



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA ORDER PAPER

Wednesday, 6 February, 2008

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

ORDERS OF THE DAY

MOTION

1. Payment of Excess Crude Oil Revenue to States in US Dollars:
Hon. Mohammed Ali Ndume
Hon. Dave Salako
Hon. Farouk Lawan
Hon. Aminu W. Tambuwal
Hon. Alhassan Ado Garba
Hon. Yusuf M. Tuggar
Hon. Mohammed T. Monguno
Hon. Sada Soli
The House:
Hon. Ita Enang
Hon. Isah Mohammed Ashiru
Hon. Halims Agoda
Hon. Femi Gbajamila
Hon. Mohammed Sani Abdu
Hon. Ishayaku Joshua Shara
Hon. Abba Dawud Lawan
Hon. Friday Itulah:

Notes that the official currency of the Federal Republic of Nigeria is the Nigerian *Naira*;

Further notes that the Central Bank of Nigeria has recently proposed the allocation of \$4.017 Billion of excess Crude Oil Revenue to be paid to Federal, States and Local Governments in US Dollars;

Concerned that by so doing, the Nigerian *Naira*, Which is the official currency of the Federal Republic of Nigeria would be relegated and further weakened against other major currencies of the world;

Disturbed that the reality exhibited by this action is that of unpatriotism and disloyalty to the Federal Republic of Nigeria, the Nigerian *Naira* being a symbol of our sovereignty as an independent Nation;

Resolves to:

Urge the Central Bank of Nigeria (CBN) to refrain from distributing Federation Accounts Allocations to Federal, States and Local Governments in US Dollars, or any other currency except the Nigerian *Naira*.

BILLS

2. A Bill for an Act to Amend the Tobacco Smoking (Control) Act to provide for certain increase in the excise duty and other taxes on Tobacco Products, prohibit the Giving of donations of Philanthropic gesture for any cause by Tobacco producers, designate areas where Tobacco products may and may not be smoked in hotels, transportation system, etc and other Matters Relating Thereto, 2008 (HB. 20) — *Second Reading*.
3. A Bill for an Act to provide for the regulation of the production, importation, advertising, promotion, sponsorship, distribution, sale and smoking of cigarettes and other Tobacco products and for Matters Connected Therewith, 2008 (HB. 28) — *Second Reading*.

CONSIDERATION OF REPORT

4. A Bill for an Act to Amend the Certain Political, Public and Judicial Office Holders (Salaries and Allowances, etc.) Act, 2002 and Other Matters Connected Therein, 2007 (*Committee of Whole — Adjourned Consideration: 5/2/2008*).

SCHEDULE

PART II

A — ANNUAL BASIC SALARY FOR JUDICIAL OFFICERS (FEDERAL AND STATE)

Category	Annual Basic Salary N
Chief Justice of Nigeria	3,363,972.50
Justice of the Supreme Court	2,477,110.00
President of the Court of Appeal	2,477,110.00
Justice of the Court of Appeal	1,995,430.18
Chief Judge of the Federal High Court	1,940,095.55
Chief Judge of the F.C.T	1,940,095.55
President National Industrial Court	1,940,095.55
Judge of the Federal High Court	1,804,740.00
Judge National Industrial Court	1,804,740.00
Grand Kadi F.C.T Sharia Court of Appeal	1,804,740.00
President F.C.T Customary Court of Appeal	1,804,740.00
Kadi Sharia Court of Appeal F.C.T	1,669,385.00
Judge F.C.T Customary Court of Appeal	1,669,385.00
Chief Judge of State	1,940,095.55
Judge of State High Court	1,804,470.00
Grand Kadi State Sharia Court of Appeal	1,804,740.00
President State Customary Court of Appeal	1,804,740.00
Kadi State Sharia Court of Appeal	1,669,385.00
Judge State Customary Court of Appeal	1,669,385.00

