



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 25 July, 2017

1. The House met at 11.24 a.m. Mr Deputy Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Deputy Speaker announced that he had examined and approved the *Votes and Proceedings* of Thursday, 20 July, 2017.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcements**

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

Mr Deputy Speaker recognized the presence of the following visitors:

- (i) Members of *the Student Union Government, Modibbo Adama University of Technology*, Yola, Adamawa State;
- (ii) Staff and Students of *SOS Hermann Gmeiner Primary School*, Kwata-Zawan, Jos, Plateau State.

(b) **Bereavement:**

By leave of the House, Hon. Awolaye Abiodun Dada (*Ibadan North Federal Constituency*) announced the demise on Sunday, 23 July, 2017, of Pa Adebayo Faleti (1930 - 2017). He described Pa Adebayo as an iconic man of letters, a poet, journalist and author who was also a pioneer staff of the first Television Station in Africa, the Western Nigeria Television (WNTV) and prayed the House to observe a minute silence in his honour.

The House observed a minute silence in honour of the deceased.

(c) **Report of the Special Ad-hoc Committee on the Review of the 1999 Constitution**

Mr Deputy Speaker reminded Members that the House would commence consideration of the Report of the *Ad-hoc Committee* on Wednesday, 26 July, 2017, and implored them to attend the sitting with their e-voting cards and copies of the Report, bearing in mind that the House needs the votes of two-third of the Members to pass each clause of the Bill.

4. Petitions

Petitions from the following persons were presented and laid by Hon. Sylvester Ogbaga (*Abakaliki/Izzi Federal Constituency*):

- (a) Dele Awominure Chambers (Legal Practitioners) on behalf of Agesinyowa family of Ile-Ife, Osun State, on the harassment and occupation of their family land by the Nigerian Prisons Service;
- (b) Royal Practice (Legal Practitioners) on behalf of Fehinmore and ten others on the refusal of the management of the Federal Medical Centre, Owo, Ondo State, to allow some employees of the Centre to resume work;
- (c) Blessing Nwankwo, on the termination of her appointment by the Independent National Electoral Commission (INEC);
- (d) Acting Eze Nwadiala of Opuowa Autonomous Community, Ohaji Egbemi Local Government Area, Imo State, on the alleged inhuman treatment of workers from the community and destruction of their agricultural livelihood by Raodo Nigeria Limited;
- (e) Stephen Nwigwe Solicitors, on behalf of Nzegwu Madonna Chioma, on the removal of her name from the list of candidate for employment by Federal Airport Authority of Nigeria (FAAN);
- (f) B. A. Gwozia & Co., on behalf of Hon. Mpigi Borinda and Patricia Mpigi, on the refusal of Eagle Hill to refund the sum of money paid by them for two apartments.

Petitions referred to the Committee on Public Petitions.

5. Matters of Urgent Public Importance (Standing Order Eight, Rule 4)

- (i) ***Need for Exxonmobil to Clean up Oil Spillage in Communities in Ibeno Local Government Area of Eket Federal Constituency, to Avert further Crisis Between the Company and the Host Communities:***

Hon. Owoidighe Ime Ekpoattai (*Eket/Onna/Esit Eket/Ibeno 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 Eight, Rule 4 (3) 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 Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.

Need for ExxonMobil to Clean up Oil Spillage in Communities in Ibeno Local Government Area of Eket Federal Constituency, to Avert further Crisis Between the Company and the Host Communities:

The House:

Notes that ExxonMobil is a major international oil company in Nigeria that engages in oil exploration in Akwa Ibom State from its Qua Iboe Terminal (QIT) facility located in Ibeno Local Government Area of the State;

Also notes that a major oil spillage believed to have emanated from ExxonMobil Facility in Iwokpom has washed away farmlands, destroyed aquatic lives and disrupted other maritime activities in Inueyet Ikot, Iwokpom and Ndito Ekaiba communities in Ibeno LGA of Eket Federal Constituency;

Disturbed that when contacted by the affected communities, officials from the company's Public Affairs Department denied that the spillage is from the company's facility even when they are the only company involved in oil exploration in the area;

Observed that this denial angered the youths of the affected community, who staged a protest on July 20, 2017 and barricaded the entrances of the Qua Iboe Terminal (QIT) facility of the company to prevent workers from having access to the company's operations;

Regrets that ExxonMobil's refusal to visit the source of the spillage and the affected communities though officials of the regulatory Agencies such as National Oil Spill Detection and Response Agency (NOSDRA), Ministry of Environment, Transport and Petroleum Resources have confirmed the spillage and visited the affected communities portrays highhandedness and insensitivity to the plight of the host communities;

Also regrets that the uncooperative attitude of ExxonMobil to the destruction of aquatic lives and ecosystem caused by a major oil spill from its operational field could lead to a breakdown of law and order in the affected communities if prompt action is not taken to meet the demand of the communities;

Resolves to:

- (i) mandate the Committee on Environment to urgently invite the Chairman/Managing Director of ExxonMobil to appear before the House and brief it on steps taken by the company to clean up the affected environment, provide relief materials and pay compensation to the affected communities and report back in four (4) weeks; and
- (ii) urge ExxonMobil to adopt International best practices in their operations to checkmate incessant oil spillages and engage youths in the host communities meaningfully (*Hon. Owoidighe Ekpoattai — Eket/Onna/Esit Eket/Ibeno Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that ExxonMobil is a major international oil company in Nigeria that engages in oil exploration in Akwa Ibom State from its Qua Iboe Terminal (QIT) facility located in Ibeno Local Government Area of the State;

Also noted that a major oil spillage believed to have emanated from ExxonMobil Facility in Iwokpom has washed away farmlands, destroyed aquatic lives and disrupted other maritime activities in Inueyet Ikot, Iwokpom and Ndito Ekaiba communities in Ibeno LGA of Eket Federal Constituency;

Disturbed that when contacted by the affected communities, officials from the company's Public Affairs Department denied that the spillage is from the company's facility even when they are the only company involved in oil exploration in the area;

Observed that this denial angered the youths of the affected community, who staged a protest on July 20, 2017 and barricaded the entrances of the Qua Iboe Terminal (QIT) facility of the company to prevent workers from having access to the company's operations;

