



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

FIRST VOTES AND PROCEEDINGS

Thursday, 21 December, 2023

1. The House met at 11.31 a.m. Mr Deputy Speaker read the Prayers.
2. The House recited the National Pledge.
3. **Votes and Proceedings**
Mr Deputy Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 20 December, 2023.

The Votes and Proceedings was adopted by unanimous consent.

4. **Oaths of Allegiance and Membership**
A Member-elect, Mohammed Saidu (*Isa/Sabon Birni Federal Constituency*), took and subscribed the Oaths of Allegiance and Membership as prescribed by law.
5. **Announcement**
Bereavement:
Mr Deputy Speaker read a communication from Hon. Esosa Iyawe (*Oredo Federal Constituency*), informing the House of the demise of his mother, Mrs Patience Imuwahen Iyawe, which occurred on Wednesday, 29 November, 2023;

A minute silence was observed in honour of the deceased.

6. **Petitions**
 - (i) A petition from Imo Asuquo, on his dismissal from service by the Nigeria Police Force, was presented and laid by Hon. Clement Jimbo (*Abak/Etim Ekpo/Ika Federal Constituency*);
 - (ii) The following petitions were presented and laid by Hon. Jesse Okey-Joe Onuakalusi (*Oshodi/Isolo II Federal Constituency*):
 - (a) Ibuchukwu Ohabuenyi Ezike, on behalf of Civil Liberties Organization, on alleged non-compliance with court judgment in Suit No: FHC/L/CS/541/10 by the Nigeria Police Force,

- (b) Ibe Ignatius Chukwudi, on alleged refusal to handover property acquired via Walk in Bid by the Minister of the Federal Capital Territory;
- (iii) A petition from Bamidele Tolulope Emmanuel, on alleged non-payment of her salaries by the Nigerian Law School, was presented and laid by Hon. Akintunde Rotimi (*Ikole/Oye Federal Constituency*);
- (iv) A petition from Arinze Uyenwa, on alleged non-disclosure of the whereabouts of his brother, Austin Ugochukwu Uyanwa by the Nigerian Army, was presented and laid by Hon. Lilian Obiageli Orogbo (*Awka North/Awka South Federal Constituency*);
- (v) A petition from LEX-Luvera Partners (Legal Practitioners), on behalf of Ankor Port Technology Limited, on alleged non-payment of the contract sum of Seventy-Nine Million, One Hundred and Fourteen Thousand, One Hundred and Twenty-five Naira (₦79,114,125.00) only, by the Federal College of Education, Isu, Ebonyi State, was presented and laid by Hon. Ojuawo Rufus Adeniyi (*Ekiti South West/Ikere/Ise Orun Federal Constituency*);
- (vi) The following petitions were presented and laid by Hon. Fatoba Olusola (*Ado Ekiti/Irepodun/Ifelodun Federal Constituency*):
 - (a) M. C. Chambers (Legal Practitioners), on behalf of the West Africa Limited and 1 other, on alleged denial to access their fund by the First Bank of Nigeria and 1 other;
 - (b) M. C. Chambers (Legal Practitioners), on behalf of Desmond C. Onwusiri, on alleged porous security within the Premises of the National Assembly by the Management of the National Assembly;
- (vii) A petition from Stephen Obiefule & Partners (Legal Practitioners), on behalf of Francis Ohadugha, on alleged non-payment of his constituency fees by Samco Anyi Construction (Nig) Limited, was presented and laid by Hon. Ugochiyere Ikeagwuonu (*Ideato North/Ideato South Federal Constituency*)

Petitions referred to the Committee on Public Petitions.

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

(i) *Need to Make Malaria Treatment and Drugs Free to All Citizens:*

Hon. Ogah Amobi Godwin (*Isuikwato/Umuneochi Federal Constituency*) introduced the matter and prayed the House to:

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

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

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

Need to Make Malaria Treatment and Drugs Free to All Citizens:

The House:

Notes that malaria is a serious disease that spreads when you are bitten by a mosquito infected by the tiny parasites called plasmodia. If not treated, Malaria can cause a severe health problem such as seizures, brain damage, trouble breathing, organ failure and even death;

Also notes that malaria is common in the tropics and does not have "respect" for either race, tribe or class. It infects everybody. In 2020 (Health Essentials Report) there were 241 million reported cases of malaria throughout the world, with 627,000 deaths and the majority of the death (90%) was in Africa with more than 80% involving children under the age of 5 years;

Further notes that the most severe form of Malaria, which may progress to a coma is known as Cerebral Malaria. This type represents about 15% of deaths in children and nearly 20% of adult death. According to Malaria treatment (2023) statistics, about 45% of the total population of Nigeria get infected by Malaria on an annual basis. An estimated 68 million cases and 194,000 deaths due to the disease was recorded in 2021. Nigeria has the highest burden of Malaria globally, accounting for nearly 27% of the global Malaria burden;

Still notes that malaria is a cause and a consequence of poverty because both are inter-related. Thus, creating a very dangerous scenario that is very critical because a predominantly sick population cannot have any strong economic power;

Worried that the average cost of treating Malaria in Nigeria today by self-medication is about ₦5,000.00 and upon consultation with healthcare provider with a laboratory test may cost over Ten Thousand Naira (₦10,000.00). Many Nigerians who cannot afford these, may resort to using local herbs or sub-standard drugs that may lead to complications or even death;

Concerned that given the present National economic hardship where a single meal per day is hardly affordable by most average and lower-class citizens with the exorbitant cost of living due to the removal of oil subsidy, affordability of the purchase of Malaria drugs becomes even more difficult thus, the need for the intervention of the government in the provision of "**Free Malaria Treatments and Drugs**" in all government hospitals to avert the Malaria catastrophe;

Cognizant that HIV and Tuberculosis that presently enjoy free treatment in Nigeria are not as most prominent, wide spread and even killers as Malaria today;

Resolves to:

- (i) urge the Executive Arm of Government of Nigeria, as a matter of urgency to use part of the savings from the removal of PMS subsidy to provide free malaria treatments and drugs in all Government Hospitals in Nigeria;
- (ii) also urge the Federal Ministry of Health to set up units in all Government Hospitals in Nigeria for the provision of free malaria treatments and drugs (*Hon. Amobi Godwin Ogah — Isuikwato/Umuneochi Federal Constituency*).

Debate.

Agreed to.

(HR. 422/12/2023).

- (ii) **Traffic Pressure on A Section of Katsina Road in Kano State:**
Hon. Muhammed Bello Shehu (*Fagge Federal Constituency*) introduced the matter and prayed the House to:
 - (a) consider and approve the matter as one of urgent public importance; and
 - (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

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

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

Traffic Pressure on A Section of Katsina Road in Kano State:

The House:

Notes that Katsina Road in Kano is one of the busiest and second most important road in the State with an approximate length of 10km, it passes through one of the most densely populated areas in the State, connecting Dawanau Market, the largest grain market in Africa with Kano metropolis and neighbouring Katsina and Jigawa State, it also stretches to Niger Republic;

Also notes that within the last decade, the road has aged to the extent its carrying capacity is no longer capable of maintaining the continuous traffic volume due to rapid development of socio-economic activities in the state within the last decades;

Aware that the challenges of traffic pressure from Baban Gwari/Aminu Kano International Airport round about, Kwaciri/Kurna Asabe/Rijiyan Lemu/Yan Mata Gabas to Mile Tara round about is enormous, the need to take a drastic and lasting solution through the construction of a bridge, underpass or to expand the Road from Baban-Gwari/Aminu Kano International Airport round about to Mile Tara roundabout has become imperative;

Worried that, it is much easier to drive from Kano - Zaria, a distance of 70 km than to drive from Baban Gwari/Aminu Kano International Airport round about, Kawaciri/Kurna Asabe/Rijiyan Lemu/Yan Mata Gabas to Mile Tara round about, a distance of 10 km, especially during rush hours;

Resolves to;

- (i) urge the Federal Ministry of Works to allocate sufficient funds for the projects in the 2024 Budget estimate;
- (ii) mandate the Appropriation Committee to consider and make provisions for the projects in the 2024 Appropriation Act;
- (iii) also mandate the Committee on Works to ensure compliance (*Hon. Muhammad Bello Shehu — Fagge Federal Constituency*).

Debate.

Agreed to.

(HR. 423/12/2023).

(iii) ***Incessant Cases of Conflicts Between the Nigerian Navy and Private Security Outfits Engaged by the Nigerian National Petroleum Company Limited to Protect Oil and Gas Assets:***

Hon. Donald Kimikanboh Ojogo (*Ilaje/Ese-Odo Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and

(b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

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

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

Incessant Cases of Conflicts Between the Nigerian Navy and Private Security Outfits Engaged by the Nigerian National Petroleum Company Limited to Protect Oil and Gas Assets:

The House:

Notes that the Nigerian Navy, by Law, is a statutory National security agency and an Arm of the three Armed Forces of the Federal Republic of Nigeria established with the sole purpose of protecting Nigeria's Maritime Integrity and territorial waters.

Also notes that the responsibility of the Nigerian Navy covers the protection of Nigeria's National Assets including the Nation's Oil and Gas infrastructure across the water belts of the country covering Inland, Onshore and Offshore Waters and that the Nigerian Navy has a history of commendable exploits within and outside Nigeria while on operations, making the Nation proud.

Observes that in a bid to take full advantage of human potentials across the Nation's oil belt, the Niger Delta, the Nigerian National Petroleum Company Limited (NNPCL), then as Nigerian National Petroleum Corporation (NNPC) in August 2022, firmed out intricate aspects of securing the Nation's Oil and Gas assets to some private security firms with deep knowledge of the areas in question;

Also observes that this was done to protect such assets from vandals in order to stem oil theft, enhance productivity and ultimately engender higher production output to grow the Nation's economy through increased revenue;

Further notes that such arrangements have recorded some positive results with regards to production output even as the 2024 Budget Estimates presented to the National Assembly by President Bola Ahmed Tinubu, GCFR, alluded to high expectations of further increase in output by benchmarking same at 1.7m BPD;

Concerned that these high expectations that could only have been on the strength of an efficient, effective and robust collaboration and synergy of both the Statutory Security outfit, in this case, the Nigerian Navy, and custodians of delegated duties (private security firms) appear to be threatened by an unhealthy rivalry and incessant conflicts of operational responsibilities;

Also concerned that these cases of unchecked open conflicts and altercations have almost reached an embarrassing level of media brickbats between the Navy and some private security firms with such assigned responsibilities;

Further concerned that there was a reported case of exchange of gunfire between men of the Nigerian Navy and operatives of a private security outfit on the coastal waters of Ondo State and parties involved adduced or advanced reasons for their actions and inactions with accusations and counter accusations;

Worried that if this trend continues, an unachievable oil output projection looms ahead of the 2024 Fiscal Year and that the implications of such development on the economy will be negative;

Resolves to:

Mandate the Special Committee on Oil Theft in the Niger Delta to investigate the cause(s) of the endless rivalry and conflict of operational responsibilities between the Nigerian Navy and concerned private security firms engaged by the NNPC (Hon. Donald Kimikanbor Ojogo — *Ilaje/Ese-Odo Federal Constituency*).

Debate.

Agreed to.

(HR. 424/12/2023).

(iv) *Need to Declare State of Emergency in Nigeria's Health Sector:*

Hon. Amos Gwamna Magaji (*Jaha/Zangon Kataf Federal Constituency*) introduced the matter and prayed the House to:

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

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

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

Need to Declare State of Emergency in Nigeria's Health Sector:

The House:

Notes the mass exodus of Nigerian Doctors to other countries over better working condition and infrastructure;

Also notes that the number of Nigerian Resident Doctors has dwindled from year to year, and according to the President, Association of Resident Doctors, Nigeria lost over 2000 medical Doctors to other countries to the "Japa syndrome";

Further notes that the Nigerian Association of Resident Doctors has revealed that no fewer than 1,417 of its members are planning to leave for the United Kingdom and United States before the end of 2023. If the situation is not tackled, it will degenerate to a point where Nigerians would wake up one day and discover that there are no Doctors in the hospitals;

Aware that the World Health Organization (WHO) has prescribed the minimum expectation of the Doctor to patient ratio as One Doctor to about 400 or 600 patients. In Nigeria, we have a Doctor to about 40,000 patients as a result of the Country's medics migrating to countries such as UK and the US. The Nigerian Medical Association (NMA) says Nigeria needs at least 363,000 Doctors but has only 24,000 and a lot more needs to be done to train, retrain and retain Nigerian Doctors to have a medical workforce that adequately serves the population;

Also aware that findings indicate that Pakistan and Nigeria have the highest number of Doctors in the United Kingdom. A number that is higher than the number of Doctors from these Countries who are employed back home in their own Countries;

Concerned that statistics from the World Health Organization shows that Nigeria currently has a shortage of medical Doctors with a physician-to-patient ratio that is critically low, while in the US, the ratio is 26 doctors per 10,000 and 28 to 10,000 in the UK;

Also concerned that the health sector is currently undergoing a major crisis in terms of manpower. Other health professionals such as Nurses, Laboratory Scientists, Physiotherapists, Radiographers, and all manner of health professionals are also leaving the country;

Worried that brain drain is a major challenge facing the Nigerian Health system leading to fatigue, due to long working hours, a heavy workload and the associated errors and loss of interest. According to the Organization for Economic Cooperation and Development, Nigeria is one of the three leading African sources of foreign-born physicians;

Informed that there are usually two sets of leavers; those who leave five to ten years after graduation (usually for better pay). Then, those who leave after specialist training, which can be up to 10 to 15 years post-graduation with the most qualified and competent Doctors leaving;

Also worried that the health sector in Nigeria may continue to decline in the absence of aggressive interventions to stop this trend and more Doctors leaving the country will exacerbate the already severe shortage of Medical Doctors, which in turn will add to the stress and dissatisfaction among those remaining. Ultimately, Nigerians both poor and rich will suffer the impact on the health of the nation.

Resolves to:

Mandate the Committee on Health Institutions to investigate the rationale behind the mass exodus of Nigerian Health Professionals to other countries for better working conditions and report within four (4) weeks (*Hon. Amos Gwamna Magaji — Jaba/Zangon Kataf Federal Constituency*).

Debate.

Agreed to.

(HR. 425/12/2023).

8. Presentation of Bills

The following Bills were read the *First Time*:

- (1) Telecommunications Facilities (Lawful Interception of Information) Bill, 2023 (HB.1064).
- (2) National Cotton, Textile and Garment Development Council (Establishment) Bill, 2023 (HB.1065).
- (3) National Oil Palm Development Council (Establishment) Bill, 2023 (HB.1066).
- (4) Nigerian Mining Protection and Security Corps (Establishment) Bill, 2023 (HB.1067).
- (5) Agricultural Research Council of Nigeria Act (Amendment) Bill, 2023 (HB.1068).
- (6) Snake Bite and Toxicology Research and Treatment Centre, Kaltungo, Gombe State (Establishment) Bill, 2023 (HB.1069).
- (7) Civil Aviation Act (Amendment) Bill, 2023 (HB.1070).
- (8) Federal Inland Revenue Service Act (Amendment) Bill, 2023 (HB.1071).
- (9) Federal Colleges of Education Act (Amendment) Bill, 2023 (HB.1072).

- (10) Federal Medical Centres Act (Amendment) Bill, 2023 (HB.1073).
- (11) Federal Medical Centres Act (Amendment) Bill, 2023 (HB.1074).
- (12) Appropriations Act (Amendment) Bill, 2023 (HB.1075).
- (13) Supplementary Appropriations Act (Amendment) Bill, 2023 (HB.1076).

9. A Bill for an Act to Amend the Federal Medical Centres Act and Establish Federal Medical Centre, Okigwe and for Related Matters (HB. 172) — Third Reading

Motion made and Question proposed, “That a Bill for an Act to Amend the Federal Medical Centres Act and Establish Federal Medical Centre, Okigwe and for Related Matters (HB. 172) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

10. A Bill for an Act to Amend the Federal Colleges of Education Act, Cap. F8, Laws of the Federation of Nigeria, 2004 and Establish Federal College of Education, Mutum Biyu, Taraba State and for Related Matters (HB.494) — Third Reading

Motion made and Question proposed, “That a Bill for an Act to Amend the Federal Colleges of Education Act, Cap. F8, Laws of the Federation of Nigeria, 2004 and Establish Federal College of Education, Mutum Biyu, Taraba State and for Related Matters (HB.494) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

11. A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 and Establish Federal College of Horticulture, Okigwe and for Related Matters (HB. 171) — Third Reading

Motion made and Question proposed, “That a Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 and Establish Federal College of Horticulture, Okigwe and for Related Matters (HB. 171) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

12. A Bill for an Act to Establish Food Vendors Registration Council of Nigeria charged with the Responsibility of Advancing the Registration, Training, and Safe Practice of Raw and Cooked Food Vending Businesses and preventing double Taxation Collection on members of the Council by unauthorized bodies in Nigeria and for Related Matters (HB. 326) — Third Reading

Motion made and Question proposed, “That a Bill for an Act to Establish Food Vendors Registration Council of Nigeria charged with the Responsibility of Advancing the Registration, Training, and Safe Practice of Raw and Cooked Food Vending Businesses and preventing double Taxation Collection on members of the Council by unauthorized bodies in Nigeria and for Related Matters (HB. 326) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

13. **A Bill for an Act to Establish National Assembly Budget and Research Office which Provides the National Assembly with Objective, timely and non-partisan analysis needed for Economic and Budget decisions and for Related Matters (HB.600) — Third Reading**
Motion made and Question proposed, “That a Bill for an Act to Establish National Assembly Budget and Research Office which Provides the National Assembly with Objective, timely and non-partisan analysis needed for Economic and Budget decisions and for Related Matters (HB.600) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).
- Agreed to.*
- Bill read the Third Time and passed.*
14. **A Bill for an Act to Amend the Tertiary Education Trust Fund Act, 2011 to Review the Tenure of Office of the Executive Secretary and expressly Provide that the Monotechnics shall benefit from the Fund; and for Related Matters (HB. 192) — Second Reading**
- Order read; deferred by leave of the House.*
15. **A Bill for an Act to Amend the Code of Conduct Bureau and Tribunal Act, Cap. C15, Laws of the Federation of Nigeria, 2004 and for Related Matters (HB. 275) — Second Reading**
Motion made and Question proposed, “That a Bill for an Act to Amend the Code of Conduct Bureau and Tribunal Act, Cap. C15, Laws of the Federation of Nigeria, 2004 and for Related Matters (HB. 275) be read a Second Time” (*Hon. Rotimi Akintunde — Ikole/Oye Federal Constituency*).
- Debate.*
- Question that the Bill be now read a Second Time — Agreed to.*
- Bill read the Second Time.*
- Bill referred to the Committee on Anti-Corruption.*
16. **A Bill for an Act to Establish Agro Processing Export Free Trade Zone, Yewa North/Imeko Afon-Ogun State and for Related Matters (HB. 219) — Second Reading**
Motion made and Question proposed, “That a Bill for an Act to Establish Agro Processing Export Free Trade Zone, Yewa North/Imeko Afon-Ogun State and for Related Matters (HB. 219) be read a Second Time” (*Hon. Adegboyega Nasir Isiaka — Egbado North/Imeko-Afon Federal Constituency*).
- Debate.*
- Question that the Bill be now read a Second Time — Agreed to.*
- Bill read the Second Time.*
- Bill referred to the Committee on Commerce.*
17. **A Bill for an Act to Provide for Enactment of Child Online Access Protection Bill, 2023 and other issues of Online Violence against Nigerian Child and for Related Matter (HB. 244) — Second Reading**
Motion made and Question proposed, “That a Bill for an Act to Provide for Enactment of Child Online Access Protection Bill, 2023 and other issues of Online Violence against Nigerian Child and for Related Matter (HB. 244) be read a Second Time” (*Hon. Olumide Osoba — Abeokuta North/Obafemi Owode/Odeda Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Justice.

18. **A Bill for an Act to Amend the Appropriations Act, 2023 to Extend the Implementation year from 31 December 2023 to 31 March 2024 and for Related Matters (HB. 1075) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31 March, 2024 and for Related Matters (HB. 1075) be read a Second Time” (Hon. Julius Ihonvbere — House Leader).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of Supply.

19. **A Bill for an Act to Amend the Supplementary Appropriations Act, 2023 to Extend the Implementation year from 31 December 2023 to 31 March 2024 and for Related Matters (HB. 1076) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the Supplementary Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31 March, 2024 and for Related Matters (HB. 1076) be read a Second Time” (Hon. Julius Ihonvbere — House Leader).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of Supply.

20. **Need for the Resuscitation and Resumption of Operations of NTA Channel 35, Eket, Akwa Ibom State**

Motion made and Question proposed:

The House:

Notes that the Nigerian Television Authority (NTA) is the first television station in Africa with the largest Television broadcasting network in Africa;

Also notes that the Vision and Mission of NTA is "to be a world-class television network" and "to provide excellent service worldwide and project the true African perspective;

Aware that the Authority's primary function in achieving the NTA's core vision involves establishing the necessary number of stations as needed from time to time;

Also aware that the Nigeria Television Authority established NTA Channel 35, Eket seventeen (17) years ago, investing huge funds in constructing and equipping the station technically to commence broadcasting;

Cognizant of the fact that the operation of the television station in Eket, will further boost economic development in the area and create job opportunities in the Federal Constituency;

Concerned that the people of Eket of the Federal Constituency have expressed the need for the NTA station, Eket to be fully operational for a broader news and educational channel;

Worried that though the NTA Station in Eket was built, equipped, staffed and had carried out testing over 17 years ago, has been abandoned and overrun with weed, grass, and crawling animals, causing concern;

Resolves to:

- (i) urge the Nigerian Television Authority to ensure that NTA channel 35 Station in Eket commence full digital operation by the 2024 fiscal year;
- (ii) mandate the Committee on Information, National Orientation and Values to ensure compliance and report within four (4) weeks (*Hon. Okpolupm Etteh — Eket/Esit Eket/Ibeno/Onna Federal Constituency*).

Debate.

Amendments Proposed:

- (i) In Prayer (i), immediately after the word “Eket”, *insert* the words “and NTA Brass, Bayelsa State” (*Hon. Ebikake Marie Enenimiete — Brass/Nembe Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) In Prayer (ii), immediately after the words “Orientation and Values”, *insert* the words “and Appropriations” (*Hon. Sa’ad Wada Taura — Ringim/Taura Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that the Nigerian Television Authority (NTA) is the first television station in Africa with the largest Television broadcasting network in Africa;

Also noted that the Vision and Mission of NTA is "to be a world-class television network" and "to provide excellent service worldwide and project the true African perspective;

Aware that the Authority's primary function in achieving the NTA's core vision involves establishing the necessary number of stations as needed from time to time;

Also aware that the Nigeria Television Authority established NTA Channel 35, Eket seventeen (17) years ago, investing huge funds in constructing and equipping the station technically to commence broadcasting;

Cognizant of the fact that the operation of the television station in Eket, will further boost economic development in the area and create job opportunities in the Federal Constituency;

Concerned that the people of Eket of the Federal Constituency have expressed the need for the NTA station, Eket to be fully operational for a broader news and educational channel;

Worried that though the NTA Station in Eket was built, equipped, staffed and had carried out testing

over 17 years ago, has been abandoned and overrun with weed, grass, and crawling animals, causing concern;

Resolved to:

- (i) urge the Nigerian Television Authority to ensure that NTA channel 35 Station in Eket, and NTA Brass, Bayelsa State commence full digital operation by the 2024 fiscal year;
- (ii) mandate the Committees on Information, National Orientation and Values, and Appropriations to ensure compliance and report within four (4) weeks (**HR. 426/12/2023**).

21. Need to Curb the Sale of Naira Notes by the Point of Sale (PoS) Operators in Nigeria

Motion made and Question proposed:

The House:

Notes that the Point-of-Sales "PoS" machine was invented and produced to alleviate the financial transactions hook-ups emanating from the Commercial Banks in Nigeria;

Also notes that the financial transaction machines have significantly transformed the financial sector in the country by assisting the public in resolving banking challenges in Commercial Banks;

Aware that Point-of-Sale machines have been adopted in advanced countries like the US, UK, and South Africa to facilitate financial transformation without manipulation, this innovative trend was adopted in Nigeria a few years ago to curb financial hook-ups and address daily challenges faced by customers to access funds;

Also aware that Sections 1 and 2 of the Central Bank of Nigeria Act, 2007, empowers the Central Bank of Nigeria to regulate commercial banks and advises the government on financial issues to achieve good governance;

Worried that the PoS operators are now selling Naira notes at exorbitant prices of one thousand for three to four hundred Naira, while ten thousand naira goes for four thousand Naira, thus, causing concern among citizens who are currently experiencing economic hardship;

Cognizant of the need for the government to utilize its relevant authorities under the Central Bank of Nigeria Act, 2007 to supervise Commercial Banks and advise on financial matters, including regulating Point of Sale operators, this will validate public confidence and address the hardships faced by citizens in Nigeria's financial transactions;

Resolves to:

- (i) urge the Central Bank of Nigeria to immediately commence proper monitoring and supervision of Commercial Banks activities daily to ascertain the extent of counter payment to customers;
- (ii) also urge the Point-of-Sale Operators (PoS) to immediately remove excessive charges to customers across the country; and
- (iii) mandate the Committees on Banking Regulations and, Digital and Electronic Banking to invite the Minister of Finance and National Planning and Budget and Governor of the Central Bank of Nigeria to explain why Commercial Banks are not paying customers over the counter and ATM Machines (*Hon. Mohammed Dan Abba Shehu — Zaki.Federal Constituency*).

Debate.

Debate.

Amendment Proposed:

Leave out all the Prayers *and insert* as follows:

“Mandate the Committees on Banking Regulations, Banking Institutions, and Digital and Electronic Banking to investigate the matter and report within four (4) weeks” (*Hon. Donald Ojogo — Ilaje/Ese-Odo Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that the Point-of-Sales "PoS" machine was invented and produced to alleviate the financial transactions hook-ups emanating from the Commercial Banks in Nigeria;

Also noted that the financial transaction machines have significantly transformed the financial sector in the country by assisting the public in resolving banking challenges in Commercial Banks;

Aware that Point-of-Sale machines have been adopted in advanced countries like the US, UK, and South Africa to facilitate financial transformation without manipulation, this innovative trend was adopted in Nigeria a few years ago to curb financial hook-ups and address daily challenges faced by customers to access funds;

Also aware that Sections 1 and 2 of the Central Bank of Nigeria, Act 2007, empowers the Central Bank of Nigeria to regulate commercial banks and advises the government on financial issues to achieve good governance;

Worried that the PoS operators are now selling naira notes at exorbitant prices of one thousand for three to four hundred Naira, while ten thousand naira goes for four thousand Naira, thus, causing concern among citizens who are currently experiencing economic hardship;

Cognizant of the need for the government to utilize its relevant authorities under the Central Bank of Nigeria Act, 2007 to supervise Commercial Banks and advise on financial matters, including regulating Point of Sale operators, this will validate public confidence and address the hardships faced by citizens in Nigeria's financial transactions;

Resolved to:

Mandate the Committees on Banking Regulations, Banking Institutions, and Digital and Electronic Banking to investigate the matter and report within four (4) weeks (**HR. 427/12/2023**).

22. Need for Adequate Provisions for Water Sanitation and Hygiene (Wash) Facilities in Public places in Abuja and other public spaces in Nigeria

Motion made and Question proposed:

The House:

Informed that Nigeria has set a target to eradicate open defecation by 2025 in line with the revised global target set by the United Nations but unfortunately, no serious action is being taken to reduce the trends as over 23% (46 million) practice open defecation in Nigeria;

Aware that the Nigeria Government has developed several initiatives to improve the water and sanitation situation in the country without success, for instance, the World Bank has approved the Nigeria Sustainable Urban and Rural Water Supply, Sanitation, and Hygiene Program (SURWASH)

with a \$700 million credit from the International Development Association (IDA) to provide 6 million people with basic water, hygiene and sanitation facilities especially in public places;

Conscious that access to clean and hygienic toilet facilities is a basic human right and essential for public health which should be made available at motor parks, mechanic sites, public offices and areas with high numbers of pedestrians to curb the high rates of open defecation in Nigeria;

Cognizant that the Nigeria government has set a target to become Open Defecation Free (ODF) by 2025;

Resolves to:

- (i) urge the Federal Ministry of Water Resources and Sanitation in collaboration with States, Local Government Councils and other key players across the federation to operationalize an achievable detailed roadmap towards achieving an open defecation-free Nigeria using scientific approaches such as providing water, hygiene and sanitation in all public places; and
- (ii) mandate the Committee on Water Resources to ensure compliance and report within four (4) weeks (*Hon. Henry Odianosen Okojie — Esan North East/Esan South East Federal Constituency*).

Debate.

Agreed to.

The House:

Informed that Nigeria has set a target to eradicate open defecation by 2025 in line with the revised global target set by the United Nations but unfortunately, no serious action is being taken to reduce the trends as over 23% (46 million) practice open defecation in Nigeria;

Aware that the Nigeria Government has developed several initiatives to improve the water and sanitation situation in the country without success, for instance, the World Bank has approved the Nigeria Sustainable Urban and Rural Water Supply, Sanitation, and Hygiene Program (SURWASH) with a \$700 million credit from the International Development Association (IDA) to provide 6 million people with basic water, hygiene and sanitation facilities especially in public places;

Conscious that access to clean and hygienic toilet facilities is a basic human right and essential for public health which should be made available at motor parks, mechanic sites, public offices and areas with high numbers of pedestrians to curb the high rates of open defecation in Nigeria;

Cognizant that the Nigeria government has set a target to become Open Defecation Free (ODF) by 2025;

Resolved to:

- (i) urge the Federal Ministry of Water Resources and Sanitation in collaboration with States, Local Government Councils and other key players across the federation to operationalize an achievable detailed roadmap towards achieving an open defecation-free Nigeria using scientific approaches such as providing water, hygiene and sanitation in all public places; and
- (ii) mandate the Committee on Water Resources to ensure compliance and report within four (4) weeks (**HR. 428/12/2023**).

23. Perennial Flood and Erosion in Nteje, Umunya and Ogbunike in Oyi and Ayamelum Local Government Area, Anambra State

Motion made and Question proposed:

The House:

Notes that the residents of Oyi and Ayamelum Local Government Area face yearly floods and erosion, causing death, displacement, and immense suffering as families leave their homes and belongings behind;

Also notes that floods and erosion have severely affected Eke-Igwe Yam Market in Nteje town, Isioye-Umuebo-Ijobi-Umunya, and Anioma Amawa-Osile-Ogbunike road, causing significant hardship and displacement to the local population;

Concerned that the disaster is negatively affecting the economic activities of the residents, who are predominantly farmers;

Worried that if the disaster is not curbed expeditiously, it could lead to a higher calamity as surrounding communities will be affected as well;

Cognizant of the need to provide relief materials and support to the affected communities, including assistance with relocation and rebuilding efforts;

Resolves to:

- (i) urge the National Emergency Management Agency (NEMA) to provide relief materials to the victims of flood and erosion disasters and set up an emergency station in Oyi/Ayamelum Federal Constituency of Anambra State in the event of an emergency;
- (ii) also urge the Ecological Fund Office and Ministry of Environment to tackle the menace of flooding in the affected areas;
- (iii) further urge the Federal Ministry of Works to commence repairs and reconstruction of affected roads in the area; and
- (iv) mandate the Committee on Emergency and Disaster Preparedness to ensure compliance (*Hon. Gwacham Maureen Chinwe — Oyi/Ayamelum Federal Constituency*).

Agreed to.

(HR. 429/12/2023).

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

24. Call on Nigerian Universities and Tertiary Institutions to adopt a Semester - Based School Fee Payment System

Motion made and Question proposed:

The House:

Notes the demand for cost-effective and efficient education financing models in Tertiary institutions;

Also notes that the current annual school fee payment system in Nigeria presents financial challenges for students and families given the recent subsidy removal and single-window forex policy;

Aware of the anticipated benefits of adopting a semester-based school fee payment system for tertiary institutions, international universities, including the University of California and the University of Sydney, recently implemented semester-based fee payment systems to maximize financial convenience and reduce the strain on students and parents;

Recognizes that adopting the payment system can minimize the financial strain on students, improve access to higher education, and create a more transparent financial structure for institutions;

Resolves to:

- (i) urge Tertiary Institutions to adopt a semester-based school fee payment system;
- (ii) also urge the Federal Ministry of Education to work closely with institutions and stakeholders in the education sector to provide the necessary support for adopting the school fee payment system;
- (iii) mandate the Committees on University Education, Polytechnics and Higher Technical Education, and Federal Colleges and Education to investigate the viability of adopting a semester-based school fee payment system while considering the specific needs and circumstances of each institution and report within four (4) weeks (*Hon. Sa'ad Wada Taura — Ringim/Taura Federal Constituency*).

Debate.

Agreed to.

The House:

Noted the demand for cost-effective and efficient education financing models in Tertiary institutions;

Also noted that the current annual school fee payment system in Nigeria presents financial challenges for students and families given the recent subsidy removal and single-window forex policy;

Aware of the anticipated benefits of adopting a semester-based school fee payment system for tertiary institutions, international universities, including the University of California and the University of Sydney, recently implemented semester-based fee payment systems to maximize financial convenience and reduce the strain on students and parents;

Recognized that adopting the payment system can minimize the financial strain on students, improve access to higher education, and create a more transparent financial structure for institutions;

Resolved to:

- (i) urge Tertiary Institutions to adopt a semester-based school fee payment system;
- (ii) also urge the Federal Ministry of Education to work closely with institutions and stakeholders in the education sector to provide the necessary support for adopting the school fee payment system;
- (iii) mandate the Committees on University Education, Polytechnics and Higher Technical Education, and Federal Colleges and Education to investigate the viability of adopting a semester-based school fee payment system while considering the specific needs and circumstances of each institution and report within four (4) weeks (**HR. 430/12/2023**).