SCHEDULE PART I CONTINUED

B. ALLOWANCES AND FRINGE BENEFITS FOR CERTAIN POLITICAL AND PUBLIC OFFICERS IN THE EXECUTIVE (FEDERAL)¹

Category	Accommodation	Utilities	Domestic Staff	Entertainment	Medical Allowance	Security	Furniture Allowance	Personal Assistant	Motor Vehicle Loan	Motor Maint. & Fuel	Severance Gratuity (8)	Leave Allowance	Constituency Allowance	Hospital Allowance	Special Asst.	News paper	Duty Tour Allowance	Estimate code	Monitoring Allowance
President	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	400%	To be provided	300%	10%	250%	50%	To be provided	To be provided	To be provided	To be provided	N/A
Vice-President	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	400%	To be provided	300%	10%	250%	50%	To be provided	To be provided	To be provided	To be provided	N/A
Minister/SGF/HO S/Chairman (2)	200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	75%	300%	10%	N/A	N/A	To be provided	15%	N35,000	USD 1,000.00	20%(6)
Minister of State/Member (3)	200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	75%	300%	10%	N/A	N/A	To be provided	15%	N30,000	USD 800.00	20%(6)
Special Adviser (4)	200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	75%	300%	10%	N/A	N/A	To be provided	15%	N25,000	USD 800.00	N/A
Auditor-General/Permanent Secretaries (5)	200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	75%	300%(7)	10%	N/A	N/A	To be provided	15%	N20,000	USD 600.00	20%(6)

Note:

- (1) The members of the Council of State as provided in Section 153(1)(b) paragraph 5 (c and d) of Part I of the Third Schedule to the 1999 Constitution of the Federal Republic of Nigeria shall be paid N500,000.00 per sitting but not exceeding six(6) sittings in a year.
- (2) Chairmen of: Code of Conduct Bureau, Independent National Electoral Commission, Federal Civil Service Commission, National Population Commission, Public Complaints Commission, Federal Judicial Service Commission, Nigeria Police Council, Revenue Mobilisation Allocation and Fiscal Commission, Federal Character Commission, National Human Rights Commission, The National Judicial Council, Code of Conduct Tribunal, Police Service Commission, National Assembly Service Commission, ICPC, EFCC, any such other Commission as may be established by the National Assembly and the Chief of Staff to the President.
- (3) Members of the Constitutional Commissions mentioned at (2) above and the members of the Judicial Service Committee of the FCT.
- (4) Special Adviser – To include other categories like Speech Writer.
- (5) Including: Directors-General, Executive Secretaries, INEC Resident Electoral Commissioners and Chief Executives of Parastatals, Agencies and Government Companies.
- (6) The Allowance is only for Chairmen, Members and Secretaries of Constitutional Commissions involved in field work/monitoring activities, for example, the Independent National Electoral Commission, the National Population Commission, the Federal Character Commission, the Code of Conduct Bureau, the Revenue Mobilisation Allocation and Fiscal Commission and the Police Service Commission.
- (7) None career Ambassadors are also to be paid this allowance at this rate.
- (8) The allowance could be pro-rated after a minimum of two years' tenure.

PART II CONTINUED

B – ALLOWANCES AND FRINGE BENEFITS FOR JUDICIAL OFFICERS (FEDERAL AND STATE)

Category	Accommodation	Utilities	Domestic Staff	Entertainment	Medical Allowance	Security	Furniture Allowance	Personal Assistant	Motor Vehicle Loan	Servants Gratuity	Retirement Benefits	Leave Allowance	Motor Maint. & fuel Allowance	Harship Allowance	News papers	Est- code	Duty Tour Allowance	Outfit Allowance	Special Assistant
Chief Justice of Nigeria	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	25%	To be provided	300%	Scheme of Service	10%	To be provided	50%	To be provided	US 2,000	50,000	25%	To be provided
Justice of the Supreme Court	To be provided or paid 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 1,300	35,000	25%	To be provided
President of the Court of Appeal	To be provided or paid 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 1,300	35,000	25%	To be provided
Justice of the Court of Appeal	To be provided or paid 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 1,100	30,000	25%	To be provided
Chief Judge of the Federal High Court	To be provided or paid 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 800	25,000	25%	To be provided
Judge of Federal High Court	To be provided or 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 600	20,000	25%	To be provided
Chief Judge of the F.C.T.	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	25%	To be provided	300%	Scheme of Service	10%	To be provided	50%	15%	USD 800	25,000	25%	To be provided
President National Industrial Court	To be provided or 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 800	25,000	25%	To be provided
Judge of National Industrial Court	To be provided or 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 600	20,000	25%	To be provided
Judge of FCT High Court	To be provided or 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 600	20,000	25%	To be provided
Grand Khadi, FCT Sharia Court of Appeal	To be provided or 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 600	20,000	25%	To be provided
President FCT Customary Court of Appeal	To be provided or 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 600	20,000	25%	To be provided
Khadi FCT Sharia Court of Appeal	To be provided or 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 500	15,000	25%	To be provided
Judge FCT Customary Court of Appeal	To be provided or 200%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 500	15,000	25%	To be provided
Chief Judge of State	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	To be provided	25%	To be provided	300%	Scheme of Service	10%	To be provided	50%	To be provided	USD 800	25,000	25%	To be provided
Judge of State High Court	See Table	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 600	20,000	25%	To be provided
Grand Kadi State Sharia Court	See Table	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 600	20,000	25%	To be provided
President State Customary Court of Appeal	See Table	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 600	20,000	25%	To be provided
Kadi State Sharia Court of Appeal	See Table	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 500	15,000	25%	To be provided
Judge State Customary Court of Appeal	See Table	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	Scheme of Service	10%	75%	50%	15%	USD 500	15,000	25%	To be provided