Regretted that ExxonMobil's refusal to visit the source of the spillage and the affected communities though officials of the regulatory Agencies such as National Oil Spill Detection and Response Agency (NOSDRA), Ministry of Environment, Transport and Petroleum Resources have confirmed the spillage and visited the affected communities portrays highhandedness and insensitivity to the plight of the host communities;

Also regretted that the uncooperative attitude of ExxonMobil to the destruction of aquatic lives and ecosystem caused by a major oil spill from its operational field could lead to a breakdown of law and order in the affected communities if prompt action is not taken to meet the demand of the communities;

Resolved to:

- (i) mandate the Committee on Environment to urgently invite the Chairman/Managing Director of ExxonMobil to appear before the House and brief it on steps taken by the company to clean up the affected environment, provide relief materials and pay compensation to the affected communities and report back in four (4) weeks; and
 - (ii) urge ExxonMobil to adopt International best practices in their operations to checkmate incessant oil spillages and engage youths in the host communities meaningfully (**HR. 61/2017**).
- (ii) ***Alleged Brutalization of Nigerian Workers by security agents in Indorama Eleme Fertilizer and Chemical Limited by Soldiers:***
 Hon. Babatunde Gabriel Kolawole (*Akoko Southeast/Akoko Southwest 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 Eight, Rule 4 (3) 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 Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.

Alleged Brutalization of Nigerian Workers by security agents in Indorama Eleme Fertilizer and Chemical Limited by Soldiers:

The House:

Aware that Indorama Eleme Fertilizer & Chemical Ltd in Eleme, Port Harcourt produces 4000 Metric Tonnes of fertilizers per day, estimated at \$2 million and which is reportedly the highest in the world;

Also aware that there was a dispute between the company located within the Indorama Eleme Petrochemical Complex, Port Harcourt premises and it's Nigerian workers over huge disparity in salaries of their Nigerian workers and Indian counterparts;

Cognizant of the allegations that while the Nigerian workers (field Operators) allegedly earn around ₦46,000 (forty-six thousand Naira — after tax) the-Indian staff (field-operators) earns ₦2,140,352 (two million, one hundred and forty thousand, three hundred and fifty-two Naira — after tax) for the same job schedule;

Notes that the workers embarked on a peaceful protest on the 13th of July, 2017 and the management called in Soldiers and Mobile Policemen to force the workers back to work;

Further aware that in a bid to force the workers back to work, the Soldiers and Mopol apply the use of tear gas, stun grenades, belts and Horse whips on many of the Nigerian workers who were beaten and brutalized hence sustaining various degrees of injuries.

Also cognizant of the fact that men of the Nigerian Army are meant to protect the country against external aggression and not to be used at will by expatriates against Nigerians;

Informed that though the case of salary disparity has been reportedly filed with the Ministry of Labour since last year, nothing has been done about it;

Resolves to:

Mandate the Committee on Privatization and Commercialization to investigate the disparity in the salary structure and the allegation of brutalization by men of the Nigerian Army and the Mobile Police on Nigerians at the instance of foreigners in the company and report back in two (2) weeks for further legislative action (*Hon. Babatunde Gabriel Kolawole — Akoko South East/South West Federal Constituency*).

Debate

Agreed to.

The House:

Aware that Indorama Eleme Fertilizer & Chemical Ltd in Eleme, Port Harcourt produces 4000 Metric Tonnes of fertilizers per day, estimated at \$2 million and which is reportedly the highest in the world;

Also aware that there was a dispute between the company located within the Indorama Eleme Petrochemical Complex, Port Harcourt premises and its Nigerian workers over huge disparity in salaries of their Nigerian workers and Indian counterparts;

Cognizant of the allegations that while the Nigerian workers (field Operators) allegedly earn around ₦46,000 (forty-six thousand Naira — after tax) the-Indian staff (field-operators) earns ₦2,140,352 (two million, one hundred and forty thousand, three hundred and fifty-two Naira — after tax) for the same job schedule;

Noted that the workers embarked on a peaceful protest on the 13th of July, 2017 and the management called in Soldiers and Mobile Policemen to force the workers back to work;

Further aware that in a bid to force the workers back to work, the Soldiers and Mopol apply the use of tear gas, stun grenades, belts and Horse whips on many of the Nigerian workers who were beaten and brutalized hence sustaining various degrees of injuries.

Also cognizant of the fact that men of the Nigerian Army are meant to protect the country against external aggression and not to be used at will by expatriates against Nigerians;

Informed that though the case of salary disparity has been reportedly filed with the Ministry of Labour since last year, nothing has been done about it;

Resolved to:

Mandate the Committee on Privatization and Commercialization to investigate the disparity in the salary structure and the allegation of brutalization by men of the Nigerian Army and the Mobile Police on Nigerians at the instance of foreigners in the company and report back in two (2) weeks for further legislative action (**HR. 62/2017**).

6. Presentation of Bills

The following Bills were read the *First Time*:

- (1) Nigerian National Employment Trust Fund Bill, 2017 (HB. 1081).
- (2) Nigerian Financial Intelligence Centre Bill, 2017 (HB. 1082).
- (3) Asset Management Corporation of Nigeria Act (Amendment) Bill, 2017 (HB. 1083).
- (4) Medical and Dental Practitioners Act (Amendment) Bill, 2017 (HB. 1084).
- (5) Export Prohibition Act (Amendment) Bill, 2017 (HB. 1085).
- (6) Electoral Act (Amendment) Bill, 2017 (HB. 1086).

7. Presentation of Report

Conference Committee Report on Bankruptcy and Insolvency Act (Amendment) Bill, 2016:

Motion made and Question proposed, "That the House do receive the Conference Committee Report on a Bill for an Act to Repeal the Bankruptcy Act, Cap. B2, Laws of the Federation of Nigeria, 2004 and Re-enact the Bankruptcy and Insolvency Act, 2017 and for Related Matters (HB. 700)" (*Hon. Jones Chukwudi Onyereru — Nkwere/Isu/Nwangele/Njaba Federal Constituency*).

Agreed to.

Report laid.

