



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Wednesday, 1 June, 2016

1. The House met at 11.18 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings**

Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Tuesday, 31 May, 2016.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcements**

(i) **Visitors in the Gallery:**

Mr Speaker recognized the presence of the following visitors:

- (a) Staff and Students of Glory and Praise School Limited, Kuje, Abuja;
- (b) Staff and Students of Golden Olive School, Asokoro, Abuja; and
- (c) Staff and Students of The Day Spring Creche, Kubwa, Abuja.

(ii) **Defection:**

Mr Speaker read the following communications from:

- (i) Hon. Tony Nwoye (*Anambra East/Anambra West Federal Constituency*), from the Peoples Democratic Party (PDP) to the All Progressive Congress (APC); and
- (ii) Hon. Emmanuel Memga Udende (*Katsina Ala/Ukum/Logo Federal Constituency*), from the Peoples Democratic Party (PDP) to the All Progressive Congress (APC).

4. **Petition**

A petition from members of Bini Lawyers Forum, Benin City, Edo State on the deplorable state of the Court of Appeal building in Benin City, was presented and laid by Hon. Ehiozuwa J. Agbonayinma (*Egor/Ikpoba Okha Federal Constituency*).

Petition referred to the Committee on Public Petitions.

5. **Matters of Urgent Public Importance (Standing Order VIII, Rule 46)**
 (i) ***Need to Urge the National Emergency Management Agency (NEMA) to Intervene in the Flood Disaster in Ivo Local Government Area of Ebonyi State:***
 Hon. Linus Okorie (*Ivo/Ohaozara/Onicha Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order VIII, Rule 46 (3) and 49 to allow debate on the matter forthwith.

Question that the matter be considered as one of urgent public importance — Agreed to.

Question that the House do suspend Order VIII, Rules 46 (3) and 49 to enable it debate the matter forthwith — Agreed to.

Urgent Need to Urge the National Emergency Management Agency (NEMA) to Intervene in the Flood Disaster in Ivo Local Government Area of Ebonyi State and for the House to Further Investigate the Cause of the Flood:

The House:

Notes the flood disaster that ravaged crops and farm-lands in the five (5) communities of Ameke, Okue, Amaokwe, Ngwogwo and Obodo; all in Ivo LGA of Ebonyi State;

Also notes that the flood was allegedly caused by ongoing work at a dam being constructed by the Federal Government in Npu, Aninri LGA of Enugu State;

Aware that the majority of the indigenes and residents of the affected communities are farmers whose only means of livelihood has now been destroyed;

Informed that the extent of destruction of land and such agricultural produce like yams, cassava, rice, Maize and cocoyam is in the excess of ₦100 million;

Alarmed that all roads leading to and around the farm-lands are still submerged in the flood water; complicating an already bad situation;

Concerned that the agricultural programme of the current government could be jeopardized by incidents such as this, and further contribute to worsening economic crises;

Desirous of alleviating the suffering and losses of the affected farmers and communities; and ensuring that such disaster does not re-occur;

Resolves to:

- (i) Commiserate with the affected farmers and communities;
- (ii) urge the National Emergency Management Agency (NEMA) to urgently provide relief and support to the affected farmers and communities; and
- (iii) mandate the Committees on Works; and Water Resources to investigate the cause of the flooding and recommend permanent solutions to the House within 6 weeks (*Hon. Linus Okorie — Ivo/Ohaozara/Onicha Federal Constituency*).

Debate.

Question agreed to.

The House:

Noted the flood disaster that ravaged crops and farm-lands in the five (5) communities of Ameke, Okue, Amaokwe, Ngwogwo and Obodo; all in Ivo LGA of Ebonyi State;

Also noted that the flood was allegedly caused by ongoing work at a dam being constructed by the Federal Government in Npu, Aninri LGA of Enugu State;

Aware that the majority of the indigenes and residents of the affected communities are farmers whose only means of livelihood has now been destroyed;

Informed that the extent of destruction of land and such agricultural produce like yams, cassava, rice, Maize and cocoyam is in the excess of ₦100 million;

Alarmed that all roads leading to and around the farm-lands are still submerged in the flood water; complicating an already bad situation;

Concerned that the agricultural programme of the current government could be jeopardized by incidents such as this, and further contribute to worsening economic crises;

Desirous of alleviating the suffering and losses of the affected farmers and communities; and ensuring that such disaster does not re-occur;

Resolved to:

- (i) Commiserate with the affected farmers and communities;
 - (ii) urge the National Emergency Management Agency (NEMA) to urgently provide relief and support to the affected farmers and communities; and
 - (iii) mandate the Committees on Works; and Water Resources to investigate the cause of the flooding and recommend permanent solutions to the House within 6 weeks (**HR. 186/2016**).
- (ii) ***The Fatal Invasion of Oke Ako Ekiti Community by Suspected Herdsmen:***
Hon. Emmanuel Kehinde Agboola (Ekiti North Federal Constituency) introduced the matter and prayed the House to:
- (a) consider and approve the matter as one of urgent public importance; and
 - (b) suspend Order VIII, Rule 46 (3) and 49 to allow debate on the matter forthwith.

Question that the matter be considered as one of urgent public importance — Agreed to.

Question that the House do suspend Order VIII, Rules 46 (3) and 49 to enable it debate the matter forthwith — Agreed to.

The Fatal Invasion of Oke Ako Ekiti Community by Suspected Herdsmen:

The House:

Aware that the incident of suspected herdsmen attack on many communities have lately been on the increase all over the country with fresh incidences in Enugu, Agatu among others and most recently Oke - Ako in Ikole Local Government Area of Ekiti State on Friday, 20 May, 2016;

Concerned that these tidal attacks if not stemmed may soon assume a more dangerous dimension with likely random reprisals and imminent possible guerilla warfare;

Notes with utmost apprehension that tempers are rising daily across affected communities in most geopolitical zones around the nation and drumbeats of war are daily sounding. All seems unabated;

Worried that the BACK TO FARM slogan of the present administration in diversifying our economy may ground even before it takes off, as farms are daily being destroyed by uncoordinated grazing all around the nation;

Alarmed that lives are randomly lost in these incessant attacks and sometimes in a dimension that is similar only to genocide, just like the one at Oke - Ako in Ekiti State;

Observes that certain States are already taking steps to stem the tide in a manner that suggest that the Federal Government is seemingly insensitive to this very worrisome development;

Unhappy that herdsmen that are settlers in most of the locations of crisis are hitherto good neighbours but have their good neighbourliness tainted by violent and criminally minded mobile herdsmen with no traceable address;

Also worried that these intermittent attacks like a gathering storm has not been met with sufficient powers of the state, to curtail or bring the perpetrators to book;

Resolves to:

- (i) Observe a minute silence in respect to the deceased;
- (ii) constitute an *Ad-hoc* Committee to investigate the remote causes of the most recent attack on the Oke - Ako Ekiti community and report back to the house within six (6) weeks;
- (iii) urge the Inspector General of Police to commence immediate investigation into the matter with a view to fish out the perpetrators;
- (iv) also urge the Inspector General of Police to deploy enough police men to areas affected so as to avert any likely reprisal;
- (v) further urge NEMA to without delay send relief materials to the affected community; and
- (vi) still urge the Police Service Commission to hasten the process of recruitment of more men into the force (*Hon. Emmanuel Kehinde Agboola — Ikole/Oye Federal Constituency*).

Debate.

Question agreed to.

The House:

Aware that the incident of suspected herdsmen attack on many communities have lately been on the increase all over the country with fresh incidences in Enugu, Agatu among others and most recently Oke - Ako in Ikole Local Government Area of Ekiti State on Friday, 20 May, 2016;

Concerned that these tidal attacks if not stemmed may soon assume a more dangerous dimension with likely random reprisals and imminent possible guerilla warfare;

Notes with utmost apprehension that tempers are rising daily across affected communities in most geopolitical zones around the nation and drumbeats of war are daily sounding. All seems unabated;

Worried that the BACK TO FARM slogan of the present administration in diversifying our economy may ground even before it takes off, as farms are daily being destroyed by uncoordinated grazing all around the nation;

Alarmed that lives are randomly lost in these incessant attacks and sometimes in a dimension that is similar only to genocide, just like the one at Oke - Ako in Ekiti State;

Observes that certain States are already taking steps to stem the tide in a manner that suggest that the Federal Government is seemingly insensitive to this very worrisome development;

Unhappy that herdsmen that are settlers in most of the locations of crisis are hitherto good neighbours but have their good neighbourliness tainted by violent and criminally minded mobile herdsmen with no traceable address;

Also worried that these intermittent attacks like a gathering storm has not been met with sufficient powers of the state, to curtail or bring the perpetrators to book;

Resolved to:

- (i) Observe a minute silence in respect to the deceased;
- (ii) constitute an *Ad-hoc* Committee to investigate the remote causes of the most recent attack on the Oke - Ako Ekiti community and report back to the house within six (6) weeks;
- (iii) urge the Inspector General of Police to commence immediate investigation into the matter with a view to fish out the perpetrators;
- (iv) also urge the Inspector General of Police to deploy enough police men to areas affected so as to avert any likely reprisal;
- (v) further urge NEMA to without delay send relief materials to the affected community; and
- (vi) still urge the Police Service Commission to hasten the process of recruitment of more men into the force (**HR. 187/2016**).

Motion referred to the Committees on Police Affairs, and Emergency and Disaster Preparedness.