SCHEDULE

PART IV CONTINUED

B — ALLOWANCES AND FRINGE BENEFITS FOR CERTAIN POLITICAL AND PUBLIC OFFICERS IN THE EXECUTIVE (AREA COUNCILS FEDERAL CAPITAL TERRITORY, ABUJA)

Category	Accommodation		Utilities	Domestic Staff	Entertainment	Medical Allowance	Security	Furniture Allowance	Personal Assistant	Motor Vehicle Loan	Severance Gratuity	M/V & Fuel Allowance	Leave Allowance	Constituency Allowance	Harship Allowance	News papers	Estate code	Special Asst.	Duty Tour Allowance N
	At SAC	Other Area Councils																	
Chairman Area Council	200%	100%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	To be provided	10%	25%	N/A	15%	USD 450	To be provided	20,000
Vice-Chairman Area Council	200%	100%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	To be provided	10%	25%	N/A	15%	USD 450	To be provided	20,000
Supervisory Councillor of Area Council	200%	100%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	75%	10%	N/A	N/A	15%	USD 400	To be provided	15,000
Secretary	200%	100%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	75%	10%	N/A	N/A	15%	USD 400	To be provided	15,000
Special Adviser	200%	100%	30%	75%	45%	To be provided	To be provided	300%	25%	400%	300%	75%	10%	N/A	N/A	15%	USD 350	To be provided	10,000

SCHEDULE

PART IV

A - ANNUAL BASIC SALARY FOR CERTAIN POLITICAL AND PUBLIC OFFICERS IN THE EXECUTIVE (AREA COUNCIL FEDERAL CAPITAL TERRITORY, ABUJA)

Category	Annual Basic Salary
Chairman, Area Council	N908,321.00
Vice-Chairman, Area Council	N853,056.00
Supervisory Councillor of Area Council	N809,300.00
Secretary	N809,300.00
Special Adviser	N760,076.00

5. A Bill for an Act to Establish an Independent National Assembly Budget and Research Office, which will provide the National Assembly objective, timely and Non-partisan analysis needed for economic and Budget decision with the information and estimates required for use in the Budget Process; and other Related Matters, 2008 (HB. 26) — *Committee of Whole: 23/1/2008.*

A BILL FOR AN ACT TO ESTABLISH AN INDEPENDENT NATIONAL ASSEMBLY BUDGET AND RESEARCH OFFICE, WHICH WILL PROVIDE THE NATIONAL ASSEMBLY WITH OBJECTIVE, TIMELY AND NON-PARTISAN ANALYSIS NEEDED FOR ECONOMIC AND BUDGET DECISIONS AND WITH THE INFORMATION AND ESTIMATES REQUIRED FOR USE IN THE BUDGET PROCESS; AND OTHER RELATED MATTERS

*Provisions of the Proposed Bill**House
Recommendations***Establishment of the Office.**

1.—(1) There is established under this Act, an office to be known as the National Assembly Budget and Research Office (in this Act referred to as "the Office").

(2) The Office shall be a body corporate with perpetual succession, an official seal, and shall have power to sue and be sued in its corporate name.

Functions of the Office.