8. A Bill for an Act to Provide a Legal Framework for Industrial Waste Minimization and Prohibit Indiscriminate Waste Disposal in Nigeria; to Protect Humanity and the Environment from Harm and to Provide for Environmental, Social, Economic and Cultural Benefits; Encourage Manufacturers, Industrialists and Organizations and for Related Matters (HB. 641) — *Second Reading*

Order read; deferred by leave of the House.

9. A Bill for an Act to Establish the Pharmaceutical Technologists and Pharmacy Technicians Regulatory Board of Nigeria to be Vested with the Responsibility of Determining the Standards of Knowledge and Skills to be Attained by Persons seeking to become Pharmaceutical Technologists and Pharmacy Technicians and for Other Related Matters (HB.1017) — *Second Reading*

Motion made and Question proposed, "That a Bill for an Act to Establish the Pharmaceutical Technologists and Pharmacy Technicians Regulatory Board of Nigeria to be Vested with the Responsibility of Determining the Standards of Knowledge and Skills to be Attained by Persons seeking to become Pharmaceutical Technologists and Pharmacy Technicians and for Other Related Matters (HB.1017) be now read a Second Time" (*Hon. Mahmud Abdulkadir Mohammed — Agaie/Lapai 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 Health Institutions.

10. **A Bill for an Act to Establish a Federal University of Education, Nsugbe to Provide Training and Teaching Instructions in every aspect of Education and such other Fields of Applied Learning relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students and for Related Matters (HB. 1067) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish a Federal University of Education, Nsugbe to Provide Training and Teaching Instructions in every aspect of Education and such other Fields of Applied Learning relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students and for Related Matters (HB. 1067) be now read a Second Time" (*Hon. Tony Nwoye — Anambra East/Anambra West 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 Tertiary Education and Services.

11. **A Bill for an Act to Amend the Federal Highways Act, Cap. F13, Laws of the Federation of Nigeria, 2004 to Enhance the Fines Prescribed under the Act and to Prohibit the Blockage of Highways in Nigeria and for Other Related Matters (HB. 684 and HB. 722) — Second Reading**
- Motion made and Question proposed*, "That a Bill for an Act to Amend the Federal Highways Act, Cap. F13, Laws of the Federation of Nigeria, 2004 to Enhance the Fines Prescribed under the Act and to Prohibit the Blockage of Highways in Nigeria and for Other Related Matters (HB. 684 and HB. 722) be now read a Second Time" (*Hon. Taiwo Akintola — Egbeda/Ona-Ara 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 of the Whole.

12. **Approval of the Request for Virement of Funds from various Budget Lines to Fund Federal Government's Priority Projects and Programmes**

Order deferred; by leave of the House.

13. **Procedure on Delegated Legislations: Pursuant to Order One, Rule 1 (2) of the Standing Orders of the House**

Motion made and Question proposed;

The House:

Aware of Section 4 of the Constitution of the Federal Republic of Nigeria, 1999 which confers powers on the National Assembly to make laws for the peace, order and good government of the Federation or any part thereof with respect to any matter included in the Exclusive Legislative list set out in Part I of the Second Schedule to the Constitution;

Notes that in the exercise of the above powers, the National Assembly had, at various times, enacted laws that established government departments, statutory agencies, bodies and corporations to carry out various executive functions on behalf of the Federal Government;

Also notes that the various Acts establishing those statutory bodies delegated powers to them to make Rules and Regulations to aid their operations;

Observes that in delegating those powers to the statutory bodies, the National Assembly had not been incorporating into the Acts provisions to enable it examine the Rules and Regulations made by those Agencies before they come into force, as a result of which some of those Rules and Regulations exceed the powers conferred under the enabling Acts;

Also aware that the global trend is for the Agencies to lay those Rules and Regulations before the Parliament for approval before implementation and the practice, the world over is for Parliament to approve the Rules and Regulations within thirty (30) days and not more than sixty (60) days from the time of presentation to the Parliament, else the Rule or Regulation automatically comes into effect;

Further notes that no procedure has been provided in the Standing Orders of the House for consideration and approval of the Rules and Regulations;

Resolves to adopt the following procedure on Delegated Legislations:

- (a) any government department, statutory agency, body or corporation that makes a Rule or Regulation pursuant to the power conferred on it under its enabling Act shall communicate the Rule or Regulation to the Speaker who shall, on receipt of the communication, refer it to the Committee on Delegated Legislations;
- (b) the Committee on Delegated Legislations shall consider the Rule or Regulation and may obtain input from the Standing Committee having dominant jurisdiction over the Agency and within fourteen (14) days, present its Report to the House for consideration;
- (c) the Committee on Rules and Business shall within seven (7) days schedule the Report and the House may approve the Rule or Regulation within thirty (30) days and transmit its Resolution to the Senate for concurrence;
- (d) if the Senate amends any aspect of the Resolution, a Conference Committee of the Senate and the House shall be constituted to deliberate only on the areas of disagreement. The Committee shall not insert any matter not contained in the Resolution referred to it or delete any matter agreed to by either the House or the Senate. However, if the Committee observes any apparent constitutional breach or infraction of a provision of any Act in the Resolution, it may amend the Resolution accordingly and such amendment shall form part of the Rule or Regulation to be laid for adoption by both Chambers; and
- (e) the Clerk to the National Assembly shall, as soon as possible, communicate the Resolution on the Rule or Regulation to the department, agency or corporation concerned for implementation. (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Debate.

Motion withdrawn, by leave of the House.

14. **Call to Reverse the Decision of the National Universities Commission (NUC) and the Joint Admissions and Matriculation Board (JAMB) to Bar Universities of Technology from offering Courses Outside their Core Mandates**

Order read; deferred by leave of the House.

15. **Need to Construct Roads to the Nigerian Crude Oil Onshore Terminals**

Order read; deferred by leave of the House.

