



THE SENATE

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 20th March, 2019

1. The Senate met at 10:50 a.m. The Senate President read Prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 19th March, 2019.
Question was put and the Votes and Proceedings were approved.
3. **Messages from Mr. President:**
The Senate President announced that he had received five (5) letters from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

(a) *Presidential Decision to Decline Assent:*



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

5th March, 2019

*Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Distinguished Senate President,

**PRESIDENTIAL DECISION TO DECLINE ASSENT
TO THE NIGERIAN FILM COMMISSION BILL, 2018**

Pursuant to Section 58(4) of Constitution of the Federal Republic of Nigeria 1999 (as amended), I hereby convey to the Senate, my decision, on 5th March, 2019 to decline Presidential Assent to the Nigerian Film Commission Bill, 2018 recently passed by the National Assembly.

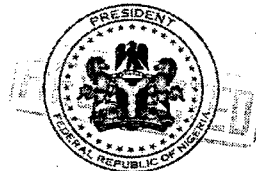
I am declining assent to the Bill because:

- a. Sections 1(3) (d) & (e) of the Bill conflicts section 2(a) (i), (ii) and (c) of the National Film and Video Censors Board Act which confers functions in relation to film exhibition on the National Film and Video Censors Board;
- b. Section 7(1) (k) of the Bill which states that 1 % of the proceeds for television licence from the National Broadcasting Commission shall be paid into a fund to be controlled by the National Film Commission is in conflict with Section 16(1) of the National Broadcasting Commission Act which stipulates the purpose for which expenditure generated by the NBC may be used,
- c. Section 7(2) (d) of the Bill which proposes to divert 5% of VAT on all film related activity to the National Film Development Fund violates Section 40 of the Value Added Tax Act and the sharing formula prescribed therein, because it diverts funds normally distributed to the States of the Federation to a single federal institution.

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

Yours Sincerely,
(Signed)
Muhammadu Buhari

(b) **Presidential Decision to Decline Assent:**



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

5th March, 2019

Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Distinguished Senate President,

**PRESIDENTIAL DECISION TO DECLINE ASSENT
TO THE IMMIGRATION (AMENDMENT) BILL, 2018**

Pursuant to Section 58(4) of Constitution of the Federal Republic of Nigeria 1999 (as amended), I hereby convey to the Senate, my decision, on 5th March, 2019 to decline Presidential Assent to the Immigration (Amendment) Bill, 2018 recently passed by the National Assembly.

I am declining assent to the Bill due to concerns expressed about the retroactive effective of the provisions of Section 38(5) of the Bill and the impact of the Section on the Ease of Doing Business initiative of the Federal Government as contained in Executive Order One. There are also concerns that if passed into law, the Bill would be disruptive to Nigerians in diaspora if other countries were to reciprocate the provisions of Section 38(5) in their immigration laws.

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

Yours Sincerely,
(Signed)
Muhammadu Buhari

(c) *Presidential Decision to Decline Assent:*



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

5th March, 2019

*Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Distinguished Senate President,

**PRESIDENTIAL DECISION TO DECLINE ASSENT
TO THE CLIMATE CHANGE BILL, 2018**

Pursuant to Section 58(4) of Constitution of the Federal Republic of Nigeria 1999 (as amended), I hereby convey to the Senate, my decision, on 5th March, 2019 to decline Presidential Assent to the Climate Change Bill, 2018 recently passed by the National Assembly.

I am declining assent to the Bill because:

- (a) *The spelt-out scope and guiding principles in the Bill replicate the functions of the Federal Ministry of Environment, which is charged with mainstreaming climate responses and actions into government policy, but does not suggest the scrapping of the Ministry.*
- (b) *Setting up the Council as contemplated by Section 2 of the Bill will be unwieldly and expensive to maintain as it will amount to a proliferation of government agencies especially when there are existing agencies already performing the proposed functions.*
- (c) *The Bill as presently submitted lacks legal and draftsman elegance and consists of contradictory provisions and needs significant clarity and harmonization with administrative realities.*

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

*Yours Sincerely,
(Signed)
Muhammadu Buhari*

(d) *Presidential Decision to Decline Assent:*



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

5th March, 2019

*Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Distinguished Senate President,

**PRESIDENTIAL DECISION TO DECLINE ASSENT TO THE CHARTERED
INSTITUTE OF PENSION PRACTITIONERS OF NIGERIA BILL, 2018**

Pursuant to Section 58(4) of Constitution of the Federal Republic of Nigeria 1999 (as amended), I hereby convey to the Senate, my decision, on 5th March, 2019 to decline Presidential Assent to the Chartered Institute of Pension Practitioners of Nigeria Bill, 2018 recently passed by the National Assembly.

I am declining assent to the Bill because the objectives of the Chartered Institute of Pension Practitioners of Nigeria created by the Bill are similar to the objectives of the Certified Pension Institute of Nigeria which is already in existence and functional and it would thus amount to duplication of the functions of a separately constituted institute.

Concerns have also been raised in connection with the propriety of a private investigative panel conducting criminal investigations as appear to be suggested by Section 8(1) (a) of the Bill.

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

*Yours Sincerely,
(Signed)
Muhammadu Buhari*

(e) *Presidential Decision to Decline Assent:*



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

5th March, 2019

*Distinguished Senator Abubakar Bukola Saraki
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Distinguished Senate President,

**PRESIDENTIAL DECISION TO DECLINE ASSENT
TO THE DIGITAL RIGHTS AND FREEDOM BILL, 2018**

Pursuant to Section 58(4) of Constitution of the Federal Republic of Nigeria 1999 (as amended), I hereby convey to the Senate, my decision, on 5th March, 2019 to decline Presidential Assent to the Digital Right and Freedom Bill, 2018 recently passed by the National Assembly .

I am declining assent to the Bill because it seeks to cover too many technical subjects in one text and in the process fails to address any of them exhaustively. These areas include surveillance and data protection, lawful interception of communications, data protection and retention etc, which are currently the subject of various bills pending at the National Assembly.

We therefore suggest that the scope of the Bill should be limited to the protection of human rights within the digital environment to reduce the challenge of duplication and legislative conflicts in the future.

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

*Yours Sincerely,
(Signed)
Muhammadu Buhari*

4. Announcement:

Acknowledgment:

The Senate President acknowledged the presence of the Staff and Students of St. Martins Catholic Schools, Dei-Dei, Abuja who were at the gallery to observe Senate Proceedings.

5. Matter of Urgent Public Importance:

Rising on Rules 42 and 52, Senator Barnabas A. I. Gemade (*Benue North-East*) drew the attention of the Senate on the demise of Senator Joseph Kennedy Nyikwagh Waku. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

notes with heavy heart, the death of Distinguished Senator J.K.N. Waku, a Senator of the Federal Republic of Nigeria, who represented Benue North-West Constituency of Benue State between 1999 - 2003, which occurred on the 3rd of February, 2019; at the age of 73;

notes also that Senator J.K.N. Waku was born on 12th June, 1946 at Uvir in Guma Local Government Area of Benue State;

recalls that the late Waku was a prominent member (and Minority Leader) of the Benue State House of Assembly in the Second Republic on the ticket of the defunct Nigerian Peoples Party (NPP) led by the late Dr. Nnamdi Azikiwe;

notes also that during the botched transition programme of the late General Sani Abacha regime, Waku was elected Senator on the ticket of the Congress for National Consensus (CNC) led by Chief (Dr.) Barnabas Gemade;

notes further that late Senator Waku joined the Peoples Democratic Party (PDP) right from the inception of the Party in 1998, and was again elected as a Senator representing Benue North - West Senatorial District;

recalls that he was an active member of the Arewa Consultative Forum (ACF) a northern socio-political lobby group, where he as served its Vice Chairman up the time of his demise;

recalls also that Senator J.K.N. Waku, was at the time of his death a Pro-Chancellor Federal University of Technology Akure and one of the founding members of the Nigerian Institute of Public Relations (NIPR);

observes that Senator J.K.N. Waku who held the traditional Chieftaincy title of Wanbegha u Tiv, amongst others was a successful businessman;

He had lived a life of selfless service to his fatherland;

He was brilliant, courageous and had love for humanity; and

aware that his demise is a great loss to the people of Benue North West Senatorial District in particular, and Benue State, and Nigeria in general.

Accordingly resolves to:

- (i) observe a minute silence in honour of late Senator J.K.N. Waku;
- (ii) send a delegation of this hallowed chamber to condole with his family, the people and Government of Benue State; and
- (iii) urge the Federal Government to immortalize the late Senator J.K.N. Waku, by naming a monument in his honour.

Debate:

One minute silence accordingly observed in honour of the deceased.

6. Committee on Diaspora and Non-Governmental Organizations:

Report on the Confirmation of the Nomination of Honourable Abike Dabiri-Erewa for Appointment as Chairman/Chief Executive Officer of Nigerian Diaspora Commission:

Motion made: That the Senate do receive the Report of the Committee on Diaspora and Non-Governmental Organizations on the Confirmation of the Nomination of Honourable Abike Dabiri-Erewa for Appointment as Chairman/Chief Executive Officer of Nigerian Diaspora Commission (*Senator Olanrewaju A. Tejuoso — Ogun Central*).

Question put and agreed to.

Report Laid.

7. Committee on Ethics, Privileges and Public Petitions:

Motion made: That the Senate do consider the Reports of the Committee on Ethics, Privileges and Public Petitions in respect of:

- a. Miss Monica Okafor, against the National Biotechnology Development Agency (NABDA), Abuja for alleged wrongful termination of her appointment by the agency; and
- b. Dr. George A. Omoogun, against the Federal Ministry of Science and Technology and the Nigerian Institute for Trypanosomiasis Research for non-payment of his emoluments (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Reports Laid.

8. Motions:

(a) *Withholding of Assent:*

Motion made: That the Senate recalls that the President, Commander-in-Chief of the Armed Forces of the Federation had signified the withholding of his assent of the Federal Polytechnics Act (Amendment) Bill, 2018 (SB. 241) pursuant to section 58(4) of the Constitution of the Federal Republic of Nigeria 1999 (as amended);

notes that the rationale for withholding the assent borders on the observation of Mr. President on clauses 3 and 16 of the Bill as follows:

- (a) Section 16(1)(2) of the Amendment Bill, which subjects the removal of Governing Council Members and Rectors of Polytechnics to the approval of the Federal Executive Council as a body, instead of the President's approval as is obtained in the Principal Act will make the removal process more administratively cumbersome;
- (b) Section 3(f) of the Amendment Bill which lists membership of the Governing Council of Polytechnics as consisting of representative of the Ministry or a regulatory body is not acceptable as this may ultimately jeopardize the supervisory role of the Ministry of the Council. It is desirable that the Ministry's presence on the Council is clear and unambiguous; and

notes that a Technical Committee of the Senate and House of Representatives has looked into Mr. President, Commander-in-Chief of the Armed Forces of the Federation observations.

Accordingly resolves to:

refer the Bill to the Committee of the Whole for consideration and passage (*Senate leader*).

Debate:

Proposed Resolution:

Question: That the Senate do refer the Bill to the Committee of the Whole for consideration and passage — *Agreed to.*

Resolved:

That the Senate refer the Bill to the Committee of the Whole for consideration and passage (*S/Res/069/04/19*).

Federal Polytechnics Act (Amendment) Bill, 2018 (SB. 241):

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE FEDERAL POLYTECHNICS ACT (CAP F17, LAWS OF THE FEDERATION OF NIGERIA, 2004), TO REVIEW THE RETIREMENT AGE OF STAFF OF FEDERAL POLYTECHNICS, HARMONIZE THE TENURE OF THE OFFICE OF THE RECTOR AND OTHER PRINCIPAL OFFICERS OF THE FEDERAL POLYTECHNICS IN NIGERIA AND FOR OTHER RELATED MATTERS, 2019.

Clause 1: Amendment of Section 3:

3(2)(f) one person of representing the Federal Ministry of Education.

Committee's Recommendation:

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

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

Clause 2: Amendment of Section 16:
Delete, and retain as in the Principal Act.

- (1) If it appears to the Council that a member of the Council (other than an ex-officio member) or the Rector should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect to the President, and if the President, after making such inquiries as he considers necessary, approves the recommendation, the President shall, in writing, declare the office of such member vacant.

Delete, and retain as in the Principal Act.

- (2) The President may remove any member of the Council if he is satisfied that it is not in the public interest or in the interest of the polytechnic that such member should continue as a member of the Council.

Committee's Recommendation:

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

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

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered a Bill for an Act to Amend the Federal Polytechnics Act (Cap F17, Laws of the Federation of Nigeria, 2004), To Review the Retirement Age of Staff of Federal Polytechnics, Harmonize the Tenure of the Office of the Rector and Other Principal Officers of the Federal Polytechnics in Nigeria and for Other Related Matters, 2019 and approved as follows:

Clauses 1- 2 — As Recommended

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

(b) *The militarization of the Nigerian Electoral Process and the inconsistent application of Electoral Laws by the Independent National Electoral Commission (INEC):*

Motion made: That the Senate is conscious of the need to grow our nascent democracy through the institutionalization of procedures, application of civil laws and the restriction of excessive use of military force in the civil affairs of the state;

aware of the growing militarization of our nations electoral process, and the inconsistent application of electoral laws by the institutional umpire - the Independent National Electoral Commission (INEC), especially as witnessed in the recent national elections 2019, where the presence of the use of extreme military force akin to a war campaign was applied in electoral polling stations, and the declaration of 'inconclusive elections', as a term. - being used inconsistently, and partially at the whims of electoral officers in occasions that appear solidly as similar cases;

concerned that this extreme militarization of a democratic electoral process, and the inconsistent application of electoral laws by Independent National Electoral Commission (INEC) in matters of national elections - pose serious threats to our democracy, and has security implications that must be nipped in the bud; and

persuaded that the nation is on the edge of a precipice, and our democracy can be saved for future posterity, if only we can build strong institutions that can operate within established laws, and with our military forces restricted to their traditional roles of defending the nation.