2. The functions of the Office are to:

(a) provide independent, unbiased and non-partisan analysis of the Executive arm of the Government's annual budget estimates;

(b) provide independent unbiased analysis of the budget of the National Assembly and assist all the committees of the National Assembly in developing their annual budgets;

(c) provide independent and continuous review and monitoring of existing and proposed programmes and budgets of the Federal Government;

(d) provide assistance to all committees in both Houses of the National Assembly, particularly with information, that shall assist committees in the discharge of their functions including:

- (i) information with respect to budget and all bills providing new budget authority,
- (ii) information with respect to estimated future revenue and changing revenue conditions,
- (iii) aggregate of all current liabilities and existing financial commitments; and
- (iv) any related information as the Committees may request;
- (e) provide analyses of the economic implication on the private sector, the budgetary and financial implication on States and Local Governments of any proposed legislation when so required by any Committee of the National Assembly;
- (f) provide to any member of the National Assembly any information compiled in carrying out its duties and such additional information at the request of such a member;
- (g) provide personnel of the Office on a temporary basis at the request of all economic related committees of either House to assist such committees and at the request of the Senate President or the Speaker of the House of Representatives, to assist any other committee of the National Assembly in carrying out its duties;
- (h) prepare and present to the National Assembly periodic forecasts of economic trends and alternative fiscal policies with regards to the Federal Government's money bills, brought before the National Assembly in a financial year;
- (i) provide the National Assembly with cost estimates including an analysis of the inflationary impact of any proposed legislation;
- (j) submit to both Houses of the National Assembly a report of:
 - (i) all items funded in the preceding financial year for which no authorizations or appropriation were made by the National Assembly, and
 - (ii) all items contained in the Appropriation Act in the preceding financial year but which were not funded by the Federal Government;
- (k) keep proper record of the bills passed by the National Assembly to determine whether the tax and expenditure goals set by the National Assembly are met in relation thereto; and
- (l) provide assistance and information, but shall not make recommendations on any matter to the National Assembly, any of the Committees, or members of the National Assembly.

Responding to Requests.

3. In responding to requests, the Office shall provide its services in the following order of priority:

- (a) assist the Finance, Appropriation, Budget, Public Accounts and National Planning Committees of the National Assembly on all matters within their jurisdiction;
- (b) assist committees of both Houses or any joint committee of the National Assembly only to a practicable extent;
- (c) provide to members of the National Assembly available information; and

(d) assign personnel of the Office on a temporary basis to committees, at the request of the economic related committees of either House or at the request of either the Senate President or the Speaker of the House of Representatives.

Powers of the Office.

4. The Office has the power to do all things necessary to or in connection with the performance of its functions, including, but not limited to power to:

- (a) enter into, acquire, hold and dispose of property;
- (b) procure the services of experts, consultants and organisations;
- (c) enter into partnership or affiliation with any company, firm, organization, agency or person, which in its opinion will facilitate the discharge of its functions;
- (d) request for and obtain, from any public enterprise, statistical and other information including reports, memoranda, audited accounts and other information relevant to its functions;
- (e) liaise with relevant bodies or institutions locally or overseas for effective performance of its functions;
- (f) conduct any study it chooses, within legal bounds, without interference from the Executive and Legislative branches of the Government; and
- (g) solely determine the methodologies used in its studies.

Governing Board.

5.—(1) There shall be for the Office, a Governing Board (in this Act referred to as "the Board").

(2) The Board shall comprise of 6 members representing the 6 geopolitical zones of the country and a Chairman.

(3) The Chairman and members of the Board shall be appointed by the Speaker of the House of Representatives in consultation with the Senate President after considering recommendation from the House Committee on Legislative Budget and Research.

(4) The Chairman and members of the Board shall hold office for a period of 4 years only.

Schedule.

(5) The provision of the Schedule to this Act shall apply with respect to proceedings of the Board and other matters.

Qualification for membership.

6.—(1) Members of the Board shall be professionals in their fields, statesmen, and people of proven integrity.

1999 Constitution (Cap C23 LFN 2004).

(2) No person shall be appointed as a member of the Board if within the preceding 10 years, he has been removed as a member of any of the bodies established by section 153 of the Constitution of the Federal Republic of Nigeria, or as the holder of any other office on the ground of misconduct.

(3) Any person employed in the Public Service of the Federation or of a State shall not be qualified for appointment as a Chairman or member of the Board.

(4) Where such person has been duly appointed on full-time basis, he shall, on his appointment, be deemed to have resigned or retired from his former office as from the date of his appointment.

Removal from office.

7.—(1) The Chairman or any member of the Board shall be removed from office, by the Speaker of the House of Representatives in consultation with the Senate President after considering recommendation from the House Committee on Legislative Budget and Research.

(2) The Chairman or any other member of the Board shall be removed from office, for inability to discharge the functions of the office (whether arising from infirmity of mind or body or any other cause) or for misconduct.

(3) Upon coming into force of this Act, or upon the expiration of the life of the Board, at any time or upon a vacancy occurring in the membership of the Board, the Speaker shall appoint a member or members, as the case may be, in accordance with section 5(3) of this Act within 30 days after the occurrence of any of the circumstances under this subsection.

