



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 27 January, 2005

1. The House met at 11.10 a.m. Mr Deputy Speaker read Prayers.
2. **Votes and Proceedings:**
Mr Deputy Speaker announced that he had examined and approved the Votes and Proceedings of Wednesday, 26 January, 2005.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcements:**
Mr Deputy Speaker read the following letter:
(i)

FEDERAL MINISTRY OF WATER RESOURCES

OFFICE:

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Ref No.

MWR/S/SD/I 67/Vol. II

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25 January, 2005

*His Excellency,
Right Honourable Aminu Bello Masari,
The Speaker, Federal House of Representatives
National Assembly Complex
Three Arms Zone
Abuja.*

Your Excellency,

FEDERAL RURAL WATER SUPPLY PROGRAMME UNDER THE 2004 APPROPRIATION ACT

The purpose of this letter is to brief your Distinguished Honourable on the implementation of the Federal Rural Water Supply Programme under the 2004 Appropriation Act.

2. *Further to the approval of the Federal Executive Council in November 2004, we advertised the list of 480 successful contractors and requested them to come for the letter of award and contract documentation.*

3. *The contracts have been signed and the payment of the 25% advance payment to the contractors who have submitted necessary unconditional Bank Guarantee is on going.*
4. *We have held take-off meetings with the River Basin Development Authorities, the Engineering Consultants, Nigerian Society of Engineers representatives on the implementation modalities, roles and responsibilities of the different groups for effective execution of the contract.*
5. *Subsequent to the above, site-possession activities are scheduled to commence on Monday, 31/01/05. Towards this end advertisement has been issued to four National dailies with the relevant details, as attached.*
6. *In order to make the site-possession and commencement of execution hitch-free, the RBDA's are furnished with full particulars of the Distinguished Senators and Honourable members of the House of Representatives to facilitate commencement and input by the members of the National Assembly.*
7. *This is for your kind information, please accept my loyalty and esteem regards.*

(Signed)

Alhaji Mukhtari S. Shagari

Honourable Minister of Water Resources.

(ii) Conference Committee:

Mr Deputy Speaker named the following Conferees on the National Lottery Bill, 2004:

Hon. Tunde Salawu
 Hon. Igo Aguma
 Hon. Victor Lar
 Hon. Aminu Tambawal
 Hon. Bala Ibn Na'Allah

4. Non-Remittance of Revenues Earned as Income by Parastatals, Commissions and Statutory Corporations Owned by the Federal Government of Nigeria (*Adjourned Debate*):

(Hon. Farouk Lawan, pursuant to House Order of Tuesday, 25 January, 2005, presented and laid on the Table, a list of the Federal Government Parastatals, Commissions and Statutory Corporations as ordered).

Resumption of Debate:

Main Question put and negatived.

CONSEQUENTIAL ORDER

Chairmen of Committees on Finance and Public Accounts, ordered to jointly furnish relevant Committees of the House and the Office of the Hon. Speaker with details of Federal Government-owned Parastatals, Commissions, and Statutory Corporations under the Committees' jurisdictions that earn revenues and do not remit same to the Consolidated Revenue Fund. The Committees, upon receipt of details, mandated to investigate the financial activities of these bodies with a view to ensuring strict compliance with constitutional provisions and to submit their reports to the Office of the Speaker within thirty (30) days.

5. A Bill for an Act to Establish a Council for Freight Forwarders of Nigeria Charged with the Responsibility, Among Others, of Determining the Standards of Knowledge and Skills to be Attained by Persons Seeking to be Registered Members of Freight Forwarders of Nigeria in Accordance with the Provisions of this Act; and for Related Purposes, 2004 (HB. 128) — *Second Reading*:

Motion made and Question proposed; "That the Bill for an Act to Establish a Council for Freight Forwarders of Nigeria Charged with the Responsibility, Among Others, of Determining the Standards of Knowledge and Skills to be Attained by Persons Seeking to be Registered Members of Freight Forwarders of Nigeria in Accordance with the Provisions of this Act; and for Related Purposes, 2004 (HB.128) be now read a Second Time" (Hon. Emeka Ihedioha).

Debate:

Question, That the Bill be now read the Second Time, put and agreed to.

Bill read the Second Time and referred to the Committee on Marine Transport.

6. Consideration of Reports:**(i) Joint Committee on Sports and Social Development and Judiciary:**

Motion made and Question proposed: “That this House do consider the Report of the House Committee on Sports and Social Development and Judiciary on the Bill for an Act to provide for the National Lottery, Establishment of the National Lottery Regulatory Commission and the National Lottery Trust Fund and for Matters Connected Therewith, 2004; and approve the recommendations therein” (*Hon. Sirajo Danbatta*).

Question put and agreed to.

Question that the House do resolve into the Committee of Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR THE NATIONAL LOTTERY, ESTABLISHMENT OF THE
NATIONAL LOTTERY REGULATORY COMMISSION AND THE NATIONAL LOTTERY TRUST FUND
AND FOR MATTERS CONNECTED THEREWITH

Committee Recommendation:**Clause 1: Establishment of the National Lottery Regulatory Commission.**

- (1) There is hereby established a body to be known as the National Lottery Regulatory Commission (in this Act referred to as “the Commission”).
- (2) The Commission—
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue or be sued in its corporate name; and
 - (c) may acquire, hold or dispose of any property, movable or immovable for the purpose of carrying out any of its functions under this Act (*Hon. Sirajo Danbatta*)—*Agreed to.*

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

Committee Recommendation:**Clause 2: Establishment and membership of the Governing Board.**

- (1) There is hereby established for the Commission, a governing body to be known as the National Lottery Regulatory Commission Governing Board (in this Act, referred to as “the Board”) which shall have overall control of the Commission.
- (2) The Board shall consist of—
 - (a) a part time Chairman;
 - (b) a representative each of—
 - (i) the Federal Ministry of Commerce,
 - (ii) the Federal Ministry of Finance;
 - (iii) the Federal Ministry of Sports and Social Development;
 - (c) Six other members, one per zone who shall be persons of integrity possessing cognate experience in relevant fields and versed in regulatory issues: and

(d) the Director-General of the Commission.

(3) The Chairman and members of the Board shall—

(a) be appointed by the President; and shall

(b) *except the Director-General* of the Commission, serve on part-time basis

First Schedule.

(4) The supplementary provisions set out in the First Schedule to this Act shall have effect with respect to the proceedings of the Board and the other matters mentioned therein (*Hon. Sirajo Danbatta*)—*Agreed to.*

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

Committee Recommendation:

Clause 3: Tenure of office.

The Chairman and other members of the Board, other than *ex-officio* members, shall each hold office—

(a) for a term of 4 years in the first instance and may be reappointed for a further term of 4 years and no more; and

(b) on such terms and conditions as may be specified in his letter of appointment (*Hon. Sirajo Danbatta*)—*Agreed to.*

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

Committee Recommendation:

Clause 4: Cessation of membership.

