ibrahim A. Gobir — Sokoto East*) — Agreed to.

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

SCHEDULE

(Sections 2 (5))

SUPPLEMENTARY PROVISIONS RELATING TO THE
PROCEEDINGS OF THE COMMISSION AND OTHER MATTERS

Meetings of the Commission

1. (1) "Subject to the provisions of section 21 of the Interpretation Act (Cap. 123, LFN, 2004) (which provides for the decisions of a statutory body to be taken by a majority of the members of the body and for the person presiding to have a second or casting vote), the Commission to make standing orders regulating the proceedings of the Commission and of its committee.
- (2) The Commission shall meet once a quarter at such times and places as the Chairman may determine.
- (3) The quorum for a meeting of the Commission is six and the quorum of a committee of the Commission shall be determined by the Commission.
- (4) The Chairman shall, at any time, if five other members request in writing, convene an emergency meeting of the Commission, provided that not less than forty-eight hours notice is given to members for the meeting.
- (5) At a meeting of the Commission, where the Chairman is absent, the members present shall appoint one of them to preside;
- (6) The minutes of the Commission shall be recorded by the Secretary and signed by the Chairman or the person who presided at the meeting, after confirmation by the Commission;
- (7) The validity of a proceeding of the Commission is not be affected by:
 - (a) a vacancy in its membership;
 - (b) a defect in the appointment or qualification of a member; or
 - (c) reason that a person not entitled to do so, took part in proceedings of the Commission.
2. A resolution of the Commission is valid, even though it is not passed at a meeting of the Commission, if —

- (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 Commission, including the Secretary.
3. (1) A member who has a direct or an indirect personal interest in the outcome of the deliberations of a meeting of the Commission in relation to a matter shall —
- (a) disclose the nature of the interest at that meeting;
 - (b) withdraw from the deliberations of the Commission in respect of the matter; and
 - (c) not vote on the matter.
- (2) The disclosure of the interest shall be recorded in the minutes of the meeting.
- (3) A member who contravenes the provisions of sub-paragraph (1) may be removed from office.

Seal of the Commission

4. (1) The application of the common seal of the Commission shall be authenticated by the signature of the Chairman or the Secretary on behalf of the Commission.
- (2) A document bearing the imprint of the seal of the Commission is deemed to be properly sealed unless the contrary is proved.

Committees

5. (1) Without prejudice to other provisions of this Act, the Commission may appoint such number of committees as the Commission considers necessary to carry out, on its behalf, such of its functions as it may determine.
- (2) A committee appointed under this paragraph shall consist of such number of persons as the Commission may determine, and not more than one-third of those persons may be appointed, who are not members of the Commission.
- (3) A person who is not a member of the Commission shall hold office on the committee in accordance with his letter of appointment.
- (4) A decision of a committee appointed under this paragraph shall be of no effect until it is confirmed by the Commission.

Question that the provision in this Schedule Stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The President of the Senate reported that the Senate in the Committee of the Whole considered the Report of the Committee on National Security and Intelligence on A Bill for an Act to Establish a National Commission for the Coordination and Control of the Proliferation of Small Arms and Light Weapons in Nigeria and Other Related Matters, 2022 and approved as follows:

Clauses 1- 35 — As Recommended

Schedule — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

15. Committee on Health (Secondary & Tertiary):

Report on the Federal Medical Centre Obukpa, Nsukka, Enugu State (Establishment) Bill, 2022 (SB. 599):

Consideration of Report deferred to another Legislative Day.

16. Committee on Ethics, Privileges and Public Petitions:

Reports on the following Petitions:

- a. Sunny Oghale Ofehe on behalf of Hope for Niger Delta Campaign, Netherlands against the Director-General, National Intelligence Agency and the Department of State Services (DSS) for alleged incessant harassment and humiliation by the Agency;
- b. Omobolanle Adejumo Adenoye against Zenith Bank Plc for alleged unlawful dismissal and blacklisting by the Bank;
- c. Chief Enyinna Onuegbu KSC, on behalf of Seventy-Three (73) Communities of Obiafu, Soku to Bonny, in Rivers State against the Nigeria Liquefied Natural Gas Limited NLNG for refusing to pay compensation for acquiring their land and loss of use of the affected land to Pipelines Right of Way (ROW) through the Communities; and
- d. Gyang Zi, Esq., on behalf of D.D. Choji against the Nigeria Customs Service (NCS) for alleged wrongful dismissal from Service.

Consideration of Reports deferred to another Legislative Day.

17. Energy Commission of Nigeria Act Cap E10 LFN 2004 (Repeal & Re-enactment) Bill, 2022 (HB. 243) — Concurrence:

Consideration of Bill deferred to another Legislative Day.

18. Armed Forces of Nigerian Trust Fund (Establishment) Bill, 2022 (HB. 742) — Concurrence:

Consideration of Bill deferred to another Legislative Day.

19. Institute of Mortgage Brokers and Lenders of Nigeria Bill, 2022 (HB. 88) — Concurrence:

Consideration of Bill deferred to another Legislative Day.

20. **Federal University of Technology Asaba, Delta State (Establishment) Bill, 2022 (HB. 721)**
— Concurrence:

Consideration of Bill deferred to another Legislative Day.

21. **Federal University of Health, Sciences and Technology, Enugu (Establishment) Bill, 2022 (HB. 1604)** — Concurrence:

Consideration of Bill deferred to another Legislative Day.

22. **Adjournment:**

Motion made: That the Senate do now adjourn till Wednesday, 27th July, 2022 at 10.00 a.m.
(Deputy Senate Leader).

Question put and agreed to.

Adjourned accordingly at 2:00 p.m.

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