6. Presentation and First Reading of Bills

The following Bills were read the *First Time*:

- (1) Federal Capital Territory Statutory Appropriation Bill, 2016 (HB. 567).
- (2) Dietitians Control of Nigeria Bill, 2016 (HB. 547).
- (3) Execution of Federal Projects Bill, 2016 (HB. 548).
- (4) Indigenous Language (Inclusion in Primary and Secondary School's Curriculum Bill, 2016 (HB. 549).
- (5) Civil Penalties Adjustment Bill, 2016 (HB. 550).
- (6) National Security Agencies Bill, 2016 (HB. 551).
- (7) Explosives Act (Repeal and Re-enactment) Bill, 2016 (HB. 552).
- (8) Nigerian Patriot Corporation Bill, 2016 (HB. 553).
- (9) Nigeria Mental Health Bill, 2016 (HB. 554).
- (10) National Merit Award Act (Amendment) Bill, 2016 (HB. 555).
- (11) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 556).
- (12) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 557).
- (13) National Youth Welfare Scheme Fund Act (Establishment) Bill, 2016 (HB. 558).
- (14) Nigerian National Honours and Merit Award Commission Bill, 2016 (HB. 559).
- (15) Morals and National Ethics (Inclusion in Schools Curriculum Bill, 2016 (HB. 560).
- (16) Federal Scholarship Board of Nigeria Act (Establishment) Bill, 2016 (HB. 561).
- (17) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 562).
- (18) Nigerian Television Authority Act (Amendment) Bill, 2016 (HB. 563).
- (19) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 564).
- (20) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 565).
- (21) National Empowerment and Enhancement Scheme (Establishment) Bill, 2016 (HB. 566).

7. A Bill for an Act to Amend the Advertising Practitioners (Registration, etc.) Act, Cap. A17, Laws of the Federation of Nigeria, 2004, to increase the Prescribed Penalties, to Transfer Appellate Jurisdiction in Matters under the Act from the Court of Appeal to the High Court; and for Other Related Matters (HB. 303) — *Third Reading*

Motion made and Question proposed. "That a Bill for an Act to Amend the Advertising Practitioners (Registration, etc.) Act, Cap. A17, Laws of the Federation of Nigeria, 2004, to increase the Prescribed Penalties, to Transfer Appellate Jurisdiction in Matters under the Act from the Court of Appeal to the High Court; and for Other Related Matters (HB. 303) be now read the Third Time" (Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Pqitigi Federal Constituency).

Question agreed to.

Bill read the Third Time and passed.

8. **A Bill for an Act to Amend the World Meteorological Organization (Protection) Act, Cap. W7, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 271) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the World Meteorological Organization (Protection) Act, Cap. W7, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 271) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

9. **A Bill for an Act to Amend the Currency Conversion (Freezing Orders) Act, Cap. C43, Laws of the Federation of Nigeria, 2004 to give Discriminatory Powers to the Judge of a High Court to Order Forfeiture of Assets of Affected Persons; and for Other Related Matters (HB. 274) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the Currency Conversion (Freezing Orders) Act, Cap. C43, Laws of the Federation of Nigeria, 2004 to give Discriminatory Powers to the Judge of a High Court to Order Forfeiture of Assets of Affected Persons; and for Other Related Matters (HB. 274) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

10. **A Bill for an Act to Amend the Builders (Registration, etc.) Act, Cap. B13, Laws of the Federation of Nigeria, 2004 by increasing the Prescribed Penalties; and for Other Related Matters (HB. 255) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the Builders (Registration, etc.) Act, Cap. B13, Laws of the Federation of Nigeria, 2004 by increasing the Prescribed Penalties; and for Other Related Matters (HB. 255) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

11. **A Bill for an Act to Amend the Town Planners (Registration, etc.) Act, Cap. T7, Laws of the Federation of Nigeria, 2004, to Regulate the Tenure of Council Members upon Re-Appointment, Review Panel Fines; and for Other Related Matters (HB. 256) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the Town Planners (Registration, etc.) Act, Cap. T7, Laws of the Federation of Nigeria, 2004, to Regulate the Tenure of Council Members upon Re-Appointment, Review Panel Fines; and for Other Related Matters (HB. 256) be now read the Third Time" (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

12. **A Bill for an Act to Amend the University of Abuja Act, Cap. U2, Laws of the Federation of Nigeria, 2004 to Make Unambiguous the heading of section 3 of the Act; and for Other Related Matters (HB. 262) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the University of Abuja Act, Cap. U2, Laws of the Federation of Nigeria, 2004 to Make Unambiguous the heading of section 3 of the Act; and for Other Related Matters (HB. 262) be now read the Third Time” (Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency).

Question agreed to.

Bill read the Third Time and passed.

13. **A Bill for an Act to Penalize the Commission of Acts of Torture and Other Cruel, Inhuman and Degrading Treatment or Punishments, Prescribing Penalties Thereof; and for Other Connected Purposes (HB. 120) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Penalize the Commission of Acts of Torture and Other Cruel, Inhuman and Degrading Treatment or Punishments, Prescribing Penalties Thereof; and for Other Connected Purposes (HB. 120) be now read the Third Time” (Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency).

Question agreed to.

Bill read the Third Time and passed.

14. **A Bill for an Act to Amend the Corrupt Practices and Other Related Offences Act, No. 5 of 2000 to modify the Definition of Bank and Money Instrument, Review the Composition of the Commission and Harmonize the Tenure of Office of the Members; and for Other Related Matters (HB. 232) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the Corrupt Practices and Other Related Offences Act, No. 5 of 2000 to modify the Definition of Bank and Money Instrument, Review the Composition of the Commission and Harmonize the Tenure of Office of the Members; and for Other Related Matters (HB. 232) be now read the Third Time” (Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency).

Question agreed to.

Bill read the Third Time and passed.

15. **A Bill for an Act to Amend the Provisions of the Small and Medium Scale Enterprises Development Agency Act, Cap. C19, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 259) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the Provisions of the Small and Medium Scale Enterprises Development Agency Act, Cap. C19, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 259) be now read the Third Time” (Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency).

Question agreed to.

Bill read the Third Time and passed.

16. **A Bill for an Act to Amend the National Agricultural Land Development Authority Act, Cap. N4, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 237) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the National Agricultural Land Development Authority Act, Cap. N4, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB. 237) be now read the Third Time” (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

17. **A Bill for an Act to Amend the Produce (Enforcement of Export Standards) Act, Cap. P32, Laws of the Federation of Nigeria, 2004 by Reviewing the Penalties Imposed under the Act; and for Other Related Matters (HB. 219) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the Produce (Enforcement of Export Standards) Act, Cap. P32, Laws of the Federation of Nigeria, 2004 by Reviewing the Penalties Imposed under the Act; and for Other Related Matters (HB. 219) be now read the Third Time” (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

18. **A Bill for an Act to Amend the National Crop Varieties and Livestock Breeds (Registration, etc.) Act, Cap. N27, Laws of the Federation of Nigeria, 2004 by Reviewing the Penalties Imposed under the Act; and for Other Related Matters (HB. 218) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the National Crop Varieties and Livestock Breeds (Registration, etc.) Act, Cap. N27, Laws of the Federation of Nigeria, 2004 by Reviewing the Penalties Imposed under the Act; and for Other Related Matters (HB. 218) be now read the Third Time” (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

19. **A Bill for an Act to Provide for the Establishment of the Hospitals Management Board of the Federal Capital Territory; and for Other Related Matters (HB. 441) — Third Reading**

Motion made and Question proposed, “That a Bill for an Act to Provide for the Establishment of the Hospitals Management Board of the Federal Capital Territory; and for Other Related Matters (HB. 441) be now read the Third Time” (*Hon. Ahman-Pategi Aliyu Bahago — Edu/Moro/Patigi Federal Constituency*).

Question agreed to.

Bill read the Third Time and passed.

20. **A Bill for an Act to Establish the Chartered Institute of Global Communications and Democracy of Nigeria to Provide for the Control of its Membership and to Promote and Foster the Practice of Business Communications and Democracy in Nigeria; and for Other Matters Connected Therewith (HB. 329) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Establish the Chartered Institute of Global Communications and Democracy of Nigeria to Provide for the Control of its Membership and to Promote and Foster the Practice of Business Communications and Democracy in Nigeria; and for Other Matters Connected Therewith (HB. 329) be now read a Second Time” (*Hon. Mohammed Ali Wudil — Wudil/Garko Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Commerce.

21. **A Bill for an Act to Provide for the Institute of the Telecommunications Services Tax and a Bill for an Act to Provide for the Establishment of the Communications Services Tax; and for Other Matters Connected Therewith (HBs 525 and 327) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Provide for the Institute of the Telecommunications Services Tax and a Bill for an Act to Provide for the Establishment of the Communications Services Tax; and for Other Matters Connected Therewith (HBs 525 and 327) be now read a Second Time” (*Hon. Saheed Akinade-Fijabi — Ibadan Southwest/Ibadan Northwest Federal Constituency and 1 other*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Telecommunications.

22. **A Bill for an Act to Amend the Firearms Act, Cap. F23, Laws of the Federation of Nigeria, 2004 to increase the Penalties for Offences, Miscellaneous Provisions under the Act; and for Other Matters Connected Therewith (HB. 182) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the Firearms Act, Cap. F23, Laws of the Federation of Nigeria, 2004 to increase the Penalties for Offences, Miscellaneous Provisions under the Act; and for Other Matters Connected Therewith (HB. 182) be now read a Second Time” (*Hon. Odebunmi Olusegun Dokun — Ogo-Oluwa/Surulere Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on National Security and Intelligence.