25. Need to Investigate the Utilization of financial interventions in the Nigerian Solid Mineral Sector amounting to Trillions of Naira

Motion made and Question proposed:

The House:

Notes that the National Resources Development Fund was established in 2002 to diversify resources and reduce petroleum reliance, using revenue sources such as excess crude oil allocation, exchange gain, non-oil revenue, contractual obligations, and refunds;

Also notes that between 2002 and the present, trillions of naira have been deposited into the fund, but the actual allocation for the solid minerals sector remains unclear;

Concerned that the financial records from 2007 to 2011 reveal a misappropriation of ₦365 billion in fund allocations. Furthermore, the audit report indicates that the fund's proceeds were utilized as a borrowing purse by the federal government from 2012 to 2016;

Cognizant that in the last quarter of 2016, 30 million dollars intervention fund was approved from the fund and released for the facilitation of exploration operations and the formalization of Artisanal Miners;

Aware that in 2019, the Presidency directed the Federal Ministry of Finance to allocate funds to the Solid Minerals Development Fund to manage the Presidential Artisanal Gold Mining Development Initiative to formalize and institutionalize the artisanal gold mining industry;

Also aware that in 2017, the World Bank-assisted Mineral Sector for Economic Development Project (MINDIVER), under the Ministry of Mines and Steel Development, gave the country's solid mineral sector a facility of 150 million dollars to enhance the mining sector's contribution to the Nigerian economy;

Observes that in July 2020, the Federal Ministry of Finance disclosed to the public a credit balance of ₦131.59 billion in the fund, but between 2007 to 2020, records of its contributions to the solid minerals sector remain unclear;

Disturbed that in 2019, an audit report revealed that the Nigerian government allegedly diverted a substantial amount of ₦903.63 billion allocated to the fund in ten years, from 2007 to 2011 and 2012 to 2016;

Recognizes that the 8th House of Representatives mandated an *Ad-hoc* Committee to investigate the alleged diversion of ₦350 billion in Natural Resources Funds to areas outside its core mandate and to ascertain the status of utilization;

Worried that the Nigeria Extractive Industries Transparency Initiative (NEITI) stated in its 2019 audit report that the federal government continues to exploit the growth of the fund through misappropriation, despite regular inquiries by the National Assembly. This underscores the need to ascertain the present credit balance of the fund, the proportion of interventions from the fund to the solid minerals sector of the economy and its utilization status;

Resolves to:

Mandate the Committee on Solid Minerals Development to investigate the Natural Resources Development Fund, and the utilization of all financial interventions from 2013-2023 and report within four (4) weeks (*Hon. Awaji-Inombek Dagomie Abiante — Andoni/Opobo Nkoro Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the National Resources Development Fund was established in 2002 to diversify resources and reduce petroleum reliance, using revenue sources such as excess crude oil allocation, exchange gain, non-oil revenue, contractual obligations, and refunds;

Also noted that between 2002 and the present, trillions of naira have been deposited into the fund, but the actual allocation for the solid minerals sector remains unclear;

Concerned that the financial records from 2007 to 2011 reveal a misappropriation of ₦365 billion in fund allocations. Furthermore, the audit report indicates that the fund's proceeds were utilized as a borrowing purse by the federal government from 2012 to 2016;

Cognizant that in the last quarter of 2016, 30 million dollars intervention fund was approved from the fund and released for the facilitation of exploration operations and the formalization of Artisanal Miners;

Aware that in 2019, the Presidency directed the Federal Ministry of Finance to allocate funds to the Solid Minerals Development Fund to manage the Presidential Artisanal Gold Mining Development Initiative to formalize and institutionalize the artisanal gold mining industry;

Also aware that in 2017, the World Bank-assisted Mineral Sector for Economic Development Project (MINDIVER), under the Ministry of Mines and Steel Development, gave the country's solid mineral sector a facility of 150 million dollars to enhance the mining sector's contribution to the Nigerian economy;

Observed that in July 2020, the Federal Ministry of Finance disclosed to the public a credit balance of ₦131.59 billion in the fund, but between 2007 to 2020, records of its contributions to the solid minerals sector remain unclear;

Disturbed that in 2019, an audit report revealed that the Nigerian government allegedly diverted a substantial amount of ₦903.63 billion allocated to the fund in ten years, from 2007 to 2011 and 2012 to 2016;

Recognized that the 8th House of Representatives mandated an *Ad-hoc* Committee to investigate the alleged diversion of ₦350 billion in Natural Resources Funds to areas outside its core mandate and to ascertain the status of utilization;

Worried that the Nigeria Extractive Industries Transparency Initiative (NEITI) stated in its 2019 audit report that the federal government continues to exploit the growth of the fund through misappropriation, despite regular inquiries by the National Assembly. This underscores the need to ascertain the present credit balance of the fund, the proportion of interventions from the fund to the solid minerals sector of the economy and its utilization status;

Resolved to:

Mandate the Committee on Solid Minerals Development to investigate the Natural Resources Development Fund, and the utilization of all financial interventions from 2013-2023 and report within four (4) weeks (**HR. 431/12/2023**).

26. Ravaging effects of Gully Erosion in Yenagoa, Obogoro, Famgbe, Ikolo and other Communities within and Around the Ikoli River of Bayelsa State

Motion made and Question proposed:

The House:

Notes that Section 14 (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that the security, safety and welfare of the people of Nigeria shall be the primary purpose of government;

Also notes that the ravaging effect of coastal erosion in Yenagoa, Obogoro, Famgbe, Ikolo, and other communities within and bordering the Ikoli River, resulted in devastating consequences for the indigenes and residents of the areas;

Observes that landslides from the coastal erosion originating from the Ikoli River have submerged buildings, churches, farmlands, worship sites, schools, football fields, and a lodge housing National Youth Service Corps members;

Concerned that the ongoing disaster has been unaddressed for years, causing fear among the indigenous and community residents;

Worried that the erosion has caused significant hardship for indigenous communities, affecting their economic livelihoods and causing children to travel long distances for basic education. Furthermore, numerous residents were displaced by the disaster;

Alarmed that at the peak of the rainy season, the implications of heavy flooding ignite a looming danger unless prompt action is taken to mitigate the disaster. Ultimately, lives are lost, including the death of a woman tragically swept away by a landslide in her sleep, whose body remains unaccounted for to this day;

Resolves to:

- (i) urge the Executive Arm of Government to promptly tackle this menace and save the communities from the risk of extinction by implementing reclamation and shore protection measures for the communities within and bordering the Ikoli River;
- (ii) also urge the National Emergency Management Agency (NEMA) to ensure the resettlement of displaced residents in affected areas and provide relief materials; and
- (iii) mandate the Committee on Environment to conduct a tour of the affected communities to assess the damages and report within four (4) weeks (*Hon. Oboku Abonsizibe Oforji — Yenagoa/Kolokuma/Opokuma Federal Constituency*).

Agreed to.

(HR. 432/12/2023).

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

27. Need to Control Ravaging Erosion and Flooding in Orlu, Orsu and Oru East Local Government Areas of Imo State

Motion made and Question proposed:

The House:

Notes that Uhuala village in Obibi Ochasi community, and Gburugburu Road to Afor Obibi, Okpiyi Uhuala Obibi, Umuchukwu Ogbaka College, Obibi, Ezize Iro Umuezike Obibi, Umuchukwu Ihite Owerri-Asa, and Acharaba Ogberuru all in Orlu Local Government Area of Imo State, have been ravaged by Gully Erosion, and the flooding leading to the loss of lives, destruction of properties, and untold hardship in the communities;

Also notes that the erosion and flooding in affected communities have caused significant economic and social disruptions, causing damages worth billions of Naira, particularly in Orlu/Orsu/Oru East Federal Constituency, Imo State, necessitating urgent action to prevent further loss;

Aware of a recent video by Overtnews reporting gully erosion taking over the community, leaving houses behind, and cutting off access roads, thus leaving the town a ghost town and shutting down socioeconomic activities in the affected area;

Cognizant that ecological funds designated for erosion and flood control are urgently needed to address the adverse effects of flooding and environmental degradation in affected areas;

Also cognizant of the need to declare a state of emergency in affected areas to address the devastating effects of erosion and flooding and provide resettlement plans and disaster management mechanisms;

Further cognizant that prompt implementation of measures is crucial to effectively combat erosion and flooding in the south-eastern region of Nigeria, safeguarding lives, properties, and overall well-being of the communities;

Resolves to:

- (i) urge the National Emergency Management Agency (NEMA) and other relevant agencies to ensure the release of funds from the Ecological Funds to tackle erosion and establish a resettlement program to rehabilitate affected residents and relocate them from high-risk areas;
- (ii) also urge the National Emergency Management Agency to provide relief materials to residents displaced by the flood; and
- (iii) mandate the Committees on Ecological Fund, and Emergency and Disaster Preparedness to ensure the release of funds to the affected communities that have been widely ravaged, and report within four (4) weeks (*Hon. Canice Moore Chukwugozie Nwachukwu — Oru East/Orsu/Orlu Federal Constituency*).

Agreed to.

(HR. 433/12/2023).

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

28. Need to Review the Curriculum of Nigeria Universities to meet the Current Needs of Nigerians and Contribute to National Development

Motion made and Question proposed:

The House:

Notes that Nigeria's educational system is in dire need of innovation that is critical to national development and sustenance;

Aware that the current curriculum used in Nigeria Tertiary Institutions was designed 20-30 years ago and is grossly inadequate to meet the present-day needs of employers of labour;

Cognizant that a review of the Nigeria Tertiary institution's curriculum will enhance quality and technical innovations in secondary education, relevant to the labour industry, and global competitiveness.

Worried that the consequences of tertiary institutions relying on this old curriculum is that the country would produce unemployable graduates and professionals;

Also worried that the inadequacy of Nigerian Tertiary Institutions' curriculum has led to many Nigerians seeking basic training abroad, thus, resulting in a loss of necessary foreign exchange;

Resolves to:

- (i) urge the National Universities Commission (NUC) to collaborate with Tertiary Institutions to develop a curriculum that aligns with graduates' workplace performance and national development; and
- (ii) mandate the Committee on University Education to investigate the use of curriculum in Nigerian universities and report within four (4) weeks (*Hon. Kabiru Amadu — Gusau/Tsafe Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Nigeria's educational system is in dire need of innovation that is critical to national development and sustenance;

Aware that the current curriculum used in Nigeria Tertiary Institutions was designed 20-30 years ago and is grossly inadequate to meet the present-day needs of employers of labour;

Cognizant that a review of the Nigeria Tertiary institution's curriculum will enhance quality and technical innovations in secondary education, relevant to the labour industry, and global competitiveness.

Worried that the consequences of tertiary institutions relying on this old curriculum is that the country would produce unemployable graduates and professionals;

Also worried that the inadequacy of Nigerian Tertiary Institutions' curriculum has led to many Nigerians seeking basic training abroad, thus, resulting in a loss of necessary foreign exchange;

Resolved to:

- (i) urge the National Universities Commission (NUC) to collaborate with Tertiary Institutions to develop a curriculum that aligns with graduates' workplace performance and national development; and
- (ii) mandate the Committee on University Education to investigate the use of curriculum in Nigerian universities and report within four (4) weeks (**HR. 434/12/2023**).

29. Need to Investigate the National Air Carrier Project

Motion made and Question proposed:

The House:

Notes that in 2016 the former Minister of Aviation, Hadi Sirika proposed an aviation roadmap with national carrier as the signature project, aiming to deliver it to Nigerians by the end of former President Muhammadu Buhari's administration;

Also notes that the former Minister of Aviation, approached Ethiopian Airlines a few days before the handover, to provide an aircraft that could be made available to Nigerians as an aircraft belonging to Nigeria Air and the Nigeria Civil Aviation Authority NCAA had issued an Air Transport License to Nigeria Air, that was the name for the proposed National Carrier;

Aware that the last administration spent billions of naira ostensibly to acquire the said new National Carrier but the status of the project remains unclear regardless of billions of taxpayers' funds utilized on the project;

Worried that if the negative trend is not investigated, it may lead to issues with accountability and continue to be a recurring expenditure item in the federal budget;

Resolves to:

- (i) urge the National Bureau of Statistics (NBS) and Ministries of Budget, National Planning and Finance to furnish the House with data and financial resources on the national air carrier project;
- (ii) mandate the Committee on Aviation to:
 - (a) invite the Minister of Aviation to brief the Committee on Aviation about the National Carrier Project;
 - (b) invite the former Minister of Aviation, Hadi Sirika, to brief the Committee on the status of the project at the point he handed it over and provide insights on a wide range of controversies and allegations surrounding the project;
 - (c) invite the Nigeria Civil Aviation Authority (NCAA), to brief the Committee about the Nigeria Air Carrier Project and its certifications as applied to the National Air Carrier;
 - (d) invite the eight local airlines and their associations to afford the House a full overview of the project;
 - (e) carry out a forensic audit of the process of Nigeria Air and report within four (4) weeks (*Hon. Tarkighir Dickson — Guma/Makurdi Federal Constituency*).

Debate.

Amendment Proposed:

In Prayer (ii), immediately after the words “on Aviation”, *insert* the words “Aviation Technology” (*Hon. Dominic Okafor — Aguata Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that in 2016 the former Minister of Aviation, Hadi Sirika proposed an aviation roadmap with national carrier as the signature project, aiming to deliver it to Nigerians by the end of former President Muhammadu Buhari's administration;

Also noted that the former Minister of Aviation, approached Ethiopian Airlines a few days before the handover, to provide an aircraft that could be made available to Nigerians as an aircraft belonging to Nigeria Air and the Nigeria Civil Aviation Authority NCAA had issued an Air Transport License to Nigeria Air, that was the name for the proposed National Carrier;

Aware that the last administration spent billions of naira ostensibly to acquire the said new National Carrier but the status of the project remains unclear regardless of billions of taxpayers' funds utilized on the project;

Worried that if the negative trend is not investigated, it may lead to issues with accountability and continue to be a recurring expenditure item in the federal budget;

Resolved to:

- (i) urge the National Bureau of Statistics (NBS) and Ministries of Budget, National Planning and Finance to furnish the House with data and financial resources on the national air carrier project;
- (ii) mandate the Committees on Aviation, and Aviation Technology to:
 - (a) invite the Minister of Aviation to brief the Committee on Aviation about the National Carrier Project;
 - (b) invite the former Minister of Aviation, Hadi Sirika, to brief the Committee on the status of the project at the point he handed it over and provide insights on a wide range of controversies and allegations surrounding the project;
 - (c) invite the Nigeria Civil Aviation Authority (NCAA), to brief the Committee about the Nigeria Air Carrier Project and its certifications as applied to the National Air Carrier;
 - (d) invite the eight local airlines and their associations to afford the House a full overview of the project;
 - (e) carry out a forensic audit of the process of Nigeria Air and report within four (4) weeks (**HR. 435/12/2023**).

30. Need for Implementation of the Federal Universities of Education, Pankshin, and Kontagora (Establishment) Acts

Motion made and Question proposed:

The House:

Notes that the 9th National Assembly, in its pursuit to improve the education system in Nigeria, upgraded three Federal Colleges of Education to Federal Universities of Education and transmitted the Bills to the President of the Federal Republic of Nigeria for assent pursuant to Section 58 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and the provisions of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria, 2004;

Also notes that the three Bills, namely the Federal University of Education, Pankshin (Establishment) Bill, 2021, Adeyemi Federal University of Education, Ondo (Establishment) Bill, 2021; and the Federal University of Education, Kontagora (Establishment) Bill, 2021, were assented to by the President;

Aware that by the provisions of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria, 2004, the Clerk to the National Assembly duly enrolled the enactments at the Supreme Court and gazetted the same with the Federal Government Printers, the enactments were circulated to all relevant Ministries, Departments and Agencies including the Federal Ministry of Education for implementation;

Worried that the Federal Ministry of Education, rather than adhering to the law, announced the commencement of Adeyemi Federal University of Education, Ondo, while Federal Universities of Education, Pankshin and Kontagora remain in a dormant condition;

Concerned that following the enactment and commencement of the aforementioned enactments, the 2023 Budget was presented for the repealed Federal Colleges of Education which constitutes a violation of law;

Resolves to:

- (i) urge the President, Commander-in-Chief of the Armed Forces Federal Republic of Nigeria through the Office of the Chief of Staff to the President to direct the Federal Ministry of Education to include the Federal Universities of Education, Pankshin and Kontagora in the implementation plan recently announced in conformity to the provisions of the enactments;
- (ii) also urge the Federal Ministry of Education and the Budget Office of the Federation to designate the institutions as Federal Universities of Education instead of Federal Colleges of Education in its 2024 budget estimates; and
- (iii) mandate the Committees on Appropriations, Federal Universities, and Legislative Compliance to ensure compliance (*Hon. Yusuf Adamu Gagdi — Kanke/Pankshin/Kanam Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the 9th National Assembly, in its pursuit to improve the education system in Nigeria, upgraded three Federal Colleges of Education to Federal Universities of Education and transmitted the Bills to the President of the Federal Republic of Nigeria for assent pursuant to Section 58 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and the provisions of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria, 2004;

Also noted that the three Bills, namely the Federal University of Education, Pankshin (Establishment) Bill, 2021, Adeyemi Federal University of Education, Ondo (Establishment) Bill, 2021; and the Federal University of Education Kontagora (Establishment) Bill, 2021, were assented to by the President;

Aware that by the provisions of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria, 2004, the Clerk to the National Assembly duly enrolled the enactments at the Supreme Court and gazetted the same with the Federal Government Printers, the enactments were circulated to all relevant Ministries, Departments and Agencies including the Federal Ministry of Education for implementation;

Worried that the Federal Ministry of Education, rather than adhering to the law, announced the commencement of Adeyemi Federal University of Education, Ondo, while Federal Universities of Education, Pankshin and Kontagora remain in a dormant condition;

Concerned that following the enactment and commencement of the aforementioned enactments, the 2023 Budget was presented for the repealed Federal Colleges of Education which constitutes a violation of law;

Resolved to:

- (i) urge the President, Commander-in-Chief of the Armed Forces Federal Republic of Nigeria through the Office of the Chief of Staff to the President to direct the Federal Ministry of Education to include the Federal Universities of Education, Pankshin and Kontagora in the implementation plan recently announced in conformity to the provisions of the enactments;

- (ii) also urge the Federal Ministry of Education and the Budget Office of the Federation to designate the institutions as Federal Universities of Education instead of Federal Colleges of Education in its 2024 budget estimates; and
- (iii) mandate the Committees on Appropriations, Federal Universities, and Legislative Compliance to ensure compliance (**HR. 436/12/2023**).

31. Need to Curb the Rising Spate of Cultism, Trafficking, Consumption of Illicit Drugs and other Substances among Youths in Nigeria

Motion made and Question proposed:

The House:

Notes that the rise in cultism, trafficking, and illegal drug consumption among youths, regardless of gender, is widespread across society, among educated and uneducated individuals, and celebrities.

Also notes that the country is experiencing an alarming rate of youth involvement in unlawful activities such as drug use, resulting in mental disorders including psychological torture and criminalities such as fraud, murder, intimidation, armed robberies, kidnapping, and ritual killings;

Concerned that despite the adherence to religious ordinances within local communities, the grisly practice of ritual murder increases because of the desire for quick wealth and occult influence spreading through our society. Additionally, the increasing cases of this practice are attributed to societal breakdowns, sudden wealth crazes, inadequate security systems in educational institutions, and poor implementation of existing laws and guidelines;

Also concerned that certain young people in the country continue to hold the false belief that trafficking in drugs and ritual murder is the quickest path to wealth, power, and prestige; conversely, young people in other societies embrace science and technology as a means of keeping up with the changing world;

Worried that local authorities are failing to protect people from violent gang attacks in communities, leading to increased impunity and the loss of lives;

Alarmed that if unchecked, younger generations may view cultist activities, ritual killing, and drug trafficking depicted in movies and social media as acceptable norms. The cultists, traffickers, and ritualists inflict harm on society, requiring increased efforts by security agencies to curb the menace and restore people's confidence;

Cognizant of the Nigerian movie industry significantly influencing youth behaviour, owing to the National Film and Video Censors Board, which serves as a clearing house for Nigerian films;

Resolves to:

- (i) commend the efforts of the National Drug Law Enforcement Agency (NDLEA) in the fight against illegal drug consumption and trafficking;
- (ii) urge the Federal Government to set up a joint security task force to be deployed to the 774 local government areas and area councils in the Federal Capital Territory of Abuja to eliminate the activities of cultists, illegal drug consumption, and trafficking;
- (iii) also urge the Minister of Information and National Orientation, the Director of the National Orientation Agency, and the Executive Director of the National Film and Video Censors Board to undertake detailed enlightenment programs in secondary schools, tertiary institutions, local communities, faith groups, and other institutions, as well as impose restrictions on home movies promoting social vices; and

- (iv) mandate the Committees on Information, National Orientation and Values, Narcotics Drugs, and Legislative Compliance to ensure compliance and report within six weeks (*Hon. Kelechi Nwogu — Etche/Omuma Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the rise in cultism, trafficking, and illegal drug consumption among youths, regardless of gender, is widespread across society, among educated and uneducated individuals, and celebrities.

Also noted that the country is experiencing an alarming rate of youth involvement in unlawful activities such as drug use, resulting in mental disorders including psychological torture and criminalities such as fraud, murder, intimidation, armed robberies, kidnapping, and ritual killings;

Concerned that despite the adherence to religious ordinances within local communities, the grisly practice of ritual murder increases because of the desire for quick wealth and occult influence spreading through our society. Additionally, the increasing cases of this practice are attributed to societal breakdowns, sudden wealth crazes, inadequate security systems in educational institutions, and poor implementation of existing laws and guidelines;

Also concerned that certain young people in the country continue to hold the false belief that trafficking in drugs and ritual murder is the quickest path to wealth, power, and prestige; conversely, young people in other societies embrace science and technology as a means of keeping up with the changing world;

Worried that local authorities are failing to protect people from violent gang attacks in communities, leading to increased impunity and the loss of lives;

Alarmed that if unchecked, younger generations may view cultist activities, ritual killing, and drug trafficking depicted in movies and social media as acceptable norms. The cultists, traffickers, and ritualists inflict harm on society, requiring increased efforts by security agencies to curb the menace and restore people's confidence;

Cognizant of the Nigerian movie industry significantly influencing youth behaviour, owing to the National Film and Video Censors Board, which serves as a clearing house for Nigerian films;

Resolved to:

- (i) commend the efforts of the National Drug Law Enforcement Agency (NDLEA) in the fight against illegal drug consumption and trafficking;
- (ii) urge the Federal Government to set up a joint security task force to be deployed to the 774 local government areas and area councils in the Federal Capital Territory of Abuja to eliminate the activities of cultists, illegal drug consumption, and trafficking;
- (iii) also urge the Minister of Information and National Orientation, the Director of the National Orientation Agency, and the Executive Director of the National Film and Video Censors Board to undertake detailed enlightenment programs in secondary schools, tertiary institutions, local communities, faith groups, and other institutions, as well as impose restrictions on home movies promoting social vices; and
- (iv) mandate the Committees on Information, National Orientation and Values, Narcotics Drugs, and Legislative Compliance to ensure compliance and report within six weeks (**HR. 437/12/2023**).

32. Consideration of Reports

- (i) ***A Bill for an Act to Amend the Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31 March, 2024 and for Related Matters (HB. 1075) (Committee of Supply):***

Motion made and Question proposed, “That the House do consider the Report of the Committee on Supply on a Bill for an Act to Amend the Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31 March, 2024 and for Related Matters (HB. 1075)” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Motion made and Question proposed; “That the House do suspend Order Seven, Rule 2 (2), to enable the Deputy Speaker preside in the Committee of Supply” — *Agreed to.*

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

(HOUSE IN COMMITTEE OF SUPPLY)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE APPROPRIATION ACT, 2023,
TO EXTEND THE IMPLEMENTATION OF THE CAPITAL ASPECT OF
THE APPROPRIATION ACT, 2023 FROM 31 DECEMBER, 2023
TO 31 MARCH, 2024 (HB. 1075)

Clause 1: Amendment of Appropriation Act, 2023.

The Appropriation Act, 2023 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 2: Amendment of section 12.

Section 12 of the Principal Act is amended by substituting for the date "31 December, 2023" in line three, the date "31 March, 2024" (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 3: Citation.

This Bill may be cited as the Appropriation Act (Amendment) Bill, 2023 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Explanatory Memorandum:

This Bill seeks to amend the Appropriation Act 2023, to extend the implementation of the Capital aspect of the Appropriation Act, 2023 from the 31 December, 2023 to 31 March, 2024 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Appropriation Act 2023, to Extend the Implementation of the Capital Aspect of the Appropriation Act, 2023 From 31 December, 2023 to 31 March, 2024 (HB. 1075)

(Hon. Julius Omozuanybo Ihonvbere — House Leader).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of Supply considered the Report on a Bill for an Act to Amend the Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31 March, 2024 and for Related Matters (HB. 1075) and approved Clauses 1 - 3, the Explanatory Memorandum, and the Long Title of the Bill.

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

(ii) A Bill for an Act to Amend the Supplementary Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31 March, 2024 and for Related Matters (HB. 1076) (Committee of Supply):

Motion made and Question proposed, "That the House do consider the Report of the Committee on Supply on a Bill for an Act to Amend the Supplementary Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31 March, 2024 and for Related Matters (HB. 1076)" (Hon. Julius Ihonvbere — House Leader).

Agreed to.

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

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

(HOUSE IN COMMITTEE OF SUPPLY)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE SUPPLEMENTARY
APPROPRIATION ACT, 2023 TO EXTEND ITS IMPLEMENTATION
TO 31 MARCH, 2024; AND FOR RELATED MATTERS

Clause 1: Amendment of the Supplementary Appropriation Act, 2023.

The Supplementary Appropriation Act, 2023 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 2: Amendment of section 1.

Section 1 of the Principal Act is amended by substituting for the words "31 December, 2023" in line 14, the words "31 March, 2024" (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 3: Citation.

This Bill may be cited as the Supplementary Appropriation Act, 2022 (Amendment) Bill, 2023 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Explanatory Memorandum:

This Bill seeks to amend the Supplementary Appropriation Act, 2023 to extend its implementation to 31 March, 2024 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Supplementary Appropriation Act, 2023 to Extend its Implementation to 31 March, 2024; and for Related Matters (HB. 1076) (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of Supply considered the Report on a Bill for an Act to Amend the Supplementary Appropriations Act, 2023 to Extend the Implementation year from 31 December 2023 to 31 March 2024 and for Related Matters (HB. 1076) and approved Clauses 1 - 3, the Explanatory Memorandum, and the Long Title of the Bill.

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

- (iii) ***A Bill for an Act to Establish Federal University of Agriculture and Entrepreneurship, Saki, Oyo State to make Compressive Provisions for its due Management and Administration and for Related Matters (HB. 628) (Committee of the Whole):***
Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Establish Federal University of Agriculture and Entrepreneurship, Saki, Oyo State to make Compressive Provisions for its due Management and Administration and for Related Matters (HB. 628)” (Hon. Julius Ihonvbere — House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL UNIVERSITY OF AGRICULTURE AND ENTREPRENEURSHIP, SAKI, OYO STATE, MAKE COMPREHENSIVE PROVISIONS FOR ITS DUE MANAGEMENT AND ADMINISTRATION; AND FOR RELATED MATTERS (HB.628)

PART I — ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF FEDERAL UNIVERSITY OF AGRICULTURE, SAKI

Clause 1: Establishment and Objects of the Federal University of Agriculture and Entrepreneurship, Saki.

- (1) There is establish the Federal University of Agriculture and Entrepreneurship, Saki (in this Bill referred to as "the University").

- (2) The University:
- (a) shall be a body corporate with perpetual succession and a common seal; and
 - (b) may sue or be sued in its corporate name (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 2: Objects of the University.

The objects of the University shall be to:

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

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

Clause 3: Constitution of the University and its constituent bodies, etc.

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

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

Clause 4: Powers of the University.

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

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

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

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

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

- (1) The Chancellor shall in relation to the University, take precedence before all other members of the University, and when he is present shall preside at all meetings of convocation held for conferring degrees.
- (2) The Pro-Chancellor shall, in relation to the University, take precedence before all other members of the University except the Chancellor, and except for the Vice Chancellor when acting as Chairman of Congregation or Convocation, and the Pro-Chancellor shall when he is present, be the Chairman at all meetings of the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 6: Establishment and Composition of Council.

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

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

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

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

Provided that if after 28 days of the receipt or delivering to him of such request, the chairman fails or neglects to call a meeting, the Registrar shall within 14 days thereof cause a meeting of the Council to be convened for that purpose. The request shall specify the business to be considered at the meeting and no business not so specified shall be transacted at that meeting (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 8: Functions of the Senate.

- (1) Subject to section 5 of this Bill and subsections (3) and (4) of this section and to the provisions of this Bill relating to the Visitor, it shall be the general

function of the Senate to organize and control teaching in the University, admission to Postgraduate courses and other admission of students, the discipline of students and to promote research in the University.

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

- (5) Subject to a right of appeal to the Council from a decision of the Senate under this subsection, the Senate may deprive any person of any degree, diploma or other award of the University which has been conferred on him if after due enquiry he is shown to have been guilty of any dishonorable or scandalous conduct in gaining admission into the University or obtaining that award (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 9: Functions of the Vice Chancellor.

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

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

PART II — TRANSFER OF PROPERTY

Clause 10: Transfer of property to the University.

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

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

PART III — STATUTES OF THE UNIVERSITY

Clause 11: Power of the University to make statutes.

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

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

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

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

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

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

Clause 13: Proof of Statutes.

A Statute may be proved in any Court by the production of a copy thereof bearing or having affixed to it a certificate signed by the Vice Chancellor or the Registrar to the effect that the copy is a true copy of a Statute of that University (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

Clause 14: Power to decide the meaning of statute.

- (1) In the event of any doubt or dispute arising at any time as to the meaning of any provision of a Statute, the matter may be referred to the Visitor, who shall take such advice and make such decision thereon as he deems fit.
- (2) The decision of the Visitor on any matter referred to him under this section shall be binding upon the authorities, staff and students of that University and where any question as to the meaning of any provision of a statute has been decided by the Visitor under this section, no question as to the meaning of that provision shall be entertained by any other authority in Nigeria:

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

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

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

PART IV — SUPERVISION AND DISCIPLINE

Clause 15: The Visitor.

- (1) The President shall be the Visitor of the University.
- (2) The Visitor shall as often as the circumstances may require, not being less than once every five years, conduct a visitation of the University or direct that such a visitation be conducted by such persons as the Visitor may deem fit and in respect of any of the affairs of the University.
- (3) It shall be the duty of the bodies and persons comprising the University to:
 - (a) make available to the Visitor, and to any other persons conducting a visitation in pursuance of this section, such facilities and assistance as he or they may reasonably require for the purpose of the visitation; and
 - (b) give effect to any instructions consistent with the provisions of this Bill which may be given by the Visitor in consequence of the visitation (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 16: Removal of certain members of the Council.

- (1) If it appears to the Council that a member (other than the Pro-Chancellor or the Vice-Chancellor) should be removed from office on grounds of

misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect through the Minister to the Federal Executive Council and if the Federal Executive Council after making such enquiries (if any) as may be considered necessary, approves the recommendation it may direct the removal of the member from office.

- (2) It shall be the duty of the Minister to use his best endeavours to cause a copy of the instrument embodying a direction under subsection (1) of this section to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

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

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

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

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

Clause 18: Removal of Examiners.

- (1) If, on the recommendation of the Vice-Chancellor, it appears to the Senate that a person appointed as an examiner for any examination of the University ought to be removed from his office or appointment, then, the Senate may, after affording the examiner an opportunity of making representations in person on the matter, direct the Vice-Chancellor to remove the examiner by an instrument in writing signed by the Registrar.

- (2) Subject to the provisions of any regulation made pursuant to section 8 (4) of this Bill, the Vice-Chancellor may, on the recommendation of Senate, appoint an appropriate person as examiner in the place of the examiner removed.
- (3) It shall be the duty of the Registrar on signing an instrument of removal pursuant to this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 19: Discipline of Students.

- (1) Subject to the provisions of this section, where after due process it appears to the Vice-Chancellor that any student is guilty of misconduct, the Vice-Chancellor may, without prejudice to any other disciplinary powers conferred on him by Statute or regulations, direct that the:
 - (a) student shall not, during such period as may be specified in the direction, participate in such activities of the University or make use of such facilities of the University as may be so specified;
 - (b) activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified;
 - (c) student be rusticated for such period as may be specified in the direction.
- (2) Where a direction is given under subsection (1) paragraphs (a) to (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal against the direction to the Senate.
- (3) Where an appeal is brought pursuant to subsection (2) of this section, the Senate shall, after causing such inquiry to be made in the matter as the Senate considers just, either confirm or set aside the direction or modify it in such manner as the Senate thinks fit.
- (4) The fact that an appeal from a direction is brought pursuant to subsection (3) of this section shall not affect the operation of the direction while the appeal is pending.
- (5) The Vice-Chancellor may delegate his powers under this section to a disciplinary Board consisting of such members of the University as he may nominate.
- (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the University for conduct which in the opinion of Senate is prejudicial to the interest of the University or to its corporate objective or image.
- (7) A direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART V — MISCELLANEOUS AND GENERAL PROVISIONS

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

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

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

Clause 21: Transfer of land to the University.

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

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

Clause 22: Restriction on disposal of land by University.

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

Provided that such consent shall not be required in the case of any lease or tenancy at a rack-rent for a term not exceeding twenty-one years of any lease or tenancy to a member of the University for residential purpose (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

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

Except as may be otherwise provided by Statute or by Regulation, the quorum and procedure of any body of persons established by this Bill shall be such as may be determined by that body (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 24: Appointment of Committee, etc.

- (1) Anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to appoint committees, which need not consist exclusively of members of that body and authorize a Committee established by it to:

- (a) exercise on its behalf, such of its functions as it may determine; and
 - (b) co-opt members and direct whether or not co-opted members shall be entitled to vote in that Committee.
- (2) Any two or more such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of Committees consisting of members of those bodies, for the purpose of considering any matter within the competence of those bodies or any of them and either dealing with it or of reporting on it to those bodies or any of them.
- (3) Except as may be otherwise provided by Statute or Regulations, the quorum and procedure of a Committee established or meeting held pursuant to this section shall be such as may be determined by the body or bodies which have decided to establish the Committee or hold the meeting.
- (4) The Pro-Chancellor and the Vice-Chancellor shall be members of every Committee of which the members are wholly or partly appointed by the Council, (other than a Committee appointed to inquire into the conduct of the officer in question) and the Vice-Chancellor shall be a member of every Committee of which the members are wholly or partly appointed by the Senate.
- (5) Nothing in the foregoing provisions of this section shall be construed as enabling:
- (a) statutes to be made otherwise than in accordance with section 11 of this Bill; or
 - (b) the Senate to empower any other body to make Regulations or to award degrees or other qualifications (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 25: Interpretation.

- (1) In this Bill:

"appropriate authority" means any person, body or authority authorized by law to act in a specific or general capacity in relation to a subject-matter (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"campus" means any campus which may be established by the University (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"college" means any college which may be established by the University (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"graduate" means a person on whom a degree (other than an honorary degree) has been conferred by the University (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"gross misconduct" means any act of misconduct and improper behaviour that may be designated as gross misconduct by any Statute or Regulation made, pursuant to this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Minister" means the Minister charged with responsibility for education (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"misconduct" means any conduct which is prejudicial to the good name of the University and or discipline and the proper administration of the business of the University (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"notice" means notice in writing (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"officer" does not include the Visitor (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"prescribed" means prescribed by Statute or Regulation made under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"professor" means a person designated as a professor of the University in accordance with provisions made in that behalf by Statute or by Regulations (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"property" includes rights, liabilities and obligations (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"the provisional Council" means the provisional Council appointed for the University by the President at the takeoff of the University (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"regulations" means regulations made by the Senate or Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Senate" means the Senate of the University established by the Act (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Statute" means a Statute made by the University under section 11 of this Bill and in accordance with the provisions of section 12 of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

“the Statutes" means all such Statutes as are in force from time to time (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"teacher" means a person holding a full time appointment as a member of the teaching or research staff of the University (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"President" means the President of the Federal Republic of Nigeria (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Constitution" means the Constitution of the Federal Republic of Nigeria (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

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

- (a) a graduate; and
- (b) a person of such description as may be prescribed for the purposes of this definition (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"the University" the Federal University of Agriculture and Entrepreneurship, Saki incorporated and constituted by this Bill; and (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"the Act" means the Federal University of Agriculture and Entrepreneurship, Saki Act (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

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

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

Clause 26: Citation.

This Bill is cited as the Federal University of Agriculture and Entrepreneurship, Saki (Establishment, etc.) Bill, 2023 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

SCHEDULES

FIRST SCHEDULE

Section 3 (2)

PRINCIPAL OFFICERS OF THE UNIVERSITY

The Chancellor

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

The Pro-Chancellor

2. (1) The Pro-Chancellor shall be appointed or removed from office by the President.

- (2) Subject to the provisions of this Bill, the Pro-Chancellor shall hold office for a period of four years from the date of his appointment.

The Vice-Chancellor

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

Deputy Vice-Chancellor

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

Office of the Registrar, Bursar and University Librarian

5. (1) There shall be for the University, a Registrar, who shall be the Chief Administrative Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration of the University except as regards matters for which the Bursar is responsible in accordance with paragraph 6 (2) below.
- (2) The person holding the office of Registrar shall by virtue of that office be Secretary to the Council, the Senate, Congregation and Convocation.
- (3) The Registrar shall hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.
6. (1) There shall be for the University, the following Principal Officers in addition to the Registrar, that is:
- (a) the Bursar; and
 - (b) the University Librarian.
- (2) The Bursar shall be the Chief Financial Officer of the University and shall be responsible to the Vice-Chancellor for the day-to-day administration and control of the financial affairs of the University.
- (3) The University Librarian shall be responsible to the Vice Chancellor for the administration of the University Library and the coordination of all library services

in the University and its campuses, colleges, faculties, schools, departments and institutes and other teaching or research units.