Accordingly resolves to:

- (i) condemn the massive use of military forces in the national electoral process of the nation;
- (ii) urge the Independent National Electoral Commission (INEC) to ensure the unrestricted and consistent application of all electoral laws without bias to a candidate or a party in all elections;
- (iii) mandate the Senate Committee on Independent National Electoral Commission (INEC) to investigate all perceived inconsistent application of electoral laws by Independent National Electoral Commission (INEC) in the 2019 Elections; and
- (iv) urge the President of the Federal Republic of Nigeria to give assent to the recent Amendment to the Electoral Act to ensure a level playing field and adoption of equal standards in our national elections for a strong and peaceful democracy in Nigeria (*Senator Dino Melaye — Kogi West*).

Debate:

Proposed Resolution (i):

Question: That the Senate do condemn the massive use of military forces in the national electoral process of the nation — *Agreed to*.

Proposed Resolution (ii):

Question: That the Senate do urge the Independent National Electoral Commission (INEC) to ensure the unrestricted and consistent application of all electoral laws without bias to a candidate or a party in all elections — *Agreed to*.

Proposed Resolution (iii):

Question: That the Senate do mandate the Senate Committee on Independent National Electoral Commission (INEC) to investigate all perceived inconsistent application of electoral laws by Independent National Electoral Commission (INEC) in the 2019 Elections — *Agreed to*.

Proposed Resolution (iv):

Question: That the Senate do urge the President of the Federal Republic of Nigeria to give assent to the recent Amendment to the Electoral Act to ensure a level playing field and adoption of equal standards in our national elections for a strong and peaceful democracy in Nigeria — *Agreed to*.

Resolved:

That the Senate do:

- (i) condemn the massive use of military forces in the national electoral process of the nation;
- (ii) urge the Independent National Electoral Commission (INEC) to ensure the unrestricted and consistent application of all electoral laws without bias to a candidate or a party in all elections;
- (iii) mandate the Senate Committee on Independent National Electoral Commission (INEC) to investigate all perceived inconsistent application of electoral laws by Independent National Electoral Commission (INEC) in the 2019 Elections; and
- (iv) urge the President of the Federal Republic of Nigeria to give assent to the recent Amendment to the Electoral Act to ensure a level playing field and adoption of equal standards in our national elections for a strong and peaceful democracy in Nigeria (*S/Res/070/04/19*).

9. Committee on Banking, Insurance and Other Financial Institutions:
Report on the Confirmation of Dr. Abdu Abubakar as a Non-Executive Director, Central Bank of Nigeria (CBN):

Motion made: That the Senate do receive and consider the Report of the Committee on Banking, Insurance and other Financial Institutions on the Confirmation of Dr. Abdu Abubakar as a Non-Executive Director of the Board of the Central Bank of Nigeria (CBN) (*Senator Rafiu A. Ibrahim — Kwara South*).

Question put and agreed to.

Report Laid and presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Banking, Insurance and other Financial Institutions on the Confirmation of Dr. Abdu Abubakar as a Non-Executive Director of the Board of the Central Bank of Nigeria (CBN).

Nominee recommended for confirmation:

Dr. Abdu Abubakar

—

Agreed to.

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Banking, Insurance and Other Financial Institutions on the Confirmation of Dr. Abdu Abubakar as a Non-Executive Director of the Board of the Central Bank of Nigeria (CBN) and approved the nomination.

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

Confirmation of nomination:

Question:

“Will the Senate confirm the nomination of Dr. Abdu Abubakar as a Non-Executive Director of the Board of the Central Bank of Nigeria (CBN)?” — *Resolved in the Affirmative.*

Nomination of Dr. Abdu Abubakar as a Non-Executive Director of the Board of the Central Bank of Nigeria (CBN) accordingly confirmed.

10. Committee on Agriculture and Rural Development:

Report on the National Fertilizer Quality Act (Amendment) Bill, 2019 (SB. 338):

Motion made: That the Senate do consider the Report of the Committee on Agriculture and Rural Development on the National Fertilizer Quality Act (Amendment) Bill, 2019 (*Senator Aliyu A. Sabi — Niger North*).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO REGULATE THE MANUFACTURE, IMPORTATION, DISTRIBUTION AND QUALITY CONTROL OF FERTILIZER IN NIGERIA; AND FOR OTHER RELATED MATTERS, 2019.

Clause 1: Object of the Bill.

The object of the Bill shall be to safeguard the interest of -

- (a) the farmers against nutrient deficiencies, adulteration, misleading claims and short weight; and
- (b) fertilizer enterprises and contribute to the creation of an enabling environment for private sector investment in the fertilizer industry.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

PART I PERMIT OF CERTIFICATE OF REGISTRATION

Clause 2: Application for Permit or Certificate of Registration.

- (1) A person shall not carry on business as a manufacturer, blender or importer of fertilizer in Nigeria without obtaining a permit or certificate of registration from the Prescribed Authority.
- (2) A person shall not carry on business as a distributor of fertilizer in Nigeria without obtaining from the Prescribed Authority a certificate of registration.
- (3) An application for a permit or certificate of registration under subsection (1) or (2) of this section shall be made on such form and in such manner as may be specified by the Prescribed Authority.
- (4) An application for permit or certificate of registration shall be accompanied by a non-refundable fee as may be prescribed in regulations made pursuant to this Bill.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 3: Issuance of Permit or Certificate of Registration.

Cap, C20, LFN, 2004

- (1) Upon being satisfied that-
 - (a) an application for a permit or a certificate of registration has been made in the prescribed manner,
 - (b) the applicant is incorporated under the Companies and Allied Matters Act,

- (c) All other requirements as may be specified by regulations made pursuant to this Bill have been complied with, the Prescribed Authority shall issue permits and certificates of registration to the applicant within 30 days of the receipt of an application.
- (2) A permit or certificate of registration shall not be issued where within three years immediately preceding the date of the making of the application -
 - (a) a previous permit or certificate of registration is under suspension; or
 - (b) the applicant has been convicted of an offence under this Bill or regulations made pursuant to this Bill.
- (3) Where a permit or certificate of registration is not issued within the period specified in subsection (1) of this section, the applicant shall be informed of the refusal and the reason for the refusal.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 4: Keeping of records by Prescribed Authority.

The Prescribed Authority shall keep accurate records containing all the issued permits and certificates of registration.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 5: Validity of permit or certificate of registration.

- (1) The Prescribed Authority may suspend or cancel a permit or certificate of registration where -
 - (a) the grounds on which it was issued were false or incomplete;
 - (b) the circumstances under which it was issued no longer exists;
 - (c) any of the conditions or undertakings under which it was issued has been contravened; or
 - (d) the standard of quality, safety or efficacy as specified on the application form has not been complied with.
- (2) A permit or a certificate of registration shall, unless suspended or cancelled, be valid for a period of three years.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 6: Fees.

The holder of a permit or certificate of registration shall pay-

- (a) a renewal of permit or certificate of registration fee every three years;

- (b) inspection fee for fertilizer manufactured, blended, imported or distributed every year as may be specified by regulations; and
- (c) an appeal fee pursuant to section 7 of this Bill, if the need arises and other fees as may be specified by regulations made under this Bill.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 7: Cancellation of permit or certificate of registration.

- (1) Where a permit or certificate of registration is cancelled, an appeal may be lodged with the Minister within 30 days of the cancellation.
- (2) An appeal made under subsection (1) of this section shall be in writing and be accompanied by such information as may be necessary to support the appeal.
- (3) The Minister shall determine the appeal within 30 days of the receipt of the appeal and where the-
 - (a) appeal is not determined, within the stipulated time; or
 - (b) person is dissatisfied with the decision of the Minister; an appeal may be made to the Federal High Court.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

PART II - PROHIBITED ACTIVITIES

Clause 8: Operating with an expired permit or certificate of registration.

A person shall not operate or carry on business as a manufacturer, blender, importer or distributor of fertilizer in Nigeria with an expired permit or certificate of registration.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 9: Destructive ingredients or harmful properties.

A person shall not sell any fertilizer or fertilizer supplement that contains destructive ingredients or properties harmful to plant growth when used according to the accompanying instructions or in accordance with the instructions contained on the label of the package in which the fertilizer or the fertilizer supplement is contained.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 10: Conversion or diversion of fertilizer.

A person engaged in the sale, distribution, transportation of fertilizer or who keeps custody of fertilizer shall not, without lawful authority, divert or convert the fertilizer to his own use or the use of another person.

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 11: Obstruction of authorised officers.

A person shall not obstruct, hinder or prevent a duly authorized officer of the Prescribed Authority from carrying out the duties and responsibilities assigned to such officer under this Bill or regulations made pursuant to this Bill.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 12: Sale of unbranded or misbranded fertilizer.

A person shall not engage in the sale of unbranded or misbranded fertilizer.

Committee's Recommendation:

That the provision in Clause 12 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

PART III - INSPECTION AND ENFORCEMENT POWERS**Clause 13: Power of entry.****First Schedule**

- (1) An authorised officer of the Prescribed Authority or a person duly authorised by the Prescribed Authority shall -
 - (a) enter and inspect any premises, building, vehicle, plant or equipment that is used in the manufacture, blending, importation, distribution, sale, storage or transportation of fertilizer; and
 - (b) take official samples from the fertilizer found during an inspection for laboratory analysis for the purpose of ascertaining the quality of the fertilizer as specified in the First Schedule.
- (2) The quantity of samples to be taken pursuant to subsection (1) of this section shall not exceed the quantity stipulated in regulations made under this Bill.
- (3) An Authorised Officer is vested with the power to -
 - (a) inspect, during regular business hours, any premises where fertilizers are manufactured, stored or sold;
 - (b) inspect any person or a vehicle or receptacle used to move fertilizers from one location to another;
 - (c) draw official samples of fertilizers for analysis; and
 - (d) seize and detain any fertilizer in violation of this Bill as well as any equipment, package, document, or means of transportation associated with such fertilizer.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 14: Display of permits or certificates of registration.

A manufacturer, blender, importer or distributor of fertilizer shall conspicuously display his original permit or certificate of registration at his company or point of sale.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 15: Enforcement.

Where the Minister has reasonable cause to believe that fertilizer is being sold in violation of any provision of this Bill, the Minister shall issue a written order to stop the sale or disposal of the fertilizer until the Minister or court revokes the order or upon the expiration of the time stated in the order prohibiting the sale or distribution of the fertilizer.

Committee's Recommendation:

That the provision in Clause 15 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 16: Allowable variation in fertilizer weight.

- (1) The acceptable deviation of measured fertilizer bag weight from the value claimed on the label shall not be more than 500mg per 50kg bag or 1 % across all bag weights.
- (2) The Minister may by regulations make such modifications to the acceptable deviation of measured fertilizer by weight as considered necessary and prescribe appropriate sanctions for any deviation.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 17: Labels.

Second Schedule

The minimum requirement for all fertilizer labels is as specified in the Second Schedule to this Bill.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

PART IV - OFFENCES AND PENALTIES**Clause 18: Offences relating to manufacture, importation and distribution of fertilizer.**

First Schedule

A person who-

- (a) manufactures, blends, imports or distributes fertilizer that is deficient in plant nutrient as specified in the First Schedule to this Bill;

- (b) manufactures, blends, imports or distributes unbranded or misbranded fertilizer;
- (c) imports, exports or distributes adulterated fertilizer;
- (d) offers for sale, fertilizer that is underweight;
- (e) sells condemned fertilizer,
- (f) diverts or converts fertilizer; or
- (g) flouts a stop sale order:

commits an offence under this Bill.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 19: Penalty for offences under section 18.

A person who commits any of the offences listed in section 18 of this Bill or regulations made under this Bill is on conviction, liable to a term of imprisonment of not less than 5 years without option of fine.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 20: Penalty for offence relating to manufacture, importation and distribution of fertilizer.

- (1) A person who contravenes the provisions of section 2 or 8 of this Bill commits an offence under this Bill and is on conviction:
 - (a) in the case of a manufacturer, blender or importer, to a fine of at least N10,000,000 or N5,000,000; and
 - (b) in the case of a distributor of fertilizer to a fine of N500,000 for each day the offence persists.
- (2) Any director, employee or agent of the manufacturer, blender, importer or distributor who contravenes the provisions of sections 2 or 8 of this Bill commits an offence unless the director, employee or agent proves that the offence was committed without his knowledge or connivance.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 21: Penalty for use of destructive ingredient and conversion or diversion, etc. of fertilizer.

A person who contravenes the provisions of section 9 or 10 of this Bill commits an offence and liable on conviction to a fine of at least N1,000,000 or to a term of imprisonment of not less than six months or to both.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 22: Penalties for obstruction of authorised officers.

A person who contravenes the provision of section 11 of this Bill commits an offence and is liable on conviction to a fine of at least N200,000 or a term of imprisonment of not more than Six months or to both.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 23: Jurisdiction.

The Court shall have jurisdiction to try offences under this Bill.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 24: Compensation.