16. Call for Rehabilitation of J4-Ibiade-Iwopin Road in Ogun Waterside Local Government Area, Ogun State

Motion made and Question proposed;

The House:

Notes that J4-Ibiade-Iwopin Road in Ogun Waterside Local Government Area of Ijebu North/Ijebu East/Ogun Waterside Federal Constituency was constructed in 1977 to support the industrial conglomerates like Iwopin Pulp and Paper Mill (IPPC) which is the largest pulp producing company in West Africa, Michelin Rubber Estate, Ilushin Rubber Limited, Lomiro Palm Oil Company, Links Gateway Industrial and Petrogas Institute, Oni (a Monotechnic) and the proposed OKLING and Deep Seaport;

Aware that the deplorable condition of the road is adversely affecting the economic potentials of the area, particularly the production of pulp needed for paper mills, lumps for rubber production consumable palm and vegetable oils, cassava and fishing activities;

Also aware that the rehabilitation of the road will attract investors to the area, thereby encouraging economic activities, creating employment opportunities and easing movement of travelers and agricultural produce across the South West zone and Nigeria at large while saving lives and eliminating armed robbery attacks on the road;

Resolves to:

- (i) urge the Federal Roads Maintenance Agency (FERMA) to rehabilitate the road as an interim measure;
- (ii) call on the Federal Ministry of Power, Works and Housing to include the reconstruction of the road in the 2018 budget estimate; and
- (iii) mandate the Committees on FERMA, Works, and Legislative Compliance to ensure implementation (*Hon. Adekoya Adesegun Abdel-Majid — Ijebu North/Ijebu East/Ogun Waterside Federal Constituency*).

Agreed to, pursuant to Order Eight, Rule 9 (5).

(HR. 63/2017).

17. Need for Rehabilitation of Otukpo-Ugboju-Onyagede-Ankpa Road

Motion made and Question proposed;

The House:

Notes that a significant number of the people of Otukpo, Ugboju, Onyagede and Ankpa in Benue and Kogi States are farmers whose primary source of livelihood is sale of Agricultural produce, and those areas are indispensable in the supply of food and raw materials to the urban centers and this primary activity of farming forms the foundation for self-sufficiency in food production in those communities;

Observes that the Otukpo-Ugboju-Onyagede-Ankpa Federal road is the main road linking Otukpo/Ohimini Federal Constituency with the South Western part of Nigeria and is also the evacuation route for agricultural produce and other commodities to other parts of the country;

Concerned that the deplorable state of the road has not only slowed down the economic activities of the people of those areas, but has also increased the cost of transportation and movement of commodities to the urban centers as public transport operators hike up the fares because of the increased running costs of vehicles occasioned by the dilapidated state of the road, thereby increasing the poverty rate and accidents that result in loss of lives and damage to goods;

Also concerned that the dilapidation of the road has been accelerated in recent times by frequent movement of heavy duty trucks that convey coal extracted from Awowo Community and believing that rehabilitation of the Road will bring succor to the people and enhance their living conditions;

Resolves to:

- (i) urge the Federal Ministry of Power, Works and Housing to include the rehabilitation of Otukpo-Ugboju-Onyagede-Ankpa Road in the 2018 budget proposal; and
- (ii) mandate the Committee on Works to ensure compliance (*Hon. Ezekiel A. Adaji — Ohimini/Otukpo Federal Constituency*).

Agreed to, pursuant to Order Eight, Rule 9 (5).

(HR. 64/2017).

18. Devastating Effects of Ndiegoro Flood Disaster and the Need to Prevent Re-occurrence

Motion made and Question proposed;

The House:

Recalls that in 1980, Ndiegoro Community in Aba South Local Government Area of Abia State was submerged by flood, killing dozens and rendering countless families homeless;

Also recalls that following the visit of former President Shehu Shagari to the erosion site on the invitation of former Governor Sam Mbakwe, the Federal Government awarded a contract for the rehabilitation of the affected areas, however the said contract was later suspended while the persistent flood/ erosion continues to wreck havoc in Ndiegoro making it impossible to get into the community both during the rainy or dry season due to the devastating effects of the erosion, leaving hundreds of thousands of people living in that Community in fear of being submerged by flood;

Concerned that houses and properties worth millions of Naira have been submerged by the flood in Akoli Street, Ohanku, Umuogele, Umuagbai village, Obohia Road, Uratta, Obuda and environs;

Cognizant that unless urgent steps are taken to arrest the situation, the whole Ndiegoro Community and environs could be submerged by the ravaging flood which is constantly and relentlessly threatening to wipe away the entire Community;

Resolves to:

- (i) call on the Ecological Fund Office to include funds in the 2018 Appropriation Bill for remediation of the Ndiegoro flooding menace;
- (ii) urge the National Emergency Management Agency (NEMA) to, as a matter of urgency, provide relief materials to the victims of the erosion/flood disaster; and

- (iii) mandate the Committees on Environment and Habitat, and Disaster and Emergency Preparedness to ensure implementation (*Hon. Prestige Ossy — Aba North/Aba South Federal Constituency*).

Agreed to, pursuant to Order Eight, Rule 9 (5).

(HR. 65/2017).

19. Need for Reconstruction of Collapsed Briyel Bridge and Construction of Roads Linking
Motion made and Question proposed;

The House:

Notes that the road linking Bayo - Kwaya Kusar and Biu in Southern Borno with other North Eastern States of Gombe and Bauchi has been washed away by erosion which also led to the collapse of Briyel Bridge at Bayo Local Government Area of Borno State;

Also notes that Chikwarkir Bridge along Biu - Damboa - Maiduguri Road, which was blown away two (2) years ago by Boko Haram insurgents, is yet to be reconstructed, thereby making Biu - Damboa Road, which links Biu Emirate to Maiduguri, the State capital and other neighbouring States, inaccessible;

Aware that the rehabilitation of Gombe - Kwaya Kusar - Biu Road was captured in the 2017 Appropriation Act, but the failure to reconstruct the Briyel and Chikwarkir Bridges along Biu-Damboa and Gombe-Kwaya-Kusar-Biu Roads is endangering the lives of people of the area and other motorists and is also hindering socio-economic, commercial and agricultural activities of the people;

Resolves to:

- (i) call on the Federal Ministry of Power, Works and Housing and the Federal Roads Maintenance Agency (FERMA) to commence reconstruction of Briyel and Chikwarkir Bridges along Biu-Damboa and Gombe-Kwaya-Kusar-Biu Roads, and also rehabilitation of the said roads; and
- (ii) mandate the Committees on Works, and FERMA to ensure compliance and report back within four (4) weeks for further legislative action (*Hon. Muktar Betara Aliyu — Biu/Bayo/Shani/Kwaya Kusar Federal Constituency*).