23. **A Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria, 1999 to make it Mandatory for Candidates Running Elections for Presidential, Gubernatorial and Chairmanship Offices to undergo Primary Elections with their Running Mates; and for Other Related Matters (HB. 469) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria, 1999 to make it Mandatory for Candidates Running Elections for Presidential, Gubernatorial and Chairmanship Offices to undergo Primary Elections with their Running Mates; and for Other Related Matters (HB. 469) be now read a Second Time” (*Hon. Olatayo Temitope Sugar — Akinyele/Lagelu Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Special Ad-hoc Committee on the Review of the Constitution 1999.

24. Call to Liberalise the Process of Renewing Nigeria's Passport and Procuring Visa Abroad

Order read; deferred by leave of the House.

25. Need to Institute and Enforce Mainstreaming of Nigerian Content Act in Budgetary Procurement

Motion made and Question proposed:

The House:

The House:

Notes the prevailing general economic downturn in the country, occasioned by dwindling revenue from oil and gas, and therefore the urgent need for all stakeholders to demonstrate commitment to salvaging the economy by promoting measures geared towards stimulating and sustaining growth and development in the economy;

Also notes the preponderant preference of average Nigerians for imported goods to the neglect of made-in-Nigeria products, thereby killing local industries and putting undue and detrimental pressures on foreign exchange accounts of the country, with ultimate adverse effects on the value of the Naira and spiral effects on the purchasing power of individuals and corporate bodies conducting international transactions;

Aware that the Nigerian Oil and Gas Industry Content Development Act, 2010 compels internal sourcing of essential inputs of production, thereby increasing the domestic share of the \$18b annual spending on oil and gas from 45% to 70%;

Regrets that more than five years after its enactment, the Nigerian Content Development Act is still at best regarded as a mere policy directive limited to the oil and gas sector of the economy to the exclusion of other strategic sectors like manufacturing, construction, mining, power, telecommunications and even agriculture, with the potentials to transform the nation's business landscape, demystify the challenge of growing unemployment and unlock the latent creativity of Nigerians for higher productivity and enhanced standard of living;

Also aware that the manufacturing sector's contribution to the nation's Gross Domestic Product (GDP) has been unstable, ranging from 7.25% in 1970, 10.4% in 1983, falling to 4.2% in 2001 and increasing to 4.2% in 2013, a scenario suggesting the need for a strong enforcement measure targeted at compelling patronage of made in Nigeria goods by Ministries, Departments and Agencies of Governments at all levels as well as corporate organizations;

Convinced that mandating the three arms of government, including the Ministries, Departments and Agencies to patronize made in Nigeria products during the actual implementation and procurement stage of the 2016 Annual Budget will spur local economic activities through improved capacity utilization, check the spate of factory closures across the country, increase the nation's revenue through company income tax and personal income tax (from employments generated) and enhance the nation's Gross Domestic Product (GDP);

Resolves to:

- (i) Call on the Federal Ministry of Finance, the Bureau of Public Procurement and the Efficiency Unit of the Federal Ministry of Finance to ensure compliance with the Nigerian Content Development Act, 2010 in all government undertakings; and

- (ii) also call on the Federal Ministry of Budget and National Planning to include a clause in the annual appropriation proposals to the National Assembly compelling every arm of government as well as Ministries, Departments and Agencies to procure only made-in-Nigeria goods and services, except where such are unavailable (*Hon. Mojeed Alabi — Ede North/Ede South/Egbedore/Ejigbo Federal Constituency*).

Debate.

Amendments Proposed:

- (i) In Prayer (i), immediately after the word "Nigerian", *leave out* the words "Content Development" and *insert* the words "Local Content" and wherever it appears (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) *Leave out* Prayer (ii) (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the prevailing general economic downturn in the country, occasioned by dwindling revenue from oil and gas, and therefore the urgent need for all stakeholders to demonstrate commitment to salvaging the economy by promoting measures geared towards stimulating and sustaining growth and development in the economy;

Also noted the preponderant preference of average Nigerians for imported goods to the neglect of made-in-Nigeria products, thereby killing local industries and putting undue and detrimental pressures on foreign exchange accounts of the country, with ultimate adverse effects on the value of the Naira and spiral effects on the purchasing power of individuals and corporate bodies conducting international transactions;

Aware that the Nigerian Oil and Gas Industry Content Development Act, 2010 compels internal sourcing of essential inputs of production, thereby increasing the domestic share of the \$18b annual spending on oil and gas from 45% to 70%;

Regretted that more than five years after its enactment, the Nigerian Local Content Act, 2010 is still at best regarded as a mere policy directive limited to the oil and gas sector of the economy to the exclusion of other strategic sectors like manufacturing, construction, mining, power, telecommunications and even agriculture, with the potentials to transform the nation's business landscape, demystify the challenge of growing unemployment and unlock the latent creativity of Nigerians for higher productivity and enhanced standard of living;

Also aware that the manufacturing sector's contribution to the nation's Gross Domestic Product (GDP) has been unstable, ranging from 7.25% in 1970, 10.4% in 1983, falling to 4.2% in 2001 and increasing to 4.2% in 2013, a scenario suggesting the need for a strong enforcement measure targeted at compelling patronage of made in Nigeria goods by Ministries, Departments and Agencies of Governments at all levels as well as corporate organizations;

Convinced that mandating the three arms of government, including the Ministries, Departments and Agencies to patronize made in Nigeria products during the actual implementation and procurement stage of the 2016 Annual Budget will spur local economic activities through improved capacity utilization, check the spate of factory closures across the country, increase the nation's revenue through company income tax and personal income tax (from employments generated) and enhance the nation's Gross Domestic Product (GDP);

Resolved to:

Call on the Federal Ministry of Finance, the Bureau of Public Procurement and the Efficiency Unit of the Federal Ministry of Finance to ensure compliance with the Nigerian Local Content Act, 2010 in all government undertakings (HR. 188/2016).

Motion referred to the Committees on Finance, and Public Procurement.

26. Consideration of Reports

- (i) *A Bill for an Act to Amend the Price Control Act, Cap. P28, Laws of the Federation of Nigeria, 2004 to Provide for Concessions, Waivers and Stiffer Penalties; and for Other Matters Connected Therewith (HB. 264) (Committee of the Whole) (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency):*

Question agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO AMEND THE PRICE CONTROL ACT, CAP. P28,
LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE FOR CONCESSIONS,
WAIVERS AND STIFFER PENALTIES; AND FOR OTHER MATTERS
CONNECTED THEREWITH (HB. 264)**

Clause 1: Amendment of Cap. P28, LFN, 2004.

The Price Control Act Cap. P28 LFN, 2004 (in this bill referred to as the Principal Act") is amended as set out in Bill (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency).

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

Clause 2: Amendment of Section 1: Price Control Board.

Section 1 of the Principal Act is amended by deleting the existing section and substituting therefore, the following new section 1, that is —

“(1) There shall be a Price Control Board which shall consist of —

- (a) the Permanent Secretary, Federal Ministry of Industry, Trade and Investment who shall be the Chairman and Chief Price Controller;
- (b) the Chairman, National Salaries, Income and Wages Commission or his representative;
- (c) the Statistician-General of the Federation or his representatives;

- (d) the Director General, Standards Organization of Nigeria or his representative;
 - (e) the Director-General, Consumer Protection Council or his representatives;
 - (f) the Director-General, Small and Medium Enterprises Development Agency of Nigeria or his representative;
 - (g) a representative from each of the following —
 - (i) Manufacturers Association of Nigeria;
 - (ii) Market Trader Association; and
 - (iii) Farmer Association of Nigeria;
 - (h) a person of proven character and integrity from each of the six geopolitical zones of the Federation to be appointed by the President
- (2) The members of the Board under paragraph (g) and (h) of subsection (1) of this section shall be appointed by the President on the recommendation of the Minister and shall hold office for a period of four years and no more.
- (3) There shall be a Secretary to the Board who shall be a public officer not below the rank of a Director in the Federal Ministry of Industry, Trade and Investment" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 3: Insertion of a new Section 1A: Functions of the Board.

The Functions of the Board shall include:

- (a) fixing and regulating price of controlled commodities
- (b) enlightenment and sensitization of the general public from time to time on development in productivity, supply, distribution and prices of basic necessities, commodities and other provisions of the Act;
- (c) enforcement and due administration of the Act;
- (d) investigation and prosecution of offenders under the Act;
- (e) monitoring and evaluation of the level of compliance of the provisions of the Act;
- (f) advise the President on general policy matters for promotion and improvement in productivity, distribution and stabilization of prices of commodities;
- (g) report to the President through the Minister the status and progress of the programmes, projects and measures undertaken by the Board and
- (h) carry out such activities as are incidental to the discharge of its functions under this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 4: Amendment of Section 2: Price Control Committees.

Section 2 (3) of the Principal Act is amended by substituting the word "Commerce" with the words "Industry, Trade and Investment". That is —

- "(3) The representative in the state of the Federal Ministry of Industry, Trade and Investments shall be the Secretary to the Committee" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 5: Amendment of Section 3: Provisions supplemental to Section 1 and 2.

