



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Wednesday, 30 May, 2007

1. Prayers
2. Approval of the Votes and Proceedings
3. Announcements (if any) -----
4. Petitions (if any)

PRESENTATION OF REPORT

Committee on Public Accounts:

Hon. Oluwole Adeyemi:

"That -this House_ do_ receive the Reports of the Committee on Public Accounts on the activities of the Committee on Public Accounts for the period June 3, 2003 to June 1, 2007".

ORDERS OF THE DAY

MOTIONS

1. **Presentation and Adoption of the Report of the Conference Committee on a Bill for an Act to Repeal the Central Bank of Nigeria Act 1991 and Re-Enact the Central Bank of Nigeria Act and for Matters Connected Therewith, 2007:**

Hon. Clever Ikisikpo:

The House, on 16 May, 2007 passed the Bill for an Act to Repeal the Central Bank of Nigeria Act 1991 and Re-Enact the Central Bank of Nigeria Act and for Matters Connected Therewith, 2007;

The Senate has also passed the same **Bill**;

A clean copy of the Conference Committee Report is ready for presentation and adoption;

Resolves, to adopt the Conference Committee Report on the Central Bank of Nigeria Bill, 2007.

2. **Presentation and Adoption of the Report of the Conference Committee on a Bill for an Act to Amend the Nigerian Council for Management Development Act, Cap 300 LFN 1990 and for Matters Connected Therewith, 2007:**

Hon. Collins Abayomi:

The House, on 7 March, 2007 passed the Bill for an Act to Amend the Nigerian Council for Management Development Act, Cap 300 LFN 1990 and for Matters Connected Therewith, 2007;

The Senate has also passed the same Bill;

A clean copy of the Conference Committee Report is ready for presentation and adoption;

Resolves, to adopt the Conference Committee Report on the Nigerian Council for Management Development Bill, 2007.

3. Presentation and Adoption of the Report of the Conference Committee on a Bill for an Act to Provide for the Establishment of the National Council on Public Procurement; the Bureau of Public Procurement as the Regulatory Authority Responsible for the Monitoring and Oversight of Public Procurement; and to Harmonize Existing Government Policies and Practices by Regulating, Setting Standards **and** Developing the Legal Framework and Professional Capacity for Public Procurement in Nigeria and **for** Other Related Purposes, 2007:

Hon. Independence Ogunewe:

The House, on 11 November, 2006 passed the Bill for an Act to Provide for the Establishment of the National Council on Public Procurement; the Bureau of Public Procurement as the Regulatory Authority Responsible for the Monitoring and Oversight of Public Procurement; and to Harmonize Existing Government Policies and Practices by Regulating, Setting Standards and Developing the Legal Framework and Professional Capacity for Public Procurement in Nigeria and for Other Related Purposes, 2007;

The Senate has also passed the same Bill;

A clean copy of the Conference Committee Report is ready for presentation and adoption;

Resolves, to adopt the Conference Committee Report on the Public Procurement Bill, 2007.

4. Bills for Concurrence from the Senate: _____

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Hon. Abdul Ningi:

The House:

Notes that the Senate has passed the following Bills and desires the concurrence of the House of Representatives: _____ ■

(0) Mobile Phone (Restricted) Bill, 2005 _____

(if) Banks and Other Financial Institutions, 2005 (SB. 299) _____

(iii) Mental Health Bill, 2005 (SB. 14)

(iv) Psychiatric Hospital Management (Amendment) Bill, 2005 (SB. 17)

(v) Oil and Gas Services Bill, 2005 (SB. 27)

(w) Institute for Democratic Studies Bill, 2006 (SB. 118)

(vii) Equipment Leasing Bill, 2006 (SB. 76)

(viii) National Environmental Standards and Regulations Enforcement Agency (Establishment, etc.) Bill, 2007 (SB. 105).