(1) Notwithstanding the provisions of Section 3 of this Act, a member of the Board shall cease to hold office as a member of the Board if—

(a) he resigns his appointment as a member of the Board by notice, under his hand, addressed to the President; or

(b) he becomes of unsound mind; or

(c) he becomes bankrupt or makes a compromise with his creditors; or

(d) he is convicted of a felony or of any offence involving dishonesty or corruption; or

(e) he becomes incapable of carrying on the functions of his office either arising from an infirmity of mind or body; or

(f) the President is satisfied that it is not in the interest of the Commission or in the interest of the public for the person to continue in office and the President removes him from office.

(2) Where a vacancy occurs in the membership of the Board, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, so however that the successor shall represent the same interest as his predecessor (*Hon. Sirajo Danbatta*)—*Agreed to.*

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

Committee Recommendation:

Clause 5: Emoluments, etc. of members.

The Chairman and members of the Board shall be paid such emoluments, allowances and benefits as the President may, from time to time, direct in line with the recommendation

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

Committee Recommendation:

Clause 6: Powers of the Board.

- (1) The Board shall have power to—
- (a) provide the general policy guidelines relating to the functions of the Commission;
 - (b) manage and -superintend the policies of the Commission;
 - (c) determine the team and conditions of service of the employees of the Commission;
 - (d) fix the remuneration, allowances and benefits of the staff and employees of the Commission in consultation with the National Salaries, Income and Wages Commission;
 - (e) do such other things which in its opinion are necessary to ensure the efficient performance of the functions of the Commission under this Act (*Hon. Sirajo Danbatta*)—Agreed to.

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

PART II—FUNCTIONS OF THE COMMISSION

Committee Recommendation:

Clause 7: Functions of the Commission.

The Commission shall—

- (a) regulate the operation and business of the national lottery in Nigeria;
- (b) in collaboration with the licensee, set standards, guidelines and rules for the operation of national lottery in Nigeria;
- (c) promote transparency, propriety and integrity in the operation of national lottery in Nigeria;
- (d) ensure the protection of the interests of players and stakeholders in the national lottery;
- (e) carry out periodic assessment of the operation of national lottery in Nigeria and submit report to the President and National Assembly; and
- (f) perform such other duties as may be directed by the President, from time to time, and as are necessary or expedient to ensure the efficient performance of the functions of the Commission under this Act (*Hon. Sirajo Danbatta*)—Agreed to.

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

PART III—STAFF OF THE COMMISSION

Committee Recommendation:

Clause 8: Director-General of the Commission, etc.

- (1) There shall be for the Commission, a Director-General who shall—
- (a) be appointed by the President subject to confirmation by the Senate;

- (b) be the chief executive and accounting officer of the Commission; and
- (c) be responsible for the execution of the policy and day-to-day administration of the Commission.

(2) The Director-General shall hold office—

- (a) for a term of 4 years in the first instance and may be re- appointed for a further term of 4 years and no more; and
 - (b) on such terms and conditions as may be specified in his letter of appointment.
- (3) Notwithstanding the provisions of Subsection (2) of this section, the Director-General may—
- (a) resign his appointment by a notice in writing under his hand, addressed to the President through the Board; or
 - (b) be removed 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 or corruption (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 9: Other staff of the Commission.

The Commission may, subject to the approval of the Board, appoint such other staff as it may deem necessary and expedient, from time to time—

- (a) for the proper and efficient performance of the functions of the Commission; and
- (b) on such terms and conditions as may be determined, from time to time, by the Board (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 10: Pensions. 2004 No. 2.

It is hereby declared that service in, the Commission shall be subject to the provisions of the Pension Reform Act, and accordingly, officers and employees of the Commission shall be entitled to pensions and other retirement benefits as are prescribed under the Pension Reform Act (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

PART IV—FINANCIAL PROVISIONS

Committee Recommendation:

Clause 11: Fund of the Commission.

The Commission shall establish and maintain a fund to which shall be paid and credited—

- (a) any take-off grants from the Federal Government;
- (b) annual subventions and budgetary allocations from the Federal Government;
- (c) gifts, loans, grants-in-aid from national, bilateral and multilateral organisations, agencies and bodies;
- (d) charges, fees and other internally generated revenues by the Commission; and

- (e) all other sums accruing to the Commission, from time to time (*Hon. Sirajo Danbatta*)—*Agreed to.*

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

Committee Recommendation:

Clause 12: Expenditure of the Commission.

The Commission may, from time to time, apply the proceeds of the fund established under Section 11 of this Act—

- (a) to the cost of administration of the Commission;
- (b) to the payment 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 and for such expenses as may be expressly authorised by the Board;
- (c) to the payments the salaries, fees or other remuneration or allowances, pensions and other benefits payable to the staff and other employees of the Commission, so however that no payment of any kind under this paragraph (except such as may be expressly authorised by the Board) shall be made to any person who is in receipt of emoluments from the Government of the Federation or of a State;
- (d) for the development and maintenance of any property vested in or owned by the Commission;
- (e) for payment for all consultancies, legal fees and cost of contracts administration;
- (f) for payment for all purchases made by the Commission;
- (g) for maintaining general financial reserves subject to general or special directives that may be given in that behalf by the President subject to confirmation of the National Assembly in accordance with the provisions of this Act; and
- (h) for any expenditure in connection with all or any of its functions under this Act (*Hon. Sirajo Danbatta*)—*Agreed to.*

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

Committee Recommendation:

Clause 13: Annual estimates and accounts.

- (1) The Commission shall, not later than 30th September in each year, submit to the President and National Assembly an estimate of its expenditure and income (including payments to the Commission fund) for the next succeeding year.
- (2) The Commission shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause its accounts to be audited within 6 months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation (*Hon. Sirajo Danbatta*).

Amendment Proposed:

In Subclause (1), lines 1 and 2, *leave out* the words “submit to the President and National Assembly” and *insert* instead thereof the words “submit through the President to the National Assembly” (*Hon. Leo Ogor*).

Question that the amendment be made, put and agreed to.

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

Committee Recommendation:

Clause 14: Annual reports.

The Commission shall prepare and submit to the President not later than 30th June in each year a report in such form as the President may direct on the activities of the Commission during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Commission for that year and of the auditor's report thereon (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 15: Power to accept gifts.

- (1) The Commission may accept gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.
- (2) The Commission shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the functions of the Commission under this Act (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 16: Power to borrow.

The Commission may, with the approval of the President, borrow by way of loan, overdraft or otherwise from any source such sums as it may require for the performance of its functions and meeting its obligations under this Act (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

PART V—OPERATION OF NATIONAL LOTTERY, ETC.

National Lottery Licence

Committee Recommendation:

Clause 17: Operation of the business of a national lottery.

As from the commencement of this Act, the operation of the business of a national lottery, by whatever name called, shall be subject to a licence granted by the President upon recommendation by the Commission and compliance with the provisions of this Act or regulations made pursuant thereto (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 18: Application for licence.

Any person or body corporate may submit application for a licence for the operation of the business of a national lottery to the President through the Commission in the prescribe form and upon the payment of such fees as may be prescribed, from time to time, by the Commission (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 19: Grant of licence.