Section 3 (2) of the Principal Act is amended by substituting the words "as the Minister may decide" with the words "as prescribed by the Revenue Mobilization, Allocation and Fiscal Commission" that is —

- (2) There may be paid to the members of the Board or any committee, not being members who are public officers, such remuneration and allowances (if any) as prescribed by the Revenue Mobilisation, Allocation and Fiscal Commission" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 6: Amendment of Section 4.

Section 4 of the Principal Act is amended by —

- (a) insert a new subsection (2) immediately after the existing subsection (2) as follows:
- "(2) Price Control mentioned in (1) above shall subject the grant of concessions and waivers based on realistic and well coordinated policy guidelines as condition precedent to implementation of price control" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 7: Amendment of Section 6.

Section 6 of the Principal Act is amended —

- (a) in subsection (2) (a) (i) by deleting the figure ₦200 and inserting "₦100,000 and deleting the figure "₦200" and inserting "₦100,000"
- (b) in subsection (2) (a) (ii) by deleting the "₦1000" and inserting the figure "₦100,000" and deleting the figure "₦10,000" and inserting the figure "₦500,000"
- (c) by substituting the existing subsection (2) (b) with a new subsection (2) (b), that is —
- "(2) (b) The amount sold in excess of the controlled price shall be liable to forfeiture and the court shall make an order for such forfeiture and payment of the amount in to the Consolidated Revenue Fund of the Federation"

- (d) by deleting the existing subsection (3) and (4);
- (e) by substituting the existing subsection (5) with a new subsection and re-numbering it as a new (3), that is —

“(3) For the purpose of subsection (1) of this section where any person employed by another to sell any controlled commodity is proved to have sold the commodity at any price which exceeds the controlled price, the employers of that person shall be deemed to have employed that other person too sell the commodity concerned at the price at which it was in fact sold;

Provided that it shall be defence for such employer if he proves that —

- (a) he did not instruct the agent to sell the commodity above the controlled price; or
- (b) if he did not ratify or approve such act of the agent's sale of the commodity above the controlled price; or
- (c) if he did not benefit from the proceed of such sale" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 8: Amendment of Section : Hoarding.

Section 7 of the Principal Act is amended —

- (i) by inserting a new subsection (1) (a): that is —

“(1) (a) For the purpose of subsection 1 of this section, it shall be defence for the employer if he proves that —

- (a) he did not instruct the agent to sell the commodity above the controlled price; or
- (b) if he did not ratify or approve such act of the agent's sale of the commodity above the controlled price; or
- (c) if he did not benefit from the proceed of such sale"

- (ii) in subsection (4) (a) (i) by substituting the words "not less than six months without the option of fine" with the words "one year, or to a fine of ₦400,000" that is —

"(4) (a) (i) in the case of an individual, be sentenced to imprisonment for one year, or to a fine of ₦250,000"

- (iii) in subsection (4) (a) (ii) by substituting the words "not less than ₦5,000" with the word "₦800,000" that is —

"(4) (a) (ii) in the case of a body corporate be sentenced to a fine of ₦800,000"

- (iv) by deleting subsection (6) thereof (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 9: Amendment of Section 8.

Section 8 of the Principal Act is amended —

- (a) in subsection (4) (a) (i) by deleting the figure "₦200" and inserting the figure "₦100,000" and deleting the figure "₦2000" and inserting the figure "₦100,000"
- (b) in subsection (4) (a) (i) by deleting the figure "₦1,000" and inserting the figure "₦100,000" and deleting the figure "₦10,000" and inserting the figure "₦500,000" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 10: Amendment of Section 9.

Section 9 (5) of the Principal Act is amended by deleting the figure "₦2000" and inserting the figure "₦100,000" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 11: Amendment of Section 10: Duty to furnish information to the Board; penalty.

Section 10 (2) of the Principal Act is amended by substituting the words "not less than ₦200" with the words "₦100,000" that is:

"10. (2) Any person who —

- (a) refuses or neglects to give any information which the Board may require pursuant to subsection (1) of this section or which may be required by an inspector under subsection (4) (c) of Section 9 of this Bill; or
- (b) in respect of the request makes any statement which he knows to be false or to which he has no reason to believe to be true,

shall be guilty of an offence and shall on conviction be liable to a fine of ₦100,000 or imprisonment for not less than six months" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 12: Amendment of Section 12: Requisition and sealing of premises.

Section 12 of the Principal Act is amended —

- (i) in subsection (2) (b) (ii) by substituting the words "Twelve weeks" with the words "three months" that is —

- "(2) (b) (ii) make a second or further appeal to the committee in respect of the same matter if more than three months have passed since a previous appeal; and"
- (ii) in subsection 5 by substituting the word " not less than two years" with the words "one year" that is —
- "(5) Any person who knowingly and without reasonable excuse breaks a seal affixed under subsection (1) of this section shall be guilty of an offence and on conviction shall be liable to a fine of ₦300,000 or to imprisonment for one year" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 13: Amendment of Section 13: Court order preventing habitual offender from carrying on business concerning controlled commodity.

Section 13 (2) of the Principal Act is amended by substituting the words "not less than ₦2,000 or to imprisonment for not less than three years" with the words "₦200,000 or to imprisonment for two years" that is —

- (2) If any person contravenes any provisions of an order made under subsection (1) of this section shall be guilty of an offence and on conviction shall be liable to a fine of ₦200,000 or to imprisonment to two years" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 14: Amendment of Section 15: Trial of offences.

Section 15 of the Principal Act is amended by deleting the existing section 15 and substituting it with a new section 15, that is —

- "15. Offences under this Bill shall be tried summarily by the Court" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 15: Amendment of Section 16.

Section 16 of the Principal Act is amended by deleting the words "or in purported pursuance" and the new section to read:

- "16. No personal liability in respect of any act done in good faith and in execution of his official duties in pursuance of this Bill shall be incurred by any member of the Board or a committee, the Chief Price controller, the State Price Controller, any Inspector or any Police Officer" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 16: Amendment of Section 17 (b).

Section 17 (b) of the Principal Act is amended by substituting the word "₦200" with the word "₦100,000 and the words "six month" with the words "one year" and the new section to read:

- "(b) prescribing penalties not exceeding a fine of ₦100,000 or imprisonment for one year for any contravention of the regulations" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 17: Amendment of Section 18: Interpretation.

15. Section 18 of the Principal Act is amended by defining the words "Court" and Minister that is —

"Court" means Federal High Court, High Court of a State, High Court of the Federal Capital Territory, or Magistrate Court.

"Minister" means the Minister responsible for Commerce (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 18: Short Title.

This Bill may be cited as the Price Control Act (Amendment) Bill, 2016 (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 19: Amendment to the First Schedule.

The First Schedule of the Principal Act is hereby amended by deleting the existing list and substituting thereof a new list in the schedule, that is —

FIRST SCHEDULE

[L.N. 22 of 1979. Section 4.]

Controlled Commodities

1. Bicycles and spare parts.
2. Flour.
3. Matches.
4. Milk.
5. Motorcycles and spare parts.
6. Motor vehicles and spare parts.
7. Salt.
9. Sugar.
10. Fertilizer
11. Rice
12. Grains

13. Cereals
16. Electrical/electronic equipment
15. Computers and computer accessories
16. Cement (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Long Title:

A Bill for an Act to Amend the Price Control Act, Cap. P28, Laws of the Federation of Nigeria, 2004 to Provide for Concessions, Waivers and Stiffer Penalties; and for Other Matters Connected Therewith (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the Long Title stand part of the Bill — Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Price Control Act, Cap. P28, Laws of the Federation of Nigeria, 2004 to Provide for Concessions, Waivers and Stiffer Penalties; and for Other Matters Connected Therewith (HB. 264) and approved Clauses 1- 19, and the Long Title of the Bill.

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

- (ii) ***A Bill for an Act to Provide for the Establishment and Operation of a Programme to enable Certain Persons receive Protection in Relation to certain Inquiries, Investigations or Prosecutions; and for Other Related Matters (HB. 132) (Committee of the Whole) (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency):***

Question agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND OPERATION OF A PROGRAMME TO ENABLE CERTAIN PERSONS RECEIVE PROTECTION IN RELATION TO CERTAIN INQUIRIES, INVESTIGATIONS OR PROSECUTIONS; AND FOR OTHER RELATED MATTERS (HB. 132)

Clause 1: Establishment of witness protection programme and administration.

- (1) A Witness Protection Programme (hereinafter referred to as "the Programme") is established.
- (2) The Programme shall be administered by the National Judicial Council (hereinafter referred to as "the Council").

- (3) A specialized protection unit (hereinafter referred to as "the Protection Unit") shall be established to provide protection to person included in the Programme.
- (4) The Council, among other responsibilities, shall —
 - (a) decide on admissions to and removals from the Programmes;
 - (b) decide on the type of protection measures to be applied taking into consideration any recommendation of the Protection Unit;
 - (c) make budgetary submissions for the Programme's financing;
 - (d) prepare an annual report on the Programme's general operations, performance and effectiveness in a manner which does not prejudice the effectiveness or security of the Programme; and
 - (e) perform any other activity necessary for the implementation of the Programme.
- (5) The Council shall be independent in adopting appropriate decisions and applying protection measures (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 2: Other Protected Persons.

For the purpose of this Bill, Subject to the determination of the Council, the provisions of this Bill may apply to family member or a person whose life or safety is at risk because of his or her relationship or close association to the protected person (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 3: Confidentiality.