- (1) Where an offender is convicted of an offence under this Bill, the court may order that the offender pays compensation in addition to any other punishment imposed by the court.
- (2) In awarding compensation, the court shall consider awards aimed at remedying any injury caused to -
 - (a) the farmer or end user;
 - (b) the manufacturer or blender; and
 - (c) the affected community.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

PART V - MISCELLANEOUS**Clause 25: Power to make Regulations.**

- (1) The Minister may by regulations make provisions for carrying into effect the provisions of this Bill and for its due administration, such as the appointment of a National Fertilizer Technical committee (in the Bill referred to as "the NFTC"), as an advisory body to the prescribed authority.
- (2) Without prejudice to the generality of the power to the Minister, the regulations may provide for-
 - (a) the fertilizer regulatory system including inspection, sampling and analysis, registration requirements, labelling requirements, and inspection fee collection procedures;

- (b) offences and punishments including plant nutrient deficiencies, misbranding, adulteration under-weight, obstruction of inspectors, stop sale orders, seizure, condemnation and sale, authenticity of analytical results, and destructive ingredients;
- (c) environmental and public health issues relating to the use of fertilizer;
- (d) plant nutrient guarantees;
- (e) investigational allowances and penalties;
- (f) publication of deficiency reports and annual fertilizer tonnage reports; and
- (g) any other matter that may be deemed necessary for the implementation of this Bill.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 26: Repeal of Cap. N39, LFN, 2004 and Cap F25, LFN, 2004.

The following Acts are repealed -

- (a) the National Fertilizer Board Act Cap. N39, Laws of the Federation of Nigeria, 2004; and
- (b) the Fertilizer (Control) Act, 1991, Cap F25, Laws of the Federation of Nigeria, 2004.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 27: Savings and Transition.

- (1) Without prejudice to section 6 of the Interpretation Act, the repeal of the Acts specified in section 26 of this Bill, shall not affect anything done under those Acts.
- (2) Every order, requirement, certificate, notice, direction, decision, authorisation, consent, application, request or thing made, issued, given or done under the Acts repealed by this Bill shall, if in force at the commencement of this Bill, continue to be in force and have effect as if made, issued, given or done under the corresponding provisions of this Bill.

Committee's Recommendation:

That the provision in Clause 27 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 28: Interpretation.

In this Bill-

"adulterated fertilizer" means fertilizer -

- (a) containing any deleterious substance in sufficient amount as to affect or alter the true and original quality of the fertilizer when applied in accordance with directions for use on the label or if adequate warning statements or directions for use which may be necessary to protect plant life, animals, humans, aquatic life, soil, or water are not shown upon the label; or
- (b) the composition of which falls below or differs from that which it is purported to possess by its label;

"applicant" includes a body corporate or legal person;

"application" means the request for an approval by an applicant to produce, import, blend or sell fertilizer in Nigeria;

"authorized officer" means an officer of the Farm Inputs Supply Services Department of the Federal Ministry of Agriculture duly appointed or designated and notified under the present Bill to draw official samples of fertilizers to get their quality tested in a laboratory identified for this purpose, to inspect the fertilizer records being maintained by manufacturers, importers and distributors, and to launch prosecution against the violators of any of the provisions of the Bill.

"brand" means design, trade mark, or other specific designation of the Manufacturer, blender or importer under which fertilizer is distributed;

"director" means the Director in charge of the Farm Inputs Supply Services Department in the Federal Ministry of Agriculture;

"director of a manufacturer, blender, importer or distributor" means a principal officer of a company engaged in manufacturing, importing, blending or distribution of fertilizer;

"distribute" means to consign, offer for sale, sell, barter, or otherwise supply fertilizer; "employee" means any person being paid to work for a fertilizer manufacturer, importer, blender, distributor or dealer;

"fertilizer" means any organic or inorganic substance or mixture of substances containing one or more recognized plant nutrient that is used to improve plant nutrient content and is designed for use in promoting plant growth;

"Court" includes Federal High Court, State High Court and Magistrate Court where applicable.

"holder of a permit or a certificate of registration" means a person who has obtained a permit or a certificate of registration pursuant to the provisions of this Bill and as prescribed by regulations made under this Bill;

"label" includes -

- (a) all written, printed, marked symbols or graphic matter displayed upon the immediate container used in promoting the sale of fertilizers;
- (b) statements accompanying a fertilizer, supplement or package used in prompting the sale of fertilizer; or
- (c) advertisements, brochures, posters" television, radio, or internet announcements used in promoting the sale of fertilizer;

"lawful authority" means by the authority of any law, rule or regulation or power exercisable by a person pursuant to any public power to command or act in the name of the public;

"manufacture" means produce or blend fertilizer;

"Minister" means the Minister responsible for Agriculture;

"Ministry" means the Ministry responsible for Agriculture.

"misbranding" includes -

- (a) the use of the name or trademark of another manufacturer in a way that is likely to deceive the public;
- (b) false declaration of the nutrient content of a fertilizer.

"nutrient deficient" means a fertilizer is deemed "nutrient deficient" if the analysis of any nutrient is below the guarantee indicated on the bag by an amount exceeding the investigational allowance listed in schedule 1 of this Bill, or if the overall index value of the fertilizer is below 98%;

"official sample" means a sample of fertilizer taken for analysis and designated official by the prescribed authority;

"person" means a corporate body, individual, partnership, association, firm, or corporation;

"Prescribed Authority" means the Department responsible for fertilizer in the Federal Ministry of Agriculture;

"sell" includes to trade, offer for sale, expose for sale, or have in possession for sale any quantity of fertilizer;

"short weight" means deviation in weight of fertilizer content below the claimed weight on the label;

"supplement" means any substance or mixture of substances other than fertilizer, that is manufactured, imported or sold for use in the improvement of the physical condition of soil or to aid plant growth or crop yield;

"unbranded" means the absence of the name, logo, trademark or other means of identification of a fertilizer and its importer, blender or manufacturer;

"underweight" means fertilizer content with short weight which exceeds the 0.6% of the weight claimed on the label; and

"violation" means a breach of any provision of this Bill or regulations made under this Bill.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

Clause 29: Citation.

This Bill may be cited as the National Fertilizer Quality (Control) Bill, 2019.

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Aliyu S. Abdullahi — Niger North*) — *Agreed to.*

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

SCHEDULE 1

[Sections 11 and 15]

Investigational Allowances and Actual Values

1. (a) A fertilizer shall be deemed deficient if the analysis of an official sample for any primary plant nutrient is below the minimum guarantee by an amount exceeding the values in the following schedule.

Minimum Guarantee Percent (%)	Nitrogen (N) Percent (%)	Phosphate(P2O5) Percent (%)	Available Potash (K2O) Percent (%)
04 or less	0.49	0.67	0.41
05	0.51	0.67	0.43
06	0.52	0.67	0.47
07	0.54	0.68	0.53
08	0.55	0.68	0.60
09	0.57	0.68	0.65
10	0.58	0.69	0.70
12	0.61	0.69	0.79
14	0.63	0.70	0.87
16	0.67	0.70	0.94
18	0.70	0.71	1.01
20	0.73	0.72	1.08
22	0.75	0.72	1.15
24	0.78	0.73	1.21
26	0.81	0.73	1.27
28	0.83	0.74	1.33
30	0.86	0.75	1.39
32 or more	0.88	0.76	1.44

2. For guarantees not listed, calculate the appropriate value by interpolation.
3. A fertilizer shall also be deemed deficient if the actual value is less than ninety-eight (98%) percent of the guaranteed value in the case of straight (single nutrient) fertilizers. The actual value is calculated by comparing the value guaranteed with the value found.
4. Plant nutrient values will be calculated on the basis of the price documented in the inspection report of the inspected lot.
5. Secondary and micronutrients shall be deemed deficient if the analysis of an official sample is below the guarantee by an amount exceeding the values in the following table:

Element	Percent (%)	Investigational Allowance	Percent (%) of Guarantee
Calcium	0.2	+	5
Magnesium	0.2	+	5
Sulfur	0.2	+	5

Boron	0.003	+	15
Cobalt	0.0001	+	30
Molybdenum	0.0001	+	30
Chlorine	0.005	+	10
Copper	0.005	+	10
Iron	0.005	+	10
Manganese	0.005	+	10
Sodium	0.005	+	10
Zinc	0.005	+	10

The maximum allowance when calculated in accordance with the above shall be 1%.

SCHEDULE 2

[Section 15]

1. The following information in the format presented is the minimum required for all fertilizer labels —
 - (a) For packaged products this information shall either —
 - (i) appear on the front or back of the package and occupy at least one third of a side of the package; or
 - (ii) be printed on a tag and attached to the package.
2. (1) This information shall be in a readable and conspicuous form. For bulk products, this same information in written or printed form shall accompany delivery and be supplied to the purchaser at the time of delivery stating —
 - (a) brand (if applicable);
 - (b) grade, only when primary nutrients are claimed;
 - (c) guaranteed analysis;

total nitrogen (N)

_____ % ammoniacal nitrogen

_____ % nitrate nitrogen

_____ % urea nitrogen

_____ % water-insoluble nitrogen

_____ % other recognized and determinable forms of N
 - (d) net weight;
 - (e) sources of nutrients, when shown on the label, shall be listed below the guaranteed analysis statement; and
 - (f) name and address of the applicant.
- (2) Where the chemical forms of Nitrogen are claimed or required, the form shall be guaranteed in the format shown in paragraph (c) of subsection (1) and the percentages of the individual forms shall add up to the total nitrogen percentage as follows —

available phosphate (P205) _____ %

soluble potassium (K20) _____ %

(other nutrients, elemental basis) _____ %

If claims are made on the label other than nutrient guarantees, the Prescribed Authority may require that the applicant provide

- (a) A testing program conducted by a reputable researcher acceptable to the Director that substantiates the claims made on the label; and
- (b) A laboratory procedure acceptable to the Director for evaluating these claims.

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

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Agriculture and Rural Development on the National Fertilizer Quality Act (Amendment) Bill, 2019 and approved as follows:

Clauses 1- 29 — As Recommended

Schedules 1&2 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

11. Committee on Information and National Orientation:

Report on the National Orientation Agency Act (Amendment) Bill, 2019 (SB. 333):

Motion made: That the Senate do consider the Report of the Committee on Information and National Orientation on the National Orientation Agency Act (Amendment) Bill, 2019 (*Senator Suleiman A. Adokwe — Nasarawa South*).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE NATIONAL ORIENTATION AGENCY ACT, N100 LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE FOR AN OPERATIONAL FRAMEWORK FOR THE GLOBAL INITIATIVE FOR HARMONY CORPS IN ORDER TO PROMOTE INTER-ETHNIC INTEGRATION, MEDIATION, PEACE-BUILDING, MUTUAL UNDERSTANDING, PATRIOTISM, FOR PEACEFUL CO-EXISTENCE AND FOR RELATED MATTERS, 2019.

Clause 1: Amendment of the National Orientation Agency Act No. 100, Laws of the Federation of Nigeria, 2004.

The National Orientation Agency Act No. 100, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is amended as set under this Bill.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Suleiman A. Adokwe — Nasarawa South*) — *Agreed to.*

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

Clause 2: The Principal Act is amended by inserting after section 11, new sections "11A" - "11W" -

Establishment of the Global Initiative for Harmony Corps of Nigeria

- 11A. (1) There is established the Global Initiative for Harmony Corps Nigeria (in this Bill referred to as "the Harmony Corps), which shall be under the supervision of the Director-General of the Agency;
- (2) The Harmony Corps shall be headed by a General Coordinator who shall report to the Director-General of the Agency;

Objectives of the Harmony Corps

11B. The objectives of the Harmony Corps are to-

- (a) cooperate with the Federal, State and Local government in the eradication of anti-social behaviours of the youth, such as street trading/hawking; urinating along streets across the nation, cultism, prostitution, examination malpractices and drug abuse;
- (b) spread the virtues of Universal Basic Education (UBE) by ensuring that children remain in their Schools during school hours;
- (c) articulate in conflict resolution and promote total harmony, unity and tolerance among our communities.
- (d) highlight the need for peaceful co-existence among Nigerians irrespective of tribe tongue or religion;
- (e) Promote mutual understanding, teach and indoctrinate the youths into accepting Nigeria as one nation of one people destined to live together as one family;
- (f) promote peace activities and dialogue through, publications, including books, newspapers, magazines and journals and through television and radio programmes, etc.
- (g) embark on supportive intelligent assignment for small and large scale industries in order to checkmate the issuance of fake receipts by unscrupulous Persons;
- (h) assist the relevant agencies of government to ensure compliance with tax payment laws by individuals and corporate entities in Nigeria;

- (i) promote Partnership, Education and Peace-Building in all the sectors of national development; and
- (j) ensure that the proper National Flag is hoisted in all public offices, government establishments, public and private schools nationwide.