- (1) Upon the recommendation of the Commission, the President may grant licence to any person or body corporate to operate a national lottery or any lottery, by whatever name called, if the President is satisfied that the applicant—
 - (a) is a fit and proper person to manage the business or any part of the business of a national lottery;

- (b) has or has access to the relevant knowledge, expertise and experience to manage the business or any part of the business of operating a national lottery;
- (c) has or belongs to an associate or group that has sound and stable financial base;
- (d) is capable of mobilising sufficient financial resources to ensure financial viability of the business of operating a national lottery; and

- (e) has made an undertaking to conduct the business of a national lottery with all due propriety, corruption free accountability, transparency and protection of the interest of participating stakeholders and the Public.
- (2) Any licence granted under Subsection (1) of this section may be subject to such terms and conditions as the President may, from time to time, determine and without prejudice to the generality of the foregoing, such conditions shall include—
- (a) the percentage of the net proceeds payable to the Trust Fund established under Section 36 of this Act and the frequency of such payment in respect of all individual lotteries operated pursuant to the licence; and
 - (b) whether or not the licence is exclusive in respect of all or individual lotteries operated by the licensee.
- (3) If any change occurs in the information provided in the application for a licence by any person or body corporate (including any documents lodged with the application) before the application is granted or refused, the applicant shall forthwith submit to the President written particulars of the change (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 20: Duration of a licence.

- (1) Subject to subsection (2) of this section, licence granted under section 19 of this Act shall be valid for a minimum period of 10 years or maximum of 15 years.
- (2) The President may, at least one year before the expiration of the licence, upon recommendation of the commission extend the term of the licence for such further period as the President may, from time to time determine, not being in excess of 10 years.
- (3) During the duration of the licence, the licensee shall be entitled to use the words “national lottery” as an identification and endorsement for any or all lotteries operated under the licence (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 21: Revocation of licence.

- (1) Notwithstanding Section 20 of this Act, a licence granted under this Act may be revoked by the President if—
 - (a) the licensee is no longer a fit and proper person to carry on the business of a national lottery, whether arising from insolvency, liquidation or any other valid reason; or

- (b) there has been a contravention or a breach of any of the conditions contained in the licence; or
- (c) any person for whose benefit the licence has been acquired or who is a holding company of the licensee or who in any other way controls the licence, is not a fit and proper person to benefit from it, whether arising from insolvency, liquidation, confinement in prison or other institution or any other relevant reason; or
- (d) the licensee has failed to take adequate steps to prevent the commission of fraud by its employees, after having been alerted or becoming aware of the conditions conducive to the commission of fraud, or to instances of fraud or dishonesty; or

- (e) the licensee or any of its employees unlawfully prevents the President, the Commission or any authorised person from carrying out his or its duties under this Act; or
 - (f) the licensee fails to prevent or abate the violation of the provisions of this Act or the licence;
 - (g) the licensee or any of its employees repeatedly and knowingly sells tickets or awards or pays prizes to any person contrary to the provisions of this Act.
- (2) If satisfied that there exists any ground for revocation, as specified in Subsection (1) of this section, the President shall—
- (a) notify the licensee in writing of the existence of such grounds; and
 - (b) request the licensee to furnish reasons, within 14 days of service of such notice at the registered address of the licensee as to why the licence should not be revoked.
- (3) The President may—
- (a) if satisfied with any reason furnished by the licensee, pursuant to Subsection (2) of this section, allow the licence to continue; or
 - (b) if not satisfied with the reasons furnished by the licensee, revoke the licence with or without the advice of the Commission.
- (4) Where a licence is revoked under this section, appropriate compensation may be payable to the licensee subject to due valuation of all physical assets of the licensee relating to the business of a national lottery (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Miscellaneous Provisions Relating to a Licensee

Committee Recommendation:

Clause 22: Certain restrictions on national lottery licence.

No person holding a political office or in the public service of the Federation within the meaning of the Constitution of the Federal Republic of Nigeria shall have any financial interest in a national licensee or licence (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 23: Appointment of agents by a licensee to manage lotteries, etc.

Subject to this Act, a licensee may, with the approval of the Commission, appoint, contract or otherwise engage any person or body corporate as an operator or agent to manage, promote, conduct or operate, on behalf of the licensee, all or any of the lotteries to which the licence relates (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 24: Application of proceeds of a national lottery.

- (1) A licensee shall establish an operational fund to be known as the "prize fund" into which shall be paid a minimum return of 50 per cent of the proceeds of a national lottery.
- (2) The prize fund established by the licensee pursuant to Subsection (1) of this section shall be applied exclusively for the payment of prizes in respect of such lotteries from which the proceeds were realised.

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- (3) A licensee shall pay to the Trust Fund established under Section 36 of this Act within a period of not more than 90 days after the determination of the result of each lottery, an amount of 20 per cent for the first 5 years of the licence, 25 per cent in the subsequent 5 years and thereafter 27.5 per cent (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 25: Financial statements and records of licensee.

- (1) A licensee shall submit to the President and the Commission, at such time and in such manner as the Commission may, from time to time, prescribe, financial statements, returns and other records relating to the lotteries operated pursuant to the licence.
- (2) A licensee shall keep proper accounts and records of the transactions and affairs of the licensee sufficient to explain the financial operations and financial position of the licensee.
- (3) A licensee may apply to the President, through the Commission, for an extension of time within which to submit the financial statement or return specified in Subsection (1) of this section (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 26: Annual reports by licensee.

A licensee shall prepare and submit to the Commission not later than 30th June in each year a report in such form as the president or the Commission may direct on the activities of the licensee during the immediately preceding year, and shall include in the report a copy of the financial statement for the year submitted pursuant to Section 25 of this Act and the audited accounts of the licensee for that year (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 27: Auditing of accounts and financial statements of the licensee. Cap. 59 LFN.

The licensee shall cause his or its accounts and financial statements to be audited within 6 months after the end of each year by external auditors in accordance with the provisions of the Companies and Allied Matters Act (*Hon. Sirajo Danbatta*)—*Agreed to*.

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

Committee Recommendation:

Clause 28: Powers of the external auditor.

Any external auditor appointed to audit the accounts of a licensee pursuant to Section 27 of this Act—

- (a) shall have the right to access at all times the books to he books of the licensee in respect of the lotteries; and
- (b) may require from an employee or contractor of the licensee any information, assistance or explanation necessary for the performance of the duties of the auditor in relation to the audit (*Hon. Sirajo Danbatta*)—*Agreed to.*

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

Committee Recommendation:

Clause 29: Sale of lottery tickets.

A ticket of any lottery under this Act shall be sold on behalf of a licensee through personal application, postage or electronic transmission—

- (a) at the offices of the licensee; or
- (b) by sales agents appointed or contracted by the licensee; or
- (c) automatic vending machines authorised by the licensee; or
- (d) by such other means or places as may be authorised or designated by the licensee from time to time (*Hon. Sirajo Danbatta*)—*Agreed to.*

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

Committee Recommendation:

Clause 30: Commercial lottery, etc. syndicating prohibited.