Allowances and remunerations of members of the Board.

8. There shall be paid to every member of the Board except the Director General, such remunerations, allowances and expenses by the Revenue Mobilisation and Fiscal Allocation Commission provided that such remuneration and allowances shall be comparable to, but not below that obtainable by Board of Directors of a Bank in Nigeria.

Powers and functions of the Governing Board.

9. The Governing Board shall have supervisory authority over the Office and shall exercise the following powers:

- (a) appointment and discipline of Directors in accordance with internationally acceptable transparency standards;
- (b) approval and ratification of appointments, promotion and discipline of Professional Analysts and other professional Staff of the Office, as may be recommended by the Management Committee and in accordance with internationally acceptable transparency standards;
- (c) approval of the NABRO budget;
- (d) to make regulations and guidelines for the operation of the Office;
- (e) approval of establishment of more departments as the need arises; and
- (f) to take any action necessary for the proper functioning of the Office.

Establishment and functions of Management Committee.

10.—(1) There shall be for the Office a Management Committee comprising the Director-General and the Directors who shall be responsible for:

- (a) the implementation of the requests from the committees of the National Assembly and the day-to-day administration of the Office;
- (b) making recommendations to the Governing Board on appointment, promotion and discipline of professional staff other than Directors; and
- (c) any other duties as the Governing Board may direct.

(2) The Office shall be structured into functional departments each headed by a Director.

(3) Subject to the power of the Governing Board to create additional departments, the functional departments are the:

- (a) Legal Services Department;

(b) Administration Department;

(c) Planning, Research and Statistics Department; and

(d) Budget Department.

(4) The Planning, Research and Statistics Department shall comprise the following Units:

(a) Health, Education and Human Resources;

(b) Energy, Solid Minerals and Environment;

(c) Infrastructure;

(d) Agriculture and Water Resources;

(e) Commerce and Industry; and

(f) National Security

(5) The Budget Department shall comprise the following Units:

(a) Tax Analysis;

(b) Budget Preparation, Evaluation and Monitoring; and

(c) Fiscal and Monetary Policies.

(6) The functions of the Departments are:

(a) the Legal Services Department shall execute legal matters of the Office, analyse and interpret relevant legislation, examine proposed legislation and perform other legal functions of the Office;

(b) the Administration Department shall provide internal management and general administrative support services to other departments and units of the Office including human resources, information resources management, facilities management, library and publicity services;

(c) Planning, Research and Statistics Department:

(i) the Health, Education and Human Resources Unit shall serve the National Assembly Committees on Health, Education, Science and Technology and Human Resources Development and all other related issues; shall provide policy analysis that will be used for preparing and evaluating legislation; and shall analyse policies and programmes in the areas of health, education, women affairs, youths, human resources development and other related social services,

(ii) the Energy, Solid Minerals and Environment Unit shall serve the National Assembly Committees on Energy, Environment and Solid Minerals; shall provide policy analysis that will be used for preparing and evaluating legislation; and shall analyse policies and programmes in the areas of oil, gas, power and steel, environment, solid minerals; natural resources and all other related areas,

(iii) the Infrastructure Unit shall serve the National Assembly Committees on Housing and Habitat, Rural Development, Land Transport, Marine Transport, Aviation, Communications, Works and other related committees; shall provide policy analysis that will be used for preparing and evaluating legislation; and shall analyse infrastructure policies, programmes and all other related matters,

(iv) the Agriculture and Water Resources Unit shall serve the National Assembly Committees on Agriculture, Water Resources; shall provide policy analysis that will be used for preparing and evaluating legislation; and shall analyse policies and programmes in the areas of agriculture, water resources and all other related matters,

(v) the Commerce and Industry Unit shall serve the National Assembly Committees on Commerce, Industry, Capital Markets and Institutions, Banking and Currency, Culture and Tourism, Labour, Privatization and Commercialisation, Employment and Productivity, and related committees; and shall analyse policies and programmes in the areas of commerce, industry and all other related matters,

(vi) the National Security Unit shall serve the National Assembly Committees on Defence, Police Affairs, Internal Affairs, Army, Air Force, Navy, Emergency and Disaster Preparedness, Justice, Human Rights, National Security and Intelligence, and other related committees; and shall analyse policies and programmes in the areas of defence, police affairs and all other related matters,

(d) Budget Department:

(i) the Budget Evaluation and Monitoring Unit shall be responsible for preparing bills' cost estimates and analysis of spending projections called for in the Budget Bill; and shall provide alternative revenue and spending options for lawmakers to consider and monitor the implementation of the Appropriation Act,

(ii) the Tax Analysis Unit shall estimate and project future tax revenues and analyse Nigerian tax structure; shall also offer response to requests from either House of the National Assembly, or its committees, for the provision of analysis on tax related policies,

(iii) the Fiscal and Monetary Policies Unit shall prepare the economic projections of the Office; analyse the impact of fiscal policies of the economy; advise the National Assembly on general macroeconomic issues; and assist the Appropriation committees to develop alternative budget proposals.

