



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 28 February, 2024

1. The House met at 10.58 a.m. Mr Speaker read the Prayers.
2. The House recited the National Pledge.
3. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Tuesday, 27 February, 2024.

The Votes and Proceedings was adopted by unanimous consent.

4. **Admittance into the Chamber**
Motion made and Question proposed, "That the House, do admit into the Chamber, Chairman and Members of the Bulgaria-Nigeria Parliamentary Friendship Group from the National Assembly of the Republic of Bulgaria for the purpose of observing the Plenary, pursuant to Order Six, Rule 4 (1) (xi) of the Standing Orders of the House of Representatives" (*Hon. Julius Ihonvbere — House Leader*).

Agreed to.

5. **Petitions**
 - (i) A petition from Youths and Environment Advocacy Centre, on alleged rejection of Banne Lenee, a victim of armed robbery attacked, by four Medical Facilities in Rivers State for not possessing a police report, leading to his death, was presented and laid by Hon. Mansur Manu Soro (*Darazo/Ganjuwa Federal Constituency*);
 - (ii) A petition from Fidelis Uti, on the non-payment of his salary between 2013 - 2018 by the Nigeria Police Force, was presented and laid by Hon. Marie Ebikake Enenimiete (*Brass/Nembe Federal Constituency*);
 - (iii) A petition from Ohaneze Youth Council, on behalf of Nigerians in Benin Republic Prisons on their undue detention and maltreatment, was presented and laid by Hon. Tochukwu Okeru Chinedu (*Owerri Municipal/Owerri North/Owerri West Federal Constituency*);

- (iv) A petition from Chinwe Nwosu, on the brutal killing of her husband, Chiozie Nwosu by an officer of the Nigeria Police Force, was presented and laid by Hon. Peter Ifeanyi Uzokwe (*Nnewi North/Nnewi South/Ekwusigo Federal Constituency*);
- (v) Hon. Jesse Okey-Joe (*Oshodi Isolo Federal Constituency*) presented and laid the following petitions:
- (a) Bipeledei and Company (Legal Practitioners), on behalf of Pinepele - Ama and 20 other communities, on alleged deliberate refusal to pay compensation to communities ravaged by oil pollution that occurred at Kemebiame community;
- (b) Public Complaints Commission, on behalf of the District Head of Ido Sarki Community, on alleged threat of invasion, demolition and forceful takeover of their community by the Nigerian Navy;
- (c) Public Complaints Commission, on behalf of the Indigenous People of Federal Capital Territory, on alleged flagrant disregard to the principles of Federal Character by the Nigerian Upstream Petroleum Regulatory Commission (NUPRC);
- (vi) A petition from Patrick Okoh & Co. (Legal Practitioners), on alleged non-compliance with court judgment by House of Representatives' Ad-hoc Committee to investigate level of compliance by Governments Departments and Corporate bodies with the Industrial Trust Fund, was presented and laid by Hon. Nnamdi Ezechi (*Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Petitions referred to the Committee on Public Petitions.

6. Matters of Urgent Public Importance (Standing Order Eight, Rule 5)

(i) *Need for More Government Remedial Measures to Address Food Scarcity and Nutritional Dangers in Nigeria:*

Hon. Chike John Okafor (*Ehime Mbano/Ihite-Uboma/Obowo 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 5 (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 5 (3) to enable it debate the matter forthwith — Agreed to.

Need for More Government Remedial Measures to Address Food Scarcity and Nutritional Dangers in Nigeria:

The House:

Notes the spreading issue of food scarcity in Nigeria and the impending nutritional dangers that accompany it;

Also notes that the current state of food scarcity in Nigeria poses a grave threat to the health and livelihoods of millions of people as insufficient access to nutritious food not only leads to hunger and malnutrition, it also exacerbates existing health conditions and undermines the overall development of the nation;

Further notes the various positive interventions by the President, Federal Republic of Nigeria, and the commitment of the Speaker of the House, as outlined in the 10th House of Representatives' Legislative Agenda for wellness and wellbeing of Nigerians;

Observes that the rainy and farming season is fast approaching, and the spectre of food shortages looms large;

Worried that without adequate remedial measures in place, the country risks being plunged into deeper turmoil, with far-reaching social, economic, and political implications, hence the need for a purposeful gathering and more government import waivers for farming and agricultural equipment in Nigeria;

Also worried that Nutrition and Food is the most important existential challenge in Nigeria today, because 24.9 million Nigerians are presently in an acute/critical stage of hunger, and this is considered to be an emergency, while 85.8 Million Nigerians have insufficient food consumption and out of this number, 47.7 million Nigerians are above crisis level in terms of food-based survival margin;

Further worried that peaceful protests are now taking place in some States with citizens groaning due to hunger and demanding immediate government intervention;

Cognizant that the government needs to increase resources to support smallholder farmers and agrarian communities, ensuring they have the necessary inputs, tools, and infrastructure to enhance food production through short-term subsidies as the Government continues to strengthen the existing food distribution networks and mechanisms to ensure equitable access to essential food items across all regions of the country;

Resolves to:

- (i) urge the Executive Arm of Government to improve on short-term food subsidies, assistance to farmers, especially those engaged in dry season farming, improved supply chain control to reduce wastage, and short-term price control;
- (ii) also urge all relevant Government Ministries, Departments and Agencies (MDAs), Civil Society Organizations, and private sector partners to actively participate in the summit and contribute towards the formulation of comprehensive solutions to ensure more Legislative input for Food security and Nutrition for all Nigerians;
- (iii) mandate the Committee on Nutrition and Food Security in conjunction with other relevant Committees to urgently convened a National Food Security and Nutrition Summit to address the current shortage of food and nutrition dangers with a view to finding lasting solution to the food crises facing the country;
- (iv) also mandate the Committee on Nutrition and Food Security and other relevant Committees to ensure compliance and report within three (3) weeks (*Hon. Chike John Okafor — Ehime Mbano/Ihite-Uboma/Obowo Federal Constituency*).

Debate.

Amendment Proposed:

In Prayer (iv), immediately after the words "Food Security", *leave out* the words "and other relevant Committees" and *insert* the words "Agricultural Production and Services, and Agricultural Colleges and Institutions" (*Hon. Benjamin Okezie Kalu — Bende Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the spreading issue of food scarcity in Nigeria and the impending nutritional dangers that accompany it;

Also noted that the current state of food scarcity in Nigeria poses a grave threat to the health and livelihoods of millions of people as insufficient access to nutritious food not only leads to hunger and malnutrition, it also exacerbates existing health conditions and undermines the overall development of the nation;

Further noted the various positive interventions by the President, Federal Republic of Nigeria, and the commitment of the Speaker of the House, as outlined in the 10th House of Representatives' Legislative Agenda for wellness and wellbeing of Nigerians;

Observed that the rainy and farming season is fast approaching, and the spectre of food shortages looms large;

Worried that without adequate remedial measures in place, the country risks being plunged into deeper turmoil, with far-reaching social, economic, and political implications, hence the need for a purposeful gathering and more government import waivers for farming and agricultural equipment in Nigeria;

Also worried that Nutrition and Food is the most important existential challenge in Nigeria today, because 24.9 million Nigerians are presently in an acute/critical stage of hunger, and this is considered to be an emergency, while 85.8 Million Nigerians have insufficient food consumption and out of this number, 47.7 million Nigerians are above crisis level in terms of food-based survival margin;

Further worried that peaceful protests are now taking place in some States with citizens groaning due to hunger and demanding immediate government intervention;

Cognizant that the government needs to increase resources to support smallholder farmers and agrarian communities, ensuring they have the necessary inputs, tools, and infrastructure to enhance food production through short-term subsidies as the Government continues to strengthen the existing food distribution networks and mechanisms to ensure equitable access to essential food items across all regions of the country;

Resolved to:

- (i) urge the Executive Arm of Government to improve on short-term food subsidies, assistance to farmers, especially those engaged in dry season farming, improved supply chain control to reduce wastage, and short-term price control;
- (ii) also urge all relevant Government Ministries, Departments and Agencies (MDAs), Civil Society Organizations, and private sector partners to actively participate in the summit and contribute towards the formulation of comprehensive solutions to ensure more Legislative input for Food security and Nutrition for all Nigerians;
- (iii) mandate the Committee on Nutrition and Food Security in conjunction with other relevant Committees to urgently convened a National Food Security and Nutrition Summit to address the current shortage of food and nutrition dangers with a view to finding lasting solution to the food crises facing the country;

(iv) also mandate the Committees on Nutrition and Food Security, Agricultural Production and Services, and Agricultural Colleges and Institutions to ensure compliance and report within three (3) weeks (**HB. 89/02/2024**).

(ii) **Invalidation of \$2.4 Billion Forward Contract Deals by the Central Bank of Nigeria:**
Hon. Zakari Dauda Nyampa (*Madagali/Michika Federal Constituency and Two others*) 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 5 (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 5 (3) to enable it debate the matter forthwith — Agreed to.

Invalidation of \$2.4 Billion Forward Contract Deals by the Central Bank of Nigeria:

The House:

Notes that the Central Bank of Nigeria recently announced the invalidation of about \$2.4 billion worth of forward contracts sold to manufacturers on the grounds of incomplete import documents;

Also notes that the invalidated forward contracts were originally entered into about a year - ago between various Nigerian manufacturing companies and the Central Bank of Nigeria to hedge against currency fluctuations and risks associated with exchange rates;

Informed that hag entered into these agreements affected companies bank accounts debated in Naira equivalents and letters of credits issued by the participating commercial banksl the Central Bank of Nigeria decided to dishonour the contractual obligations and cancelled the transactions, one year thereafter;

Concerned that this cancellation of forward contracts is coming at a time of worsening national economic challenges such as galloping inflation, unemployment, increased poverty level and hardships;

Disturbed that if sustained, the cancellation of the said transactions will cause the widespread collapse of small and medium companies and the exit out of the country of large corporations with all the attendant consequences thereof;

Resolves to:

Mandate the Committee on SMEs to:

(i) holistically investigate the cancellation of the forward contract deals;

(ii) invite the affected manufacturing companies alongside the Central Bank Governor to examine their documents with the view to identify genuine companies with legitimate transaction and report within three (3) weeks (*Hon. Zakaria Dauda Nyampa — Madagli/Michika Federal Constituency and Two Others*).

Debate.

Agreed to.

The House:

Noted that the Central Bank of Nigeria recently announced the invalidation of about \$2.4 billion worth of forward contracts sold to manufacturers on the grounds of incomplete import documents;

Also noted that the invalidated forward contracts were originally entered into about a year - ago between various Nigerian manufacturing companies and the Central Bank of Nigeria to hedge against currency fluctuations and risks associated with exchange rates;

Informed that hag entered into these agreements affected companies bank accounts debated in Naira equivalents and letters of credits issued by the participating commercial banks¹ the Central Bank of Nigeria decided to dishonour the contractual obligations and cancelled the transactions, one year thereafter;

Concerned that this cancellation of forward contracts is coming at a time of worsening national economic challenges such as galloping inflation, unemployment, increased poverty level and hardships;

Disturbed that if sustained, the cancellation of the said transactions will cause the widespread collapse of small and medium companies and the exit out of the country of large corporations with all the attendant consequences thereof;

Resolved to:

Mandate the Committee on SMEs to:

- (i) holistically investigate the cancellation of the forward contract deals;
- (ii) invite the affected manufacturing companies alongside the Central Bank Governor to examine their documents with the view to identify genuine companies with legitimate transaction and report within three (3) weeks (**HR. 90/02/2024**).
- (iii) ***Banditry Attacks on Communities in Awka North Local Government Area, Anambra State:*** Hon. Oby Lilian Orogbu (*Awka North/Awka South Federal Constituency*) introduced the matter and prayed the House to:
 - (a) consider and approve the matter as one of urgent public importance; and
 - (b) suspend Order Eight, Rule 5 (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 5 (3) to enable it debate the matter forthwith — Agreed to.

Banditry Attacks on Communities in Awka North Local Government Area, Anambra State:

The House:

Notes that the people of Awka North Local Government of Anambra State are mainly agrarians;

Also notes that major farming communities like Awba Ofemili, Ugbene, Urum and Amanake have been under siege for some time now;

Concerned that the people of these communities have severally been attacked and prevented from harvesting their crops by bandits;

Also concerned that the unprecedented banditry attacks on the affected communities will further escalate the already food crisis being experienced across the nation;

Further concerned that many of the people have been killed and several others seriously wounded by the invading bandits;

Informed that invaders recently attacked farmers with machetes at a farm settlement in Awba Ofemili community wounding and inflicting severe injuries on them;

Disturbed that the victims who are currently on admission in hospital are in the danger list with some of them not likely to survive the injuries inflicted on them by the bandits;

Resolves to:

- (i) urge the Executive Arm of Government to direct the heads of the relevant security agencies to immediately deploy personnel to the affected communities;
- (ii) also urge the Nigeria Police Force and Directorate of State Security (DSS) to carry out thorough investigations into brutal attacks and ensure that the perpetrators are made to face the consequences of their actions;
- (iii) mandate the Committees on National Security and Public Safety, Police Affairs, Army, and Legislative Compliance to ensure compliance (*Hon. Lilian Obiageli Orogbu — Awka North/Awka South Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the people of Awka North Local Government of Anambra State are mainly agrarians;

Also noted that major farming communities like Awba Ofemili, Ugbene, Urum and Amanake have been under siege for some time now;

Concerned that the people of these communities have severally been attacked and prevented from harvesting their crops by bandits;

Also concerned that the unprecedented banditry attacks on the affected communities will further escalate the already food crisis being experienced across the nation;

Further concerned that many of the people have been killed and several others seriously wounded by the invading bandits;

Informed that invaders recently attacked farmers with machetes at a farm settlement in Awba Ofemili community wounding and inflicting severe injuries on them;

Disturbed that the victims who are currently on admission in hospital are in the danger list with some of them not likely to survive the injuries inflicted on them by the bandits;

Resolved to:

- (i) urge the Executive Arm of Government to direct the heads of the relevant security agencies to immediately deploy personnel to the affected communities;
- (ii) also urge the Nigeria Police Force and Directorate of State Security (DSS) to carry out thorough investigations into brutal attacks and ensure that the perpetrators are made to face the consequences of their actions;
- (iii) mandate the Committees on National Security and Public Safety, Police Affairs, Army, and Legislative Compliance to ensure compliance (**HR. 91/02/2024**).

7. Consolidation of Bills:

Motion made and Question proposed, “That a Bill for an Act to Establish Chartered Institute of Public Health Studies and Administration charged with Responsibility of Advancing the Study, Training and Practice of Public Health Management and Administration in Nigeria and for Related Matters (HB. 161); and a Bill for an Act to Establish Chartered Institute of Public Health Studies and Administration charged with Responsibility of Advancing the Study, Training and Practice of Public Health Management and Administration in Nigeria and for Related Matters (HB. 1041) be now consolidated (*Hon. Waive Ejiroghene Francis — Ughelli North/Ughelli South/Udu Federal Constituency*).

Agreed to.

8. A Bill for an Act to Amend the Chartered Institute of Purchasing and Supply Management of Nigeria Act, 2007 to be in tandem with what obtains in the Procurement Professional Practice across the Globe and for Related Matters (HB.346) — Second Reading

Motion made and Question proposed, “That a Bill for an Act to Amend the Chartered Institute of Purchasing and Supply Management of Nigeria Act, 2007 to be in tandem with what obtains in the Procurement Professional Practice across the Globe and for Related Matters (HB.346) be read a Second Time” (*Hon. Sani Aliyu Madaki — Dala 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 Public Procurement.

9. A Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria, 1999 by changing the System of simple Majority of electing the President of the Federal Republic of Nigeria and State Governors where there are more than two candidates to ensure the winner scores more than half of the total votes cast and for Related Matters (HB.683) — Second Reading

Motion made and Question proposed, “That a Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria, 1999 by changing the System of simple Majority of electing the President of the Federal Republic of Nigeria and State Governors where there are more than two candidates to ensure the winner scores more than half of the total votes cast and for Related Matters (HB.683) be read a Second Time” (*Hon. Awaji-Inombek Dagomie Abiante — Andoni/Opobo Nkoro Federal Constituency*).

Debate.

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

10. A Bill for an Act to Amend the National Residency Training Act, 2018 to Establish National Residency Training Board for the Federation and for Related Matters (HB.725) — Second Reading

Motion made and Question proposed, “That a Bill for an Act to Amend the National Residency Training Act, 2018 to Establish National Residency Training Board for the Federation and for Related Matters (HB.725) be read a Second Time” (*Hon. Adedayo Samuel Adesola — Apapa 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 Healthcare Services.

11. A Bill for an Act to Amend the Banks and Others Financial Institution Act, Cap. B3, Laws of the Federation of Nigeria, 2004 to mandate Banks and Other Financial Institutions in Nigeria to State in writing, all charges and fees accruing to any transaction in the Bank and for Related Matters (HB. 854) — Second Reading

Motion made and Question proposed, “That a Bill for an Act to Amend the Banks and Others Financial Institution Act, Cap. B3, Laws of the Federation of Nigeria, 2004 to mandate Banks and Other Financial Institutions in Nigeria to State in writing, all charges and fees accruing to any transaction in the Bank and for Related Matters (HB. 854) be read a Second Time” (*Hon. Aliyu Bappa Misau — Misau/Dambam Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Banking and Other Ancillary Institutions, and Banking Regulations.

12. Need to Investigate the Alleged Unremitted N1.8 Trillion and \$342 Million Tax Revenues owed the Federation by Multichoice Group

Motion made and Question proposed:

The House:

Notes that the Federal Inland Revenue Service (FIRS) was established in 2007 as one of the revenue collection Agencies, and is expected to collect revenues on behalf of the Federation and remit same to the Government's Treasury;

Also notes that the oversight functions of the National Assembly as provided in Sections 88 and 89 of the 1999 Constitution (as amended) are to enable the Legislature to carry out investigation within its legislative competence to prevent and expose corruption, inefficiency or waste in the execution or administration of laws;

Aware that Multichoice, a prominent multinational corporation operating in Nigeria, has been accused of non-remittance of tax revenues due to the Federation, as evidenced by the suppression of information discovered from the submissions in their home country;

Also aware that Nigeria economy is currently facing significant challenges, with dwindling revenues posing a threat to the overall fiscal stability and development of the country;

Cognizant that the Federal Inland Revenue Service had engaged a consultant in 2021 under a Whistle blowing contract to carry out an audit of the tax obligations of Multichoice Nigeria and MultiChoice Africa with a view to ascertaining the Company's tax indebtedness to the country, their findings led to a back audit and investigation carried out by the FIRS from 2011 to 2020;

Also cognizant of the previous attempts by FIRS to recover the unpaid taxes through legal means; including court proceedings and the subsequent resolution to settle out of the court by both parties has not yielded the desired result;

Observes that the systems audit and investigation revealed enormous indebtedness to the tune of over ₦1.8 trillion in back total taxes for MultiChoice Nigeria, and \$342 million in Value-added tax, for MultiChoice Africa that had never paid any taxes since they started business operations in Nigeria. Both amounts were levied upon the MultiChoice Group by the FIRS;

Concerned that there are ongoing arrangements to sell MultiChoice Nigeria and other MultiChoice Group Subsidiaries in Nigeria to a foreign Interest, while tax indebtedness is outstanding;

Worried that if urgent actions are not taken to recover the tax revenues from the MultiChoice Group, Nigeria may lose huge revenue that can inject life into the economy;

Acknowledges the responsibility of the House to uphold the principles of transparency, accountability and the rule of law in matters pertaining to public finance and taxation

Further cognizant of the need to thoroughly investigate the non-remittance of tax revenues by MultiChoice to the Federation to ascertain the veracity of the allegations and take appropriate action to safeguard the interests of the Nigerians;

Resolves to:

- (i) caution the potential buyers of MultiChoice Nigeria, MultiChoice Africa or any other Subsidiaries of the MultiChoice Group operating in Nigeria to be aware of the alleged outstanding indebtedness which may have been covered in their papers; and
- (ii) mandate the Committee on Finance to investigate the non-remittance of tax revenues by MultiChoice to the Federation with focus on the suppression of information discovered from their submissions in their home country and report within four (4) weeks (*Hon. Saidu Musa Abdullahi — Bida/Gbako/Katcha Federal Constituency*).

Debate.

Amendments Proposed:

- (i) In Prayer (ii), immediately after the words “Finance”, *insert* the words “and Communications” (*Hon. Inuwa Garba — Yamaltu/Deba Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) In Prayer (ii), as amended, immediately after the word “Communications”, *insert* the words “Information, National Orientation, Ethics and Values” (*Hon. Fatoba Olusola — Ado/Irepodun/Ifelodun Federal Constituency*).

Question that the amendment be made — Agreed to.