- (1) No person shall obtain or attempt to obtain any direct or indirect financial gain for himself or for any other person by forming, conducting or assisting in forming or conducting a syndicate for the purchase of a ticket or electronic entry.
- (2) No person shall promote—
 - (a) the formation of any syndicate for the purchase of a ticket or electronic entry; or
 - (b) any form of syndicate for the purchase of any ticket or making any electronic entry; or
 - (c) any scheme capable of assisting any other person to form any syndicate for the purpose of purchasing ticket or making electronic entry.
- (3) Any person who contravenes the provisions of Subsections (1) and (2) of this section commits an offence and shall be liable on conviction—
 - (a) in the case of an individual, to a fine of not less than ₦50,000 or imprisonment for a term of not less than one year or to both such fine and imprisonment; or
 - (b) in the case of a body corporate, to a fine of not less than ₦250,000 and ib addition, each director, manager or officer of the body corporate shall be liable to a fine of not less than ₦50,000 or imprisonment for a term of not less than one year or to both such fine and imprisonment.
- (4) It shall be a defence to a charge brought under this section if the person charged

proves that—

- (a) the offence was committed by the body corporate without his consent or knowledge; or
 - (b) he or she exercised due diligence to prevent the commission of the offence.
- (5) This section does not apply to—
- (a) the licensee or operator; or
 - (b) any sales agent of the licensee or operator with respect to any commission payment received under an agreement with licensee or operator (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 30 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 31: Unclaimed prizes.

- (1) Subject to this Act and any other condition in the licence, the licensee shall undertake all best endeavours to find and make payment to all prize winners.

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- (2) A licensee may deduct from the prize fund the legitimate expenses incurred in finding and paying winners of prizes previously unclaimed.
- (3) Upon the expiration of a period of not less than 180 days following any lottery draw; the licensee shall retain any prizes remaining as part of the prize-fund and such monies as remains unclaimed shall be used to pay future prizes.
- (4) A licensee may, at his own discretion, meet the legitimate claims of jackpot winners in respect of any prizes previously unclaimed for a period longer than 180 days, from the prize fund maintained by the licensee pursuant to Section 24 of this Act.
- (5) A licensee may at his own discretion apply any part of the unclaimed prizes for supplementary draws for the promotion of social objectives of the national lottery (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 31 stand part of the Bill, put and agreed to.

General Provisions on National Lottery

Committee Recommendation:

Clause 32: Application of this Act to existing licence.

The provisions of this Act shall apply to any licence to operate a national lottery existing immediately before the commencement of this Act and such licence shall be deemed to have been granted under this Act (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 32 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 33: Agreement with another country on national lottery.

- (1) The President, in consultation with the approval of the National Assembly, may enter into an agreement with the Government of any other Country or State with respect to—
- (a) the operation of a licence granted under this Act in that other country or State;
 - (b) any contract, agreement or arrangement entered into by the licensee with

any person or body corporate in another country or State to promote and conduct lotteries in that other country;

- (c) the payment of or exemption from payment of all or part of the contributions to the Trust Fund established under Section 36 of this Act in connection with proceeds from lotteries derived from or in that other country or State;
 - (d) the retention by that other country or State of all or part of the contributions referred to in paragraph (c) of this subsection;
 - (e) the inclusion in the prize fund of the licensee maintained pursuant to Section 24 (1) of this Act to any lottery of all or any part of the proceeds from a lottery promoted in another country or State; and
 - (f) any matter connected with or incidental to all matters covered under this subsection.
- (2) Any agreement entered into pursuant to this section may be varied or rescinded by the parties thereto on such terms and conditions as may be agreed between them (*Hon. Sirajo Danbatta*).

Amendment Propsoed:

In Subclause (1), line 1, *leave out* the words “in consultation” (*Hon. Idoko*).

Question that the amendment be made, put and agreed to.

Question that Clause 33 as amended stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 34: General offences.

- (1) Any person who—
 - (a) forges any lottery ticket or causes any ticket to be forged;
 - (b) knowingly disposes of, or attempts to sell or disposes of any or stolen ticket; or
 - (c) alters any number or figure or falsifies or otherwise disfigures any ticket with the intent to defraud; or
 - (d) with the intent to defraud, takes or converts to his own use or to use of any other person, any proceeds from a lottery operated by the licensee; or
 - (e) knowingly sells to any person under the age of eighteen years
 - (f) fraudulently or unlawfully holds himself out as an agent of the licensee; or
 - (g) as an incentive or inducement to enter into a contract, or as a condition or consequence of entering into a contract, gives a guarantee or promise to a person to the effect that the person will win a prize or share of a prize in a lottery; or
 - (h) conducts or promotes a scheme under which a guarantee or promise is given to a person participating in the scheme to the effect that the person will win a prize or share of a prize in a lottery; or
 - (i) contravenes any provisions of this Act where no specific penalty is provided,

commits an offence and shall be liable on conviction to a fine of not less than ₦20,000 or imprisonment for a term of not less than one year or to both such fine and imprisonment.

- (2) Where an offence under Subsection (1) of this section is committed by a body corporate, the body corporate shall be liable to a fine of not less than ₦100,000 and in addition, each director, manager or officer of the body corporate shall be liable on conviction to a fine of not less than ₦20,000 or imprisonment for a term of not less than one year or to both such fine and imprisonment.
- (3) (a) Save as provided under this Act and notwithstanding the provision of any other enactment to the contrary, the operation of any lottery on a national basis or on interstate basis is hereby declared unlawful.
(b) Pursuant to the above provision, it shall be an offence to establish or conduct a lottery at national level or employ the use of a national platform or interstate basis to—
 - (i) conduct a lottery, either through personal application or any electronic transmission;
 - (ii) Print a ticket in lottery;
 - (iii) sell, buy or offer for sale or give or accept a ticket in a lottery;

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- (iv) publish or exhibit in a newspaper or broadcast, telecast or on a notice by electronic means or otherwise any information relating to a lottery;
- (v) sell or dispose of any property of any kind or allot any prize of money by means of a game of chance or a game of mixed chance and skill; or
- (vi) keep a house or place for the purpose of conducting a lottery, whether the house or place is used for any other purpose (*Hon. Sirajo Danbatta*)—*Agreed to.*

Question that Clause 34 stand part of the Bill, put and agreed to.

PART VI—ESTABLISHMENT OF THE NATIONAL LOTTERY TRUST FUND AND ITS BOARD OF TRUSTEES

Committee Recommendation:

Clause 35: Establishment of the National Lottery Trust Fund.

- (1) There is hereby established a fund to be known as the National Lottery Trust Fund (in this Act referred to as “the Trust Fund”) into which shall be credited a percentage of the net proceeds of a national lottery as prescribed under Section 24 of this Act.
- (2) The Trust Fund—
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue or be sued in its corporate name; and
 - (c) shall have the power to acquire, hold, mortgage, purchase or deal howsoever with property, whether movable or immovable, real or personal (*Hon. Sirajo Danbatta*)—*Agreed to.*

Question that Clause 35 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 36: Establishment and composition of the Board of Trustees for the Trust Fund.