(ix) Public Officers Protection Act (Amendment) Bill, 2005 (SB. 122)

(xx) Economic and Financial Crimes Commission Bill, 2007 (SB. 352) (x)

Consumer Protection Council Bill, 2006 (SB. 26) (xii) National Drug

Law Enforcement Agency (SB. 18) (xiil) Federal College of Chemical

Technology Bill, 2006 (SB. 157) (xiv) Fiscal Responsibility Bill, 2006

(SB. 226);

Has examined the provisions of the Bills as passed by the Senate and is satisfied that the Enactments are in public and national interests;

Therefore, resolves to concur in the said Bills without amendment.

CONSIDERATION OF REPORTS

5. Committee on Commerce:

Hon. S. Dikko:

"That this House do consider the Report of the Committee on Commerce on a Bill for an Act-for the Establishment of the National Consumer Credit Regulatory Commission (NCCRC) for the General Regulation of Consumer Credit and Information in Nigeria, Registration of Credit Bureau and Credit Providers, Promotion of Fair Access to Consumer Credit and Economic Empowerment of Nigerians, Prohibition of Unfair Credit Marketing Practices and Other Matters Connected Therewith, 2006 (HB. 259) and approve the Recommendations therein" (*Laid: 8/5/2007*).

6. Committee on Internal Affairs:

Hon. West Idahosa:

"That this House do consider the Report of the Committee on Internal Affairs on a Bill for an Act to Repeal Cap. 366 P29, Laws of the Federation of Nigeria 2004 and to Make Comprehensive Provisions for the Administration of Prisons in Nigeria and for Related Purposes 2005 (HB. 186) and approve the Recommendations therein" (*Laid: 22/3/2007*).

7. A Bill for an Act to Amend the Small and Medium Scale Enterprises Development Agency (Establishment, etc.) 2007 - Committee of Whole: 15/5/2007.

A BILL FOR AN ACT TO AMEND THE SMALL AND MEDIUM SCALE ENTERPRISES DEVELOPMENT AGENCY (ESTABLISHMENT, ETC.) ACT, 2003 (As AMENDED)

Provisions of the Principal Act

Provisions of the Proposed Amendments Bill

Committee of Whole

PART I - ESTABLISHMENT AND GOVERNING BOARD OF SMALL AND MEDIUM SCALE INDUSTRIES DEVELOPMENT AGENCY

Establishment of Small and Medium Scale.
1.—(1) There is established an agency to be known as the Small and Medium Scale Industries Development Agency (in this Act referred to as "the Agency")

Amendment of Act No. 16, 2003.
1. The Small and Medium Scale Enterprises Development Agency (Establishment, etc.) Act (in this Act referred to as "the Principal Act") is hereby amended as set out in this Act.

(2) The Agency:

(a) shall be a body corporate with perpetual succession and a common seal;
and

(b) may sue and be sued in its corporate name.

General Amendments. 2. The Principal Act is amended by substituting the words-fa) "Small and Medium Scale Enterprises Development Agency of Nigeria" wherever they appear in the Principal Act, with the words "Small and Medium Enterprises Development Commission of Nigeria";

(b) "Agency" wherever it appears in the Principal Act, with the word "Commission";

(c) "Governing Board" or "Board" wherever they appear in the Principal Act, with the word "Commission";

(d) "Director-General" wherever they appear in the principal Act, with the words "Executive Secretary";

(e) "scale industries" wherever they appear in the Principal Act, with the word "enterprises".

Establishment and Membership of the Governing Board-- _ - _

2.-(1) There is established for the Agency a Governing Board consisting of a Chairman and six other part-time Members to be appointed by the President.

(2) The appointment of the seven part-time members shall be made from the 6 geo-political zones.

(3) the following are ex-officio members of the Board.