- (1) All information relating to a person, who is protected on the Programme shall be handled with the highest level of confidentiality.
- (2) The Council, Protection Unit and any other agency or individual, who possesses knowledge of the protection measures or has participated in the preparation, issuance, or execution thereof, shall keep the records confidential.
- (3) Disclosure of any information relating to the programme or the protection measures shall be punishable as a serious crime except as authorized and necessary to provide protection to the person (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 4: Cooperation with Institutions.

- (1) State institution shall cooperate with the Council about any matter relating to implementing and administering the programme,

- (2) In implementing the Programme, the Council may enter into agreement with an individual, a private institution and non-governmental organization to make use of their service (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 5: Admission procedure.

- (1) Admission to the Programme is initiated by a written request from an investigator, a prosecutor, or a judge.
- (2) The request shall be forwarded without delay to the Council with all the information required under section 7 and a detailed opinion on the need or the lack thereof of admission to the Programme.
- (3) The Council shall process the request and reach a decision without undue delay (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 6: Admission criteria.

Admission to the programme shall be based on the following factors —

- (a) the seriousness of the crime for which the cooperation of the protected person is solicited;
- (b) the importance of the protected person's testimony where there is no alternative source of that evidence for the investigation or prosecution of the crime;
- (c) the gravity of the threat to the security of the protected person;
- (d) the protected person's ability to adjust to the Programme having regard to his or her maturity, judgment, other personal characteristics and the family relationships of the protected person (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 7: Decision for admission.

- (1) Admission to the Programme shall be decided solely by the Council and requires the informed consent of the witness to—
- (a) the nature of the risk to the security of witness;
- (b) the danger to the community if the witness is admitted to the Programme;
- (c) the nature of the inquiry, investigation or prosecution involving the witness and the importance of the witness in the matter;
- (d) the value of the information or evidence given or agreed to be given or of the participation by the witness;

- (e) the likelihood of the witness being able to adjust to the Programme, having regard to the witness's maturity, judgment and other personal characteristics and the family relationships of the witness;
 - (f) alternate methods of protecting the witness without admitting the witness to the Programme; and
 - (g) such other factors as the National Judicial Council (NJC) deems relevant.
- (2) Admission to the Programme shall not be used as reward for the protected person's cooperation in criminal investigations and prosecutions or to obtain financial benefits (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 8: Protection measures.

- (1) Protection measures decided by the Council shall be proportional to the level of risk and may include —
- (a) physical protection;
 - (b) relocation;
 - (c) change of identity;
 - (d) any other measure necessary to ensure the safety of the protected person.
- (2) In support of the programme, the Council may request the courts to implement protection measures during court testimony such as closed sessions, use of pseudonym, and vide conference to allow the witness to testify from a more secure location or to obscure or distort the witness's face or voice.
- (3) The Council may also decide on the provision of support measures, to enable a witness integrate in the programme (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 9: Memorandum of understanding.

- (1) Protected Persons shall be admitted to the programme upon signing a Memorandum of Understanding with the Council.
- (2) The memorandum provides notice of voluntary conditions that will apply at the Programme and shall include —
- (a) the terms or conditions for inclusion to the Programme;
 - (b) all the general categories of protection measures described in section 8 (1) that are authorized;
 - (c) financial and other material support;

- (d) an agreement by the witness to comply with all directions given by the Council, including physical and psychological examinations;
- (e) an agreement by the protected person not to compromise the Programme's integrity or security.
- (f) an agreement by the protected person to disclose all legal liabilities and financial obligations along with an agreement by the protected person as to how those obligations and liabilities shall be satisfied;
- (g) an agreement by the protected person to disclose to the Council any prior or pending criminal, civil, or bankruptcy proceedings, as well as knowledge of any such proceedings that may arise once he or she is accepted into the Programme; and
- (h) the conditions allowing the Council to remove the protected person from the Programme (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 10: Removal from the Programme.

- (1) The Council shall remove a protected person from the Programme under the following conditions —
 - (a) the protected person renounces in writing any further protection;
 - (b) the need for protection measures ceases to exist.
- (2) The Council may remove a witness or person from the Programme under the following conditions —
 - (a) the protected person has violated the terms of the memorandum of understanding;
 - (b) the protected person gave, knowingly, false or misleading information to the investigation, prosecution or Council;
 - (c) the protected person engages in conducts that jeopardizes the Programme's integrity, fails to follow the programme's rules or comply with all reasonable requests and instruction of the protection unit;
 - (d) the protected person commits a crime;
 - (e) the protected person refuses to cooperate with the judicial process and refuses, publicly, to testify whenever required (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 11: Emergency measures.

- (1) In the case of an imminent threat or danger to the protected person, the Council may adopt the measure described in section 8 on a provisional basis.

- (2) These measures shall cease after the cessation of the emergency or a decision by the Council that the witness is ineligible for admission to the Programme.
- (3) The adoption of emergency measures does not imply admission to the Programme (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 12: International Cooperation.

The Council or the Protection Unit is authorized to enter into confidential agreements with relevant foreign authorities, international criminal courts or tribunals and other regional or international entities relating to the relocation of protected persons and other protection measures (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 13: Budget.

- (1) The Funding of the programme shall be based on a budget prepared by the Council subject to the approval of the National Assembly.
- (2) The funds of the programme shall be drawn directly from the Consolidated Revenue Fund of the Federation and paid into an account established for that purpose (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 14: Grievance procedure.

A confidential procedure for filing and resolving grievances of protected persons and staff of the protection unit shall be instituted (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 15: Offences.

A person who contravenes any provision of this Bill is guilty of an offence and shall be liable on conviction to a fine not less than Five Hundred Thousand Naira (₦500,000) or a term of imprisonment not less than three years or both (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 16: Regulations.

The Council may make regulations for the purpose of giving effect to this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 17: Interpretation.

In this Bill, unless the context otherwise requires:

"Council" means National Judicial Council, established under section 153 (1) (i) of the 1999 Constitution (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"Programme" means the Witness Protection Programme established under section 1 (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency).

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

"Protected person" means witness or a person admitted to protection under the Bill (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency).

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

"Protection unit" means the Nigeria Police Force or any security agency established for the purpose of this Bill (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency).

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

"State Institutions" means Ministry, Agency, Departments of Government (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency).

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

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

Clause 18: Citation.

This Bill may be cited as the Witness Protection Programme Bill, 2016 (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency).

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

Long Title:

A Bill for an Act to Provide for the Establishment and Operation of a Programme to enable Certain Persons receive Protection in Relation to certain Inquiries, Investigations or Prosecutions; and for Other Related Matters (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency).

Question that the Long Title stand part of the Bill — Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for the Establishment and Operation of a Programme to enable Certain Persons receive Protection in Relation to certain Inquiries, Investigations or Prosecutions; and for Other Related Matters (HB. 132) and approved Clauses 1 - 18, and the Long Title of the Bill.

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

- (iii) *A Bill for an Act to Facilitate Electronic Transaction in Nigeria; and for Other Related Matters (HB. 374) (Committee of the Whole) (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency):*

Question agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO FACILITATE ELECTRONIC TRANSACTION IN NIGERIA;
AND FOR OTHER RELATED MATTERS (HB. 374)**

Clause 1: Objectives of this Bill.

The Objects of this Bill are —

- (a) to eliminate legal barriers to the effective use of electronic communications in transactions;
- (b) to promote the harmonization of legal rules on electronic transactions across national boundaries;
- (c) to facilitate the appropriate use of electronic transactions;
- (d) to promote business and community confidence in electronic transactions; and
- (e) to enable business and the community to use electronic communications in their transactions with government (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 2: Application of this Bill.

The provisions of this Bill shall apply to transactions both in the private and public sectors (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 3: Non-discrimination against electronic information.

- (1) As from the commencement of this Bill, no information shall be denied legal effect, validity or enforcement solely on the ground that it is in electronic form.
- (2) In sections 4, 5, 6, 7 and 8, where rules of law —
 - (a) require information to be in writing, given, signed, original, or retained, the requirement is met if the section is complied with;
 - (b) ~~provide consequences where the information is not in writing, given, signed, original, or retained, the consequences are avoided~~ if the section is complied with; and

- (c) provide consequences if the information is in writing, given, signed, original or retained, the consequences are achieved if the section is complied with (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 4: Writing requirements.

- (1) A rule of law that requires information to be in writing or to be given in writing is satisfied by information in electronic form if the information is accessible so as to be usable for subsequent reference.
- (2) In subsection (1), giving information includes, but is not limited to, the following —
 - (a) making an application;
 - (b) making, filling or lodging a claim;
 - (c) giving, sending or serving a notification;
 - (d) filing or lodging a return;
 - (e) making a request;
 - (f) making a declaration;
 - (g) filing or lodging issuing a certificate;
 - (h) making, varying or cancelling an election;
 - (i) filling or lodging an objection;
 - (j) giving a statement of reasons.
- (3) Information in electronic form is not given unless the information is capable of being retained by the person to whom it is given (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 5: Prescribed forms.

A rule of law that requires a person to provide information in a prescribed non-electronic form to another person is satisfied by the provision of the information in an electronic form that is —

- (a) organized in the same or substantially the same way the prescribed non-electronic form;
- (b) accessible to the other persons so as to be usable for subsequent reference; and
- (c) capable of being retained by the other person (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 6: Signature requirements.

- (1) If a rule of law requires the signature of a person, that requirement is met by an electronic signature.
- (2) Parties may agree to use a particular method of electronic signature (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 7: Requirement to produce an original document.