Appointment, duties, tenure and removal of the Director-General.

11.—(1) The Office shall be headed by the Director-General who shall be the Chief Executive and Accounting Officer of the Office.

(2) The Director-General shall be appointed upon a resolution of a simple majority of both Houses sitting separately after considering recommendation of the House Committee on Legislative Budget and Research; and the appointment shall be based solely on professional competence and qualification.

(3) The Director-General shall be a person of proven integrity who has had at least 15 years post bachelor's degree or higher national diploma (HND) career in the field of either economics, finance, accountancy, business administration, law; or a combination of any of the foregoing fields of endeavor and relevant experience.

(4) The Director-General shall not be a member of a political party or be involved in partisan politics.

(5) The Director-General shall hold office for a period of 5 years, and shall be eligible for reappointment for one more term of 5 years only, provided the Governing Board considers his performance satisfactory.

(6) The Director-General shall be responsible for the overall operations of the Office including but not limited to:

(a) steering and overseeing the provision of analysis of the annual budget estimates of the Federal Government and the implementation of the requests or directives of Legislative Committees and members of the National Assembly;

- (b) general management and administration of the Office;
- (c) perform such other duties as may be specified, directed and determined by the Governing Board; and
- (d) controlling and disbursing amounts from funds established in accordance with this Act.

(7) The Director-General may be removed from office upon a resolution of the House Committee on Legislative Budget and research, sitting separately after considering a recommendation of the Governing Board for the Director-General's inability to discharge the function of the office or for misconduct.

(8) The Director-General may resign his office upon giving 3 months written notice of resignation to the Governing Board.

Appointment, duties, tenure and removal of Directors.

12.—(1) The Directors for the Departments shall be appointed by the Governing Board in accordance with internationally acceptable transparency standards and the appointments shall be based solely on professional competence and qualification.

(2) The Directors shall be professionals in the relevant fields and shall be persons of proven integrity with at least a bachelor's degree or higher national diploma (HND) and a minimum of 10 years post qualification and relevant experience.

(3) The Directors shall not be members of a political party or be involved in partisan politics.

(4) The Directors may be removed from office by the Governing Board upon recommendation of the Director-General for inability to discharge the function of the office or for misconduct.

(5) A Director may resign his office upon giving 3 months written notice of resignation to the Governing Board.

Appointment, duties, tenure and removal of Professional Analysts.

13.—(1) There shall be for each unit of the Office a cadre of Professional Analysts who shall carry out the day-to-day duties of the Office.

(2) Subject to the approval and ratification of the Governing Board, the Professional Analysts shall be appointed by the Management Committee in accordance with internationally acceptable transparency standards and the appointment shall be based solely on qualification and competence.

(3) The Professional Analysts shall be professionals in the relevant fields and shall be persons of proven integrity with at least a bachelor's degree or higher national diploma (HND) and a minimum of 5 years post qualification and relevant experience.

(4) A Professional Analyst shall not be a member of a political party or be involved in partisan politics.

(5) A Professional Analyst may be removed from office by the Management Committee, subject to the approval and ratification by the Governing Board.

(6) A Professional Analyst may resign his office upon giving 3 months written notice of resignation to the Management Committee.

Other staff.

14.—(1) The Management Committee shall appoint such other staff as may be necessary to carry out the duties and functions of the Office; in accordance with internationally acceptable transparency standards and such appointments shall be made solely on the basis of qualification and competence.

(2) In carrying out the duties and functions of the Office, the Management Committee may procure the services of experts or consultants by contract, subject to ratification by the Governing Board.

Remuneration of Director-General.

15. The Governing Board shall, in consultation with the Revenue Mobilisation and Fiscal Allocation Commission, determine the salary and other allowances to be received by the Director-General provided that the Director-General's remuneration shall be comparable to, but not below that obtainable by the Chief Executive of a Bank in Nigeria.