(a) (i) the Federal Ministry of Industry;

Amendment of Section 2
3.Section.2 of the -Principal Act is amended by —

(a) Substituting for subsection (2) the following new subsection, that is
"(2) In selecting members of the Commission, the President shall ensure that individuals chosen are persons who:

(a) have experience in business or administration; or

(b) on account of their training or experience :

- (ii) the Federal Ministry of Science and Technology;
 - (iii) the National Planning Commission;
 - (iv) the Agricultural or Industrial Research Institutes;
 - (v) the Indigenous Fabricators and Manufacturers of Machinery ;
 - (vi) the Federal Ministry of Finance ;
 - (vii) the Development Banks for Small and Medium Scale Industries;
 - (viii) the Bank of Industry ;
 - (ix) the Manufacturers' Association of Nigeria; and
 - (x) the National Association of Small Scale Industries (NASSI) ; and
 - (b) the Director-General of the Agency.
- (4) There shall be a Secretary to the Board who shall be appointed by the Board.
- (1) are knowledgeable about trade industry, finance or the economy, or
 - (ii) have legal knowledge of matters pertaining to small business;
 - (c) have experience of matter connected with and of problems experienced by small business or any small business enterprise;
 - (d) Comply with any other criteria which the President may prescribe."
 - (b) deleting subsection (4); and
 - (c) renumbering the existing subsections (2) and (3) as subsections (3) and (4).

Schedule

3. The supplementary provisions set out in the Schedule to this Act shall have effect with respect to the proceedings of the Board and other matters contained therein.

Tenure of Office, etc.

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

- (a) shall hold office for a period of 4 years on such terms and conditions as maybe specified in their letter of appointment ; and
- (b) may be re-appointed for another period of 4 years and no more.

Removal of members from Office, etc.

5.-(1) Notwithstanding the provisions of section 4 of this Act, a member may at any time be removed from office by the President for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misconduct.

(2) A member of the Board may resign his appointment by a notice in writing under his hand, addressed to the President and that member shall, on the date of the receipt of the notice by the President, cease to be a member of the Board.

Emoluments, etc.

6. A member of the Board shall be paid such emoluments, allowances and benefits as the Minister may, with the approval of the President, from time to time, approve.

Disclosure of Interest.

7.-(1) A member of the Board who is directly or indirectly interested in any matter being deliberated on by the Board or is interested in any contract made or proposed to be made by the Agency shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Board.

(2) A disclosure under subsection (1) of this section shall be recorded in the Minutes of Meetings of the Board and members concerned shall:

- (a) not, after the disclosure, take part in any deliberation or decision of the Board; and
- (b) be excluded for the purpose of constituting a quorum of any meeting of the Board for any deliberation or decision with regard to the subject matter in respect of which his interest is so disclosed.

PART II - FUNCTIONS AND POWERS OF THE AGENCY

Functions of Agency

8. The Agency shall be responsible for:

- (a) initiating and articulating ideas for small and medium scale industries policy thrusts.
- (b) serving as a vanguard agency and focal point for rural industrialization, poverty alleviation and eradication, technology acquisition and adaptation, job creation and sustainable livelihood.
- (c) promoting and facilitating development programmes, instruments and support services to accelerate development, modernisation, networking and linkage of small and medium scale industries;
- (d) mobilising internal and external resources, including technical assistance for small and medium scale industries, their support institutions, trade associations, and non-governmental organization;
- (e) overseeing, co-ordinating and monitoring development in the small and medium industries sub-sector;
- (f) designing, packaging and promoting cottage and micro small and medium scale industrial projects;
- (g) providing industrial extension services to small and medium scale" industries, fabricators of machinery and beneficiaries of micro-credit loans;
- (h) establishing liaison between research institutes, local fabricators and small and medium scale industries; (i) linking small scale industrialists to sources of finance, technology, technical skill development and management;

Amendment of Section 8

4. Section 8 of the Principal Act is amended by —

(a) inserting the word "enterprise" in line! after the word "facilitating" in subsection (c);

(b) inserting the following new subsection (d) immediately after paragraph (c) that is —

" (d) Promoting, accrediting and regulating the establishment and activities of business development centres and enterprise development service providers.

(c) renumbering existing paragraphs (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v) and (w) as subsections (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w) and (x) respectively.