Office of the Harmony Corps General Coordinator

- 11C. (1) There shall be the Office of the Harmony Corps General Coordinator, who shall be -
- (a) the Chief Executive Officer of the Corps, and
 - (b) shall be a person possessing sound knowledge of the Initiative's mission and administration of matters relating to the advancement of unity, peace and harmony in Nigeria.
- (2) The President shall, on the recommendation of the Board, appoint the General Coordinator who shall -
- (a) exercise general supervision and control over members of the Harmony Corps, the Zonal and State Harmony Corps, and the other staff of the Harmony Corps;
 - (b) direct the activities of the Harmony Corps, including training and education, workshop, public awareness campaign to be carried out by the members of the Harmony Corps;
 - (c) manage the financial affairs of the Harmony Corps; and
 - (d) be free to deploy the human and material resources of the Harmony Corps in accordance with this Bill in order to achieve results and ensure the attainment of the objects of this Bill.
- (3) The Harmony Corps General Coordinator is vested with the power to delegate functions to any capable Senior Officer, in the ranks of Harmony Corps Deputy General Coordinator, Harmony Corps Assistant General Coordinator, Harmony Corps State Coordinators, Harmony Corps State Deputy Coordinators, Harmony Corps State Assistant Coordinators, Harmony Corps Chief Superintendent, Harmony Corps Deputy Superintendent, Harmony Corps Assistant Superintendent (I) and Harmony Corps Assistant Superintendent (II) to perform such functions on behalf of the General Coordinator, anywhere within the Federation.
- (4) The Office of the Harmony Corps General Coordinator shall be assisted by other appointed Staff Officers/Personnel and ensure effective, efficient and smooth running of the day to day administration and operation of the Harmony Corps.
- (5) The Harmony Corps General Coordinator shall be answerable to the Director-General and Commander-in-Chief of the Armed Forces, Federal Republic of Nigeria.

Harmony Corps Deputy General Coordinator (HCDGC)

- 11D. (1) There shall be three (3) Harmony Corps Deputy General Coordinators as who shall be in Charge of the various Directorates and Departments of the Harmony Corps, as may be determined from time to time.
- (2) All Harmony Corps Deputy General Coordinators shall be appointed by the Harmony Corps General Coordinator on the advice of the Board of Trustees.
- (3) A Deputy General Coordinator appointed shall exercise powers as may be delegated/assigned to him/her only within the Directorate or Department of the Corps.
- (4) All Harmony Corps Deputy-General Coordinators shall be assisted by other appointed staff or officers.

Harmony Corps Assistant General Coordinator (HCAGC)

- 11E. (1) There shall be Harmony Corps Assistant General Coordinators who shall hold appointment under the Office of each Harmony Corps Deputy General Coordinator, Directorate or Department, in each Zonal Command as may be demarcated under this Bill and the Harmony Corps Assistant General Coordinator shall be the officer in charge of the Zone.
- (2) The Assistant General Coordinator shall be appointed by the Harmony Corps General Coordinator on the advice of the Board of Trustees.
- (3) Any Harmony Corps Assistant General Coordinator appointed under the Office of Harmony Corps General Coordinator or at the National Headquarters, shall exercise powers as may be assigned to him within the Directorate or Department under the Office of the Harmony Corps Deputy General Coordinator or any other Special assignment that he may be called to perform.
- (4) Any Zonal Harmony Corps Assistant General Coordinator appointed to Head the Zonal Commands, shall exercise powers as may be delegated or assigned to him only within the designated and specified area of jurisdiction.
- (5) All Harmony Corps Assistant General Coordinators shall be assisted by other staff and officers.

Harmony Corps State Coordinators (HCSC)

- 11F. (1) There shall be in each State of the Federation and, the Federal Capital Territory, FCT, the Office of the Harmony Corps State Coordinator, as the Chief Executive Officer of the State or FCT Command.
- (2) The Harmony Corps State Coordinators shall be appointed by the General Coordinator, on the advice and approval of the Board of Trustees.

- (3) A Harmony Corps State Commandant Coordinator appointed, shall exercise powers as may be assigned to him by the General-Coordinator, only within that State.
- (4) The Harmony Corps State Coordinator shall be assisted by other appointed staff, officers or Personnel, to ensure effective, efficient and smooth running of the administration and policy or mandate of the Harmony Corps in the State of appointment.
- (5) The Harmony Corps State Coordinator is vested with the power to delegate functions to any capable staff or officer, in the ranks of Harmony Corps Deputy Coordinator, Harmony Corps Assistant Coordinator, Harmony Corps Chief Superintendent, Harmony Corps Deputy Superintendent and Harmony Corps Assistant Superintendent, to perform such functions on behalf of the Harmony Corps State Coordinator, within the State of appointment.
- (6) The Harmony Corps state Coordinator is shall be answerable to the Harmony Corps General Coordinator.

Harmony Corps Chief Superintendent (HCCS)

- 11G. (1) There shall be the position of the Harmony Corps Chief Superintendent who shall oversee designated and specified area of jurisdiction, referred to as Area Command.
- (2) The Harmony Corps Chief Superintendent shall be appointed by the Harmony Corps State Coordinator, on the approval of the Zonal Coordinator to perform delegated functions on behalf of the Harmony Corps State Coordinator.
 - (3) The Harmony Corps Chief Superintendent shall be answerable to the Harmony Corps State Coordinator.
 - (4) The Harmony Corps Chief Superintendent shall be assisted by staff and officers of the Harmony Corps.

Harmony Corps deputy Superintendent (HCDS)

- 11H. (1) There shall be the position of the Harmony Corps Deputy Superintendent who shall be the administrative head of each designated and specified area of jurisdiction referred to as Division.
- (2) The Harmony Corps Deputy Superintendent Officers shall be appointed by the Harmony Corps State Coordinators, on the approval of the Zonal Coordinator to perform functions within the area of jurisdiction on behalf of the Harmony Corps State Coordinator.
 - (3) The Harmony Corps Deputy Superintendent shall be assisted by staff, officers or personnel of the Harmony Corps.

Approved Terms and Condition of Service

- 11I. (1) The Principal Officers of the Initiative Harmony Corps shall, in the performance of their functions, be governed by the approved terms and conditions of service provided that, any exercise of such powers prior to the approval and application of the conditions of service, shall be governed by the Standing Orders of the Harmony Corps.

- (2) Subject to the provision of this Bill, a person may be recruited into the Harmony Corps if he:
- (a) is not less than eighteen 18 or not more than 25 years of age;
 - (b) is in possession of a minimum Certificate of Education and/or qualification of a Secondary School Certificate or its equivalent and above;
 - (c) is not less than 167.64 centimeters and 162.56 centimeters tall for men and women, respectively;
 - (d) in the case of men, has not less than 86.36 centimeters chest measurement when fully expanded.
 - (e) is of good character and is physically fit; and
 - (f) has signified in writing, his willingness to serve as a member of the Harmony Corps.
- (3) Every member of the Harmony Corps, if posted, shall be liable to serve in any State of the Federation.
- (4) Every member of the Harmony Corps shall upon recruitment, be trained for a period of Six months or a specified number of additional months for professional training or course (for Professionals only) and thereafter be issued a Certificate of Appointment by the Harmony Corps General Coordinator.
- (5) Every member of the Harmony Corps recruited under this Bill shall serve for a period of 35 years or is 60 years of age, whichever comes first, except where duly disengaged in accordance with the provisions of this Bill.

Powers, Privileges and Immunities of the Corps

- 11J. A member of the Harmony Corps recruited under this Bill, shall, when on duty and in uniform, have the powers, privileges and immunities of a Harmony Corps officer protected by law under any law in Nigeria relating to universal peace.

Functions and Powers of the Corps

- 11K. The Harmony Corps shall be the responsibility for —
- (a) Promoting inter-ethnic integration, cohesion, mutual understanding, patriotism and solidarity among Nigerians at home and in Diaspora, despite their tribal or ethnic differences;
 - (b) advocating and inculcating among Nigerian citizens, true spirit of nationalism, love and respect for the Nigerian constitution, and transparency, loyalty and faithfulness to the government of the Federal Republic of Nigeria at all times;
 - (c) engendering and maintaining brotherliness, peaceful co-existence and communal peace among Nigerians at home and in Diaspora;

- (d) controlling intra-city road traffic and removal of all perceived obstructions blockades or obstacles that may create hold up and congestion on the road;
- (e) assisting appropriate Ministries, Departments and Agencies of government or organizations in handling environmental challenges, management, protection and conservation of Nigeria's ecosystem and the natural resources;
- (f) supporting relevant agencies of government in public enlightenment programmes and educate Nigerians on the importance of immunizations, sanitation, election and electioneering programmes.
- (g) promoting self-reliance, safety and security of Nigerians and upholding the principles of fairness, fundamental human rights and equal justice.
- (h) organising programmes, including, regular conferences, organized fora, symposia, workshops, educational programmes on cultural values and peace, sense of unity and social integration, peace building, mediation, conflict resolution for national integration and development;
- (i) liaising with the traditional institutions to promote the concept of cultural values, societal integration, religious harmony and national unity;
- (j) imparting the attributes of social justice on Nigerians and actively support all efforts that seek to promote and advance peace-building, thereby fostering a culture of national unity, peace and security, obedience to constituted authorities, imbibing the culture of religious tolerance and peaceful co-existence in Nigeria;
- (k) assisting pedestrians to cross major roads safely and encourage Pedestrians to use the foot pedestrians bridges, where available;
- (l) assisting the law enforcement agencies in protecting lives, properties and road infrastructures round the cities and urban towns from intentional damage by aggrieved individuals and groups; and
- (m) undertaking such other activities as may be directed by the government and the Ministry.

Establishment of Administrative and Operations Departments

- 11L. (1) In order to facilitate the proper performance of the functions and the exercise of the powers conferred on the Harmony Corps by this Bill, there shall be established for the Corps, the following administrative and operations departments -
- (a) The Department of Zonal and State Coordination;
 - (b) The Inter-faith Harmony, Peace and Security Department;
 - (c) The Department of Human Resources;
 - (d) The Department of Finance and Administration;

- (e) The Department of Procurement and Supply;
 - (f) The Legal and Corporate Services Department;
 - (g) The Department of Training and Operations;
 - (h) The Department of Community Relations and Social Responsibility; and
 - (i) The Department of Cultural, Inter-Religious and Traditional Matters.
- (2) The composition, duties and powers of the administrative and operations departments, established under subsection (1), shall be as may be determined by the Harmony Corps General Coordinator, subject to the approval of the Board.

Appointments, Recruitment, Etc. of Officers and other Ranks of the Corps

- 11M. (1) The Board is responsible for drawing up programmes for the recruitment and training of members of the Harmony Corps in order to enhance their knowledge, diligence and efficiency in the performance of their functions under this Bill.
- (2) Members of the Harmony Corps recruited in accordance with the provision of subsection (1), shall bear such insignia as may be assigned to them by the Board, and without prejudice to this subsection, the ranks and insignia for members of the Harmony Corps for the time being, shall be as specified in the Second Schedule to this Bill.
- (3) The qualification for appointment and recruitment of the officers and other members of the Harmony Corps and the procedure for their promotion to various ranks, shall be in accordance with the rules made by the Board for that purpose.

Accouterments, Immunity, and Protection of Members of the Harmony Corps

- 11N. The Harmony Corps shall provide for every serving member, such accouterments as it may consider necessary, for the proper performance of the functions conferred under this Bill, and without prejudice to the provisions of this section, such accouterments shall include uniforms, identification cards, raincoats, motor-cycles, motor cars, two-way mobile radio, telephone sets and other necessary equipment and such other items stipulated in the First Schedule.

Establishment of Fund and Expenditure

- 11O. (1) There is established and maintained by the Board, a fund into which shall be paid and credited -
- (a) the take-off grant for the Harmony Corps;

- (b) donations from donor agencies, international organizations and annual subventions, received from the Government of the Federation;
 - (c) all fees and charges for services rendered by the Harmony Corps to the public; and
 - (d) all other sums which may, from time, accrue to the Harmony Corps.
- (2) The Board shall apply the proceeds of the Fund at its disposal for the -
- (a) cost of administration and operations of the Harmony Corps and other activities undertaken thereof;
 - (b) payment of fees, allowances and expenses of the members of the Harmony Corps and any Committee set up by the Board;
 - (c) payment of salaries, allowances and benefits of officers, staff and other members of the Harmony Corps;
 - (d) maintenance of any property vested in the Board or under its administration;
 - (e) training of members of the Harmony Corps within and outside Nigeria, and other research programmes carried out by the Harmony Corps; and
 - (f) overall or any of the functions of the Harmony Corps under this Bill.

Establishment Of Investigating Panel

- 11P. (1) There is established the Harmony Corps Investigating Panel (in this Bill, referred to as "the Panel") charged with the duty of -
- (a) conducting a preliminary investigation into any matter brought before it where it is alleged that an officer or a member of the Initiative Harmony Corps has misbehaved or breached any of the Codes of conduct in his capacity as an officer or other rank of the Harmony Corps;
 - (b) deciding whether the matter should be referred to the Disciplinary Committee; and
 - (c) presenting a report containing its recommendations to the Disciplinary Committee in respect of any matter brought before it.

- (2) The Board shall constitute the Panel, which shall consist of three members of the Board and two other persons who are members of the Harmony Corps, but are not members of the Board at the time of their appointment.
- (3) The Panel may make rules, not contained in this Bill, as to its procedure for carrying on an investigation into any matter brought before it.

Establishment of Disciplinary Committee

- 11Q. (1) Without prejudice to the powers of the Board to set up committees for the conduct of its affairs under this Bill, there is established the Harmony Corps Disciplinary Committee (in this Bill referred to as "the Disciplinary Committee"), charged with the duty of:
- (a) maintaining discipline among officers and members of the Harmony Corps; and
 - (b) considering and determining any matter of gross misconduct by any officer or member of the Harmony Corps.
- (2) The Disciplinary Committee shall consist of a Chairman and four other members of the Harmony Corps.
 - (3) The Disciplinary Committee shall have a Secretary and such other number of staff as the Chairman of the Board may determine.
 - (4) The Chairman of the Disciplinary Committee shall have power to summon a meeting of the Committee, at any time to consider and determine any report of indiscipline by any officer and member of Harmony Corps.
 - (5) The Disciplinary Committee may make standing rules for its proceedings under this Bill.