Agreed to, pursuant to Order Eight, Rule 9 (5).

(HR. 66/2017).

20. Need to Reconstruct the Badagry - Abeokuta-Sokoto Expressway
Motion made and Question proposed;

The House:

Notes that good and motorable road network contributes to the social and economic development of any nation;

Also notes that the Federal Government, under former President Olusegun Obasanjo conceived the idea of a road leading from the South West to the Northern part of Nigeria in the late 1970s to traverse from Abeokuta to Sokoto in order to provide an alternative and faster route for conveyance of goods and services to the Northern part of the country;

Observes that the portion of the road connecting Abeokuta-Igboora-Eruwa, Lanlate-Iseyin is currently in a very bad state, thus constituting a death trap and insecurity due to incessant accidents and constant attacks by bandits which makes transportation of goods within those areas cumbersome and dangerous;

Concerned that the business activities of the people living in those areas are being hampered, thereby dissuading investors from investing in those areas;

Resolves to:

- (i) urge the Federal Ministry of Power, Works and Housing to include the reconstruction of the Badagry - Abeokuta - Sokoto Expressway in the 2018 Appropriation budget; and
- (ii) mandate the Committee on Works to ensure implementation (*Hon. Ayoade Olugbenga Ojoawo — Ibarapa Central/Ibarapa North Federal Constituency*).

Agreed to, pursuant to Order Eight, Rule 9 (5).

(HR. 67/2017).

21. Need to Investigate the Invasion of Ipetu-Ijesa Campus of Osun State University and Assault of Students and Staff by Personnel of the Nigerian Air Force Safety Institute, Ipetu-Ijesa, Osun State

Motion made and Question proposed;

The House:

Notes that on Tuesday, 23 May, 2017, personnel of the Nigerian Air Force Safety Institute, Ipetu - Ijesa, Osun State invaded the Ipetu - Ijesa campus of Osun State University and used guns, clubs, knives and other lethal weapons to attack students and staff of the University, leaving numerous persons severely injured and later hospitalized;

Also notes that as a result of the fear and apprehension that gripped the University community following the assault, the university had to be closed down for a week and the students were forced to embark on unplanned journeys that subjected them to avoidable hazards and inconveniences;

Observes that the action of the personnel of the Air Force is a throwback to the abusive patterns and behaviors of security forces during the bygone military era and amounted to a gross violation of the right to the dignity of the human person enshrined in section 34 of the Constitution of the Federal Republic of Nigeria, 1999;

Concerned that if urgent steps are not taken to address these concerns, security personnel could become emboldened to indiscriminate use of force to settle personal scores which will lead to a breakdown of law and civilized behavior that govern the society;

Resolves to:

Constitute an *Ad-hoc* Committee, to investigate the allegations of assault on students and staff of Ipetu-Ijesa Campus of Osun State University by personnel of the Nigerian Air Force Safety Institute, Ipetu-Ijesa and report back within six (6) weeks for further legislative action (*Hon. Oluwole Oke — Obokun/Oriade Federal Constituency*).

*Debate.***Amendment Proposed:**

In the prayer, *leave out* the words “Constitute an *Ad-hoc* Committee” and *insert* the words “Committee on Air Force” (*Hon. Sylvester Ogbaga — Abakaliki/Izzi Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that on Tuesday, 23 May, 2017, personnel of the Nigerian Air Force Safety Institute, Ipetu - Ijesa, Osun State invaded the Ipetu - Ijesa campus of Osun State University and used guns, clubs, knives and other lethal weapons to attack students and staff of the University, leaving numerous persons severely injured and later hospitalized;

Also noted that as a result of the fear and apprehension that gripped the University community following the assault, the university had to be closed down for a week and the students were forced to embark on unplanned journeys that subjected them to avoidable hazards and inconveniences;

Observed that the action of the personnel of the Air Force is a throwback to the abusive patterns and behaviors of security forces during the bygone military era and amounted to a gross violation of the right to the dignity of the human person enshrined in section 34 of the Constitution of the Federal Republic of Nigeria, 1999;

Concerned that if urgent steps are not taken to address these concerns, security personnel could become emboldened to indiscriminate use of force to settle personal scores which will lead to a breakdown of law and civilized behavior that govern the society;

Resolved to:

Committee on Air Force, to investigate the allegations of assault on students and staff of Ipetu-Ijesa Campus of Osun State University by personnel of the Nigerian Air Force Safety Institute, Ipetu-Ijesa and report back within six (6) weeks for further legislative action (**HR. 68/2017**).

22. Consideration of Reports**(i) *Ad-hoc Committee on Development and Standardization of Manuals and Templates for the House of Representatives:***

Motion made and Question proposed, “That the House do consider the Report of the *Ad-hoc* Committee on Development and Standardization of Manuals and Templates for the House of Representatives on the Bills Drafting Manual and approve the recommendations therein” (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

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)***Chapter One****BACKGROUND****1.1 Introduction**

"Every [legislative] drafting office needs a practice or style manual and a mechanism to keep it under review. This is worth the labour regardless of the size of the [drafting] office. Production of such a manual requires a careful and critical review of existing practices and this exercise is itself likely to result in improvements.... In addition to a style manual, every drafting office needs a system for noting useful precedents and other helpful materials. An established procedure for sharing experience and knowledge can contribute hugely to the effectiveness and to the contentedness of the office".

The above statement underlines the importance of a Bill Drafting Manual.

The House of Representatives is vested with the power and authority by virtue of Section 60, Constitution of the Federal Republic of Nigeria (CFRN), 1999(as amended) which states that: "Subject to the provisions of this Constitution the Senate or the House of Representatives shall have power to regulate its own procedure...".

This Manual is by implication a demonstration of the House of Representatives' application of its powers to regulate its procedure for drafting of legislative Bills in exercise of the broad powers conferred upon it under section 60 of the CFRN, 1999.

The preparation and consideration of a Bill is a multi-stage process, which begins with preliminary preparation and ends with the entry into force of the Act, its implementation and follow-up . This Manual therefore provides general guidance for drafting and analysis of Bills in order to ensure consistency and standardization in the language, structure and style of Bills.