(d) Adding the following new subsection (y) immediately after subsection (x) to read:

"(y) promoting, sustaining and encouraging speedy resolution of disputes amongst Micro, Small and Medium Enterprise (MSMEs); and Business Development Providers, and other investors/stake holder of the Small and Medium Enterprises sub sector through the use of the alternative dispute resolution mechanisms of negotiation, mediation, conciliation, Arbitration and other alternative dispute resolution processes.

- (j) facilitating and promoting and development of standard designs and quality assurance for machinery and equipment, and commercialising them to end-users;
- (k) promoting and providing access to industrial infrastructure, including estates and layouts, and incubators;
- (l) providing necessary assistance to small and medium scale industries in the marketing of their products;
- (m) promoting ancillarisation, sub-contracting, clustering and networking relationship;
- (n) providing and promoting strategic linkages within small and medium scale industries;
- (o) encouraging and promoting strategic linkages within small and medium scale industries, and between small and medium scale industries and large scale industries;
- (p) establishing and co-ordinating the institutional development and activities of industrial Development Centres in Nigeria;
- (q) collaborating with the Agricultural Research and Mechanisation Centres and Agro-industrial Schemes in Nigeria;
- (r) liaising with external agencies for support and development of small and medium scale industries in Nigeria;
- (s) listing products that small and medium scale industries have substantial internal capacities to manufacture to meet domestic market for Federal Government's, patronage and deletion or restriction on the schedule of importable goods;
- (t) recommending to the Federal Government, - from time to time in consultation with other relevant agencies and organizations, on applicable tax and tariff regimes and other financial incentives for promoting the development of small and medium scale industries;
- (u) monitoring the implementation of and compliance with Federal Government directives, incentives and facilities for development of small p. Illection of the Agency in order to promote government policies in or outside Nigeria;
- (v) carrying out such other activities connect with incidental to the other functions of the Agency to order to promote government polices in or outside Nigeria;
- (w) provisions of and facilitating technical and managerial training to small and medium scale industries.

Factions of the Agency

9.-(1) In pursuance of Section 8 of this Act, the Agency shall have power to:

Amendment of Section 9

Section 9 of the Principal Act is amended by

(a) demand and obtain relevant information, data and reports on activities relating to the promotion and development of small and medium scale industries from banks, research and development institutions and other support organisation.

(b) enter into joint-venture arrangement and draw up memorandum of understanding and agreement with relevant institutions and, organisations for the promotion and development of small and medium scale industries; and

(c) do such other things as are necessary for the successful performance of its function under this Act,

(a) inserting the following new paragraphs immediately after subsection (1) (b), that is —

"(c) establish a comprehensive database and information system on small and medium enterprise development programmes and to this end shall be entitled to demand from all small and medium enterprises such information as it shall require for the purposes of maintaining the database;

(d) serve as a centre for the collection, reference and dissemination of information related to small and medium enterprises;

(e) charge a fee for the use of any facilities or services provided by the Commission; "

(b) renumbering the existing subsection (1) (c) as subsection (1) (f); and (c) inserting a new subsection (2) (a) and (b); that is

"(2) (a) Where the Federal Government or any of its agencies undertakes publicly announced procurement or public construction, the Commission shall assist Small and Medium Enterprises to obtain the business opportunities created by this;

(b) Where the Federal Government or any of its agencies undertakes publicly-announced procurement, public construction or commissioning of Research and Development work, they shall, depending on actual needs, establish a system for qualification and registration of Small and Medium Enterprises wishing to serve as suppliers or to bid for a tender. "

PART III-STAFF OF THE AGENCY

Director-General

10.-(1) There shall be for the Agency, a Director-General who shall be appointed by the President on the recommendation of the Minister.

(2) The Director-General shall be the Chief Executive of the Agency and be responsible for the execution of the policy and the day-to-day administration of the Agency.

Amendment of Section 10

6. Section 10 of the Principal Act is amended —

(a) in subsection (1) by inserting a full stop after the word "President" and deleting the words "on the recommendation of the Minister";

(b) by adding the following new subsection immediately after subsection 1, that is —

"(2) In appointing the Executive Secretary, the President shall ensure that the person so appointed —

(3) The Director-General shall hold office:
(a) for a term office years in the first instance and may be re-appointed for a further term of five years and no more; and

(b) on such terms and conditions as may be specified in his letter of appointment.