- (4) The Bursar and the University Librarian: (a) shall each hold office for such period and on such terms and conditions as to emoluments as may be specified in his letter of appointment.

Other Officers of the University

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

Resignation and Re-appointment

9. (1) Any officer mentioned in the foregoing provisions of this schedule may resign his office in:
- (a) the case of the Chancellor or Pro-Chancellor, by notice to the Visitor;
- (b) the case of the Vice-Chancellor by notice to the Council which shall immediately notify the Minister;
- (2) A person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office, subject to the limits of tenure of office (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

SECOND SCHEDULE

Section 10 (2)

TRANSITIONAL PROVISIONS AS TO PROPERTY; FUNCTIONS, ETC.

Transfer of Property to the University

1. Without prejudice to the generality of Section 10 (1) of this Bill:
- (a) the reference in the subsection to property held by the provisional Council and the University shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the provisional Council and the University; and
- (b) all outstanding debts and liabilities of the provisional Council shall become debts and liabilities of the University established by this Bill.
2. (1) All agreements, contracts, deeds and other instruments to which the provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the University established by this Bill had been a party to it in place of the provisional Council.

- (2) Documents not falling within sub-paragraph (1) above, including enactments, which refer whether specially or generally to the provisional Council shall be construed in accordance with that subparagraph so far as applicable.
- (3) Any legal proceedings or application to any authority pending by or against the provisional Council may be continued by or against the University established by this Bill.

Registration of Transfers

3. (1) If the law in force at the place where any property transferred by this Bill is situated provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees of any other matter) apply, with the necessary modifications to the transfer of the property in question.
 - (2) It shall be the duty of the body to which any property is transferred by this Bill to furnish the necessary particulars of the transfer to the proper officer of the registration authority, and of that officer to register the transfer accordingly.
4. (1) The first meeting of the Council shall be convened by the Pro-Chancellor on such date and in such manner as he may determine.
 - (2) The persons who were members of the provisional Council shall be deemed to constitute the Council until the date when the Council set up under the Third Schedule to this Bill must have been duly constituted.
 - (3) The first meetings of the Senate as constituted by this Bill shall be convened by the Vice-Chancellor on such date and in such manner as he may determine.
 - (4) The persons who were members of the Senate immediately before the coming into force of this Bill shall be deemed to constitute the Senate of the University until the date when the Senate as set up under the Third Schedule of this Bill must have been duly constituted.
 - (5) Subject to any regulations which may be made by the Senate after the date on which this Bill is made, the faculties, faculty boards and students of the University immediately before the coming into force of this Bill shall on that day become faculties, faculty boards and students of the University as established by this Bill.
 - (6) Persons who were deans or associate deans of faculties or members of faculty boards shall continue to be deans or associate deans or become members of the corresponding faculty boards, until new appointment are made in pursuance of the Statutes under this Bill.
5. Any person who was a member of the staff of the University as established or was otherwise employed by the provisional Council shall be employed at the University on such designation, status and functions which correspond as nearly as possible to those which pertained to him as a member of that staff or as such an employee.
6. Questions as to the scope of the responsibilities of the aforesaid officers shall be determined by the Vice-Chancellor (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

THIRD SCHEDULE

Section 11 (3)

**FEDERAL UNIVERSITY OF AGRICULTURE AND
ENTREPRENEURSHIP, SAKI STATUTE NO. 1***Articles:*

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

The Council

1. (1) Any member of Council holding office pursuant to section 6 (e), (f), (g), or (h) of this Bill may, by notice to the Council resign his office.
- (2) A member of Council holding office pursuant to section 6 (e), (f), (g), or (h) of this Bill shall, unless he previously vacates it, vacate that office on the expiration of a period of four years starting from 1st August in the year in which he was appointed.
- (3) Where a member of Council holding office pursuant to section 6 (e), (f), (g), or (h) of this Bill vacates office before the expiration of his tenure, the body that appointed him may appoint a successor to hold office for the residue of his unexpired term.
- (4) A person ceasing to hold office as a member of Council otherwise than by removal for misconduct shall be eligible for reappointment for only one further period of four years.
- (5) The quorum of the Council shall be five, at least one of whom shall be a member pursuant to Section 6 (d) and (e) of this Bill.
- (6) If the Pro-Chancellor is not present at a meeting of the Council, the members present at the meeting may appoint one of them to be the Chairman at that meeting, and subject to section 5 of this Bill and the provisions of this paragraph the Council may regulate its own procedure.
- (7) Where the Council desires to obtain advice with respect to any particular matter, it may co-opt not more than two persons for that purpose; and the persons co-opted may take part in the deliberations of the Council at any meeting but shall not be entitled to vote.
- (8) The Council constituted by this Bill shall have a four year tenure from the date of its inauguration provided that where a Council is found to be incompetent and corrupt, it shall be dissolved by the visitor and a new Council shall be immediately constituted for the effective functioning of the University.

- (9) The powers of the Council shall be exercised in accordance with the laws and Statutes of the University, and to that extent, establishment circulars that are inconsistent with the laws and Statutes of the University shall not apply to the University.

The Finance and General Purpose Committee

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

The Senate

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

or in his absence a person duly appointed by him, shall convene a meeting of the Senate to be held not later than the tenth day following that on which the request was received.

Congregation

4. (1) Congregation shall consist of:
 - (a) the Vice-Chancellor and the Deputy Vice-Chancellor;
 - (b) the full time members of the academic staff;
 - (c) the Registrar;
 - (d) the Bursar; and
 - (e) every member of the administrative and technical staff who holds a degree of any University recognized for the purpose of this Statute by the Vice-Chancellor, not being an honorary degree.
- (2) Subject to section 5 of this Bill, the Vice-Chancellor shall be the Chairman at all meetings of congregation when he is present, and in his absence one of the Deputy Vice Chancellors appointed by him shall be the chairman at the meeting.
- (3) The quorum of congregation shall be one-third (or the nearest whole number to one-third) of the total number of members of congregation or fifty, whichever is less.
- (4) A certificate signed by the Vice-Chancellor specifying:
 - (a) the total number of members of Congregation for the purposes of any particular meeting or meetings of Congregation; or
 - (b) the names of the persons who are members of Congregation during a particular period,shall be conclusive evidence of that number or as the case may be of the names of those persons.
- (5) Subject to the provisions of this schedule, congregation may regulate its own procedure.
- (6) Congregation shall be entitled to express by resolution or otherwise its opinion on all matters affecting the interest and welfare of the University and shall have such other functions in addition to the function of electing a member of the Council, as may be provided by Statute or Regulations.

Convocation

5. (1) Convocation shall consist of:
 - (a) the Officers of the University mentioned in Schedule 1 to this Bill;
 - (b) all teachers within the meaning of this Bill; and
 - (c) all other persons whose names are registered in accordance with paragraph (2) below.

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

Organisation of Faculties and Branches thereof

6. Each Faculty shall be divided into such number of branches as may be prescribed.
7. (1) There shall be established in respect of each Faculty, a Faculty Board, which, subject to the provisions of this Bill, and subject to the directions of the Vice-Chancellor, shall:
 - (a) regulate the teaching and study of, and the conduct of examinations connected with the subjects assigned to the faculty;
 - (b) deal with other matters assigned to it by Statute, by the Vice Chancellor or by the Senate; and
 - (c) advise the Vice-Chancellor or Senate on any matter referred to it by the Vice-Chancellor or Senate.

- (2) Each Faculty Board shall consists of:
 - (a) the Vice-Chancellor;
 - (b) the persons severally in charge of the branches of the faculty;
 - (c) such number of the teachers assigned to the faculty and having the prescribed qualifications as the Board may determine; and
 - (d) such persons whether or not members of the University as the Board may determine with the general or special approval of Senate.
- (3) The quorum of the Board shall be eight members or one-quarter of the members of the Board for the time being whichever is greater.
- (4) Subject to the provisions of this statute and to any provision made by regulations in that behalf, the Board may regulate it own procedure.

The Dean of the Faculty

8. (1) The Dean of a faculty shall be a professor elected by the Faculty Board and such Dean shall hold office for a term of two years. He will be eligible for re-election for another term of two years after which he may not be elected again until two years have elapsed.
- (2) If there is no professor in a faculty, the Vice-Chancellor shall appoint an Acting Dean who shall not be below the rank of Senior Lecturer for the faculty, who will act for a period of one year in the first instance, renewable for another one year only.
- (3) In the absence of the Vice-Chancellor, the Dean shall be the chairman at all meetings of the Faculty Board when he is present and he shall be a member of all committees and other boards appointed by the faculty.
- (4) The Dean of a faculty shall exercise general superintendence over the academic and administrative affairs of the faculty and it shall be the function of the Dean to present to the convocation for the conferment of Degrees, persons who have qualified for the Degrees of the University at examinations held in the branches of learning for which responsibility is allocated to that faculty.
- (5) There shall be a committee to be known as the Committee of Deans which shall consist of all the Deans of the several faculties and that committee shall advise the Vice-Chancellor on all academic matters and on particular matters referred to the Committee by the Senate.
- (6) The Dean of a faculty may be removed from office for a good cause by the Faculty Board after a vote would have been taken at a meeting of the Board, and in the event of a vacancy occurring following the removal of the Dean, an Acting Dean may be appointed by the Vice-Chancellor provided that at the next faculty board meeting an election shall be held for a new Dean.
- (7) In this article, "good cause" has the same meaning as in section 17 (4) of this Bill.

Selection of Certain Principal and other key Officers

9. (1) When a vacancy occurs in the Office of the Registrar, Bursar, the University

Librarian, Director of Works or Director of Health Services, a Selection Board shall be constituted by the Council and shall consist of:

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

Creation of Academic Post

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

Appointment of Academic Staff

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

Appointment of Administrative and Technical Staff

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

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

Explanatory Memorandum:

This Bill seeks to establish the Federal University of Agriculture and Entrepreneurship Saki to make comprehensive provisions for its due Management and Administration (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Federal University of Agriculture and Entrepreneurship, Saki, Oyo State, Make Comprehensive Provisions for its Due Management and Administration and for Related Matters (HB.628) (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish Federal University of Agriculture and Entrepreneurship, Saki, Oyo State to make Compressive Provisions for its due Management and Administration and for Related Matters (HB. 628) and approved Clauses 1 - 25, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

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

- (iv) ***A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 to provide for Establishment of Federal College of Agriculture, Abi, Cross River State and for Related Matters (HB. 330) (Committee of the Whole):***

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 to provide for Establishment of Federal College of Agriculture, Abi, Cross River State and for Related Matters (HB. 330)" (Hon. Julius Ihonvbere — House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE AGRICULTURAL RESEARCH COUNCIL OF NIGERIA ACT, CAP. A12, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE FOR ESTABLISHMENT OF THE FEDERAL COLLEGE OF AGRICULTURE, ABI, CROSS RIVER STATE; AND FOR RELATED MATTERS (HB. 330)

Clause 1: Amendment of Cap. A12, LFN, 2004.

The Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 2: Amendment of the Third Schedule.

The Third Schedule to the Principal Act is amended by inserting a new paragraph —

"Federal College of Agriculture, Abi, Cross River State" (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 3: Citation.

This Bill may be cited as the Agricultural Research Council of Nigeria Act (Amendment) (No. 3) Bill, 2023 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Long Title:

A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 to Provide for Establishment of the Federal College of Agriculture, Abi, Cross River State; and for Related Matters (HB. 330) (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 to provide for Establishment of Federal College of Agriculture, Abi, Cross River State and for Related Matters (HB. 330) and approved Clauses 1 - 3, the Explanatory Memorandum, and the Long Title of the Bill.

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

- (v) *A Bill for an Act to Establish Nigerian Institute of Agriculturists charged with the responsibility of advancing the Study, Training and Practice of Agriculture activities and determining the standard of knowledge and skills to be attained by Persons seeking to become registered Members of the Institute and for Related Matters (HB. 653) (Committee of the Whole):*

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Establish Nigerian Institute of Agriculturists charged with the responsibility of advancing the Study, Training and Practice of Agriculture activities and determining the standard of knowledge and skills to be attained by Persons seeking to become registered Members of the Institute and for Related Matters (HB. 653)” (Hon. Julius Ihonvbere — House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH NIGERIAN INSTITUTE OF
AGRICULTURISTS CHARGED WITH THE RESPONSIBILITY OF
ADVANCING THE STUDY, TRAINING AND PRACTICE OF AGRICULTURE
ACTIVITIES AND DETERMINE THE STANDARD OF KNOWLEDGE AND
SKILLS TO BE ATTAINED BY PERSONS SEEKING TO BECOME
REGISTERED MEMBERS OF THE INSTITUTE;
AND FOR RELATED MATTERS (HB. 653)

PART I — ESTABLISHMENT OF THE NIGERIAN INSTITUTE
OF AGRICULTURISTS AND ITS GOVERNING COUNCIL

Clause 1: Establishment of the Nigerian Institute of Agriculturists and Its Governing Council.

- (1) There is established for the Profession of Agriculture, an Institute to be known as the Nigerian Institute of Agriculturists (in this Bill referred to as “the Institute”).
- (2) The Institute shall be a body corporate with perpetual succession and a common seal and shall have power to sue and be sued in its corporate name and to own, hold and dispose of prope verty whether moveable or immovable to be situate in Abuja, Federal Capital Territory (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 2: Objects of the Institute.

The objects of the Institute are:

- (a) to prescribe and regulate the standards of academic qualifications and practical skills to be attained by persons seeking to become registered as members, associates or fellows of the Institute, as the case may be;
- (b) to prescribe the code of conduct for agriculturists;
- (c) to 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;
- (d) to 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;
- (e) to establish a National net-work for the dissemination of information relating to packages on Agricultural production and methodologies arising from new discoveries and modern agriculture;
- (f) to advise the Ministry and other relevant agencies on safety standards for the use of agricultural chemicals and new biotechnological products;
- (g) to publish journals, magazines, newsletters and other publications of professional standard in agricultural business and industry;
- (h) to do such other acts as may be conducive to attainment of the functions of the Institute (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 3: Establishment and composition of the Council of the Nigerian Institute of Agriculturists.

- (1) There is established for the Institute a Governing Council to be known as the Council of the Nigeria Institute of Agriculturists (in this Bill referred to as "the Council") which shall have overall control of the Institute as specified under this Bill.

- (2) The council shall consist of —
- (a) a President who shall be the head of the Institute and preside over all Council meetings;
 - (b) a Vice President who shall act for the President in his/her absence;
 - (c) the President Agricultural Society of Nigeria;
 - (d) six persons shall be elected by the Institute, to represent each of the following disciplines/group of disciplines of agriculture:
 - (e) Agricultural Business and Agricultural Economics Society;
 - (f) the following shall be *ex-officio* members —
 - (i) the Minister of Agriculture and Rural Development or his representative;
 - (ii) the Minister of Education or his representative (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

Clause 4: Election of members of Council.

- (1) 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:
- (2) Provided that, the first of such general meeting convened by the Agricultural Society of Nigeria and Association of Deans of Agriculture of Nigerian Universities immediately after the Commencement of this Bill, for the purpose of electing such members (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

Question that Clause 4 stands part of the Bill — 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 period 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 condition as may be specified in the letter of appointment (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

Clause 6: Removal from office.

Notwithstanding the provision of section 5 of this Bill, a member of the Council, including the President and Vice President, shall cease to hold office as a member of the Council if —

- (a) he/she is relieved of his/her position by the Council pursuant to any regulation made under section 42 of this Bill, on the ground of ill health,

misconduct or if it is interest of the Institute or of the public that the member, the president or the vice president should be removed from office;

- (b) in writing under his/her hand resigns his/her 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 shall be deemed to have taken effect and the body shall then elect another representative to complete the tenure of the resigning member of the Council; and
- (c) he/she absents him/herself from three consecutive meetings of the Council, without leave of the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 6 stands part of the Bill — 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 from time to time approve (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

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

Clause 8: Powers of Council.

The Council shall have power to :

- (a) provide the general policy guidelines relating to the functions of the institute;
- (b) approve the acquisition of offices and other premises for the use of 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) fix the remuneration, allowances and benefits of the staff and employee of the institute;
- (f) make regulations relating generally to appointment, promotion and disciplinary, control (including dismissal) of employees of the institute; and
- (g) do such other things and enter into such transactions which the opinion of the Council are necessary to ensure the efficient performance of the institute's objective (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 9: Functions of the Institute.

The Institute shall have following functions:

- (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) do such other acts and things as the Council may consider necessary for carrying out the functions and powers of the institute (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART III — STAFF OF THE INSTITUTE

Clause 10: Appointment of the Registrar and the Assistant Registrar of the institute.

- (1) There shall be appointed a Registrar for the institute who shall —
 - (a) be appointed by the Council and shall be the Chief Executive Officer and he/she shall discharge his duties according to the terms of his/her employment and be paid a determined remuneration;
 - (b) head the day- to -day administration of his office and any other assignment that may be given to him by the council and the President of the Council;

Functions of the Registrar.

- (c) be responsible for the implementation of all functions of the general secretariat and be responsible to the Council for the employment of the staff who work within and see to the management of the secretariat;
- (d) keep custody of the register and the common seal of the institute and make sure entries in the register, and affix the common seal to such documents, as the Council may direct from time to time.

Appointment of Assistant Registrar.

- (2) The Institute shall appoint an Assistant Registrar who shall from time to time assist the Registrar in the exercise of his functions under this Bill and shall —
 - (a) attend the meeting of the Council and other Committee meetings and participate in discussion but shall not have the right to vote
 - (b) in the absence of the Registrar summon meetings of the Council upon the directives of the President of the Council.

Tenure of office of Registrar and conditions of service of staff.

- (3)
 - (a) The tenure of the office of the Registrar shall be for a term of five years renewable once and no more.
 - (b) Employment and conditions of service of all other staff in the institute shall be the same with that of the Federal Public Service (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 11: Removal of the Registrar of the Institute.

The Registrar may at any time be relieved of his office by the President of the

Council acting on an address supported by a two-third majority of the Council praying that he/she be removed for his inability to discharge the function of the office (whether arising from infirmity of mind or body or any other cause or for misconduct (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 12: Pensions Reforms Act, 2014.

Employment in the institute shall be subject to the provisions of the Pensions Reform Act, 2014 and accordingly, officers and employees of the institute shall be entitled to pension and other retirement benefits as are prescribed under the Pensions Reform Act, 2014 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 13: Condition of service.

Subject to the provisions of this Bill, 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 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART IV — FINANCIAL PROVISIONS

Clause 14: Funds of the Institute.

The Institute shall establish and maintain a fund which 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 service;
- (c) revenue accruing to the Institute from any other source approved by the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 15: Expenditure of the Institute.

(1) The Institute shall defray from the fund established pursuant to section 12 of this Bill all amounts payable under or in pursuance of this Bill 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) cost of acquisition and up-keep of premises belonging to the institute and any other capital expenditure of the Institute;
- (e) amounts payable as pensions and other retiring benefits under or pursuant to this Bill or any other 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 Bill.

- (2) The Institute may invest such surplus funds as it may have, from time to time from its day-to-day operation in treasury Bill or other government securities (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 16: Estimates.

The Registrar of the Institute shall cause to be prepared and submitted to the Council not later than 30th day of September of each year, an estimate of its income and expenditure for the succeeding year (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 17: Accounts and audits.

The Institute shall cause to be kept proper account and records, and such account shall not later than 6 months after the end of each year, be audited by auditors appointed by the Council from the list and in accordance with the guideline supplied by the Auditor-General of the Federation (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 17 stands part of the Bill — 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 such form as the Council may direct on the activities of the Institute. Such Report shall include a copy of audited accounts of the Institute for the year and of the Auditor's Report (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 18 stands part of the Bill — 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 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 19 stands part of the Bill — 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 meeting its obligation under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 21: Accountability.

The Registrar as the Chief Administrative/Accountant Officer of the Institute shall:

- (a) keep proper accounting records, in a manner as may be determined, from time to time by the President in respect of —
 - (i) all revenues and expenditure of the Institute,
 - (ii) all its assets, liabilities and other financial transactions: and
- (b) all other revenues collected by the Institute, including income on investments;
- (c) prepare an annual report, including financial statements, in accordance with generally accepted accounting principles and practices;
- (d) 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;
- (e) provide replies to Freedom of Information requests; and
- (f) any other duties that may be assigned by the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 21 stands part of the Bill — 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 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 23: Categories of membership.

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

- (a) regular members; or
- (b) Associate Member; or
- (c) Fellows; or
- (d) H onorary fellows; or
- (e) Corporate member (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Regular Membership

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 to the exclusion of a holder of a first degree in animal and soil sciences from any accredited institution and holds in addition 3 years post graduate or post qualification working experience;
- (b) a member of any equivalent professional agricultural body or Institute recognised 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 had 2 years working experience to the exclusion of holders of a first degree in animal and soil sciences;
- (d) a holder of a Higher National Diploma or equivalent qualification in agriculture and related disciplines and in addition has had 3 years of such relevant experience as the Council may approve to the exclusion of a holder of a Higher National Diploma or equivalent qualification in animal and soil sciences;
- (e) a holder of a National Diploma or equivalent qualification in agriculture and related disciplines mentioned in section 3 (2) (c) of this Bill has in addition had 5 years of such relevant experience as the Council may approve the exclusion of a holder of a Higher National Diploma or equivalent qualification in animal and soil sciences (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 25: Corporate member.

A Company or Corporate Institution shall be eligible to be registered as a corporate member if such organisation is :

- (a) holding a current registration of the Corporate Affairs Commission (CAC), contributing to Agricultural growth and development in Nigeria to the satisfaction of the Council;
- (b) found fit and proper to be registered as determined by the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 26: Associates.

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

- (a) that person has contributed significantly by research efforts, publications and experience, to the growth and development of progress of agriculture or related areas: and

- (b) the council has satisfied that, the member is a fit and proper person to be elevated to the rank of an associate (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 27: Fellow.

A person who is a member shall be eligible to be registered as an 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, that person is a fit and proper person to be elevated to the rank of a fellow (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 27 stands part of the Bill — 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, that person is fit and proper person to be elevated to the rank of the Honorary Fellow (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 29: Certificates and honours.

The Council may be subject to its rules in that regard, awards distinctive certificates and other honours to any person, member, Associate, Fellow or Honorary Fellow as the case may be, for any distinctive achievement in any discipline or areas of agriculture (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART VI — ESTABLISHMENT OF THE NIGERIAN INSTITUTE
OF AGRICULTURISTS DISCIPLINARY TRIBUNAL

Clause 30: Establishment of the Nigerian Institute of Agriculturists disciplinary tribunal.

- (1) There shall be disciplinary established for the institute, a disciplinary tribunal to be known as the Nigerian Institute of Agriculturist Disciplinary Tribunal (in this Bill referred to as "the tribunal").
- (2) The duty of the tribunal is to 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 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 31: Rules of proceeding of the Tribunal and Investigating Panel.

- (1) There shall, for purpose of the President before the tribunal, be known as the Investigating Panel of the Nigerian Institute of Agriculturist.
- (2) The duties of the panel are:
 - (a) to conduct preliminary investigations into any allegation or complaints of professional member or fellow of the institute; and
 - (b) to determine, whether or not there is a prima, facie case against the person and to 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 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 32: Rules.

The Council may make rules to regulate the proceedings of the tribunal and investigating panel:

Second Schedule.

Until such rules are made, the rules contained in the second schedule to this Bill are applicable (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 33: Penalty.

- (1) 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.
- (2) 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 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 34: Right of appeal.

Notwithstanding the provisions of section 24 of this Bill, or any other Act, a member who is found guilty by the Tribunal shall have right of appeal to the Court of Appeal against any pronouncement made by the Tribunal (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 35: 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 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VII — LEGAL PROCEEDINGS

Clause 36: Limitation of suit against the Institute, etc.

- (1) Subject to the provisions of this act, the provisions of this 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 or any other officer or employee of the institute for any act done in pursuance or execution of this Bill or any other law or enactment, or any other public duties or authority or in respect of any alleged neglect or default in the neglect in the execution of this Bill of any other law or enactment, duties or authority shall lie or be instituted in any Court unless it is commenced —
 - (a) within three months next after the act, neglect or default complained of; or
 - (b) in the case of a continuation of damage or injury, within six months next 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 referred to in subsection (3) of this section shall clearly and explicitly 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/she claims (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 37: Service of document.

A notice, summons or other document required authorized to be served on the Institute under the provision of this Bill 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 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 38: 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 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 39: Indemnity.

A member of the council, the president or any officer or employee of the institutes 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/her in his/her capacity as a member, president, officer or employee of the Institute (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VIII — MISCELLANEOUS PROVISIONS

Clause 40: 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/her functions as they may consider necessary and it shall be the duty of the Institute or the President to comply with the directives or cause them to be complied with (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 41: Power to make regulations the President signs the regulations after getting approval from the Minister.

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 Bill and for the due administration of its provisions and may in particular, make regulations (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 42: Interpretation.

In this Bill —

"Agriculturist" means someone concerned with the science or art or business of cultivating the soil (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Council" means Council established by section 3 (1) (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Institute" means Nigerian Institute of Agriculturists established by section 1 of the Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Member" means members of the institute and includes a regular or Associate member of the institute (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Minister" means Minister charged with the responsibilities of Education and Agriculture (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"President" means president of the institute (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Rank" means status of members (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"register" means register created and maintained under section 22 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"tribunal" means tribunal established under section 23 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Vice President" means vice president of the institute (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

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

Clause 43: Short Title.

This Bill may be cited as the Nigerian Institute of Agriculturists Bill, 2023 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

SCHEDULE

Proceedings of the Council

1. The Council may make standing orders regulating its proceedings of the council or of any Committee thereof 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 from one of the tertiary Institutions mentions in this Bill.
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 so to do by the notice given to him in writing by not less than five elected members, shall summon a meeting of the Council to be held within fourteen 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 wishes 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 sub-paragraph shall not be entitled to vote at any meeting of the Council and shall not count toward a quorum.
4.
 - (1) The Council may appoint one or more committees to carry out on its behalf, such functions as it may determine.
 - (2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council and not more than one-third of those persons may be person who are not members of the Council and a person other than 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.

Miscellaneous

5.
 - (1) The fixing 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 under seal but may be or 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 of the tribunal, the Registrar shall, after consultation with the Chairman, appoint a time and place for the hearing, and shall in the third Schedule hereto: 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 rule, 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 presented 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 reason, and the Tribunal, in appropriate cases may grant the application upon such terms as to cost or otherwise as it thinks 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 rule, the provisions of the Evidence Act 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 deem 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 these rules 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 expedite so to do: and the tribunal may in any particular case extend the time for doing anything under these rules.

Power to retain exhibits pending appeal

16. Books and other exhibits whatever 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 general one, it shall have effect only in respect of a particular proceedings of the Tribunal.
- (2) Subject to the terms of his appointment, in assessors shall attend the proceedings of the Tribunal whenever required so to do by notice in writing given to him by the Registrar not later than 3 days before the date fixed for the hearing of such proceedings, and he/she shall therefore advise the Tribunal on question of law only (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Explanatory Memorandum:

This Bill seek to Establish Nigerian Institute of Agriculturists charged with the responsibility of Advancing the study, training and practice of Agriculture activities and determine the standard of knowledge and skills to be attained by persons seeking to become registered members of the institute and for related matters (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish Nigerian Institute of Agriculturists Charged with the Responsibility of Advancing the Study, Training and Practice of Agriculture Activities and Determine the Standard of Knowledge and Skills to Be Attained by Persons Seeking to Become Registered Members of the Institute; and for Related Matters (HB. 653) (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish Nigerian Institute of Agriculturists charged with the responsibility of advancing the Study, Training and Practice of Agriculture activities and determining the standard of knowledge and skills to be attained by Persons seeking to become registered Members of the Institute and for Related Matters (HB. 653) and approved Clauses 1 - 43, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

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

(vi) ***A Bill for an Act to Provide for Establishment of Federal College of Nursing, Midwifery and Health Sciences, Isiala-Mbano, Imo State and for Related Matters (HB. 173) (Committee of the Whole):***

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Provide for Establishment of Federal College of Nursing, Midwifery and Health Sciences, Isiala-Mbano, Imo State and for Related Matters (HB. 173)” (Hon. Julius Ihonvbere — House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR ESTABLISHMENT
OF THE FEDERAL COLLEGE OF NURSING, MIDWIFERY
AND HEALTH SCIENCES, ISIALA MBANO, IMO STATE;
AND FOR RELATED MATTERS (HB.173)

PART I — ESTABLISHMENT OF THE FEDERAL COLLEGE OF
NURSING, MIDWIFERY AND HEALTH SCIENCES

Clause 1: Establishment of the College.

- (1) There is established a College of Nursing, Midwifery and Health Sciences, Isiala Mbano, Imo State.
- (2) The College shall:
 - (a) have the status of a tertiary institution with rights and privileges of such institutions; and
 - (b) be a body corporate with perpetual succession and a common seal with powers to sue and be sued in its corporate name (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 2: Objects of the College.

The objects of the College shall be —

- (a) to provide training and research in Nursing, Midwifery, Health Sciences and other specialties of Nursing leading to the award of Professional Certificate, Diplomas and other post Basic Certificates;
- (b) to provide avenues for continuing education in Nursing, Midwifery, Health Sciences and other related specialties of Nursing; and
- (c) to provide such services that are necessary and incidental to the objects of the College (*Hon. Julius Omozuanvbo Ihonybere — House Leader*).

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

Clause 3: Functions of the College.

(1) The College shall be a teaching and examining body and shall, subject to the provisions of the Act and the Regulations of the College have powers to:

- (a) provide rules and conditions under which persons may be admitted as students for any particular course of study provided by the College;
- (b) make provisions for research and the dissemination of knowledge;
- (c) establish Departments and such other units of learning and research as the purpose of the College may require;
- (d) create such offices and posts as the purpose of the College may require and to appoint persons to and remove persons from such offices or posts and prescribe their conditions of service;
- (e) maintain libraries, laboratories, workshops, lecture halls, hostels, dining halls, sports field and other buildings of facilities of the College;
- (f) provide for residence, recreation and welfare of member of staff and students of the College as may be deemed necessary;
- (g) demand and receive students and other persons attending the College for the purpose of instruction such fees as the College may from time to time determine;
- (h) prescribe rules for the discipline of students of the College;
- (i) conduct examinations and arrange for award of certificates and distinctions to persons who pursue courses of studies approved by the College and who satisfy such other requirements as may from time to time be prescribed;
- (j) subject to specific limitations or conditions that may be imposed by extant Government regulations, or circulars, invest any fund apportioned to the College by way of endowment, whether for general or special purpose, and such other monies as may not immediately be required for current expenditure in any investment or securities;

- (k) print or publish works or undertake services as may be deemed consistent with the objects of the College;
 - (l) do such other acts and things necessary under this Bill for the attainment of the objects of the College or incidental to the powers of the College; and
 - (m) carry out any special or general directive consistent with Government policy as the Secretary of Health may give in writing.
- (2) Without prejudice to the generally of the provision of section 2 of this Bill and subsection (1) of this section, the College may special arrangement with the Nursing and Midwifery Council of Nigeria or other examination bodies prepare its students for award of Certificates or other distinctions.
- (3) Subject to provisions of this Bill and of any other statute, the powers conferred on the College by subsection (1) of this section shall be exercised on behalf of the College by the Council and the Committees established for the College or by such officers and other staff of the College as may be authorized in that behalf and may also be exercised through Schools established under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 4: Common Seal of the College.

- (1) The provost shall have custody of the common seal of the College and shall be responsible for affixing
- (2) The common seal of the College shall not be used save upon the direction of the Council and shall be authenticated by the signature of the Provost (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART II — GOVERNING COUNCIL OF THE COLLEGE

(Hon. Julius Omozuanybo Ihonvbere — House Leader).

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

Clause 2: Establishment of the Governing Council.

- (1) There shall be established for the College a Governing Council to be known as the Governing Council of the College of Nursing, Midwifery, Health Sciences and other related specialties of Nursing.
- (2) The Council shall consist of:
 - (a) Chairman, who shall be appointed by the President on the recommendation of the Minister;
 - (b) a representative of the Federal Minister of Health;
 - (c) the Provost of the College;
 - (d) a representative of the Imo chapter of the National Association of Nigerian Nurses and Midwives;

- (e) two members to represent the interest of the Public to be appointed by the Minister on the recommendation of the interest he represent of Health;
- (f) a director of nursing in Imo state Hospitals Management Board; and
- (g) the Director, Nursing Services of the Secretariat who shall also serve as the Secretary (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 6: Tenure.

- (1) Members of the Council other than *ex-officio* members shall hold office for a period of four years from the date of their appointment and shall be eligible to re-appointment for one further term of four years and no more.
- (2) Any member of the Council other than an *ex-officio* member may notice to the Council resign his appointment.
- (3) Any vacancy occurring in the membership of the Council shall be filled by the appointment of a successor who shall represent the same interest as his predecessor for the remainder of the term of the predecessor (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 7: Power of the Council.

- (1) Subject to the provision of this Bill, the Council Shall:
 - (a) be the governing authority of the College;
 - (b) be charged with the general control and superintendence of the policies, finances and properties of the College;
 - (c) make regulations for the day to day management of the College; and
 - (d) do any other thing necessary or incidental to attachment of objects of the College.
- (2) Without prejudice to the provisions of subsection (1) of this section, the Council shall:
 - (a) ensure that the courses and instructions provided by the College conform to the required standard laid down from time to time by the Nursing and Midwifery Council of Nigeria;
 - (b) regulate the teaching of courses offered by the College, and also regulate the conduct of examinations with respect to the College;
 - (c) approve contracts for the procurement of equipments, furniture and other properties required for the purpose of the College;
 - (d) approve the contracts for maintenance of the premises and other properties of the College;

- (e) formulate policies and initiate programmes in all fields of learning conducted by the college;
 - (f) assess from time to time the courses offered by the College; and
 - (g) perform such other functions as may be necessary;
- (3) The Council may delegate any of its functions, other than the power to make regulations, to the Chairman or any other person Committee it deems fit in that behalf, but no decision of such person or Committee shall take effect unless ratified by the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 8: Direction by the Minister.

- (1) The Minister of Health may give to the Council directions as to the discharge of its functions in relation to matters appearing to the Minister of Health to affect Public interest and the Council shall give effect to such directive.
- (2) The Council shall afford the Minister of Health facilities for obtaining information with respect to the Property of the College and the functions of the Council and shall be furnished with returns, accounts and afford to him facilities for verification of the information furnished in such manner and at such times as he may require (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART III — SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE

Clause 9: Establishment of School of Nursing, etc.

- (1) There shall be within the College a School of Nursing and School of Midwifery and such other Schools as the may be with the approve by the Nursing and Midwifery Council of Nigeria.
- (2) Each school shall provide instruction for courses, conduct research and carry out such other functions as may be prescribed by the Council with the approval of the Minister.
- (3) The constitution of and other matters relating to each school may be prescribed by the Council with the approval of the Minister (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 10: Establishment of Department.

In furtherance of the provisions of Section 3 (1) (c) of this Bill, the Council shall with the approval of the Minister of Health establish for each school such Departments as the Nursing and Midwifery Council of Nigeria may from time to time prescribe (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 11: Subject to the provision of this Bill, the Council may with the approval of the

Minister of Health establish units for special purposes within the College; and the name, constitution and functions of any units may be prescribed by direction of the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART IV — PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE

Clause 12: There shall be for the College a Provost and other principal officers, the designations, qualifications, functions and appointments of whom shall be as spelt out in sections 19 to 25 of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 13: Principal Officers.