Codes of Conduct for Members of the Initiative

- 11R. (1) The Board is responsible for setting out the Codes of Conduct for officers and members of the Harmony Corps, which may not be published in the Federal Government Gazette, but the Board shall cause them to be brought to the notice of all officers and members of the Harmony Corps, in such a manner as it may be determined.
- (2) Notwithstanding the provision of subsection (1), the Codes of Conduct set out by the Board shall take cognizance of matters relating to the conduct and comportment of officers and members of the Harmony Corps in public places, their dealings with members of the society and attitude to the discharge of their duties.

Offences and Punishment

- 11S. (1) Where a member or officer of the Harmony Corps breaches, contravenes or violates any of the Codes of Conduct of the Harmony Corps or any other law in force in the Federation, the Disciplinary Committee shall have power to recommend -
- (a) suspension of the officer or member of the Harmony Corps from duty without pay for a specified period;
 - (b) demotion in rank of the officer, or deferment of promotion for a specified period;
 - (c) dismissal from the service of the Harmony Corps; or
 - (d) combination of the punishments.
- (2) In the case of the contravention or violation of any law in force in the Federation by an officer or a member, the Disciplinary Committee shall, in addition to issuing a recommendation for his dismissal, recommend that the offender be handed over to the appropriate authority for prosecution.
- (3) Every recommendation of the Disciplinary Committee under this section shall not have force, unless approved by the Board.

Rules and Regulations

- 11T. (1) The Board may, with the approval of the Minister, make such rules and regulations, which in its opinion are necessary or expedient for giving full effect to the provisions of this Bill
- (2) Without prejudice to the provision of subsection (1), the Board shall may make regulations generally for carrying out the objectives of this Bill and, in particular, shall make regulations relating to -
- (a) the rank, salaries and allowances of the officers and members of the Harmony Corps;
 - (b) the hours of duty, schedule of work and leave of officers or members of the Harmony Corps;
 - (c) the procedure and terms of appointment and recruitment of officers or members of the Harmony Corps;
 - (d) subject to the provisions of this Bill, the qualification for appointment of officers or members of the Harmony Corps or any ranks, and the procedure for promotion to any such rank;

- (e) the maintenance of discipline among members of the Harmony Corps; and
- (f) any other matter for which the Board has powers or which is incidental or supplementary to the provisions of this section.

Retirement and Resignation

- 11U. (1) An officer or a member of the Harmony Corps recruited under this Bill shall be retired upon attaining 35 years in Public Service or upon attainment of 60 years of age, whichever comes first,
- (2) Subject to the provision of subsection (1), a member of the Harmony Corps may resign his or her position by a notice in writing, addressed to the Harmony Corps General Coordinator, indicating his intention to resign his appointment on a date mentioned in the notice (at least 28 days from the date on which the notice is given).
- (3) On receipt of the notice and upon the Harmony Corps General Coordinator consenting in writing to same, the appointment of the member of the Corps shall be determined accordingly.
- (4) A member of the Corps disengaged under in accordance with the provisions of this Bill, shall be issued Certificate of Discharge.

Remuneration and Allowances

- 11V. (1) Every member of the Harmony Corps employed pursuant to this Bill, shall be entitled to basic salary as may be determined by the authority, including-
- (a) hazard allowance;
 - (b) medical allowance;
 - (c) transport allowance;
 - (d) torch light allowance;
 - (e) meal subsidy allowance;
 - (f) kits (uniform) allowance;
 - (g) insurance scheme;
 - (h) housing scheme; and
 - (i) leave allowance.
- (2) A member of the Harmony Corps is also entitled to benefit from the National Health Insurance Scheme, (NHIS).

Service Number of Members

- 11W. (1) Every officer or member of the Harmony Corps recruited under this Bill, shall be issued a Service Number with the letters "CSN" and all members of the Harmony Corps deployed in the Federal Republic of Nigeria shall have their names and numbers appear on the register and data bank kept for that purpose, by the Board.
- (2) Every officer or member of the Harmony Corps to whom a Harmony Corps number has been allocated in accordance with subsection (1), shall while on duty, wear such Harmony Corps Service Number (for Rank and File only) and name tag on the Chest top pockets of his uniform.
- (3) To ensure the provisions of logistics and enhance the performance of the Harmony Corps, the Board shall liaise with the Federal, State and Local Government to provide for:
- (a) Vehicles, Trucks, Cars and Buses for official uses;
 - (b) Motorcycles (Speed Bike), Helmets and Riding kits;
 - (c) Communication Equipment/gadgets;
 - (d) Medical Equipment;
 - (e) Reflective equipment kits, Jackets, Batons and other logistics for traffic control/directing/dispensing;
 - (f) Uniform kits, Iron buttons customized with "GIHN", Leg Anklets and Boots, Beret and Belt, Rain Boot, Rain Coat and a round Jungle hat;
 - (g) Other necessary logistics gadgets as may be required from time to time.
- (4) A person who, before the coming into force of this Bill, holds an office in the Harmony Corps shall, at the commencement of this Bill, be deemed to have been appointed by the Board under this Bill.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Suleiman A. Adokwe — Nasarawa South*) — Agreed to.

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

Clause 3: Short Title.

This Bill may be cited as the National Orientation Agency Act (Amendment) Bill, 2019.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Suleiman A. Adokwe — Nasarawa South*) — Agreed to.

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

FIRST SCHEDULE

Uniforms, Flag and Emblem

1. (1) The Harmony Corps shall have and maintain the following design of Uniforms, Flag and Emblem;
 - (a) a pair of Trousers for men and Skirt for women with Purple Shirt and Beret, Jungle cap or 'P' cap, a Sky-Blue Line yard for Field control or action uniform or normal daily duty;
 - (b) the Liberty Uniform shall be a complete starched khaki trousers and Shirt with Sky-Blue collar, background Shoulder flap with design pips (for Officers only) or "GIHN" (for Rank/File only) on it, with the Service Colours at the beginning of the flaps and a pair of leg anklets, belt and Beret, Jungle cap or 'p' cap with the service Colour-designed feathers on the caps, a line yard and the designed hand badge for general dressing;
 - (c) the Ceremonial Uniform shall be a complete outfit (a pair of trousers and a jacket), for officers only and the Officers' trousers shall have the service colours adorn the sides. The jacket shall be designed with ceremonial line yard, rank and a belt, a cap with the service designed-colours on it and a pair of black shoes, white hand gloves and a sword by the side;
 - (d) for the Rank and File, the Ceremonial uniform shall be a pair of trousers and a jacket and the trousers shall have the Service colours adorn on the sides. The Jacket shall have a Conical shaped design at the arms, down the sleeves, a ceremonial line yard and white hand gloves, with a pair of black boots and anklets, purple belt, a 'p' cap with the service colour-designed feathers on it for ceremonial functions;
 - (e) the Provost Uniform shall be a complete starched khaki trousers and a Shirt with Sky-Blue collar, a pair of White Leg Anklets, Belt, white crossed belt, white line yard and a beret or white 'p' cap or a jungle cap, with the service colours-designed feathers on it, a badge with the inscription "GP" (Initiative Provost) and the hand badge and a neck moflag with the service colours and the emblem on it, for Provost Personnel only;
 - (f) in addition, a special track suit is designed for Harmony Corps sports personnel, the track suit is purple in colour with the service colour adorn the sides of the trousers and the sleeves of the jacket, running from the neck or shoulders down the arms and round the neck flap and hand or wrist. The Service emblem is also printed on the breast position of the jacket;
 - (g) a special cardigan for Harmony Corps personnel use is also there, it is purple in colour with the Harmony Corps colours running across the 'V' neck, the arms and the down end of the cardigan, to be worn in cold environment or atmosphere; and
 - (h) a hand badge, chest badge are also designed for personnel use to show-case the beauty of the Harmony Corps uniform outfits.
- (2) Officers Uniform from the rank of Harmony Corps Assistant Coordinator (HCAC) and above would always have a collar designed Corgem attached to it in accordance with the prevailing lay down ethics of senior officers' rights, with other Paramilitary Organisations in the country.
- (3) The 'GIHN' cap designs of Officers shall be as follows —

- (a) Harmony Corps Chief Superintendent of (HCCS) would always have a silver designed cord in a single crescent form at the front handle, without a wreath surrounding the Harmony Corps emblem and in all the caps worn by these category of senior officers;
 - (b) from the rank of Harmony Corps State Coordinator (HCSC), Harmony Corps State Deputy Coordinator (HCSDC) and the Harmony Corps State Assistant Coordinator (HCSAC), the 'GIHN' cap would always have a designed gold shells in a single crescent form at the front handle with a single wreath surrounding the Harmony Corps emblem and in all the caps worn by these category of senior officers;
 - (c) from the rank of Harmony Corps Assistant General Coordinator of (HCAGC) and the Harmony Corps Deputy Commandant-General Coordinator (HCDGC) the 'GIHN' cap would always have a designed goldshells in double crescent form at the front handle with double wreath surrounding the service emblem and in all the caps worn by these category of officers.
 - (d) for the Harmony Corps General Coordinator (HCGC), the 'GIHN' cap would always have a designed gold shells in double crescent form at the handle with triple wreath surrounding the Service emblem and in all the caps worn by the Harmony Corps General Coordinator (HCGC).
- (4) The Flag shall be Green, Sky-Blue and Purple Colours, arranged horizontally from either sides.
 - (5) The Emblem of the GIHN shall be the Peace and Harmony sign of "Peace and Harmony" represented with cross 'PH' circled, with two batons on top, connected by a cord, with an Eagle sitting on the cord. Underneath a wreath with the ensigned "Peace and Harmony".
 - (6) Any regulation made under subsection (1), need not be published in the Federal Government Gazette but the Board shall cause same to be brought to the notice of all members.

Question that First Schedule do stand part of the Bill, put and agreed to.

SECOND SCHEDULE

Section 11

RANKS STRUCTURE

- 1. (1) The different ranks of superior officers of the Initiative Harmony Corps, the precedence and the insignia of each of such rank, shall be as prescribed below:
 - (a) Harmony Corps General Coordinator the device of the Federation, two star and crossed tip staves surrounded by a laurel wreath;
 - (b) Harmony Corps Deputy General Coordinator..... the device of the Federation, one star Star and crossed tip staves surrounded by a laurel wreath;
 - (c) Harmony Corps Assistant - General Coordinator..... the device of the Federation, one Bar and crossed trip staves surrounded by a laurel wreath;

- (d) Harmony Corps State Coordinator the device of the Federation, and crossed tips taved surrounded by a Laurel wreath;
 - (e) Harmony Corps State Deputy Coordinator a star, and crossed tip staves surrounded by a laurel wreath;
 - (f) Harmony Corps State Assistant Coordinator crossed tip staves surrounded by a laurel wreath;
 - (g) Harmony Corps Chief Superintendent the device of the Federation and a star;
 - (h) Harmony Corps Deputy Superintendent the device of the Federation;
 - (i) Harmony Corps Assistant Superintendent (I)..... 3 stars arranged vertically;
 - (j) Harmony Corps Assistant Superintendent (II)..... 2 stars arranged vertically (Substantive rank);
 - (k) Harmony Corps Inspector (I) one star (on probation/on trial); and
 - (l) Harmony Corps Inspector (II) one star surmounting a white band on the shoulder trap.
- (2) The different ranks of the Senior non-commissioned officers of the Harmony Corps, the precedence, and the insignia of each of such rank shall be as prescribed below:
- (a) Chief Inspector 4 horizontal bars arranged vertically;
 - (b) Principal Inspector 3 horizontal bars arranged (Substantive) vertically;
 - (c) Inspector 2 horizontal bars arranged vertically(on probation);
 - (d) Cadet Inspector one epaulette and two horizontal bars (2nd 6 months in training) arranged vertically;
 - (e) Cadet Inspector one epaulette (1st 6 months in training).
- (3) The different ranks of the Junior non-commissioned officer of the Harmony Corps, the precedence and the insignia of each of such rank shall be as prescribed below:
- (a) Sergeant 3 chevrons, worn points down; and
 - (b) Corporal 2 chevrons, worn points down.

Ranks System of the Corps with Initials

1. Harmony Corps General Coordinator (HCGC);
2. Harmony Corps Deputy General Coordinator (HCDGC);
3. Harmony Corps Assistant General Coordinator (HCAGC);
4. Harmony Corps State Coordinator (HCSC);
5. Harmony Corps State Deputy Coordinator (HCSDC);
6. Harmony Corps State Assistant Coordinator (HCSAC);
7. Harmony Corps Chief Superintendent (HCCS);
8. Harmony Corps Deputy Superintendent (HCDS);
9. Harmony Corps Assistant Superintendent (HCAS I);
10. Harmony Corps Assistant Superintendent (HCAS II);
11. Harmony Corps Inspector (HCI - I);

12. Harmony Corps Inspector (HCI- II);
13. Harmony Corps Inspector (HCI- III);
14. Harmony Corps Cadet (HCC-I);
15. Harmony Corps Cadet (HCC-II); and
16. Harmony Corps Cadet (HCC-III).

Question that Second Schedule do stand part of the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Information and National Orientation on the National Orientation Agency Act (Amendment) Bill, 2019 and approved as follows:

Clauses 1- 3 — As Recommended

Schedules 1 & 2 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

12. Committee on Establishment & Public Service Matters:

Report on the Nigerian Council for Psychologists (Establishment, etc.) Bill, 2019 (SB. 624):

Motion made: That the Senate do consider the Report of the Committee on Establishment and Public Service Matters on the Nigerian Council for Psychologists (Establishment, etc.) Bill, 2019 (*Senator Emmanuel I. Paulker — Bayelsa Central*).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN COUNCIL FOR PSYCHOLOGISTS, AND FOR OTHER RELATED MATTERS, 2019.