(a) has experience in business or administration; or (b) on account of his training or experience;
(i) is knowledgeable about trade, industry, finance or the economy; or (ii) has legal knowledge of matters pertaining to small business; or

(c) has experience of matters connected with and of problems experienced by, small business or any small business enterprise;"

(c) renumbering existing subsections (2), and (3) (a) and (b) as subsections (3), and (4) (a) and (b) respectively.

Other employees of the Agency

11.-(1) The Board shall appoint for the Agency, such officers and other employees as it may, from time to time deem necessary for the purpose of the Agency;
(2) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of officers and employees of the agency shall be as determined by the Board with the approval of the Minister.

Amendment of Section 11

7. Section 11 of the Principal Act is amended by (a) deleting subsection (1);

(b) renumbering Section 11 (2) as Section 11 (c) recasting Section 11 to read as follows:

"11. The Commission shall determine the terms and conditions of service (including remuneration, allowances, benefits and pensions) of officers and employees of the Commission with the approval of the President".

Pensions and Gratuities Cap. 346 LFN

12.-(1) The service in the Agency shall be approved service for the purpose of the Pensions Act and accordingly, employees of the Agency shall be entitled to pensions, gratuities and other retirement benefits as are prescribed under the Pensions Act.

(2) Notwithstanding the provisions of this Act, nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension, gratuity or either retirement benefit in respect of that office.

(3) For the purpose of the application of the provisions of the Pensions Act, any power exercisable by a Minister or other authority of the Federal Government, other than the power to make regulations under section 23 of the Pension Act, is hereby vested in and shall be exercisable by the Agency and not by any other person or authority.

PART IV-FINANCIAL PROVISIONS

Funds of the Agency

13. The Agency shall establish and maintain a fund into which shall be paid and credited:

takeoff grant from the Federal Government;
 (b) annual subvention from the Federal Government;
 (c) 'loans and grant-in-aid from national, bilateral and multilateral agencies;
 (d) rents, fees and other internally generated revenues from services provided by the Agency; and
 (e) all other sums accruing to the Agency, from time to time.

Expenditure of the Agency

14. The Agency may, from time to time, with the approval of the Board, apply the proceeds of the fund established in pursuance of section 13 of this Act.

(a) to the cost of administration' of the Agency; -

(b) to the paying of the emoluments, allowances and benefits of members of the Board and for reimbursing members of the Board-or of any committee set up by the Board for such expenses as may be expressly authorized by the Board.-----

(c) to the payment of the salaries, fees or other remuneration and benefits or allowances, gratuities and pensions, and other benefits payable to the officers and other employees "of the Agency;

(d) for the development and maintenance of any property vested in or owned by the Agency; and

(e) for and in connection with all or any of its functions under this Act or in such other securities as may, from time to time, be approved by the Minister.

Annual estimates and accounts

15.-(1) The Agency shall, not later than 31st August in each year, submit to the Minister an estimate of its expenditure and income (including payments to the Agency fund for the next succeeding years.

(2), The Agency shall keep proper "records in relation to those accounts in 'respect of each year and shall cause its accounts to be audited within six months after the end of each year by auditor appointed from the list in accordance with guidelines supplied by the Auditor-General of the Federation.

Amendment of Sections 14,15,16,18, 19,26,18,19, 26, and 27 and 27

8. Sections 14, 15,16, 18, 19,26, 18, 19, 26, and 27 and 27 of the Principal Act are amended by deleting the word "Minister" wherever it may appear and substituting same with the word "President".

Annual Report

16. The Agency shall prepare and submit to the Federal Executive Council, through the Minister, not later than six months after the end of each year report in such forms as he may direct on the activities of the Agency during the immediate proceeding year, and shall include in such report a copy of the audited accounts of the Agency for that year and the auditor report on the accounts.

Power to accept **Gift**.