- (1) The Principal Officers of the College shall include:
 - (a) the Provost of the College;
 - (b) the Deputy Deans (Academic and Administration) of the school in the College;
 - (c) the Registrar;
 - (d) the College Librarian; and
 - (e) the Bursar.
- (2) The Principal Officers of the College other than Deans and Deputy Deans of Schools in the College shall be appointed by the Council subject to the approval of the Minister.
- (3) The Deans and Deputy Deans of Schools in the College shall be appointed by the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 14: Provost.

- (1) The Provost shall be appointed from amongst the academic staff of the College and shall be the Chief Executive and Administrator of the College and also be responsible to the Council for maintaining and promoting efficiency and discipline in the College.
- (2) The Provost shall hold Degree in Nursing and shall be a registered Educator in Nursing, Midwifery or other specialty areas of Nursing with not less than fifteen years of teaching experience (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 15: Deans.

- (1) The Deans of Schools in the College shall be responsible to the Provost for the Administration of the Schools.
- (2) The Deans of Schools in the College shall hold degree in Nursing and shall

be registered Educators in the Nursing specialty with not less than ten years of teaching experience (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 16: Deputy Deans.

The Deputy Deans of Schools in the College shall be the Chief Assistants to the Deans of their respective Schools and shall perform such duties as may be assigned by the Deans (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 17: The Register.

- (1) The Registrar of the College shall be the head of administrator of the School and shall be responsible to the Provost.
- (2) The Registrar shall be an experienced graduate in humanities with not less than fifteen years' experience
- (3) The person holding the office of the Registrar of the College shall by virtue of that office be the Secretary of Academic Board and the Finance and General Purpose Committee (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 18: The Bursar.

- (1) The Bursar shall be the Chief Financial officer of the College and shall be responsible to the Provost for the day to day administration of the financial affairs of the College.
- (2) The Bursar shall be a qualified Accountant with not less than ten years post qualification experience (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 19: The Librarian.

- (1) The Librarian shall be responsible to the Provost for the co-ordination of Library services in the College.
- (2) The Librarian shall have a degree in Library Sciences with not less than ten years post qualification experience as a Librarian (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 20: Contract Appointment.

The Council may appoint such other persons to be staff of the College as it may deem fit on such terms and conditions as may be specified in their instruments of appointment (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 21: Removal.

- (1) The Principal Officers and other senior staff of the College may be removed from office by the Minister for misconduct, incompetence or any other justifiable reason on the recommendation of the Council.
- (2) The Council shall the power to remove any junior staff of the College for justifiable reasons (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART IV — ESTABLISHMENT AND FUNCTIONS OF COMMITTEE

(Hon. Julius Omozuanvbo Ihonvbere — House Leader).

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

Clause 2:

- (1) There shall be a Committee of the Council to be known as the Finance and General Purpose Committee.
- (2) The Finance and General Purpose Committee shall consist of:
 - (a) the Chairman of the Governing Council who shall be the Chairman;
 - (b) the representative of the Minister of Health;
 - (c) the Provost of the College;
 - (d) the Director of Finance and Administration;
 - (e) the Director of Nursing Services;
 - (f) one member of the Academic Committee to be appointed by the Council; and
 - (g) the Registrar shall be the Secretary of the Committee (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 23: Exercise of Control.

The Finance and general Purpose Committee shall:

- (a) exercise control over property, revenue and expenditure of the College;
- (b) award contracts for the execution of projects of the College; and
- (c) perform such other functions as the Council may Delegate to it (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 24: Power to Constitute Committees.

- (1) Further to the provisions of Section 11 of this Bill, anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to constitute Committees, which need not consist exclusively of members of that body, and to authorize a Committee established by it:

- (a) to exercise, on its behalf, such of its functions as it may determine; and
 - (b) to co-opt members, and may direct whether or not co-opted Members, if any, shall be entitled to vote in that Committee
- (2) Any two or more of such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of Committees consisting of members of those bodies for the purpose of considering any matter within the competence of those bodies or any of them and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) The quorum and procedure of a Committee established or meeting held In pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VI — ACADEMIC BOARD

Clause 25: There shall be for each school of the College an Academic Board which shall be responsible for the academic work of the school (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 26: Composition of the Academic Board.

The Academic Board of each School of the College shall be composed:

- (a) the Provost of the College, as chairman;
- (b) the Dean of the School, as Deputy Chairman;
- (c) the Deputy of Deans of the School;
- (d) all Heads of Departments of the School;
- (e) one Academic staff not below the rank of Senior Lecturer to be selected from each of the Departments of the School;
- (f) a representative of the Director, Nursing Services in the Secretariat;
- (g) the School Librarian; and
- (h) the Registrar who shall be Secretary of the Board (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 27: Functions of the Academic Board.

Subject to the overall control and direction of the Council, the Academic Board of each School of the College shall perform the following functions:

- (a) regulating and organising the process of admissions, conduct of examinations, award of certificates and all formalities relating to the registration and licensing of graduates;

- (b) making recommendations to the Council on appointment of academic staff of the School and on the organization of Departments, Libraries and other units of learning and research in the school;
- (c) making guidelines for the purpose of exercising any of the functions conferred on it under the provisions of this Section;
- (d) preparing curriculum for the School in line with guidelines from the Nursing and Midwifery Council of Nigeria and or other regulatory bodies;
- (e) performing such other functions that may be assigned to it by the Council (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART VII — SUPPLEMENTARY PROVISIONS

Clause 28: The supplementary provisions contained in the Schedule shall have effect in relation to the proceedings of the various bodies appointed under the provisions of this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 29: Delegated Power of the Provost.

In the absence of the Council and until it is constituted for the College the functions and powers of the Council under this Bill may be exercised by the provost of the College (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 30: Transfer.

The Minister, may, by order transfer any property whether movable or immovable to the college and from the date of such order, any property so transferred shall vest in the College and shall be used for the purpose of the College (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 31: Power to own Property.

The Council may, subject to the provisions of this Bill:

- (a) acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Bill;
- (b) invest the funds of the College in such manner and such extent as it may deem necessary or expedient; and
- (c) enter into contractual agreements on behalf of College (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 32: Authority to incur Expenditure.

- (1) The Council shall have power to approve expenditure of over ₦10,000,000.00 but not exceeding the ₦100,000,000.00 per unit transaction for the procurement of goods, works and services and shall refer procurements exceeding the amount to the Minister.

- (2) The Provost shall approve procurement of works, goods and services not exceeding ₦10,000,000.00 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 33: Fund for the College.

The revenue of the College shall include:

- (a) revenue from time to time accruing to the College by way of Government grant, subvention or endowment or other forms of grant-in-aid;
- (b) fees charged by and payable in respect of students;
- (c) any other amounts, charges or dues recoverable by the College;
- (d) receipts for publications or services;
- (e) interest on investments;
- (f) donations and legacies (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 34: Estimates and Expenditure.

Before the end of each financial year, or at such other time as may be required by the Council, the Director, Finance and Administration or the Provost shall present to the Council estimates of revenue and expenditure for the ensuing financial year (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 35: Account and Audit.

- (1) The College shall prepare in respect of each financial year a statement of account in such form as may be approved by the Minister and the said annual statement of accounts shall be a fair and accurate statement of the financial positions of the College for the financial year to which it relates.
- (2) The said Annual Statement of Accounts shall be Audited by the Auditor-General of the Federation or by Such competent auditors appointed by him.
- (3) The said audited statement of accounts, after verification by the Council shall together with the auditor's report be forwarded to the secretary of Health who shall cause the same to be placed before the Minister (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 36: Interpretation.

In this Bill:

"Academic Board" means the Academic Board established under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Chairman" means the Chairman of the Governing Council of the College or where the context requires a chairman of the respective committees established under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"College" means College of Nursing, Midwifery and Health Sciences Isiala-Mbano (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Council" means the Governing Council established under section 4 (1) of this Bill for the College (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Executive Committee" means the Federal Executive Committee (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Junior Staff" is a reference to staff on CONHESS 01-05 or salary Grade Levels 01-06 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Members" means members of the Council and include the Chairman of the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Minister" Minister of Health (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Provost" means the Provost of the College (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Regulations" means any regulation formulated for the College by the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Secretariat" means Federal Ministry of Health (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Secretary" means the Secretary to the Council of the College and other-wise means the Secretary of any Committee established under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Senior Staff" is reference to staff on CONHESS 06-16 or Salary Grade Level 07-17 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

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

Clause 37: Short Title.

This Bill may be cited as the Federal College of Nursing, Midwifery and Health Sciences, Isiala Mbano, Imo State (Establishment) Bill, 2023 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Explanatory Memorandum:

This Bill seeks to provide for establishment of Federal College of Nursing, Midwifery and Health Sciences, Isiala-Mbano, Imo State (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Provide for Establishment of the Federal College of Nursing, Midwifery and Health Sciences, Isiala Mbano, Imo State; and for Related Matters (HB.173) (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for Establishment of Federal College of Nursing, Midwifery and Health Sciences, Isiala-Mbano, Imo State and for Related Matters (HB. 173) and approved Clauses 1 - 37, the Explanatory Memorandum, and the Long Title of the Bill.

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

- (vii) *A Bill for an Act to Establish Chartered Institute of Cooperative Professionals in Nigeria charged with the responsibility for advancing the Training and Practice of Cooperative Professionals and for Related Matters (HB. 603) (Committee of the Whole):*
Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Establish Chartered Institute of Cooperative Professionals in Nigeria charged with the responsibility for advancing the Training and Practice of Cooperative Professionals and for Related Matters (HB. 603)" (Hon. Julius Ihonvbere — House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF CO-OPERATIVE PROFESSIONALS OF NIGERIA CHARGED WITH THE RESPONSIBILITY FOR ADVANCING THE TRAINING AND PRACTICE OF CO-OPERATIVE PROFESSIONAL; AND FOR RELATED MATTERS (HB. 603)

PART I — ESTABLISHMENT OF THE CHARTERED INSTITUTE OF CO-OPERATIVE PROFESSIONALS OF NIGERIA.

Clause 1: Establishment of the Chartered Institute.

- (1) There is established an Institute of Co-operative Professionals of Nigeria "Chartered" ("the institute").
- (2) The Institute:
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may acquire, hold and dispose of real and personal property; and
 - (c) may sue or be sued in its Corporate name (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 2: Functions of the Institute.

The functions of the institute are to —

- (a) determine what standards of knowledge and skill are to be attained by persons seeking to become members of the Institute and improve those standards from time to time;
- (b) secure in accordance with the provisions of this Bill, the establishment and maintenance of a register of persons, registered under this Bill as members of the institute and to publish from time to time lists of those members;
- (c) provide consultancy services in appropriate cases;
- (d) arrange conferences, seminars, symposia and meetings; and

- (e) carry-out such functions that are intended to facilitate the achievement of the objects contained in this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 3: Establishment of the Governing Council.

- (1) There is established for the Council, a Governing Council (in this Bill Referred to the "the Council") which shall be charged with the responsibility for Policy making, administration and general management of the Council.
- (2) The Council shall consist of:
- (a) the President and Three (3) Vice-Presidents of the Council;
 - (b) the Registrar;
 - (c) the Treasurer;
 - (d) the Financial Secretary;
 - (e) one person to be nominated by the Minister charged with the responsibility of matter relating to education to represent the Ministry;
 - (f) two Representatives of Co-operative Movement;
 - (g) an *ex-officio* member who shall be the immediate Past President;
 - (h) two representatives of the Supervisory Agencies (Co-operative Federation of Nigeria) (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 4: Election of the President and Vice Presidents of the Institute.

There shall be for the Institute a President and three Vice presidents who shall be chartered members or fellow of the Institute to be elected by the Chartered members at an Annual General Meeting and who shall hold office each for a term of three years from the date of election and shall not be eligible for re-election after two terms of three years each (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 5: Power of the Institute.

- (1) The Institute has power to do all things necessary and convenient to be done in connection with the performance of its functions and in particular may —
- (a) enter into contracts;
 - (b) charge fees for its services;
 - (c) make regulations for the conferment of charters; and
 - (d) make penal regulations.

- (2) The Institute shall have the power to award honorary membership of the Institute to persons it deems worthy of such honour on terms and conditions prescribed by the Council and approved by the Institute in a general meeting (*Hon. Julius Omozuanvbo Ihonybere — House Leader*).

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

PART II — APPOINTMENT OF REGISTRAR AND PREPARATION OF REGISTER

Clause 6: Appointment of Registrar, and preparation of Register.

- (1) The Council shall appoint the Registrar who shall be the chief executive officer of the Institute.
- (2) A person appointed as the Registrar shall be a chartered member and fellow and shall have had at least 5 years' experience in senior administrative/management position in either public or private sector, and added advantage may be given to a person who has served in a cooperative based organization.
- (3) A person to be appointed as registrar shall have been versed in the operation of the Council, and having attained position of Assistant Registrar in the Institute may be an advantage.
- (4) The Registrar shall prepare and maintain in accordance with the rules and regulations made by the Council, a register of —
 - (a) names;
 - (b) addresses;
 - (c) approved qualifications; and
 - (d) other particulars, of all person who are entitled to be enrolled as fellows, Senior members, associates, graduates or registered students and who in the manner prescribed by such rules apply to be so registered (*Hon. Julius Omozuanvbo Ihonybere — House Leader*).

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

Clause 7: Functions of the Registrar.

- (1) The Registrar shall be the Secretary to the Council and shall keep minutes of proceedings at all meetings of the Council.
- (2) The Registrar shall —
 - (a) in accordance with the directions of the Council correct any entry in the register which the Council directs him to correct as being in the opinion of the Council incorrectly made;
 - (b) from time to time, make any necessary alterations to the particulars of registered members.
 - (c) record the names of the registered members who are in default for more than six months in the payment of annual subscriptions; and

- (d) remove the names of defaulters from the registers as the Council may direct or require (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 8: Other staff.

- (1) The Council may, on the recommendation of the Registrar appoint such other staff as it may consider necessary to assist the Registrar in the discharge of his duties.
- (2) The employment of other staff shall be pensionable, in accordance with the terms and conditions of service in the Federal Government of Nigeria (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 9: Contents of the Register.

The Register shall be in Seven parts namely —

- (a) fellows;
- (b) Senior members;
- (c) Associates and members;
- (d) Graduate members;
- (e) Corporate Members;
- (f) Honorary Member, Honorary Fellow;
- (g) Registered Students (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 10: Regulation.

The Council may by regulations provide for the —

- (a) manner of making entries in the Register;
- (b) manner of application for enrolment or registration in the Register; and
- (c) fees, including annual subscriptions payable to the Institute (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 11: Publication of the Register and list of correction, etc.

- (1) The Registrar shall cause the register to be printed and published not later than two years from the coming into force of this Bill.
- (2) Thereafter in each year after the register is first published under paragraph (1) alone —
- (a) cause to be printed, published and put on sale a corrected edition of the register;

- (b) cause a print of each of the register and of each list of corrections to be deposited at the principal office of the Institute and the Chapter officers.
- (c) make the register and lists so deposited available at all reasonable times for inspection by members of the public (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 12: Evidence of Registration as Chartered Member Institute of Co-operative Professionals of Nigeria (Chartered).

A print of an edition of the register published under this section by the Registrar shall without prejudice to any other mode of proof be admissible in any proceeding as evidence that any person specified in the register was so registered at the date of the edition, and that any person not so specified was not so registered (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART III — REGISTRATION OF MEMBERSHIP QUALIFICATION FOR MEMBERSHIP

Clause 13: Registration of membership.

- (1) A person shall be entitled to be registered as a member of the Institute if he —
 - (a) passes the qualifying professional examination conducted by the Council and completes the practical training prescribed or
 - (b) holds a qualification accepted by the Council as sufficient practical experience in Co-operative Administration.
 - (c) holds a qualification granted outside Nigeria which is recognized by the Council and he is by law entitled to practice the profession for all purpose in the country in which the qualification was granted.
- (2) An applicant for registration shall in addition to evidence or of qualification satisfy the Council that he —
 - (a) is of good character;
 - (b) has attained the age of eighteen years; and
 - (c) has not been convicted in Nigeria or elsewhere of an offence involving dishonesty.
- (3) The Council may, provisionally accept a qualification produced in respect of an application for registration under this section, and direct that the application be renewed within such period as may be specified in the direction.
- (4) An entry made under subsection (3), shall show that the registration is provisional and such entry may only be converted to full registration with the consent of the Council, signified in writing (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 14: Publication in the Gazette.

The Council shall, periodically publish in the Gazette particulars of qualifications acceptable for registration (*Hon. Julius Omozuanvbo Ihonybere — House Leader*).

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

Clause 15: Designation of members.

- (1) A member admitted to the Institute shall be registered with the Institute in the categories of —
 - (i) fellow;
 - (ii) Senior member;
 - (iii) associate;
 - (iv) graduate member;
 - (v) registered student;
 - (vi) Corporate Member;
 - (vii) Honorary Member, Honorary Fellow.
- (2) A person accorded by the Council, the status of a member of the institute, shall be entitled to the use of that name and shall be enrolled as —
 - (a) a fellow, if he is at least thirty-five years of age and —
 - (i) has fifteen (15) years relevant work experience from a public or private institution,
 - (ii) has, for at least three years in the past ten years, held relevant senior appointments in a Co-operative Administration,
 - (iii) is a holder of the professional qualifying certificate of the Institute, and
 - (iv) is otherwise considered by the Council to be fit and proper persons to be so enrolled;
 - (b) a Senior member, if he is thirty years of age or above and —
 - (i) has passed an appropriate professional qualifying examination of the Institute,
 - (ii) has at least eight years relevant work experience in a Co-operative Administration;
 - (c) an associates, if he is twenty-one years of age or above and —
 - (i) has passed the professional qualifying examination of the Institute or any equivalent examination recognized by the Institute, or

- (ii) has at least five years relevant work experience in a public or private organization (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 16: Designatory letters.

A member of the institute shall be entitled to use after his name, a designation appropriate to his status as follows —

- (a) fellow of the Institute "FICP";
- (b) a Senior member of the Institute "SMCP";
- (c) an associate of the Institute AICPN;
- (e) Corporate Member "CMFCP";
- (f) Honorary Member "HMICP" (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 17: Approval for qualification, etc.

The Council may approve any course of training at any approved Institute which is intended for persons seeking to become or are already engaged in Co-operative Profession in Nigeria and which the Council considers as being designed to confer on persons completing it sufficient knowledge and skill for admission into the Institute (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 18: Supervision of Instructions.

- (1) The Council shall keep it self-informed of the nature of —
 - (a) instructions given at approved institutions to persons attending approved courses of training; and
 - (b) examination, the result of which qualifications are granted, and for the purpose of performing that duty, the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions to observe such instructions or examinations.
- (2) The persons appointed under subsection (1) shall report to the Council on the sufficiency or otherwise of the instructions given to persons attending approved courses of training at institutions visited by them (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 19: Signatory to Certificates.

The President and Registrar shall be the joint signatory to certificates awarded by the Institute, including those on its conferences and training (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART IV — FINANCIAL PROVISIONS

Clause 20: Funds of the Institute.

There is established for the Institute a fund into which shall be paid and credited —

- (a) all fees, subscriptions and other monies due to the Institute;
- (b) gifts, loans, grant-in-aid, testamentary dispositions, endowments, contributions from philanthropic organizations etc.
- (c) returns on investments made by the Institute and Funds of the Institute; and
- (d) all other assets or monies that may from time to time accrue to the Institute (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 21: Investment of the funds of the Institute.

- (1) The Council may invest the funds of the Institute in accordance with the Securities and Investments Act.
- (2) The Institute may from time to time apply the proceeds of the funds of the Institute to —
 - (a) the general administration of the Institute;
 - (b) the payment of the emoluments, fees and other entitlements of members of the Council;
 - (c) the payment of salaries, allowances or other remunerations and benefits payable to the officers and other employees of the Institute;
 - (d) the development and maintenance of any property vested in or owned by the Institute; and
 - (e) such other activities that will promote the growth of the Institute or are connected with its functions (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 22: Expenditure and audited account of the Institute.

The Council shall keep proper accounts for the institute in respect to each financial year and proper records in relation to such accounts, and shall cause the accounts to be audited by a firm of auditors approved by the Council and the result for the audit published within six months from the end of the financial year to which the accounts relate (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART V — PROFESSIONAL DISCIPLINE

Clause 23: Establishment of Disciplinary Committee and Investigating Panel.

- (1) There is established an Institute of Co-operative Professionals of Nigeria (Chartered) Investigatory Panel.

- (2) Tribunal ("the Tribunal") is charged with the duty of considering and determining any case of misconduct involving a member that may be referred to it by the Investigating Panel established under subsection (3) of this section.
- (3) The Tribunal shall consist of a Chairman and six other members who shall be appointed by the Council from among members of the Institute, and who are not members of the Council.
- (4) There shall be a body to be known as the Institute of Co-operative Professionals of Nigeria (Chartered) Investigating Panel ("the Panel"), and who are charged with the duties of —
 - (a) conducting a preliminary investigation into any case where it is alleged that a member has committed an act of professional misconduct, or should for any other reason be the subject of proceedings before the Tribunal; and
 - (b) deciding whether the case shall be referred to the Tribunal after affording such a member an opportunity of being heard either personally or by a legal practitioner of his own choice in Nigeria.
- (5) The Council shall appoint members of the Panel from members of the Institute who are not members of the Council or the Tribunal.
- (6) A person shall not be appointed as a member of the Tribunal or of the Panel unless such a person is a chartered member and fellow of the Institute.
- (7) The provision of third Schedule to this Bill shall so far as they are applicable to the Tribunal and Panel, respectively have effect with respect to these bodies.
- (8) The Council may, from time to time, make rules consistent with this Bill as to acts, conducts or omissions which constitute professional misconduct (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 24: Penalties for professional misconduct.

- (1) Where —
 - (a) a person enrolled or registered under this Bill is adjudged by the Tribunal to be guilty of misconduct conduct in any professional respect;
 - (b) a person enrolled or registered under this Bill is convicted by any court or tribunal in Nigeria or elsewhere having power to impose a term of imprisonment for an offence (whether or not punishable with imprisonment) which is in the opinion of the Tribunal is incompatible with the status of a Nigerian Co-operative Professionals of Nigeria; or
- (2) The Tribunal may, if it deem fit —
 - (a) give a directive reprimanding that person or ordering the Registrar to strike his name off the relevant part of the register; or

- (b) defer or further defer its decision as to the giving of such directive under this section until a subsequent meeting of the Tribunal, provided that —
- (i) no decision shall be deferred under this section for period exceeding one year in the aggregate, and
- (ii) no person shall be a member of the Tribunal for the purposes of reaching a decision which has been differed or further differed unless he was present as a member of the Tribunal when that decision was deferred.
- (3) For the purpose of subsection (1) (b) of this section, a person shall not be treated as convicted unless the conviction stands at a time when no appeal is pending or no application for extension of time to appeal is brought in connection with the conviction.
- (4) When the Tribunal gives a directive under subsection (2) of this section, the Tribunal shall cause notice of the directive to be served on the person to whom it relates.
- (5) A person to whom a directive under subsection (2) of this section relates may, at any time within 21 days from the date of service on him of notice of the directives, appeal against the directives to the High court and the Tribunal may appear as respondent to the appeal and for the purpose of enabling directives to be given as to the costs of the appeal proceedings before the Federal High Court, the Tribunal shall be deemed to be a party thereto whether or not it appeals on the hearing of the appeal.
- (6) A directive on the Tribunal Under this section shall take effect where —
- (a) no appeal under this section is brought against the directive within the time limited for appeal;
- (b) such an appeal is brought and is withdrawn or struck out for want prosecution on the withdrawal or striking out of appeal.
- (c) such appeal is brought and is not withdrawn or struck out, if and when the appeal is dismissed, and shall not take effect except in accordance with foregoing provisions of this subsection.
- (7) A directive under this section for the striking off of a person's name from the register may prohibit an application under this subsection by that person until the expiration of such period from the date of the directive (and where he has recently made such an application from the date of his last application) as may be specified in the directive (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART VI — MISCELLANEOUS

Clause 25: Offences.

- (1) If a person for the purpose of procuring the registration of any name, qualification or other matters —

- (i) makes a statement which he believes to be false in a material particular; or
 - (ii) recklessly makes a statement which is false in a material particular is guilty of an offence.
- (2) If, on or after the commencement date of this Bill, a person who is not a member of the Institute practices or holds himself out as a member in expectation of a reward or takes or uses any name, title, addition or description implying that he is a member, commits an offence.
- (3) If the Registrar or any other person employed by or on behalf of the Institute willfully make any falsification in any matter relating to the register, commits an offence.
- (4) A person guilty of an offence under this section is liable —
- (a) on summary conviction to a fine not exceeding ₦50,000
 - (b) on conviction or indictment to a fine not exceeding ₦20,000 or to imprisonment for a term not exceeding two years or to both such fines and imprisonment (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 26: Interpretation.

"Co-operative" means a jointly commercial enterprise (usually organized by farmers or consumers) that produces and distributes good and services and is run for the benefits of its owner (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Professional" means a person engaged in one of the learned professions (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Administration" a method of tending to or managing the affairs of some group of people (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"President" means the overall head of the Council of the Institute (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Council" means the Council established as expanding governing body of the Institute under section 3 (1) of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Fees" includes annual subscription (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Institute" means the Chartered Institute of Co-operative Professionals of Nigeria established under section 1 (1) of this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Investigation Panel" means the Chartered Institute of Co-operative Professionals of Nigeria Investigation Panel established under section 4 of this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Member" means a Chartered member of the Institute registered in all the classes of membership (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Minister" means Minister in charge of Education (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Disciplinary Committee" means the Chartered Institute of Co-operative Professionals of Nigeria Disciplinary Committee established under section 4 of this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

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

Clause 27: Citation.

This Bill may be cited as the Chartered Institute of Co-operative Professionals of Nigeria (Establishment) Bill, 2023 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Qualification and tenure of office of members

1. (1) Subject to the provisions of this paragraph, a member of the Council shall hold office for a period of three years beginning from the date of his appointment or election.
- (2) A member of the Institute who ceases to be a member thereof shall if he is also a member of the Council, cease to hold office on the Council.
- (3) An elected member of the Council may by notice in writing under his hand addressed to the President of the Institute, resign his office.
- (4) If for any reason there is a vacation of office by a member and —
 - (a) such member was appointed by the Council, the Council shall appoint another fit and proper person to replace such member; or
 - (b) if such member was elected, the Council may, if the time between the unexpired portion of the term of office and the annual general meeting of the Institute appears to warrant the filling of the vacancy, co-opt some fit and proper persons.

Power of the Council, etc.

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

Orders of the Institution

3. (1) Subject to the provision of this Bill, the Council may in the name of the Institute make standing orders regulating the proceedings of the Institute, the Council or any of their committees.
- (2) Standing orders shall provide for decisions to be taken by a majority of the members and in the event of equality of votes, the President of the Institute or the Vice President as the case may be has a second or casting vote.
- (3) Standing orders made for committees shall provide for committees to report back to the Council on any matter referred to it by the Council.
- (4) The quorum of the Council shall be 8 and the quorum of a committee of the Council shall be determined by the Council.

Meetings of the Institute

4. (1) The Council shall convene an annual general meeting (AGM) and conference of the Institute on first week of November every year or such other day as the Council may, from time to time, appoint so that if the meeting is not held within one year after the previous meeting not more than 15 months shall elapse between the respective dates of the two meetings. The President of the Institute shall preside over the annual general meeting of the Institute.
- (2) A special meeting of the Institute may be convened by the Council at any time, if less than 20 members of the Institute are informed by notice in writing addressed to the Registrar of the Institute setting out the objects of the proposed meetings, the Chairman of the Council shall oversee a special meeting of the Institute.

Meetings of the Council

5. (1) Subject to the provisions of any standing order, the Council shall meet whenever it

is summoned by the President, and if the President is required to do so by notice in writing given to him by not less than seven other members, he shall summon a meeting of the Council to be held within seven days from the day on which the notice is given.

- (2) At any meeting of the Council, the President or in his absence, the Vice-President in their order (first, second or third) shall preside, but if both are absent, the members present at the meeting shall appoint one of themselves to preside at the meeting.
- (3) Where the Council desires to obtain the advice of any person on particular matter, the Council may co-opt him as a member for such period as the Council deems fit, but a person who is a member by virtue of this subparagraph, shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.
- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the Chairman who may give such directions as he thinks fit as to the procedure which shall be followed at the meeting.

Meetings of the Committees

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

Miscellaneous

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

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

Explanatory Memorandum:

A Bill for an act to Establish the Chartered Institute of Co-operative Professionals of Nigeria charged with the responsibility for Advancing the Training and Practice of Co-operative Professional and for related matters (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Chartered Institute of Co-operative Professionals of Nigeria Charged with the Responsibility for Advancing the Training and Practice of Co-operative Professional and for Related Matters (HB. 603) (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish Chartered Institute of Cooperative Professionals in Nigeria charged with the responsibility for advancing the Training and Practice of Cooperative Professionals and for Related Matters (HB. 603) and approved Clauses 1 - 28, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

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

(viii) A Bill for an Act to Establish College of Nursing and Midwifery, Otu Jeremi, Delta State and for Related Matters (HB.221) (Committee of the Whole):

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Establish College of Nursing and Midwifery, Otu Jeremi, Delta State and for Related Matters (HB.221)” (Hon. Julius Ihonvbere — House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR ESTABLISHMENT OF
FEDERAL COLLEGE OF NURSING, AND MIDWIFERY, OTU JEREMI,
DELTA STATE AND FOR RELATED MATTERS (HB.221)

PART I — ESTABLISHMENT OF THE COLLEGE OF NURSING AND MIDWIFERY

Clause 1: Establishment of the College of Nursing and Midwifery, Otu Jeremi, Delta State.

- (1) There is established a College of Nursing and Midwifery, Otu Jeremi, Delta State.
- (2) The College shall:

- (a) have the status of a tertiary institution with rights and privileges of such institutions; and
- (b) be a body corporate with perpetual succession and a common seal with powers to sue and be sued in its corporate name (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 2: Objects of the College.

The objects of the College shall be:

- (a) to provide training and research in Nursing and Midwifery, Health Sciences and other specialties of Nursing leading to the award of Professional Certificate, Diplomas and other post Basic Certificates;
- (b) to provide avenues for continuing education in Nursing, Midwifery, Health Sciences and other related specialties of Nursing; and
- (c) to provide such services that are necessary and incidental to the objects of the College (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 3: Functions of the College.

- (1) The College shall be a teaching and examining body and shall, subject to the provisions of the Act and the Regulations of the College have powers to:
 - (a) provide rules and conditions under which persons may be admitted as students for any particular course of study provided by the College;
 - (b) make provisions for research and the dissemination of knowledge;
 - (c) establish Departments and such other units of learning and research as the purpose of the College may require;
 - (d) create such offices and posts as the purpose of the College may require and to appoint persons to and remove persons from such offices or posts and prescribe their conditions of service;
 - (e) maintain libraries, laboratories, workshops, lecture halls, hostels, dining halls, sports field and other buildings of facilities of the College;
 - (f) provide for residence, recreation and welfare of member of staff and students of the College as may be deemed necessary;
 - (g) demand and receive students and other persons attending the College for the purpose of instruction such fees as the College may from time to time determine;
 - (h) prescribe rules for the discipline of students of the College;
 - (i) conduct examinations and arrange for award of certificates and distinctions to persons who pursue courses of studies approved by

the College and who satisfy such other requirements as may from time to time be prescribed;

- (j) subject to specific limitations or conditions that may be imposed by extant Government regulations, or circulars, invest any fund apportioned to the College by way of endowment, whether for general or special purpose, and such other monies as may not immediately be required for current expenditure in any investment or securities;
 - (k) print or publish works or undertake services as may be deemed consistent with the objects of the College;
 - (l) do such other acts and things necessary under this Bill for the attainment of the objects of the College or incidental to the powers of the College; and
 - (m) carry out any special or general directive consistent with Government policy as the Secretary of Health may give in writing.
- (2) Without prejudice to the generally of the provision of section 2 of this Bill and subsection (1) of this section, the College may special arrangement with the Nursing and Midwifery Council of Nigeria or other examination bodies prepare its students for award of Certificates or other distinctions.
- (3) Subject to provisions of this Bill and of any other statute, the powers conferred on the College by subsection (1) of this section shall be exercised on behalf of the College by the Council and the Committees established for the College or by such officers and other staff of the College as may be authorized in that behalf and may also be exercised through Schools established under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 4: Common Seal of the College.

- (1) The provost shall have custody of the common seal of the College and shall be responsible for affixing.
- (2) The common seal of the College shall not be used save upon the direction of the Council and shall be authenticated by the signature of the Provost (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART II — GOVERNING COUNCIL OF THE COLLEGE

Clause 5: Governing Council of the College.

- (1) There shall be established for the College a Governing Council to be known as the Governing Council of the College of Nursing and Mid-Wifery, and other related specialties of Nursing.
- (2) The Council shall consist of:
 - (a) Chairman, who shall be appointed by the President on the recommendation of the Minister;

- (b) a representative of the Federal Minister of Health;
- (c) the Provost of the College;
- (d) a representative of the Imo chapter of the National Association of Nigerian Nurses and Midwives;
- (e) two members to represent the interest of the Public to be appointed by the Minister on the recommendation of the interest he represent of Health;
- (f) a director of nursing in Imo state Hospitals Management Board; and
- (g) the Director, Nursing Services of the Secretariat who shall also serve as the Secretary (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 6: Tenure.

- (1) Members of the Council other than *ex-officio* members shall hold office for a period of four years from the date of their appointment and shall be eligible to re-appointment for one further term of four years and no more.
- (2) Any member of the Council other than an *ex-officio* member may notice to the Council resign his appointment.
- (3) Any vacancy occurring in the membership of the Council shall be filled by the appointment of a successor who shall represent the same interest as his predecessor for the remainder of the term of the predecessor (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 7: Power of the Council.

- (1) Subject to the provision of this Bill, the Council shall:
 - (a) be the governing authority of the College;
 - (b) be charged with the general control and superintendence of the policies, finances and properties of the College;
 - (c) make regulations for the day to day management of the College; and
 - (d) do any other thing necessary or incidental to attachment of objects of the College.
- (2) Without prejudice to the provisions of subsection (1) of this section, the Council shall:
 - (a) ensure that the courses and instructions provided by the College conform to the required standard laid down from time to time by the Nursing and Midwifery Council of Nigeria;
 - (b) regulate the teaching of courses offered by the College, and also regulate the conduct of examinations with respect to the College;

- (c) approve contracts for the procurement of equipments, furniture and other properties required for the purpose of the College;
 - (d) approve the contracts for maintenance of the premises and other properties of the College;
 - (e) formulate policies and initiate programmes in all fields of learning conducted by the college;
 - (f) assess from time to time the courses offered by the College; and
 - (g) perform such other functions as may be necessary.
- (3) The Council may delegate any of its functions, other than the power to make regulations, to the Chairman or any other person Committee it deems fit in that behalf, but no decision of such person or Committee shall take effect unless ratified by the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 8: Direction by the Minister.

- (1) The Minister of Health may give to the Council directions as to the discharge of its functions in relation to matters appearing to the Minister of Health to affect Public interest and the Council shall give effect to such directive.
- (2) The Council shall afford the Minister of Health facilities for obtaining information with respect to the Property of the College and the functions of the Council and shall be furnished with returns, accounts and afford to him facilities for verification of the information furnished in such manner and at such times as he may require (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART III — SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE

Clause 9: Establishment of School of Nursing, etc.