- (1) There is hereby established for the Trust Fund, a board of trustees to be known as the National Lottery Trust Fund Board of Trustees (in this Act referred to as “the Board of Trustees”) which shall have overall control of the Trust Fund.
- (2) The Board of Trustees shall consist of—
 - (a) a part-time Chairman;
 - (b) the Permanent Secretary, Federal Ministry of Finance;
 - (c) the Permanent Secretary, Federal Ministry of Sports and Social Development;
 - (d) the Chairman and two members of the board of directors of the licensee;
 - (e) two major shareholders of the licensee; and
 - (f) six persons, one from each geopolitical zone to represent public interest.
- (3) The Chairman and members of the Board of Trustees shall—
 - (a) be appointed by the President, subject to confirmation by the Senate; and
 - (b) serve on a part-time basis.

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- (4) The supplementary provisions set out in the Second Schedule to this Act shall have effect with respect to the proceedings of the Board of Trustees and the other matters mentioned therein (*Hon. Sirajo Danbatta*).

Amendment Proposed:

In Subclause (2) (f), immediately after the word “zone”, *insert* the words “one of whom must be a woman” (*Hon. Abdul Ningi*).

Question that the amendment be made, put and agreed to.

Question that Clause 36 as amended stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 37: Tenure of office.

The Chairman and other members of the Board of Trustees, other than *ex-officio* members, shall each hold office—

- (a) for a term of 4 years in the first instance may be re-appointed for a further term of 4 years; and
- (b) on such terms and conditions as may be specified in his letter of appointment (*Hon. Sirajo Danbatta*)—*Agreed to.*

Question that Clause 37 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 38: Cessation of membership.

- (1) Notwithstanding the provisions of Section 37 of this Act, a member of the Board of Trustees shall cease to hold office as a member of the Board of Trustees if—
 - (a) he resigns his appointment as a member of the Board of Trustees by notice under his hand, addressed to the President; or

- (b) he becomes of un sound mind; or
 - (c) he becomes bankrupt or makes a compromise with his creditors; or
 - (d) he is convicted of a felony or of any offence involving dishonesty or corruption; or
 - (e) he becomes incapable of carrying on the functions of his office either arising from an infirmity of mind or body; or
 - (f) the President is satisfied that it is not in the interest of the Commission or in the interest of the public for the person to continue in office and the President remove him from office.
- (2) Where a vacancy occurs in the membership of the Board of Trustees, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, so however that the successor shall represent the same interest as his predecessor (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 38 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 39: Emoluments, etc. of members.

The Chairman and members of the Board of Trustees shall be paid such emoluments, allowances and benefits as the President may, from time to time, approve (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 39 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 40: Application of the Trust Fund.

The proceeds of the Trust Fund established under Section 34 of this Act shall be applied, from time to time—

- (a) to fund projects approved by the President, on the recommendation of the Board of Trustees, to be in the interest of the Nigerian community and such projects shall include but not limited to projects for the advancement, upliftment and promotion of sports development, education, social services, public welfare and relief and management of natural disasters in Nigeria;
- (b) to the cost of administration of the Trust Fund;
- (c) subject to Section 39 of this Act, for the payment of emoluments, allowances and benefits of members of the Board of Trustees and for reimbursing members of the Board of Trustees or any Committee set up by the Board of Trustees for such other expenses as may be expressly authorised by the Board of Trustees;
- (d) for the payment of salaries, fees or other remuneration or allowances, pensions and other benefits payable to the staff and other employees of the Trust Fund, so howsoever that no payment of any kind under this clause (except such as may be expressly authorised by the Board) shall be made to any person who is in receipt of emoluments from the Federal Government or of a State; and
- (e) for and in connection with all or any of its functions made under this Act (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 40 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 41: Powers of the Board of Trustees.

The Board of Trustees shall have power to—

- (a) acquire office for the use of the Trust Fund in such locations as it may deem necessary for the proper performance of its functions under this act;
- (b) fix the terms and condition of service including remuneration of the employees of the Trust Fund; and
- (c) do such other things which in the opinion of the Board of Trustees are necessary to ensure the efficient performance of the Trust Fund (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 41 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 42: Functions of the Trust Fund.

The Trust Fund shall—

- (a) receive and credit into its account, all monies payable into the Trust Fund under this Act;
- (b) make all disbursements required to be made out of the Trust Fund under this Act;
- (c) in collaboration with relevant agencies and bodies implement or facilitate the implementation of any project approved by the President on the recommendation of the Board of Trustees;
- (d) carry out other activities as are necessary or expedient to ensure the effective performance of its functions under this Act (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 42 stand part of the Bill, put and agreed to.

PART VIII—STAFF OF THE TRUST FUND

Committee Recommendation:

Clause 43: Secretary of the Trust Fund.

(1) There shall be for the Trust Fund, a Secretary who shall—

- (a) be appointed by the President subject to confirmation by the Senate;
- (b) be the chief executive and accounting officer of the Trust Fund; and
- (c) be responsible for the execution of the policy and day-to-day administration of the Trust Fund.

(2) The Secretary shall hold office—

- (a) for a term of 4 years in the first instance and may be re-appointed for a further term of 4 years and no more; and
- (b) on such terms and conditions as may be specified in his letter of appointment.

(3) Notwithstanding the provisions of Subsection (2) of this section, the Secretary may—

- (a) resign his appointment by a notice in writing under his hand, addressed to the President through the Board of Trustees; or

- (b) be removed 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 or corruption (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 43 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 44: Other staff of the Trust Fund.

The Trust Fund may, subject to the approval of the Board of Trustees, appoint such other staff as it may deem necessary and expedient, from time to time—

- (a) for the proper and efficient performance of the functions of the Trust Fund; and
- (b) on such terms and conditions as may be determined, from time to time, by the Board (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 44 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 45: Pensions. 2004 No. 2.

It is hereby declared that service in the Trust Fund shall be subject to the provisions of the Pension Reform Act, and accordingly, officers and employees of the Commission shall be entitled to pensions and other retirement benefits as are prescribed under the Pension Reform Act (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 45 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 46: Annual estimates and accounts.

- (1) The Trust Fund shall, not later than 30th September in each year, submit to the President, through the Board of Trustees, an estimate of its expenditure and income (including payments to the Trust Fund) for the next succeeding year.

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- (2) The Board of Trustees shall cause to be kept proper accounts of the Trust Fund in respect of each year and proper records in relation to those accounts and shall cause its accounts to be audited within six months after the end of each year by auditors appointed by the Board of Trustees from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 46 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 47: Annual reports.

The Trust Fund shall prepare and submit to the President, through the Board of Trustees not later than 30th June in each year a report in such form as the President may direct on the activities of the Trust Fund during the immediately preceding year, and shall include in the report a copy of the audited accounts of the Trust Fund for that year and of the auditor's report thereon (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 47 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 48: Power to accept gifts.

- (1) The Trust Fund may accept gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or Organisation making the gift.
- (2) The Trust Fund shall not accept any gift if the conditions attached by the person or Organisation making the gift are inconsistent with the functions of the Trust

Question that Clause 48 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 49: Power to borrow.