- (iii) In Prayer (ii) as amended, immediately after the words “Ethics and Values”, *insert* the words “and Justice” (*Hon. Isa Mohammed Anka — Anka/Mafara Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that the Federal Inland Revenue Service (FIRS) was established in 2007 as one of the revenue collection Agencies, and is expected to collect revenues on behalf of the Federation and remit same to the Government's Treasury;

Also noted that the oversight functions of the National Assembly as provided in Sections 88 and 89 of the 1999 Constitution (as amended) are to enable the Legislature to carry out investigation within its legislative competence to prevent and expose corruption, inefficiency or waste in the execution or administration of laws;

Aware that MultiChoice, a prominent multinational corporation operating in Nigeria, has been accused of non-remittance of tax revenues due to the Federation, as evidenced by the suppression of information discovered from the submissions in their home country;

Also aware that Nigeria economy is currently facing significant challenges, with dwindling revenues posing a threat to the overall fiscal stability and development of the country;

Cognizant that the Federal Inland Revenue Service had engaged a consultant in 2021 under a Whistle blowing contract to carry out an audit of the tax obligations of Multichoice Nigeria and MultiChoice Africa with a view to ascertaining the Company's tax indebtedness to the country, their findings led to a back audit and investigation carried out by the FIRS from 2011 to 2020;

Also cognizant of the previous attempts by FIRS to recover the unpaid taxes through legal means; including court proceedings and the subsequent resolution to settle out of the court by both parties has not yielded the desired result;

Observed that the systems audit and investigation revealed enormous indebtedness to the tune of over ₦1.8 trillion in back total taxes for MultiChoice Nigeria, and \$342 million in Value-added tax, for MultiChoice Africa that had never paid any taxes since they started business operations in Nigeria. Both amounts were levied upon the Multichoice Group by the FIRS;

Concerned that there are ongoing arrangements to sell Multichoice Nigeria and other MultiChoice Group Subsidiaries in Nigeria to a foreign Interest, while tax indebtedness is outstanding;

Worried that if urgent actions are not taken to recover the tax revenues from the MultiChoice Group, Nigeria may lose huge revenue that can inject life into the economy;

Acknowledged the responsibility of the House to uphold the principles of transparency, accountability and the rule of law in matters pertaining to public finance and taxation

Further cognizant of the need to thoroughly investigate the non-remittance of tax revenues by MultiChoice to the Federation to ascertain the veracity of the allegations and take appropriate action to safeguard the interests of the Nigerians;

Resolved to:

- (i) caution the potential buyers of MultiChoice Nigeria, MultiChoice Africa or any other Subsidiaries of the MultiChoice Group operating in Nigeria to be aware of the alleged outstanding indebtedness which may have been covered in their papers; and
- (ii) mandate the Committees on Finance, Communications, Information, National Orientation, Ethics and Values, and Justice to investigate the non-remittance of tax revenues by

MultiChoice to the Federation with focus on the suppression of information discovered from their submissions in their home country and report within four (4) weeks (**HR. 92/02/2024**).

13. Delay in the Construction of the Share-Pategi Road in Kwara State

Motion made and Question proposed:

The House:

Notes that the project for the construction of the Share-Pategi road in Kwara State was captured in the Appropriation Act, 2017 and ultimately awarded to Messrs. Drumo Intem Company Limited in October 9, 2017;

Also notes that the Share-Pategi road construction commenced from T-Junction along the old Ilorin-Jebba road, traversing through Share town, Tsaragi, Gida-Sani, Wodata village, Zambufu village, and Gbugbu, terminating at Pategi town;

Aware that the road, which is about 100 km long and consists of an asphalt concrete portion and a surface-dressed portion, is severely damaged, with pot holes, cracks, failed shoulders, washouts, and large gullies;

Also aware also that the poor condition of the road exposes the road users and motorists to accidents, loss of time, and an increase in the cost of vehicle maintenance;

Further aware that the road serves as a major means of transporting agricultural produce and commercial activities and completing it will bring huge social and economic activities, boost intra-state trade, enhance the evacuation of farm products from the farms and reduce the cost of vehicle maintenance;

Worried that after the award of the contract to Messrs Drumo Intem Company Limited in 2017, there has been an exceptionally low budgetary release from the Ministry of Finance to complete the project;

Also worried that out of the ten billion, two hundred and ninety-eight million, eight hundred and thirty-three thousand, twenty thousand Naira (₦10,298,833,020) including VAT, allocated for the project; and the sum of two billion, nine hundred and seventy-six million, one hundred and forty-seven thousand, four hundred and seventy-seven Naira, ninety-five Kobo (₦2,976,147,477.95) was authorized for release, only one billion, five hundred and forty-four million, eight hundred and twenty-four thousand, nine hundred and fifty-three Naira (₦1,544,824,953.00) only, has been released to date;

Disturbed that due to the poor yearly budgetary provision, the contractors, as well as the site engineers, have vacated the site as the rent for the accommodation has since expired;

Acknowledges that though the project has been listed to be funded by Sukkuk intervention, the process is rather slow and the death toll on the road is on the increase;

Resolve to:

Mandate the Committee on Works to liaise with the Federal Ministry of Works to ensure the speedy completion of the road and report within four (4) weeks (*Hon. Ahmed Adamu Saba — Edu/Patigi/Moro Federal Constituency*).

Agreed to.

(**HR. 93/02/2024**).

Motion referred to the Committee on Works, pursuant to Order Eight, Rule 10 (5).

14. Need to Investigate Non-Compliance to Health and Safety Standards and Regulations by various Public and Private Institutions as Enshrined in Employees' Compensation Act, 2010 (ECA)
Motion made and Question proposed:

The House:

Notes that the Employees Compensation Act, 2010 (ECA) was enacted with provisions which includes ensuring the safety, health, and welfare of workers in Nigeria by preventing workplace accidents, injuries, and fatalities and enforcing compliance with safety and health standards and regulations in both public and private entities;

Aware that between July 2011 and June 2023 about 99,678 work-place hazard claims were received by the Trust Fund, in 2023 alone, from January to June, a total of 8,959 claims under the various contingencies of medical expenses refund, loss of productivity, death benefits, disability benefits such as provision of artificial body to over 100 disabled workers and medical treatment were also received by the Trust Fund;

Recalls that on Thursday, February 8, 2024, at the formal launch of the Committee's Strategic Plan for the 10th Assembly, Committee on Safety Standards and Regulations, the Honourable Speaker's Inaugural Speech specifically raised concerns over disregard and non-compliance to safety standards and regulations by some public and private institutions in the country;

Observes the noticeable increase in the rate of work-related hazards and lack of compensation to victims as a result of non-compliance to safety standards and regulations by public and private entities;

Disturbed that with non-adherence to health and safety standards and regulations which is crucial for preventing workplace accidents, injuries, and fatalities, as well as promoting a conducive work environment for all employees across various sectors of the economy, the right of citizens to a safe and decent place of work, devoid of hazards seems not guaranteed in our country;

Resolves to:

Mandate the Committee on Safety Standards and Regulations to investigate non-compliance to safety standards and regulations by public and private institutions as enshrined in the Employee Compensation Act, 2010 and report within four (4) weeks (*Hon. Ahmadu Jaha Usman — Damboa/Gwoza/Chibok Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the Employees Compensation Act, 2010 (ECA) was enacted with provisions which includes ensuring the safety, health, and welfare of workers in Nigeria by preventing workplace accidents, injuries, and fatalities and enforcing compliance with safety and health standards and regulations in both public and private entities;

Aware that between July 2011 and June 2023 about 99,678 work-place hazard claims were received by the Trust Fund, in 2023 alone, from January to June, a total of 8,959 claims under the various contingencies of medical expenses refund, loss of productivity, death benefits, disability benefits such as provision of artificial body to over 100 disabled workers and medical treatment were also received by the Trust Fund;

Recalled that on Thursday, February 8, 2024, at the formal launch of the Committee's Strategic Plan

for the 10th Assembly, Committee on Safety Standards and Regulations, the Honourable Speaker's Inaugural Speech specifically raised concerns over disregard and non-compliance to safety standards and regulations by some public and private institutions in the country;

Observed the noticeable increase in the rate of work-related hazards and lack of compensation to victims as a result of non-compliance to safety standards and regulations by public and private entities;

Disturbed that with non-adherence to health and safety standards and regulations which is crucial for preventing workplace accidents, injuries, and fatalities, as well as promoting a conducive work environment for all employees across various sectors of the economy, the right of citizens to a safe and decent place of work, devoid of hazards seems not guaranteed in our country;

Resolved to:

Mandate the Committee on Safety Standards and Regulations to investigate non-compliance to safety standards and regulations by public and private institutions as enshrined in the Employee Compensation Act, 2010 and report within four (4) weeks (**HR. 94/02/2024**).

15. **Recent Frequent Collapse of the National Grid**

Motion made and Question proposed:

The House:

Notes that sustainable energy is essential to any modern economy, and Nigeria is no exception, as stable electricity supply ensures that industries remain viable, power homes, and facilitates significant economic growth and industrial progress;

Commend the plan of the Federal Government to increase power capacity to 20,000 megawatts (MW) from 12,522 MW projected within the next three years and the Electricity Act, 2023 is aimed at addressing the persistent challenges in the power sector, harnessing new opportunities, as well as propel Nigeria toward a future of reliable, affordable, and sustainable electricity supply;

Aware that the Transmission Company of Nigeria (TCN) in August 2023 stated that the Nigerian power grid recorded an unparalleled period of stability in the history of the power sector by operating without major disruptions or systems collapse for over 400 consecutive days, a milestone that indicates an advancement in the nation's efforts at strengthening its power infrastructure, ensuring a reliable and dependable electricity supply to distribution load centres for onward distribution to electricity customers nationwide;

Worried that in a space of one week in the month of August 2023, Nigeria recorded three national grid collapses, the national grid collapsed twice within 6hrs and on the 19 August, 2023, another system collapse was recorded;

Also worried that frequent grid collapses this year have negatively impacted the economy, reducing industrial output and raising manufacturing expenses, Firms are forced to invest in alternate power sources, thus, raising operational costs and leaving end users with exorbitant prices, which citizens cannot afford, especially with subsidy removal effects;

Recalls that the nation is currently facing its worst form of insecurity, including insurgency, banditry, kidnapping and other violent crimes, the collapse of the National grid will embolden criminal activities and security facilities such as the Vigiscope App, Police Situation room App, all Police Commands control rooms can be compromised during the dark hours, tracking devices that need power to reach telephone lines can be hampered;

Cognizant that if the frequent national grid collapses are thoroughly investigated and solutions

proffered, it will end the continuous system collapse, boost the economy and reduce the suffering of the citizens;

Resolves to:

Mandate the Committee on Power to liaise with critical stakeholders in the power sector to urgently investigate and proffer solutions to the embarrassing development and report within four (4) weeks (*Hon. Billy Osawaru Famous — Orhionmwon/Uhunmwode Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that sustainable energy is essential to any modern economy, and Nigeria is no exception, as stable electricity supply ensures that industries remain viable, power homes, and facilitates significant economic growth and industrial progress;

Commended the plan of the Federal Government to increase power capacity to 20,000 megawatts (MW) from 12,522 MW projected within the next three years and the Electricity Act, 2023 is aimed at addressing the persistent challenges in the power sector, harnessing new opportunities, as well as propel Nigeria toward a future of reliable, affordable, and sustainable electricity supply;

Aware that the Transmission Company of Nigeria (TCN) in August 2023 stated that the Nigerian power grid recorded an unparalleled period of stability in the history of the power sector by operating without major disruptions or systems collapse for over 400 consecutive days, a milestone that indicates an advancement in the nation's efforts at strengthening its power infrastructure, ensuring a reliable and dependable electricity supply to distribution load centres for onward distribution to electricity customers nationwide;

Worried that in a space of one week in the month of August 2023, Nigeria recorded three national grid collapses, the national grid collapsed twice within 6hrs and on the 19 August, 2023, another system collapse was recorded;

Also worried that frequent grid collapses this year have negatively impacted the economy, reducing industrial output and raising manufacturing expenses, Firms are forced to invest in alternate power sources, thus, raising operational costs and leaving end users with exorbitant prices, which citizens cannot afford, especially with subsidy removal effects;

Recalled that the nation is currently facing its worst form of insecurity, including insurgency, banditry, kidnapping and other violent crimes, the collapse of the National grid will embolden criminal activities and security facilities such as the Vigiscope App, Police Situation room App, all Police Commands control rooms can be compromised during the dark hours, tracking devices that need power to reach telephone lines can be hampered;

Cognizant that if the frequent national grid collapses are thoroughly investigated and solutions proffered, it will end the continuous system collapse, boost the economy and reduce the suffering of the citizens;

Resolved to:

Mandate the Committee on Power to liaise with critical stakeholders in the power sector to urgently investigate and proffer solutions to the embarrassing development and report within four (4) weeks (**HR. 95/02/2024**).

16. Need to Review the Digitalization program in the Nigerian Broadcasting Industry

Motion made and Question proposed:

The House:

Notes that Nigeria embarked on the journey towards Digital Terrestrial Television (DTT) Broadcasting on June 17, 2006, following the deadline of June 15, 2015, set by the International Telecommunication Union (ITU) for member countries to transition from analog to digital broadcasting;

Also notes that the late President Musa Yar'Adua directed the National Broadcasting Commission (NBC) to affect the transition; however, at a stakeholders meeting held on June 3, 2008, the Nigerian broadcasting industry leaders agreed to reschedule the initial international deadline;

Further notes that the plan of the administration of former President Muahmmmed Buhari, as championed by the former Minister of Information and Culture, Alhaji Lai Muahmmmed, and the National Broadcasting Commission (NBC), was to complete the process by December 2022. However, the program was launched in eight (8) States, namely: Lagos, Kano, Plateau, Kwara, Osun, Kaduna, Enugu, Rivers, and the Federal Capital Territory, out of the 36 states of the Federation;

Aware that the transition from analog to digital is aimed at creating a more equitable, just, and people-centered information society that will connect underserved populations and remote communities;

Also aware that the Digital Switch Over (DSO) project, upon completion, will translate to increased digital television penetration, improved quality television services, adherence preference ratings, crystal clear sound, and visual sounds, in addition to other value-added services;

Concerned that, despite other African nations such as Cote d'Ivoire, Burkina Faso, Gabon, Namibia, Botswana, Zambia, Rwanda, Kenya, etc. having finished the transitioning process, the digital switchover program in Nigeria's broadcasting industry has stagnated or slowed down. In spite of being almost ten years into the process, Nigeria, with the biggest economy, still lacks a strong foundation for the shift.

Also concerned that the platforms for Pay TV programs are dominated by foreigners, like DSTV, owned by MultiChoice, a South African company, and Star Times, which is 70% owned by Chinese and 30% by the Nigerian Television Authority (NTA);

Acknowledges that there was an agreement reached with Star Times for the utilization of their facilities spread across the country to fast-track the implementation of the process;

Worried that Nigeria has repeatedly missed the deadlines for switching to digital broadcasting due to a variety of issues, such as the enormous financial outlays needed to build the necessary infrastructure to guarantee that the digital television set won't be interrupted by thunderstorms or heavy rain—a term used to euphemistically describe bad weather that distorts the quality of the shows;

Resolves to:

Mandate the Committee on Digital and Information Technology to liaise with the Ministry of Information and National Orientation, the National Broadcasting Commission (NBC), Nigeria Television Authority (NTA), Federal Competition and Consumer Protection Council (FCCPC) to investigate the agreement between Government and Star Times to fast track the complete digitalization of the Nigerian broadcasting industry, and report within four (4) weeks (*Hon. Taofeek Abimbola Ajilesoro — Ife Central/Ife North/Ife South/Ife East Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Nigeria embarked on the journey towards Digital Terrestrial Television (DTT) Broadcasting on June 17, 2006, following the deadline of June 15, 2015, set by the International Telecommunication Union (ITU) for member countries to transition from analog to digital broadcasting;

Also noted that the late President Musa Yar'Adua directed the National Broadcasting Commission (NBC) to affect the transition; however, at a stakeholders meeting held on June 3, 2008, the Nigerian broadcasting industry leaders agreed to reschedule the initial international deadline;

Further noted that the plan of the administration of former President Muahmmed Buhari, as championed by the former Minister of Information and Culture, Alhaji Lai Muahmmed, and the National Broadcasting Commission (NBC), was to complete the process by December 2022. However, the program was launched in eight (8) States, namely: Lagos, Kano, Plateau, Kwara, Osun, Kaduna, Enugu, Rivers, and the Federal Capital Territory, out of the 36 states of the Federation;

Aware that the transition from analog to digital is aimed at creating a more equitable, just, and people-centered information society that will connect underserved populations and remote communities;

Also aware that the Digital Switch Over (DSO) project, upon completion, will translate to increased digital television penetration, improved quality television services, adherence preference ratings, crystal clear sound, and visual sounds, in addition to other value-added services;

Concerned that, despite other African nations such as Cote d'Ivoire, Burkina Faso, Gabon, Namibia, Botswana, Zambia, Rwanda, Kenya, etc. having finished the transitioning process, the digital switchover program in Nigeria's broadcasting industry has stagnated or slowed down. In spite of being almost ten years into the process, Nigeria, with the biggest economy, still lacks a strong foundation for the shift.

Also concerned that the platforms for Pay TV programs are dominated by foreigners, like DSTV, owned by Multichoice, a South African company, and Star Times, which is 70% owned by Chinese and 30% by the Nigerian Television Authority (NTA);

Acknowledged that there was an agreement reached with Star Times for the utilization of their facilities spread across the country to fast-track the implementation of the process;

Worried that Nigeria has repeatedly missed the deadlines for switching to digital broadcasting due to a variety of issues, such as the enormous financial outlays needed to build the necessary infrastructure to guarantee that the digital television set won't be interrupted by thunderstorms or heavy rain—a term used to euphemistically describe bad weather that distorts the quality of the shows;

Resolved to:

Mandate the Committee on Digital and Information Technology to liaise with the Ministry of Information and National Orientation, the National Broadcasting Commission (NBC), Nigeria Television Authority (NTA), Federal Competition and Consumer Protection Council (FCCPC) to investigate the agreement between Government and Star Times to fast track the complete digitalization of the Nigerian broadcasting industry, and report within four (4) weeks (**HR. 96/02/2024**).

17. Need to Equip Kakau, Birnin-Yero and Chiromawa Roadside Emergency Clinics along Abuja - Kaduna - Zaira - Kano Federal Road

Order read; deferred by leave of the House.

18. Need to Access and Fix Abandoned Federal Government Projects Across the Country

Motion made and Question proposed:

The House:

Notes that the abandonment of projects in Nigeria is disappointing and worrisome, negatively impacting infrastructural provisions and development;

Also notes that statistics has shown that over 60,000 projects are abandoned in Nigeria, thereby obstructing citizens from utilizing their tax proceeds and natural resources, with the total value of these projects reaching trillions of Naira;

Disturbed that these projects were initiated and designed to improve the standard of living of Nigerians through electrification, power improvement, provision of portable water, qualitative education, healthcare facilities, construction of roads and bridges;

Also disturbed that successive administrations have been ignoring these projects on the premise that it was not initiated by their government or not within their policy direction, disregarding their importance to Nigerians and taxpayers' money spent.

Resolves to:

Mandate the Committee on Works to review all abandoned Federal Government Projects across the country to include Scope of work, commencement date, contract value, amount spent, and stage of work through Ministries, Departments and Agencies with workable plan to effectively complete the projects and report within four (4) weeks (*Hon. Joseph Adegbesan Folorunsho — Ijebu North/Ijebu East/Ogun Waterside Federal Constituency*).

Debate.

Amendments Proposed:

- (i) *Leave out* the Prayer, and *insert* as follows:
 “Mandate the Committee on Works to audit all abandoned Federal Government projects across the country” (*Hon. Obi Aguocha — Ikwuano/Umuahia North/Umuahia South Federal Constituency*).

Question that the amendment be made — Negatived.

- (ii) In the Prayer, immediately after the word “Works”, *insert* the words “Public Asset, and Inter Governmental Affairs” (*Hon. Adamu Tanko — Suleja/Gurara/Tafa Federal Constituency*).

Question that the amendment be made — Agreed to.

- (iii) *Leave out* the Prayer as amended, and *insert* the following:
 “set up an *Ad-hoc* Committee to carry out a comprehensive audit report on all abandoned Federal Government projects across the country” (*Hon. Ibrahim Isiaka — Ifo/Ewekoro Federal Constituency*).

Question that the amendment be made — Agreed to.

- (iv) In the Prayer, immediately after the word “country”, *insert* the words “from 1999 to date” (*Hon. Ladan Shettima Ali — Bursari/Geidam/Yunusari Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that the abandonment of projects in Nigeria is disappointing and worrisome, negatively impacting infrastructural provisions and development;

Also noted that statistics has shown that over 60,000 projects are abandoned in Nigeria, thereby obstructing citizens from utilizing their tax proceeds and natural resources, with the total value of these projects reaching trillions of Naira;

Disturbed that these projects were initiated and designed to improve the standard of living of Nigerians through electrification, power improvement, provision of portable water, qualitative education, healthcare facilities, construction of roads and bridges;

Also disturbed that successive administrations have been ignoring these projects on the premise that it was not initiated by their government or not within their policy direction, disregarding their importance to Nigerians and taxpayers' money spent.

Resolved to:

Set up an *Ad-hoc* Committee to carry out a comprehensive audit report on all abandoned Federal Government projects across the country, from 1999 to date (**HR. 97/02/2024**).

19. Need to Rehabilitate Igwuruta - Port Harcourt International Airport - Omagwa - Isiokpo - Elele - Omerelu Roads, Rivers State

Motion made and Question proposed:

The House:

Notes the importance of good roads towards the economic growth, regional development and inter connectivity between Local Government Areas, the State and the neighbouring States;

Also notes that a good road infrastructure is crucial for promoting Agriculture, Commercial activities, reducing road accidents, preserving motor vehicles and ensuring security;

Aware that the rehabilitation of the Federal road spanning through Igwuruta, Port Harcourt International Airport, Omagwa, Isiokpo, Elele and Omerelu, the border town between Rivers State and Imo state is the core mandate of the Federal Roads Maintenance Agency (FERMA);

Also aware that Section 7 of the FERMA Act, 2002 mandates the Federal Roads Maintenance Agency to ensure efficient maintenance and rehabilitation of all Federal Roads in Nigeria;

Worried that the lack of rehabilitation and maintenance of the failed portions of the road is causing high rate of accidents, armed robbery, kidnappings leading to insecurity and socio-economic hardship for residents and business operators in Rivers state;

Resolves to:

- (i) urge the Federal Ministry of Works, Federal Road Maintenance Agency (FERMA), the Niger Delta Development Commission (NDDC) to, urgently commence rehabilitation of the

Igwuruta-Port Harcourt International Airport-Omagwa-Isiokpo-Elele-Omerelu Raid to save lives of the road users and promote the economic development of Rivers State and adjoining States; and

- (ii) mandate the Committee on Appropriations to include the rehabilitation of Igwuruta-Port Harcourt International Airport-Omagwa-Isiokpo-Elele-Omerelu Road of Rivers State in the 2025 budget estimates (*Hon. Blessing Chigeru Amadi — Port Harcourt II Federal Constituency and One other*).