- (1) There shall be within the College a School of Nursing and School of Midwifery and such other Schools as the may be with the approve by the Nursing and Midwifery Council of Nigeria.
- (2) Each school shall provide instruction for courses, conduct research and carry out such other functions as may be prescribed by the Council with the approval of the Minister.
- (3) The constitution of and other matters relating to each school may be prescribed by the Council with the approval of the Minister (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 10: Establishment of Departments.

In furtherance of the provisions of Section 3 (1) (c) of this Bill, the Council shall with the approval of the Minister of Health establish for each School such

Departments as the Nursing and Midwifery Council of Nigeria may from time to time prescribe (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 11: Subject to the provision of this Bill, the Council may with the approval of the Minister of Health establish units for special purposes within the College; and the name, constitution and functions of any units may be prescribed by direction of the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART IV — PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE

Clause 12: There shall be for the College a Provost and other principal officers, the designations, qualifications, functions and appointments of whom shall be as spelt out in sections 19 to 25 of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 13: Principal Officers.

- (1) The Principal Officers of the College shall include:
 - (a) the Provost of the College;
 - (b) the Deputy Deans (Academic and Administration) of the school in the College;
 - (c) the Registrar;
 - (d) the College Librarian; and
 - (e) the Bursar.
- (2) The Principal Officers of the College other than Deans and Deputy Deans of Schools in the College shall be appointed by the Council subject to the approval of the Minister.
- (3) The Deans and Deputy Deans of Schools in the College shall be appointed by the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 14: Provost.

- (1) The Provost shall be appointed from amongst the academic staff of the College and shall be the Chief Executive and Administrator of the College and also be responsible to the Council for maintaining and promoting efficiency and discipline in the College.
- (2) The Provost shall hold Degree in Nursing and shall be a registered Educator in Nursing, Midwifery or other specialty areas of Nursing with not less than fifteen years of teaching experience (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 15: Deans.

- (1) The Deans of Schools in the College shall be responsible to the Provost for the Administration of the Schools.
- (2) The Deans of Schools in the College shall hold degree in Nursing and shall be registered Educators in the Nursing specialty with not less than ten years of teaching experience (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 16: Deputy Deans.

The Deputy Deans of Schools in the College shall be the Chief Assistants to the Deans of their respective Schools and shall perform such duties as may be assigned by the Deans (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 17: The Registrar.

- (1) The Registrar of the College shall be the head of administrator of the School and shall be responsible to the Provost.
- (2) The Registrar shall be an experienced graduate in humanities with not less than fifteen years' experience
- (3) The person holding the office of the Registrar of the College shall by virtue of that office be the Secretary of Academic Board and the Finance and General Purpose Committee (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 18: The Bursar.

- (1) The Bursar shall be the Chief Financial officer of the College and shall be responsible to the Provost for the day to day administration of the financial affairs of the College.
- (2) The Bursar shall be a qualified Accountant with not less than ten years post qualification experience (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 19: The Librarian.

- (1) The Librarian shall be responsible to the Provost for the co- ordination of Library services in the College.
- (2) The Librarian shall have a degree in Library Sciences with not less than ten years post qualification experience as a Librarian (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 20: Contract Appointment.

The Council may appoint such other persons to be staff of the College as it may deem fit on such terms and conditions as may be specified in their instruments of appointment (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 21: Removal.

- (1) The Principal Officers and other senior staff of the College may be removed from office by the Minister for misconduct, incompetence or any other justifiable reason on the recommendation of the Council
- (2) The Council shall the power to remove any junior staff of the College for justifiable reasons (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART IV — ESTABLISHMENT AND FUNCTIONS OF COMMITTEE

Clause 22: Establishment and functions of Committee.

- (1) There shall be a Committee of the Council to be known as the Finance and General Purpose Committee.
- (2) The Finance and General Purpose Committee shall consist of:
 - (a) the Chairman of the Governing Council who shall be the Chairman;
 - (b) the representative of the Minister of Health;
 - (c) the Provost of the College;
 - (d) the Director of Finance and Administration;
 - (e) the Director of Nursing Services; and
 - (f) one member of the Academic Committee to be appointed by the Council.
- (3) The Registrar shall be the Secretary of the Committee (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 23: Exercise of Control.

The Finance and general Purpose Committee shall:

- (a) exercise control over property, revenue and expenditure of the College;
- (b) award contracts for the execution of projects of the College; and
- (c) perform such other functions as the Council may Delegate to it (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 24: Power to Constitute Committees.

- (1) Further to the provisions of Section 11 of this Bill, anybody of persons established by this Bill shall, without prejudice to the generality of the powers of that body, have power to constitute Committees, which need not consist exclusively of members of that body, and to authorize a Committee established by it:

- (a) to exercise, on its behalf, such of its functions as it may determine; and
 - (b) to co-opt members, and may direct whether or not co-opted Members, if any, shall be entitled to vote in that Committee
- (2) Any two or more of such bodies may arrange for the holding of joint meetings of those bodies or for the appointment of Committees consisting of members of those bodies for the purpose of considering any matter within the competence of those bodies or any of them and either of dealing with it or of reporting on it to those bodies or any of them.
- (3) The quorum and procedure of a Committee established or meeting held In pursuance of this section shall be such as may be determined by the body or bodies which have decided to establish the committee or hold the meeting (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VI — ACADEMIC BOARD

Clause 25: Academic Board.

There shall be for each school of the College an Academic Board which shall be responsible for the academic work of the school (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 26: Composition of the Academic Board.

The Academic Board of each School of the College shall be composed:

- (a) the Provost of the College, as Chairman;
- (b) the Dean of the School, as Deputy Chairman;
- (c) the Deputy of Deans of the School;
- (d) all Heads of Departments of the School;
- (e) one Academic staff not below the rank of Senior Lecturer to be selected from each of the Departments of the School;
- (f) a representative of the Director, Nursing Services in the Secretariat;
- (g) the School Librarian; and
- (h) the Registrar who shall be Secretary of the Board (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 27: Functions of the Academic Board.

Subject to the overall control and direction of the Council, the Academic Board of each School of the College shall perform the following functions:

- (a) regulating and organising the process of admissions, conduct of

examinations, award of certificates and all formalities relating to the registration and licensing of graduates;

- (b) making recommendations to the Council on appointment of academic staff of the School and on the organization of Departments, Libraries and other units of learning and research in the school;
- (c) making guidelines for the purpose of exercising any of the functions conferred on it under the provisions of this Section;
- (d) preparing curriculum for the School in line with guidelines from the Nursing and Midwifery Council of Nigeria and or other regulatory bodies;
- (e) performing such other functions that may be assigned to it by the Council (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART VII — SUPPLEMENTARY PROVISIONS

Clause 28: The supplementary provisions contained in the Schedule shall have effect in relation to the proceedings of the various bodies appointed under the provisions of this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 29: Delegated Power of the Provost.

In the absence of the Council and until it is constituted for the College the functions and powers of the Council under this Bill may be exercised by the provost of the College (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 30: Transfer.

The Minister, may, by order transfer any property whether movable or immovable to the college and from the date of such order, any property so transferred shall vest in the College and shall be used for the purpose of the College (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 31: Power to own Property.

The Council may, subject to the provisions of this Bill:

- (a) acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Bill;
- (b) invest the funds of the College in such manner and such extent as it may deem necessary or expedient; and
- (c) enter into contractual agreements on behalf of College (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 32: Authority to incur Expenditure.

- (1) The Council shall have power to approve expenditure of over ₦100,000.00 but not exceeding the ₦1,000,000.00 per unit transaction for the procurement of goods, works and services and shall refer procurements exceeding the amount to the Secretary of Health.
- (2) The Provost shall approve procurement of works, goods and services not exceeding ₦100,000.00 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 33: Fund for the College.

The revenue of the College shall include;

- (a) revenue from time to time accruing to the College by way of Government grant, subvention or endowment or other forms of grant-in-aid;
- (b) fees charged by and payable in respect of students;
- (c) any other amounts, charges or dues recoverable by the College;
- (d) receipts for publications or services;
- (e) interest on investments;
- (f) donations and Legacies (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 34: Estimates and Expenditure.

Before the end of each financial year, or at such other time as may be required by the Council, the Director, Finance and Administration or the Provost shall present to the Council estimates of revenue and expenditure for the ensuing financial year (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 35: Account and Audit.

- (1) The College shall prepare in respect of each financial year a statement of account in such form as may be approved by the Minister and the said annual statement of accounts shall be a fair and accurate statement of the financial positions of the College for the financial year to which it relates.
- (2) The said Annual Statement of Accounts shall be Audited by the Auditor-General of the Federation or by Such competent auditors appointed by him.
- (3) The said audited statement of accounts, after verification by the Council shall together with the auditor's report be forwarded to the secretary of Health who shall cause the same to be placed before the Minister (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 36: Interpretation.

In this Bill:

"Academic Board", means the Academic Board established under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Chairman" means the Chairman of the Governing Council of the College or where the context requires a chairman of the respective committees established under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"College" means College of Nursing, Midwifery and Health Sciences, Otu Jeremi, Delta State (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Council" means the Governing Council established under section 4 (1) of this Bill for the College (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Executive Committee" means the Federal Executive Committee (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Junior Staff" is a reference to staff on CONHESS 01-05 or salary Grade Levels 01-06 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Members" means members of the Council and include the Chairman of the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Minister" Minister of Health (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Provost" means the Provost of the College (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Regulations" means any regulation formulated for the College by the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Secretariat" means Federal Ministry of Health (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Secretary" means the Secretary to the Council of the College and other-wise means the Secretary of any Committee established under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Senior Staff" is reference to staff on CONHESS 06-16 or Salary Grade Level 07-17 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

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

Clause 37: Short Title.

This Bill may be cited as the Federal College of Nursing and Midwifery, Otu Jeremi, Delta State (Establishment) Bill, 2023 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Explanatory Memorandum:

This Bill seeks to provide for establishment of Federal College of Nursing and Midwifery, Otu Jeremi, Delta State (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Provide for Establishment of Federal College of Nursing, and Midwifery, Otu Jeremi, Delta State and for Related Matters (HB.221) (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish College of Nursing and Midwifery, Otu, Jeremi, Delta State

and for Related Matters (HB.221) and approved Clauses 1 - 37, the Explanatory Memorandum, and the Long Title of the Bill.

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

- (ix) ***A Bill for an Act to Repeal the National Film and Video Censors Board Act, Cap. N40, Laws of the Federation of Nigeria, 2004 and Enact the National Film and Video Censorship, Classification and Exhibition Regulatory Commission Act for the Classification of Films Video works, Musical Videos and Video games and for the Regulation of their Sales, Rentals, Distribution, Exhibition and for Related Matters (HB.475) (Committee of the Whole):***

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Repeal the National Film and Video Censors Board Act, Cap. N40, Laws of the Federation of Nigeria, 2004 and Enact the National Film and Video Censorship, Classification and Exhibition Regulatory Commission Act for the Classification of Films Video works, Musical Videos and Video games and for the Regulation of their Sales, Rentals, Distribution, Exhibition and for Related Matters (HB.475)” (Hon. Julius Ihonvbere — House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE NATIONAL FILM AND VIDEO CENSORS BOARD ACT, CAP. N40, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NATIONAL FILM AND VIDEO CENSORSHIP, CLASSIFICATION AND EXHIBITION REGULATORY COMMISSION ACT FOR CLASSIFICATION OF FILMS, VIDEO WORKS, MUSICAL VIDEOS AND VIDEO GAMES AND FOR THE REGULATION OF THEIR SALES, RENTALS, DISTRIBUTION, EXHIBITION; AND FOR RELATED MATTERS (HB. 475)

PART I — ESTABLISHMENT OF THE NATIONAL FILM AND VIDEO CLASSIFICATION COMMISSION

Clause 1: Establishment of the Commission.

- (1) There is established a body to be known as the National Film and Video Classification Commission (in this Bill referred to as "the Commission").
- (2) The Commission:
 - (a) shall be a body corporate with perpetual succession and common seal;
 - (b) may sue and be sued in its corporate name; and
 - (c) may acquire, hold or dispose of any property, movable or immovable, for the purpose of carrying out any of its functions under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 2: Functions of the Commission.

The Commission shall:

- (a) Examine and classify films and video works, musical videos and video games;
- (b) License:
 - (i) a person to sell, hire, rent or supply films and video works, musical videos and video games,
 - (ii) a premises for the purposes of exhibiting films and video works, musical videos and video games,
 - (iii) a person to exhibit films and video works, musical videos and video games,
 - (iv) online platforms engaged in sales, rentals, leasing, distribution or exhibition of films and video works, musical videos and video games;
- (c) register all:
 - (i) film and video exhibition premises,
 - (ii) film and video distributor and retailers,
 - (iii) video shops, video clubs cinemas and viewing centres,
 - (iv) films and video works, musical videos and video games censored and classified;
- (d) approve materials for the advertisement of a film and video work, musical video and video game;
- (e) keep record of all films and video works, musical videos and video games:
 - (i) submitted for approval,
 - (ii) approved,
 - (iii) refused approval;
- (f) keep a record of all necessary information on a film and video producer; whose work is to be sold, hired, rented or supplied or exhibited in Nigeria and abroad
- (g) keep records of all changes in any register belonging to the Commission;
- (h) regulate and control cinematographic exhibitions;
- (i) regulate the import of foreign films, video works, musical videos and video games, and export of Nigerian films, video works, musical videos and video games for classification;

- (j) receive and investigate complaints from licensees, consumers and other persons concerning censorship and classification in the film industry;
- (k) be responsible for the protection of the public interest by ensuring that operators in the industry carry out their trade with due regard to public interest;
- (l) advise the Federal Government generally on all censorship and classified matters concerning or relating to the film and video industry in Nigeria;
- (m) perform such other functions as are necessary or expedient for the discharge of all or any of the functions under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 3: Membership of the Governing Board of the Commission.

- (1) The Board shall consist of:
 - (a) a Chairman; who shall be an eminent Nigerian with sound knowledge of the Nigerian arts and culture and requisite experience in the film related discipline, appointed by the President on the recommendation of the Minister;
 - (b) a representative of each of the six geographical zones of Nigeria excluding the zone represented by the Chairman, who shall be a university lecturer in any Federal government university in that geographical zone with sound knowledge of the Nigerian arts and culture and requisite experience in a film related discipline;
 - (c) a representative of the Nigerian Copyright Commission;
 - (d) the Director General of the Commission.
- (2) The provision of the first Schedule to this Bill shall have effect with respect to the proceedings of the Board
- (3) The Chairman and other members of the Board shall be persons of proven integrity who by reason of their professional or business attainments are in the opinion of the Minister capable of making useful contributions to the work of the Commission.
- (4) The members of the Board, other than the Director-General shall be part-time (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 4: Cessation of Members.

- (1) A member of the Commission may be removed from office by the President if he is satisfied that it is not in the interest of the Commission or the public that the member should continue in office.
- (2) A member shall resign his appointment by a letter addressed to the President, through the Minister.
- (3) Whenever 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 his predecessor, the successor shall represent the same interest as his predecessor (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 5: Tenure of Office.

Subject to the provision of this Bill, a member of the Board other than an ex-officio member shall hold office for a period of three years from the date of his appointment and may be reappointed for another term of three years only (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 6: Allowances.

Members of the Board appointed under subsection (1) (a), (b) and (c) of section 3 of this Bill shall be paid such allowances as the Government may determine (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART II — STAFF OF THE COMMISSION

Clause 7: Director-General.

There shall be a Director General for the Commission to be appointed by the President on the recommendation of the Minister. The Director General shall:

- (i) be a person with reasonable knowledge or experience in media the film Industry;
- (ii) be the Chief Executive and Accounting officer of the Commission and shall be
- (iii) be responsible for the execution of the policies of the Commission and its day to day administration
- (iv) hold office for a term of four years and may be re-appointed for another term of four years only (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 8: Secretary/Legal Adviser to the Commission.

- (1) The Board shall appoint a Secretary/Legal Adviser recommended by the Director- General to the Commission who shall amongst other things, keep records, conduct the correspondence of the Commission, give legal advice/opinion, organise Board and Management meetings and carry out such other duties as the Commission or Director- General may from time to time; direct.
- (2) The Secretary/Legal Adviser shall have at least 10 years post-call experience as a lawyer.
- (3) The Legal Adviser and other Legal Officers of the Commission shall have

powers to prosecute, conduct or defend before a court of law any charge, information, complaint or other proceedings arising from the implementation of the provisions of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 9: Other Staff of the Commission.

The Commission may appoint such other persons as employees of the Commission as it may consider necessary (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 10: Creation of Departments and Units.

The Commission may create such number of Departments or Units as may be necessary for the efficient management of the Commission (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 11: Conditions of Service.

- (1) The terms and conditions of service including terms and conditions as to remuneration, allowances, retirement and other benefits of officers and other employees of the Commission shall be as may be determined by the Commission.
- (2) The Board may, subject to the provisions of this Bill, make staff regulations relating generally to the conditions of service of the employees of the Commission and without prejudice to the foregoing, such regulation 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 and other disciplinary measures.
- (3) Until such regulations are made, any instrument relating to the conditions of service of officers in the civil service of the Federation shall be applicable.
- (4) Employees of the Commission shall be entitled to pensions, and other retirement benefits as prescribed under the Pension Act (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART III — FINANCIAL PROVISIONS

Clause 12: Funds of the Commission.

- (1) The Commission shall establish and maintain a fund, which shall consist of:
 - (a) such sums as may be appropriated to the Commission by the Federal, Government;
 - (b) fees and charges for services rendered by the Commission or publications made by the Commission;

- (c) all other sums of money accruing to the Commission by way of gift, disposition or otherwise;
- (2) The Commission shall after the National Assembly approval from time to time apply the proceeds of the fund established pursuant to subsection (1) of this Section to the cost of the administration of the Commission (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 13: Borrowing Power.

The Commission may, with the consent of and in accordance with the general authority given by the Minister, borrow such sums of money as the Commission may require in the exercise of its functions under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 14: Annual Estimates.

The Commission shall not later than 30th September in each year submit to the Minister, for National Assembly approval, an estimate of its expenditure and income for the next year (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 15: Audit or Accounts.

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 in accordance with the guidelines supplied by the Auditor-General for the Federation (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART IV — JUDICIAL PROCEEDINGS

Clause 16: Jurisdiction of Court.

Save and except as it is contained in the provisions of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), The Federal High Court shall have exclusive jurisdiction over any matter under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 17: Limitation of Suits.

- (1) Notwithstanding anything in any other enactment, no suit against the Commission or member of staff of the commission for any act done in pursuance of the provisions of this Bill, or of any public duty of the Commission or in respect of alleged neglect or default in the execution of such enactment or law, duties or authority, shall lie or be instituted in court unless it is commenced within twenty four months next after the act, neglect or default complained of and in the case of continuance of damage or injury, within three months next after the ceasing thereof.
- (2) No suit shall be commenced against the Commission before the expiration of a period of one months after written notice of intention to commence the

suit shall have been served upon the Commission by the intending plaintiff or his agent; and the notice shall clearly and explicitly state the cause of action, the particulars of claims, the name and place of abode of the intending plaintiff and the relief which he claims

- (3) The notice referred to in sub-section (2) of this Section, any other notice, summon, process, document required or authorized to be served upon the Commission under the provisions of this Bill or any other enactment or law shall be served by delivering the same to the Director-General of the Commission at the head office of the Commission (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 18: Indemnity of members and employees of the Commission.

Every member, agent, auditor or employee of the Commission shall be indemnified by the Commission against any liability incurred in the course of carrying out official duties (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART V — LICENSING OF PREMISES AND EXHIBITORS

- Clause 19:**
- (1) Subject to the provisions of this Bill, no person shall exhibit a film, video work or video game unless he is a holder of a licence granted by the Commission under this Bill.
 - (2) No premises shall be used for film or video exhibition except in accordance with a licence granted under this Bill
 - (3) An application for licence as exhibitor shall be accompanied with evidence of payment of the prescribed fee
 - (4) The provisions of this section shall not apply to:
 - (a) a film or video exhibition in a premises to which the public is not admitted, provided such films and videos are classified and approved by the Commission
 - (b) premises employed by the Federal, State or Local Government for cinematographic purposes;
 - (c) premises owned by Federal, State or Local Government but not used for commercial purposes, and
 - (d) a film or video exhibition aimed at educating, instructing or enlightenment purpose (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 20: General Safety Provisions.

- (1) No premises shall be licensed for carrying on the business of film or video exhibition unless:
 - (a) the premises are provided with such means of escape in case of fire,

as the Federal or State fire service may reasonably require and such means of escape are maintained in good condition and free from obstruction; or

- (b) where the premises forms part of a building and such part is either:
 - (i) separated from any other part of the building by fire-resisting partitions (including fire-resisting ceilings and floors) and fire-resisting self closing doors, or
 - (ii) so constructed that a fire occurring thereon is not likely to spread to other parts of the building and its use for the purposes to which this Bill applies are sanctioned in writing by the Commission and any conditions attached thereto are complied with; the premises are provided with adequate means of extinguishing fire having regard to the amount of inflammable materials in the premises;
- (d) the furniture and apparatus in the premises are so arranged as to afford free access to persons in the premises in the event of fire the fittings are as far as is practicable, of non-inflammable or fire-resisting materials;
- (f) there is kept posted up in large characters in the premises, instructions as to the action to be taken in case of fire and full directions as to the means of escape from the premises in case of fire; and
- (g) the fittings of the store-room are as far as practicable, of non-inflammable or fire-resisting materials (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 21: Application for Licence of Exhibition Premises.

An application for the grant of a licence to use a premises for the purpose of a film or video exhibition shall contain or be accompanied by:

- (a) such information, documents and other materials the Commission may from time to time prescribe; and
- (b) a certificate issued by the Federal or State Fire Service stating that the premises conforms with the necessary safety regulations
- (c) evidence of the payment prescribed fee (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 22: Issuance of Licence.

The Commission shall issue a license to the applicant in respect of the premises with such conditions as may be imposed or attached theret, having satisfied that:

- (a) an application for a licence has been made in the prescribed manner and contains all information or accompanied by all documents required under Section 21 of this Bill;

- (b) the premises are constructed and equipped to such standards as may be prescribed;
- (c) the applicant is capable of complying with such conditions as may be imposed or attached to the licence (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 23: Variation, revocation, etc. of license by the Commission.

Notwithstanding the provisions of section 22 and any other section of this Bill, the Commission may in case of violation of the license requirement and attached condition with the existing licensee:

- (a) refuse to grant a licence; or
- (b) at any time modify or vary the terms, conditions and restrictions of a licence; or
- (c) revoke any licence already granted under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 24: Validity of Licence.

- (1) Unless a licence is revoked under section 23 of this Bill, it shall remain in force for two years or for such shorter period as the Commission may, on the grant of the licence determine and such licence shall not be transferable.
- (2) Where, before the date of expiry of a licence, an application has been made for renewal of the licence, the licence shall be deemed to remain in force or as the case may require, having effect with any such necessary modifications until the determination of the application by the Commission (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 25: Entry, Search and Seizure.

- (1) If the court is satisfied by information on oath that:
 - (a) there is reasonable ground for suspecting that an offence under this Bill has been or is being committed on any premises; or
 - (b) there is evidence that an offence has been or is being committed on any premises, the court may issue a warrant authorizing the person applying for the warrant to enter and search the premises.
- (2) A police officer or any other person authorized in that behalf to enter or search any premises in pursuance of a warrant under subsection (1) of this Section, and seize anything found therein which he has reasonable grounds to believe may be required to be used in evidence in any proceedings for an offence under this Bill.
- (3) Where any property is seized under the provision of this Bill, the property shall be in the custody of the Commission pending the completion of investigation or the determination of the case in the case of a prosecution.

- (4) If a police officer or any other person authorized in that behalf has reasonable grounds for suspecting that a person has committed an offence under this section, he may require the suspect to give his or her name and address, and if that suspect refuses or fails to do so or gives a name or address which the police officer or the person authorized in that behalf reasonably suspects to be false, the police officer or the person so authorized in that behalf may arrest the suspect for prosecution (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 26: Sealing of video outlet.

Officers of the Commission shall have the powers to seal up any premises not licensed or registered with the Commission or in which unclassified films or video works, musical videos and video games are exhibited or sold, hired, rented or supplied (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 27: Register of Films, Video works and video games.

An exhibitor of films or video works and video games shall cause to be kept at his registered office the film or video work exhibited by him and a register containing:

- (a) the title and registered length of the film or video work, video game;
- (b) information regarding the origin of the film or video work or video game;
- (c) the details of approval for the film, video work or video game;
- (d) the respective dates on which or the period during which the film, video work or video game has been exhibited to the public; and
- (e) such other particulars with respect to the film, video work or video game as may be prescribed for the purpose of identification in accordance with guidelines by the Commission (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VI — LICENSING OF DISTRIBUTOR AND RETAILERS

Clause 28: Licensing of Distributor and retailers.

- (1) No person shall:
 - (a) carry on the business of distributing, retailing or renting of any film or video work, musical video, video game; or
 - (b) display any film or video work anywhere for the purpose of soliciting patronage, without evidence of censor and classification of such work from the Commission pursuant to this Bill.
- (2) An application for licence as a distributor or retailer of films or video works, musical videos and video games shall be accompanied with evidence of payment of the prescribed fee.
- (3) A licence granted under the provisions of this section shall specify the area

within which the applicant is expected to operate (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 29: Records to be kept by a distributor and retailer.

- (1) A distributor of films or video works, musical videos and video games shall cause to be kept in the premises at which the film, video work, musical video or video game is delivered for distribution, a register containing:
 - (a) the title and registered length of the film, video work, musical video or video game;
 - (b) information regarding the origin of the film, video work, musical video or video game;
 - (c) the details of the classification approval of the film, video work, musical video or video game; and
 - (d) such other particulars with respect to the film, video work, musical video or video game as may be prescribed for the purpose of identification in accordance with guidelines by the Commission.
- (2) A retailer of films, video works, musical videos or video games shall cause to be kept in the premises at which the film, video work, musical video or video game is delivered for sales or rentals, a register containing:
 - (a) the title of film, video work, musical video or video game;
 - (b) the source of his supply;
 - (c) the quantity of each title he received, and
 - (d) the quantity of each title he has sold or rented.
- (3) A distributor or retailer of a film or a video work shall, whenever requested by a person authorized in that behalf by the Commission, produce to that person, such books or other relevant documents (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VII — REGISTRATION OF FILMS, VIDEO WORKS,
MUSICAL VIDEOS AND VIDEO GAMES

Clause 30: Registration of a film or video work, musical video or video games.

No person shall sell, hire, rent or supply or exhibit a film or video work, musical video or video game that is not registered with the Commission (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 31: Register of Films and Video works, musical videos and video games.

- (1) There shall be kept by the Commission a register of films and video works, musical videos and video games containing particulars in relation to each film or video work.

- (2) The register shall be opened for inspection by members of the public on payment of the prescribed fee.
- (3) On a request by any person and on payment of the prescribed fee, the Commission through its designated officer shall furnish that person a Certified True Copy of the entry in the register relating to a particular film or video work (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 32: Correction of Register.

- (1) If at any time after registration of a film, video work, musical video or video games the Commission, upon making any such inquiries as it thinks desirable, is satisfied that the film or video work either ought not to have been registered or is erroneously or incorrectly registered in any particular, the Commission shall cause the necessary deletion or correction to be made in the register.
- (2) Where the Commission deems it necessary considering the circumstances, it shall issue to the copyright owner or the presenter of the film, video work, musical video or video game a certificate of registration to replace any such certificate previously issued in respect of the film, video work, musical video or video game (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 33: Evidence of Registration.

The registration of a film, video work, musical video or video game may be proved by the production of:

- (a) the certificate of registration issued; or
- (b) a Certified True Copy of the entry in the register relating to the film, video work, musical video or video game and such Certified True Copy shall be issued by an officer specified by the Commission (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VIII — EXAMINATION AND CLASSIFICATION OF FILMS,
VIDEO WORKS, MUSICAL VIDEOS AND VIDEO GAMES

Clause 34: Online Distribution and Exhibition of Films/Video works, musical videos and video games.

- (1) No person shall carry on the business of online supply, sale, rental or exhibition of films or video works, musical videos and video games unless he is a holder of a license granted by the Commission,
- (2) No film, video work, musical video or video game shall be sold, hired, rented or supplied online except it has been examined and classified by the Commission.
- (3) Any person who contravenes the provisions of subsection (1) and (2) above is guilty of an offence under this Bill is guilty of an offence and shall be liable on conviction to a fine of two million Naira, or six months imprisonment.

- (4) In addition to any penalty prescribed for the above offence in this Bill, the relevant Government Agency regulating the platform on which such online distribution and exhibition of film, video work, musical video or video game are done shall take all necessary actions to ensure that the provisions of this Bill are complied with (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 35: Classification Certificate.

- (1) No person, organization and corporate body shall exhibit, sell, hire, rent, market, supply or cause or allow to be exhibited, sold, hired, rented or supplied a film, video work, musical video or video game without classification and release certificates issued by the Commission in respect of the film, video work, musical video or video game.
- (2) An application for the examination and classification of a film, video work, musical video or video game shall be accompanied with the evidence of payment of the prescribed fee.
- (3) An application for a Release Certificate shall be made after the film has been registered by the Commission (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 36: Exempted Exhibition.

- (1) Nothing in section 35 of this Bill shall apply to any documentary film or video work imported, produced or issued by or on the direction of:
 - (a) the Federal, State or Local Governments;
 - (b) the diplomatic representative of a commonwealth or any other foreign country so long as it is not for commercial purpose;
 - (c) the United Nations, African Union or any other global or regional organization or any organ of such organizations; and
 - (d) an educational, scientific or cultural body or society including any broadcasting and television organization.
- (2) For the purposes of exempting an imported film, video work, musical video or video game under the provisions of subsection (1) of this section, a notice of importation of the film, video work, musical video or video game shall be given to the Commission within 14 days of such importation for its due registration by the Commission.
- (3) A video shall not be classified as an exempted work for the purpose of subsection (2) of this section if, to any significant extent, it:
 - (a) depicts explicit sexual activities or acts of force or restraint associated with such activities;
 - (b) depicts mutilation or torture of or other acts of gross violence towards humans or animals;

- (c) depicts human genital organs or human urinary or excretory functions;
 - (d) is designed to stimulate or encourage anything falling within paragraph (a) of this section or in the case of anything falling within paragraph (b), it is designed to any extent to do so;
 - (e) is religious; or
 - (f) contains ethnic prejudice either by word or action.
- (4) An application for exemption from classification and approval for exhibition of the film shall be accompanied with evidence of payment of the prescribed fee.
 - (5) The Commission may, if it deems fit in each circumstance, arrange the viewing of a film or video work or verify any information given to it by the applicant.
 - (6) Where the Commission is satisfied that a film or video is of the type to be subjected to examination, the Commission shall apply the provisions of this Bill as they relate to examination of film and video.
 - (7) The production of an exemption certificate shall be prima facie evidence of such exemption (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 37: Examination and Classification Committees.

- (1) The Commission shall set up Examination and Classification Committees to be known as the "Classification Committee", for the purpose of examining and classifying films, video works, musical videos and video games.
- (2) The Committee shall be charged with the duty of examining the contents of films, video works, musical videos and video games in accordance with section 38 of this Bill.
- (3) The Committee shall assign a classification to a film, video work, musical video or video game having regard to the classification categories contained under this Bill.
- (4) No person, other than members of the Committee shall be present when a film or video work, musical video or video game is shown for examination classification purposes except the presenter and such other person as may be specifically authorized by the Director General.
- (5) The Committee shall not later than 7 days after its decision notify an applicant of its decision (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 38: Examination Criteria.

- (1) The Committee in reaching a decision on a film, video work, musical video or video game shall ensure that:

- (a) such a film, video work, musical video or video game has educational or entertainment value apart from promoting Nigerian culture, unity and interest; and
- (b) such film, video work, musical video or video game is not likely to:
 - (i) undermine national security,
 - (ii) induce or reinforce the corruption of private or public morally,
 - (iii) encourage or glorify the use of violence,
 - (iv) expose the people of African heritage to ridicule or contempt,
 - (v) encourage illegal or criminal acts,
 - (vi) encourage racial, religious or ethnic discrimination or conflict,
 - (vii) by its contents, to be blasphemous or obscene, or
 - (viii) denigrate the dignity of womanhood.
- (2) The Committee shall not approve a film, video work, musical video or video game, which in its opinion depicts any matter, which is:
 - (a) indecent, obscene or likely to be injurious to morality;
 - (b) likely to incite or encourage public disorder or crime;
 - (c) undesirable in the public interest; or
 - (d) an institutional misrepresentation (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 39: Alteration and Excision.

- (1) A film, video work, musical video or video game shall be sold, hired, rented, supplied or exhibited in exactly the same form, with the same contents, name and promotional materials with which it was classified and registered by the Commission without alteration.
- (2) A film, video work, musical video or video game as well as its promotional materials to which any matter has been added or removed after it had been approved by the Commission shall be re-submitted for examination and classification and the previous classification shall be deemed to have been withdrawn.
- (3) The Commission may, at any time, order the withdrawal of a film, video work, musical video or video game from circulation, distribution, sale, rental or exhibition for the purpose of further examination if it is satisfied that such withdrawal is necessary in the public interest.

- (4) The Commission shall retain any excised portion of a film, video work, musical video or video game as long as it deems fit.
- (5) The Commission may in its discretion, retain in its custody, film, video work, musical video or video game which it has not approved for sale, supply, rental or exhibition, and in the case of imported film, video work, musical video or video game, until it is ready for exportation back to the country of origin or its decision is set aside on appeal.
- (6) The Commission shall reserve the right to revoke, withdraw or vary any certificate issued by it in respect of a film, video work, musical video or video game if certain conditions attached to the certificate are not complied with or because of new facts that have come to its knowledge and notice of such revocation, withdrawal or variation shall be communicated to the presenter within 7 days of such decisions (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 40: Classification Categories of Film or Video Work.

- (1) Where the Commission approves a film, video work, musical video or video game, it shall state in the certificate issued either in full or by the use of appropriate symbols, the classification of the film, video work, musical video or video game as follows:
 - (a) "G" to indicate for General Exhibition;
 - (b) "PG" to indicate Parental Guidance;
 - (c) "12" to indicate not recommended for children below the age of 12 years;
 - (d) "12A" for public exhibition, to indicate not suitable for persons under 12 years unless accompanied by an adult
 - (e) 15A for public exhibition, to indicate not suitable for persons under 15 years unless accompanied by an adult;
 - (f) "18" to indicate for mature audience;
 - (g) "RE" to indicate restricted exhibition for selected audience approved by the Commission.
- (2) The Commission may by regulations make such other classifications as may from time to time be necessary.
- (3) Every copy of a film, video work, musical video or video game to be distributed, supplied, retailed, leased or hired out shall be affixed with a classification authentication label which shall be obtained from the Commission upon payment of fee (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 41: Reproduction of certificate of Approval to be projected.

- (1) A person who exhibits or causes to be exhibited a film or video approved by

the Commission shall, immediately before the exhibition of such film or video, cause to be projected on the screen on which the picture is to be exhibited, a reproduction of the certificate of classification approved by the Commission for the film or video and the projection on the screen shall be clearly visible throughout the registered premises.

- (2) Market copies of approved and classified films, video works, musical videos and video games shall have the appropriate advisory at the beginning of the film or video work (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 42: Samples Copies of Posters, etc.

- (1) An application for the classification of a film, video work, musical video or video game shall in addition to the film submitted be accompanied by a sample copy of the disc jacket and poster for its advertisement.
- (2) The powers of the Commission under Section 38 of the Act shall apply to the disc jacket and poster of a film, video work, musical video or video game work submitted for approval (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 43: Poster Exhibited as Approved.