The Trust Fund may, with the approval of the President, on the recommendation of the Board of Trustees, borrow by way of loan, overdraft or otherwise from any source such sums as it may require for the performance of its functions and meeting its obligations under this Act (*Hon. Sirajo Danbatta*)—*Agreed to.*

Question that Clause 49 stand part of the Bill, put and agreed to.

PART IX—LEGAL PROCEEDINGS

Committee Recommendation:

Clause 50: Limitation of suits against the Commission, etc. Cap. 379 LFN.

- (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 member or officer or employee of the Commission or the Trust Fund.
- (2) Notwithstanding anything contained in any other law or enactment, no suit against a member of the Board or Board of Trustees, the Director-General of the Commission or the Secretary of the Trust Fund or any other officer or employee of the Commission or Trust Fund for any act done in pursuance or execution of this Act or any other law or enactment, or of any public duties or authority or in respect of any alleged neglect or default in the execution of this Act or any other law or enactment, duties or authority, shall lie or be instituted in any court unless it is commenced—
 - (a) within three months next after the act, neglect or default complained of; or
 - (b) in the case of a continuation of damage or injury, within six months next after the ceasing thereof.

- (3) No suit shall be commenced against a member of the Board, the Board of Trustees, the Director-General of the Commission, the Secretary of the Trust Fund or any other officer or employee of the Commission or the Trust Fund 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 Commission or the Trust Fund by the intending plaintiff or his agent.
- (4) The notice referred to in Subsection (3) of this section shall clearly and explicitly state—
 - (a) the cause of action;
 - (b) the particulars of the claim;
 - (c) the name and place of abode of the intending plaintiff; and
 - (d) the relief which he claims (*Hon. Sirajo Danbatta*)—*Agreed to.*

Question that Clause 50 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 51: Service of documents.

A notice, summons or other document required or authorised to be served on the Commission or the Trust Fund under the provisions of this Act or any other law or enactment may be served by delivering it to the Director-General of the Commission or the

Secretary of the Trust Fund or by sending it by registered post addressed to the Director-General of the Commission at the principal office of the Commission (*Hon. Sirajo Danbatta*)—*Agreed to.*

Question that Clause 51 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 52: Restriction on execution against property of the Commission or the Trust Fund.

- (1) In any action or suit against the Commission or the Trust Fund, no execution or attachment of process in the nature thereof shall be issued against the Commission or the Trust Fund unless not less than three months notice of the intention to execute or attach has been given to the Commission or the Trust Fund.
- (2) Any sum of money which by the judgment of any court has been awarded against the Commission or the Trust Fund shall, subject to any direction given by the court, where no notice of appeal against the judgment has been given, be paid from the fund of the Commission or the Trust Fund (*Hon. Sirajo Danbatta*)—*Agreed to.*

Question that Clause 52 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 53: Indemnity of officers.

A member of the Board or Board of Trustees, the Director-General or any officer or employee of the Commission or the Secretary or any officer or employee of the Trust Fund shall be indemnified out of the assets of the Commission or the Trust Fund 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, Secretary or officer or other employee of the Commission or the Trust Fund, as the case may be (*Hon. Sirajo Danbatta*)—*Agreed to.*

Question that Clause 53 stand part of the Bill, put and agreed to.

PART X—MISCELLANEOUS PROVISIONS

Committee Recommendation:

Clause 54: Directives by the President, etc.

The President may give to the Commission or the Trust Fund, the Director-General of the Commission or the Secretary of the Trust Fund such directives of a general nature or relating generally to matters of policy with regards to the exercise of its or his functions under this Act as he may consider necessary and it shall be the duty of the Commission or the Trust Fund, the Director-General of the Commission or the Secretary of the Trust Fund to comply with the directives or cause them to be complied with (*Hon. Sirajo Danbatta*)—*Agreed to.*

Question that Clause 54 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 55: Powers to make regulations.

- (1) The Board may, with the approval of the President, 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 relating to the Commission.
- (2) The Board of Trustees of the Trust Fund may, with the approval of the President make such regulations as in its opinion are necessary or expedient for giving fall

effect to the provisions of this Act and for the due administration its provisions relating to the Trust Fund.

- (3) Without prejudice to the generality of Subsection (1) of this section, the Board or the Board of Trustees may issue guidelines to give full effect to the respective relevant provisions of this Act (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 55 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 56: Secrecy.

- (1) A member of the Board or the Board of Trustees, the Director-General or the Secretary or any other officer or employee of the Commission or the Trust Fund shall—
- (a) not, for his personal gain, make use of any information which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of his duty as a member of the Board or as the Director-General, Secretary, officer or employee of the Commission or the Trust Fund;
- (b) treat as confidential any information which has come to his knowledge in the exercise of his powers or is obtained by him in the performance of his duties under this Act;
- (c) not disclosed information referred to under paragraph (b) of this subsection, except where 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 provisions of Subsection (1) of this section commits an offence and shall on conviction be liable to a fine of not less than ₦50,000 or imprisonment for a term not exceeding 2 years or to both such fine, and imprisonment (*Hon. Sirajo Danbatta*)—*Agreed to*.

Question that Clause 56 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 57: Interpretation.

In this Act, unless the context otherwise requires—

“Board” means the Governing Board of the Commission established under Section 12 of this Act; (*Hon. Sirajo Danbatta*).

Question that the meaning of the word “Board” be as defined in the interpretation to this Act, put and agreed to.

“Board of Trust” means the National Lottery Trust Fund Board of Trustees established under Section 36 of this Act; (*Hon. Sirajo Danbatta*).

Question that the meaning of the words “Board of Trust” be as defined in the interpretation to this Act, put and agreed to.

“Chairman” means the Chairman of the Governing Board of the Trustees appointed under Sections 11 and 36 of this Act respectively; (*Hon. Sirajo Danbatta*).

Question that the meaning of the word “Chairman” be as defined in the interpretation to this Act, put and agreed to.

“Commission” means the National Lottery Regulatory Commission established under Section 1 of this Act; (*Hon. Sirajo Danbatta*).

Question that the meaning of the word “Commission” be as defined in the interpretation to this Act, put and agreed to.

“Director-General” means the Director-General of the Commission appointed under Section 17 of this Act; (Hon. Sirajo Danbatta).

Question that the meaning of the words “Director-General” be as defined in the interpretation to this Act, put and agreed to.

“member” means a member of the Governing Board of the Commission or a member of the Board of Trustees, as the case may be, and includes the Chairman of the Commission or the Board of Trustees; (Hon. Sirajo Danbatta).

Question that the meaning of the word “member” be as defined in the interpretation to this Act, put and agreed to.

“licence” means a licence to operate a national lottery granted under this Act; (Hon. Sirajo Danbatta).

Question that the meaning of the word “licence” be as defined in the interpretation to this Act, put and agreed to.

“licensee” means the person to whom a licence to carry on the business of a national lottery has been issued pursuant to this Act; (Hon. Sirajo Danbatta).

Question that the meaning of the word “licensee” be as defined in the interpretation to this Act, put and agreed to.