A rule of law that requires a person to produce, examine or keep an original document is satisfied if the person produces, examines or retains the document in electronic form, if —

- (a) having regard to all the relevant circumstances, the methods of generating the electronic form of the document provided a reliable means of assuring the maintenance of the integrity of the information contained in the document; and
- (b) in a case where an original document is to be given to a person, the document given to the person in electronic form is accessible so as to be usable for subsequent reference and capable of being retained by the person (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 8: Keeping written documents.

A rule of law that requires a person to keep information either that is in writing or that is in electronic form, is satisfied by keeping the information in electronic form, if —

- (a) having regard to all the relevant circumstances, when the electronic form of the document was generated, the method of generating the electronic form of the document provided a reliable means of assuring the maintenance of the integrity of the information contained in the document; and
- (b) when the electronic form of the document was generated, the information contained in the electronic form of the document is accessible so as to be usable for subsequent reference to any person entitled to have access to the information or to require its production (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 9: Integrity of Information.

For the purposes of Sections 7 and 8 of this Bill, the integrity of information in a document is maintained if, and only if, the information has remained complete and unaltered, apart from —

- (a) the addition of any endorsement; or
- (b) any immaterial change which arises in the normal course of communication, storage or display (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 10: Recognition of foreign electronic documents and signatures.

In determining whether or to what extent information, in electronic form is legally effective, no regards shall be given to the location where the information was created or used, or to the place of business of its creator (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 11: Government uses.

- (1) Where a public body has power to create, collect, receive, store, transfer, distribute, publish, issue or otherwise deal with information and documents, it shall have the power to do so electronically.
- (2) The provisions of subsection (1) of this section shall be subject to any rule of law that expressly prohibits the use of electronic means or expressly requires them to be used in specified ways.
- (3) For the purposes of subsection (2) of this section, a reference to writing or signature does not in itself constitute an express prohibition of the use of electronic means.
- (4) Where a public body consents to receive any information in electronic form, it may specify —
 - (a) the manner and format in which the information shall be communicated to it;
 - (b) the type or method of electronic signature required, if any;
 - (c) control processes and procedures to ensure integrity, security and confidentiality of the information;
 - (d) any other attributes for the information that are currently specified for corresponding information on paper.
- (5) The requirements of section 4 (1) and (3) and section 5 of this Bill shall also apply to information described in subsection (4) of this section.
- (6) A public body may make or receive payment in electronic form by any manner specified by the public body and approved by the Minister (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 12: Exemptions.

This Bill does not apply to —

- (a) the creation or transfer of interests in real property;
- (b) negotiable instruments;
- (c) documents of title;
- (d) wills and trusts created by will; and

- (e) any class of documents, transactions or rules of law excluded by regulation under this Bill (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 13: Certain other laws not affected.

- (1) Nothing in this Bill limits the operation of any other enactment that expressly authorizes, prohibits or regulates the use of information in electronic form, including a method of electronic signature.
- (2) Nothing in this Bill limits the operation of any other enactment requiring information to be posted or displayed in a specified manner or requiring any information to be transmitted by a specified method.
- (3) A reference to writing or signature does not in itself constitute a prohibition for the purpose of subsection (1) of this section or a legal requirement for the purpose of subsection (2) of this section (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 14: Consent.

- (1) Nothing in this Bill requires a person to use, provide or accept information in electronic form without his consent, but a person's consent to do so may be inferred from the person's conduct.
- (2) Despite the provisions of subsection (1) of this section, the consent of a public body, pursuant to the provisions of section 11 of this Bill, to accept information in electronic form may not be inferred from its conduct but must be expressed by communication accessible to the public or to those most likely to communicate with it for particular purposes.
- (3) Nothing in this Bill authorizes a public body, pursuant to the provisions of section 11 of this Bill, to require any person to use, provide or accept information in electronic form without consent (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 15: Automated contracts.

- (1) Unless the parties agree otherwise, an offer, the acceptance of an offer or any other matter that is material to the formation or operation of a contract may be expressed—
 - (a) by means of information in electronic form; or
 - (b) by an act that is intended to result in electronic communication, such as touching or clicking on an appropriate icon or other place on a computer screen, or by speaking.
- (2) A contract is not invalid or unenforceable by reason only of being in electronic form (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 16: Mistakes in partly automated contracts.

A contract may be formed by the interaction of computer programmes or other electronic means used to initiate an act or to respond to electronic information, in whole or in part, without review by an individual at the time of the response or act (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 17: Expression of will.

- (1) An electronic transaction between an individual and another person's automated source of information has no legal effect if —
 - (a) the individual makes a material error in electronic information or an electronic document used in the transaction;
 - (b) the automated source of information does not give the individual an opportunity to prevent or correct the error;
 - (c) on becoming aware of the error, the individual promptly notifies the other person; and
 - (d) in a case where consideration is received as a result of the error, the individual, returns or destroys the consideration in accordance with the other person's instructions or, if there are no instructions, deals with the consideration in a reasonable manner, and does not benefit materially by receiving the consideration.
- (2) This section does not limit the operation of any other rule of law relating to mistake (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 18: Time and place of sending and receiving electronic communication.

As between the originator and the addressee of a communication in electronic form, a declaration of will or other statement shall not be denied legal effect, validity or enforceability solely on the grounds that it is in electronic form (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 19: Time and place of sending and receiving electronic communication.

- (1) An electronic communication is sent when it enters an information system outside the sender's control or, if the sender and the addressee use the same information system, when it becomes capable of being retrieved and processed by the addressee.
- (2) An electronic communication is presumed to be received by the addressee —
 - (a) if the addressee has designated or uses an information system for the purpose of receiving communications of the type sent, When it enters that information system and becomes capable of being retrieved and processed by the addressee; or

- (b) if the addressee has not designated or does not use an information system for the purpose of receiving communications of the type sent, or if the addressee has designated or used such a system but the communication has been sent to another system, when the addressee becomes aware of the communication in the addressee's information system and it becomes capable of being retrieved and processed by the addressee.
- (3) The provisions of subsections (1) and (2) of this section apply unless the parties agree otherwise.
- (4) An electronic communication is deemed to be sent from the sender's place of business and received at the addressee's place of business.
- (5) If the sender or the addressee has more than one place of business, the place of business for the purposes of subsection (4) of this section is the one with the closest relationship to the underlying transaction to which the electronic communication relates or, if there is no underlying transaction, the person's principal place of business.
- (6) If the sender or addressee does not have a place of business, the person's place of habitual residence is deemed to be the place of business for the purposes of subsection (4) of this section (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 20: Attribution of electronic communication consumer protection.

An electronic communication is that of the person who sends it, if it is sent directly by the person or by an information system programmed by or on behalf of the person to operate automatically (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 21: Regulation.

- (1) A person using electronic communications to sell goods or services to consumers shall provide accurate, clear and accessible information about themselves, sufficient to allow—
 - (a) identify the legal name of the person, its principal geographic address, and an electronic means of contact or telephone number;
 - (b) facilitate prompt, easy and effective consumer communication with the seller; and
 - (c) allow service of legal process.
- (2) A person using electronic communications to sell goods or services to consumers shall provide accurate and accessible information describing the goods or services offered, sufficient to enable consumers to make an informed decision about the proposed transaction and to maintain an adequate records of the information.

- (3) A person using electronic communications to sell goods or services to consumers shall provide information about the terms, conditions and costs associated with a transaction, and notably —
- (a) terms, conditions and methods of payment; and
 - (b) details of and conditions related to withdrawal, termination, return, exchange, cancellation and refund policy information (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 22: Interpretation.

In this Bill, unless the context otherwise requires—

"electronic" includes created, recorded, transmitted or stored in digital or other intangible form by electronic, magnetic, optical or by any other means that has capabilities for creation, recording, transmission or storage similar to those means (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"electronic signature" means information in electronic form that a person has created or adopted in order to sign a document and that is in, attached to or associated with a document (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the meaning of the words "electronic signature" be as defined in the interpretation to Bill — Agreed to.

"Minister" means Attorney-General of the Federation (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

"public body" includes —

- (a) a Minister, Ministry or Department or Agency of Government;
- (b) courts;
- (c) bodies exercising statutory authority of legislative, executive or judicial nature;
- (d) State Governments or Local Government Councils or Area Councils (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the meaning of the words "public body" be as defined in the interpretation to Bill — Agreed to.

"information system" means a system for generating, sending, receiving, storing or otherwise processing electronic communications (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the meaning of the words "information system" be as defined in the interpretation to Bill — Agreed to.

"rule of law" means the common law, legislation, and subsidiary legislation (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the meaning of the words "rule of law" be as defined in the interpretation to Bill — Agreed to.

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

Clause 23: Citation.

This Bill may be cited as the Electronic Transactions Bill, 2016 (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Long Title:

A Bill for an Act to Facilitate Electronic Transaction in Nigeria; and for Other Related Matters (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Question that the Long Title stand part of the Bill — Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr. Deputy Speaker in the Chair reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Facilitate Electronic Transaction in Nigeria; and for Other Related Matters (HB. 374) and approved Clauses 1 - 23, and the Long Title of the Bill.