Agreed to.

(HR. 98/02/2024).

Motion referred to the Committee on Appropriations, pursuant to Order Eight, Rule 10 (5)

20. Consideration of Reports

- (i) ***A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as amended) to make Provision for Establishment of Federal College of Agriculture, Geidam and for Related Matters (HB. 767) (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 (as amended) to make Provision for Establishment of Federal College of Agriculture, Geidam and for Related Matters (HB. 767)" (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 (AS AMENDED) TO MAKE PROVISION FOR THE ESTABLISHMENT OF FEDERAL COLLEGE OF AGRICULTURE, GEIDAM; AND FOR RELATED MATTERS (HB. 767)

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

The Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Federation of Nigeria, 2004 (as amended) (in this Act 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 Third Schedule.

The Third Schedule of the Principal Act is amended by inserting a new paragraph 20 to read thus:

"Federal College of Agriculture, Geidam" (*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) Bill, 2024 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Explanatory Memorandum:

This Bill seeks to amend the Agricultural Research Council of Nigeria Act, Cap, A12, Laws of the Federation of Nigeria, 2004 (As Amended) to make provision for the establishment of Federal College of Agriculture, Geidam (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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 (as Amended) to Make Provision for the Establishment of Federal College of Agriculture, Geidam; and for Related Matters (HB. 767) (*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 Amend the Agricultural Research Council of Nigeria Act, Cap. A12 Laws of the Federation of Nigeria, 2004 (as amended) to make Provision for Establishment of Federal College of Agriculture, Geidam and for Related Matters (HB. 767) 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.

- (ii) ***A Bill for an Act to Repeal the Produce (Enforcement of Exports Standards) Act, Cap. P23, Laws of the Federal of Nigeria, 2004 and Enact the Federal Produce Inspection Service (Enforcement of Exports Standards) (Establishment) Bill, 2024 to Provide for the Inspection and Enforcement of Grades and Quality Standards of Produce and Commodity intended for Export from Nigeria at Ports of Shipment and for Related Matters (HB. HB.616) (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 Produce (Enforcement of Exports Standards) Act, Cap. P23, Laws of the Federal of Nigeria, 2004 and Enact the Federal Produce Inspection Service (Enforcement of Exports Standards) (Establishment) Bill, 2024 to Provide for the Inspection and Enforcement of Grades and Quality Standards of Produce and Commodity intended for Export from Nigeria at Ports of Shipment and for Related Matters (HB. HB.616)” (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 PRODUCE (ENFORCEMENT OF EXPORT STANDARDS) ACT, CAP. P32, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE FEDERAL PRODUCE INSPECTION SERVICE (ENFORCEMENT OF EXPORT STANDARDS) (ESTABLISHMENT) BILL, 2024 TO PROVIDE FOR THE INSPECTION AND ENFORCEMENT OF GRADES AND QUALITY STANDARDS OF PRODUCE AND COMMODITIES INTENDED FOR EXPORT FROM NIGERIA AT PORTS OF SHIPMENT; AND FOR RELATED MATTERS (HB. 616)

PART I — OBJECTIVES AND APPLICATION**Clause 1: Objectives.**

The objectives of this Bill are to —

- (a) enforce grades and quality standards of produce and commodities for export;
- (b) monitor and inspect produce and commodities for export before export;
- (c) boost international trade to generate revenue for government through commodity exportation and payment of requisite taxes and rates;
- (d) ensure that produce and commodities to be exported from Nigeria comply with produce global standard requirement;
- (e) ensure that any person that violates the provisions of this Bill is punished in accordance with this Bill; and
- (f) ensure that effective coordination of produce activities is maintained and sustained (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 2: Application of this Bill.

- (1) This Bill shall apply to produce intended for export as described in the First Schedule to this Bill.
- (2) The Minister may by an Order published in the Federal Government Gazette, add to or delete from the First Schedule to this Bill any description of produce (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART II — ESTABLISHMENT OF THE FEDERAL PRODUCE INSPECTION SERVICE**Clause 3: Establishment of the Federal Produce Inspection Service.**

- (1) There is established the Federal Produce Inspection Service (in this Bill referred to as "the Service").
- (2) The Service —
 - (a) shall be a body corporate with perpetual succession and a common seal;

- (b) may sue or be sued in its corporate name;
- (c) may acquire, purchase, mortgage, hold or dispose of property, whether movable or immovable; and
- (d) shall be independent in the performance of its functions and carrying out of its duties under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 4: Functions of the Service.

The functions of the Service shall include —

- (a) inspection and quality control of agricultural produce to ensure compliance with global prescribed grades and standards pre-condition for export or processing;
- (b) arrival check test on produce delivered at a registered produce store, warehouse or processing factory;
- (c) spraying and disinfestation of produce store, warehouse, ship holds, hatches and containers in order to control pest;
- (d) representing the Federal Government of Nigeria in international meeting of CODEX Alimentarius, where international commodity standards are determined; and any other functions as may be necessary for the attainment of the objectives of this Bill.
- (e) monitoring of produce movement at the nation's border posts;
- (f) enforcement of commodity export levy collection;
- (g) ensuring that produce weight complies with approved standard weight;
- (h) inspection of packaging to ensure proper marking, sewing and sealing of graded produce are adhered to;
- (i) identification and rejection of poor-quality and deteriorated produce in storage;
- (j) issuance of certificate of inspection on quality, weight, fumigation and packaging for export-bound produce to facilitate repatriation of foreign exchange on sale of exported produce and generate data on export of agricultural produce;
- (k) issuance of certificate of inspection on quality, weight, fumigation and packaging for export-bound produce to facilitate repatriation of foreign exchange on sale of exported produce and generate data on export of agricultural produce;
- (l) issuance of Certificate of Inspection on quality, weight, fumigation and packaging for export-bound produce to facilitate repatriation of foreign exchange on sale of exported produce and generate data on export of agricultural produce;

- (m) monitoring of agricultural export at the nation's ports to ensure compliance with export regulations and statistical data collection;
- (n) organising training and enlightenment workshops, seminars and conferences for relevant stakeholders;
- (o) rendering of statistical data for the Export Commodity Coordinating Committee (ECCC), to ascertain whether payment of mandatory levies on produce exported from Nigeria are complied with;
- (p) advising the Government and other stakeholders on produce quality control and fumigation matters;
- (q) representing the Federal Government of Nigeria in international meeting of CODEX Alimentarius, where international commodity standards are determined; and
- (r) any other functions as may be necessary for the attainment of the objectives of this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 5: Establishment and Composition of the Governing Board.

- (1) The Service shall have a Governing Board (in this Bill referred as "the Board"), consisting of —
 - (a) a Chairman, appointed by the President on the recommendation of the Minister, with at least 10 years experience in produce and commodity matters;
 - (b) the Director-General of the Service;
 - (c) a representative of the Minister;
 - (d) two representatives of each geopolitical zone of the federation from within the State Civil Service workforce, who shall not be below the rank of a Director, having technical experience in produce inspection for export; and
 - (e) the Director Produce Inspection and Quality in the service.
- (2) The supplementary provisions contained in the Second Schedule to this Bill, shall have effect with respect to the proceedings of the Board and other matters contained in it (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 6: Functions of the Board.

The functions of the Board are to —

- (a) ensure compliance with the objectives of this Bill by the stakeholders;
- (b) advice the Minister and other stakeholders on issues connected to the enforcement of export standards;

- (c) encourage states to key into national programmes on produce with a view to jointly boost international trade to generate revenue for government;
- (d) make recommendations to the Minister when required on matters relating to produce inspection and Regulations under the various State Produce Inspection Laws;
- (e) promote domestic and international collaboration to ensure compliance with global prescribed grades and standards; and
- (f) perform such other functions as may be relevant to realisation and performance of its functions under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 7: Tenure of members of the Board.

- (1) The Chairman and other members of the Board shall hold office —
 - (a) for a period of four years in the first instance and may be re-appointed for a further period of four years and no more; and
 - (b) on such terms and conditions as may be specified in the instrument of appointment.
- (2) Notwithstanding subsection (1) of this section, the President may remove the Chairman or a member of the Board for inability to discharge the functions or purpose of appointment, arising from infirmity of mind, body, any other cause or misconduct or is in the public interest for the President to do so (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 8: Cessation of membership of the Board.

Notwithstanding the provisions of section 7(1) (a) of this Bill, a member of the Board shall cease to hold office, where the member —

- (a) resigns his appointment as a member of the Board by notice in writing addressed to the President;
- (b) becomes bankrupt;
- (c) is convicted of a felony or any other offence involving dishonesty or corruption;
- (d) becomes incapable of performing the functions of his office either arising from an infirmity of mind or body;
- (e) becomes incapable of discharging the functions of his office either arising from an infirmity of mind or body;
- (f) the President is satisfied that it is not in the interest of the Service and the public for such member to continue in office;
- (g) has been found guilty under the Code of Conduct or serious misconduct in relation to his duties; or

- (h) in the case of a person who becomes a member by virtue of the office the person occupies, cease to hold such office (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 9: Removal of the Chairman or member of the Board.

- (1) Where it appears that the Chairman or a member of the Board, other than an ex-officio member should be removed from office on the grounds of misconduct or inability to perform the functions of such an office, the Board shall make recommendation through the Minister to the President for approval.
- (2) Where the President, after making such inquiries as may be necessary, approve or decline the recommendation made through the Minister by the Board, the Secretary to the Government of the Federation shall in writing communicate the decision of the President to the Board (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 10: Appointment of the Director-General of the Service.

- (1) There shall be appointed for the Service, a Director-General, who shall be the Chief Executive and Accounting Officer of the Service and serve as the Secretary of the Board.
- (2) The Director-General shall have requisite qualification and knowledge with at least 15 years experience in produce management and inspection matters.
- (3) The Director-General shall —
- (a) be appointed by the President on the recommendation of the Minister;
 - (b) be responsible to the Board for the management of the affairs of the Service;
 - (c) be responsible for the execution of the policy and the day-to-day administration of the affairs of the Service;
 - (d) be entitled to earn a remuneration and allowances as may be specified in the instrument of appointment;
 - (e) hold office for a term of four years at the first instance and may be eligible for re-appointment for another term of four years on such terms and conditions as may be specified in the letter of appointment and no more;
 - (f) keep proper books, records of the proceedings of the Board and Committee of the Board; and
 - (g) exercise control over employees of the Service, subject to the supervision of the Board (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 11: Removal of the Director-General of the Service.

Notwithstanding the provisions of section 10 (3) (e) of this Bill the Director-General of the Service shall cease to hold office, where he —

- (a) resigns his appointment;
- (b) becomes of unsound mind;
- (c) becomes bankrupt;
- (d) is convicted of a felony or an offence involving fraud, dishonesty or corruption;
- (e) has been found guilty by the Code of Conduct Tribunal for any serious misconduct in relation to his duties;
- (f) becomes incapable of performing the functions of the office, whether arising from infirmity of mind or body;
- (g) is certified by the President that it is not in the best interest of the Service or the public for the Director-General to continue in office; and
- (h) is holding such an office by virtue of having professional qualification and he is disqualified or suspended from practising his profession in any part of the world, by an order of competent authority or court (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 12: Appointment of other staff of the Service.

- (1) The Service may appoint such other staff, as may be necessary to assist the Service in the performance of its functions under this Bill.
- (2) The staff of the Service, shall under this section be appointed on such terms and conditions of service as the Service may in collaboration with the National Salaries, Income and Wages Commission and Federal Civil Service Commission determine.
- (3) The staff of the Service shall be public officers as defined in the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 13: Application of the Pensions Reform Act.

- (1) Service in the employment of the Service shall be as approved service under the Pensions Reform Act, accordingly, employees of the Service shall, in respect of their service be entitled to pension and other retirement benefits as are prescribed in the Pensions Reform Act.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill shall prevent the appointment of a person to any office on terms, which preclude the grant of a pension in respect of the office.
- (3) For the purposes of the application of the Pensions Reform Act, any power exercisable under it by the President or authority other than the Federal

Government, not being the power to make Regulations under this Act, shall be vested in and exercisable by the Service.

- (4) Subject to subsection (2) of this section, the Pensions Reform Act, shall in its application by virtue of subsection (3) of this section, have effect as if, the office is in the public service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 14: Structure of the Service.

The Service shall have power to create such departments and units as may be necessary for its operation (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 15: Operational areas of the Service.

- (1) The Service may have offices in all the states of the federation and at every port of shipment in Nigeria, with its headquarter in Abuja, Federal Capital Territory.
- (2) The states' offices shall be for the purposes of enforcement of export standards in bonded warehouses, land borders and processing mills, with each zonal headquarter to coordinate the activities of the number of states under its zone and report to the head office.
- (3) The Service at every port of shipment, including seaports and airports, shall be for the purpose of —
- (a) conducting quality test on agricultural commodities, to ensure they conform with prescribed quality standards before they are allowed to be exported;
 - (b) boarding vessel to inspect ship holds, barges and hatches for imported pests or rodents and fumigate such receptacles to eliminate pests and prevent them from escaping into Nigeria;
 - (c) examining export containers entering into the ports at the port gates so as to ensure that all export containers have been subjected to the Service's quality test before agricultural produce are allowed into the ports;
 - (d) fumigating empty containers belonging to shipping lines or terminal operators at various terminals as required by law before they are loaded with already fumigated agricultural produce for exports;
 - (e) issuance of certificate of fumigation to ship captains after fumigating their ship holds, barges and hatches as evidence that they are fit to load pest-free agricultural produce out of Nigeria;
 - (f) impounding poor-quality produce sited either at the port gate, inside a vessel or inside whatever receptacle to ensure no bad quality produce is exported out of Nigeria;
 - (g) prosecuting any person found to have violated any of the provisions

or Regulations made under this Bill for export of agricultural produce (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 16: Emergency orders for pest control.

- (1) The Minister shall have the power to make an emergency order, which shall be published in the Federal Government Gazette in the event of any outbreak of serious pest infestation to provide for immediate steps as may be necessary to combat and contain the spread of the infestation.
- (2) The Minister may without prejudice to this section, order for the prohibition of movement or for the destruction of infested produce.
- (3) An order made under this section may prescribe a penalty for offences against violation of any of the provisions of the order, which shall, not exceed a fine of ₦500,000 or imprisonment for six months or both.
- (4) Where an order is made subject to this section, the Minister shall within 21 days of the order, convene a meeting of the Board, to deliberate and seek the advice of the Board as may be necessary in the circumstance.
- (5) The Minister may in addition to an order made under this section, make Regulations subject to the order, which shall without prejudice to anything lawfully done under the order shall expire unless it has expired under the provisions of the order itself (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 17: Exportation of damaged produce.

- (1) Notwithstanding the provisions of this Bill as to exportation of produce, where produce which has been inspected and passed for export, but later suffered damage or deteriorated in quality to such an extent that it can no longer be made to conform to exportable standard, the Minister or officer designated in writing, may grant a special permit to allow the export of the produce on such conditions and purpose as specified in the special permit.
- (2) Where produce suffers damage or deterioration in quality to conform with an exportable standard, the Minister or officer designated in writing may, if satisfied that the damage or deterioration was due to circumstances beyond the control of the owner of the produce, grant a special permit to allow the export of the produce on such conditions and purpose as may be specified in the permit.
- (3) Where produce is exported under the authority of a special permit granted under this section, any seal or mark to indicate that such produce has been graded for export shall be removed or destroyed by the person exporting the produce to the satisfaction of appropriate authority and in the presence of a produce officer of the Service at the port of shipment (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 18: Pest infestation.

Where produce is found to be infested or reasonably suspected to be infested with any pest —

- (a) a produce officer may make such order as may be necessary for the treatment of such pest; and
- (b) where the owner of produce fails to comply with the order of the officer, any person authorised by the officer in that behalf in writing, may enter upon any land or premises and carry out such measures as may be necessary to prevent the spread of the pest, at the owner's expense (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 19: Power of entry and seizure.

- (1) A produce officer shall in the discharge of his duties under this Bill, be in uniform and have power to —
 - (a) enter at a reasonable time, having regard to religious beliefs, social customs and norms prevailing in the area to a building or place, which is reasonably believed to harbor produce, subject to Regulations made under this Bill, to inspect and take samples of such produce stored, notwithstanding that such produce has been previously inspected or graded;
 - (b) stop a person carrying or believed to be carrying produce, examine such produce, search any vehicle, boat, canoe or animal carrying or believed to be carrying produce and may call on the owner and where the owner cannot be ascertained, the person appearing to be in charge of the vehicle, boat, canoe or animal, may be required to unload the produce for examination;
 - (c) seize and detain any produce reasonably suspected to have been adulterated or in respect of which an offence under this Bill has been committed, together with any receptacle in which such produce is contained and shall seize and detain any article, register or document believed to be connected with the offence;
 - (d) direct the person in charge of a vehicle, boat, canoe or animal and the person in charge of produce seized under paragraph (c), to convey the 'produce to the nearest suitable place to deposit the seized produce;
 - (e) take possession of building or place in which produce regulated under this Bill is stored by counter-locking and affixing Federal Produce Inspection Service Sealing Authority;
 - (f) call upon a person to make available any information as may be reasonably required for the purpose of investigation of an offence committed under this Bill; and
 - (g) release to the owner of a produce previously seized and detained under the provisions of paragraph (c), where the produce officer is satisfied that the owner did not know that the produce was adulterated, so as to permit the owner to clean the produce and after cleaning, release the produce and its receptacle in which the produce was contained.
- (2) A person who obtains information by virtue of this section otherwise than in

the execution of his duties under this Bill, shall not disclose the information except with the permission of the Director-General of the Service.

- (3) Except as provided in subsection (1) (f), any person who seizes and detains any producer's receptacle shall report the matter to the nearest magistrate for prosecution (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

Clause 20: Treatment of detained produce.

- (1) Where the produce seized and detained is not packed in a receptacle, a produce officer may order that it shall be so packed and the owner of the produce or the person in charge of the produce at the time of seizure shall be responsible for the provision of suitable receptacles and the labour that is required to carry out the order.
- (2) Save as is provided to the contrary in this section, every produce seized and detained shall be sealed in receptacles to the satisfaction of a Produce Officer and shall not be removed or cleaned except with the written permission of the Service or until a charge is preferred against the person for an offence in respect of the produce or complaint laid for the purpose of forfeiture under this Bill has been determined.
- (3) Where a person charged for an offence under this Bill has been acquitted or discharged, the Service may notify the court of its intention to appeal the judgment.
- (4) Notwithstanding the provisions of subsection (2) of this section, where a Produce Officer thinks it appropriate, may order produce under seizure and detention to be removed and kept in an approved premises.
- (5) Where the owner of the produce or the person in charge of the produce considers that the storage condition of the produce in detention may result in further damage or deterioration to the produce, he may make application in writing to the Service for the purpose of obtaining permission to clean the produce.
- (6) Where approval is given by the Service to application made under subsection (5) of this section, the produce officer may permit the owner or the person in charge of the produce to clean it and after cleaning, the produce shall be handled in accordance with the provisions of subsections (2) or (3) of this section.
- (7) Where an approval is granted to application made under subsection (5), there shall be prepared in the presence of the applicant and the produce officer a document showing the —
 - (a) net weight of the produce;
 - (b) number of receptacles in which the produce is packed;
 - (c) gross weight of sample taken, and such document when signed by applicant and produce officer or officer delegated by the produce officer, shall be conclusive evidence of the particulars stated in it.
- (8) Notwithstanding the provisions of this section, the Service may order a

person in charge of seized or detained produce or person claiming to be owner to clean it and may permit temporary release of the produce for the purpose of cleaning and where such order is given, the provisions of subsection (7) shall apply (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 21: Power to re-examine produce.

- (1) A produce officer may, after obtaining approval from the Service, re-examine any produce earlier inspected, passed or graded, for such purpose as may be deemed necessary.
- (2) Where the Service discovers during such re-examination that produce has not been properly passed or graded or has deteriorated not to conform to the quality or grade assigned to it on previous examination, such produce shall not be exported until it has been properly graded, passed and marked in accordance with the provisions of this Act or Regulations made under this Bill or until a special permit for its export has been granted by the Minister or officer designated in writing, in accordance with the provisions of this Bill.
- (3) Where a produce officer in the course of re-examination discovers that the produce being re-examined has been adulterated or an offence relating to the produce has been committed, the produce officer shall deal with the produce in accordance with the provisions of section 20 of this Bill.
- (4) Where the produce officer re-examines the produce and find out that the produce has been properly passed or graded, he shall cause the produce to be re-packaged, sealed and marked in accordance with this Bill or Regulations made under this Bill.
- (5) The owner of the produce re-examined under this section may appeal within seven days to the Director-General of the Service or his representative against the decision made on either the examination or the re-examination (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 22: Duty to provide labour for inspection.

Where a produce officer is to examine or re-examine a produce for any of the purposes under this Bill, the owner of the produce shall provide necessary labour to enable such examination or re-examination to be made (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 23: Produce expert.

- (1) The Minister may by notice in the Federal Government Gazette declare a person as Produce Expert in respect of a particular produce.
- (2) In any proceedings of an offence under this Bill in which the quality or condition of a produce is in issue the Court may, direct produce expert to examine the produce or sample of it and report to the Court on its quality or condition and the written report of such produce expert shall be sufficient evidence of the facts stated in the report unless the person charged, requires

the produce expert to be called as a witness (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART III — FINANCIAL PROVISIONS

Clause 24: Funds of the Service.