17.-(1) The Agency may accept any gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.

(2) The Agency shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with the functions of the Agency and the provisions of Independent Corrupt Practices and Allied Offences Commission Act 2000.

Power to **borrow**.

18--(1) The Agency may, from time to time, borrow by overdraft or otherwise such sums, as it may require for the performance of its functions under this Act.

(2) The Agency shall not, without the approval¹ of the Minister, borrow money which exceeds, at any time, the amount set by the Minister.

(3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Agency shall not borrow the sum without the prior approval of the Minister and in consultation with Central Bank of Nigeria.

Investment Cap. 449 LFN.

19. The Agency may, subject to the provisions of this Act and the conditions of any trust created in respect of any property, invest all or any of its funds in any security prescribed by the Trustee Investments Act or in such other securities as may, from time to time be approved by the Minister.

Exemption from tax.

20.-(1) The Agency shall be exempted from the payment of Income Tax on any income accruing from investment made by the Board for the Agency or otherwise.

(2) The provisions of any enactment relating to the taxation of companies on trust fund shall not apply to Agency or the Board.

PART V.- LEGAL PROCEEDING

Limitations of suits Against the Agency, etc
Cap. 379 LFN.

21.-(1) Subject to the -provisions of this Act, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Agency.

(2)Notwithstanding anything contained in any other enactment, the suit against a member of the Board or the Director-General or any other officer or employee of the Agency for any act done in pursuance or execution of this Act or any other enactment or law, or of any public duty or authority in respect of any alleged neglect or default in the execution of this Act, shall lie or be instituted in any court unless it is commenced:

—, — — —

(a) within three months next after the act, neglect or default complained of; or

(b) in the case of a continuation of damage or injury, within six months next after the ceasing thereof.

(3) No suit shall be commenced against a member of the Board or the Director General or any other officer or employee of the Agency before the expiration of a period of one month after written notice of the intention to commence the suit shall have been served on the Agency by the intending plaintiff or his agent.

(4) The notice referred to in subsection (3) of this section shall clearly and explicitly state the cause of action, the particulars of the claim, the name and place of abode of the intending plaintiff and the relief which he claims.

Service of documents

22. A notice, summons or other document required or authorised to be served on the Agency under the provisions of this Act or any other enactment or law may be served by delivering it to the Director-General or at the principal office of the Agency.

Restriction on Execution against Property of the Agency.

23.-(1) In any action or suit against the Agency, no execution or attachment of process in the nature thereof shall be issued against the Agency unless not less than thirty days notice of the intention to execute or attach has been given to the Agency.

(2) Any sum of money which by the judgment of any court has been awarded against the Agency shall, subject to any direction given by the court where notice of appeal against the judgment has been given, be paid from the fund of the Agency.

Indemnity of Officers

24. A member of the Board or the Director-General or any officer or employee of the Agency shall be indemnified out of the assets of the Agency against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member, Director-General, officer or other employee of the Agency.

Secrecy

25.- (1) A member of the Board or the Director-General or any officer or employee of the Agency shall secrecy.

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

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

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

(2) Any person who Contravenes the provision of subsection (1) of this subsection commits an offense and is liable on conviction to a fine of not less than N50,000 or imprisonment for a term not exceeding 2 years or to both such fine and imprisonment.

Directive by Minister, etc.

26. The Minister may give to the Agency or the Director-General such directives of general nature or relating generally to matters of policy with regard to the exercise of its or his functions as he may consider necessary and it shall be the duty of the Agency or the Director-General to comply With the directive or cause them to be complied with.

Regulations-----

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

Interpretation

28. In this Act, "Agency" means the Small and Medium Scale Industries Development Agency established under section I of this Act.

"Board" means the governing Board established for the Agency under section 2 of this Act.

"Minister" means the Minister charged with the responsibility for Industries as are defined by the National Council on Industry as Small and Medium Scale Industries.

"President" means the president of the Federal Republic of Nigeria.