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

- (iv) *A Bill for an Act to Establish the Chartered Institute of Public Management of Nigeria to Provide for the Control of its Membership and to promote the Practice of Public Management in Nigeria; and for Other Matters Connected Therewith (HB. 78) (Committee of the Whole) (Hon. Olabode Ayorinde — Owo/Ose Federal Constituency):*

Question agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF PUBLIC
MANAGEMENT OF NIGERIA TO PROVIDE FOR THE CONTROL OF ITS MEMBERSHIP
AND TO PROMOTE THE PRACTICE OF PUBLIC MANAGEMENT IN NIGERIA;
AND FOR OTHER PURPOSES CONNECTED THEREWITH

PART I — ESTABLISHMENT OF THE CHARTERED INSTITUTE OF PUBLIC MANAGEMENT OF NIGERIA

- Clause 1: Establishment of the Chartered Institute of Public Management of Nigeria.**
- (1) There shall be established a body to be known as the Chartered Institute of Public Management of Nigeria (in this Bill referred to as "the Institute").
 - (2) The Institute —
 - (a) shall be a body corporate with perpetual succession;
 - (b) shall have a common seal which shall be kept in such custody as the Council may, from time to time, authorize; and
 - (c) may sue or be sued in its corporate name (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

- Clause 2: Functions of the Institute.**
- The objectives of the Institute shall be to:
- (a) organize and provide professional training in the areas of Leadership and Public Management.
 - (b) to professionalize Public Management with a commitment to raising great leaders in all sectors of the economy.
 - (c) building capacity for leadership and a desire to make to make a difference in organizations and the nation at large;
 - (d) promote the art and philosophy of managing people;
 - (e) educate and promote public etiquette, conduct and approach to public issues;
 - (f) build a bridge between public, private and organized sectors of the economy;
 - (g) seek internal and external relationship between states and other arms of governance;
 - (h) integrate culture with modernization;
 - (i) promote business, government ethics and inter-governmental relations;
 - (j) do all such things that are necessary to promote the advancement Public Management in both the public and private sectors of the economy;
 - (k) import managerialism from the private sector to the public sector for efficiency and effectiveness in line with global practices (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

- Clause 3: Membership of the Institute.**
- (1) Subject to the provision of this Bill, persons admitted into the Institute, shall possess knowledge, experience, and qualifications in Public Management and other related disciplines determined from time to time by the Council, and may be enrolled in the category of:

- (a) Fellows;
 - (b) Associate Membership;
 - (c) Graduate Membership;
 - (d) Licentiate Members; and
 - (e) Students
- (2) Without prejudice to the last foregoing provisions of this Bill, persons registered as members of the Institute, in terms of this Bill, shall be entitled to be enrolled:
 - (a) as Fellows, if they satisfy the Council that for the period of not less than five years immediately preceding the date of their application in that behalf that they:
 - (i) are fit and proper persons;
 - (ii) are holders of approved academic qualifications; and
 - (iii) have satisfied the Council in their dissertations; and
 - (iv) have been continuously active in the practice of professional Loan & Risk Management in either public or private sectors of the economy and as members of the Institute.
 - (b) as Associate members, if for the period of not less than three years immediately preceding the date of their application in that behalf that they have been enrolled as graduate members and are otherwise fit and proper persons, and as may approved in the discretion of the Council;
 - (c) as Graduate members, if they satisfy the Council that they have passed the mandatory examinations conducted by the Institute, hold equivalent qualifications from recognized institutions of higher education and are otherwise however found to be fit and proper persons by the Council.
- (3) The following are other precedence and designated titular abbreviations for:
 - (a) a Fellow of the Chartered Institute of Public Management who shall have their right to use the designatory letters FCPM immediately after his names;
 - (b) an Associate members of the Chartered Institute of Public Management who shall have the right to use the designatory letters of ACPM immediately after his names; and
 - (c) a licentiate member of the Chartered Institute of Public Management, who shall have the right to use the designatory letters LCPM immediately after his names.

- (4) Graduate and students registered for training shall become professional practicing members only after satisfying specified qualification requirements for membership in any of the foregoing categories as may be prescribed by the Council or by-laws of the Institute.
- (5) In this section, "licentiate member" means any member granted a license by a recognized institution of higher education to practice as a professional Loan and Risk Management, and "licensesure" shall be construed accordingly (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 4: Election of Principal Officers of the Institute.

- (1) The Principal officers of the Institute shall be:
 - (a) the President;
 - (b) the Vice-President;
 - (c) the National Secretary;
 - (d) the Assistant National Secretary;
 - (e) the National Treasurer; and
 - (f) the Public Relations officer.
- (2) The principal officers listed under subsection (1) of this section shall be financial members of the Institute in the grades of Fellows, Associate members and Licentiate members and shall be elected to office biennially at the second council meeting after another term of two years, and no more.
- (3) The President shall be the Chairman of the meetings of the Institute, but in the event of his incapacity, death or inability to perform the duties reposed on him under this subsection, the Vice President shall perform such duties for the unexpired portion of the term of office of that President.
- (4) If any of the officers listed under subsection (1) of this sections shall cease to hold any of the offices designated thereof (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 5: Establishment and Composition of the Governing Council.

- (1) There shall be for the Institute, a governing body to known as "the Council" which shall have responsibility for the administration and general management of the Institute.
- (2) The Council established pursuant to subsection (1) of this section shall consist of the following members, that is:
 - (a) the President of the Institute, who shall be the Chairman
 - (b) the Vice-President of the Institute, who shall be the Deputy Chairman;

- (c) the Registrar;
- (d) twelve members nominated by the Institute from the six geopolitical zones of the Federation;
- (e) two persons who shall be members of the Institute, to represent institutions of higher education in Nigeria offering courses leading to an approved qualification, to be appointed in rotation;
- (f) the immediate past President of the Institute;
- (g) one person each not below the rank of a Director to represent the following Federal Ministries, that is:
 - (i) Finance;
 - (ii) Trade and Investment;
 - (iii) Education.
- (3) The provisions of the first schedule to this Bill shall have effect with respect to the supplementary provisions of the Council and the qualifications and tenure of the office or members of the council, and the matters therein mentioned (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 6: Appointment of the Board of Fellows.

- (1) There shall be appointed annually a Board of Fellows, to coordinate the activities of Fellows of the institute and to recommended to the Council on yearly basis admission of members of the fellows.
- (2) The Board of Fellows shall consist of persons who have been duly elected as fellows of the Institute, and shall have a Chairman who shall preside over the activities of the Board (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART II — FINANCIAL PROVISIONS

Clause 7: Establishment of Fund and Expenditure.

- (1) The Council shall establish and maintain a fund for the Institute, the management and control of which shall be under the authority of the Council, into which shall be paid:
 - (a) all monies received by the Council in pursuance of this Bill;
 - (b) all subscriptions, fees and council in pursuance of this Bill;
 - (c) such monies as may be provided by the Federal, State or Local Government from time to time by way of grants and subventions or loans, and

- (d) all monies raised for the purposes of the Institute by way of gifts, donations, grants-in aid, testamentary dispositions from individuals, bodies corporation or philanthropic organizations, non-otherwise however.

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- (2) The Council shall, from time to time, apply the proceeds of the funds of the Institute to:
- (a) all expenditure incurred by the Institute in the course of the discharge of its function under the Act;
 - (b) the remunerations and allowances of the Registrar and other staff of the Institute to;
 - (c) the maintenance of the premises and property owned and vested in the Institute;
 - (d) the payment of travelling allowance and such stipend for members of the council as may be approved by the Council; and
 - (e) the payment of such other charges as may be reasonably incurred in the performance of the functions of the Institute and the Council.
- (3) For the purposes of the Companies Income Tax, any donation made by any company in Nigeria to the Institute shall be a deductible donation within the meaning of the Act (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 8: Power to Borrow Money.

- (1) The Council, with the general consent of its members or in accordance with the general guidelines or authority given by the Government of the Federation, borrow, on behalf of the Institute, by way of loan or overdraft from any source, any monies' required by the Council to meet the obligations of the Institute in order to perform its function under this Bill, however, that such consent or authority shall be required where the sum or aggregate of the sums involved at any time does not exceed such amount as is for the time being projected in relation to the Institute in any particular year.
- (2) The Council may, subject to the provisions of the Act and conditions of trust in respect of funds held or any property owned by the Institute, invest any but not all of its funds with the same consent or general authority (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 9: Annual Estimates, Account and Audit.

- (1) The chairman of the Council shall cause to be prepared not later than six months before the end of the year, estimates for the recurrent and capital expenditure (if any) and income of the Institute during the next succeeding financial year which shall be presented to the Annual General Meeting of the Institute by the Council for approval.

- (2) The Council shall keep proper accounts and records in relation thereto, and of shall prepare in respect of each financial year, a statement of account in such form as the chairman or the council shall direct.
- (3) The Council shall soon as may be after the end of a financial year, because the accounts of the Institute and those of the council to be audited by qualified auditors appointed from the list of auditors and in accordance with the guidelines laid down by the Auditor-General for the Federation.
- (4) The auditors appointed pursuant to subsection (3) of this section shall, on completion of the audit of the accounts of the Institute and the Council for each financial year, prepare and submit to the Council two reports, namely:
 - (a) a general report setting out the observations and recommendations of the said auditors on the financial affairs of the Institute and the Council for the year, and on any important matters which the auditors may consider necessary to bring the notice of the Council, and
 - (b) a detailed report containing the observations and recommendations of the auditors on all aspects of the operations of the Institute and the Council (Ilorin, Ogbode, Aporinde — Owo/Ose Constituency).

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

PART III — THE REGISTRAR

Clause 10: Appointment and duties of the Registrar, etc.