- (1) The Service shall establish and maintain an account to which shall be paid —
- (a) all subventions and annual budgetary allocation from the Government of the Federation;
 - (b) such monies as may, from time to time, be provided to the Service by the Federal Government, a state government or a Local Government Council;
 - (c) foreign aid and assistance;
 - (d) any other fund as may be approved for the development of produce safety in Nigeria;
 - (e) all other sums or assets that may from time to time be vested in or accrue to the Service in the course of performing its duties under this Bill.
- (2) The Service funds shall be managed in accordance with extant Financial Regulations applicable in the Public Service of the Federation and Regulations made pursuant to this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 25: Expenditure of the Service.

- The Service may apply the proceeds of the fund established pursuant to this Bill —
- (a) for the payment of salaries, fees and other remunerations or allowances, payable to employees, experts or professionals appointed by the Service;
 - (b) to pay overhead, benefits and other administrative costs of the Board;
 - (c) for the reimbursement of members of any committee set up by the Board or such expenses as may be authorised in accordance with the rates approved by the Government of the Federation;
 - (d) to publicise and promote the activities of the Service;
 - (e) for the maintenance of any property acquired or vested in the Service; and
 - (f) to undertake any other activity, programme or matter connected with the functions of the Service under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 26: Accounts and audit.

- (1) The Service shall keep proper accounts and records of its funds and shall prepare in respect of each financial year, a statement of accounts in such form as may be required and in conformity with Financial Regulations.
- (2) The Service shall within six months after the end of each year to which the accounts relate, cause its accounts to be audited by auditors appointed from the list of auditors and in accordance with guidelines supplied by the Auditor-General of the Federation.
- (3) The auditors shall, on the completion of the audit of the accounts of the Service for each year, prepare and submit to the Board reports setting out —
 - (a) general observations and recommendations of the auditors on the financial affairs of the Service for the year and on any important matter which the auditors desire to bring to the notice of the Board; and
 - (b) detailed observations and recommendations of the auditors on all aspects of the operations of the Service for the year under review (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 27: Annual reports.

The Service shall, not later than 30th September of every year, prepare and submit to the Minister through the Board, a report on the activities and administration of the Service during the preceding year and shall include in the report a copy of the Audited Financial Statement of the Service for the immediate preceding year and the auditor's report (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 28: Power to accept gifts.

- (1) The Service may accept a gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.
- (2) The Service shall not accept any gift where the conditions attached by the person or organisation making the gift are inconsistent with the functions and objectives of the Service (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 29: Borrowing and investment powers of the Service.

- (1) The Service may, with the consent or in accordance with any general authority given by the Board, borrow by way of loan or overdraft not exceeding ₦50,000,000 for its obligations and functions under this Bill.
- (2) The Service shall not, without the approval of the Minister, borrow money which exceeds ₦50,000,000 at any time or any other limit as may be set by the Minister.
- (3) Notwithstanding the provision of subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Service shall not borrow the sum without the approval of the Minister.

- (4) The Service may, subject to the provisions of this Bill and the conditions of a trust created in respect of a property, invest any of its funds with the consent or general authority of the Board and Minister responsible for finance.
- (5) The Service may invest any of its surplus funds in such securities as the Board may, from time to time, approve (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART IV — OFFENCES AND PENALTY

Clause 30: Presumption as to intention to export.

In a proceeding against a person for an offence committed under this Bill, it shall not be necessary to prove that the produce, which is the subject of the charge, was intended for export and such produce shall be presumed to have been intended for export unless the contrary is proved (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 31: Effect of inspection, passing or grading.

In any action relating to the quality or purity of a produce inspected and passed or graded under this Bill, the inspection, passing or grading of such produce shall not be conclusive as to the quality or purity of the produce (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 32: Wrongful grading as an offence.

- (1) A produce officer who knowingly passes or clears produce for export, which is not of exportable standard and quality, commits an offence of gross misconduct punishable in accordance with the extant provisions of the Public Service Rules.
- (2) Where a person charged alleges unauthorised use of his seal, press, punch-die or other sealing or marking appliance used for sealing produce or for marking containers was used without his consent, the burden of proving such unauthorised usage shall be on the person.
- (3) In any prosecution under this section, it shall be sufficient for the prosecution to prove the person charged is a produce officer who passed or cleared the produce in question for export and that the produce was not of exportable standard and the burden of defending that the wrong clearance was not done knowingly shall be upon the person charged (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 33: Unauthorised use or possession of seals, sampling and testing apparatus of the Service.

- (1) A person, other than a delegated officer of the Service, who —
 - (a) makes unauthorised use of prescribed types of seal, press, punch-die or other sealing or marking appliance used for sealing produce or

for marking containers or any apparatus for sampling or testing produce or for extracting contents of bags of produce intended for export or detained under the provisions of this Bill;

- (b) is found in possession of any of such article or any article so closely resembling that of the Service, which may be mistaken for that of the Service, without lawful excuse, provided that the burden of proving such lawful excuse shall be upon the person charged,

commits an offence under this Bill and is liable on conviction to a fine of at least ₦150,000 or imprisonment for one year or both.

- (2) Where the offence is committed by an employee of the Service, the disciplinary procedure provided for in the Public Service Rules shall apply (*Hon. Julius Omozuavbo Ihonvbere — House Leader*).

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

Clause 34: General offences.

- (1) A person who at any port of shipment, without lawful excuse —
- (a) hinders or molests a produce officer or person charged with the duty or power under this Bill or Regulations made under this bill in the exercise of his duty or power;
- (b) fails to comply with lawful order given under this Bill or Regulations made under this Bill;
- (c) removes, cleans or tampers with produce or receptacle, seized or detained by the Service in accordance with the provisions of this Bill or Regulations made under this Bill;
- (d) breaks or removes a seal placed upon a receptacle containing produce by the produce officer, either after grading, seizure or detention of the produce and receptacle in accordance with the provisions of this Bill or break the twine, wire or other means of securing such receptacle or seal;
- (e) substitutes for a produce already inspected and passed or graded with another produce or adds extraneous matter or any uninspected produce to a produce, which has been inspected and passed or graded;
- (f) fails to furnish any information lawfully demanded under this Bill or knowingly furnish false information in a material particular or does not believe to be true;
- (g) possesses or has in his custody or under his control, whether for sale or other purpose, for his use or benefit or any other person or whether as agent or employee of any other person, produce which has been —
- (i) inspected, passed or graded and of which the containers have been tampered with as described in this section, or
- (ii) substituted for produce which has been passed or graded; or

- (h) ships, exports or attempts to ship or export or delivers or cause to be delivered for shipment or export any produce, which is not of exportable standard, commits an offence and is liable on conviction to a fine of at least ₦1,000,000 or imprisonment for one year or both.
- (2) In prosecution of offences under this section, the burden of proving the existence of lawful excuse shall lie on the defendant.
- (3) A person shall not be convicted for an offence in subsection(1) (g) of this section, where the person proves to the satisfaction of the court —
- (a) not to know and could not with reasonable diligence have known that the produce or its containers had been tampered with or suffered substitution;
- (b) to have taken all reasonable precautions against the commission of the offence;
- (c) that as soon as it became clear that an offence had been or was being committed, made immediate report in writing to the Service; and
- (d) that when the Service demanded for an explanation, gave all the information at his disposal with respect to the produce and the containers (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 35: Offences in relation to samples of produce.

A person authorized to take samples under this Bill, but employs or disposes of such samples or any part of it for his own gain or use it for any purpose other than for the purpose for which it was meant, commits an offence of misconduct punishable under the extant provisions of the Public Service Rules (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 36: Offences in relation to inspection and grading of produce.

Any produce officer, who without reasonable excuse, delays, detains, or refuses to inspect, passes or grades produce for export commits an offence and is guilty of misconduct punishable under the extant provisions of the Public Service Rules (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 37: Offences by public officer.

Where a proceeding, either civil or criminal is brought against a public officer in respect of an act done pursuant to the provisions of this Bill, it shall be a good defense for the officer to show that there was reasonable and probable cause for the act in respect of which such proceeding is brought (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 38: Forfeiture of produce.

- (1) Where a beneficial owner of a produce is convicted of an offence under this

Bill, the court may, in addition to the penalty imposed, order that the produce and the receptacles in respect of which the offence was committed, be destroyed or forfeited to the Service.

- (2) Produce forfeited under this section shall be cleaned by the Service and released for sale or for export.
- (3) Where a produce or a receptacle is seized and detained under this Bill and the —
 - (a) owner of such produce or receptacle is unknown or cannot be found; or
 - (b) produce is adulterated or is of such inferior quality that —
 - (i) it cannot be cleaned to an exportable standard,
 - (ii) its retention in its present condition may endanger the quality of other produce, which may come into contact with it, or
 - (iii) produce expert by reason of its inferiority standard suggest that it should be destroyed; a complaint shall be made after seven days from the day of seizure of the produce and receptacle, before a magistrate having jurisdiction over the area where the produce or receptacle is detained for the purpose of enforcing forfeiture of such produce or receptacle.
- (4) The magistrate shall cause notice to be given in such manner as may be required or necessary, for cause to be shown to the contrary at a place and time stated in the notice why the produce or receptacle shall not be forfeited.
- (5) The magistrate shall, unless cause is shown to the contrary, order that the produce or receptacle be forfeited and disposed of in such manner as may be requested by the Service (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART V — MISCELLANEOUS PROVISIONS

Clause 39: Powers of the Minister to make Regulations.

The Service, in the exercise of its powers under this Bill, may in consultation and approval of the Minister, make Regulations and orders in accordance with the provisions of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 40: Delegation.

The Minister may delegate any of his powers under this Bill to the Service except the power to make Regulations (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 41: Limitation of suits against the Service.

- (1) Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply to a suit instituted against the Service, an officer or employee of the Service.
- (2) A suit shall not lie or be instituted in a court against the Service, a member of the Board or any principal officer or employee of the Service for action carried out in pursuance to the execution of this Bill or any enactment or of any public duty in respect of an alleged neglect or default in the execution of this Bill or any other enactment or law, duty or authority, unless it is commenced —
 - (a) within three months of such act, neglect or default complained of; or
 - (b) in the case of a continuation of damages or injury, within six months after the ceasing of the act, neglect or default.
- (3) A suit shall not be commenced against the Service, a member of the Board or any principal officer or employee of the Service before the expiration of a period of one month after written notice of the intention to commence a suit has been served on the Service by the intending plaintiff or his agent.
- (4) The notice referred to in subsection (3) of this section shall clearly state the cause of action, particulars of the claim, the name and place of abode of the intending plaintiff and the relief sought (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 42: Power to sue for fees.

- (1) The Service shall have power to institute a court proceeding against a person for the recovery of a civil debt under this Bill or Regulations made under this Bill.
- (2) Fees recovered for and by the Service shall be paid into the Federation Account (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 43: Repeal and transitional provisions.

- (1) The Produce (Enforcement of Export Standards) Act, Cap. P32, Laws of the Federation of Nigeria, 2004 is repealed.
- (2) Notwithstanding the repeal of the Produce (Enforcement of Export Standards) Act, Cap. P.32 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, in the same manner 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 force in accordance with the provisions of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 44: Interpretation.
In this Bill —

"Board" means the Produce Inspection Board for the Federation established under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"buy" includes exchange or barter, whether for goods or services and any agreement or contract to buy, exchange or barter (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"buyer" means the person who conducts the transaction of buying, whether personally or for another person (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Chief Produce Officer" subject to the provision of subsection (2) of this section, means an officer of that rank in the Federal Produce Inspection Service (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"clean" means to free produce from any foreign, superfluous or inferior matter by picking, boiling or using other means and includes the extraction of excessive moisture from produce (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"delegated officer" means any officer delegated by the Service or its Chief Executive Officer (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"export" means to take or cause to be taken out of Nigeria (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"exportable standard" means a standard which is not lower than that prescribed for produce intended for export, under the provisions of the Export of Nigerian Produce Act or any other law (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"expose for sale" includes to place any produce on premises on which produce is habitually bought by, or for eventual delivery, to any exporter, produce or licensed buying agent, whether the person placing such produce intends to offer it for sale or not (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Government" means the Government of the Federation or of a State (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Inspector", means a produce officer of the Federal Produce Inspection Service, and includes a person appointed as an Inspector or examiner for the purposes of 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.

"Licence" means a licence issued in accordance with the provisions of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Licensed Buying Agent" means a person or firm or an employee of such person or firm holding license in that behalf issued by an appropriate licensing authority (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that the meaning of the words "Licenced Buying Agent" be as defined in the interpretation to this Bill — Agreed to.

"Licensing Authority" means an authority empowered to grant a license for buying produce (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Minister" means the Minister charged with responsibility for matters relating to Industry, Trade and Investment (*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.

"Pest Control Inspector" means any officer of that rank in the Federal Produce Inspection Service (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that the meaning of the words "Pest Control Inspector" be as defined in the interpretation to this Bill — Agreed to.

"pest" means any vermin, insect, parasite, fungus, bacterium or disease harmful to produce (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"port of shipment" means the place from which produce is exported by any means (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"possess for sale" includes constructive possession of produce, which is exposed for sale, or of produce which is found upon the premises of any store in respect of which there is in force a certificate of registration issued in accordance with provisions of any Regulations made under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that the meaning of the words "possess for sale" be as defined in the interpretation to this Bill — Agreed to.

"Produce Officer" means an officer of that rank in the Federal Produce Inspection Service (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"sell" includes exchange of barter, whether for goods or services, and any agreement or contract to sell, exchange or barter; and (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Senior Produce Officer" means an officer of that rank in the Federal Produce Inspection Service (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

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

Clause 45: Citation.

This Bill may be cited as the Federal Produce Inspection Service (Enforcement of Export Standards) (Establishment) Bill, 2024 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

SCHEDULES

FIRST SCHEDULE

- | | |
|----------------------------|------------------------------|
| (1) Cocoa bean | (2) Ginger |
| (3) Cashew | (4) Dried Hibiscus |
| (5) Cotton Lint | (6) Cotton Seed |
| (7) Sesame Seed | (8) Gum Arabic |
| (9) Crush Bone & Hoof Meat | (10) Soya Beans |
| (11) Copra | (12) Kola nut |
| (13) Shea nuts | (14) Cotton seed powder |
| (15) Cotton Waste | (16) Cotton Yarn |
| (17) Cotton seed oil | (18) Forest nut |
| (19) Garri | (20) Garlic |
| (21) Maize | (22) Onion |
| (23) Potato | (24) Rice |
| (25) Shea Butter | (26) Sorghum |
| (27) Cassava Starch | (28) Cassava Chips |
| (29) Cashew Kernel | (30) Bitter kola nut |
| (31) Bee Wax | (32) Bean (Cow Pea) |
| (33) Aya (Tiger nut) | (34) Alligator pepper |
| (35) Other specie of corn | (36) Palm Kernel Shell |
| (37) Moringa | (38) Cassia Tora |
| (39) Capsicum | (40) Coffee |
| (41) Rubber | (42) Palm Kernel |
| (43) Palm Oil | (44) Palm Kernel cake |
| (45) Palm Kernel oil | (46) Groundnut/peanut) |
| (47) Ground nut/cake | (48) Groundnut oil |
| (49) Ground nut powder | (50) Hide and skin |
| (51) Honey Comb | (52) Cotton seed cake |
| (53) Sugar cane | (54) Tumeric |
| (55) Yam | (56) Sesamised cake |
| (57) Tobacco | (58) Wheat Bread |
| (59) Black stone flower | (60) Raffia cane/Raffia seed |
| (61) Millet | (62) Locus Bean |
| (63) Kenaf | (64) Cocoa Powder |
| (65) Bambara Nut | (66) Cocoa Liquor |
| (67) Cocoa Butter | (68) Pigeon pea |

- | | | | |
|------|----------|------|---|
| (69) | Fruits | (70) | Fruits Produce (other than oil) |
| (71) | Charcoal | (72) | Melon seeds (<i>Hon. Julius Omozuanvbo Ihonvbere — House Leader</i>). |

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

SECOND SCHEDULE

[Section 5(3)]

Meeting and Proceedings of the Board

1. Subject to the provisions of this paragraph, the Board may make standing orders to provide for the proper conduct of its business.
2. Meetings of the Board shall be convened by the chairman, but four members may by notice in writing signed by them, request the chairman to convene a special meeting of the Board for the purposes specified in such notice and upon receipt of such notice, the chairman shall convene a special meeting for such purposes at the earliest convenient date.
3. The Board may constitute committees to carry out on its behalf, such functions as the Board may determine.
4. 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.
5. A decision of a committee shall be of no effect until it is confirmed by the Board.
6. Where upon any special occasion the Board desires to obtain the advice of any person upon any matter, it may co-opt such person to be a member of such meeting as may be required and the person shall, whilst so co-opted, have all the rights and privileges of a member of the Board, save that the person shall not be entitled to vote on any question.
7. Issues and questions proposed for decision of the Board shall be determined by the majority of the votes of the members present and voting.
8. The chairman shall have an original vote and also, if upon any question the votes are equally divided, a casting vote.
9. At a meeting of the Board the chairman and ten other members shall form a quorum.
10. The Board shall not be disqualified for the transaction of business by reason only of any vacancy among the members and in the absence of the chairman or his representative from any meeting of the Board, the Director General or the Controller of Produce Inspection and Quality, shall serve as temporary chairman (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Explanatory Memorandum:

This Bill seeks to repeal the Produce (Enforcement of Export Standards) Act, Cap. P32, Laws of the Federation of Nigeria, 2004 and Enact the Federal Produce Inspection Service (Enforcement of Export Standards) (Establishment) Bill, 2024, to provide for the Inspection and Enforcement of grades and quality standards of Produce and Commodities intended for export from Nigeria at Ports of shipment (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Repeal the Produce (Enforcement of Export Standards) Act, Cap. P32, Laws of the Federation of Nigeria, 2004 and Enact the Federal Produce Inspection Service (Enforcement of Export Standards) (Establishment) Bill, 2024 to Provide for the Inspection and Enforcement of Grades and Quality Standards of Produce and Commodities Intended for Export From Nigeria at Ports of Shipment; and for Related Matters (HB. 616) (*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 Produce (Enforcement of Exports Standards) Act, Cap. P23, Laws of the Federal of Nigeria, 2004 and Enact the Federal Produce Inspection Service (Enforcement of Exports Standards) (Establishment) Bill, 2024 to Provide for the Inspection and Enforcement of Grades and Quality Standards of Produce and Commodity intended for Export from Nigeria at Ports of Shipment and for Related Matters (HB. HB.616) and approved Clauses 1 - 45, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

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

- (iii) ***A Bill for an Act to Provide for Coordinating and Conduct of the Practice of Broadcasting Profession in Nigeria and for Related Matters (HB.247) (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 Coordinating and Conduct of the Practice of Broadcasting Profession in Nigeria and for Related Matters (HB.247)” (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 THE COORDINATING AND
CONDUCT OF THE PRACTICE OF BROADCASTING PROFESSION IN
NIGERIA; AND FOR OTHER MATTERS CONNECTED THEREWITH

PART I — ESTABLISHMENT OF THE BROADCASTING PRACTITIONERS COUNCIL

Clause 1: Establishment of the Broadcasting Practitioners Council.

- (1) There shall be established a body to be known as the Broadcasting Practitioners Council (in this Bill called "the Council) which shall comprise of broadcasting practitioners of the highest distinction in the broadcasting profession in Nigeria. The Council shall be a body corporate with perpetual succession and a common seal
- (2) The Council shall be charged with the responsibility and performance of the following general duties:

- (a) formal admission, certification and registration of persons seeking to become broadcasting practitioners;
- (b) formal admission, conferment of recognition or certification on deserving persons who have been trained or have been practicing or working as broadcasting practitioners prior to the commencement of this Bill;
- (c) prescribing, determining, and setting the standard of knowledge and skills to be attained by persons seeking to become members of the broadcasting profession and reviewing those standards from time to time;
- (d) securing in accordance with the provisions of this Bill, the establishment and maintenance of a register of persons entitled to practice as broadcasters and the publishing, from time to time, of the lists of those persons;
- (e) regulating and Controlling the conduct of the practice of broadcasting profession;
- (f) conducting examinations in the profession and awarding certificates or diplomas to successful candidates as and when appropriate;
- (g) to make regulations for the smooth administration and management of the Council and the profession from time to time;
- (h) performing the other functions conferred on the council by this Bill, including the establishment or operation of the Nigeria Institute of Broadcasting (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 2: Composition of the Council.

- (1) The Council shall be constituted by twenty persons as follows:
 - (a) a chairman and a Vice-Chairman respectively, who are registered broadcasting practitioners elected by members of the Council
 - (b) five registered broadcasting practitioners to be nominated by the Honourable Minister in charge of Information, and
 - (c) thirteen registered broadcasting practitioners to be elected by registered broadcasting practitioners into the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 3: Powers of the Council.

- (1) Further to section 1 of this Bill, the Council shall have power to do such thing which in its opinion is calculated to facilitate the carrying out of its functions under this Bill, particularly as it relates to setting and maintaining standards for broadcasting practitioners.
- (2) The Council may from time to time borrow money to implement the objects

of the Society and may also invest monies belonging to the Society in any business venture that the Council may deem profitable.

- (3) The Council shall have power to enact guidelines for the conduct of elections into the Council which guidelines shall be published and made available to all broadcasting practitioners (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 4: Power to Bestow Honorary Fellowship.

The Council may if it deems it fit, bestow an honorary fellowship on any deserving person who has contributed immensely to the promotion and development of the broadcasting profession and whose contribution is such that it is in the interest of the Council to be associated with such a person or grant him special recognition (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 5: Funding of the Council.