Citation-----

29. This Act may be cited as the Small and Medium Scale Industries Development Agency Act, 2003.

Amendment of Section 28 9. Section 28 of the Principal Act is amended by deleting the definition of Minister therein.

Citation.

10. This Act may be cited as the Small and Medium Enterprises Commission Bill, 2007.

SCHEDULE

Section 3

SUPPLEMENTARY PROVISIONS
RELATING TO THE BOARD, ETC
PROCEEDINGS OF THE BOARD

Cap 192 LFN

1. Subject to section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of its members and for the person presiding at any meeting when a vote is ordered to have a second or casting vote), the Board may make standing orders regulating its proceedings or that of any of its committees.

2. At every meeting of the Board, the Chairman shall preside and in his absence the members present at the meeting shall appoint one of them to preside at the meeting.

3. The quorum at a meeting of the Board shall consist of the Chairman or, in appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule and other members provided that at least one third of the total membership of the Board are present.

4. The Board shall for the purpose of this Act, meet not less than three times in each year and the Board shall meet whenever it is summoned by the Chairman, and if required to do so, by notice given to him by not less than five other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.

5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it thinks fit, but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

6.-(1) subject to its standing orders, the Board may appoint such number of standing and ad hoc committees as it thinks fit to consider and-report on any matter with which the Agency is concerned.

(2) A committee appointed under this paragraph shall—

(a) consist of such number of persons (not necessarily members of the Board, as may be determined by the Board), and a person, other than a member of the Board, shall hold office on the committee in accordance with the terms of his appointment, and

(b) be presided over by a member of the Board.

(3) The quorum of any committee setup by the Board shall be as may be determined by the Board.

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

Miscellaneous

7. The fixing of the seal of the Agency shall be authorised by the signature of the Chairman or any other person generally or specifically authorised by the Board to act for that purpose and that of the Director-General.

8. Any contract or instrument which, if made 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 Agency by the Director-General or by any other person generally authorised by the Board to act for that purpose.

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

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

(a) any vacancy in the membership of the Board, or committee; or.

(b) any defect in the appointment of a member of the Board or committee; or

(c) reason that any person not entitled to do so took part in the proceedings of the Board or committee.

11. A member of a committee who has a personal interest in any contract or arrangement entered into or proposed to be considered by the committee shall forthwith disclose his interest to the committee and shall not vote on any question relating to the contract or arrangement.

12. No member of the Board shall be personally liable for any act or omission done or made in good faith while engaged in the business of the Agency.

8. Joint Committee on Women Affairs and Justice:

Hon. Saudatu Sani:

"That this House do consider the Report of the Joint Committee on Women Affairs and Justice on a Bill for an Act to Make Provisions for the Prohibition of Sexual Relationship between Persons of the Same Sex, Celebration of Marriage by them and for Other Matters Connected Therewith, 2006 (HB. 246) and approve the Recommendations therein" (*Laid: 9/5/2007*).

9. Committee on Federal Capital Territory:

Hon. Phillip Aduda:

"That this House do consider the Report of the Committee on Federal Capital Territory on a Bill for an Act to Provide for the Establishment of the Federal Capital Territory Education Resources Centre and for Other Matters Connected Therewith, 2006 (HB 261) and approve the Recommendations Therein" (*Laid: 16/5/2007*).

10. Joint Committee on Federal Capital Territory and Education:

Hon. Phillip Aduda:

"That this House do consider the Report of the Joint Committee on Federal Capital Territory and Education on a Bill for an Act to Provide for the Establishment of the Federal Capital Territory Agency for Mass Education and for other Matters Connected Therewith, 2006 (HB. 260) and approve the Recommendations-Therein" (*La/d: 16/5/2007*).

11. Joint Committee on Federal Capital Territory and Education:

Hon. Phillip Aduda:

"That this House do consider the Report of the Committee on Federal Capital Territory and Education on a Bill for an Act to Establish the Federal Capital Territory College of Education, and for Other Matters Connected Therewith, 2006 (HB. 256) and approve the Recommendations Therein" (*Laid: 16/5/2007*).