- (1) A poster approved by the Commission, in connection with the sale, supply, rental or exhibition of the film or video work shall, for the purpose of such sale, supply, rental or exhibition, be exactly in the form in which it was approved and without any alteration.
- (2) If an approved poster is altered it shall be deemed unapproved and shall be re-submitted to the Commission for approval (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 44: Advertisement.

- (1) Any advertisement in respect of a film, video work, musical video or video game contained in other films or video works, musical videos and video games or in any medium such as radio, television, newspaper, online platforms, etc., shall state the classification of the film, video work, musical video or video game in full or by the use of the symbols under Section 40 (1) of this Bill
- (2) The classification shall be clearly visible or audible having regard to the means of communication and the advertisement shall comply with such other requirements as may be prescribed from time to time by regulations made pursuant to this Bill by the Commission.
- (3) Advertisements of film, video work, musical video or video game under subsection (1) of this section shall be approved and registered with the Commission on payment of the prescribed fee (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 45: Certified True Copy of a Film, Video Work, Musical Video or Video Game.
The Commission may issue a certified true copy of a film, video work, musical video or video game after payment of the prescribed fee if it is satisfied, on the declaration made by the person who submitted the film, video work, musical video or video game for examination, that the film, video work, musical video or video game described in the declaration is a duplicate or identical in details, length and in all other aspects to the film, video work, musical video or video game which has been approved by the Commission or exhibition (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 46: Appeal Against Committee's Decision.
(1) An applicant dissatisfied with the decision of the Film Classification Committee may request for a review of the decision, within 30 days of being notified, by giving notice to the Commission after payment of the prescribed fee.
(2) On receipt of the notice referred to in subsection (1) of this Section, the Director General shall within 7 days set up a Review Panel to determine the appeal of the aggrieved applicant (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 47: Review Panel.
(1) Members of the review Panel shall be appointed by the Director-General and shall not include any member of the Committee whose decision is the subject of review or appeal.
(2) The Review Panel shall include the Director-General and any other Management Staff selected by the Director General.
(3) The Director-General or other person authorised by him shall preside over all Appeals and Review Panels.
(4) The decision of the Review Panel shall be by simple majority.
(5) No decision of the Commission shall preclude an applicant or a dissatisfied party from seeking redress in the court (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART IX — IMPORTATION AND EXPORTATION OF FILMS,
VIDEO WORKS, MUSICAL VIDEOS AND VIDEO GAMES

Clause 48: Importation and Exportation of Films, Video Works, Musical Videos and Video Games.
All films, video works, musical videos and video games imported into Nigeria shall be:
(a) classified and registered by the Commission before being sold, hired, rented, supplied or exhibited; and
(b) an application for classification shall be accompanied by the following documents:

- (i) Import permit issued by the Commission,
- (ii) Customs duties release certificate,
- (iii) Classification certificate from country of importation,
- (iv) Copyright transfer (where applicable), and
- (v) evidence of payment of the prescribed fee (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 49: Notification of Intention to Import a Film, Video Work, Musical Video and Video Game.

- (1) Every importer of film, video work, musical video or video game shall notify the commission of any intention to import such film, video work, musical video or video game.
- (2) Notwithstanding anything to the contrary in any other law, any person found in possession of a reasonable quantity of foreign films, either of the same title or different titles, shall be deemed to be their importer for the purposes of this Bill, except he is able to present the importer to the Commission (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 50: Commission to Grant Permit for Exportation.

- (1) Any film, video work, musical video or video game to be exported from Nigeria for commercial purpose shall be duly classified, registered and granted an export permit by the Commission upon an application by the exporter.
- (2) The exported copy or copies shall be the same in all material particular as the one which was classified and registered by the Commission (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART X — OFFENCES AND PENALTIES

Clause 51: Exhibition without Licence.

If at any premises in respect of which a licence is required under this Bill, a film or video is exhibited without such a licence:

- (a) the person responsible for the organization or management of the exhibition; or
- (b) any other person who, knowing or having reasonable cause to suspect that such exhibition would be made at the premises allowed the premises to be used for the film or video work exhibition commits an offence and is liable on conviction to a fine of one million naira only or one year imprisonment or both (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 52: Seized articles to be destroyed.

Where the holder of a licence is convicted of an offence under this Bill, in addition to any other penalty prescribed in this Bill, the Court may order that any unwholesome or illegal film, video work, musical video or video game seized by the Commission be destroyed (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 53: Obstruction of entry into premises.

Anybody who intentionally obstructs any person acting pursuant to sections 25 or 26 of this Bill commits an offence and is liable on conviction to a fine of Five Hundred thousand Naira only or one year imprisonment (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 54: Exhibition, supply, sale, etc. without classification certificate.

Any person who contravenes the provisions of section 35 of this Bill commits an offence and is liable on conviction to a fine of One million Naira only or two years imprisonment (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 55: Refusal to withdraw from circulation a film, video work, musical video or video game.

Any person who refuses or neglects to withdraw from circulation or exhibition, a film, video work, musical video or video game, or refuses or neglects to submit the film, video work, musical video or video game to the Commission for the purpose of further examination and classification under section 39 of this Bill, commits an offence and liable on conviction to a fine of One Million Naira only or one year imprisonment or both (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 56: Supplying video recording without classification certificate.

Where a video recording contains a film or video work in respect of which no classification certificate has been issued, any person who supplies, sells, hires, rents, or exhibits such film or video work commits an offence punishable under this Bill and liable on conviction to a fine of One Million Naira only or ONE year imprisonment (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 57: Supplying video recording of classified work in breach of classification.

It is an offence punishable under this Bill, to sell, hire, rent, supply or exhibit a film, video work, musical video or video game classified for a certain age to a person or persons who have not attained that age. Any person who commit this offence is liable on conviction to a fine of Five Hundred Thousand Naira only or six months imprisonment (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 58: Spool, case, etc. of video recording to conform with regulations.

Any person who supplies, sells, rents or offers to supply, sells or rents a video recording or any spool, case or other thing on or in which the recording is kept, which does not satisfy the requirement of any regulations made pursuant to this Bill,

unless the supply is an exempted supply, commits an offence liable on conviction to a fine of Five Hundred Thousand Naira only or six months imprisonment (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 58 stands part of the Bill — Agreed to.

Clause 59: False classification.

Any person who supplies or offers to supply a film or video recording containing a video work, musical video or video game in respect of which no classification certificate has been issued and the film, video, any spool, case or other thing on or in which the recording is kept contains any indication that a classification certificate has been issued in respect of that film or video, commits an offence and liable on conviction to a fine of Five Hundred Thousand Naira or Six months imprisonment (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 59 stands part of the Bill — Agreed to.

Clause 60: Classification of film to be stated in the certificate.

Any person who contravenes the provisions of section 40 of this Bill commits an offence and is liable on conviction to a fine Five Hundred Thousand Naira only or one year imprisonment or both (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 60 stands part of the Bill — Agreed to.

Clause 61: Refusal to project certificate of classification before exhibition.

Any person who contravenes the provisions of sections 41 or 42 of this Bill commits an offence and is liable on conviction to a fine of Five Hundred Thousand Naira or a one year imprisonment for each of the offences for which he is convicted (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 61 stands part of the Bill — Agreed to.

Clause 62: Poster, photographs etc of film or video work to state classification.

Any person who contravenes the provisions of section 43 or 44 of this Bill commits an offence and is liable on conviction to a fine of Two Hundred Thousand Naira for a first offender and One Million Naira or One Year imprisonment for a second offender (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 62 stands part of the Bill — Agreed to.

Clause 63: False declaration as to details of film, video work, musical video or video game.

Any person who makes a declaration under section 45 of this Bill which is false or incorrect in any material particular commits an offence (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 64: Pornographic films and videos.

Any person, who produces, makes, sells, hires, rents, exhibits, publishes or supplies pornographic films, video works, musical videos and video games in Nigeria, commits an offence and is liable on conviction to a term of imprisonment not exceeding two years or fine of One Million Naira or both (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Amendment Proposed:**Clause 64:**

In line 3, immediately after the word “imprisonment”, *leave out* all other words, and *insert* the words “not less than five years or fine of ten million Naira (₦10m) or both” (*Hon. Clement Jimbo — Abak/Etim Ekpo/Ika Federal Constituency*).

Question that the amendment — Agreed to.

Question that Clause 64 as amended, stands part of the Bill — Agreed to.

Clause 65: Imported films without accompanying documents.

Any person who imports into Nigeria a film, video work, musical video or video game, contrary to the provisions of section 48 (b) of this Bill, commits an offence and is liable on conviction to a fine of Two Million Naira only or four years imprisonment for each title imported (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 65 stands part of the Bill — Agreed to.

Clause 66: Sale, rental, supply or exhibition of imported film, video work, musical video or video game without registration or classification.

Any person who sells, hires, rents, supplies or exhibits, a film, video work, musical video or video game imported into the country, other than exempted work, without classification and registration by the Commission commits an offence and is liable on conviction to a fine of Two Million Naira only or four years imprisonment (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 66 stands part of the Bill — Agreed to.

Clause 67: Importation of films or video works, musical videos and video games without notification.

Any person who imports a film, video work, musical video or video game into Nigeria, contrary to the provisions of section 49 of this Bill, commits an offence and is liable on conviction to a fine of Two Million Naira only or four years imprisonment or both (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 67 stands part of the Bill — Agreed to.

Clause 68: Exportation of films or video works, musical videos and video games without classification, permit, etc.

Any person who contravenes the provisions of section 50 of this Bill, commits an offence and is liable on conviction to a fine of Two Million Naira only or four years imprisonment or both (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 68 stands part of the Bill — Agreed to.

Clause 69: Aiding and abetting.

Any person who aids or abets the commission of any offence under this Bill commits an offence and is liable on conviction to a fine of Two Million Naira only or Two years imprisonment or both (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 69 stands part of the Bill — Agreed to.

Clause 70: General Penalty.

Any person who is in breach of a provision of this Bill for which no specific penalty is imposed under this Bill, if found guilty, shall be liable on conviction to a fine of

Five Hundred Thousand Naira only or 1 year imprisonment or both (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 70 stands part of the Bill — Agreed to.

Clause 71: Corporate bodies.

In the case of a corporate body, where an offence is proved to have been committed with the consent or connivance of, or attributable to any neglect on the part of a director, manager, secretary, or person who was purporting to act in any such capacity, he as well as the body corporate shall be liable to a fine of One Million Naira only or Two years imprisonment or both (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 71 stands part of the Bill — Agreed to.

PART XI — MISCELLANEOUS

Clause 72: Regulations.

The Commission may, with approval of the Minister, make censorship and classification code or regulation generally for the purpose of giving effect to the provisions of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 72 stands part of the Bill — Agreed to.

Clause 73: Repeal of Cap. N40, LFN, 2004.

The National film and Video Censors Board Act, 2004 is hereby repealed (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 73 stands part of the Bill — Agreed to.

Clause 74: Savings.

- (1) A person who at the commencement of this Bill was a member of staff or an employee of the National Film and Video Censors Board shall as from the commencement of this Bill become a member of staff or employee of the Commission with the status, rank, designation and functions which corresponds as far as possible to those which appertained to him as a member of staff or employee of the national Film and Video Examines Board.
- (2) All assets, rights, liabilities and obligations which immediately before the commencement of this Bill were assets, rights, liabilities and obligations of the National Film and Video Censors Board shall by virtue of this Bill, be taken over by the Commission.
- (3) Anything made or done or having effect before the commencement of this Bill by the National Film and Video Censors Board 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 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 74 stands part of the Bill — Agreed to.

Clause 75: Interpretation.

In this Bill:

"Certificate" means any document in any format to be determined by the

Commission from time to time given to evidence the true state of a particular fact (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Chairman" means Chairman of the Governing Board (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Commission" means the National Film and Video Regulatory Commission established by of section 1 of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Distributor" means a person for the time being licensed by the Commission to engage in the business of supplying or distributing films, video works, musical videos or video games (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Director-General" means the Director-General of the Commission appointed under section 7 (1) of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that the meaning of the words “Director-General” be as defined in the interpretation to this Bill — Agreed to.

"Exhibit" means show, display, put on view, film or video work or its contents to the public (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Exhibitor" means a person who engages in the public exhibition of films or video works, musical videos and video games produced on a screen with or without the projection of light (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Film" includes any record, however made of a sequence of visual Images, which is a record capable of being used as a means of showing that sequence as a moving picture (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"member" means a member of the Commission and includes the chairman of the Government Board (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Minister" means the Minister charged with responsibility for film matters.

"Picture" means a visual image or other graphic representation exhibited or capable of being exhibited from a film or video work (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Premises" means any place where any film or video work is exhibited, leased, hired, sold, supplied to which admission may be procured by payment of money or by ticket or by other means or consideration (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Prescribed fees" means fees prescribed in this Bill or by Regulations made pursuant to this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Producer" in relation to a film or video work, means the person making the arrangements necessary for the production of a film or video work and for the organization and direction of the scenes to be depicted in the film or video work (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Registered premises" means any premises approved for registration pursuant of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Retailer" means a person for the time being licensed by the Commission to engage in the business of selling, renting, leasing or hiring out film, video works, musical video or video games to final consumers (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Sell, hire, rent or supply" without derogating from the ordinary meaning of the words includes selling, hiring out or offering for sale or supplying films, video works, musical videos or video games (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that the meaning of the words “Sell, hire, rent or supply” be as defined in the interpretation to this Bill — Agreed to.

"Video" any reference to Video in this Bill means video works, musical videos and/or video games, as the context may allow (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Video game" means an electronic game in which players control images on a television or computer screen and often emphasized fast action (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Video recording" means any disc or magnetic device containing information by the use of which the whole or a part of a video work may be produced (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Video Work" means visual image with or without sound:

- (a) produced electronically by the use of information contained on any disc or magnetic device; and shall include musical videos, video games and all other types of video recordings;
- (b) shown as a moving picture (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Supply" means supply in any manner, whether or not for reward, and includes supply by way of sale, letting or hiring, exchange or loans and references to a supply shall be construed accordingly (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Trailer" means a brief excerpt or series of excerpts from a film (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Question that Clause 75 stands part of the Bill — Agreed to.

Clause 76: Citation.

This Bill may be cited as the National Film and Video Censorship, Classification and Exhibition Regulatory Commission Bill, 2023 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

SCHEDULE

PROCEEDINGS OF THE GOVERNING BOARD

1. Subject to this Bill and Section 27 of the interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its Committees.
2. The quorum of the Board shall be by simple majority and the quorum of any Committee of the Board shall be determined by the Commission
3. The Board shall meet not more than four times in each year and subject thereto, the Board shall meet whenever it is summoned by the Chairman on the advice of the Director General.
4. At any meeting of the Board, the chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their number to preside at that meeting
5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member to obtain the advice. Any person who is a member by virtue of this paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum
6. All decisions of the Board shall be by a simple majority and where there is a tie, the Chairman shall have a casting vote
7.
 - (a) The Board may appoint one or more Committees to carry out, on behalf of the Board, such of its functions as the Board may determine.
 - (b) A Committee appointed under this paragraph shall consist of such number of persons (not necessarily 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.
 - (c) A decision of a Committee of the Board shall be of no effect until ratified by the Board.
8. The validity of any proceedings of the Board or of a Committee thereof shall not be affected by any vacancy in the membership of the Board or Committee, or by any defect in the appointment of a member of the Board or of a Committee, or by reason that a person not entitled to do so took part in the proceedings of the Board or a Committee thereof.
9. Any member of the Board or any person holding office in a Committee of the Board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or a Committee thereof shall forthwith disclose his interest to the Board and shall not vote on any question relating to the contract or arrangement
10. At any time while the office of the Chairman is vacant or the Chairman is in the opinion of the Board temporarily or permanently unable to perform the functions of his office, a member of the Board duly appointed by the Board shall perform those functions and references in this Bill to the Chairman shall be construed accordingly
11. At any meeting of the Board, the Chairman or in his absence, any member duly appointed by the Board shall preside at the meeting.
12. The fixing of the seal of the Commission shall be authenticated by the signature of the Director-General (or whoever is authorized to act in his absence) and any other officer of the Commission authorized generally or specially to act for that purpose by the Board.

13. (a) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Board by the Director-General or any officer of the Commission generally or specially authorized to act for that purpose by the Commission
- (b) Any document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall unless and until the contrary is proved be presumed to be so executed (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

Explanatory Memorandum:

This Bill seeks to repeal the National Film and Video Censors Board Act, Cap. N40, Laws of the Federation of Nigeria, 2004 and to Enact the National Film and Video Censorship, Classification and Exhibition Regulatory Commission Act, 2023 for Classification, Sales, Rentals, Distribution and Exhibition of Films, Video Works, Musical Videos and Video Games in Nigeria (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Repeal the National Film and Video Censors Board Act, Cap. N40, Laws of the Federation of Nigeria, 2004 and Enact the National Film and Video Censorship, Classification and Exhibition Regulatory Commission Act for Classification of Films, Video Works, Musical Videos and Video Games and for the Regulation of Their Sales, Rentals, Distribution, Exhibition and for Related Matters (HB. 475) (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Repeal the National Film and Video Censors Board Act, Cap. N40 Laws of the Federation of Nigeria, 2004 and Enact the National Film and Video Censorship, Classification and Exhibition Regulatory Commission Act for the Classification of Films Video works, Musical Videos and Video games and for the Regulation of their Sales, Rentals, Distribution, Exhibition and for Related Matters (HB.475) and approved Clauses 1 - 63, approved Clause 64 as amended, approved Clauses 65 - 76, the Explanatory Memorandum, and the Long Title of the Bill. *Question that the House do adopt the Report of the Committee of the Whole — Agreed to.*

- (x) *A Bill for an Act to Establish South East Development Commission Charged with the Responsibility among other things to receive and manage funds from allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and other Infrastructural Damages suffered by the Region as a result of the effect of the Civil War as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the South East States and for Related Matters (HB.626) (Committee of the Whole):*

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Establish South East Development Commission Charged with the Responsibility among other things to receive and manage funds from allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and other Infrastructural Damages suffered by the Region as a result of the effect of the Civil War as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges

in the South East States and for Related Matters (HB.626)” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE SOUTH EAST DEVELOPMENT COMMISSION CHARGED WITH THE RESPONSIBILITY AMONG OTHER THINGS TO RECEIVE AND MANAGE FUND FROM ALLOCATION OF THE FEDERATION ACCOUNT FOR THE RECONSTRUCTION AND REHABILITATION OF ROADS, HOUSES AND OTHER INFRASTRUCTURAL DAMAGES SUFFERED BY THE REGION AS A RESULT OF THE EFFECT OF THE CIVIL WAR AS WELL AS TACKLE THE ECOLOGICAL PROBLEMS AND ANY OTHER RELATED ENVIRONMENTAL OR DEVELOPMENTAL CHALLENGES IN THE SOUTH EAST STATES; AND FOR RELATED MATTERS

PART I — ESTABLISHMENT OF THE SOUTH EAST DEVELOPMENT COMMISSION AND THE GOVERNING BOARD

Clause 1: Establishment of South East Development Commission.

- (1) There is established a Commission to be known as South East Development Commission (in this Bill referred to as "the Commission").
- (2) The Commission shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 2: Establishment of the Governing Board.

- (1) There is established for the Commission, a body to be known as the Governing Board (in this Bill referred to as “the Board”) which shall consist of —
 - (a) Chairman;
 - (b) one person who shall be an indigene to represent the following member states, that is —
 - (i) Abia,
 - (ii) Anambra,
 - (iii) Ebonyi,
 - (iv) Enugu, and
 - (v) Imo;
 - (c) three persons to represent the following Security Organisation —

- (i) the Army who shall not be below the rank of a Colonel,
 - (ii) the Police who shall not be below the rank of Superintendent of Police, and
 - (iii) the Civil Defence Corp who shall not be below the rank of Deputy Commandant;
 - (d) one representative of Solid minerals extracting and Mining producing companies in the South East States nominated by those companies;
 - (e) one person to represent the Federal Ministry of Finance;
 - (f) one person to represent the Federal Ministry of Environment;
 - (g) the Managing Director of the Commission; and
 - (h) two executive Directors.
- (2) The Chairman and other members of the Board Shall —
- (a) be appointed by the President, subject to the confirmation of the Senate, in consultation with the House of Representatives; and
 - (b) be person of proven integrity and ability.
- (3) The members of the Board referred to in paragraph (1-2) of sub-clause (1) of this Bill shall be part-time members.
- (4) The supplementary provisions set out in the Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters contained therein (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 3: Head Office.

The Commission shall have its Head Office in Enugu, Enugu State and shall established an office in each member state of the Commission (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 4: Tenure of Office.

Subject to the provisions of clause 4 of this Bill, a member of the Board, other than an ex-officio member, shall hold office for a term of 4 years at the first instance and may be re-appointed for a further term of 4 years and no more (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 5: Rotation of Office of Chairman.

The office of the Chairman shall rotate amongst the member states of the Commission in the following alphabetical order —

- (a) Abia;

- (b) Anambra;
- (c) Ebonyi;
- (d) Enugu; and
- (e) Imo (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 6: Resignation, cessation or removal from membership of the Board.

- (1) A member of the Board other than ex-officio member, may resign his or her appointment by notice in writing addressed to the President. Which resignation shall take effect only upon receipt and approval by the President.
- (2) A member of the Board may cease membership if the member —
 - (a) becomes of unsound mind, or incapable of carrying out his duties;
 - (b) becomes bankrupt, suspends payment or compounds with his creditors;
 - (c) is convicted of a felony or any offence involving dishonesty or fraud;
 - (d) is guilty of serious misconduct in relation to his duties;
 - (e) in the case of a person possessed of professional qualifications, he is disqualified or suspended, other than at his own request, from practising his profession in any part of the world by an order of a competent authority made in respect of that member; or
 - (f) resigns his appointment by a letter addressed to the President.
- (3) Where a vacancy occurs in the membership of the Board, it shall be filled by appointment of a person representing the area where the vacancy exists, to complete the remainder of the term of office of the predecessor and shall be appointed by the President subject to the confirmation of the Senate in consultation with the House of Representatives (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 7: Allowances of members.

There shall be paid to every member of the Board such remuneration, allowances and expenses as the Federal Government may, from time to time direct (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 71 stands part of the Bill — Agreed to.

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

Clause 8: Functions and Powers of the Commission.

- (1) The Commission shall —
 - (a) formulate policies and guidelines for the development of the South East States;

- (b) conceive, plan and implement, in accordance with the set rules and regulations, projects and programmes for the sustainable development of the South East States in the field of transportation including roads, health, education, employment, agriculture, industrialization, housing and urban development, water supply, electricity and telecommunications;
 - (c) cause the South East States to be surveyed in order to ascertain measures which are necessary to promote its physical and socio-economic development;
 - (d) prepare master plans and schemes designed to promote the physical development of the South East States and the estimates of the costs of implementing such master plans and schemes;
 - (e) implement all the measures approved for the development of the South East States by the Federal Government and the member States of the Commission;
 - (f) identify factors inhibiting the development of the South East States and assist the member States in the formulation and implementation of policies to ensure sound and efficient management of the resources of the South East States;
 - (g) assess and report on any project being funded or carried out in the South East States by mineral extracting and mining companies, oil and gas producing companies, and any other company including non-governmental organisations and ensure that funds released for such projects are properly utilized;
 - (h) tackle ecological and environmental problems that arise from the extraction and mining of solid mineral, exploration of oil mineral in the South East States and advise the Federal Government and the member States on the prevention and control of oil spillages, gas flaring and environmental pollution;
 - (i) liaise with the various solid mineral extraction and mining companies and oil and gas prospecting and producing companies on all matters of pollution prevention and control; and
 - (j) execute such other works and perform such other functions which in the opinion of the Commission are required for the sustainable development of the South East States and its peoples.
- (2) In exercising its functions and powers under this clause, the Commission shall have regard to the varied and specific contributions of each member State of the Commission.
- (3) The Commission shall be subject to the direction, control or supervision in the performance of its functions under this Bill by the President of the Federal Republic of Nigeria (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 9: Powers of the Board.

The Board shall have power to —

- (a) manage and superintend the affairs of the Commission;
- (b) make rules and regulations for carrying out the functions of the Commission;
- (c) enter and inspect premises, projects and such places as may be necessary for the purposes of carrying out its functions under this Bill;
- (d) pay the staff of the Commission such remuneration and allowances as are payable to persons of equivalent grades in the civil service of the Federation;
- (e) enter into such contracts as may be necessary or expedient for the discharge of its functions and ensure the efficient performance of the functions of the Commission;
- (f) employ either directly or on secondment from any civil or public service in the Federation or a State such number of employees as may in the opinion of the Board, be required to assist the Board in the discharge of any of its functions under this Bill;
- (g) pay to persons so employed such remuneration, including allowances, as the Board may determine; and
- (h) do such other things as are necessary and expedient for the efficient performance of the functions of the Commission (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART III — STRUCTURE OF THE COMMISSION**Clause 10: Structure of the Commission.**

- (1) There shall be established in the head office of the Commission, the following Directorates —
 - (a) the Directorate of Administration and Human Resources;
 - (b) the Directorate of Community and Rural Development;
 - (c) the Directorate of Utilities, Infrastructural Development and waterways;
 - (d) the Directorate of Environmental Protection and Control;
 - (e) the Directorate of Finance and Supply;
 - (f) the Directorate of Solid Minerals, Agriculture and Fisheries;
 - (g) the Directorate of Planning, Research and Statistics and Management Information System;
 - (h) the Directorate of Legal Services;
 - (i) the Directorate of Education, Health and Social Services;

- (j) the Directorate of Commercial and Industrial Development; and
 - (k) the Directorate of Projects Monitoring and Supervision.
- (2) The Board may increase the number of Directorates as it may deem necessary and expedient to facilitate the realization of the objectives of the Commission (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 11: Management Committee.

There shall be for the Commission, a Management Committee which shall —

- (a) consist of a Chairman who shall be the Managing Director;
- (b) the Directors responsible for the Directorates established under Clause 9 of this Bill and such number of other members as may be determined from time to time by the Board;
- (c) be responsible to the Board and the Managing Director for the general administration of the Commission (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 12: Establishment of the South East Development Advisory Committee.

- (1) There is hereby established for the Commission, a South East Development Advisory Committee (in this Bill referred to as 'the Advisory Committee') which shall consist of —
- (a) the Governors of the member States of the Commission; and
 - (b) two persons as may be determined, from time to time, by the President of the Federal Republic of Nigeria.
- (2) The Advisory Committee shall be charged with the responsibility of advising the Board and guiding and monitoring the activities of the Commission with a view to achieving the objectives of the Commission.
- (3) The Advisory Committee may make rules regulating its own proceedings (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART IV — STAFF OF THE COMMISSION

Clause 13: Managing Director and Other Staff of the Commission.

- (1) There shall be for the Commission, a Managing Director, and two Executive Directors who shall be indigenes of the South East States and shall rotate amongst the member States in alphabetical order and shall —
- (a) have such qualification and experience as are appropriate for a person required to perform the functions of that office under this Bill; and
 - (b) be the chief executive and accounting officer of the Commission;

- (c) be appointed by the President of the Federal Republic of Nigeria and confirmed by the Senate in consultation with the House of Representatives;
 - (d) hold office on such terms and conditions as to emolument, conditions of service as may be specified in his letter of appointment and subject to the provision of clause 3 of this Bill.
- (2) The Managing Director shall, subject to the general direction of the Board, be responsible —
- (a) for the day to day administration of the Commission;
 - (b) for keeping the books and proper records of the proceedings of the Board; and
 - (c) for —
 - (i) the administration of the secretariat of the Board, and
 - (ii) the general direction and control of all other employees of the Commission.
- (3) The Board shall have power to —
- (a) employ either directly or on secondment from any civil or public service in the Federation or a State such number of employees as may, in the opinion of the Board, be required to assist the Board in the discharge of any of its functions under this Bill; and
 - (b) pay to persons so employed such remuneration (including allowances) as the Board may, after consultation with the Federal Civil Service Commission, determine (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 14: Pension Reform Act, No. 2 of 2004.

- (1) Service in the Commission shall be approved service for the purposes of the Pensions Act.
- (2) The officers and other persons employed in the Commission shall be entitled to pensions, gratuities and other retirement benefits as are enjoyed by Persons holding equivalent grades in the civil service of the Federation.
- (3) Nothing in subsections (1) and (2) of this clause shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.
- (4) For the purposes of the application of the provisions of the Pensions Act, any power exercisable there under by the Minister or other authority of the Government of the Federation, other than the power to make regulations under section 23 thereof, is hereby vested in and shall be exercisable by the Commission, and not by any other person or authority (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART V — FINANCIAL PROVISIONS

Clause 15: Fund of the Commission.

- (1) The Commission shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Commission.
- (2) There shall be paid and credited to the fund established pursuant to sub-clause (1) of this Bill —
 - (a) from the Federal Government, the equivalent of 15 per cent of the total monthly statutory allocations due to member States of the Commission from the Federation Account;
 - (b) 3 per cent of the total annual budget of any oil producing company operating, on shore and off shore, in the South East States; including gas processing and agricultural processing companies;
 - (c) 3 per cent of the total annual budget of any Solid mineral extracting mining company operating in the South East States;
 - (d) 50 per cent of monies due to member States of the Commission from the Ecological Fund;
 - (e) such monies as may from time to time, be granted or lent to or deposited with the Commission by the Federal or a State Government, any other body or institution whether local or foreign;
 - (f) all monies raised for the purposes of the Commission by way of gifts, loan, grants-in-aid, testamentary disposition or otherwise; and
 - (g) proceeds from all other assets that may, from time to time, accrue to the Commission.
- (3) The fund shall be managed in accordance with the rules made by the Board, and without prejudice to the generality of the power to make rules under this sub-clause, the rules shall in particular contain provisions —
 - (a) specifying the manner in which the assets or the fund of the Commission are to be held, and regulating the making of payments into and out of the fund; and
 - (b) requiring the keeping of proper accounts and records for the purpose of the fund in such form as may be specified in the rules (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

Clause 16: Expenditure of the Commission.

- The Commission shall apply the proceeds of the fund established pursuant to clause 14 of this Bill to —
- (a) the cost of administration of the Commission;
 - (b) the payment of salaries, fees, remuneration, allowances, pensions and

gratuities payable to the members of the Board specified in clause 6 of this Bill or any committee of the Board and the employees of the Commission;

- (c) the payment for all contracts, including mobilization, fluctuations, variations, legal fees and cost on contract administration;
- (d) the payment for all purchases; and
- (e) undertaking such other activities as are connected with all or any of the functions of the Commission under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 17: Gift to the Commission.

- (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 if the conditions attached by the person or organization making the gift are inconsistent with the functions of the Commission under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 18: Power to Borrow.

The Commission may, with the consent of the President of the Federal Republic of Nigeria, borrow, on such terms and conditions as the Commission may determine, such sums of money as the Commission may require in the exercise of its functions under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 19: Annual Estimates and Expenditure.

- (1) The Board shall, not later than 30th September in each year, submit to the President of the Federal Republic of Nigeria, an estimate of the expenditure and income of the Commission during the next succeeding year.
- (2) The Board shall cause to be kept proper accounts of the Commission in respect of each year and proper records in relation thereto and shall cause the accounts to be audited not later than 6 months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 20: Quarterly Report.

The Commission shall, at the end of every quarter in each year, submit Quarterly Report to the President of the Federal Republic of Nigeria, a report on the activities and administration of the Commission (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 21: Annual Report.

- (1) The Board shall prepare and submit to the President of the Federal Republic of Nigeria, not later than 30th June in each year, a report in such form as the President of the Federal Republic of Nigeria, may direct, on the activities of the Commission during the immediately 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 thereon;
- (2) The President of the Federal Republic of Nigeria shall, upon receipt of the report referred to in sub-clause (1) of this clause, cause a copy of the report and the audited accounts of the Commission and the auditor's report there on to be submitted to each House of the National Assembly (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART VI — MISCELLANEOUS**Clause 22: Monitoring Committee.**

- (1) There is hereby established for the Commission a Monitoring Committee which shall consist of such number of persons as the President of the Federal Republic of Nigeria, may deem fit to appoint from the public or civil service of the Federation.
- (2) The Monitoring Committee shall —
 - (a) monitor the management of the funds of the Commission and the implementation of the projects of the Commission; and
 - (b) have access to the books of account and other records of the Commission at all times, and submit periodical reports to the President Federal Republic of Nigeria (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 23: Offices and Premises of the Commission.

- (1) For the purposes of providing offices and premises necessary for the performance of its functions under this Bill, the Commission may, subject to the Land Use Act —
 - (a) purchase or take on lease any interest in land, or other property; and
 - (b) construct offices and premises and equip and maintain same.
- (2) The Commission may, subject to the Land Use Act, sell or lease out any office or premises held by it, which office or premises is no longer required for the performance of its functions under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 24: Directives by the President.

Subject to the provisions of this Bill, the President of the Federal Republic of Nigeria, may give to the Commission directives of a general nature or relating generally to matters of policy with regard to the performance by the Commission of

its functions and it shall be the duty of the Commission to comply with the directives (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 25: Public Officer Protection Act, Cap. P41, LFN, 2004.

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Commission.
- (2) Notwithstanding anything contained in any other law or enactment, no suit shall lie against any member of the Board, the Managing Director 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 enactment, 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 or enactment, duty or authority, shall lie or be instituted in any court unless —
 - (a) it is commenced within three months next after the act, neglect or default complained of; or
 - (b) in the case of a continuation of damage or injury, within six months next after the ceasing thereof (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 26: Service of Notices, Summons and other Documents.

A notice, summons or other document required or authorized to be served upon the Commission under the provisions of this Bill or any other law or enactment may be served by delivering it to the Managing Director or by sending it by registered post and addressed to the Managing Director at the principal office of the Commission (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 27: Restriction on execution of Judgement Debts.

- (1) In any action or suit against the Commission, no execution or attachment of process in the nature thereof shall be issued against 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 where notice of appeal of the said judgment has been given, be paid from the general reserve fund of the Commission (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 28: Indemnity of Officers.

A member of the Board, the Managing Director, any other officer or employee of the Commission shall be indemnified out of the assets of the Commission against any proceeding, whether civil or criminal, in which judgment is given in his favour, or in which he is acquitted, if any such proceeding is brought against him in his capacity as a member of the Board, the Managing Director, officer or employee of the Commission (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 29: Regulations.

The Commission may, with the approval of the President of the Federal Republic of Nigeria, make regulations, generally for the purposes of giving full effect to this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 30: Interpretation.

In this Bill —

"Chairman" means the Chairman of the Board (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Commission" means the South East Development Commission established by Clause 1 of this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Board" means the governing Board established for the Commission under clause 2 (1) of this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"member" means a member of the Board and includes the Chairman, Managing Director and Executive Directors; and (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"member States" include Abia, Anambra, Ebonyi, Enugu, and Imo (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

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

Clause 31: Short Title.

This Bill may be cited as the South East Development Commission (Establishment, etc.) Bill, 2023 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

1. (1) Subject to this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committee.