The imperative for consistency and standardization in the language and structure of Bills is based on the fact that section 58 (1) of the Constitution of the Federal Republic of Nigeria states that the power of the National Assembly to make laws shall be exercised by Bills passed by both the Senate and House of Representatives.

Hence, the objectives of the Manual are to:

- (i) eliminate as much as possible, inconsistency and deficiency in the form, language and structure of Bills,
- (ii) ensure standardization in drafting and structuring of Bills,
- (iii) facilitate the work of drafting Bills by serving as toolkit, and
- (iv) ensure that Bills are drafted in the language and structure that make them clear, certain, concise, consistent, correlated, complete and comprehensible to the public.

1.2. How to use this Manual

This Manual is designed for use by legislators, legislative support staff, consultants, etc. It is to be used as a standard measure of checking whether any proposed Bill complies with the basic requirements of a Bill.

The Manual contains a series of "checklists" and "templates" on drafting of Bills which should be complied with.

"A checklist is a list of items you need to verify, check or inspect.... Using a checklist allows you to ensure you don't forget any important steps." Each checklist contains a list of "benchmark of minimum standards" that are expected of a Bill.

The checklists in this Manual are numbered from 1 to 10 from chapters 1 to 4. It is recommended that the user of the Manual should begin the review of the Bill (Clause-by-Clause review) by using Checklist 1 before proceeding to use Checklist 2 and so on. While undertaking the Clause-by-Clause review of the Bill using the Checklist as a parameter, the user can make marginal notes or comments to confirm whether or not the clause complies with each of the items contained in the basic benchmarks.

At the end of the Manual is an APPENDIX containing some samples and TEMPLATES of Bills and other items (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

CHECKLIST 1 - DEFINITION AND PRINCIPLES OF A GOOD BILL

A Bill is a legislative proposal. Bills must be drafted in such a way that when passed into law, can be "effective, clear, precise, intelligible and capable of only one interpretation, which is the true purpose and intent of the policy as envisaged by the policy initiators. It should also be noted that Bill drafting is an area of specialist legal practice.

In order to undertake an overall view of the Bill, the drafter should be guided by the need for effectiveness. "Effectiveness means that the legislation manages to introduce mechanisms capable of producing the desired...results." Elements of "effectiveness" are as follows:

- (a) Clarity (easily perceived or understood);
- (b) Precision (exactness of expression and detail);
- (c) Unambiguity (certain or exact meaning);
- (d) Plain language(non-legalese); and
- (e) Gender-Neutral language.

These elements of effectiveness in Bill drafting are in line with the seven C's of a good Bill, which are:

- clarity
- certainty
- conciseness
- consistency
- correlation
- completeness and
- comprehensibility.

In terms of conciseness the drafter should not use unnecessary or repetitious words or phrases. The Bill should cover all reasonably foreseeable circumstances likely to arise. The drafter should use the same style throughout to achieve consistency while the legislative intention being communicated should be certain so that those to be affected are not left in doubt as to the extent of their duties, obligations, powers, discretions or rights. The drafter should ensure that the legislation is drafted in the language and structure that the reader does not only understand, but must be seen to understand (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

CHECKLIST 2 - PRINCIPLES OF A GOOD BILL

- Use short sentences,
- Every paragraph should start with the topic sentence,
- Use the active voice,
- Avoid legal jargons (hereof, thereof, hereunder, null and void),
- Refer to all people and companies by name,
- Avoid abbreviations,
- Use punctuation marks properly,
- Avoid the use of archaic words.
- Avoid the use of passive language, and
- Avoid verbosity. For instance, section 340 of the Criminal Procedure Code has a sentence consisting of 126 words. The section reads thus:

When anybody accused of an offence punishable with imprisonment, whether with or without fine for a term not exceeding three years or with only fine is arrested or detained without warrant by an officer in charge of a police station or appears or is brought before a court and is prepared at any time while in custody of that officer or before that court to give such security as may seem sufficient to the officer or court, such person shall be released on bail unless the officer or the court for reasons to be recorded in writing considers that by reason of the granting of bail, the proper investigation of the offence would be prejudiced or a serious risk of the accused escaping from justice be occasioned.

All that the above intended to say is that "any person accused of a crime for which the penalty is less than 3 years imprisonment, should be entitled to bail" (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

1.3 CHECKLIST 3 - GRAMMAR AND SYNTAX

A legislative drafter must draft in accordance with the rules of grammar that normally apply to drafting of every document. When checking for the grammar and syntax in a Bill, the basic minimum benchmarks to examine are as follows:

- Shall

This is the mandatory sense that drafters intend and that courts uphold. Consequently, shall can be used in a Bill to impose a duty or an obligation where a person has a duty to do something.

For example, as recently as the year 2011, in the case of *TABIK INVESTMENT LTD., CHIEF DR. DAVIDSON OGUOCHA v. GUARANTY TRUST BANK PLC.* (SC.101/2005) the Supreme Court of Nigeria when interpreting the meaning of the word "shall" that appeared within Section 111 (1) of the Evidence Act, Chapter E14, Laws of the Federation of Nigeria, 2004 reiterated that: "the word 'shall' connotes mandatory discharge of a duty or obligation, and when the word in respect of a provision of the law that requirement must be met." Per Bode Rhodes-Vivour JSC.

For the avoidance of any doubt the Section 111 (1) of the Evidence Act, Chapter E14, Laws of the Federation of Nigeria, 2004 provides as follows:

"111. Proof of seal and signature. The fact that an affidavit purports to have been sworn in the manner prescribed in the preceding sections shall be prima facie evidence -..."

The drafter should use the word shall only when the provision is mandatory.

- May.
The word *may*, can be used by a drafter in a statutory provision to indicate discretion to act. For example, Order Eight, Rule 14 (1) states that:

A motion or an amendment *may* be withdrawn, at the request of the mover by leave of the House or Committee, before the commencement of debate. A motion or an amendment so withdrawn may be made again but in the case of motion, notice is required .