- (1) The Council shall establish and maintain a fund for the purposes of carrying out its activities and operations including the payment of salaries of employees of the Council and for meeting its statutory obligations.
- (2) There shall be paid into the fund of the Council:
 - (i) voluntary donations or grants from any person, institution, or Government;
 - (ii) all fees, levies, subscriptions, and other moneys payable to the Council by registered members, students, or other persons for conferment of any title or awards by the Council;
 - (iii) such moneys as may be payable to the Council, whether in the course of the discharge of its functions or not; and in the provision of any service to be rendered to any member or person.
- (3) Be paid out of the fund of the Council —
 - (i) the remuneration and allowances of the Registrar and other employees of the Council;
 - (ii) such reasonable traveling and subsistence allowance of members of the Council in respect of the time spent on the business of the Council as the Council, may from time to time determine or approve; and
 - (iii) any other expenses incurred by the Council in the discharge of its functions under the Act (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 6: Financial Provision.

- (1) The Chairman of the Council shall prepare and submit to the Council not later than the 31st day of December of each year, an estimate of the income and expenditure of the Council during the next succeeding year.

- (2) The Council shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause the accounts to be audited within six months after the end of the year to which the accounts relate by independent auditor(s) appointed by the Council (*Hon. Julius Omozuanvbo Ihonybere — House Leader*).

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

Clause 7: Registrar and other Staff of the Council.

- (1) It shall be the duty of the Council to appoint a fit and proper person to be the Registrar and head of secretariat of the Council for the purposes of this Bill.
- (2) The Registrar shall, in addition to his other function under this Bill, be the Secretary to the Council and shall, on the instructions of the Chairman of the Council, convene meetings of the Council, record and keep minutes of such proceedings.
- (3) The Council may appoint such other persons to be employees of the Council as the Council may determine to assist the Registrar in the exercise of his functions under this Bill.
- (4) The Council may, whenever the Registrar is absent, or for any other reason is unable to discharge the functions of his office, appoint an acting Registrar to discharge his functions.
- (5) The Registrar and other employees of the Council shall hold office on such terms and conditions as the Council may determine (*Hon. Julius Omozuanvbo Ihonybere — House Leader*).

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

Clause 8: Qualification to Practice as a Broadcaster.

- (1) A person shall be qualified to practice as a broadcaster or be identified as a broadcaster if and only if:
 - (a) he has acquired or attained the prescribed academic or standard of training set by the Council and he has been so certified and registered to practice as a broadcaster by the Council, or if;
 - (b) prior to the commencement of the Act, he has acquired requisite practical knowledge, training, or experience in a recognized academic institution or broadcasting station or organisation which shall entitle the Council upon verification to certify him as a broadcaster and register him to continue to practice as such. The Council shall determine the level of qualification, skill or experience acceptable or applicable before granting the certification under this provision.
- (2) In addition to any training, knowledge, education, skill, or experience that a prospective applicant may have obtained or acquired, the Council shall be satisfied that a person who has applied to be admitted to practice as a broadcaster has sufficiently acquired training, knowledge or education from a recognised or accredited institution or organisation in the following areas:
 - (a) Mass Communications particularly as it relates to broadcasting;

- (b) Broadcasting Act, the Broadcasting Code and other broadcast regulations;
- (c) Educational and Instructional broadcasting;
- (d) Advertising;
- (e) News writing, News Reporting, Editing and Newscasting;
- (f) Television and Radio Programmes production and presentation techniques;
- (g) Radio and Television programme directing;
- (h) Radio and Television script writing for drama, documentary and other programme production;
- (i) lighting and sound;
- (j) camera techniques;
- (k) broadcast ethics and station management;
- (l) information technology in broadcasting;
- (m) technology development in the broadcast industry;
- (n) industrial attachment;
- (o) knowledge of Laws and other professional standards relating to broadcasting and the mass media;
- (p) adherence to all the Guidelines Contained in the NBC code as relating to Broadcasting including community broadcasting;
- (q) knowledge of Radio and Television for the promotion, presentation and preservation of Nigeria's value system, tradition and culture (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART II — MEMBERSHIP REGISTER

Clause 9: Preparation and Maintenance of Register.

- (1) It shall be the duty of the Registrar to prepare and maintain, in accordance with rules made by the Council under this section, a register containing the names, addresses, qualifications and such other particulars as may be specified of all persons who are entitled in accordance with the provisions of this Bill to be registered as fellows, full members or associate members of the broadcasting profession and who apply in the specified manner to be so registered.
- (2) Subject to the provisions of this section, the Council shall make rules with respect to the form of keeping of the register and the making of entries therein, and in particular —

- (a) regulating the making of applications for registration and providing for the evidence to be produced in support of applications;
 - (b) providing for the notification to the Registrar by the person to whom any registered particulars relate, of any change in those particulars;
 - (c) specifying anything not specified under the foregoing provisions of this section;
 - (d) specifying the fees to be paid to the Council in respect of the entry of names on the register and authorising the Registrar to refuse to enter a name on the register until any fees specified for entry has been paid;
 - (e) to give appropriate information about any registered member of the profession as may be required for public purposes.
- (3) It shall be the duty of the Registrar —
- (a) to correct, in accordance with directions of the Council, any entry in the register which the Council directs him to correct as being in the opinion of the Council an entry which was incorrectly made;
 - (b) to make, from time to time, any necessary alterations to the registered particulars of registered persons;
 - (c) to remove from the register the name of any registered person who has been duly expelled from the broadcasting profession pursuant to the provisions of the Act (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 10: Publication of Register and Subsequent Corrections.

- (1) It shall be the duty of the Registrar —
- (a) to cause the register to be printed, published and put on sale to members of the public as may be deemed expedient;
 - (b) to cause to be printed, published and put on sale as aforesaid either a corrected edition of the register or a list of alternations made to each register since it was last printed; and
 - (c) to cause a print of each edition of the register and of each list of corrections to be deposited at the office of Registrar to the Council, and it shall be the duty of the Council to keep each register and lists so deposited open at all reasonable times for inspection by members of the public upon the payment of a fee.
- (2) A print out or an extract of from the register kept or published under this section by authority of the Registrar shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any person specified in the document, or the documents read together, as being registered is so registered and that any person not so specified is not so registered (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 11: Division of Register.

- (1) The register shall consist of three parts —
 - (a) one part in respect of fellow;
 - (b) one part in respect of full members;
 - (c) one part in respect of associate members.
- (2) The Council may approve further division of the register into other parts as may be desirable for the purpose of accommodating any other membership category and stipulate the qualification to be attained by the persons to be so included.
- (3) A person shall qualify to be registered as an associate member of the profession and being so registered to receive a certificate of registration if:
 - (a) he holds a university degree or High National Diploma in Mass Communication or acquired other professional qualification or has attained any level of training and acquired experience recognised by the Council;
 - (b) he is of good Character;
 - (c) he has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty; and
 - (d) he has passed any qualifying examination or attained any standard of training or skill as set by the Council
- (2) A person shall be entitled to be registered as a full member of the profession and being so registered to receive a certificate of registration if —
 - (a) he fulfils the conditions for registration under subsection (3) of this section; and
 - (b) he satisfied the Council that in the five years immediately preceding the date of his application, he has been in continuous active practice as a broadcasting practitioner either alone or in partnership with other broadcasting practitioners or in a licensed broadcasting organisation or institution whether private or public in Nigeria or outside Nigeria.
- (3) A person shall be entitled to be registered as a fellow of the profession and being so registered to receive a certificate of registration if —
 - (a) he fulfills the conditions for registration under subsection (3) of this section; and
 - (b) he satisfied the Council that in the fifteen years immediately preceding the date of his application, he has been in continuous active practice with other broadcasting practitioners and has in the opinion of the Council made significant contributions to the broadcasting profession.

- (4) The Council may in its absolute discretion provisionally accept a qualification produced in respect of an application for registration under this section or direct that the application be received within such period as may be specified in the direction.
- (5) The Council shall, from time to time, publish particulars of the qualifications for the time being accepted for registration (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART III — TRAINING

Clause 12: Approval of Courses.

- (1) The Council may approve:
 - (a) any course of training which is intended for persons seeking to become members of the profession under this Bill and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for the practice of the broadcasting profession;
 - (b) any institution or organisation either in Nigeria or elsewhere which the Council considers is properly organised and equipped for conducting the whole or any part of the course of training approved by the Council;
 - (c) any qualification which, as a result of examination taken in conjunction with the course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination indicating, in the opinion of the Council, that they have sufficient knowledge and skill to practise broadcasting profession.
- (2) The Council may, if it thinks it fit, withdraw any approval given under this section in respect of any course, qualification or institution but before withdrawing such an approval, the Council shall :-
 - (a) give notice that it proposes to do so to persons by whom the course is conducted or the qualification is granted or the institution is controlled as the case may be;
 - (b) afford each such person an opportunity of making it to the Council representations with regard to the proposal; and
 - (c) take into consideration any representation made in respect of the proposal.
- (3) In respect of any period during which the approval of the Council under this section for a course, institution or qualification is withdrawn, the course, institution or qualification shall not be treated as approved but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration immediately before the approval was withdrawn.
- (4) The giving or withdrawal of an approval under this section shall have effect from such date, after the execution of the instrument signifying the giving

or withdrawal of the approval, as the Council may specify in the instrument, and the Council shall —

- (a) publish a copy of every instrument in the Federal Gazette;
- (b) send a copy of the instrument to the Minister (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 13: Supervision of Institution and Examination leading to qualification.

- (1) It shall be the duty of the Council to determine and know from time to time the nature and adequacy of:
 - (a) the instruction given at approved or recognised institutions or organisations to persons attending approved courses of training; and
 - (b) the examinations as a result of which approved qualifications are granted.
- (2) The Council shall work with such institutions or organisations to review such instructions, manual or materials from time to time.
- (3) For the purpose of performing its duty, the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions, attend and assess such examinations.
- (4) It shall be the duty of a Visitor appointed to report to the Council on —
 - (a) the adequacy of the instruction given to persons attending approved courses of training at institutions visited by him;
 - (b) the adequacy of the examination observed or attended by him; and
 - (c) any other matter relating to the institution or examination which the Council may, either generally or in a particular case, request him to report.
- (5) The Visitor shall not interfere with the giving of any instruction or the holding of any examination.
- (6) On receiving any unsatisfactory report from the Visitor in pursuance of this section, the Council may, as soon as the case may be, send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examination to which the report relates requesting that person to make representations to the Council within such time as may be specified in the request not being more than one month beginning with the date of the request (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 14: Appointment not to be held by unregistered Person.

- (1) Subject to the provisions of this Bill, no person, not being registered in accordance with this Bill, shall be entitled to hold any appointment in the public service of the Federation or of a State or in any public or private establishment, body or institution, if the holding of such appointment involves the performance by him in Nigeria of any act pertaining to rendering professional broadcasting services either for pecuniary gain or otherwise.
- (2) Nothing in this section or in any other provisions of this Part of this Bill shall prevent a person from holding any appointment referred to in subsection (1) of this section while he is undergoing training or industrial attachment for the purpose of becoming qualified for registration under this Bill under the supervision of persons who are registered in accordance with this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 15: Prohibition of a person falsely professing to be a registered person in the broadcasting profession.

Any person, not being registered under this Bill, who holds himself out to be a broadcaster or to have been so registered or uses any name, title, description or symbol calculated to lead any person to infer that he is so registered, shall be guilty of an offence and liable on conviction for a first offence to a maximum fine of five hundred thousand Naira or to imprisonment for a term of six months or both and on conviction for a second or any subsequent offence to imprisonment for a term of not less than one year or more than three years (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 16: Offences.

- (1) If any person for the purpose of procuring the registration of any name, qualification or other matter —
 - (a) make a statement which he believes to be false in a material particular; or
 - (b) recklessly makes a statement which is false in a material particular, he shall be guilty of an offence under this section.
- (2) If the Registrar or any other person employed by the Council willfully makes any falsification in any matter relating to any register maintained under this Bill, he shall be guilty of an offence under this section.
- (3) A person guilty of an offence under this section shall be liable —
 - (a) on conviction to a fine not exceeding Two Hundred Thousand Naira or to a term of imprisonment not exceeding one year or both (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 17: Establishment of Disciplinary Committee and Investigation Panel.

- (1) There shall be established a Disciplinary Committee (in this Bill referred to as "the Disciplinary Committee" which shall be charged with the duty of considering and determining any case referred to it by the panel established by this Bill.
- (2) The Disciplinary Committee shall consist of seven distinguished registered members of the profession.
- (3) There shall be an established Investigation Panel (hereafter in this Bill referred to as "the Panel") which shall be charged with the duty of —
 - (a) conducting preliminary investigations into any alleged case of professional misconduct against any registered member and
 - (b) deciding, upon due investigations whether the case should be referred to the Disciplinary Committee for further action or not.
- (4) The Panel shall be appointed by the Council and shall consist of five distinguished registered members of the profession.
- (5) The provisions of the Second Schedule to this Bill shall, in so far as is applicable to the Disciplinary Committee and the Panel respectively, have effect with respect to those bodies (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 18: Proceedings of the Disciplinary Committee.

- (1) At any meeting of the Disciplinary Committee five members shall form a quorum.
- (2) The Chairman shall preside at any meeting of the Committee or in his absence the members present at the meeting shall appoint one of the members to preside at the meeting.
- (3) Any question proposed for decision by the Committee shall be determined by the majority of the members present and voting at meeting of the Committee at which a quorum is present.
- (4) At all meetings of the Committee each member present shall have one vote on a question proposed for decision by the Committee, and in the event of an equality of votes, the chairman shall have, in addition to a deliberative vote, a casting vote.
- (5) The proceedings of the Committee and that of the Panel shall be conducted in a manner that affords fair hearing, equality and justice to all parties and in all respects (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 19: Penalties for unprofessional Conduct.

- (1) Where —
 - (a) a person registered under this Bill is convicted by any court or tribunal in Nigeria or elsewhere having power to award punishment

for an offence (whether or not an offence punishable with imprisonment) which in the opinion of the Disciplinary Committee is incompatible with the status of such a professional; or

- (b) a registered person is adjudged by the Disciplinary Committee to be guilty of infamous conduct in a professional respect; or
- (c) the Disciplinary Committee is satisfied that the name of any person has been fraudulently registered,

the Disciplinary Committee may give any of the directions mentioned in subsection (2) of this section.

- (2) The Disciplinary Committee may by resolution recommend to the Council —

- (a) to strike a person's name off the relevant part of the register;
- (b) the suspension of a person from practise for such period as may be specified by the Council;
- (c) reprimand a person;
- (d) order a person to pay to the Council any costs of and incidental to the proceedings or any other sums of money whatsoever incurred by the Council; or
- (e) cautioning a person and postponing any further action against him on one or more conditions as to his conduct during that period, and

any such sanction may, where appropriate, include provisions requiring the refund of moneys paid or the handing over of documents or any other thing, as the case may require.

- (3) For the purpose of subsection (1) of this section, a person shall not be treated as convicted unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.

- (4) In any inquiry under this section, any finding of fact which is shown to have been made in —

- (a) any criminal proceedings in a court in Nigeria; or
- (b) any civil proceedings in a court in Nigeria,

shall be conclusive evidence of the fact found.

- (5) If, after due inquiry, the Disciplinary Committee is satisfied that during the period of any postponement under paragraph (e) of subsection (2) of this section, a person has not complied with the conditions imposed thereunder, the Council may, if it thinks fit, impose any one or more of the penalties mentioned in paragraphs (a), (b), (c) or (d) of that subsection (*Hon. Julius Omozuanvbo Ihonybere — House Leader*).

Clause 20: Restoration of Registration.

- (1) Where the name of a person has been struck off the register, the Disciplinary Committee, may if it thinks fit, at any time recommend the restoration of this name to the register, Provided that the Council may, upon appropriate and satisfactory representations by any affected member, direct his name to be restored to the register.
- (2) There shall be payable to the Council by any person on the restoration of this name to the register the fees as would be payable by that person on first becoming registered on that register (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 21: Striking off Entries in Register on Ground of Fraud or error.

If it proved to the satisfaction of the Council that any entry made in a register had been fraudulently or incorrectly made, the Council may direct that entry be struck off from the register (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 22: Appeal to the Federal High Court.

- (1) Where the Council —
 - (a) imposes a penalty on a registered person; or
 - (b) rejects an application for restoration of a name to a register; or
 - (c) directs the striking off of an entry from the register.

The Registrar shall give the person to whom the decision relates notice in writing thereof and such person may, within 28 days from the date of service on him of the notice, appeal to the Federal High Court.

- (2) No direction for the striking off of the name of a registered person from a register shall take effect until the expiration of the time for appealing or if an appeal is brought, until such time as the appeal is disposed of, withdrawn or struck out for want of prosecution, as the case may be (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VI — SUPPLEMENTARY**Clause 23: Interpretation.**

In this Bill, unless the context otherwise requires —

"Broadcaster" means any person certified and registered by the Council to engage in the profession of broadcasting (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Council" means the Broadcasting Practitioners Council established under section 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.

"Member" means a registered member of the Broadcasting profession (*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 with not less than 20 years professional media experience charged with the responsibility for matters relating to information and "Ministry" shall be construed accordingly (*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.

"Profession" means the broadcasting profession (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Register" means the register maintained in pursuance of section 10 of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Registered" means registered as a fellow, member or associate of the profession in the part of the register relating to fellows, members or associates as the case may be (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Registrar" means the registrar appointed under section 8 of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

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

Clause 24: Short Title.

This Bill may be cited as the Broadcasting Practitioners Bill, 2024 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

SCHEDULES

FIRST SCHEDULE

QUALIFICATION AND TENURE OF OFFICE OF MEMBERS OF COUNCIL

1. (1) A person shall not be a member of the Council unless he is a citizen of Nigeria and is registered as a member of the broadcasting profession.
- (2) Subject to section 2 (2) of this Bill, the Chairman and Vice -Chairman shall hold office for a period not exceeding two years beginning from the date of the election. The Chairman shall not be subsequently eligible for re-election as Chairman. The Vice -Chairman shall be eligible for re-election as Vice-Chairman for one term of two terms or as Chairman of the Council after the expiration of his joint term with an out-going Chairman
- (3) The first or inaugural Chairman of the Council shall be a transition Chairman who shall be appointed on the recommendations of the Broadcasting Organizations of Nigeria (BON). He shall serve for a period of six (6) months only from the date of his appointment. He shall steer the Council, prepare for and conduct elections into the Council and handover to an elected Chairman and Vice-Chairman of the Council at the expiration of the period of six months.
- (4) A person who has ceased to be a chairman of the Council shall be eligible to become a member of the Council but shall not vie or seek election to be Chairman of the Council.
- (5) Subject to the provisions of this paragraph, a member of the Council shall hold office for a period of two years beginning from the date of his election.
- (6) Any member of the Council may resign his membership.
- (7) Where a member of the Council ceases to hold office for any reason before the date when his term of office would have expired, the Council shall, as soon as the case may be, elect a new person to fill the vacancy for the residue of the term.

Proceedings of the Council

2. (1) Subject to the provisions of this Bill, the Council may make standing orders regulating the proceedings of the Council or of any committee thereof.
 - (2) The quorum of the Council shall be thirteen persons and the quorum of any committee of the Council shall be as determined by the Council.
 - (3) At any time while the office of the Chairman is vacant or the Chairman is in the opinion of the Council temporarily or permanently unable to perform the functions of his office, the Vice-Chairman shall perform those functions and references in this Schedule to the Chairman shall be construed accordingly.
3. (1) Subject to the provisions of any applicable standing orders, the Council shall meet at least thrice in a year or whenever summoned by the Chairman and if the Chairman is required so to do by notice given to him by not less than ten other members, he shall summon a meeting of the Council to be held within twenty one days from the date on which the notice is given.
 - (2) At any meeting of the Council, the Chairman or in his absence, the Vice-Chairman shall preside, but if both are absent the members present at the meeting shall appoint one of them to preside at the meeting.
 - (3) Where the Council wishes to obtain the advice of any person on a particular matter,

the Council may co-opt him 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 towards a quorum.

Committees

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

Miscellaneous

5. (1) The fixing of the seal of the Council shall be authenticated by the signature of the chairman or of some other member authorised generally or specially by the Council to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal but may be made or executed on behalf of the Council by any person generally or specially authorised by the Council for that purpose (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

SECOND SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY COMMITTEE AND THE INVESTIGATION PANEL

The Disciplinary Committee

1. (1) The Council shall make rules for the procedure to be followed and the rules of evidence governing criminal and civil proceedings and other rules of natural justice application in Nigeria to be observed in proceedings before the Disciplinary Committee.
- (2) The rules shall in particular provide —
 - (a) that notice of proceedings shall be given at such time, and in such manner as may be specified by the rules, to the person who is the subject of the proceedings;
 - (b) for determining who, in addition to the person aforesaid, shall be a party to the proceedings;
 - (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Disciplinary Committee;

- (d) for enabling any party to the proceedings to be represented by a legal practitioner subject to the provisions of this Bill, as to the costs of proceedings before the Disciplinary Committee;
- (e) for requiring in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Disciplinary Committee resolves that the allegation has not been proved, it shall record a finding that the person is not guilty of such conduct in respect of the matter to which the allegation relates;
- (f) for publishing in the Federal Gazette the notice of any direction of the Disciplinary Committee which had taken effect, providing that a person's name shall be struck off from the register;
- (g) for the purpose of advising the Disciplinary Committee on questions of law arising in proceedings before it, there shall in such proceedings be an assessor to the Disciplinary Committee who shall be appointed by the Council and shall be a legal practitioner of not less than ten year's standing at the Nigeria Bar;
- (h) that where an assessor advises the Disciplinary Committee on any question of law as to evidence, procedure or any other matter specified by the rules, he shall do so in the presence of every party or person representing a party to the proceedings who appears or, if the advice is tendered while the Disciplinary Committee is deliberating in private, that every such party or person as aforesaid shall be informed as to what advice the assessor has tendered;
- (i) that every party or person as aforesaid shall be informed in any case the Disciplinary Committee does not accept that advice of the assessor on such a question as aforesaid;
- (j) an assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceedings, and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

The Investigation Panel

2. (1) The quorum of the Investigation Panel shall be three.
- (2) The Investigation Panel may, at any of its meetings attended by not less than five members of the Investigation Panel, make standing order with respect to the Investigation Panel and subject to the provisions of any such standing orders, the Investigation Panel may regulate its own procedure.
- (3) No member of the Investigation Panel shall sit as a member of the Disciplinary Committee.