Remuneration of Directors, Professional Analysts and Professional staff.

16.—(1) The Directors, Professional Analysts and Professional Staff of the Office shall receive such remuneration as shall be determined by the Governing Board.

(2) Such remuneration shall be comparable with, but not below, that which is obtainable in the banking industry in Nigeria.

Remuneration of other staff.

17.—(1) Other staff of the Office shall receive such remunerations as shall be determined by the Governing Board.

(2) Such remunerations shall be comparable to, but not below, that which is obtainable in the banking industry in Nigeria.

Pensions Cap. P4, LFN.

18.—(1) Service in the Office shall be approved service for the purposes of the Pensions Act, and accordingly, officers and other persons employed in the Office in respect of their service shall be entitled to pension, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the public service of the Federation.

(2) Nothing in subsection (1) of this section shall prevent the appointment of a person in the Office on terms, which preclude the grant of a pension or gratuity in respect of service in the Office.

Staff regulations.

19. The Governing Board may by regulations, first laid before the National Assembly, and published in the Gazette prescribe the:

(a) duties and responsibilities of the Director-General, Directors, Professional Analysts, Professional Staff and other staff of the office;

(b) disciplinary control of all employees of the Office and mode of appeal by such employees against dismissals or other disciplinary measures;

(c) administrative or organizational structure of the Office: and

(d) promotion and staff welfare.

Funds, estimates of expenditure, etc.

20.—(1) The Office shall derive its fund from:

(a) such monies as may in each year be approved by the National Assembly under the Appropriation Act for the purposes of carrying out the duties and functions of the Office;

(b) such monies as may from time to time, be granted or deposited with the Office by the National Assembly or any body or institution within the country;

(c) all monies raised for the purposes of the Office by way of gifts, loans, grants-in-aid, testamentary dispositions or otherwise;

(d) proceeds from other assets that may from time to time accrue to the Office;

(e) such monies derived for the purpose of running the Office shall be declared to the National Assembly who shall then appropriate such funds before spending.

(2) The Office shall defray from the fund all expenditures incurred by it and shall include—

(a) the cost of administration;

(b) the payment of salaries, fees or other remunerations or allowances and pensions and gratuities payable to members and employees of the Office; and

(c) anything done in connection with any of its functions under this Act.

(3) Until the National Assembly appropriates the monies mentioned in subsection (1) of this section, the expenses of the Office shall be paid from the Contingency Fund of the National Assembly.

(4) The Director-General shall prepare not later than 31st May of each year, an estimate of the expenditure and income of the Office during the next succeeding year which shall be submitted to both Houses of the National Assembly for approval.

(5) The Director-General shall keep accounts and receipts, payments, assets and liabilities and shall in respect of each year prepare a statement of account in such form as the National Assembly may direct.

(6) The Director-General shall within 6 months after the end of the financial year to which the account relates, cause the account to be audited by auditors appointed from the list and in accordance with guidelines supplied by the Auditor-General of the Federation.

Obtaining of data by the Director-General.

21.—(1) The Director-General may, for the purpose of coordinating the operations of the Office with those of the National Assembly Agencies, obtain information, data, estimates and statistics developed by the Committees, Clerk and all other offices of the National Assembly.

(2) The Committees, Clerk and other offices of the National Assembly shall furnish the Director-General with any available materials that the Director-General determines to be necessary in the performance of his/her duties.

Obtaining of data from public bodies.

22.—(1) The Director-General shall obtain information, data, estimates and statistics directly from ministries, extra-ministerial departments, Government parastatals, agencies, commissions and establishments; and all such ministries, extra-ministerial departments, Government parastatals, agencies, commissions and establishments shall furnish the Director-General with any materials that the Director-General considers to be necessary in the performance of his/her duties.

(2) The Director-General may, upon agreement with the head of any Ministry, Extra-Ministerial department, parastatals, agency, commission or establishment utilize its services, facilities and personnel as needed by the Office.

(3) The Director-General may assign Professional and other Staff of the Office to any Ministry, Extra-Ministerial department, parastatals, agency, commission or establishment including joint ventures where Government is a party for the purpose of obtaining primary data and statistics.

(4) The Director-General may assign Professional Staff or Consultants to conduct surveys as may be required by the Office.

Making information available to the public.

23.—(1) The Director-General shall make all information, estimates, data and statistics obtained under sections 18 and 19 available for public viewing and copying, subject to reasonable rules and regulations, and shall to the extent practicable at the request of any person, furnish a copy of any such information, estimates, etc. upon payment by such person of the cost of making and furnishing such copy.