- (2) The quorum of the Board shall be the Chairman or the person presiding at the meeting, Managing Director or one Executive Director and one third other members of the Board. The quorum of any committee of the Commission shall be as determined by the Board.
2.
 - (1) The Board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than 4 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
 - (2) At any meeting of the Board, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their member to preside at the meeting.
3.
 - (1) The Board may appoint one or more committees to carry out on behalf of the Board, such functions as the Board may determine.
 - (2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.
 - (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

4.
 - (1) The fixing of the seal of the Commission shall be authenticated by the signatures of the Chairman or any other member of the Board generally or specifically authorized by the Board to act for the purpose and the Managing Director.
 - (2) A document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
5. The validity of any proceedings of the Board or of a committee shall not be adversely affected by —
 - (a) a vacancy in the membership of the Board or committee;
 - (b) a defect in the appointment of a member of the Board or committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Board or committee (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Explanatory Memorandum:

This Bill seeks to establish the South East Development Commission charged with the responsibility among other things to receive and manage fund from allocation of the Federation Account for the reconstruction and rehabilitation of roads, houses and other infrastructural damages suffered by the region as a result of the effect of the Civil War as well as tackle the ecological problems and any other related environmental or developmental challenges in the Southeast States (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the South East Development Commission Charged with the Responsibility Among Other Things to Receive and Manage Fund From Allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and Other Infrastructural Damages Suffered by the Region as a Result of the Effect of the Civil War as Well as Tackle the Ecological Problems and Any Other Related Environmental or Developmental Challenges in the South East States and for Related Matters (HB.626) (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Establish South East Development Commission Charged with the Responsibility among other things to receive and manage funds from allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and other Infrastructural Damages suffered by the Region as a result of the effect of the Civil War as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the South East States and for Related Matters (HB.626) and approved Clauses 1 - 31, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

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

- (xi) ***A Bill for an Act to Repeal the Weights and Measures Act, Cap. W3, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Weights and Measures Regulatory Agency (Establishment) Act, 2003 for the Development and Enforcement of Varying Scopes of Legal Metrology Activities for the Promotion of Fair Trade, Protection of Public Health, Safety and the Environment; and for Related Matters (HB.614) (Committee of the Whole):***

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Repeal the Weights and Measures Act, Cap. W3, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Weights and Measures Regulatory Agency (Establishment) Act, 2003 for the Development and Enforcement of Varying Scopes of Legal Metrology Activities for the Promotion of Fair Trade, Protection of Public Health, Safety and the Environment; and for Related Matters (HB.614)” (Hon. Julius Ihonvbere — House Leader).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE WEIGHTS AND MEASURES ACT, CAP. W3, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NIGERIAN WEIGHTS AND MEASURES REGULATORY AGENCY (ESTABLISHMENT) ACT, 2003 FOR THE DEVELOPMENT AND ENFORCEMENT OF VARYING SCOPES OF LEGAL METROLOGY ACTIVITIES FOR THE PROMOTION OF FAIR TRADE, PROTECTION OF PUBLIC

HEALTH, SAFETY AND THE ENVIRONMENT;
AND FOR RELATED MATTERS (HB. 614)

PART I — ESTABLISHMENT OF NIGERIA WEIGHTS
AND MEASURES REGULATORY AGENCY

Clause 1: Establishment of the Nigerian Weights and Measures Regulatory Agency.

- (1) There is established the Nigerian Weights and Measures Regulatory Agency (in this Bill referred to as “the Agency”).
- (2) The Agency —
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue or be sued in its corporate name; and
 - (c) may acquire, purchase, mortgage, hold or dispose of property, whether movable or immovable (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 2: Establishment and composition of the Governing Board of the Agency.

- (1) There is established a Governing Board for the Agency (in this Bill referred to as "the Board") which shall comprise of the following part-time members appointed by the President on the recommendation of the Minister —
 - (a) one person each of the directorate cadre to represent the Federal Ministry responsible for —
 - (i) industry, trade and investment,
 - (ii) justice,
 - (iii) environment,
 - (iv) health,
 - (v) science, technology and innovation,
 - (vi) education,
 - (vii) finance, budget and national planning;
 - (b) two persons with at least 15 years experience in legal metrology profession, who are serving at the Management (Directorate) level in the Agency; and
 - (c) a representative from each of the following fields of activities, recommended by the Minister after consultation with the appropriate body, if any —
 - (i) Chambers of Commerce, Industry, Mines and Agriculture,
 - (ii) Pre-packages and Manufacturing,

- (iii) Construction and Solid Mineral Industry,
 - (iv) Market Associations, and
 - (v) Consumer Associations.
- (2) The appointments into the Board by the President on the recommendation of the Minister as provided in this section shall include the Chairman and the Vice-Chairman of the Board (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 3: Powers of the Board.

- (1) Subject to the other provisions of this Bill, the Board shall provide strategic policy directions to the Agency, which shall include —
- (a) promote effective corporate governance of the Agency;
 - (b) approve the policies, programmes and strategies of the Agency;
 - (c) approve the annual work-plan and activity reports of the Agency; and
 - (d) approve the annual budget estimates and financial statements of the Agency.
- (2) The Minister may enter into a performance contract with the Board for a specified period in accordance with the provisions of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 4: Cessation of membership of the Board.

- (1) A member of the Board shall cease to hold office if he —
- (a) becomes of unsound mind;
 - (b) becomes bankrupt or makes a compromise with his creditors;
 - (c) is guilty of serious misconduct in relation to his duties; or
 - (d) is convicted of felony or any offence involving dishonesty.
- (2) The provisions of the Seventh Schedule shall apply to the Board in respect of the proceedings and other matters mentioned in it (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART II — FUNCTIONS OF THE AGENCY

Clause 5: Functions of the Agency.

- (1) The functions of the Agency are to —
- (a) promote and enforce the equitable use of measurements in

- commercial transactions for the protection of the public from false measurements charges;
- (b) facilitate the use of correct measurements in industry, trade, health, safety, environmental management and other activities that utilise measurement;
 - (c) provide certification, calibration and testing services to both public and private entities;
 - (d) promote the reliability of measurement-based activities in trade in Nigeria;
 - (e) perform inspection, monitoring and other enforcement functions including sealing of premises as enabled under this Bill;
 - (f) develop measures that are consistent with the promotion of legal metrological standards that is in sync with both regional and international policies on weights and measures;
 - (g) examine and approve new measuring instruments and equipment intended for use in trade to ensure their compliance with weights and measures legislations;
 - (h) conduct training in aspects of legal metrology for its personnel as well as domestic and international clients through the Weights and Measures Training School;
 - (i) establish and maintain legal metrology laboratories;
 - (j) promote public education and the nationwide use of metrology;
 - (k) carry out market research in order to identify the changing needs and trends in metrology;
 - (l) use market and marketing research for accurate data which can be used to formulate new strategies and policies;
 - (m) take custody, maintain and disseminate all associated measurements;
 - (n) participate and represent Nigeria in international, regional and foreign bodies with similar functions to the Agency;
 - (o) monitor, evaluate and review regional and international legal metrology programmes;
 - (p) encourage networking and sharing of metrological information in the region; and
 - (q) undertake other matters incidental to the functions mentioned in this subsection.
- (2) The Agency shall, in relation to legal metrology —
- (a) approve weighing and measuring equipment used in commercial transactions of products, law enforcement, health and safety services

- and environmental management in accordance with established standards;
- (b) ensure the use of type approved measuring equipment in commercial transactions, law enforcement, health and safety services and environmental management, including the relevant calibration and verification of the measuring equipment in use;
 - (c) evaluate and approve the standard quantities of pre-packaged commodities intended for and provided to the marketplace in accordance with relevant standards;
 - (d) keep and maintain secondary standards and other working standards;
 - (e) regulate the manufacture, repair, import and sales of weights, measures, weighing and measuring instruments; and
 - (f) review the weights and measures regulations periodically based on international standards of five-year interval.
- (3) The Agency shall, for the promotion of metrology and national measurement standards for Nigeria, collaborate with the National Metrology Institute to —
- (a) realise, maintain and act as custodian of the national measurement standards according to the needs of the private and public sectors and in accordance with international best practice;
 - (b) participate in regional and international inter-comparisons to determine the accuracy of the national measurement standards;
 - (c) disseminate units of measurement and maintain a traceability chain to national and international measurement standards;
 - (d) pursue the inclusion of the national calibration and measurement capabilities in the relevant international and regional mutual recognition agreements; and
 - (e) ensure that the membership and participation of Nigeria in the International Organisation of Legal Metrology (OIML) is achieved and sustained.
- (4) The Agency shall, in relation to coordination and communication at the national level —
- (a) collaborate with other relevant Agencies of government to ensure coordinated support for the national quality infrastructure;
 - (b) convene technical advisory fora to facilitate the dissemination of international best practices and gather input from commerce and industry;
 - (c) establish specialist technical committees to provide input to the process of developing and implementing legal metrology scopes and standards;

- (d) co-operate and enter into agreements on metrology with state, regional and international institutions;
 - (e) disseminate information on metrology to the public and private sectors;
 - (f) promote the concept of all aspects of metrology;
 - (g) establish pre-market and post-market surveillance systems; and
 - (h) obtain information from manufacturers and suppliers of weighing and measuring equipment and commodities falling within the scope of legal metrology regulation.
- (5) The Agency may, in relation to services —
- (a) assess and test measuring equipment to determine compliance with relevant standards;
 - (b) calibrate measuring equipment traceable to national measurement standards;
 - (c) promote the creation of a national calibration service to ensure access to traceable calibrations through accredited laboratories;
 - (d) calibrate and verify measuring equipment subject to legal metrology control; or
 - (e) issue certificates in relation to measuring equipment and reference standards.
- (6) The Agency shall, in relation to control over the supply of weighing and measuring equipment, establish and impose registration requirements for suppliers, service persons and service agencies that install, adjust, maintain, calibrate and verify weighing and measuring instruments falling within the scope of legal metrology requirements as provided by this Bill and other relevant laws or regulations.
- (7) The Agency shall determine the fees payable for any calibration, verification, testing, type approval or inspection conducted for the purpose of this Bill.
- (8) The Agency shall have power to charge for services in respect of all comparisons, tests or investigations performed by it, a fee sufficient in each case to compensate the Agency for the entire cost of the services rendered and shall be charged according to a scale specified in the rules made for that purpose by the Board.
- (9) The Agency shall operate as the legal metrology authority for Nigeria regarding national, regional and international metrology activities and obligations.
- (10) The Agency shall liaise, consult, collaborate and co-operate with relevant regulatory agencies and other authorities in Nigeria and may, for such purposes, have joint programmes, plans, strategies and policies.

- (11) The Agency and other regulatory agencies and authorities shall apply an integrated metrological approach to achieve its objectives and shall, in so doing —
- (a) promote the use of international metrological standards, wherever possible;
 - (b) facilitate bilateral and multilateral agreements related to metrology;
 - (c) establish and enforce public health standards and regulations, in liaison with relevant authorities;
 - (d) promote the application of metrology and disseminate metrology information; and
 - (e) maintain statistics related to the application of metrology.
- (12) The Agency shall, in relation to international and regional cooperation —
- (a) represent and co-ordinate Nigeria's participation in the International Organisation of Legal Metrology (OIML) and other regional and international organisations that deal with legal metrology issues;
 - (b) organise participation for Nigeria in the NEWMETS, ECOMET, AFRIMETS, BIPM and other relevant international or regional metrology bodies; and
 - (c) co-ordinate, interact and manage international, regional and bilateral interaction with other metrology institutes and authorities (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART III — STAFF OF THE AGENCY — EXECUTIVE
DIRECTOR/CHIEF EXECUTIVE OFFICER, DIRECTORATES
AND OTHER STAFF OF THE AGENCY

Clause 6: Appointment of Executive Director/Chief Executive Officer, Directorates and other staff of the Agency.

- (1) The President shall on the recommendation of the Minister, appoint an Executive Director/Chief Executive Officer of the Agency, who shall serve for a term of four years at first instance, renewable for another term of four years and no more, on such terms and conditions as may be provided in the instrument of appointment.
- (2) The Executive Director/Chief Executive Officer shall possess the requisite professional knowledge and experience in weights and measures (legal metrology) administration, and shall be the Executive Director/Chief Executive Officer of the Agency, responsible for the operations of the Agency and exercise statutory powers as vested under this Bill.
- (3) The Executive Director/Chief Executive Officer shall attend the meetings of the Board and may address those meetings but shall not vote on any matter before the Board.
- (4) The Head of the Directorate of Legal and Secretariat Services shall serve as the Legal Adviser and Secretary to the Board.

- (5) The Agency shall have —
- (a) Directorate of Administration and Human Resources;
 - (b) Directorate Finance and Accounts;
 - (c) Directorate of Surveillance, Compliance and Enforcement;
 - (d) Directorate of Energy;
 - (e) Directorate of Utilities and Manufacturing;
 - (f) Directorate of Laboratory, Data, Standards, Quality Control and Certification;
 - (g) Directorate of Training, Research and Development;
 - (h) Directorate of Legal and Secretariat Services;
 - (i) Directorate of Zonal Offices; and
 - (j) any other directorate as may be needed as circumstance dictates to carry out the objects of this Bill.
- (6) Each directorate shall be headed by a Director.
- (7) The Agency and its directorates shall have adequate numbers of Units and Divisions as may be required in the performance of its functions.
- (8) The Agency shall establish and maintain offices in every state of the Federation.
- (9) There shall be appointed such number of other fit and proper persons as directors, deputy directors, assistant directors, legal metrology officers and inspectors of weights and measures as may be required to assist the Executive Director/Chief Executive Officer under this Bill.
- (10) The director, deputy director or assistant director shall be qualified legal metrology officers.
- (11) The Executive Director/Chief Executive Officer shall ensure that, all other persons appointed under subsection (9) are trained and qualified in the same manner and that examinations are conducted for the staff consistently (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 7: Allowances of members of the Board.

There shall be paid to every member of the Board such allowances as the Agency may determine (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 8: Establishment of the Legal Metrology Training Institute.

- (1) There is established the Legal Metrology Training Institute of Nigeria (in this Bill referred to as "the Institute") charged with the responsibility of

training personnel in legal metrology and other allied branches of knowledge.

- (2) The management and control of the Institute, teaching staff and other employees, courses and curricula for training, qualifications which a person shall possess in order to be eligible for admission into the Institute shall be as prescribed by the Board (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART IV — UNITS AND STANDARDS OF MEASUREMENT

Clause 9: Units and Standards of Measurement.

- (1) The metre shall be the unit of measurement of length and the kilogramme shall be the unit of measurement of mass by reference to which any measurement involving a measurement of length or mass shall be made in Nigeria.
- (2) The First Schedule to this Bill shall have effect for defining the purposes of measurements falling to be made in Nigeria, the units of measurement in that Schedule, and for the purposes of any measurement of weight falling to be so made, the weight of anything may be expressed, by reference to the units of measurement set out in Part V of that Schedule, in the same terms as its mass (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 10: Base unit of Weights and Measures.

- (1) The base unit of —
 - (a) length shall be the metre;
 - (b) mass shall be the kilogram;
 - (c) time shall be the second;
 - (d) electric current shall be the ampere;
 - (e) thermodynamic temperature shall be the kelvin;
 - (f) luminous intensity shall be the candela; and
 - (g) amount of substance shall be the mole.
- (2) The specifications of the base units mentioned in subsection (1), derived units and other units shall be such as may be prescribed (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 11: Primary standards.

- (1) The Minister shall by an order cause to be provided, maintained or replaced standards of the metre and kilogram which shall be the primary standards by reference to which, in Nigeria, all other standards of those units and of any other unit of measurement derived wholly or partly from any of those units shall be maintained.

- (2) The Minister shall on the commencement of this Bill and thereafter at intervals of not more than 10 years or as may appear to him expedient, cause the value of each of the primary standards to be verified against the corresponding standards of the International Bureau of Weights and Measures in France, the National Metrology Institute of Nigeria or any other recognised National Metrology Institute.
- (3) Until any other provision is made by an order under subsection (1), the Nigeria primary standards shall be in the case of the —
 - (a) metre, the bar described in Part I of the Second Schedule to this Bill; and
 - (b) kilogram, the cylinder described in Part II of the Second Schedule.
- (4) The Nigeria primary standards shall be kept at such a place and such conditions as the Minister may prescribe (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 12: Nigerian Trade Standards.

- (1) The Executive Director/Chief Executive Officer shall maintain secondary and tertiary standards in accordance with the provisions of this section which shall be known collectively as "the Nigerian trade standards".
- (2) The secondary standards shall consist of standards of all the measures set out in Parts I and IV and all the weights set out in Part V of the Third Schedule to this Bill (other than capacity measures of more than 10 litres), and any such standard shall be constructed and, while it remains in use, at intervals not exceeding five years, have its value re-determined, by reference to such one or more of the Nigerian primary standards as may appear to the Executive Director/Chief Executive Officer to be appropriate.
- (3) The tertiary standards shall consist of such measures or weights set out in the said Parts I, IV and V of the Third Schedule to this Bill as may appear to the Executive Director/Chief Executive Officer to be necessary or expedient, and any such standards shall be constructed and, while it remains in use, at intervals not exceeding two years, have its value re-determined, by reference to such one or more of the secondary standards as may appear to the Executive Director/Chief Executive Officer to be appropriate.
- (4) With the approval of the Minister, the Nigerian trade standard shall be provided or replaced by the Executive Director/Chief Executive Officer from time to time as may appear to him necessary or expedient, and they shall be in such form and of such material, and be kept under such control in the Agency —
 - (a) be provided either as a separate standard or by means of divisions marked on a standard of a larger measure; and
 - (b) either be marked in whole or in part with sub-divisions representing any smaller unit of measurement or multiples or fractions of such a unit or have no such marking.
- (5) Any metric standard of any measure or weight provided under any

enactment repealed by this Bill and in use as a secondary standard in the Agency immediately before the date of the commencement of this section, shall be deemed for the purposes of this Bill, to be a secondary standard provided under this section (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 13: Working standards.

- (1) The Executive Director/Chief Executive Officer shall provide for use by inspectors under this Bill and cause to be maintained or replaced such standards (in this Bill referred to as "working standards") of such of the measures and weights set out in the Third Schedule to this Bill, together with such testing equipment and stamping equipment as he may approve or require as being proper and sufficient for the efficient discharge by inspectors of their functions under this Bill.
- (2) Working standards, testing and stamping equipment provided under this section shall be of such material and form approved by the Executive Director/Chief Executive Officer and, except so far as may be necessary for the purposes of their use elsewhere, they shall be kept under such control as the Executive Director/Chief Executive Officer may direct or approve, and a working standard of a linear or capacity measure shall as the Executive Director/ Chief Executive Officer may direct —
 - (a) be provided either as a separate standard or by means of divisions marked on a standard of a larger measure; and
 - (b) either be marked in whole or in part with sub-divisions representing any smaller unit of measurement, multiples or fractions of such a unit or have no such markings.
- (3) The Executive Director/Chief Executive Officer shall on the recommendation of the Minister, make regulations —
 - (a) for working standards to be tested by comparison with, and if necessary, adjusted to, within such limits of error as may be specified in the regulations by reference to other working standards more recently tested, or as the case may require, Nigerian trade standards; and
 - (b) with respect to the testing, adjustment and limits of error of testing equipment provided under this section, and no article shall be used by an inspector as a working standard or as testing equipment unless the relevant requirements of those regulations are for the time being satisfied with respect thereto.
- (4) Any metric working standard, testing or stamping equipment lawfully in use by inspectors immediately before the commencement of this Bill, shall be deemed, for the purposes of this Bill, to have been provided under this section (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 14: Testing of other standards and Equipment.

The Executive Director/Chief Executive Officer may, if he thinks fit, on the

application of any authority or person and on payment of such fees as may be prescribed, except for testing as to accuracy, for report or both, any —

- (a) article used or proposed to be used as a standard of a unit of measurement;
- (b) weighing or measuring equipment (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 15: Units of measurement, weights and measures lawful for use for trade.

- (1) Subject to the provisions of this section, no person shall use for trade —
 - (a) any unit of measurement of length, area, volume, capacity, mass or weight which is not included in the First Schedule to this Bill; or
 - (b) have in his possession for use for trade, any linear, square, cubic or capacity measure which is not included in the Third Schedule to this Bill or any weight which is not so included.
- (2) A person shall not use the carat (metric) for trade except for the purposes of transactions in precious stones or pearls, gold, silver or other precious metals or in articles made from gold or silver including gold or silver thread, lace or fringe.
- (3) Save as may be prescribed —
 - (a) a linear measure specified in Part I of the Third Schedule to this Bill may be marked in whole or in part with divisions and sub-divisions representing any shorter length or lengths;
 - (b) no capacity measure specified in Part IV of the Third Schedule shall be used for trade by means of any division or sub-division marked thereon as a capacity measure of any lesser quantity.
- (4) Any person who contravenes any of the provisions of this section commits an offence, and any measure or weight used, or in the possession of any person for use, in contravention of any of those provisions shall be liable to be forfeited.
- (5) The Minister may by order amend the First or Third Schedule to this Bill by adding to or removing from any of —
 - (a) Parts I to XI of the First Schedule any unit of measurement of length, or area, of volume or capacity, or of mass or weight, as the case may be; or
 - (b) Parts I to IV of the Third Schedule any linear, square, cubic or capacity measure, as the case may be, or by adding to or removing from Part V of the Third Schedule any weight.
- (6) Subsection (1)(a) shall not apply to the prescribing of or to the dispensing of a prescription for, drugs but the Federal Minister responsible for health and the Minister acting jointly may by order, which shall have effect notwithstanding anything in any law —

- (a) prescribe what may be treated for the purposes of dealings with drugs as the equivalent of, or of any multiple or fraction of, any unit of measurement which is, or at the date of commencement of this Bill was, included in the First Schedule to this Bill in terms of any other such unit; or
- (b) require that any person carrying out any such dealing with drugs as is specified in the order under this subsection, for the purposes of which the quantity of the drugs is expressed in terms of any such unit as aforesaid, shall carry out that dealing in terms of such equivalent quantity prescribed under paragraph (a) as is so specified (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 16: Weighing or measuring equipment for use for trade.

- (1) The provisions of this section shall apply to the use for trade of weighing or measuring equipment of such classes or descriptions as may be prescribed, and regulations by virtue of this subsection may be made with respect to equipment, whatever the nature of the measurement made thereby (including measurement in terms of number), and whether or not the equipment is constructed to give an indication of the measurement made or other information determined by reference to that measurement.
- (2) A person shall not use any article for trade as equipment to which this section applies, or have any article in his possession for such use, unless that article, or equipment to which this section applies in which that article is incorporated, or to the operation of which the use of that article is incidental, has been passed by an inspector as fit for such use and, except as otherwise expressly provided by or under this Bill, bears a stamp indicating that it has been so passed which remains undefaced otherwise than by reason of fair wear and tear, and if any person contravenes this subsection, he commits an offence, and any article in respect of which the offence was committed shall be liable to be forfeited.
- (3) Any person requiring any equipment to which this section applies to be passed as fit for use for trade, shall submit the equipment to an inspector in such manner as the Executive Director/Chief Executive Officer may direct and, subject to the provisions of this Bill and of any regulations made under section 64 and to the payment by that person of the prescribed fee, the inspector shall —
 - (a) test the equipment by means of such working and other standards and testing equipment as he considers appropriate or, subject to any conditions which may be prescribed, by means of other equipment which has already been tested and which the inspector considers suitable for the purpose, and give a certificate of suitability as appropriate;
 - (b) if the equipment submitted falls within the prescribed limits of error, give to the person submitting it a certificate of verification to the effect that it is passed as unsuitable; and
 - (c) except as otherwise expressly provided by or under this Bill, cause it to be stamped with the prescribed stamp, and each inspector shall keep a record of every such test carried out by him.

- (4) The requirements of subsections (2) and (3) with respect to stamping and marking shall not apply to any weight or measure which is too small to be stamped or marked in accordance with those requirements.
- (5) In the case of any weighing or measuring instrument which is required to be tested and passed after it has been installed in the place where it is to be used for trade, if after the instrument has been so passed it is removed and re-installed whether in the same or some other place, it shall not be lawful to use it after such re-installation, until it has been retested and passed by an inspector, and any person who, in contravention of this subsection, uses that instrument or causes or permits any other person to use it, commits an offence and the instrument is liable to be forfeited.
- (6) Where an inspector is of the opinion that a weighing or measuring instrument has a novel feature or is intended for use for trade for a particular purpose for which it is not suitable, he may refuse to pass or stamp it until the matter has been referred to the Executive Director/Chief Executive Officer whose decision thereon shall be final (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 17: Weighing and measuring equipment for use for legal metrology activities.

- (1) This section shall apply to weights, measures, weighing and measuring instruments used in legal metrology activities such as protection of public health, safety and environment.
- (2) A person shall not use or install, any weight, measure, weighing or measuring equipment to which this section applies, for any legal metrology activity specified in subsection (1), unless it has been verified by an inspector.
- (3) Notwithstanding anything in any law, the accuracy of measuring instruments used for the purposes of trade and protection of health, safety and environment in any sector of the Nigerian economy shall be determined by testing and verification with any recently verified Nigerian Trade Standard (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 18: Approval of patterns of weighing or measuring instruments.

- (1) The Executive Director/Chief Executive Officer shall, in accordance with the regulations, approve devices or classes, types or designs of devices for use in trade, health, safety and environmental protection.
- (2) Any person wishing to ascertain whether any pattern of weighing or measuring equipment is suitable for use for trade or for other legal metrology activities may, in such manner as may be prescribed, submit that pattern to the Executive Director/Chief Executive Officer for examination.
- (3) Where any pattern of weighing or measuring equipment is submitted under subsection (2), the Executive Director/ Chief Executive Officer shall, on payment of such fee as may be prescribed, examine the suitability for use for trade, health, safety and environmental protection of equipment of that pattern, having regard in particular to the principle, materials and methods used or to be used in its construction, and if the Executive Director/Chief

Executive Officer is satisfied that the equipment of that pattern is suitable for use for trade, he shall issue a certificate of approval of that pattern and cause notice of the approval to be published in the Agency's website.

- (4) Any person who causes to be sold or distributed any model of measuring instrument for use for trade, health, safety and environmental protection to which the type has not been approved by the Executive Director/Chief Executive Officer in accordance with any provision of this Bill shall be guilty of an offence (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 19: Manufacturers to maintain records of equipment.

- (1) A person shall not import, manufacture, deal in or repair any weights, measures, weighing instruments and measuring instruments unless he is registered with the Executive Director/Chief Executive Officer in such manner and on payment of such fees, as may be prescribed.
- (2) Every importer, manufacturer, dealer or repairer of weights, measures, weighing instruments and measuring instruments shall maintain such records and registers as may be prescribed.
- (3) The records and registers maintained under subsection (1) shall be produced at the time of inspection to the persons authorised for the said purpose under section 23 (1).
- (4) The Executive Director/Chief Executive Officer may, in the prescribed manner, register any person with the prescribed competencies who is employed or registered as indicated in subsection (2), as a person responsible for repairs of any particular kind in accordance with this Bill.
- (5) The Executive Director/Chief Executive Officer shall furnish a person responsible for repairs with a certificate stating that such person may undertake repairs in terms of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 20: Utility meters requirements.

- (1) This section shall apply to the use for trade or other legal metrology activities of utility meters of such classes and descriptions as may be prescribed by regulations.
- (2) For the purpose of this Bill, a utility meter is a measuring instrument that is —
 - (a) a water meter;
 - (b) an electricity meter; or
 - (c) a gas meter.
- (3) A utility meter used for such purposes shall be verified and used in a way that gives an accurate measurement.
- (4) A person shall not install, use or supply an unverified utility meter, and any

person, who uses, supplies or installs in or on any premises an unverified utility meter for use for trade or other legal metrology activities, commits an offence.

- (5) A person commits an offence if the —
- (a) person does, or fails to do, something in relation to a utility meter; and
 - (b) person's act or omission causes, or is likely to cause, the meter to give an inaccurate measurement or to give other information inaccurately (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 21: Regulations relating to weighing or measuring for trade.

- (1) For the purposes of this Bill, the Minister may make regulations with respect to the —
- (a) materials and principle of construction of weighing or measuring equipment for use for trade or other legal metrology activities;
 - (b) requirements for the inspection, verification and stamping or marking of weight, measure, weighing or measuring instruments;
 - (c) circumstances and the manner under which stamps may be obliterated or defaced, and any certificate of verification cancelled;
 - (d) purposes for which particular types of weighing or measuring equipment may be used for trade or other legal metrology activities;
 - (e) abbreviation of or symbols for units of measurement which may be used for trade;
 - (f) limits of error to be allowed on verification and to be tolerated on inspection either generally or as respects any trade; and
 - (g) manner of erection or use of weighing or measuring equipment used for trade.
- (2) Where any difference arises between an inspector and any other person as to the interpretation of regulations made under this section that difference may with the consent of that other person and shall at the request of that other person be referred to the Executive Director/Chief Executive Officer whose decision shall be final.
- (3) Where in the circumstances of any particular case it appears to be impracticable or unnecessary that any requirement of regulations made under this section should be complied with, the Executive Director/Chief Executive Officer may, if he thinks fit, dispense with the observance of that requirement subject to compliance with such condition, if any, as he thinks fit to impose, and if any person knowingly contravenes any condition imposed with respect to any equipment by virtue of this subsection, he shall be guilty of an offence and the equipment shall be liable to be forfeited (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 22: Keepers of Public Equipment to hold Certificate.

- (1) A person shall not attend to any weighing or measuring by means of weighing or measuring equipment available for use by the public being a weighing or measuring demanded by a member of the public and for which a charge is made, other than a weighing or measuring of a person, unless he holds a certificate from the Agency that he has sufficient knowledge and skill for the proper performance of his duties.
- (2) The Director of Metrological Data, Training, Research and Development as delegated by the Executive Director/ Chief Executive Officer may on application, grant a certificate of competency to any person whom he considers has acquired sufficient knowledge and skill to carry out the functions of this section.
- (3) Any person refused a certificate by the Director of Metrological Data, Training, Research and Development under this section may appeal against the refusal to the Executive Director/Chief Executive Officer whose decision thereon shall be final.
- (4) Any person who contravenes, causes or permits any other person to contravene subsection (1), commits an offence (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 23: Offences in connection with public equipment.

- (1) This section shall apply where any article, vehicle, wagon or animal has been delivered for weighing or measuring by means of weighing or measuring equipment which is available and for use by the public and is provided for the purpose of weighing and measuring articles, vehicle, wagon or animal.
- (2) Where any person appointed to attend to weighing or measuring by means of the equipment in question —
 - (a) without reasonable cause fails to carry out the weighing or measuring on demand;
 - (b) carries out the weighing or measuring unfairly;
 - (c) fails to deliver to the person demanding the weighing or measuring or to his agent a statement in writing of the weight or other measurement found; or
 - (d) fails to make a record of the weighing or measuring including all relevant particulars, and in the case of the weighing of a vehicle or wagon and of any load thereon, as will identify the vehicle or wagon and that load, he shall be guilty of an offence.
- (3) Where, in connection with any such equipment, a person —
 - (a) appointed to attend to weighing or measuring by means of the equipment delivers a false statement of any weight or other measurement found or makes a false record of any weighing or measuring; or

(b) commits any fraud in connection with any, or any purported, weighing or measuring by means of that equipment,

he commits an offence.

(4) There shall be retained for a period of at least two years records of any weighing or measuring officially made on weighing or measuring equipment available for use by the public, and an inspector may require the production of such records for inspection at any time during the said period, and accordingly if —

(a) a person attending any weighing or measuring equipment under this section fails to retain or produce any such record, and

(b) any person who wilfully destroys or defaces any such record before the expiration of two years from the date it was made,

he commits an offence (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART V — ADMINISTRATION

Clause 24: Provision of weighing and measuring instruments for use by inspectors.

(1) The Executive Director/Chief Executive Officer shall provide such weighing instruments and measuring instruments for use by inspectors as he may consider necessary for the purposes of their duties under this Bill.

(2) Weighing instruments and measuring shall be verified at such time and in such manner as the Executive Director/Chief Executive Officer may in writing direct (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 25: Repair or adjustment of weights.

(1) Subject to the provisions of this section, no inspector shall repair, alter or adjust any weight, measure, weighing instrument or measuring instrument.

(2) Where the Executive Director/Chief Executive Officer is satisfied that it is in the public interest that an inspector should be allowed to adjust weights, measures, weighing instruments and measuring instruments within the inspectorial district to which he is assigned, the superintendent may authorise the inspector to act as an adjuster accordingly, and it is an offence for an inspector so authorised to adjust any weight, measure, weighing instrument or measuring instrument without payment of the prescribed fee (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 26: Examination of weights.

(1) The Executive Director/ Chief Executive Officer may require any inspector to attend with his working standards and other equipment (if any) at such time and place as the Executive Director/Chief Executive Officer may direct, and an inspector shall attend where so required, examine and, if necessary, verify any weight or measure brought to him or otherwise made

available for inspection by him in the locality and if the inspector is satisfied that any weight or measure when produced or inspected by him is accurate, or is otherwise within the requirements as prescribed, he shall verify the same by means of a stamp, and shall issue to the person entitled a certificate of verification in the form set out in the Fourth Schedule to this Bill or to the like effect, and the certificate of verification shall, unless extended under this section, remain in effect for a period of 12 months.

- (2) Where any weight or measure by reason of its shape or size may not conveniently be brought to the inspector he may, if requested to do so, attend the premises where the weight or measure is, and there examine and verify the weight or measure and if for any reason it is not possible for the inspector to attend such premises, and the owner or user of any weight or measure in such premises produces to the inspector a current certificate of verification under this Section, the inspector may by endorsement on that certificate, extend its operation for not more than one further period not exceeding 12 months.
- (3) The neglect or refusal by an inspector to deliver a certificate of verification under this section shall be an offence against this Bill and the inspector shall be liable on summary conviction to a fine of ₦5,000.
- (4) For the purposes of this section, "weight or measure" includes any weighing instrument or measuring instrument, and a certificate of verification issued under any enactment repealed by this Bill shall, in respect of any period unexpired on the commencement of this Bill continue in effect for the unexpired period, as if it had been issued under this section (*Hon. Julius Omozuanvbo Ihonybere — House Leader*).

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

Clause 27: Additional functions by inspectors.

Without prejudice to the owners and duties of inspectors under any other provision of this Bill, an inspector may, at the request of any person and subject to the payment by that person of such fee, if any, as may be prescribed, carry out and submit to that person a report on —

- (a) a weighing or other measurement of any goods submitted for that purpose by that person at such place as the Executive Director/Chief Executive Officer may direct or approve; and
- (b) a test of the accuracy of any weighing or measuring equipment so submitted (*Hon. Julius Omozuanvbo Ihonybere — House Leader*).

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

Clause 28: General powers of inspection and sealing of premises.

(1) Subject to the production of his credentials, if requested, an inspector notwithstanding the provision of any enactment may within the area for which he was appointed —

- (a) at all reasonable times —
 - (i) inspect and test any weighing or measuring equipment which is used for trade or any metrological activities or which he has any reasonable cause to believe may be so

- used, or which is in the possession of any person or upon any premises for such use,
- (ii) inspect any goods to which any of the provisions of this Bill or any subsidiary instrument made thereunder for the time being applies for which he has reasonable cause to believe to be such goods,
 - (iii) enter any premises at which he has reasonable cause to believe there is any such equipment or goods as aforesaid, not being premises used only as a private dwelling-house, and
 - (iv) direct any person to put anything in or on the premises mentioned in subsection (1) (a) (i), into operation or to cease operating it;
- (b) at any time seize and detain any —
- (i) article which he has reasonable cause to believe is liable to forfeiture under this Bill, or
 - (ii) document displayed with goods as evidence of price or quantity of the goods and which the inspector believes may be required in the course of proceedings under this Bill.
- (2) Where an inspector finds any equipment, goods or articles as are mentioned in subsection (1) on any premises and has reasonable grounds to believe that any offence under this Bill has been, is being or is likely to be committed on such premises, he may seal the premises in question.
- (3) Where an inspector enters or intends to seal any premises under the provisions of this section, he may take with him such other persons and equipment as may appear to him necessary, and on leaving any such premises which at the time of entry were unoccupied or from which the occupier during such entry was temporarily absent, he shall leave them as effectively secured against trespassers as he found them.
- (4) Where any inspector or other person who enters any work-place by virtue of this section discloses to any person any information obtained by him in the work-place with regard to any manufacturing process or trade secret he shall, unless the disclosure was made in the performance of his duty, be guilty of an offence.
- (5) In the exercise of his powers under this section, an inspector or other person concerned shall exercise them so that as far as is practicable he will not impede or obstruct work in progress.
- (6) Where an inspector acts under subsection (2) —
- (a) he shall immediately report his action to the Executive Director/ Chief Executive Officer forthwith;
 - (b) any person aggrieved by the action may appeal to the Executive Director/ Chief Executive Officer who may confirm or cancel the action; and

- (c) the total period of the sealing of such premises shall not, without a court order in that respect, exceed 28 days.
- (7) Notwithstanding subsection (6), upon receipt of a report under that section in respect of any premises which have been sealed up, the Executive Director/ Chief Executive Officer may direct that goods found in it which in his opinion is of a perishable nature shall —
- (a) where no offence under this Bill has been committed in respect of the goods in question, be released to the owner of the goods;
- (b) where an offence under this Bill is alleged to have been committed with respect to the goods in question, be disposed of by sale or in such other manner as he may determine:
- Provided that where goods are disposed of by sale, the proceeds of such sale shall be payable to the owner of such goods.
- (8) Any person who knowingly and without reasonable excuse breaks a seal affixed under subsection (2), commits an offence and on conviction is liable to a fine of ₦100,000 or imprisonment for six months or both.
- (9) Nothing in this section shall authorise an inspector to stop any vehicle on a highway (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 29: Obstruction of inspectors.