Miscellaneous

3. A person ceasing to be member of the Disciplinary Committee or Investigation Panel shall be eligible for re-appointment as a member of that body.
4. The Disciplinary Committee and the Investigation Panel may act notwithstanding any vacancy in the membership of any of the said bodies and the proceedings of any such bodies

(or subject to paragraph 1 of this Schedule) or by reason of the fact that any person who was not entitled to do so took part in the proceedings of any of such bodies.

5. The Disciplinary Committee and the Investigation Panel may each sit in two or more places.
6. Any document authorised or required by virtue of this Bill to be served on the Disciplinary Committee and the Investigation Panel shall be served on the Registrar.
7. Any expenses of the Disciplinary Committee and the Investigation Panel shall be defrayed by the Council (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

THIRD SCHEDULE

DISCIPLINARY COMMITTEE (PROCEDURE) RULES, 2024

Arrangement of Rules

Rules:

1. Reference of case to Committee.
2. Parties and appearance.
3. Notice of hearing and service.
4. Witnesses and evidence.
5. Amendment of charges.
6. Proceedings to be in public.
7. Adjournment of hearing.
8. False evidence.
9. Findings and costs.
10. Publication of Committee's findings.
11. Records of proceedings.
12. Power to dispense with certain requirements.
13. Interpretation.
14. Citation.

UNDER PARAGRAPH 1

Reference of case of Committee

1. In any case where in pursuance of the provisions of this Bill the Panel is of the opinion that a prima facie case is made against any Broadcaster, the Panel shall prepare a report of the case and formulate any appropriate charge or charges and forward them to the Council together with all the documents considered by the Panel.

Parties and appearance

2. (1) The parties to proceedings before the Committee shall be —
 - (a) the Complainant.
 - (b) the respondent;
 - (c) any other person required by the Committee to be joined or joined by leave of the Committee.
- (2) Any party to the proceedings may appear in person or be represented by a legal

practitioner, so however that the Committee may order a party to the proceedings to appear in person if it is of the opinion that it is necessary in the interest of justice that the presence of that party be required. This is without prejudice to his right to counsel.

Notice of hearing and service

3. (1) On the direction of the Chairman, the Secretary of the Panel shall fix a date for the hearing of any complaint and shall thereafter cause to be served on each party to the proceedings notice of such proceeding in the form set out in the Schedule to these rules.
- (2) The secretary shall serve on each party, other than the complainant, copies of the report and all the charges prepared by the Panel and all documents considered by the Panel.
- (3) It shall be sufficient compliance with this rule if any process required to be served is handed to the party concerned or effected personally or is sent by registered post to the known place of residence or abode of the party.
- (4) Any party to the proceedings before the Committee who fails to appear or be represented, or who has previously appeared before the Committee but subsequently fails to appear or be represented, may apply within 30 days after the date when the pronouncement of the findings and directions of the Committee were given for a re-hearing on the grounds of want of notice or other good and sufficient reason; and the Committee may, in appropriate cases, grant the application upon such terms as to costs or otherwise as it thinks fit.

Witnesses and evidence

4. The Committee may in the course of its proceedings hear such witnesses and receive such documentary evidence as may in its opinion assist in ascertaining the truth or otherwise of the charge or charges referred to it by the Panel in accordance with the provisions of the Evidence Act.

Amendment of charges

5. If in the course of the proceedings it appears to the Committee that the charge or charges referred to it by the Panel require to be amended in any respect, the Committee may permit such amendment as it may deem fit.

Proceedings to be in public

6. The proceedings of the Committee shall be held, and its findings and direction shall be pronounced, in public.

Adjournment of hearing

7. The Committee may, of its own motion, or upon application of any party, adjourn the hearing on such term as to costs or otherwise as the Committee may deem fit.

False evidence

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

Findings and cost

9. If after the hearing, the Committee in its findings, finds that the charge of professional misconduct has not been proved, the Committee —
- (a) shall record a finding that the respondent is not guilty of such conduct in respect of the matters to which the charge relates;
 - (b) may, nevertheless, order any party (except the complainant) to pay the costs of the proceedings if, having regard to his conduct and to all the circumstances of the case, the Committee thinks fit so to order.

Publication of Committee's findings

10. Subject to the provisions of this Bill relating to appeals, any direction given by the Committee shall be published in the Federal Gazette as soon as the direction takes effect.

Records of proceedings

11. (1) Notes of the proceedings may be taken by a person appointed by the Committee and any party who appeared at the proceedings shall be entitled to inspect the record thereof.
- (2) The Secretary shall supply to any person entitled to be heard upon an appeal against the direction of the Committee, and to the Council, but to no other persons, a copy of such notes on payment of such charges as may be determined by the Secretary.
- (3) The Chairman shall in presiding over a proceeding take a note of the proceedings and, accordingly, the provisions of these rules as to inspection and supplying of copies shall apply to such note taken.

Power to dispense with certain requirements

12. The Committee may dispense with any requirement of these rules respecting notices, affidavits, documents, service or time in any case where it appears to the Committee to be just and equitable and the Committee may in any appropriate case extend the time to do anything under these rules.

Interpretation

13. In these rules, unless the context otherwise admits —
- "Broadcaster" means any person certified and registered by the Council to engage in the profession of broadcasting.
- "Chairman" means the chairman of the Broadcasting Practitioners Disciplinary Committee;
- "Complainant" means the Broadcasting Practitioners Investigation Panel or any member thereof;
- "Respondent" means the person required to answer any charge of professional misconduct;
- "Secretary" means a person appointed to act in that behalf for the Disciplinary Committee.

Citation

14. These rules may be cited as the Broadcasting Practitioners (Disciplinary Committee) Rules, 2024.

FORM 01

NOTICE OF HEARING BY THE BROADCASTING
PRACTITIONERS DISCIPLINARY COMMITTEE

In the matter of the Broadcasting Practitioners Act

and

In the matter of A.B. a Registered Broadcaster

Take Notice that the report and charges prepared by the Broadcasting Practitioners Investigation Panel in the above matter are fixed for hearing by the Broadcasting Practitioners Disciplinary Committee at on the day of, 20.....

Copies of:

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

Dated the day of, 20.....

.....
Secretary to the Committee
(Hon. Julius Omozuanybo Ihonvbere — House Leader).

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

Explanatory Memorandum:

This Bill seeks for Society of Nigeria Broadcasters Act to regulate the profession and practice of broadcasting in Nigeria, set the required minimum academic qualification and ethical standard for broadcasters, broadcast Journalist or broadcasting practitioners and for other purposes connected therewith (Hon. Julius Omozuanybo Ihonvbere — House Leader).

Agreed to.

Long Title:

A Bill for an Act to Provide for the Coordinating and Conduct of the Practice of Broadcasting Profession in Nigeria; and for Other Matters Connected therewith (HB. 1150) (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 Provide for Coordinating and Conduct of the Practice of Broadcasting Profession in Nigeria and for Related Matters (HB.247) and approved Clauses 1 -24, the Schedules, 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 Repeal the Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, 2010 and Enact the Federal Capital Territory Abuja Area Courts Bill to, among other things, Expand the Jurisdiction of the Area Courts to Entertain both Civil and Criminal Matters and for Related Matters (HB. 378) (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 Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, 2010 and Enact the Federal Capital Territory Abuja Area Courts Bill to, among other things, Expand the Jurisdiction of the Area Courts to Entertain both Civil and Criminal Matters and for Related Matters (HB. 378)” (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 FEDERAL CAPITAL TERRITORY,
 ABUJA AREA COURTS (REPEAL AND ENACTMENT) ACT, NO. 12, 2010
 AND ENACT THE FEDERAL CAPITAL TERRITORY ABUJA AREA
 COURTS ACT, 2024, TO AMONGST OTHER THINGS, EXPAND
 THE JURISDICTION OF THE AREA COURTS TO ENTERTAIN
 BOTH CIVIL AND CRIMINAL MATTERS; AND FOR
 RELATED MATTERS (HB. 378)

PART I — ESTABLISHMENT AND CONSTITUTION OF AREA COURTS

Clause 1: Establishment of Area Courts.

- (1) There is established grades of Area Courts for the Federal Capital Territory, Abuja.
- (2) An Area Court shall exercise the jurisdiction conferred upon it by or under this Bill within the area and to the extent specified.
- (3) The Grand Kadi shall assign to each Area Court established under this section names and shall issue a warrant under his hand in respect of the Court as he may think fit.
- (4) Except otherwise stated, a warrant issued under this section shall come to force on the day of publication in the Official Gazette.
- (5) The Grand Kadi may, at any time, suspend, cancel or vary any warrant establishing an Area Court or specifying the area within which, or the extent to which, the powers of an Area Court may be exercised.
- (6) The Grand Kadi shall cause the jurisdiction of each Area Court to be published in the Official Gazette (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 2: Constitution and membership of Area Courts.

- (1) An Area Court shall consist of an Area Court Judge sitting alone.
- (2) Every Judge of an Area Court shall be an officer in the Public Service (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 3: Qualification of an Area Court Judge.

A person is not qualified for appointment as an Area Court Judge unless he —

- (a) is a legal practitioner, learned in Islamic Law or;
- (b) holds a degree in Sharia or related discipline:

Provided that a person holding the office of an Area Court Judge before the commencement of this Bill, not being a legal practitioner, learned in Islamic Law or holder of a degree in Sharia or related discipline shall continue to hold such office and act in that capacity (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 4: Discipline of members of Area Courts.

- (1) Subject to the provisions of any written law, the Judicial Service Committee shall appoint and exercise disciplinary power on an Area Court Judge —
 - (a) who appears to have abused his power or to be incapable of exercising the same justly; and
 - (b) for other sufficient reason.
- (2) The appointment and discipline of an Area Court Judge shall be in accordance with the rules and regulations applicable to Area Court Judges (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 5: Sessions.

- (1) Subject to the provisions of any written law, an Area Court shall hold sessions at such times and places as may be necessary for the convenient and speedy dispatch of the business of the court.
- (2) The Grand Kadi may direct that sessions be held at times and places he thinks fit (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 6: Indemnity of members of Area Courts.

An Area Court Judge shall not be personally liable for any act done by him or ordered by him to be done in the discharge of his judicial duty, whether or not within the limits of his jurisdiction:

Provided that he, at the time in good faith, believed himself to have jurisdiction to do or order to be done the act in question (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART II — STAFF OF AREA COURTS

Clause 7: Staff of Area Courts.

- (1) Staff of Area Courts shall be officers in the Public Service of the Federation.
- (2) There shall be appointed a Registrar or Clerk and such other staff as may be required by the Area Court.
- (3) The duties of the Registrar or Clerk includes —
 - (a) preparing warrants and writs;
 - (b) registering orders and judgments;
 - (c) keeping records of moneys received or paid by the court; and
 - (d) performing such duties in the execution of the powers and authorities of the court as may be assigned to him by the rules or special order of the court (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 8: Delegation of duties.

A Registrar or Clerk may, with the consent of the Area Court Judge, delegate any of the duties assigned to him to any other officer of the Court, and in every such case, such officer shall be governed in respect of his duties by the orders and directions of the Registrar or Clerk (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 9: Bailiff and messengers.

- (1) Bailiffs or messengers, as may be required, shall be appointed to every Area Court.
- (2) A person appointed under subsection (1) shall —
 - (a) effect the service and execution of all writs and other processes which he may receive from the Area Court to which he is attached;
 - (b) make all necessary returns in relation to such writs and processes;
 - (c) discharge other duties as may be prescribed by rules made under this Bill; and
 - (d) at all times when he is not engaged in duties which necessitate his absence from the Area Court, attend the Area Court and obey all the lawful directions of the Court.
- (3) An Area Court may authorise a police officer to discharge all or any of the duties under subsection (2) that relate to the criminal jurisdiction of the court and any police officer who is in possession of any criminal process shall be presumed to be authorised to execute such process unless the contrary is proved.

- (4) Subject to subsection (3), no person other than a duly appointed bailiff or messenger shall carry out, purport or attempt to carry out any of the duties under subsection (2) (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 10: Indemnity of staff of Area Courts.

No member of staff of any Area Court or other persons bound to execute lawful warrants or orders issued or made in the exercise of the jurisdiction conferred by this Bill is liable to be sued in any court for the execution of any warrant or order which he would be bound to execute if the person issuing the same had been acting in the exercise of lawful authority (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART III — JURISDICTION OF AREA COURT

Clause 11: Institution of proceedings in Area Courts.

- (1) Subject to the provisions of this Bill and of any other written law, any person may institute any cause or matter in an Area Court.
- (2) A person who institutes or prosecutes any cause or matter in an Area Court under subsection (1) shall, in that cause or matter be subject to the jurisdiction of that Area Court and of any other court exercising jurisdiction in that cause or matter (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 12: Persons subject to jurisdiction of Area Courts.

Subject to the provision of this Bill and any other written law, the following persons shall be subject to the jurisdiction of Area Court —

- (a) any person who is a Nigerian; and
- (b) any other person in a cause or matter in which any law, other than Islamic Law, applies (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 13: Inquiry by High Court whether person is subject to jurisdiction of Area Courts.

- (1) Where at any stage of the proceedings before final judgment in any cause or matter in an Area Court, a person alleges that he is not subject to the jurisdiction of Area Court, the proceedings shall, on the application of that person to the High Court, be transferred to the High court which shall inquire into and determine the truth of the person's allegation.
- (2) Upon such determination under subsection (1), the High Court shall make such order for the trial of the proceedings in the High Court, Magistrate Court, District Court, Area Court or Customary Court as the circumstance of the case may seem just.
- (3) The applicant shall give notice to the Area Court of the application made by him under subsection (1) and the application shall operate as a stay of the proceedings in the Area Court until the High Court has made an order under subsection (2) (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 14: Criminal and Civil jurisdiction of Area Courts.

An Area Court, subject to the provisions of this Bill, the Criminal Procedure (Northern States) Act and the Administration of Criminal Justice Act, shall have jurisdiction to try all criminal causes and matters in which the parties are subject to the jurisdiction of the Court and in all civil causes shall have jurisdiction and power, to the extent set out in the warrant establishing it:

Provided that in all criminal causes and matters the presiding Area Court Judge shall be a legal practitioner (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 15: Place of trial of criminal and civil cases.

(1) The place of trial of all criminal causes shall be determined in accordance with the provisions of the Criminal Procedure (Northern States) Act, the Administration of Criminal Justice Act or any other written law in force (Cap. C42, LFN, 2004).

Act No. 13, 2015.

(2) All civil causes or matters shall be tried and determined by an Area Court which has jurisdiction over the area —

- (a) in which the defendant is ordinarily resident;
- (b) in which the defendant was at the time when the cause of action arose; or
- (c) where the transaction occurred (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 16: Law to be administered in criminal and civil cases.

Subject to the provisions of this Bill, an Area Court in all —

- (a) criminal causes and matters shall administer the provisions of:
 - (i) the Penal Code (Northern States) Act, the Criminal Procedure (Northern States) Federal Provisions Act, the Administration of Criminal Justice Act and any subsidiary legislation made there under,
 - (ii) any written law which the Court may be authorised to enforce by any order made by the President in respect of Federal matters and within the local limits of the jurisdiction of such courts all or any of the provisions of any written law made applicable to the Federal Capital Territory, Abuja; and
- (b) civil causes and matters shall administer —
 - (i) Islamic Law of the Maliki School of Jurisprudence,
 - (ii) Common Law,

- (iii) Doctrine of Equity, and
- (iv) Statutes of general application which were in force in England on the 1 January, 1900 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 17: Guardianship of children.

- (1) In any matter relating to the guardianship of children, the interest and welfare of the child shall be the first and paramount consideration.
- (2) Whenever it appears to an Area Court that an order made by the Court, should, in the interest of a child, be reviewed, the Court may of its own motion or upon the application of any interested person, vary or discharge the order (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART IV — PRACTICE AND PROCEDURE IN AREA COURT

Clause 18: Practice and procedure generally.

Subject to the provisions of this Bill, any other written law and any rule which may be made under section 50 of this Bill, the provisions of section 16 of this Bill shall apply in the regulation of the practice and procedure of Area Courts in civil cases and matters (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 19: Jurisdiction of Area Court not required to be shown on the record.

- (1) All proceedings in the Area Court shall be recorded by the Judge in English Language.
- (2) An Area Court shall record the reasons for its decisions in every cause or matter.
- (3) Where an Area Court has jurisdiction in or over any cause or matter or over the parties, it shall not be necessary for the —
 - (a) Court to state on the face of the record of its proceedings in such cause or matter that the Court has jurisdiction in or over such cause or matter or over the parties; and
 - (b) jurisdiction of the Court in or over such cause or matter or over the parties to appear on or from the face of the record of its proceedings in the cause or matter (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 20: Appearance and representation of parties.

- (1) Legal practitioners shall have right of audience before an Area Court.
- (2) An Area Court may permit —
 - (a) the husband, wife, brother, sister, son, daughter, guardian, servant,

master or any inmate of the household of any party, who shall give satisfactory proof that he or she has authority in that behalf; or

- (b) a relative of a person administering the estate of a deceased person who was subject to the jurisdiction of an Area Court, to appear for any party before an Area Court.
- (3) Subject to the provisions of subsections (1) and (2), in the case of a local authority or in any proceeding pending before an Area Court, a local authority may be represented in Court at any stage of the proceeding by any member or officer of the local authority who shall satisfy the Court that he is duly authorised in that behalf (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 21: Proceedings to be in open court.

- (1) The room or place which an Area Court sits to hear and determine any proceeding shall be an open and public court to which the members of the public shall have a right of access while they are of good behaviour and to the extent to which the capacity of the Court allows.
- (2) Provision may be made by rules of court under section 50 of this Bill for the exclusion of the public from any Area Court in cases —
 - (a) in which persons under the age of 17 years are involved; or
 - (b) where the administration of justice would be rendered impracticable by the presence of the public (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART V — TRANSFER BY AREA COURTS

Clause 22: Power of transfer by Area Court.

Area Court may order the transfer of any cause or matter either before hearing or at any stage of the proceedings before judgment is given to any other Area Court of competent jurisdiction and that other Area Court may take any course with regard to the cause or matter which it considers that justice requires (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 23: Remission of case to lower grade Area Court.

An Area Court may, of its own motion or upon the application of either party to a cause or matter, remit to a lower grade Area Court of competent jurisdiction which is within the territorial jurisdiction of that other lower grade Area Court, any cause or matter before it which, in its opinion, can, for purposes of convenience or otherwise, be more appropriately or expeditiously dealt with by such lower grade Area Court and upon such order being made the lower grade Area Court specified therein shall hear and determine the cause or matter, *de novo* (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VI — ANCILLARY POWERS OF AREA COURTS

Clause 24: Power to summon witnesses.

An Area Court shall have power, subject to any limitation that may be imposed by any law, to summon before it, for the purpose of giving evidence, any person (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 25: Person present may be required to give evidence.

Any person present at an Area Court, whether a party or not to any cause or matter before the Court, may be required by the Court to give evidence as if he had been summoned to attend and give evidence (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 26: Evidence of person not within jurisdiction.

- (1) If, in any cause or matter, an Area Court considers that the interest of justice requires that the evidence of a person not within the area of jurisdiction of the Area Court should be obtained before any other court or any officer, the Area Court may make an application to a Sharia Court of Appeal requesting that the evidence of the person be taken before any other court or officer in the place in which that person is.
- (2) Upon an application under subsection (1), the Sharia Court of Appeal to which the application is made, may, in its discretion, make an order in respect of the taking of the evidence of the person as it deems fit (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 27: Execution of judgments.

Any judgment or order given or made by an Area Court in a civil cause or matter may be enforced by seizure and sale of the property of the person against whom the judgment or order is made, or by such other methods of enforcing judgments and orders as may be prescribed by rules made under section 50 of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 28: Execution of orders of other courts.

An Area Court shall —

- (a) carry into execution any decree or order of all courts or tribunal established by law which may be fully directed to them;
- (b) execute all warrants and serve all process issued by the courts or tribunal and directed to the Area Courts for execution or service; and
- (c) generally give such assistance to any court or tribunal as may be required (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 29: Power to grant interim injunction or impound property.

In any cause or matter before an Area Court in which, pending final determination, it is shown to the satisfaction of the Area Court that any property which is in dispute in the cause or matter is in danger of being wasted, damaged, alienated or otherwise injuriously dealt with by any party to the cause or matter, the Area Court may issue an injunction to the party commanding him to refrain from doing the particular act complained of, or alternatively, may take and keep the property in custody pending the determination of the cause or matter (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 30: Power to appoint receiver and manager.

- (1) An Area Court may, whenever it deems necessary to do so for the preservation, proper custody or management of any property in dispute in a cause or matter, appoint any person as a receiver or manager to receive and take charge of the property and to deal with it in any manner as may be directed by the Area Court.
- (2) Any person appointed as a receiver or manager under subsection (1) shall be responsible to the Area Court for all things done as receiver or manager, and shall account for or pay to the Area Court all moneys received in respect of any property referred to under subsection (1).
- (3) An Area Court may make an order as it deems fit in regard to the remuneration of any person appointed as receiver or manager and shall pay to the party entitled all moneys in the custody of the Area Court in respect of any property referred to under subsection (1) (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 31: Inspection.