- (1) The Council shall appoint a fit and proper person to be the Registrar of the Institute.
- (2) The Registrar appointed in terms of subsection (1) of this section shall be the Head of the Administration of the Institute and Secretary to the Council.
- (3) The Registrar shall consist of three parts of which the first part shall be in respect of fellows, the second part shall be in respect of associates and the third part shall be in respect of licentiates.
- (4) The Registrar shall consist of three parts, of which the first part shall be in respect of fellows, the second part shall be in respect of associates and the third part shall be in respect of licentiates.
- (5) Subject to the following provisions of this subsection, the Council may make rules with respect to the form and keeping of the Register and making of entries therein and in particular:
 - (a) the making of application for enrolment or registration, as the case may be;
 - (b) providing for notification to the Registrar, by the person to whom any registered particulars relate, of any change in those particulars;

- (c) authorizing a registered person to have any qualification which is in relation to the relevant discipline of the profession for the purpose of this Bill, registered in relation to this name in addition to, as he may elect, in substitution for other qualifications so registered;
 - (d) specifying from time to time the fees including subscription to be paid to the Institute in respect of the entry of names on the Register for the entry has been paid; and
 - (e) specifying anything failing to be specified under this section, but rules made for the purposes of paragraph (d) of this subsection shall not come into force until they are confirmed as a special meeting of the Institute convened for that purpose, or at the next annual general meeting of the Institute, as the case may be.
- (6) The Registrar shall —
- (a) correct, in accordance with the Council's directives, any entry in the register which the Council directs him to correct as being in the Council's opinion an entry which was incorrectly made;
 - (b) remove from the Register the name of any registered person who had died;
 - (c) record the names of the members of the Institute who are in default in the payment of the annual subscription, dues or other charges for more than twelve months, and take such action in relation thereto (including removal of the names of the defaulters from the Registers) as the Council may determine or direct; and
 - (d) make from time to time any necessary alteration in the registered particulars of registered persons.
- (7) The Registrar shall —
- (a) send by post to any registered persons a letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within the period of six months from the date of posting; and
 - (b) upon the expiration of the period specified in paragraph (a) of this subsection, sends in like manner to the person in question a second similar letter and received no reply to the letter within three months from posting it, then the Registrar, may remove the particulars relating to the person in question from the register, and the Council may direct the Registrar to restore to the appropriate part of the Register any particulars removed there from under this subsection (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 11: Publication of Registers and List for Corrections.

- (1) The Registrar shall —

- (a) cause the Register to be printed, published and put on sale to members of the public later than two years from the commencement of this Bill.
 - (b) thereafter in each year to cause to be printed, published and put on sale as foresaid, rather a corrected edition of the Registrar since it was last printed; and
 - (c) cause a print of each edition of the Registers and of each list of correction to be deposited at the principal offices of the Institute and the Council shall keep the Register and the list so deposited available at all reasonable times for inspection by members of the Institute.
- (2) A document purporting to be print of an edition of the Register published under the pursuant to this section by authority of the Registrar, or documents purporting to be print of an edition so printed, shall (without prejudice to any other mode of proof) be admissible in any proceeding as evidence that any person specified in the document, or the documents read together, as being registered was so registered at the date of the edition or of list of correction, as the case may be, and that any person not so specified was not registered.
- (3) Where in accordance with subsection (2) of this section, a person is, in any proceeding, shown to have been, or not to have been, registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those proceedings as having at all material times thereafter continued to be, or not to be, so registered (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 12: Registration.

- (1) Subject to the rules made by the Council pursuant to section 10 (4) of this Bill, a person whether or not a member of a professional Public Management body recognized by an Act of National Assembly shall be entitled to be enrolled or registered as a Member of Chartered Institute of Public Management if:
- (a) he passes he qualifying examination of membership conducted by the Council under this Bill and completes the practical training prescribed; or
 - (b) he holds as qualification granted outside Nigeria and for time being accepted by the Institute and, if the Council so requires, satisfies the Council that he had sufficient practical experience as a management accountant.
- (2) Subject to the rules made by the Council pursuant to section 10 (5) of this Bill, a person shall be entitled to be registered as a public manager, if he satisfies the Council that immediately before the appointed day he had not less than five years experience as an inspector and internal auditor of the affairs of a company as defined under the provision Companies and Allied Matters Act.
- (3) An application for registration shall, in addition to evidence of qualification, satisfy the Council —

- (a) that he is of good character;
 - (b) that he has attained the age of twenty-one; and
 - (c) that he has not been convicted of a criminal offence involving fraud or dishonesty in Nigeria or elsewhere.
- (4) The Council may in its discretion provisionally accept a qualification presented in respect of an application for registration under this section, or direct that the application be removed, and, such power may be specified in the direction.
- (5) Any entry directed to be made in the register in pursuance of sub-section (4) of this section shall indicate that the registration is provisional, and if it is made in consequence thereof shall be considered to be provisional registration, and without the consent of the Council shall be liable to be withdrawn.
- (6) The Council shall from time to time publish by Federal Government Gazette particulars of qualifications for the time being accepted as aforesaid (*Hon. Olabode Agbaje: – (Vice/Dse Federal Constituency)*).

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

Clause 13: Approval of Qualification, etc.

- (1) The Council may approve an institute for the purposes of this Bill and may for those purposes approve —
- (a) any course of training at any institution which for persons who are seeking to become or are already management consultants, and which the Council consider as necessary to confer on persons completing the course, sufficient knowledge and skill for admission to the institute;
 - (b) any qualification which, as a result of an examination taken in conjunction with a course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination indicating in the opinion of the members of the Council that the candidates have sufficient knowledge and skill to practice as management accounts.
- (2) The Council may, if it thinks it fit withdraw any approval given under this section in respect of any course, qualification or institution, but before withdrawing such as approval, the Council shall —
- (a) give notice that it proposes to do so to person in Nigeria appearing to the Council to be persons by whom the course is conducted or the qualification is granted or the institution is controlled as the case may be;
 - (b) afford each such an opportunity of making representations to the Council with regard to the proposal; and
 - (c) take into consideration any representation made as respects the proposal in pursuance of paragraph (b) of this subsection.

- (3) Where the approval of the Council under this section for a course, qualification or institution is withdrawn, the course, qualification or institution shall not be treated as approved under this section, but the withdrawal of any such approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration immediately before the approval was withdrawn.
- (4) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving or withdrawal of the approval, as the Council may specify in that instrument, and the Council shall —
 - (a) public as soon as possible a copy of every such instrument in the Federal Government Gazette; and
 - (b) not later than seven days before its publication, send a copy of the instrument to the Minister (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

- Clause 14:**
- (1) It shall be the duty of the members of the Council of the Institute to keep themselves informed of the nature of —
 - (a) the instructions given at approved institutions to persons attending approving training; and
 - (b) the examination as a result of which approved qualification are granted, and for the purpose of performing that duty the Council of the Institute may appoint, either from among its own members or otherwise, person to visit approved institutions, or to attend such examination.
 - (2) It shall be the duty of the visitor appointed in term of the foregoing subsection of this section to report to the Council on —
 - (a) the sufficiency of the instructions giving to persons attending approved courses of training at institutions visited by him;
 - (b) the conduct and adequacy of the examination observed by him; and
 - (c) any other matters relating to the instruction or examinations on which the Council may, either generally or in particular case, request him to report, but no visitor shall interfere with the given of any instruction or the conduct of any examination.
 - (3) On receiving a report made in pursuance of this section, the Council may, if it fit, and shall if so required by the Institution, send a copy of the report to the person appearing before the Council to be in charge of the institution or which the Disciplinary Tribunal has cognizance under the following provisions of the Act responsible for the examination of which the report relates requesting that person to make an observation on the report the Council within such period as may be specified in the request, not being less than one month beginning with the date of the request (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

PART IV — PROFESSIONAL DISCIPLINE

Clause 15: Establishment, composition, etc. of the Disciplinary Committee and of the investigating Panel.

- (1) There shall be a tribunal to be known as the Chartered Institute of Public Management Disciplinary Committee (in this Bill, referred to as "the Disciplinary Committee") which shall be charged with the duty of considering and determining any case referred to it by the investigating panel established pursuant to subsection (3) of this section, and any other case of panel, which the Disciplinary Committee has cognizance under the following provisions of this Bill.
- (2) The Disciplinary Committee shall consist of the Chairman of the Council and six other members of the Council.
- (3) There shall be a body known as Chartered Institute of Public Management Investigation Panel (In this Bill, referred to as "the Investigating Panel") which shall be charged the duty of —
 - (a) conducting a preliminary investigation into any case where it is alleged that a member has misbehaved in his capacity as a Public Manager or should for any other reason be the subject of proceeding before the Disciplinary Committee; and
 - (b) deciding whether the case should be referred to the Disciplinary Committee.
- (4) Council and shall consist of four members of the Council and one person who is not member of the Council.

Third Schedule.

- (5) The provisions of the Second Schedule to this Bill shall, so far as applicable to the third Disciplinary Committee and Investigating Panel respectively, have effect with respect to the bodies.
- (6) The Council may not inconsistent with this Bill as to acts which constitute professional misconduct (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

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

Clause 16: Penalties for unprofessional conduct.

- (1) Where —
 - (a) a member is judged by the Disciplinary Tribunal to be guilty of infamous conduct in any professional respect; or
 - (b) a member is convicted, by any court or tribunal in Nigeria or elsewhere having power to award imprisonment, of an offence or (whether or not punishable with imprisonment which in the opinion of the Disciplinary Tribunal is incompatible with the status of a professional management accountants; or