“lottery” or “lotteries” includes any game, scheme, arrangement, system, plan, promotional competition or device for the distribution of prizes by lot or chance, or as a result of the exercise of skill and chance or based on the outcome of sporting events, or any other game, scheme, arrangement, system, plan, competition or device, which the President may by notice in the Gazette declare to be lottery and which shall be operated according to a licence; (Hon. Sirajo Danbatta).

Question that the meaning of the word “lottery” or “lotteries” be as defined in the interpretation to this Act, put and agreed to.

“net proceeds” means that Proportion of the proceeds that remains after the payment of prizes in the lottery, a part of which is payable to the Trust Fund or the Board of Trustees thereof; (Hon. Sirajo Danbatta).

Question that the meaning of the words “net proceeds” be as defined in the interpretation to this Act, put and agreed to.

“operator” means licensee or any other person or company engaged by the licensee to operate a lottery; (Hon. Sirajo Danbatta).

Question that the meaning of the word “operator” be as defined in the interpretation to this Act, put and agreed to.

“participant” in relation to a lottery means a person who is in possession of a valid ticket in that lottery; (Hon. Sirajo Danbatta).

Question that the meaning of the word “participant” be as defined in the interpretation to this Act, put and agreed to.

“President” means the President of the Federal Republic of Nigeria; (Hon. Sirajo Danbatta).

Question that the meaning of the word “President” be as defined in the interpretation to this Act, put and

agreed to.

“prize” means a prize due to a participant who holds a winning ticket in a lottery conducted by the licensee; (*Hon. Sirajo Danbatta*).

Question that the meaning of the word “prize” be as defined in the interpretation to this Act, put and agreed to.

“prize fund” means the fund established by a licensee pursuant to Section 24 of this Act; (*Hon. Sirajo Danbatta*).

Question that the meaning of the words “prize fund” be as defined in the interpretation to this Act, put and agreed to.

“proceeds” means the gross monetary amount spent by participants on the purchase of tickets in respect of each lottery conducted under a licence; (*Hon. Sirajo Danbatta*).

Question that the meaning of the word “proceeds” be as defined in the interpretation to this Act, put and agreed to.

“relevant financial interest” in relation to a business conducted under a licence issued pursuant to this Act by a licensee includes any—

- (a) share in the capital of the business; or
- (b) entitlement to receive any income derived from the business; or
- (c) entitlement to receive any payment as a result of money advanced; (*Hon. Sirajo Danbatta*).

Question that the meaning of the words “relevant financial interest” be as defined in the interpretation to this Act, put and agreed to.

“relevant period” means the financial year of the licensee as required and governed by the Companies and Allied Matters Act 1990; (*Hon. Sirajo Danbatta*).

Question that the meaning of the words “relevant period” be as defined in the interpretation to this Act, put and agreed to.

“Secretary” means the Secretary of the Trust Fund appointed under Section 43 of this Act; (*Hon. Sirajo Danbatta*).

Question that the meaning of the word “Secretary” be as defined in the interpretation to this Act, put and agreed to.

“ticket” means any receipt, symbol, sign, token, warrant, card, printed paper, document or any other means or device including an electronic record, which entitles a participant to take part in a lottery; (*Hon. Sirajo Danbatta*).

Question that the meaning of the word “ticket” be as defined in the interpretation to this Act, put and agreed to.

“Trust Fund” means the National Lottery Trust Fund established under Section 35 of this Act; (*Hon. Sirajo Danbatta*).

Question that the meaning of the words “Trust Fund” be as defined in the interpretation to this Act, put and agreed to.

“unclaimed prizes” means prizes payable in respect of winning tickets in a lottery which have not been claimed by the ticket-owner within the claim period specified in the lottery rules (*Hon. Sirajo Danbatta*).

Question that the meaning of the words “unclaimed prizes” be as defined in the interpretation to this Act, put and agreed to.

Question that Clause 57 stand part of the Bill, put and agreed to.

Clause 58: Short Title.

This Act may be cited as the National Lottery Bill, 2005 (*Hon. Sirajo Danbatta*).—*Agreed to.*

Question that Clause 58 stand part of the Bill, put and agreed to.

FIRST SCHEDULE

Section 2 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION

Proceedings of the Board

1. Subject to this Act and Section 27 of the Interpretation Act, the Board shall have power to regulate its proceedings and may make standing Orders with respect to the holding of its meetings, and those of its committees, notices to be given, the keeping of minutes of its proceedings, the custody and production for inspection of such minutes and such other matters as the Commission may, from time to time, determine.
2. (1) There shall be at least four ordinary meetings of the Board in every calendar year and subject thereto, the Board shall meet whenever it is convened by the Chairman, and if the Chairman is requested to do so by notice given to him by not less than 3 other members, he shall convene a meeting of the Board to be held within 14 days from the date on which the notice was given.
(2) Every meeting of the Board shall be presided over by the Chairman and if the Chairman is unable to attend a particular meeting, the members present at the meeting shall elect one of their number to preside at the meeting.
3. The quorum of any meeting of the Board shall consist of the Chairman (or in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule) and two other members.
4. The Board shall meet for the conduct of its business at such places and on such days as the Chairman may appoint.
5. A question put before the Board at a meeting shall be decided by consensus and where this is not possible, by a majority of the votes of the members present and voting.

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6. The Chairman shall, in the case of an equality of votes, have a casting vote in addition to his deliberative vote.
7. Where the Board seeks the advice of any person on a particular matter, the Board may invite that person to attend for such period as it thinks fit, but a person who is invited by virtue of this paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards the quorum.

Committees

8. 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 and report on any matter with which the Board is concerned.
9. A committee appointed under paragraph 8 of this Schedule shall be presided over by a member of the Board and consist of such number of persons (not necessarily all 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

10. A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

11. The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman and the Director-General or the Director-General and such other person authorised by the Board to act for that purpose.
12. A contract or an instrument which, if made or executed by any person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Commission by the Chairman or the Director-General or by any person generally or specifically authorised to act for that purpose by the Board.
13. A document purporting to be a contract, an instrument or other document signed or sealed on behalf of the Commission shall be received in evidence and, unless the contrary is proved, be presumed without further proof, to have been properly signed or sealed.
14. The validity of any proceedings of the Board or its committees shall not be affected by—
- (a) any vacancy in the membership of the Board or its committees; or
 - (b) reason that a person not entitled to do so took part in the proceedings; or
 - (c) any defect in the appointment of a member.
15. Any member of the Board or committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or any committee thereof—
- (a) shall forthwith disclose his interest to the Board or committee; and
 - (b) shall not vote on any question relating to the contract or arrangement (*Hon. Sirajo Danbatta*).—*Agreed to.*

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

SECOND SCHEDULE

Section 36 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE TRUST FUND

Proceedings of the Board of Trustees

1. Subject to this Act and Section 27 of the Interpretation Act, the Board of Trustees shall have power to regulate its proceedings and may make standing orders with respect to the holding of its meetings, and those of its committees, notices to be given, the keeping of minutes of its proceedings, the custody and production for inspection of such minutes and such other matters as the Trust Fund may, from time to time, determine.