PART I — ESTABLISHMENT OF THE NIGERIAN COUNCIL FOR PSYCHOLOGIST, POWERS AND FUNCTIONS, ETC.

Clause 1: Establishment of the Council.

- (1) There is established the Nigerian Council for Psychologists (in this Bill referred to as "the Council") which shall be a body corporate under that name and be charged with the general duty of:

- (2) The Council —
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue and be sued in its corporate name; and
 - (c) may acquire, hold and dispose of any property, movable and immovable.

Committee's Recommendation:

That the provision of Clause 1 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) – *Agreed to.*

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

Clause 2: Functions of the Council.

The Council shall be responsible for —

- (a) determining the standards of knowledge and skill to be attained by persons seeking to become registered members of the Psychology profession (in this Bill referred to as the "the profession") and reviewing those standards as circumstances may require;
- (b) securing, in accordance with the provisions of this Bill, the establishment and maintenance of registers of persons entitled to practice as members of the profession; and the publication of lists of these persons;
- (c) preparing and reviewing a statement as to the Code of Conduct which the Council considers desirable for the practise of psychology profession;
- (d) regulating and controlling the practice of the profession in all its aspects and ramifications; and
- (e) performing such other functions as may be required of the Council under this Bill;

Committee's Recommendation:

That the provision of Clause 2 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) — *Agreed to.*

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

Clause 3: Membership of the Council.

- (1) Subject to the provisions of this Bill, persons admitted to membership of the Council shall be registered as members in any of the following in the category of:
 - (a) Fellow;
 - (b) Associate Fellow;
 - (c) Chartered Member;
 - (d) Member; or
 - (e) Graduate Member.

- (2) Subject to the fulfillment of all other conditions set out by the Council, persons registered under the Bill as members are entitled to be enrolled as —
- (a) Fellow, if for the period of not less than five years immediately preceding the date of admission as an Associate Fellow, he/she still practices as a Psychologist.
 - (b) Associate Fellow, if for the period of not less than five years immediately preceding the date of admission as a Chartered Member, he/she is still actively involved in practice as a Psychologist.
 - (c) Chartered Member, if for the period of not less than five years immediately preceding the date of admission as a Member, he/she is still actively involved in the practice as a Psychologist.
 - (d) Member, if for the period of not less than two years immediately preceding the date of admission as a Graduate Member, he/she is still actively involved in practice.
 - (e) Graduate Member, for those who have successfully completed the programme for Master of Science in Psychology in any recognised institution and are fit to be enrolled shall apply to the Council apply for same through their Department and be admitted on the next induction ceremony.

Committee's Recommendation:

That the provision of Clause 3 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) –
Agreed to.

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

PART II — ESTABLISHMENT OF THE GOVERNING BOARD OF THE COUNCIL

Clause 4: Establishment of the Governing Board.

- (1) There is established for the Council a Governing Board (in this Bill referred to as "the Board") consisting of —
- (a) the Chairman and a Vice Chairman who shall be qualified Fellows of the Nigerian Council for Psychologists of not less than 17 years post-registration or qualification experience and shall be elected at the Annual General Meeting (AGM) of the Council. appointed by the President of the Federal Republic of Nigeria on the recommendation of the Minister of Health from a list of names of the Fellows submitted by the Nigerian Psychological Association (in this Bill referred to as "the Association");
 - (b) the representative of the Federal Ministry of Health who shall be a fully registered Psychologist;
 - (c) 12 members of the Nigerian Psychological Association, representing the six (6) geopolitical zones of Nigeria, with two persons representing each zone respectively on rotational basis, and the two of them shall not come from a particular State at the same time;

- (d) three registered members representing the Nigerian Universities offering any field of psychology as an option in their Master's programme, on a rotational basis;
- (e) two representatives of the private practitioners in Psychology who shall be registered with the Association;
- (f) three representatives of the Association (President, Vice-President and Secretary);
- (g) three representatives of the Armed Forces Medical Services who shall be registered psychologists;
- (h) a registered psychologist, each to represent the —
 - (i) Nigerian Prisons Service,
 - (ii) Nigeria Police,
 - (iii) State Security Service,
 - (iv) Nigerian Immigration Service, and
 - (v) Nigerian Custom Service;
- (i) five representatives of the Hospitals which include Teaching Hospitals, Psychiatric Hospitals, and other Specialist Hospitals where Psychology Department, Unit or Section exists and take part in the training of Psychologists and such representation shall have national spread; and
- (j) 10 members representing different Divisions of the Nigerian Psychological Association, who shall be registered as Psychologists, and not less than Chartered Member - Section 3 (2) (c) of this Bill.

Committee's Recommendation:

That the provision of Clause 4 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 5: Tenure of Office of the Chairman and Vice Chairman.

- (1) The Chairman and the Vice Chairman shall each hold office for a term of three years from the date of appointment and shall be eligible for re-appointment for one more term and no more.
- (2) The Chairman shall preside over all meetings of the Council, but in the event of death, incapacity or inability or for other reason, a new Chairman shall be appointed for the unexpired portion of the term of office of the erstwhile Chairman.
- (3) The provisions of the First Schedule to this Bill shall have effect with respect to the qualifications and tenure of office of members of the Council and other matters mentioned in the Schedule.

Committee's Recommendation:

That the provision of Clause 5 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

PART II— FINANCIAL PROVISIONS**Clause 6: Funds of the Council.**

- (1) The Council shall establish and maintain a fund (in this Bill referred to as "the Fund") for the purpose of this Bill.
- (2) There shall be paid into the Fund —
 - (a) all fees and other money payable to the Council under this Bill; and
 - (b) such money as may be payable to the Council, whether in the course of the performance of its functions or otherwise.
- (3) There shall be paid out of the Fund of the Council —
 - (a) The remuneration and allowances of the Registrar and other employees of the Council;
 - (b) such reasonable travelling and subsistence allowance of members of the Council in respect of the time spent on the business of the Council as the Council may approve.
 - (c) any other expenses incurred by the Council in the discharge of its functions under this Bill.
- (4) The Council may invest moneys in the fund in any security created or issued by or on behalf of the Federal Government or in any other securities in Nigeria approved by the Council.
- (5) The Council may, from time to time, borrow money for the purposes the Council and any interest payable on money so borrowed shall be paid out of the fund.

Committee's Recommendation:

That the provision of Clause 6 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 7: Accounts, Records and Audit.

The Council shall keep proper accounts and records in respect of each year and shall cause its accounts to be audited, as soon as may be after the end of the year to which the accounts relate, by a firm of auditors appointed from the list and in accordance with guidelines supplied by the Auditor-General of the Federation.

Committee's Recommendation:

That the provision of Clause 7 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

PART IV — APPOINTMENT OF THE REGISTRAR, DUTIES AND
FUNCTIONS AND THE PREPARATION OF THE REGISTER

Clause 8. Appointment of the Registrar, his Duties and Functions.

- (1) The Council shall appoint a fit and proper person to be the Registrar for the purposes of this Bill, and such other persons as the Council may, deems think necessary to assist the Registrar in the performance of his function under this Bill on terms and conditions of service determined by the Council.
- (2) The Registrar shall —
 - (a) be a citizen of Nigeria;
 - (b) possess a minimum qualification of second degree in psychology or in any relevant field from a recognised institution of higher learning; and
 - (c) have at least 10 years cognate experience and possess any professional qualification as the Council may deem fit.
- (3) If the Registrar retires or resigns from office, a qualified member of the Council shall be appointed by the Board as the Registrar of the Council.

The Deputy Registrars

- (4) There shall be the offices of the Deputy Registrars who shall be administrative heads in each of the six geopolitical zones of Nigeria for the purposes of smooth administration of the Council at the zones and for such other duties that may be important and assigned by either the Council or Registrar.
- (5) The Deputy Registrars shall fulfill the conditions stipulated under subsection (2) of this section to qualify for appointments.
- (6) The Registrar shall be the Secretary to the Council and to the Disciplinary Tribunal.
- (7) The Registrar shall prepare and maintain, in accordance with rules made by the council —
 - (a) a register of the names, addresses, approved qualifications, and of such other qualifications and particulars as may be specified in the rules of all persons who are entitled, in accordance with the provisions of this Bill to be enrolled as Fellow, Associate Fellow, Chartered Member, Member, Graduate Member, and who, in the manner prescribed by such rules, applies to be so registered; and
 - (b) a register of the institutions or organisations where members of the profession engage in their practice.
- (8) The register shall consist of six parts the —
 - (a) first part shall be in respect of Fellow;
 - (b) second part shall be in respect of Associate Fellow;
 - (c) third part shall be in respect of Chartered Member

- (d) fourth part shall be in respect of Member;
 - (e) The fifth part shall be in respect of Graduate Member; and
 - (f) sixth part shall be in respect of the premises of members.
- (9) Subject to the provisions of this section, the Council shall make rules with respect to the form, keeping of the register and the making of entries therein, and in particular —
- (a) regulate the making of applications for enrolment of registration, as the case may be, and providing for the evidence to be produced in support of such applications;
 - (b) provide for the notification to the Registrar, by the person to whom the registered particulars relate, of any change in those particulars;
 - (c) authorise a registered person to have any qualification which is in relation to the profession, whether an approved qualification or an accepted qualification for the purposes of this Bill, registered in relation to name in addition to, or as he or she may elect, in substitution for any other qualification so registered;
 - (d) specify the fees, including any annual subscription, 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 the fee specified for the entry has been paid;
 - (e) specify anything not specified under this section, but rules made for the purposes of paragraph (d) of this subsection shall not come into force until they are confirmed at the Annual General Meeting of the Nigerian Psychological Association.
- (10) The Registrar shall —
- (a) to correct, in accordance with the Council's directions, any entry in the register which the Council directs him or her to correct as being in the Council's opinion an entry which was incorrectly made;
 - (b) to make any necessary alteration to the registered particulars of registered persons and institution or organisation;
 - (c) to remove from the register the name of any registered person who has died or the person whose temporary registration has ceased; and
 - (d) to record the names of registered persons who are in default for more than six months in the payment of annual dues, and take such action in relation the default (including removal of the names of defaulters from the register) as the Council may direct or require.
- (11) The Registrar may remove the particulars relating to the person in question from the register if the Registrar —

- (a) sends by post to any registered person a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within six months from the date of posting it, and
- (b) upon the expiration of that period, sends, in the like manner to the person in question, a second similar letter and receives no reply to that letter within three months from the date of posting it,

the Registrar may remove the particulars relating to the person in question from the relevant part of the register; and

- (12) Notwithstanding the provisions of subsection (a) and (b) of this subsection notwithstanding, the Council may direct the Registrar to restore to the appropriate part of the register any particulars removed
- (13) when a person's name is entered on the register of Psychologists maintained under this section, that person shall thereupon be taken to become a member of the Nigerian Council for Psychologists.

Committee's Recommendation:

That the provision of Clause 8 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 9: Publication of the Register.

- (1) The Registrar shall —
 - (a) cause the register to be printed, published and put on sale to members of the public, not later than two years from the commencement of this Bill;
 - (b) thereafter in each year, cause to be printed, published and put on sale, either a corrected edition of the register or a list of connections made to the register, since it was last printed;
 - (c) cause a print of each edition of the register and of each list of corrections to be deposited at the principal offices of the Council; and
 - (d) keep the register and lists so deposited open to members of the public at all reasonable times for inspection.
- (2) A document purporting to be a print of an edition of the register published under this section by authority of the Registrar in the current year, or documents purporting to be prints of an edition of the register so published in the current year and of the list of corrections to that edition so published, is (without prejudice to any other mode of proof) admissible in any proceeding as evidence that any person specified in the document, or the documents read together as being registered, was so registered at the date of the edition, or of the list of corrections, as the case may be, that any person not so specified was not so registered.

- (3) Where, in accordance with subsection (2), a person is, in any proceeding, shown to have been or not to have been registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those proceedings as having at all material times thereafter continued to be, or not to be so enrolled or registered.

Committee's Recommendation:

That the provision of Clause 9 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) — Agreed to.

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

PART V — REGISTRATION

Clause 10: Registration of Members of the Council.