- ★ Voices.
Drafters should use active voices rather than passive voices . This is because an active voice eliminates confusion by naming the actor in the text of the legislation, thereby making it clear to the reader who is to do what . For instance, Order Eighteen, Rule 14 (1) provides that:

There shall be a Committee to be known as Committee on Anti-Corruption consisting of not more than 30 members constituted at the commencement of the life of the House .

(2) The Committee's jurisdiction shall cover:

- (a) Oversight matters relating to Independent Corrupt Practices and other Related Offences Commission, Code of Conduct Bureau and Code of Conduct Tribunal .

"And".

The word 'and' is normally employed to express the relation of addition. That is, the adding of something to that which precedes . So, drafters should use "and" in drafting Bills as a connective between words, phrases, clauses and sentences . In other words, "and" is used to signify conjunctivity of words, phrases, clauses and sentences. Consequently, and is usually construed conjunctively and connotes togetherness .

"Or"

"Or" is usually construed disjunctively and suggests a choice between two or more options. So, when drafting or analyzing a Bill, use "or" to connect two or more phrases, events, conditions, when only one or more but not all need occur. Do not use "and/or".

Avoid archaic words or legal jargons.

Drafters should avoid the use of outdated words or legal jargons.

Examples of these archaic and legal jargons are heretofore, whereof, herein, aforesaid, abovementioned, aforementioned, thereof, therein, hereby, thereby, hitherto, wherein,

Archaic and legal jargons

Heretofore

Thereof

Ab initio

Bona fide

Prima facie

Newer words

Prior to now, until now, up to the present time

Of this, that or it; from that circumstance or origin

At the Beginning

Genuine or legitimate

At first sight or on the face of it

Mutatis mutandis

With the necessary changes being made or with the necessary modifications

Other examples are *seriatim*, *inter alia*, *ad valorem* or other similar words and expressions should be avoided because they are imprecise. These legal jargons are imprecise and inefficient as reference words. In the same vein, drafters should use "a", or "the" instead of "any", "each", "all" or "some". This is to achieve precision in the text of the legislation.

Expressing Numbers

In substantive laws, drafters should express numbers in words while in appropriation laws they should express numbers in words and figures. For instance, "Three Hundred and Fifty Thousand". In Appropriation laws, the same number can be expressed thus: Three hundred and Fifty Thousand (350,000).

Expressing Time:

Write 12 noon or 12 midnight, 9 am, 2 pm. Only use colon and 00 with figure. For example: 1:00 pm

Gender-neutral Language.

In many jurisdictions, legislative drafters now draft legislation in unisex grammar or gender-neutral language. Gender-neutral language refers to the language which includes both sexes and treats women and men equally. Drafters should avoid the use of gender specific pronoun when the antecedent could be male or female. Rather, repeat the noun in place of the pronoun. For instance, do not say: *The Speaker or his Deputy shall preside during the plenary*. Instead, say: *The Speaker or the Deputy Speaker shall preside during the plenary*.

Plain language

Legislative drafters agree that *plain language* means a clear, and straightforward expression, using only as many words as are necessary. Drafters can use plain language to avoid obscurity, inflated vocabulary and convoluted construction. The following are standard rules of plain language drafting:

- (1) Uses short words, sentences, and paragraphs
- (2) Uses active verbs
- (3) Contains explanations of legal, foreign, and technical terms, unless the terms are commonly understood
- (4) Avoids defining terms that are commonly understood
- (5) Uses personal pronouns to refer to affected persons and the responsible agency if helpful to improve clarity
- (6) Minimizes cross-references
- (7) Avoids sentences with double negatives or exceptions to exceptions
- (8) Uses tables, diagrams, pictures, maps and vertical lists to improve clarity
- (9) Demonstrates logical organization
- (10) Addresses separate audiences separately
- (11) Places general material before exceptions and specialized information

- (12) Addresses processes covered by a rule in chronological order, and
- (13) Follows other best practices of plain language writing.

In line with the standard rules of plain language drafting, drafters use short and simple sentences in order to achieve precision and clarity in the provisions of the legislation.

Below is an example:

★ **Traditional legislative drafting:**

"he Builder shall at his own expense construct sewer level pave metal kerb flag channel drain light and otherwise make good (including the provision of street name plates in accordance with the requirements of the appropriate District Council and road markings and the requirements of the Council) the street".

★ **Plain Language:**

"The Builder must construct the street to Council specifications".

★ **Punctuation Marks**

In Nigeria, the Interpretation Act provides that "Punctuation forms part of an enactment, and regard shall be had to it accordingly in construing the enactment". This is very instructive and self-explanatory. Punctuation mark must be used as part of the structure of a sentence, but must not be used solely for the purpose of conveying meaning. It is not sound practice to rely unnecessarily on punctuation to convey meaning; rearrangement of the sentence is the better course. This point is very important. It follows that drafters must be familiar with the rules and the application of punctuation to legislative drafting.

Punctuation assists the reader to understand more quickly the intended meaning by providing signpost to sentence structure. Drafters should punctuate cautiously and with purpose. Consequently, every punctuation mark must have a purpose. The function of punctuation is to indicate the quality of connection rather than length of pause. Drafters must always be consistent in the use of punctuation marks. Haphazard use of punctuation marks can easily alter the meaning of a provision. The following are some of the punctuation marks: comma, semi-colon, full stop, hyphen, parentheses and colon.

★ **Full stop:**

- 1 Every sentence ends with a full stop.
The person may sell or buy a knife.
- 2 A section number is followed by a full stop.
91. (2)
- 3 A full stop is not used after a heading, title, chapter numbers, and tables.

VI. MISCELLANEOUS PROVISIONS

and not

VI. MISCELLANEOUS PROVISIONS.

- 4 Do not use full stops in acronyms.
UN, BBC, E. A. C.

and not
U.N., B.B.C., E. A. C.

Brackets

1 Brackets may be used to insert information, such as an explanation, in a clause.

The Business Manager [in this section referred to as the Waste Manager] may in the exercise of his or her duties...

2 Brackets are used when one refers to subsections, paragraphs, etc.

...in terms of subsection (1)
...in terms of paragraph (c)

Inverted commas

Inverted commas are mainly used in the definition section.

"Business Manager" means the person...

Colons

Colons are used to introduce lists.