2. (1) There shall be at least four ordinary meetings of the Board of Trustees in every calendar year and subject thereto, the Board of shall meet whenever it is convened by the Chairman, and if the Chairman is requested to do so by notice given to him by not less than 3 other members, he shall convene a meeting of the Board of Trustees to be held within 14 days from the date on which the notice was given.
- (2) Every meeting of the Board of Trustees shall be presided over by the Chairman and if the Chairman is unable to attend a particular meeting, the members present at the meeting shall elect one of their number to preside at the meeting.
3. The quorum of any meeting of the Board of Trustees shall consist of the Chairman (or in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this Schedule) and four other members.
4. The Board of Trustees shall meet for the conduct of its business at such places and on such days as the Chairman may appoint.
5. A question put before the Board of Trustees at a meeting shall be decided by consensus and where this is not possible, by a majority of the votes of the members present and voting.
6. The Chairman shall, in the case of an equality of votes, have a casting vote in addition to his deliberative vote.
7. Where the Board of Trustees seeks the advice of any person on a particular matter, the Board of Trustees may invite that person to attend for such period as it thinks fit, but a person who is invited by virtue of this paragraph shall not be entitled to vote at any meeting of the Board of Trustees and shall not count towards the quorum.

Committees

8. The Board of Trustees may appoint one or more committees to carry out on behalf of the Board such of its functions as the Board of Trustees may determine and report on any matter with which the Board of Trustees is concerned.
9. A committee appointed under paragraph 8 of this Schedule shall be presided over by a member of the Board of Trustees and consist of such number of persons (not necessarily all members of the Board of Trustees) as may be determined by the Board of Trustees, and a person other than a member of the Board of Trustees shall hold office on the committee in accordance with the terms of his appointment.
10. A decision of a committee of the Board of Trustees shall be of no effect until it is confirmed by the Board of Trustees.

Miscellaneous

11. The fixing of the seal of the Trust Fund shall be authenticated by the signature of the Chairman and the Secretary or the Secretary and such other person authorised by the Board of Trustees to act for that purpose.

12. A contract or an instrument which, if made or executed by any person not being a body corporate, would not be required to be under seal, may be made or executed on behalf of the Trust Fund by the Chairman or the Secretary or by any person generally or specifically authorised to act for that purpose by the Board of Trustees.
13. A document purporting to be a contract, an instrument or other document signed or sealed on behalf of the Trust Fund shall be received in evidence and, unless the contrary is proved, be presumed without further proof, to have been properly signed or sealed.
14. The validity of any proceedings of the Board of Trustees or its committees shall not be affected by—
 - (a) any vacancy in the membership of the Board of Trustees or its committees; or

- (b) reason that a person not entitled to do so took part in the proceedings; or
 - (c) any defect in the appointment of a member.
15. Any member of the Board of Trustees or committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board of Trustees or any committee thereof—
- (a) shall forthwith disclose his interest to the Board of Trustees or committee; and
 - (b) shall not vote on any question relating to the contract or arrangement (*Hon. Sirajo Danbatta*).—*Agreed to.*

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

Committee Recommendation:

Long Title: That the words “A Bill for an Act to Provide for the National Lottery, Establishment of the National Lottery Regulatory Commission and the National Lottery Trust Fund and for Matters Connected Therewith”, be the Long Title to the Bill (*Hon. Sirajo Danbatta*).—*Agreed to.*

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker, in the Chair, reported that the House in the Committee of Whole, considered the Report of the Joint Committee on Sports and Social Development and Judiciary on the Bill for an Act to provide for the National Lottery, Establishment of the National Lottery Regulatory Commission and the National Lottery Trust Fund and for Matters Connected Therewith, 2004 and approved Clauses 1 - 58 with some slight amendments, the First and Second Schedules and the Long Title to the Bill.

Question, that the House do adopt the Report of the Committee of Whole, put and agreed to.

(ii) ***Committee on Public Petitions:***

- (a) ***Petition by Samuel B. Oladipo against the Federal Capital Development Authority:***
Motion made and Question proposed; “That this House do consider the Report of the House Committee on Public Petitions on the petition by Samuel B. Oladipo against the Federal Capital Development Authority and approve the recommendation therein” (Hon Chudi Offodile).

Question put and agreed to.

Question that the House do resolve into the Committee of Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation:

“The Petitioner's dismissal for abscondment from duty without permission is in line with the Public Service Rule No. 04401” (*Hon Chudi Offodile*).

Debate:

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker, in the Chair, reported that the House in the Committee of Whole considered the Report of the Committee on Public Petitions on the petition by Samuel B. Oladipo against the Federal Capital Development Authority and approved the Recommendation therein.

Question, that the House do adopt the Report of the Committee of Whole, put and agreed to.

(b) *Petition by Ichie E. A. Ezeani and others against the University of Nigeria, Nsukka (UNN):*

Motion made and Question proposed; “That this House do consider the Report of the House Committee on Public Petitions on the petition by Ichie E. A. Ezeani and others against the University of Nigeria, Nsukka (UNN) and approve the recommendation therein” (Hon Chudi Offodile).

Question put and agreed to.

Question that the House do resolve into the Committee of Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation:

“The Ministry of Education and the Managing Director of NICON Insurance should work out the outstanding pension claims from the Universities and remit same immediately to the Universities” *(Hon Chudi Offodile).*

Debate:

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker, in the Chair, reported that the House in the Committee of Whole considered the Report of the Committee on Public Petitions on the petition by Ichie E. A. Ezeani and others against the University of Nigeria, Nsukka (UNN) and approved the recommendation therein.

Question, that the House do adopt the Report of the Committee of Whole, put and agreed to.

(c) *Petition by Mr Luke Bamidele against the National Electric Power Authority:*

Motion made and Question proposed; “That this House do consider the Report of the House Committee on Public Petitions on the petition by Mr Luke Bamidele against the National Electric Power Authority and approve the recommendation therein” (Hon Chudi Offodile).

Question put and agreed to.

Question that the House do resolve into the Committee of Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation:

“NEPA Management should re-examine the case of Mr Luke Bamidele and constitute a different team to investigate the matter” *(Hon Chudi Offodile).*

Debate:

Amendments Proposed:

Leave out all the words in the Recommendation and *insert* the following instead thereof:

- (i) NEPA Management should reinstate Mr Luke Bamidele and pay him all his entitlements;
- (ii) NEPA Management should address a formal letter of apology to Mr Luke Bamidele as another official had confessed to the theft;
- (iii) NEPA Management should investigate the official who recommended Mr Bamidele's dismissal and report to the House within 60 days;
- (iv) Chairman, Committee on Public Petitions to ensure compliance with the House Ruling (*Hon. Halims Agoda and Hon. Ahmed Lawan*).

Question that the amendments be made, put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the Committee on Public Petitions on the petition by Mr Luke Bamidele against the National Electric Power Authority and approved the recommendation as amended.

Question, that the House do adopt the Report of the Committee of Whole, put and agreed to.

7. Adjournment:

That this House do now adjourn till Tuesday, 1 February, 2005 at 10.00 a.m. (*Hon. Abdul Ningi*).

Adjourned accordingly at 1.15 p.m.

Austin A. Opara
Deputy *Speaker*