- (1) A person shall not hold any appointment or practise as a Psychologist in Nigeria, unless he is registered with and licensed by the Council under the provisions of this Bill.
- (2) A registered Psychologist shall be licensed, and is entitled to practise as a Psychologist in Nigeria either as —
- (a) a clinician;
 - (b) a researcher;
 - (c) scientist- practitioner;
 - (d) restricted or limited licensee
- (3) Subject to section 12 of this Bill and rules made under section 8 (10) of this Bill, a person is entitled to be—
- (a) fully registered as a Psychologist under this Bill, if he —
 - (i) is a Nigerian citizen,
 - (ii) is of good character and a fit and proper person,
 - (iii) has attended a course of training approved by the Council under section 15 of this Bill, or the course was conducted at an institution approved by the Council,
 - (iv) holds a qualification approved by the Council,
 - (v) has undergone the statutory continuous internship training for not less than one year under a registered Psychologist approved by the Council for the purpose of internship or in an institution approved for that purpose by the Council and has obtained a certificate of experience,
 - (vi) holds a certificate of experience issued in pursuance of section 11(1) (c) of this Bill, and
 - (vii) pays the prescribed fee;
 - (b) registered as a Fellow, if—

- (i) he has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
 - (ii) he holds a qualification approved by the Council,
 - (iii) he has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose,
 - (iv) he shall have spent five years as Associate fellow, and
 - (v) pays the prescribed fee;
- (c) registered as an Associate Fellow, if —
 - (i) he has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
 - (ii) he holds a qualification approved by the Council,
 - (iii) he has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose,
 - (iv) he shall have spend five years as Chartered Member, and
 - (v) pays the prescribed fee;
- (d) registered as a Chartered Member, if —
 - (i) he has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
 - (ii) he holds a qualification approved by the Council,
 - (iii) he has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose,
 - (iv) he shall have spend five years as Member, and
 - (v) pays the prescribed fee.
- (e) registered as a Member, if —
 - (i) he has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
 - (ii) he holds a qualification approved by the Council,

- (iii) he has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose, and
- (iv) he shall have spend two years as Graduate Member, and
- (v) pays the prescribed fee;
- (f) registered as a Graduate Member, if —
 - (i) he has attended a course of training approved by the Council or the course was conducted at an institution so approved by the Council,
 - (ii) he holds a qualification approved by the Council,
 - (iii) he is undergoing or has undergone the statutory internship training in an institution approved for that purpose by the Council and under a registered Psychologist approved by the Council for that purpose, and
 - (iv) pays the prescribed fee

Committee's Recommendation:

That the provision of Clause 10 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 11: Registration of Nigerians who are Qualified Outside Nigeria.

- (1) Subject to the provisions of section 10 of this Bill, a Nigerian citizen who qualified in an approved institution outside Nigeria is entitled to be fully registered under this Bill, if he satisfies the Council that —
 - (a) He holds a qualification granted outside Nigeria and for the time being accepted by the Council for the purposes of this subsection as regards the profession;
 - (b) In the country in which the qualification was granted he was under no legal disability in the practice of Psychology;
 - (c) He holds a certificate of registration as a Psychologist from the country of study;
 - (d) In addition to any other condition that may be prescribed by the Council, he had received instructions in an approved institution in Nigeria and passed such examination as the Council may prescribe;
 - (e) He pays the prescribed fee.
- (2) A person aggrieved by a decision of the Council made under this section may appeal to the Minister of Health within one month after notification of the refusal is communicated to him.

Committee's Recommendation:

That the provision of Clause 11 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 12: Registration of Non-Citizens of Nigeria .

- (1) A person who is not a citizen of Nigeria may be registered as a Psychologist under this Bill if the country of which he is a citizen or national, as the case may be, grants reciprocal registration facilities to Nigerian citizens and if —
 - (a) He holds a qualification approved by the Council;
 - (b) he has passed the Council's examination in law and ethics governing the practice of psychology in Nigeria and such other examinations as the Council may prescribe and before being registered acquires the required experience in accordance with section 11(1)(a) of this Bill.
 - (c) He has been resident in Nigeria for not less than 24 calendar months and must have enrolled or undergoing internship in Nigeria.
- (2) An applicant for registration shall, in addition to evidence of qualification, satisfy the Council that —
 - (a) He is of good character.
 - (b) He has attained the age of 21 years,
 - (c) He has not been convicted in Nigeria or elsewhere of any offence involving fraud or dishonesty; and
 - (d) He has paid the prescribed fee.
- (3) The Council may, in its discretion, provisionally accept a qualification produced in respect of an application for registration under this section or direct that the application be renewed within such period as may be specified in the direction.
- (4) Any entry directed to be made in the register under sub-section (iii) of this section shall show that such registration is provisional and no entry so made shall be converted to full registration without the consent of the Council signified in writing in that respect.

Committee's Recommendation:

That the provision of Clause 12 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 13: Public Registration in the Gazette.

The Council shall publish in the Official Gazette particulars of qualifications for the time being accepted for registration under this Bill.

Committee's Recommendation:

That the provision of Clause 13 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 14: Rules as to Practice.

- (1) No registered person shall practice as a Psychologist in any year unless he has paid to the Council in respect of that year the appropriate practising fee which shall be due every January as prescribed under this Section —
 - (a) In the case of a Psychologist of not less than 15 years post-registration experience, N25,000.
 - (b) In the case of a Psychologist of less than 15 years but more than ten (10) years post-registration experience, N20,000.
 - (c) In the case of a Psychologist of ten (10) years post-registration experience and below, N10,000.
 - (d) In the case of a Psychologist undergoing internship training, N5,000.
 - (e) In the case of a Psychologist trained abroad and currently holding Bachelor of Psychology and masters in any field of Psychology who is back in Nigeria for the purpose of National Service Youth Corps (NYSC), during his year in the National Service Youth Corps scheme, N5,000.
- (2) Without prejudice to being fully registered, any Psychologist with at least 50 years post registration experience shall not pay practising fee.
- (3) Every fully registered Psychologist who has paid his registration fee as prescribed in subsection (1) or is exempted from payment of registration fee as in subsection (2) is entitled to an annual practising license authorising him subject to any regulation in force to practise in Nigeria.
- (4) The Council may, with the confirmation of the Minister of Health, vary the practising fees prescribed in subsection (1).
- (5) The Council shall share the aggregate amount collected as practising fees as follows —
 - (a) 70% to the Nigerian Psychological Association; and
 - (b) 30% to the Council.
- (6) Any Psychologist who, in respect of any year without paying the practising fee, practises as such commits an offence and is liable on conviction by a competent board of enquiry or court of law —
 - (a) In the case of a first offence, to a fine of twice the prescribed practicing fee; and
 - (b) In the case of second or subsequent offence to a fine of not less than ten times the prescribed practicing fee and if the Psychologist is in the employment of any person, the employer is also guilty of an offence punishable in like manner as the Psychologist if it is proved that the failure to pay the practicing fee was with his knowledge, consent and connivance.

Committee's Recommendation:

That the provision of Clause 14 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 15: Approval of Qualifications.

- (1) The Council may approve any institution (accredited by a recognised regulatory body such as the National Universities Commission) for the purposes of this Bill and may for those purposes approve —
 - (a) Any course of training at any approved institution which is intended for persons seeking to become or are already Psychologist and which in the opinion of the Council is designed to confer on persons completing it sufficient knowledge and skill for the practice of the profession.
 - (b) Any qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section is granted to candidates who reached a standard at the examination indicating in the opinion of the Council that the candidates have sufficient knowledge and skill to practice as a Psychologist.
- (2) The Council may, if it deems 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 such person in Nigeria appearing to the Council to be a person 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 to make representation to the Council with regard to the proposal; and
 - (c) Take into consideration any representation made as regards the proposal;
- (3) A course, qualification or institution shall not be treated as approved during the period the approval is withdrawn under subsection (2).
- (4) Notwithstanding the provisions of subsection (3), the withdrawal of an approval under subsection (2), shall not prejudice the registration or eligibility for registration of any person who, by virtue of the approval, was registered or eligible for registration (either unconditionally or subject to his obtaining a certificate of experience) immediately before the approval was withdrawn.
- (5) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving, or withdrawal of the approval, as the Council may specify in the instrument, and the Council shall —
 - (a) publish a copy of every such instrument in the Official Gazette; and

- (b) Not later than seven days before its publication as aforesaid, send a copy of the instrument to the Minister of Health.

Committee's Recommendation:

That the provision of Clause 15 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 16: Supervision of Instructions and Examinations leading to Approved Qualifications

- (1) The Council shall keep itself informed of the nature of —
 - (a) The instruction given at approved institutions to persons attending approved courses of training; and
 - (b) The examination as a result of which approved qualifications are granted;
- (2) For the purposes of discharging that duty, the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions or to attend such examinations.
- (3) A Visitor under this section shall 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 examinations attended by him; and
 - (c) Any other matters relating to the institutions or examinations on which the Council may, either generally or in a particular case, request him to report, but no such person shall interfere with the giving of any instructions or the holding of any examination.
- (4) On receiving, a report made under this section, the Council may, if it deems fit, and shall, if so required by the instructions, send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examinations to which the report relates, requesting that person to make observation on the report to the Council within such period as may be specified in the request, not being more than one month beginning with the date of the request.
- (5) There shall be established a College of Psychology (in this Bill referred to as "the College"), which shall be the training arm of the Nigerian Council for Psychologists where prospective members shall undergo training for a specified period of time and pass relevant examinations before induction into membership.
- (6) The College shall be headed by a Director-General who shall be appointed by the Board and the activities of the College shall be regulated by the Board.
- (7) There shall be other Directors and other relevant officers to be appointed by the Director-General with the approval of the Board for the smooth running of the College.

- (8) The conditions of service and the tenure of office of the Director-General and other Directors of the College shall be specified in their letters of appointment and be determined by the Board.

Committee's Recommendation:

That the provision of Clause 16 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) — Agreed to.

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

PART VI — DUTIES OF PSYCHOLOGISTS

Clause 17: It is the exclusive duties of the psychologists, as defined by this Bill, to provide such professional services in line with their training and such duties include—

- (a) provision of psychological services involving psychological assessment using psychological tests;
- (b) provision of psychological treatment including psychotherapy, behaviour therapy, cognitive behaviour therapy psychoprophylaxis, psycheducation and all other treatment that are psychological in nature;
- (c) development, custody and use of psychological tests;
- (d) development and use of personality tests and assessment thereof for clinical, industrial or organisational, personnel evaluation and placement, educational, or for other uses where psychological variables of individuals are needed for relevant decisions;
- (e) conduct of psychological fitness to work tests;
- (f) development and use of intelligence test batteries; and
- (g) all other duties where certification as psychologists is required for effective competent performance and for public good in line with global practices.

Committee's Recommendation:

That the provision of Clause 17 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) — Agreed to.

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

PART VII — PROFESSIONAL DISCIPLINE

Clause 18: **Establishment of Investigating Panel and Disciplinary Tribunal.**

- (1) There is established the Nigerian Council for Psychologists Investigating Panel (in the Bill referred to as "the Panel") charged with the duty of:
 - (a) Conducting preliminary investigations into any case where it is alleged that a person registered has misbehaved in his capacity as a Psychologist or should for any other reason be the subject of proceedings before the Tribunal; and
 - (b) Deciding whether the case should be referred to the Tribunal.
- (2) The Panel shall be constituted by the Board and shall consist of six members of the Council and one member of the Board who shall be the Chairman of the Panel.

- (3) There is established the Nigerian Council for Psychologists Disciplinary Tribunal (in this Bill referred to as "the Tribunal") charged with the duties of considering and determining any case referred to it by the Investigating Panel, established under subsection (3) and any other case, which the Tribunal takes cognizance of, under the provisions of this Bill.
- (4) The Tribunal shall consist of the Chairman of the Council and eight members of the Council appointed by the Board.
- (5) The provision of the Second Schedule to this Bill shall, so far as applicable to the Tribunal and Panel respectively, have effect with respect to those bodies.
- (6) The Council may make rules consistent with this Bill as to acts which constitute professional misconduct.
- (7) The Panel shall act independently in receiving and investigating allegations under subsection (3) (a) and shall have power to receive complaints directly from any individual or organisation.
- (8) A person shall not be appointed as a member of the Tribunal or Panel unless such a person is a Fellow of the Council.

Committee's Recommendation:

That the provision of Clause 18 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) — Agreed to.

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

Clause 19: Penalties for Professional Misconduct.

- (1) Where —
 - (a) a person registered under this Bill is judged by the Tribunal to be guilty of infamous conduct in any professional respect, or
 - (b) a person registered under this Bill is convicted by any court or Tribunal in Nigeria or elsewhere having power to award imprisonment, of an offence (whether or not an offence punishable with imprisonment) which, in the opinion of the Tribunal, is incompatible with the status of a Psychologist.
 - (c) the Tribunal is satisfied that the name of any person has been fraudulently registered, the Tribunal may, if it deems fit, give any of the directions specified in subsection (2).
- (2) The Tribunal may give a directive under subsection (1) of this section —
 - (a) ordering the Registrar to strike the person's name off the relevant register or registers; or
 - (b) suspend the person from practice by ordering him not to engage in practice as Psychologist for such period not exceeding three years as may be specified in the direction; or
 - (c) admonishing that person.

- (3) The Tribunal may, if it deems fit, defer or further defer its decision as to the giving of a direction under subsection (1) of this section until a subsequent meeting of the Tribunal, but —
 - (a) No decision shall be deferred under this subsection for periods exceeding two years in the aggregate; and
 - (b) No person shall be a member of the Tribunal for the purposes of reaching a decision which has been deferred or further deferred, unless he was present as a member of the Tribunal where the decision was deferred.
- (4) For the purposes of subsection (1) (b), a person shall not be treated as convicted, unless the conviction stands at a time when to appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.
- (5) When the Tribunal gives a direction under subsection (1), the Tribunal shall cause notice of the direction to be served on the person to whom it relates.
- (6) A person to whom a direction relates may, at any time within 28 days from the date of service on him of notice of the direction, appeal against the direction to the Federal High Court and the Tribunal may appear as respondent to the appeal and, for the purpose of enabling directions to be given as to the costs of the appeal and of proceedings before The Tribunal, and the Tribunal is deemed to be a party thereto whether or not it appears on the hearing of the appeal.
- (7) A direction of the Tribunal under subsection (1) takes effect —
 - (a) Where no appeal under this section is brought against the direction within the time limited for such an appeal, or on the expiration of that time;
 - (b) Where an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal; and
 - (c) Where an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed and shall not take effect in accordance with the foregoing provisions of this subsection.
- (8) A person whose name is struck off the register in pursuance of a direction of the Tribunal under this section is not entitled to be registered in that register again except in pursuance of a direction in that behalf given by the Tribunal on the application of that person.
- (9) A direction under subsection (8) for the striking off of a person's name from the register may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application, as may be specified in the direction).