In any cause or matter an Area Court, may on the application of either party or on its own motion —

- (a) make such order as the Court may deem fit for the inspection by the Area Court, the parties or any witness of any immovable or movable property the inspection of which may be material to the proper determination of the question in dispute; and
- (b) give any direction as the court may deem fit respecting the inspection (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 32: General supervision of Area Courts.

- (1) Subject to the provisions of this Bill and any other written law, all Area Courts shall be subject to the general supervision of the Sharia Court of Appeal.
- (2) Without prejudice to the generality of subsection (1), if it appears to the Sharia Court of Appeal that it is —
 - (a) necessary for the purpose of securing, as far as possible, a fair and impartial trial, or

- (b) expedient in the interest of justice generally that a particular cause or matter which is within the jurisdiction of an Area Court should not be tried by that court having jurisdiction to do so, the Sharia Court of Appeal may order that such cause or matter be tried by the other Area Court which the order may direct.
- (3) The powers of the Sharia Court of Appeal under this section may be exercised by it either on its own motion or on the application of any party to a cause or matter in an Area Court or upon report by an inspector of Area Court (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 33: Appointment and functions of Director of Area Courts.

- (1) The Judicial Service Committee shall appoint a Director of Area Court.
- (2) The functions of the Director of Area Court includes —
 - (a) advising the Chief Registrar in respect of the constitution, jurisdiction and membership of Area Courts;
 - (b) subject to the general or special directions of the Chief Registrar, the organisation, guidance and supervision of Area Courts;
 - (c) transferring a matter from one court to another upon a complaint or inspecting the record of the case as the justice of the case may demand; and
 - (d) any other function as may be conferred upon him by the Chief Registrar (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 34: Appointment of Chief Inspector and Inspectors.

The Judicial Service Committee shall, for the purpose of this Bill, appoint Chief Inspector and Inspectors (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 35: Reports of cases tried.

The Chief Inspector or an Inspector may require an Area Court to submit a report to him of any case tried in that court (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 36: Chief Inspector and Inspector's right of access to Area Courts.

The Chief Inspector or an Inspector shall, at all times, have access to all Area Courts within the Federal Capital Territory, Abuja and to the records and proceedings of these courts (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 37: Supervisory powers of Chief Inspector and Inspectors.

- (1) The Chief Inspector or an Inspector shall have power, at any stage of the proceedings before final judgment, either of his own motion or on the

application of any party to a cause or matter before an Area Court, by order, to stay the hearing of the cause or matter on terms as the Chief Inspector or Inspector may consider just.

- (2) Where an order under subsection (1) has been made, the Chief Inspector or Inspector may, in his discretion, adopt one or any of the following courses —
 - (a) if the cause or matter appears to be within the jurisdiction of an Area Court other than that referred to under subsection (1), he may, by the same or another order, direct that the cause or matter be inquired into, tried and determined by the Area Court which has jurisdiction over it;
 - (b) he may direct in like manner that the cause or matter be inquired into, tried and determined by a Magistrate Court, District Court or Customary Court; or
 - (c) if the cause or matter is one which in his opinion ought for any reason to be transferred from an Area Court to the Sharia Court of Appeal, he may report the case to the Sharia Court of Appeal.
- (3) No cause or matter which has been transferred by a High Court, Magistrate Court, District Court or Customary Court to an Area Court may be reported to the Sharia Court of Appeal or transferred to the same or any other Magistrate Court, District Court or Customary Court under this section.
- (4) The court to which a cause or matter is transferred under this section shall be informed in writing of the reason for making the order of transfer and may thereafter take any course with regard to the cause or matter which it considers that justice requires.
- (5) Where a cause or matter is reported to the Sharia Court of Appeal under subsection (2) (c), the Sharia Court of Appeal shall direct, in what mode and in what court, the cause or matter is to be heard and determined.
- (6) Where a cause or matter is transferred from an Area Court to any other court under this section, no summons fee shall be payable in the court to which the cause or matter is transferred if the appropriate summons fee has been paid in the Area Court from which the cause or matter is transferred (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 38: Effect of order of transfer.

- (1) An order of transfer shall operate as a stay of proceedings before the Area Court from which the proceedings are ordered to be transferred in any cause or matter to which the order extends or is applicable, and the process and proceedings in that cause or matter, and a certified copy of the record shall be transmitted to the court to which the same is transferred and all proceedings in the cause or matter shall be taken in the court as if the cause or matter had been commenced therein.
- (2) A report made under section 37 (2) (c) of this Bill shall operate to suspend proceedings, the subject of the report, until the directions of the Sharia Court of Appeal have been given under section 37 (4) of this Bill.

- (3) The Chief Inspector or Inspector may, if it appears expedient in the first instance, transmit by post, or through any other means, the contents of any order made by him under subsection (1) of this section and the post or any other means adopted shall, until the receipt of the order, have the same validity and effect as if it were the said order (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 39: Review by appeal court on report of Chief Inspector or Inspector.

- (1) The Chief Inspector or an Inspector, if in his opinion there has been a miscarriage of justice in any case before an Area Court to which he has access under the provisions of section 37 of this Bill, may of his own motion or in his discretion on the application of any person concerned, report that case to the court to which an appeal in the case would lie.
- (2) A report under subsection (1) shall be made in writing and shall record the particulars of the judgment, order or case, and the reason for its being reported accompanied by a copy of the record of the case.
- (3) The Court to which the case has been reported shall review it, and may —
 - (a) reverse, vary or affirm the decision given;
 - (b) make an order in the proceedings as the lower court could have made;
 - (c) make a further order, as may be necessary or as the justice of the case may require but no order in a civil proceeding to the prejudice of any party shall be made without an opportunity being given to the party of being heard;
 - (d) set aside the judgment or other order of the lower court; and
 - (e) when it considers it desirable, order the case to be retried either by the same court or any other Area Court of competent jurisdiction or by any Magistrate Court, District Court or Customary Court, or if the case is one that appears proper to be heard by the High Court, report the case to the High Court.
- (4) In the exercise of its powers of review under this section, a court may hear any additional evidence as it considers necessary for the just disposal of the case.
- (5) The Chief Inspector or Inspector who has reported any case to a court under this section may have power to direct the lower court to stay all actions in the interim, pending the determination of the matter by the court to which the matter is reported.
- (6) A person aggrieved by a decision of the Sharia Court of Appeal in a review under this section may appeal from the decision to the Court of Appeal as if it were a decision in an appeal brought to the Sharia Court of Appeal from some other court (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 40: Special plea in bar not admissible on hearing.
Where proceedings are quashed and an order for retrial is made under the provisions of this Part, no plea of res judicata or autrefois convict shall be entertained in respect of the proceedings in any subsequent proceeding (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 41: Power of Chief Inspector or inspector not exercisable where appeal is instituted.
No Chief Inspector or an Inspector shall exercise the powers conferred upon him under this Part in any case where a party aggrieved by the decision of the Area Court has appealed from that decision or otherwise instituted any appeal proceedings in respect of the decision (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART VII — APPEAL

Clause 42: Appeals from Area Courts.

- (1) A party aggrieved by a decision of an Area Court may appeal to —
 - (a) the Sharia Court of Appeal in cases involving questions regarding Islamic Personal Law; and
 - (b) the High Court in all other cases.
- (2) Every such appeal shall be commenced by the appellant giving to the Registrar of the Area Court notice of the appeal which shall be in writing, and signed by the appellant or by a legal practitioner if a legal practitioner is representing him.
- (3) Subject to subsection (4), a notice of appeal under subsection (2) shall be given in every case before the expiration of 30 days from the date of the decision appealed against.
- (4) A notice of appeal under subsection (2) in respect of an interlocutory decision shall be given within 14 days from the date of the decision appealed against (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 43: Restrictions on the right of appeal.
Subject to the provisions of the Constitution of the Federal Republic of Nigeria, no appeal shall lie from the lower court at the instance of any person at whose request a case has been reported to a court under section 39 of this Bill (Cap. C23, LFN, 2004) (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 44: Appeal out of time.
Leave to appeal out of time to any court may be given by the court upon such terms as it may seem just (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 45: Powers of appellate court in civil matters.

- (1) Any court exercising appellate jurisdiction in civil matters under the provisions of this Bill may, in the exercise of that jurisdiction —
 - (a) reverse, vary or affirm the decision of the court from which the appeal is brought and may make any order or exercise any power as the court of first instance could have made or exercised in the case or as the Appeal Court considers that the justice of the case requires; or
 - (b) quash any proceeding and, there-upon where it is considered desirable, order such case to be retried before the court of first instance or before any other court of competent jurisdiction.
- (2) In the exercise of its power under subsection (1) (a), a court may hear additional evidence if it considers the evidence necessary for the just disposal of the case, and the court shall record its reason for exercising its power under this subsection (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 46: Powers of court of appeal to inspect records.

Where an appeal lies from an order or decision of an Area Court, the court to which the appeal is brought shall have powers to inspect the records or books of the Area Court relating to the appeal (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 47: Substantial justice to be done without undue regard to technicalities.

No proceedings in an Area Court and no summons, warrants, process, order or decree issued or made thereby shall be varied or declared void upon appeal or revision solely by reason of any defect in procedure or wants of form but every court or authority established in and for the Federal Capital Territory, Abuja and exercising powers of appeal or revision under this Bill shall decide all matters according to substantial justice without undue regards to technicalities (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VIII — OFFENCES**Clause 48: Adjudication without authority.**

- (1) Any person who exercises or attempts to exercise judicial Powers within the area of the jurisdiction of a duly constituted Area Court, except in accordance with the provisions of any written law, is liable on conviction by the High Court, Magistrate Court or Area Court of competent jurisdiction, to a fine not more than ₦20,000 or imprisonment for a term not more than 12 months or both.
- (2) Nothing contained in this section shall be deemed to prohibit any person from adjudicating as an arbitrator upon any civil matter in dispute where the parties to the matter have agreed to submit the dispute to his decision (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 49: Jurisdiction of courts.

Subject to the provision of this Bill, any proceeding arising under this Part may be brought in the High Court, Magistrate Court or Area Court of competent jurisdiction (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART IX — RULES OF COURT

Clause 50: Power to make rules.

(1) The Grand Kadi may make rules providing for any or all of these matters —

- (a) prescribing and providing for the —
 - (i) maximum fees which may be charged in Area Courts and for appeals from the Area Courts generally,
 - (ii) reduction of the maximum fees in respect of all or any Area Court or in respect of all or any proceeding, and
 - (iii) remission in whole or in part of any maximum or reduced fee and the manner in which the persons or Area Court by whom or by which the remission may be made;
- (b) the disposal and application of fines and fees received by Area Courts;
- (c) the practice and procedure of Area Courts in their original jurisdiction, on review and appeal;
- (d) the time within which any act, matter or thing shall be carried out or performed for the purpose of this Bill and the time within which notice of appeal shall be given from the decision of any Area Court;
- (e) providing for the execution of —
 - (i) the decrees or orders of Area Court or any class of Area Courts, whether the Area Courts are established under this Bill or under any other written law; and
 - (ii) the warrants and the service of the process of the courts or class of courts, where these decrees or orders are made or the warrants or process are issued in respect of persons or property not within the area of the jurisdiction of the Area Court making or issuing it;
- (f) prescribing the courts or authority by which the decrees, orders, warrants or process under paragraph (e) (ii) shall be carried into execution, executed or served;
- (g) the exclusion of the public from an Area Court in accordance with section 21 (2) of this Bill; and
- (h) the procedure of Area Courts in relation to applications for the interpretation of the Constitution of the Federal Republic of Nigeria.

Cap. I23, LFN, 2004.

- (2) Any rule made under this section may apply to all Area Courts or a class of Area Courts or any particular Area Court or those Area Courts or particular Area Court as may be determined under the rules (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART X — MISCELLANEOUS

Clause 51: Repeal.

The Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, No. 12, 2010, is hereby repealed (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 52: Saving and transitional provision.

- (1) All Assets and liabilities of the Area Court established under the Area Court Act, Cap. 477, Laws of the Federal Capital Territory Abuja, 2006 and the Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, No. 12, 2010, are vested in the Area Court established under this Bill.
- (2) All appointments or decisions made by the Area Courts established under the Area Courts Act, Cap. 477, Laws of the Federal Capital Territory Abuja, 2006 and the Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, No.12, 2010, shall continue to exist or deemed to have been made by the Area Court established under this Bill.
- (3) Nothing in this Bill shall be deemed to affect the powers or functions of the High Court or Magistrate Court in the exercise of their Criminal Jurisdiction or any right or power in any officer or person to institute criminal proceedings in these courts (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 53: Interpretation.

In this Bill —

"Area Court" means a court established under this Bill for the Federal Capital Territory, Abuja or deemed to have been so established and includes an Upper Area Court (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"cause" includes any action, suit or other original proceeding between a plaintiff and a defendant and also any criminal proceeding (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Chief Registrar" means the Chief Registrar of the Sharia Court of Appeal of the Federal Capital Territory, Abuja (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Customary Court" means a Customary Court established under the Federal Capital Territory Customary Court Act, No. 8, 2007 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"District Court" means a District Court established under the District Court Act, 1960 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Grand Kadi" means the Grand Kadi of Sharia Court of Appeal of Federal Capital Territory, Abuja (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Chief Inspector of Area Courts" or "Inspector" means a person appointed under section 34 to exercise power vested in him under this Bill and includes the Director of Area Courts, Chief Inspector or any other Inspector (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that the meaning of the words “Chief Inspector of Area Courts” or “Inspector” be as defined in the interpretation to this Bill — Agreed to.

"Judicial Service Committee" means the Judicial Service Committee of the Federal Capital Territory, Abuja (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Legal Practitioner" has the same meaning as in the Legal Practitioners Act, Cap. L11, LFN, 2004 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Local Authority" means an Area Council or any other body established for the administration of the Federal Capital Territory, Abuja (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Magistrate Court" means a Magistrate court established under the Criminal Procedure (Northern States) Act Cap. C42, Laws of the Federation of Nigeria or deemed to have been established (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

"Islamic Personal Law" has the same meaning as contained under the Sharia Court of Appeal Act (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that the meaning of the words "Islamic Personal Law" be as defined in the interpretation to this Bill — Agreed to.

"Sharia Court of Appeal" means Sharia Court of Appeal established for the Federal Capital Territory, Abuja (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Question that the meaning of the words "Sharia Court of Appeal" be as defined in the interpretation to this Bill — Agreed to.

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

Clause 54: Citation.

This Bill may be cited as the Federal Capital Territory Abuja Area Courts Bill, 2024 (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Explanatory Note:

This Bill seeks to repeal the Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, No. 12, 2010 and enact the Federal Capital Territory Abuja Area Courts Act 2024, confers Criminal jurisdiction on Area Courts in the Federal Capital Territory in addition to its existing jurisdiction over civil matters in which parties are subject to the jurisdiction of the court to the extent set out in the establishing warrant and makes provision for the application of the Penal Code Act, Administration of Criminal Justice Act, 2015 and any other written law which the court may be authorised to enforce in accordance with the provisions of this Bill (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Repeal the Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, No. 12, 2010 and Enact the Federal Capital Territory Abuja Area Courts Act, 2024, to Amongst Other Things, Expand the Jurisdiction of the Area Courts to Entertain Both Civil and Criminal Matters; and for Related Matters (HB. 378) (*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 Federal Capital Territory Abuja Area Courts (Repeal and Enactment) Act, 2010 and Enact the Federal Capital Territory Abuja Area Courts Bill to, among other things, Expand the Jurisdiction of the Area Courts to Entertain both Civil and Criminal Matters and for Related Matters (HB. 378) and approved Clauses 1 - 54, Explanatory Memorandum, and the Long Title of the Bill.

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

- (v) *A Bill for an Act to Establish the National Youth Service Corps Trust Fund (NYSCTF) for the Purpose of Providing Sustainable Source of Funds for NYSC, Skill Acquisition Training and Empowerment of Corps Members, Training and Retraining of the Personnel*

of the NYSC, Development of Camps and NYSC Formations and Facilities therein and for Related Matters (HB. 985) (Committee of the Whole):

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Establish the National Youth Service Corps Trust Fund (NYSCTF) for the Purpose of Providing Sustainable Source of Funds for NYSC, Skill Acquisition Training and Empowerment of Corps Members, Training and Retraining of the Personnel of the NYSC, Development of Camps and NYSC Formations and Facilities therein and for Related Matters (HB. 985)” (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 NATIONAL YOUTH SERVICE CORPS TRUST FUND TO PROVIDE A SUSTAINABLE SOURCE OF FUNDS FOR THE NATIONAL YOUTH SERVICE CORPS (NYSC), SKILL ACQUISITION, TRAINING AND EMPOWERMENT OF CORPS MEMBERS, TRAINING AND RETRAINING OF THE PERSONNEL OF THE NYSC, DEVELOPMENT OF CAMPS AND NYSC FORMATIONS AND FACILITIES; AND FOR RELATED MATTERS (HB. 985)

Consideration deferred for further legislative action.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole deferred consideration of the Report on a Bill for an Act to Establish the National Youth Service Corps Trust Fund (NYSCTF) for the Purpose of Providing Sustainable Source of Funds for NYSC, Skill Acquisition Training and Empowerment of Corps Members, Training and Retraining of the Personnel of the NYSC, Development of Camps and NYSC Formations and Facilities therein and for Related Matters (HB. 985).

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

(vi) *A Bill for an Act to Establish Nigerian Peace Corps to facilitate Peace, Volunteerism, Community Services, Neighbourhood watch and Nation Building and for Related Matters (HB. 309 and HB. 482) (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 Peace Corps to facilitate Peace, Volunteerism, Community Services, Neighbourhood watch and Nation Building and for Related Matters (HB. 309 and HB. 482)” (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 NIGERIAN
PEACE CORPS TO FACILITATE PEACE, VOLUNTEERISM,
COMMUNITY SERVICES, NEIGHBOURHOOD WATCH, AND
NATION-BUILDING; AND FOR RELATED MATTERS

PART I — ESTABLISHMENT AND
FUNCTIONS OF THE NIGERIAN PEACE CORPS

Clause 1: Establishment of the Nigerian Peace Corps.

- (1) There is established the Nigerian Peace Corps (in this Bill referred to as "the Corps").
- (2) The Corps:
 - (a) shall be a body corporate with perpetual succession and a common seal; and
 - (b) may sue and be sued in its corporate name.
- (3) The Common seal of the Corps shall be kept in the custody of the Peace Corps Secretary.
- (4) The Headquarters of the Corps shall be located in the Federal Capital Territory (FCT), and the Corps shall have offices in all the States, Local Governments and Area Councils (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 2: Functions of the Corps.

The functions of the Corps shall include:

- (a) enlisting, mobilizing, training and orienting the youths in order to develop them as supporting agents of social order by providing a third- line of public safety, serving as a think-tank and educating residents of communities on safety measures peculiar to their neighbourhoods;
- (b) securing schools and colleges by upholding a bottom-up surveillance through monitoring, observation, evaluation and to detect, collate and analyze intelligence data on matters that may likely cause breach of peace and security within educational institutions and to transmit same to the appropriate security agency whenever the need arises;
- (c) regulating, developing, promoting, advancing and coordinating the activities of volunteer organizations, serving as a reservoir of manpower for providing social and communities services, harnessing the potentials and ingenuity of members and volunteers towards meeting national needs, priorities and aspirations as ad-hoc or support staff;
- (d) conducting research, surveys and evaluations in order to identify trends, best practices, management and areas of improvement in the field of volunteerism in Nigeria and building the capacity of members and volunteers in the areas

of critical thinking, creativity, innovation, entrepreneurship and skills acquisition;

- (e) providing support, guidance, training, engagement and resources to volunteer organizations and to facilitate the recognition and celebration of volunteers and their contributions to national development;
- (f) engaging in peace advocacy, mediation and conflict resolution in order to advance the course of peace-building, reconciliation and conflict resolution in all communities in Nigeria;
- (g) registering, profiling, documenting and providing skilled workers to individuals in such fields as chauffeur, catering, gardening, care-giving, house-keeping and other domestic duties upon the payment of requisite fees; and
- (h) undertaking any other function as may be assigned by the Minister (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART II — GOVERNING BOARD, COMPOSITION AND POWERS

Clause 3: Establishment of the Governing Board.

There is established for the management of the Corps a Governing Board (in this Bill referred to as "the Board") (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 4: Composition of the Board.

The Board shall consist of:

- (a) Chairman to be appointed by the President;
- (b) two nominees each appointed by the President as members representing the six (6) geo-political zones of the country; and
- (c) the Chairman and members of the Board shall be appointed subject to confirmation by the National Assembly (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 5: Qualifications of the Chairman and other members of the Board.

A person shall not be appointed as Chairman or member of the Board, if —

- (a) he or she does not have the requisite experience in peace-building, conflict resolution, security related field, etc
- (b) within the preceding 10 years, has not been convicted or indicted by a court of law or judicial panel of enquiring in Nigeria or any other jurisdiction around the world (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 6: Appointment of the Chairman and members of the Board.

- (1) The President shall appoint the Chairman and members of the Board on the recommendation of the Minister.
- (2) Without prejudice to the provisions of this Bill, the Minister shall perform the functions of the Board where the Board has:
 - (a) not been constituted; and
 - (b) been dissolved.

Schedule.

- (3) The provisions of the Schedule to this Bill shall have effect with respect to the proceedings of the Board and other matters contained in the Schedule (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 7: Tenure of office.

The Chairman and other members of the Board, other than ex-officio members:

- (a) shall hold office for a term of four years on such terms and conditions as may be specified in their letters of appointments; and
- (b) may be re-appointed for another term of four years and no more (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 8: Removal from office.