(2) Subsection (1) of this section shall not apply to information, data, estimates and statistics which:

(a) are specifically exempted from disclosure by law; or

(b) the Director-General considers:

(i) matters necessary to be kept secret in the interest of national defence and security or the confidential conduct of the foreign relations of the Federal Republic of Nigeria;

(ii) information relating to trade secrets, or financial or commercial, information pertaining to a given person if the information has been obtained by the Government or the Office on a confidential basis, other than through an application by such in a specific financial or other benefits, and is required to be kept secret in order to prevent undue injury to the competitive positions of such persons; or

(iii) personal or medical data or similar data, the disclosure of which would constitute an unwarranted invasion of personal privacy, unless the portions containing such matters, information or data have been excised.

Making methodology available to the public.

24. The Director-General shall make available to the public upon request, the methodologies and assumptions for all analysis, cost estimates and studies.

Report on the Fiscal Policy of Government.

25. On or before 1st of April each year, the Director-General shall submit to the Committees on Appropriations of both Houses of the National Assembly, a projection for the fiscal year commencing on 1st of January of the following year, on the fiscal policy and the permissible aggregate Government Expenditure and Core Revenue.

Interpretation.

26. In this Act:

"committees" means committees established under the rules of both Houses;

"core revenue" means accruable revenue;

"economic related committees" mean committees on: Aids, Loans and Debt Management; Appropriation; Banking and Currency; Capital Market; Finance; Legislative Budget and Research; National Planning and Population; Public Accounts; and any other committee(s) that may be established according to the Standing Orders of the House of Representatives;

"misconduct" as provided in the Code of Conduct for Public Officers;

"permissible aggregate government expenditure" means the total spending ceilings or limits;

"property" means land or building and includes intellectual property;

"Public Bodies" means any corporation, board, company or parastatal established by, or under enactment in which the Government of the Federation, a Ministry, or Extra-Ministerial Department, agency, or equity interest and include a partnership, joint venture, or any form of business arrangement or organization;

"the Office" means the National Assembly Budget and Research Office.

Citation.

27. This Act may be cited as the National Assembly Budget and Research Office Bill, 2008.

SCHEDULE

SUPPLEMENTARY PROVISION RELATING TO THE BOARD, ETC.

1.—(1) At any meeting of the Board, the Chairman shall preside and in his/her absence, such member of the Board as the other members may elect from among themselves for that purpose.

(2) Subject to this Act and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its Committees.

2. The Quorum of the Board shall be the Chairman and 3 other members of the Board.

3. The Board may appoint one or more Committees to carry out, on behalf of the Board, such of its functions as the Board may determine, but no decision of any such Committee shall have effect unless ratified by the Board.

4. The Board may co-opt persons who are not members of the Board to any meeting of the Board or any Committee and such persons may take part in the deliberations of the Board or any Committee but shall not be entitled to vote.

5. The fixing of the seal of office shall be authenticated by the Signature of the Chairman or any other member of the Board generally or, specifically authorized by the Board to act for that purpose and the Director-General:

(a) a document purporting to be a document duly executed under the seal of the office shall be received in evidence and shall, unless and until the contrary is proved, be presumed so executed.

6. The validity of any proceedings of the Board or a Committee shall not be adversely affected by:

(a) the validity in the membership of the Board or Committee;

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

(c) reason that a person not entitled to do so, took part in the proceeding of the Board or Committee.

COMMITTEE MEETINGS

	<i>Committee</i>	<i>Date</i>	<i>Time</i>	<i>Venue</i>
1.	Rules and Business	Wednesday, 6 February, 2008	10.00 a.m.	Committee Room 06 Assembly Complex
2.	Women Affairs and Social Development	Wednesday, 6 February, 2008	10.00 a.m.	Committee Room 019 New Building Assembly Complex
3.	Gas Resources	Wednesday, 6 February, 2008	10.00 a.m.	Committee Room 441 New Building Assembly Complex
4.	Governmental Affairs	Wednesday, 6 February, 2008	12.30 p.m.	Committee Room 305 New Building Assembly Complex
5.	Niger Delta	Wednesday, 6 February, 2008	11.00 a.m.	Committee Room 305 New Building Assembly Complex
6.	Privatisation and Commercialisation	Wednesday, 6 February, 2008	12.00 p.m.	Committee Room 436 New Building Assembly Complex