Committee's Recommendation:

That the provision of Clause 19 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

PART VIII — MISCELLANEOUS**Clause 20: Application of the Bill to Un-enrolled Persons.**

Any person who is not a member of the Nigerian Psychological Association (in this Bill referred to as "the Association") but, for this the purpose of this Bill would have been qualified to apply for and obtain membership of the Association may, within the period of three months beginning from the commencement of this Bill, apply for membership of the profession in such manner as may be prescribed by rules made by the Council, and if approved, he shall be registered, according to his qualification.

Committee's Recommendation:

That the provision of Clause 20 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 21: Persons Deemed to Practice as Professional Psychologists.

- (1) Subject to subsection (2) of this section, a person is deemed to practise as a Psychologist if, in consideration of remuneration received or to be received and whether by himself or in partnership with any other person —
 - (a) engages himself in the practice of psychology or holds himself out to the public as a psychologist after being duly certified by the Council to have met all necessary requirements;
 - (b) renders professional service or assistance in or about matters of principle or detail relating to psychology; or
 - (c) renders any other service or assistance in or about matters of principle or detail relating to psychology.

Committee's Recommendation:

That the provision of Clause 21 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 22 Rules as to Practice.

- (1) The Council may make rules —
 - (a) For the training of suitable persons in any field of Psychology methods and practice; and
 - (b) For the supervision and regulation of the engagement, training and transfer of such persons.
- (2) The Council may also make rules —
 - (a) Prescribing the form of licence to practice to be issued annually or; if the Council thinks fit, by endorsement of an existing licence;

- (b) Restricting the right to practice as a Psychologist in default of payment of the amount of the annual subscription where the default continues for longer than such period as may be prescribed by the rules; and
 - (c) Restricting the right to practice as a Psychologist if the qualification granted outside Nigeria does not entitle the holder to practice as a Psychologist.
- (3) Rules when made under this section shall, if the Chairman of the Council so directs, be published in the Official Gazette.

Committee's Recommendation:

That the provision of Clause 22 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 23: Provision of Library Facilities.

The Council shall —

- (a) provide and maintain a library comprising books and publications for the advancement of knowledge of Psychology and such other books and publications as the Council may think necessary for the purpose; and
- (b) encourage research into psychology disciplines and allied subjects to the extent that the Council may consider necessary.

Committee's Recommendation:

That the provision of Clause 23 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 24: Offences and Penalties.

- (1) A person who is not a registered Psychologist commits an offence if —
 - (a) for or in expectation of reward, practices or holds himself out to practice as a Psychologist; or
 - (b) take or use the title Psychologist; or
 - (c) without reasonable excuse, takes or uses any name, title addition or description implying that he is authorized by law to practice as a Psychologist.
- (2) A person who, for the purpose of procuring the registration of any name, qualification or other matter —
 - (a) makes a statement which he believes to be, or
 - (b) recklessly makes statement which he commits an offence.
- (3) If, on or after the relevant date, any person who is not a member of the profession practises or holds himself out to practise for or in expectation of reward or takes or uses name, title, addition or description implying that he is authorised by law to practice as a Psychologist, commits an offence.

- (4) In the case of a person falling within section 20 of this Bill —
- (a) The provisions of subsection (3) does not apply in respect of anything done by him during the period of three months mentioned in section 20;
 - (b) If, within that period, he duly applies for membership of the profession then, unless within that period he is notified that his application has not been approved, the provision of subsection (3) does not apply in respect of anything done by him between the end of that period and the date on which he is registered or is notified; and
 - (c) If the Registrar, or any other person employed by or on behalf of the Council, willfully makes any falsification in any matter relating to the register, he commits an offence.
- (5) A person commits an offence under this section is liable —
- (a) On summary conviction, to a fine of an amount not exceeding N100,000.
 - (b) On conviction or indictment, to a fine of an amount not exceeding N100,000 or to imprisonment for a term not exceeding four years, or to do both such fine and imprisonment.
- (6) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any such capacity, he and the body corporate, are deemed to be guilty of that offence and are liable to be prosecuted against and punished accordingly by a constituted disciplinary committee by the Council or court of law.

Committee's Recommendation:

That the provision of Clause 24 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 25: Regulations and Rules.

- (1) In this section, "the relevant date" means the second anniversary of the coming into force of this Bill or such earlier date as may be prescribed for the purposes of this section by order of the Minister published in the Official Gazette.
- (2) Any regulation made under this Bill shall be published in the Official Gazette as soon as may be after there are made, a copy of such regulations shall be sent to the Minister not later than seven days before they are so published.
- (3) Rules made for the purposes of this Bill are subject to confirmation by the Nigerian Psychological Association at its next meeting or at any special meeting of the Association for that purpose, and if then annulled, shall cease to have effect on the day after the date of annulment, but without prejudice to anything done in pursuance or intended to be done in pursuance of such rules.

Committee's Recommendation:

That the provision of Clause 25 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 26: Interpretation.

In this Bill —

"Association" means the Nigerian Psychological Association;

"Board" means the Governing Board of the Council established under section 4 (1) of this Bill.

"Council" means the Nigerian Council for Psychologists established under section 1 (1) of this Bill;

"Disciplinary Tribunal" means the Nigerian Council for Psychologists Disciplinary Tribunal established under section 18 (3) of this Bill;

"Fees" include annual subscription.

"Investigating Panel" means the Nigerian Council for Psychologists Investigating Panel established under section 18 (1) of this Bill;

"Member" means a registered member of the profession, which includes Graduate Members, Members, Chartered Members, Associate Fellows and Fellows;

"Minister" means the Minister charged with the responsibility for matters relating to health.

profession" means the practice of Psychology; and

"register" means the register prepared and maintained under section 8 (8) of this Bill;

Committee's Recommendation:

That the provision of Clause 26 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

Clause 27: Citation.

This Bill may be cited as the Nigerian Council for Psychologists (Establishment, etc.) Bill, 2019.

Committee's Recommendation:

That the provision of Clause 27 be retained (*Senator Emmanuel I. Paulker – Bayelsa Central*) —
Agreed to.

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

FIRST SCHEDULES**SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL**

Qualifications and Tenure of Office of Members of the Council

1. (1) A person shall not be a member of the Council unless he or she is a Nigerian citizen fully registered under this Bill as a Psychologist and at the date of his appointment, has had not less than 17 years registration experience in Psychology profession.
- (2) Subject to the provision of this paragraph, a member of the Council shall hold office for a period of three years beginning with the date of his or her appointment or election.
- (3) Any member of the Board, other than a member appointed by the office, may, by notice in writing under his hand addressed to the Chairman, resign his office.
- (4) A person who retires or ceases to be an elected member of the Council is eligible again to become a member of the Council; and any appointed member may be re-appointed.
- (5) If for any reason there is a vacation of office by a member; and
 - (a) Such member was appointed by the Minister or any other body, the Minister or that body may appoint another fit person to fill that vacancy; or
 - (b) Such member was elected, the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Council appears to warrant the filling of the vacancy, co-opt a fit person for such time as aforesaid.

Proceedings of the Council

2. (1) Subject to the provisions of this Bill, the Council may make standing orders regulating its proceedings or any of its committee thereof.
- (2) Questions for determinations shall be decided by a majority of the members present and voting thereon and, in the event of equality of votes, the Chairman shall have a second or caste a vote.
- (3) Standing orders made for a committee shall provide for the committee to report back to the Council on any matter referred to it by the Council.
- (4) The quorum of the Council shall be two third and the quorum of a committee of the Council shall be fixed by the Council.

Meeting of the Council.

3. (1) Subject to the provisions of any standing orders of the Council, the Council shall meet whenever it is summoned by the Chairman and, if the Chairman is required to do so by notice in writing given to him by not less than five other members, he shall summon a meeting of the Council to be held within fourteen days from the date on which the notice is given. The Council shall meet at least twice a year.
- (2) At any meeting of the Council, the Chairman shall preside and in his absence, the Vice Chairman shall preside, but in their absence, the members present at the meeting shall appoint one of their members to preside at the meeting.

- (3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him as a member for such period as the Council thinks fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.
- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the Minister.
- 4. (1) The Council may appoint one or more committees to carry out on behalf of the council such functions as the Council may determine.
- (2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council of whom not more than two-third may be persons who are not members of the Council.
- (3) A person other than a member of the Council shall hold office on the committee in accordance with the terms 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 and the Registrar who is the Secretary of the Board of the Council.
- (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 Council by any person generally or specifically authorised to act for that purpose by the Council.
- (3) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
- (4) The validity of any proceedings of the Board or of a committee of the Council shall not be adversely affected by any vacancy in membership of the Board or by any defect in the appointment of a member of the Board or of a person to serve on the committee, or by reason that a person not entitled to do so took part in the proceedings.
- (5) Any member of the Council and any person holding office of a committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee thereof shall disclose his interest, and shall not vote on any question relating to the contract or arrangement.
- (6) A person shall not by reason only of his membership of the Council be treated as holding an office in the public service of the Federation.

Question that the provision of the First Schedule stand part of the Bill – Agreed to.

SECOND SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY
TRIBUNAL AND INVESTIGATING PANEL**The Disciplinary Tribunal.**

1. The quorum of the Disciplinary Tribunal shall be four members.
2.
 - (1) The Attorney-General of the Federation shall make rules as to the selection of members of the Disciplinary Tribunal for the purpose of any proceeding, the procedure to be followed and the rules of evidence to be observed in proceedings before the Disciplinary Tribunal.
 - (2) The rules shall in particular provide —
 - (a) For securing that notice of the 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 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 Tribunal.
 - (d) For securing that any party to the proceedings may be represented by a legal practitioner.
 - (e) Subject to the provisions of section 18 (4) of this Bill, as to the costs of proceedings before the Disciplinary Tribunal.
 - (f) For requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Disciplinary Tribunal adjudges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and
 - (g) For publishing in the Gazette notice of any direction of the Disciplinary Tribunal which has taken effect providing that a person's name shall be struck off a register.
3. For the purposes of any proceedings before the Disciplinary Tribunal any member of the Disciplinary Tribunal may administer oaths and any party to the proceedings may issue out of the registry of the Federal High Court writs of subpoena ad testificandum and decestecum but no person appearing before the Disciplinary tribunal shall be compelled —
 - (a) To make any statement before the Disciplinary Tribunal tending to incriminate himself; or
 - (b) To produce any document under such a writ which he could not be compelled to produce at the trial of an action.
4.
 - (1) For the purpose of advising the Disciplinary Tribunal on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the Disciplinary Tribunal who shall be appointed by the Council on the nomination of the Attorney-General of the Federation and shall be a legal practitioner of not less than seven years standing.

- (2) The Attorney-General of the Federation shall make rules as to the functions of assessors appointed under this paragraph and in particular such rules shall contain provisions for securing —
 - (a) That where an assessor advises the Disciplinary Tribunal on any question of law as to evidence, procedure or any other matters specified by rules, he shall do so in the presence of every party or person representing a party to the proceedings who appear there or, if the advice is tendered while the Disciplinary Tribunal is deliberating in private, that every such party or person as aforesaid shall be informed what advice the assessor has tendered; and
 - (b) That every such party or person as aforesaid shall be informed if in any case the Disciplinary Tribunal does not accept the advice of the assessor on such a question as aforesaid.
- (3) An assessor may be appointed under this paragraph either generally or for any particular class or proceedings and shall hold and vacate office in accordance with the terms of the letter by which he is appointed.

The Investigating Panel.

5. The quorum of the Investigating Panel shall be three, all of whom must be Clinical Psychologist.
6.
 - (1) The Investigating Panel may, at any of its meetings attended by all the members of the Investigating Panel, make standing orders with respect to the Investigating Panel.
 - (2) Subject to the provisions for any such standing orders, the Investigating Panel may regulate its own procedure.
7.
 - (1) A person ceasing to be a member of the Disciplinary Tribunal or the Investigating Panel shall be eligible for appointment as a member of that body.
 - (2) A person may, if otherwise eligible, be a member of both the Disciplinary Tribunal and the Investigating Panel; but no person who acted as member of the Investigating Panel with respect to any case shall act as a member of the Disciplinary Panel with respect to that case.
8. The Disciplinary Tribunal or the Investigating Panel may act notwithstanding any vacancy in its membership, and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body or subject to paragraph 7(2) of this Schedule, by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
9. Any document authorised or required by virtue of this Bill to be served on the Disciplinary Tribunal or the Investigating Panel shall be served on the Registrar.
10. Any expenses of the Disciplinary Tribunal or the Investigating Panel shall be defrayed by the Council.
11. A person shall not by reason of his appointment as an assessor to the Disciplinary Tribunal, be treated as holding an office in the public service of the Federation

Question that the provision of the Second Schedule stand part of the Bill – Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Establishment and Public Service Matters on the Nigerian Council for Psychologists (Establishment, etc.) Bill, 2019 and approved as follows:

Clauses 1- 27 — As Recommended

Schedules 1&2 — As Recommended

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

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

Question put and agreed to.

Bill accordingly Read the Third Time and Passed.

13. Adjournment:

Motion made: That the Senate do suspend Plenary to enable the Committee on Appropriations to work on the 2019 Appropriation Bill, 2019 till Tuesday, 2nd April, 2019 at 10:00 a.m (*Senate Leader*).

Adjourned accordingly at 12:49 p.m.

Abubakar Olubukola Saraki, CON
President,
Senate of the Federal Republic of Nigeria.