- (1) Any person who —
- (a) willfully obstructs any inspector acting in the execution of his duty under this Bill;
- (b) willfully fails to comply with any requirement properly made by an inspector entering under section 30 of this Bill; or
- (c) without reasonable cause fails to give to any inspector acting as aforesaid any assistance or information which the inspector may reasonably require of him for the purposes of the performance by the inspector of his functions under this Bill or any order or regulation made under it, commits an offence.
- (2) If any person, in giving to an inspector any information as is mentioned in the subsection (1), gives the information he knows to be false, he commits an offence.
- (3) Nothing in this section shall be construed as requiring a person to answer any question or give any information if to do so might incriminate him (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 30: Offence by inspectors and others.

- (1) Any inspector who —
- (a) stamps or places a verification sticker on any weight, measure,

weighing instrument or measuring instrument without verifying it, as prescribed by this Bill;

- (b) unless authorised under this Bill is paid for the making, adjusting or selling of any weight, measure, weighing instrument or measuring instrument; or
- (c) commits any breach of duty imposed on him under this Bill or otherwise misconducts himself in the execution of his office, commits an offence and, in addition to any other penalty imposed on conviction thereof, his appointment as an inspector may be terminated.

- (2) Any person who without proper authority, acts or purports to act as an inspector whether for the purposes of subsection (1) or not, commits an offence (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 31: Fraud in use of weights.

Where any fraud is willfully committed in the use of any weight, measure, weighing or measuring instrument for trade, the person committing such fraud, and every person party to such fraud, shall be guilty of an offence and such weight, measure, weighing instrument or measuring instrument shall be liable to forfeiture (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 32: Offence of refusal to produce weights.

Any person who refuses when requested by an inspector to produce to the inspector any weight, measure, weighing instrument or measuring instrument in his possession or custody or obstructs, or hinders any inspector in any examination under this Bill of any weight, measure, weighing instrument or measuring instrument, commits an offence (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 33: Importation of unjust weights and measures.

- (1) Any person who imports, makes or sells or causes to be imported, made or sold any unjust weight, measure, weighing instrument, measuring instrument or goods, commits an offence and is liable on summary conviction in respect of a first offence to a fine of not less than ₦100,000.00 and, in respect of a second or any subsequent offence, to a fine of not less than ₦200,000 or more than ₦300,000 or to imprisonment for a term of 12 months.
- (2) Any person who imports, makes or sells or causes to be imported, made or sold any weight, measure, weighing measuring instrument or goods or equipment which is not in metric units or specifications, commits an offence (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 34: Forgery of stamp or mark.

- (1) Any person who forges, counterfeits or causes to be forged or counterfeited, or knowingly assists in forging or counterfeiting any stamp or mark used for stamping or marking any weight, measure, weighing instrument or

measuring instrument under this Bill, commits an offence and is on summary conviction liable to a fine of at least ₦100,000 or more than ₦200,000 or to imprisonment for a term of six months.

- (2) Any person who willfully destroys a seal, mark, sticker or stamp on or in a weighing or measuring instrument as evidence of passing as fit for use for trade or of rejection for such use, commits an offence and such weighing or measuring instrument is liable to forfeiture (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 35: Sale of weights with forged stamp.

Any person who knowingly sells, uses or disposes of any weight, measure, weighing instrument or measuring instrument with any forged or counterfeited stamp or mark thereon resembling or intended to resemble any stamp or mark used under this Bill, commits an offence and such weighing or measuring instrument is liable to forfeiture (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 36: Alteration of stamped or marked weight.

Any person who, with intent to defraud —

- (a) alters any weight, measure, weighing instrument or measuring instrument stamped or marked in accordance with this Bill; or
- (b) uses in any sale, contract, or other dealing any such altered weight, measure, weighing instrument or measuring instrument, commits an offence (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 37: Delivery on sale by false weight.

Any person who sells any article by weight, measure, or number and delivers or causes to be delivered to the purchaser a less weight, measure, or number, as the case may be, than is purported to be sold or that corresponds with the price charged, commits an offence (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 38: Misrepresentation.

Any person who, in connection with the sale or the exposing or offering for sale of anything, makes any misrepresentation howsoever or does or omits any act, matter or thing calculated or likely to mislead the seller or purchaser or prospective seller or purchaser as the case may be, as to its weight or measure, or if sold or offered for sale by number, as to the number sold or offered for sale, commits an offence (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 39: Sale of bread not by net weight an offence.

(1) Subject to subsection (3), a person commits an offence who —

- (a) sells, offers, or exposes for sale any bread otherwise than by net weight; or

- (b) sells or has in his possession for sale or delivery under a contract of sale any loaf of bread unless its net weight is 200 grammes or multiples of 100 grammes subsequently.
- (2) Every person selling or having in his possession for the purpose of sale or carrying to a purchaser for sale any bread, shall if so, required by an inspector, permit the inspector to weigh the bread, and any person who contravenes this subsection, commits an offence.
- (3) Nothing in this section shall apply to —
- (a) rolls or pieces of bread not exceeding 200 grammes in weight; or
- (b) loaves supplied under contract where the contract provides for weighing of the bread on delivery.
- (4) In this section "bread" means bread in any form other than bread-crumbs and includes the following, and any part of any of the following, that is to say, fancy loaves and milk loaves, and "loaf" includes a roll and a bap and any pre-packed sliced loaf of bread is deemed to be a whole loaf of bread and the pre-packing of sliced bread in any quantity by net weight is deemed to be the making for sale of whole loaf of bread of that net weight (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 40: Sale of pre-packed goods.

- (1) A person shall not sell or have in his possession for sale any pre-packed article, whether or not contained in the Sixth Schedule to this Bill, unless the wrapper or container bears thereon, or on a label securely attached thereto, a true statement in plain characters of the minimum net weight or measure of the article contained therein.
- (2) A person shall not sell or have in his possession for sale any pre-packed goods of any of the kinds set forth in the Sixth Schedule to this Bill unless the goods are made up for sale in the standard quantities specified in column 2 or 3 of that Schedule (according as the goods are packed in rigid containers of glass, plastic, metal or not).
- (3) The indication of weight or measure required in this section to be marked on any pre-packed article for sale shall be conspicuously and legibly marked in the manner hereunder prescribed, it shall be —
- (a) printed, stamped or written in plain block characters; and
- (b) situated in a prominent position on the outside of the outermost wrapper or container or on a label securely attached to it:
- Provided that where the outermost wrapper or container is of a transparent nature, the whole indication of weight or measure may be marked on the next inner wrapper or container provided the said indication of weight or measure is as plainly and easily legible as if on the outer wrapper or container.
- (4) An indication of weight or measure is —

- (a) complete in itself, that is to say, the words or group of characters composing the marking is associated together so as to be read as a whole, and it shall not be modified by any words or figures as "about", "average", "not more than" or any such similar word or expression; and
 - (b) marked on a plain background and in distinct contrast thereto, that is to say, the characters shall be dark on a light background or vice versa.
- (5) A statement as to the weight or measure of pre-packed goods is deemed to be a statement as to the net weight or measure thereof unless otherwise specified.
 - (6) Denominations of weights or measures is either spelt in full or if abbreviated shall be expressed by one or other of the prescribed abbreviations.
 - (7) Any person who contravenes the provisions of this section commits an offence.
 - (8) The Minister may by order amend, vary, add to or replace the Sixth Schedule, and any order made under this section is subject to the approval of the President.
 - (9) Before making any order under this section, the Minister shall consult with and consider any representations with respect to the subject-matter of the order made to him by such organisations as appear to him to be representative of interest substantially affected by the order (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 41: Sale of certain meat and fish including fruits, vegetables and tubers, not by net weight an offence.

Subject to the provisions of this Bill as to the use of any indigenous weight or measure, any person who sells any butchers' meat, fresh fish and other agricultural produce including fruits, vegetables and tubers otherwise than by net weight, commits an offence (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 42: Use of false or unjust weights.

Subject to the provisions of this section, any person who for the purposes of any sale, contract or other dealing uses or has in his possession for use, any weight, measure, weighing instrument or measuring instrument which is —

- (a) false or unjust; or
- (b) not stamped or marked as required by this Bill, or in respect of which no certificate of verification is in effect,

commits an offence (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 43: Refusal to weigh or measure goods delivered.

Any person who sells goods by weight or measure for himself or on behalf of any other person in any warehouse, market, store or other public place and when required by the person to whom the goods are delivered refuses to weigh or measure the goods in the presence of the person to whom they are delivered, commits an offence (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VI — FINANCIAL PROVISIONS

Clause 44: Fund of the Agency.

- (1) There is established for the Agency a Fund from which shall be defrayed all expenditure incurred by the Agency for the purposes of this Bill.
- (2) There shall be credited to the Agency's account —
 - (a) a percentage as determined by the National Assembly from funds generated through services performed by the Agency which may be appropriated by the National Assembly for the capital and the recurrent expenditures of the Agency.
 - (b) adequate take off grant from the Federal Government;
 - (c) annual subventions and budgetary allocations from the Federal Government;
 - (d) loans and grants in aid from national, bilateral and multilateral Agencies;
 - (e) counterpart funding as may be provided;
 - (f) all sums accruing to the Agency by way of rents, fees and other internally generated revenues from services rendered by the Agency; and
 - (g) all sums accruing to the Agency by way of gifts, endowments, bequeaths or other voluntary contributions by persons and organisations (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 45: Expenditure of the Agency.

The Agency shall apply the funds at its disposal to —

- (a) the cost of establishing and maintaining the head office of the Agency at the Federal Capital Territory, Abuja and its offices located in other places in Nigeria;
- (b) the cost of promoting inspection, monitoring and enforcement activities;
- (c) pay allowances and other benefits of members of the Board and of its committees;
- (d) pay the salaries and entitlements of the Executive Director/ Chief Executive Officer and other members of staff of the Agency;

- (e) pay the personnel- overhead, allowances, pensions, gratuities, benefits and other administrative costs of the Agency;
- (f) pay obligatory membership fees and subscription to local, regional and international organisations;
- (g) pay for attendance at local and international conferences related to its functions;
- (h) build capacity of members of staff of the Agency;
- (i) run the Institute, Abuja and other training centres across the Federation;
- (j) publicise and promote the activities of the Agency;
- (k) attend national and international scientific and professional seminars on weights and measures and allied matters;
- (l) develop and maintain any property vested in or owned by the Agency;
- (m) pay for services and contracts entered by the Agency; and
- (n) undertake any other activity in connection with all or any of the functions of the Agency (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 46: Exemption from income tax, annual estimate, accounts and audits, annual report.

- (1) All income derived by the Agency from the sources specified in section 12 (2) of this Bill shall be exempted from income tax, and all contributions to the Fund such as aids and grants to the Agency shall be tax-free, however appropriate taxes shall be deductible in respect of every contract issued by the Agency.
- (2) The Agency shall submit to the President through the Minister, not later than 30 September each year, its programme of work and estimates of its income and expenditure for the following year.
- (3) The Board shall keep proper accounts of the Agency and proper records in relations to those accounts.
- (4) The accounts of the Agency shall be audited, not later than six months after the end of the year to which it relates, by auditors appointed by the Agency from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.
- (5) The Agency shall prepare and submit to the Federal Executive Council, through the Minister, not later than 30 June in each year, a report on the activities of the Agency during the preceding year, and shall include in such report, a copy of the audited accounts of the Agency for that year and the auditor's report.
- (6) No suit, prosecution or other legal proceeding shall lie against the Executive Director/Chief Executive Officer and officers authorised to discharge any duty by or under this Bill in respect of anything done which is in good faith

or intended to be done under this Bill or any rule or order made thereunder.

- (7) The Executive Director/Chief Executive Officer may create inspectorial districts and assign thereto such number of duly appointed inspectors as may be required (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 47: Power to Borrow.

The Agency may, with the approval of the Board, borrow, on such terms and conditions as the Agency may require in the performance of its functions under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VII — MISCELLANEOUS AND GENERAL PROVISIONS

Clause 48: A voidance of sale.

- (1) Where there is a sale by weight or measure and the weighing or measurement is to be done by any weight or measure prohibited by this Bill, the sale is void.
- (2) In this section, "sale" includes any contract or other transaction (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 49: Offences by bodies corporate.

- (1) Where an offence under this Bill committed by a body corporate is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, any such director or other person mentioned in this subsection as the case may be, as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (2) For the purposes of this section, the expression "director" in relation to any body corporate established by or under any enactment for the purpose of carrying on under national ownership any industry or part of an industry or undertaking, being a body corporate, whose affairs are managed by the member thereof, means a member of that body corporate (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 50: Loss by evaporation a defense in special cases.

In proceedings under this Bill in respect of an alleged deficiency in the weight of any article delivered to a purchaser, it is a good defense in any prosecution if the defendant proves to the satisfaction of the court that the alleged deficiency was due to unavoidable evaporation or drainage, and that he took all reasonable care to avoid such deficiency (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 51: Offence by person other than defendant.

- (1) Any person prosecuted for an offence under this Bill, on giving to the prosecution three clear days' notice of his requirement and with the leave of the court, is entitled to have brought before the court in the proceedings any other person to whose act or default the defendant alleges responsibility for the commission of the offence, and if on proof of commission of the offence, the original defendant proves that its commission was due to the act or default of the other person brought before the court and that the original defendant took all reasonable care to avoid the commission of the offence by him or by any person under his control, he shall be acquitted and discharged, and the court, if it deems fit, may enter a conviction against the other person brought before the court.
- (2) Where it appears to any authority by or on whose behalf proceedings may be instituted that an offence under this Bill has been committed and that authority is reasonably satisfied that the offence was due to any act or default of some other person, the authority may cause proceedings to be taken against that other person alone, and in such proceedings that other person may be charged with and may be convicted of that offence, notwithstanding the failure to prosecute the first mentioned person (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 52: Exemption from sale in containers.

Unless otherwise prescribed by regulations under this Bill, nothing in this Bill shall —

- (a) be construed to prohibit the sale, or subject any person to a penalty under this Bill for the sale of an article not being pre-packed in a container of any description where such container is not represented as containing any amount of metric measure; or
- (b) subject any person to a penalty under this Bill for the possession of any such container where the court or an inspector, as the case may be, is satisfied that the container was not intended for use as a measure (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 53: Saving for civil remedies.

The fact that any act or omission is an offence under this Bill for which a person may be prosecuted shall not affect any civil remedy to which a person aggrieved by the offence may be entitled (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 54: Transactions to be in accordance with Act.

- (1) Unless otherwise prescribed by this Bill, every transaction of any nature in any state involving the use of any weight or measure that is not in accordance with this Bill is void, and any person who uses that weight or measure, commits an offence against this Bill.
- (2) All tolls and duties charged or collected according to weight or measure shall be charged and collected according to one of the weights or measure under this Bill or to some or multiple part of it (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 55: Power to forfeit and dispose of certain weights.

Any weight, measure, weighing instrument, measuring instrument or goods which is the subject matter of any proceeding leading to conviction for an offence under this Bill may, unless otherwise prescribed by this Bill, be forfeited and may be broken up or otherwise disposed of as the court may direct (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 56: Use of weights in relation to wages.

The provisions of this Bill and of any other enactment for the time being in effect in Nigeria relating to weights, measures, weighing instruments or measuring instruments used for the purposes of any sale, contract or dealing shall extend to any weight, measure, weighing instrument or measuring instrument used in any factory or workshop for the purpose of checking or ascertaining the wages of any person employed therein in like manner as if they were used for the purpose of any sale, contract or dealing under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 57: Use of marked or stamped weights.

No weight, measure, weighing instrument or measuring instrument marked or stamped by an inspector under this Bill shall, during the currency of any certificate of verification given in respect thereof, be objected to unless the Executive Director/Chief Executive Officer is satisfied on reasonable grounds that the certificate of verification was issued under a mistake of fact, or that the weight, measure, weighing instrument or measuring instrument when checked with the appropriate standard is incorrect (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 58: Presumption of possession of weights.

Where any weight, measure, weighing instrument, measuring instrument or goods is found in the possession of any person upon premises of any description used for trade or other legal metrology activities, that person shall be deemed to be in possession of the weight, measure, weighing instrument, measuring instrument or goods for use for trade or other legal metrology activities until the contrary is proved (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 58 stands part of the Bill — Agreed to.

Clause 59: Power to make test purchases.

Subject to the duties imposed on him under this Bill, any inspector shall have power to make such purchases of goods as may appear expedient for the purpose of determining whether or not the provisions of this Bill are being complied with (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 59 stands part of the Bill — Agreed to.

Clause 60: Onus of proof of knowledge in any offence.

Unless otherwise prescribed for an offence under this Bill, it shall not be necessary for any prosecution to prove knowledge or intent, but where the prosecution is in

respect of an offence of doing anything knowingly or with a specified intent, the onus of disproving that he did such thing knowingly or with such intent shall be on the defendant (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 60 stands part of the Bill — Agreed to.

Clause 61: Reference of certain cases to Executive Director/ Chief Executive Officer.

Where there is a dispute between an inspector and any person as to the method of testing or verifying any weight, measure, weighing instrument or measuring instrument, the matter in dispute shall, at the request of either party to the dispute be determined by the Executive Director/Chief Executive Officer, whose decision thereon shall be final (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 61 stands part of the Bill — Agreed to.

Clause 62: Limitation of actions.

Actions and other proceedings by an inspector for things done or omitted under this Bill shall be commenced within three months after the matter complained of was done or omitted and not later, and notice in writing of any such action or other proceeding with full particulars of the cause thereof, shall be given to the defendant seven days at least before the commencement of such action or proceedings (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 62 stands part of the Bill — Agreed to.

PART VIII — SUPPLEMENTARY PROVISIONS

Clause 63: Powers of the Minister to make regulations.

- (1) The Agency, in exercise of its powers under this Bill, may in consultation and approval of the Minister make regulations and orders generally in accordance with the provisions of this Bill.
- (2) Without prejudice to the general power conferred by subsection (1), regulations may be made for —
 - (a) prescribing the fees to be paid on the stamping, marking, verifying, repairing or adjusting of any weight, measure, weighing instrument or measuring instrument by an inspector;
 - (b) prescribing the tests to be applied for the purpose of ascertaining the accuracy and efficiency of weights, measures, weighing instruments and measuring instruments;
 - (c) standardising any indigenous weights or measures;
 - (d) prescribing any district or other area in which any weight or measure other than metric weight or measure may be used; and
 - (e) prescribing articles not elsewhere included in this Bill which are not to be sold otherwise than by weight, measure or number (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 64: Fees.

- (1) The fees in the Fifth Schedule to this Bill shall be the prescribed fees for the purposes of this Bill.

- (2) The Minister may by order amend, vary, add to or replace the Fifth Schedule, and any order made under this section shall be subject to the approval of the President (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 64 stands part of the Bill — Agreed to.

Clause 65: Penalties.

- (1) Any person who commits an offence under any of the provisions of this Bill shall, unless otherwise prescribed, be liable on conviction to, in the case of —
- (a) an individual, a fine of ₦500,000. or imprisonment for a term of one year or both; and
- (b) a body corporate, a fine of ₦2,000,000.
- (2) Subject to the exercise by the Attorney-General of the Federation of his powers under any enactment (including the Constitution of the Federal Republic of Nigeria, 1999), proceedings under this Bill may be instituted by or on behalf of the Executive Director/Chief Executive Officer or the Inspector-General of Police.
- (3) All penalties imposed under this Bill shall, when recovered, be paid into the Consolidated Revenue Fund of the Federation (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 65 stands part of the Bill — Agreed to.

Clause 66: Exclusive use of metric units.

- (1) It is unlawful for a person in Nigeria to have in his possession for the purposes of trade or legal metrology activities or any other commercial transaction and, in particular, to have in his possession for sale, or to use or cause to be used for selling, any commodity or to import any weights, measures, weighing instruments, measuring instruments or goods which are in any other units other than in exclusively metric units.
- (2) Any person who contravenes subsection (1), commits an offence under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 66 stands part of the Bill — Agreed to.

Clause 67: Offices and premises of the Agency.

- (1) For the purposes of providing offices and premises necessary for the performance of its functions under this Bill, the Agency may, subject to the Land Use Act —
- (a) purchase or take on lease any interest in land, or other property; and
- (b) construct offices and premises, equip and maintain same.
- (2) The Agency may, subject to the Land Use Act, sell or lease out any office or premises held by it, which office or premises is no longer required for the performance of its functions under this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 67 stands part of the Bill — Agreed to.

Clause 68: Limitation of suits against the Agency.

- (1) Subject to the provisions of this Bill, the provisions of the limitation of suits against the Public Officers Protection Act shall apply in relation to any suit against any member, officer or employee of the Agency.
- (2) Notwithstanding anything contained in any other law or enactment, no suit shall lie against any member of the Board, the Executive Director/Chief Executive Officer or any other officer or employee of the Agency for anything done under or in execution of this Bill or any alleged neglect or default in the execution of this Bill or such law or enactment, duty or authority, shall lie or be held against the Agency 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 next after the leasing of it (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 68 stands part of the Bill — Agreed to.

Clause 69: Services of document.

A notice, summons or other document required or authorised to be served upon the Agency under the provisions of this Bill or any other law or enactment may be served by delivering it to the Executive Director/Chief Executive Officer (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 69 stands part of the Bill — Agreed to.

Clause 70: Restriction of execution against property of the Agency.

In any action or suit against the Agency, no execution or attachment of process shall be made against the Agency, unless not less than three months' notice of the intention to execute or attach has been given to the Agency (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 70 stands part of the Bill — Agreed to.

Clause 71: Repeal, Savings and transitional provisions.

- (1) The Weights and Measures Act, Cap. W3, Laws of the Federation of Nigeria, 2004 is repealed.
- (2) Notwithstanding the repeal of the Weights and Measures Act, Cap. W3, Laws of the Federation of Nigeria, 2004 ("the repealed Act") —
 - (a) the rights, interests, obligations and liabilities in the repealed Act existing under this Bill, under any contract, instrument either in law or equity, apart from any contract or instrument, shall by virtue of this Bill be assigned to and vested in the Service established by this Bill;
 - (b) a document referring to a provision of the repealed Act shall be construed as a reference to the corresponding provision of this Bill; and

- (c) where an offence, being an offence for the continuance of which penalty was provided, has been committed under the repealed Act, in respect of the continuance of the offence, after the commencement of this Bill, shall in the same manner apply as if the offence had been committed under the corresponding provisions of this Bill.
- (3) A proceeding pending or existing immediately before the commencement of this Bill against a member of the Service, shall be continued or commenced, as the case may be and a determination of a court or other authority or person may be enforced against the Service to the same extent that the proceeding or other action or determination could have been continued, commenced or enforced against such member.
- (4) A forfeiture having effect under the repealed Act immediately before the commencement of this Bill, shall continue to have the same effect notwithstanding the repealed Act.
- (5) Any document made before the commencement of this Bill, which would have been admissible in evidence under the provisions of the repealed Act, shall be admissible to the extent and in the same proceedings notwithstanding that the repealed Act has ceased to have effect.
- (6) Nothing in this Bill shall invalidate any act or things done by a person, authority or by the Service before the commencement of this Bill and the act or the thing done shall be considered to have been duly executed and shall continue to be in effect in accordance with the provisions of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that Clause 71 stands part of the Bill — Agreed to.

Clause 72: Interpretation.

- (1) In this Bill —
"base unit" means one of the international system (SI) units of measurements listed in the First Schedule (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"capacity measurement" means measurement in terms of a unit of measurement included in Part IV of the First Schedule to this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"container" includes any form of packaging of goods for sale as a single item, whether by way of wholly or partly enclosing the goods or by way of attaching the goods to, or winding the goods round, some other article, and in particular includes a wrapper or confining band (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"food" includes drink, chewing gum or special products of a like nature and use, and articles or substances used as ingredients in the preparation of food or drink or of such products, but does not include —

- (a) water, live animals or birds;
- (b) fodder or feeding stuff for animals, birds or fish; or
- (c) articles or substances used only as drugs, or medicine for internal or external use (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"inspector" includes the Legal Metrology Officer, Inspector of Weights and Measures as appointed under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"measuring instrument" includes any instrument for the measurement of length, capacity, area or volume (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Minister" means the Minister responsible for trade (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"occupier" in relation to any stall, vehicle, ship or aircraft or in relation to the use of any place for any purpose, means the person for the time being in charge of the stall, vehicle, ship or aircraft or, as the case may be, the person for the time being using that place for that purpose (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"premises" includes any place and any stall, vehicle, ship or aircraft (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"prescribed" means prescribed by this Bill or regulations made thereunder (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"protection" means the utilisation of reading obtained from any weights or measure, for the purpose of determining any step which is required to be taken to safeguard the well-being of any human being or animal, or to protect any commodity, vegetation or thing, whether individually or collectively (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

"ship" includes any boat and any other description of vessel used in navigation (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

"stamp" means a mark for use as evidence of the passing of weighing or measuring equipment as fit for use for trade, whether applied by impressing, casting, engraving, etching, branding, or otherwise howsoever, and cognate expressions shall be construed accordingly (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

"State" means any State created under the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

"Executive Director/Chief Executive Officer" means the Executive Director/Chief Executive Officer of the Agency appointed under this Bill (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

Question that the meaning of the words "Executive Director/Chief Executive Officer" be as defined in the interpretation to this Bill — Agreed to.

"legal metrology" means that part of metrology which treats units of weightment and measurement, methods of weightment and measurement and weighing and measuring instruments, in relation to the mandatory technical and legal requirements which have the object of ensuring public guarantee from the point of view of security and accuracy of the weightments and measurements (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

"weighing and measuring equipment" means equipment for measuring in terms of length, area, volume, capacity, weight or number whether or not the equipment is constructed to give an indication of the measurement made or other information determined by reference to that measurement; and (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

Question that the meaning of the words "weighing and measuring equipment" be as defined in the interpretation to this Bill — Agreed to.

"weighing instrument" includes scales with the poises applied thereto, scale-beams, balances, spring balances, steelyards, platform machines, weighbridges, counter scales, automatic scales, self-indicating and semi self-indicating scales, person weighing machines and other instruments for weighing, including instruments constructed also to calculate and indicate the price in money (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

- (2) The expression, "use for trade" means use in any State in connection with, or with a view to, a transaction for the —
 - (a) transferring or rendering of money or money's worth in consideration of money or money's worth; or
 - (b) making of a payment in respect of any toll or duty, where the —
 - (i) transaction is by reference to quantity in terms of measurement of length, area, volume, capacity or weight or in terms of number, or is a transaction for the purposes of which there is made or implied a statement of the quantity in such terms of goods to which the transaction relates, and
 - (ii) use is for the purpose of the determination of statement of that quantity, but, except where the transaction is a retail transaction for the making of a payment in respect of a toll or duty leviable in Nigeria or in respect of carriage within or from Nigeria, does not include any case where the goods in respect of which the determination or statement of quantity is made are goods required for dispatch to a destination outside Nigeria.
- (3) The expression "for use for other legal metrology activities" means equipment that are used in legal metrology activities such as protection of public health, safety and environment.
- (4) The expression "pre-packed" means made up in advance ready for retail sale in or on a container; and on any premises where articles of any description are so made up, or are kept or stored for sale after being so made up, any article of that description found made up in or on a container shall be deemed to be pre-packed unless the contrary is proved, and it is not sufficient proof of the contrary to show that the container has not been marked in accordance with the requirements of this Bill or any instrument made thereunder with respect to the pre-packing of such articles.
- (5) Unless the context otherwise requires, any reference in this Bill to any person, other than a reference to an inspector, shall be construed as a reference to that person or some other person acting on his behalf in the matter in question.
- (6) A statement as to the weight or measure of a pre-packed article shall, unless otherwise specified thereon, be deemed to be a statement of the net weight or measure of such article (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 72 stands part of the Bill — Agreed to.

Clause 73: Citation.

This Bill may be cited as the Nigeria Weights and Measures Regulatory Agency (Establishment) Bill, 2023 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that Clause 73 stands part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to repeal the Weights and Measures Act, Cap. W3, Laws of the Federation of Nigeria, 2004 and establishes the Nigerian Weights and Measures Regulatory Agency, for the development and enforcement of varying scopes of legal metrology standards for the promotion of fair trade, protection of public health, safety and the environment (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Repeal the Weights and Measures Act, Cap. W3, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Weights and Measures Regulatory Agency (Establishment) Act, 2023 for the Development and Enforcement of Varying Scopes of Legal Metrology Activities for the Promotion of Fair Trade, Protection of Public Health, Safety and the Environment; and for Related Matters (HB. 614) (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Repeal the Weights and Measures Act, Cap. W3, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Weights and Measures Regulatory Agency (Establishment) Act, 2003 for the Development and Enforcement of Varying Scopes of Legal Metrology Activities for the Promotion of Fair Trade, Protection of Public Health, Safety and the Environment; and for Related Matters (HB.614) and approved Clauses 1 - 73, the Explanatory Memorandum, and the Long Title of the Bill.

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

33. A Bill for an Act to Amend the Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31 March, 2024; and for Related Matters (HB. 1075) — Third Reading

Motion made and Question proposed, “That a Bill for an Act to Amend the Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31 March, 2024; and for Related Matters (HB. 1075) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

34. A Bill for an Act to Amend the Supplementary Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31 March, 2024; and for Related Matters (HB. 1076) — Third Reading

Motion made and Question proposed, “That a Bill for an Act to Amend the Supplementary Appropriations Act, 2023 to Extend the Implementation year from 31 December, 2023 to 31

March, 2024; and for Related Matters (HB. 1076) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

35. **A Bill for an Act to Establish Federal University of Agriculture and Entrepreneurship, Saki, Oyo State to make Compressive Provisions for its due Management and Administration; and for Related Matters (HB. 628) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Establish Federal University of Agriculture and Entrepreneurship, Saki, Oyo State to make Compressive Provisions for its due Management and Administration; and for Related Matters (HB. 628) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

36. **A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 to provide for Establishment of Federal College of Agriculture, Abi, Cross River State; and for Related Matters (HB. 330) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 to provide for Establishment of Federal College of Agriculture, Abi, Cross River State; and for Related Matters (HB. 330) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

37. **A Bill for an Act to Establish Nigerian Institute of Agriculturists charged with the responsibility of advancing the Study, Training and Practice of Agriculture activities and determining the standard of knowledge and skills to be attained by Persons seeking to become registered Members of the Institute; and for Related Matters (HB. 653) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Establish Nigerian Institute of Agriculturists charged with the responsibility of advancing the Study, Training and Practice of Agriculture activities and determining the standard of knowledge and skills to be attained by Persons seeking to become registered Members of the Institute; and for Related Matters (HB. 653) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

38. **A Bill for an Act to Provide for Establishment of Federal College of Nursing, Midwifery and Health Sciences, Isiala-Mbano, Imo State; and for Related Matters (HB. 173) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Provide for Establishment of Federal College of Nursing, Midwifery and Health Sciences, Isiala-Mbano, Imo State; and for Related Matters (HB. 173) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

39. **A Bill for an Act to Establish Chartered Institute of Cooperative Professionals in Nigeria charged with the responsibility for advancing the Training and Practice of Cooperative Professionals; and for Related Matters (HB. 603) — Third Reading**
Motion made and Question proposed, “That a Bill for an Act to Establish Chartered Institute of Cooperative Professionals in Nigeria charged with the responsibility for advancing the Training and Practice of Cooperative Professionals; and for Related Matters (HB. 603) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

40. **A Bill for an Act to Establish College of Nursing and Midwifery, Otu Jeremi, Delta State; and for Related Matters (HB.221) — Third Reading**
Motion made and Question proposed, “That a Bill for an Act to Establish College of Nursing and Midwifery, Otu Jeremi, Delta State; and for Related Matters (HB.221) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

41. **A Bill for an Act to Repeal the National Film and Video Censors Board Act, Cap. N40, Laws of the Federation of Nigeria, 2004 and Enact the National Film and Video Censorship, Classification and Exhibition Regulatory Commission Act for the Classification of Films Video Works, Musical Videos and Video Games and for the Regulation of their Sales, Rentals, Distribution, Exhibition; and for Related Matters (HB.475) — Third Reading**
Motion made and Question proposed, “That a Bill for an Act to Repeal the National Film and Video Censors Board Act, Cap. N40, Laws of the Federation of Nigeria, 2004 and Enact the National Film and Video Censorship, Classification and Exhibition Regulatory Commission Act for the Classification of Films Video Works, Musical Videos and Video Games and for the Regulation of their Sales, Rentals, Distribution, Exhibition; and for Related Matters (HB.475) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

42. **A Bill for an Act to Establish South East Development Commission Charged with the Responsibility among other things to receive and manage funds from allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and other Infrastructural Damages suffered by the Region as a result of the effect of the Civil War as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the South East States; and for Related Matters (HB.626) — Third Reading**
Motion made and Question proposed, “That a Bill for an Act to Establish South East Development Commission Charged with the Responsibility among other things to receive and manage funds from allocation of the Federation Account for the Reconstruction and Rehabilitation of Roads, Houses and other Infrastructural Damages suffered by the Region as a result of the effect of the Civil War as well as tackle the Ecological Problems and any other Related Environmental or Developmental Challenges in the South East States; and for Related Matters (HB.626) be now read the Third Time” (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

Bill read the Third Time and passed.

43. **A Bill for an Act to Repeal the Weights and Measures Act, Cap. W3, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Weights and Measures Regulatory Agency (Establishment) Act, 2003 for the Development and Enforcement of Varying Scopes of Legal Metrology Activities for the Promotion of Fair Trade, Protection of Public Health, Safety and the Environment; and for Related Matters (HB.614) — *Third Reading***

Motion made and Question proposed, “That a Bill for an Act to Repeal the Weights and Measures Act, Cap. W3, Laws of the Federation of Nigeria, 2004 and Enact the Nigerian Weights and Measures Regulatory Agency (Establishment) Act, 2003 for the Development and Enforcement of Varying Scopes of Legal Metrology Activities for the Promotion of Fair Trade, Protection of Public Health, Safety and the Environment; and for Related Matters (HB.614) be now read the Third Time”
(Hon. Julius Ihonvbere — House Leader).

Agreed to.

Bill read the Third Time and passed.

44. **Adjournment of First Sitting**

That the House do adjourn the First Sitting till 3.20 p.m. (Hon. Julius Ihonvbere — House Leader).

The House adjourned accordingly at 3.00 p.m.

Benjamin Okezie Kalu
Deputy Speaker