- (1) Notwithstanding the provisions of section 7 of this Bill, a member may at any time be removed from office by the President if he:
 - (a) is unable to perform the functions of his office whether arising from infirmity of the body or mind;
 - (b) is convicted by a court of law of a felony, fraud or any serious act of misconduct involving dishonesty; and
 - (c) without permission of the Board, is absent for more than 3 consecutive meetings of the Board or without such permission is absent from the country for a period of more than one year.
- (2) The Chairman or a member may resign by a notice addressed through the Minister to the President and such notice of resignation becomes effective from the date of acceptance of the resignation by the President (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 9: Allowances.

A member shall be paid such allowances as may be determined by the National Salaries, Income and Wages Commission (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 10: Functions and powers of the Board.

The Board shall be responsible for:

- (a) providing the general policies and guidelines relating to major expansion programmes of the Corps;
- (b) the supervision of management and general administration of the Corps;
- (c) the terms and conditions of service (including remuneration, allowances, benefits and pensions) of regular members and employees of the Corps shall be determined by the National Salaries, Incomes and Wages Commission.
- (d) the Volunteers of the Corps shall, for any period they are on duty for the Corps, be paid such allowances and other benefits as may be approved by the National Commandant in consultation with the National Salaries, Incomes and Wages Commission.
- (e) doing such other things, which, in the opinion of the Board, are necessary to ensure the efficient performance of the functions of the Corps (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART III — STAFF AND MEMBERSHIP OF THE CORPS**Clause 11: National Commandant of the Corps.**

- (1) There shall be for the Corps a National Commandant who shall be appointed by the President subject to confirmation by the National Assembly.
- (2) The National Commandant —
 - (a) shall be appointed from among the very senior officer's cadre of the Corps; and
 - (b) must have occupied an office in the Corps not below the position of Assistant National Commandant and would have served in the Corps meritoriously and must possess a minimum qualification of first degree or its equivalent.
- (3) The National Commandant —
 - (a) in the first instance for a term of four years and may be eligible for reappointment for another term of four years and no more; and
 - (b) on such terms and conditions as may be specified in his letter of appointment.
- (4) The National Commandant shall be the chief executive and accounting officer of the Corps.
- (5) The National Commandant shall, in the performance of his functions, be directly responsible to the Board.
- (6) The National Commandant shall recruit regular members of the Corps with the approval of the Board;

- (7) The National Commandant shall organize basic development and refresher courses for members of the Corps;
- (8) The National Commandant shall be responsible for the execution of the policies of the Corps and its administration.
- (9) The National Commandant shall be the Secretary of the Board (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 12: Deputy National Commandants, Corps Secretary, Assistant National Commandants and other employees of the Corps.

- (1) The National Commandant shall recommend for appointment by the Board such number of Deputy National Commandants, Peace Corps Secretary, Assistant National Commandants, Commandants and such officers from Level 8 and above as it may deem necessary for the purposes of the effective administration of the Corps.
- (2) The National Commandant, after due consultation with the Board, shall appoint for the Corps such number of officers, other ranks and employees below Level 8 as it may deem necessary for the purposes of effective administration of the Corps (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 13: Membership of the Corps.

- (1) The Personnel of the Corps shall consist of:
 - (a) regular members and volunteers; and
 - (b) officers and other ranks.
- (2) Members of the Corps shall be Nigerians within the age of 18-35 years at the time of enlistment with a minimum academic qualification of SSCE or its equivalent.
- (3) Regular members and other staff shall be recruited by the Board periodically to meet the personnel requirements of the Corps, while the recruitment of the volunteers shall be handled by the National Commandant as the need arises (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 14: Pensions. Act, No. 4, 2014.

- (1) The service in the Corps shall be approved service for the purposes of the Pension Reform Act and, regular members and employees of the Corps are entitled to pensions, gratuities and other retirement benefits as prescribed under the Pension Reform Act.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill prevents the appointment of a person to any office on such terms which preclude the grant of pension, gratuity or other retirement benefits in respect of that office.

- (3) For the purposes of the application of the provisions of the Pension Reform Act, any power exercisable by the Minister or other authority of the Federal Government, other than the power to make regulations under section 40 of the Bill is vested in, and shall be exercisable by the Board 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 IV — APPOINTMENT, PROMOTION,
OFFENCES AND DISCIPLINE OF STAFF

Clause 15: Appointment of staff of the Corps.

- (1) The senior staff of the rank of Commandant and above shall be appointed by the President on nomination by the Board and on the recommendation of the National Commandant.
- (2) The appointment of State Commandants shall be by the Board on the recommendation of the National Commandant.
- (3) The post of the Deputy National Commandant shall be a terminal post on which the holder shall retire from the Corps as may be determined by the President.
- (4) The National Commandant shall, in consultation with the Board, establish such number of offices or units in the Headquarters and recruit officers to discharge responsibilities.
- (5) Where, for any reason, the National Commandant is unable to perform his functions and there exists a vacancy in the office of the National Commandant, the officer who is next in rank to the National Commandant is to act for the period of his inability or vacancy, until a National Commandant is appointed in accordance with the provisions of this Bill, and the officer shall, while so acting, have all the powers to perform the functions of the National Commandant (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 16: Condition of Service of other staff of the Corps. Cap.C23, LFN, 2004.

- (1) The Board may, subject to the provisions of this Bill, make staff regulations relating generally to the conditions of service of the staff of the Corps.
- (2) The staff of Corps shall be public officers as defined in the Constitution of the Federal Republic of the Nigeria (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 17: Discipline of staff of the Corps.

- (1) The power of appointment, promotion and discipline of the junior staff of the Corps is vested in the National Commandant.
- (2) The National Commandant may delegate his powers in respect of discipline of junior staff to Deputy or Assistant National Commandant in the Headquarters and State Command who shall discipline such staff in their

- Departments and Commands respectively in accordance with existing Corps regulations.
- (3) Appeal against all decisions concerning the discipline of such staff shall be to the National Commandant.
 - (4) There is established the Senior Staff Disciplinary Committee vested with the power to discipline the senior staff of the Corps.
 - (5) The Senior Staff Disciplinary Committee shall consist of:
 - (a) a Deputy National Commandant and Assistant National Commandant with the Deputy National Commandant serving as Chairman, while in the absence of a Deputy National Commandant, the most Senior Assistant National Commandant shall serve as Chairman;
 - (b) the Provost Marshal;
 - (c) the Head of Legal Matters; and
 - (d) Corps Secretary.
 - (6) There is established the Junior Staff Disciplinary Committee vested with the power to discipline the junior staff of the Corps.
 - (7) In addition to functions specified in subsection (3), the Senior Staff Disciplinary Committee shall consider and determine appeals emanating from decisions of the Junior Staff Disciplinary Committee of the Corps and such decisions shall be subject to judicial review.
 - (8) Appeal against the decisions of the Senior Staff Disciplinary Committee shall lie to the Board.
 - (9) The National Commandant shall, in relation to the staff of the Corps:
 - (a) ensure probity and accountability;
 - (b) maintain a system of screening and vetting at the recruitment stages which shall be a continuous exercise throughout the career of personnel in the Corps; and
 - (c) maintain a policy of continuous staff assessment.
 - (10) The National Commandant shall promulgate and distribute a code of conduct to staff of the Corps, the breach of which shall attract the appropriate penalty stipulated in the code.
 - (11) For the purpose of proper legal guidance and accountability, the heads of the legal and audit unit shall report directly to the National Commandant (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 18: Administrative structures of the Corps.

- (1) There shall be established in the National Headquarters of the Corps the Departments of:
 - (a) Administration;
 - (b) Finance and Accounts;
 - (c) Peace Corps Secretariat;
 - (d) Training and Operations;
 - (e) Policy and Plan;
 - (f) Intelligence and General Duties; and
 - (g) Logistics and Supply
- (2) The Departments shall be headed by an officer not below the rank of a Deputy National Commandant.
- (3) Each of these Departments shall be established at the various Command structures of the Corps as provided in subsection (2) and shall be headed by an officer not below the rank of Assistant Commandant (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 19: Zones and Zonal Commands of the Corps.

- (1) The Board shall:
 - (a) create such number of Zones as it deems fit for the effective operations of the Corps; and
 - (b) establish, in each zone, a Zonal Command, which shall be headed by an officer not below the rank of Assistant National Commandant.
- (2) The Zonal Command shall, subject to the direction and overall command of the Corps, be responsible for coordinating the activities of the Corps in the zone (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 20: State Command.

- (1) The Corps shall have a State Command in each State of the Federation and the Federal Capital Territory, Abuja.
- (2) The State Command shall, subject to the directive and overall command of the Corps Headquarters and Zonal Command, be responsible for performing the functions of the Corps in the State and the Federal Capital Territory, Abuja (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 21: Local Government Command.

- (1) The Corps shall have a Command in each Local Government Area of the Federation and Area Council of the Federal Capital Territory, Abuja.

- (2) The Local Government and Area Council Commands shall, subject to the directive and overall command of the Corps and State Command, be responsible for performing the functions of the Corps in each of the Local Government Areas or Area Councils of the Federal Capital Territory, Abuja (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 22: Squadron Command.

- (1) The Corps shall establish a Squadron Command in each educational institution in the Federation, which shall be headed by a Squadron Commander.
- (2) The Squadron Command shall, subject to the direction and overall Command of the Corps, State Command, be responsible for performing the functions of the Corps in the educational institutions (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VI — FINANCIAL PROVISIONS

Clause 23: Funds of the Corps.

The Corps shall establish and maintain a Fund into which shall be paid:

- (a) statutory and budgetary allocations from the National Assembly;
- (b) funds generated through partnerships, collaborations and all sums accruing to the Corps from donations;
- (c) income generated from its research activities, consultancy services and other services;
- (d) gifts from the three tiers of government, ministries or agencies and private corporations;
- (e) loans, grants and aid; and
- (f) bequests (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 24: Expenditure of the Corps.

The Corps may apply the proceeds of the Fund established under section 23 of this Bill:

- (a) to the cost of administration of the Corps; and
- (b) to the payment of salaries, fees or other remuneration or allowances, gratuities payable to the officers and other employees of the Corps.
- (c) for the maintenance of any property vested in the Corps; and
- (d) for and in connection with all or any of its functions under this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 25: Annual estimates, accounts and audit.

- (1) The Corps shall, not later than 30th September in each year, submit to the Minister an estimate of its expenditure and income (including payments to the Fund) during the succeeding year, after approval by the Board.
- (2) The Corps shall keep 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, and in accordance with the guidelines, supplied by the Auditor-General for the Federation (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 26: Annual report.

The Corps shall prepare and submit to the Federal Executive Council, through the Minister after approval by the Board, not later than six months after the end of each year, a report in such form as the Minister may direct on the activities of the Corps during the immediate preceding year, and shall include in such report a copy of the audited accounts of the Corps for that year and the auditor's report on the accounts (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 27: Power to accept donations.

- (1) The Corps 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 donations.
- (2) The Corps shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with the functions of the Corps (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 28: Power to borrow.

- (1) The Corps may borrow, by overdraft or otherwise, such sums as it may require for the performance of its functions under this Bill
- (2) The Corps shall not, without the approval of the Board, borrow money which exceeds, at any time, the amount set by the Board (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 29: Investment. Cap. T22, LFN, 2004.

The Corps may, subject to the provisions of this Bill and the conditions of any trust created in respect of any property, invest all or any of its funds in any security prescribed by the Trustee Investments Act, in such other securities as may be approved by the Minister (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 30: Provision of library facilities.

The Board shall provide and maintain a library at the Headquarters and State

Commands of the Corps comprising such books and publications as may be provided for the advancement of the knowledge and skills of members of the Corps, for research purposes, and for other purposes connected with the objects and functions of the Corps (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 31: Exemption from tax.

- (1) The Corps is exempted from payment of any income tax on any income accruing from investments made by the Board for the Corps.
- (2) The provisions of any enactment relating to the taxation of company or trust funds does not apply to the Corps or the Board (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART VII —LEGAL PROCEEDINGS

Clause 32: Limitation of suits against the Corps. Cap. P14, 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 Corps.
- (2) Notwithstanding anything contained in any other enactment, no suit against any member of the Board or the National Commandant or any other officer or employee of the Corps, for any act done in pursuance or execution or in respect of any alleged enactment or law, or of any public duty or authority or in respect of any alleged neglect or default in the execution of this Bill or any other enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced:
 - (a) within three months after the act, neglect or default complained of or;
 - (b) in the case of a continuation of damage or injury, within six months after the ceasing of the damage or injury.
- (3) No suit shall be commenced against a member of the Board or the National Commandant or any other officer or employee of the Corps before the expiration of one month after a written notice of intention to commence the suit shall have been served on Corps by the intending plaintiff or his agent.
- (4) The notice referred to in subsection (3) shall clearly state the:
 - (a) cause of action;
 - (b) particulars of claim;
 - (c) name and place of abode of the intending plaintiff; and
 - (d) relief, which the plaintiff claims (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 33: Service of documents.

A notice, summons or other document required or authorized to be served on the Corps under the provisions of this Bill or any other enactment or law may be served by delivering it to the National Commandant or by sending it by registered post and addressed to the National Commandant at the Headquarters of the Corps (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 34: Restriction on execution against property of the Corps. Cap. S6, LFN, 2004.

In any action or suit against the Corps, no attachment or process shall be issued against the Corps except as provided under the Sheriffs and Civil Process Act (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 35: Indemnity of officers.

A member of the Board or the National Commandant or any officer or employee of the Corps shall be indemnified out of the assets of the Corps against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member, National Commandant, officer or other employee of the Corps (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 36: Confidentiality.

- (1) A member of the Board, the National Commandant or any other officer or the employee of the Corps shall:
 - (a) not, for his personal gain, make use of any information, which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of his duty as a member of the Board, the National Commandant or officer or employee of the Corps;
 - (b) treat as confidential any information which has come to his knowledge in the exercise of his powers or is obtained by him in the discharge of his duties under this Bill; and
 - (c) not disclose any information referred to under paragraph (b) except when required to do so by any court or in such other circumstances as may be prescribed by the Board.
- (2) A person who contravenes the provisions of subsection (1) (a) commits an offence and is liable on conviction to a fine of at least ₦100,000 or imprisonment for a term not more than two years (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

Clause 37: Power to obtain information.

- (1) For the purpose of performing the functions conferred on the Corps under this Bill, the National Commandant or any other officer or employee of the Corps authorized in that behalf:
 - (a) shall have a right of access to all the records of any person or

authority affected by this Bill for the specific purpose of discharging his duties under this Bill; and

- (b) may, by notice in writing served on any person or premises require that person or authority to furnish information on such matters as may be specified by the notice.
- (2) The person or authority served with the notice under section 33 shall furnish information as required under section 37 (1) (a) and comply with the notice within a reasonable time (*Hon. Julius Omozuanybo Ihonvbere — House Leader*).

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

PART VIII — DISSOLUTION OF THE EXISTING
PEACE CORPS OF NIGERIA AND SAVINGS

Clause 38: Dissolution of the existing Peace Corps of Nigeria.

- (1) The Peace Corps of Nigeria existing before the commencement of this Bill is dissolved.
- (2) There shall be vested in the Corps, immediately at the commencement of this Bill, all assets, funds, resources and other movable or immovable property which immediately before the commencement of this Bill, were vested in the dissolved Corps.
- (3) As from the commencement of this Bill:
- (a) all rights, interest, obligations and liabilities of the Dissolved Corps existing immediately before the commencement of this Bill under any contract or instrument, at law or in equity, shall by virtue of this Bill, be assigned to and vested in the Corps;
- (b) any contract or instrument as mentioned in paragraph (c) shall have the same effect against or in favour of the Corps and shall be enforceable as fully and effectively as if, the Corps had been a party to the contract; and
- (c) the Corps shall be subject to all obligations and liabilities to which the Dissolved Corps was subject to immediately before the commencement of this Bill, and all other persons shall, as from the commencement of this Bill, have the same rights, powers and remedies against the Corps as they had against the Dissolved Corps immediately before the commencement of this Bill.
- (4) Any action pending or existing immediately before the commencement of this Bill by or against the Dissolved Corps in respect of any right, interest, obligation or liability of the dissolved Corps, an action may be commenced, continued or enforced by or against the Corps.
- (5) Notwithstanding the provision of this Bill, but subject to such directions as may be issued by the Corps, a person who, immediately before the commencement of this Bill, was either a regular member or a volunteer of or held office in the Dissolved Corps shall be deemed to have been transferred to the Corps on such terms and conditions not less favourable than those obtained immediately before commencement of this Bill.

- (6) The service in the Dissolved Corps shall be deemed to be service in the Corps for purpose of pension.
- (7) Notwithstanding the provision of this Bill or any other existing law in effect, apart from all officers, regular and volunteer members of the Dissolved Corps, any individual, group, association or body that may be absorbed as a member of the Corps either by transfer, enlistment or by whatsoever legal means shall not, as at the time of commencement of this Bill be less than 18 years of age and not above the age of 45 years.
- (8) Individuals, groups, associations or bodies that have shown or demonstrated interest to be absorbed as members of the Corps shall be absorbed subject to the mandatory basic training and orientation programme of the Corps as prescribed on the commencement of this Bill.
- (9) Notwithstanding the provision of subsection (8) the mandatory basic training and orientation programme of the Corps may be subject to periodic review after the commencement of this Bill as the Board may deem fit.
- (10) Notwithstanding any provision in this Bill, an individual who has served in any capacity in the public service at any level (Federal, State, Local Governments or Area Councils) and is entitled to gratuity and pension benefit is not eligible for consideration as a staff of the Corps (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

PART IX — MISCELLANEOUS PROVISIONS

Clause 39: Seal.

- (1) The fixing of the seal of the Corps shall be authenticated by the signature of the Chairman or any other person authorized generally or specifically to act for that purpose by the Board and the National Commandant.
- (2) Any contract or instrument, which if made or executed by a person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Board by the National Commandant or any person generally or specially authorized to act for the purpose by the Board
- (3) Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 40: Regulations.

The Corps or the Board may, with the approval of the Minister, make such regulations as in its opinion are necessary or expedient for giving effects to the provisions of this Bill and the regulations shall be laid before the National Assembly and published in the Federal Government Gazette (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

Clause 41: Interpretation.

In this Bill:

"Board" means the Governing Board of the Nigerian Peace Corps established under section 3 of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Corps" means the Nigerian Peace Corps, established under section 1 of this Bill (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

"Minister" means the Minister responsible for special duties and intergovernmental affairs (*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.

"Peace Corps Volunteers" means accredited youth within the age range of 18-35 years not on full remuneration but are on monthly stipend to be determined by the Board and are to serve as reservoirs for the Corps and other security agencies (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

Question that the meaning of the words "Peace Corps Volunteers" 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.

"Regular staff officers" means main core staff of the Corps on full remuneration (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

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

Clause 42: Citation.

This Bill may be cited as the Nigerian Peace Corps (Establishment) Bill, 2023 (*Hon. Julius Omozuanvbo Ihonvbere — House Leader*).

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

SCHEDULE

Section 6 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings

1. (1) The Board shall, for the purpose of this Bill meet at least four times in each year.
- (2) The Board shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by a notice given to him by at least five 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.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt the person to the Board for such period as it deems fit but a person who is a member by virtue of this subparagraph is not entitled to vote at any meeting of the Board and is not counted towards a quorum.

Committees

2. (1) The Board may set up one or more Committees to perform, on behalf of the Board, its functions under this Bill as the Board may deem fit.
- (2) A Committee set up 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 in the Committee in accordance with the terms of his appointment.
- (3) A decision of the Committee of the Board shall be of no effect until it is confirmed by the Board (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

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

Explanatory Memorandum:

This Bill establishes the Nigerian Peace Corps as body charged with the responsibility to develop, empower and provide gainful employment for the youth, facilitate peace, volunteerism, community services, neighbourhood watch and nation-building (*Hon. Julius Omozuanybo Ihonybere — House Leader*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Nigerian Peace Corps to Facilitate Peace, Volunteerism, Community Services, Neighbourhood Watch, and Nation-building; and for Related Matters (HB. 309 & HB. 482) (*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 Establish Nigerian Peace Corps to facilitate Peace, Volunteerism, Community Services, Neighbourhood watch and Nation Building and for Related Matters (HB. 309 and HB. 482) and approved Clauses 1 - 42, the Schedule, 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) *Ad-hoc Committee on the Need to Investigate the Circumstances Surrounding the Acquisition of OVH Energy by NNPC Limited:*
Motion made and Question proposed, “That the House do consider the Report of the Ad-hoc Committee on the Need to Investigate the Circumstances Surrounding the Acquisition of OVH Energy by NNPC Limited on the Need to Investigate the Irregularities and Alleged Corruption in the Nigeria Energy Security Provider, NNPC Retail Limited and the Acquisition of OVH Energy Marketing (HR. 171/07/2023)” (Hon. Waive Ejiroghene Francis — Ughelli North/Ughelli South/Udu Federal Constituency).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Debate.

By leave of the House, the Ad-hoc Committee was discharged of the assignment and the Committee on Petroleum Resources (Downstream) mandated to carry out a thorough investigation on the matter and report within four (4) weeks.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole rejected the Report of the *Ad-hoc Committee on the Need to Investigate the Circumstances Surrounding the Acquisition of OVH Energy by NNPC Limited on the Need to Investigate the Irregularities and Alleged Corruption in the Nigeria Energy Security Provider, NNPC Retail Limited and the Acquisition of OVH Energy Marketing (HR. 171/07/2023)*, and mandated the Committee on Petroleum Resources (Downstream) to investigate the matter and report within four weeks.

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

21. Adjournment

That the House do adjourn till Thursday, 29 February, 2024 at 11.00 a.m. (Hon. Julius Ihonvbere — House Leader).

The House adjourned accordingly at 2.17 p.m.

Abbas Tajudeen
Speaker