The applicant must submit the following:

(a)

(b)

Important note: When you use the word "following", the phrase which immediately follows it starts with a capital letter, and the subsequent phrases with small letters, as is shown in the example below.

Semi-colons

Semi-colons are used to coordinate sub-clauses or items in a provision.

The applicant must submit the following:

(a) A copy of his or her driver's licence;

(b) a copy of his identification document; and

(c) a copy of his marriage certificate.

Dash

A dash is used to introduce items all of which form part of a sentence.
Council may —

(a) impose a fine;

(b) disconnect the supply; or

(c)

Commas

Use commas sparingly. The temptation to cure an ailing sentence by a dose of commas must always be resisted. The following **bold** commas are **unacceptable**:

The Business Manager who is responsible for Waste Management, must ensure that...

The Business Manager must, before the end of the year, submit to Council a report, and a budget.

Keep in mind that a comma usually precedes the word "but".

Numbering

1 The acceptable numbering (and names of clauses) is as follows:

1. Section

(1) Subsection

(a) Paragraph

(ii) Subparagraph

(aa) Item

(A) Sub-item

2 Do NOT use the decimal system

2.1.3.4

3 Numbers up to nine are referred to in words. Numbers higher than nine are referred to in Arabic figures

A person must submit **three** copies of...

A person who has more than **25** dogs...

4 When a sentence begins with a number, the number must be represented in words
Twenty copies of...

5 Use figures for sums of money, units of measurement, times, ages, percentages
A person in possession of more than **₦200,000**...

A billboard may not exceed **5** meters in height.

A person older than **18** years of age...

A person must within **14** days...

Any shareholder with a shareholding of more than **25%**...

6 A section with subsections is numbered as follows:

23. (1) No person may own more than five dogs.

(2) A person who owns more than 10 dogs must apply for a permit.

(3) A person who owns less than three dogs does not have to pay dog tax.

You will notice that each of the subsections is a complete sentence.

7 When a single section consists of only one sentence with different paragraphs, it must be numbered as follows:

23. No person may have on his or her property -

(a) more than 25 dogs;

(b) more than nine cats; or

(c) more than 100 caged birds (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

EXAMPLES OF WRONG USE OF PUNCTUATION MARKS

PART IV — BEE RESERVES AND ZONES

- (1) The Minister may by Order published in the Gazette establish a bee reserve.
- (2) A bee reserve established under subsection (1) may be:
 - (a) a private bee reserve; or
 - (b) a national bee reserve; or
 - (c) a local authority bee reserve.
 - (d) a village bee reserve.
- (3) Any beekeepers registration system may apply to:-
 - (a) the whole or any part of the country; or
- (4) Where an inspector suspects that
 - (a) bees, beehives, apiary products or appliances -
 - (i) are being or have been brought into an infected area; or
 - (ii) are being or have been out of an infected area, in contravention of any provision of an Order in force under this section; or
 - (b) any condition subject to which an exception specified in the Order has not been complied with in relation to any bees, beehives, apiary products or appliances, he shall report that person to the court (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

EXAMPLE OF GOOD USE OF PUNCTUATION MARKS

- In drafting the provision of section 7 of the Investment and Securities Act, 2007, the drafter uses comma to clarify the situation under which the commissioners nominated by the Director General may manage the Securities and Exchange Commission. The section provides:

"The Director-General or, in his absence, one of the commissioners nominated by the Director-General shall be responsible for the day to day management and administration of the Commission and shall be answerable to the Board of the Commission".

The modifier "in his absence" is effectively inserted by the use of a comma.

Capitalization

Drafters should use capital letters sparingly. Capitalize names of places and things such as Nigeria, South Africa, Cambodia, President of the Federal Republic of Nigeria, Child Rights Act and other Federal or State Acts.

Paragraphs

Drafters should use short paragraphs to improve the clarity of the text of a legislation. Each paragraph should deal with a single topic. Lengthy, complex or technical discussions should be presented in a series of related paragraphs (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

Chapter Two**STAGES OF LEGISLATIVE DRAFTING**

A Bill is a document where the results and the conclusions of the preparatory work are presented in concise form. The Bill is used as the basis for parliamentary consideration and decision-making. In addition, it serves as a basis for policy debate in the society at large and later as material for interpretation. In order for Bill drafting to succeed, the preparatory work must be properly planned and organized. Drafters should follow logical progression in the drafting process through five stages:

1. (1) Understanding Drafting Instructions,
2. Analysis of Drafting Instructions-Alternatives to legislation,
3. Design of legislative Bill,
4. Composition and development of the legislative text, and
5. Scrutiny and testing.

2.1 Checklist 3: Basic Benchmarks for Drafting Instructions

Drafting instructions are the instructions or directives that form the basis and contents of the legislative Bill. These instructions could be issued in either oral or written format, it is preferable in written format. Ideally, the drafting instructions should contain the following basic benchmarks:

- (a) a good explanation is given as to why the legislation is necessary,
- (b) the overall aims and objectives of the drafting instructions should comply with the Legislative Agenda of the subsisting Assembly .
- (c) the impact and alternatives have been assessed and explained,
- (d) the current situation and the problems inherent in it are adequately described and reasons supplied as to why the proposed legislation is the correct solution,
- (e) the objectives of the legislation, the mechanisms chosen to achieve the objectives are clearly stated,
- (f) the probable or foreseeable consequences of implementation of the legislation are assessed and explained,
- (g) the proposed legislation is consistent with other rules and international standards,
- (h) the proposed legislation comply with the legal standards in terms of structure, orderliness, clear drafting and terminology,
- (i) there is a legal authority to implement the proposed legislation,

- (j) the implementation standards, such as the practicability, feasibility, enforceability, public acceptance and availability of necessary resources are clearly understood,
- (k) the Compendium of Financial Implications is submitted alongside the Bill as required by Order Twelve, Rule 1 (3) Standing Orders of the House of Representatives, Ninth Edition, March 2016, page 60.

To obtain these information, consultation with the relevant stakeholders will help the drafter by asking the following pertinent questions:

- (a) is the problem correctly defined?
- (b) is government action justified?
- (c) is legislation the best form of government action? Would a policy be a better alternative to legislation?
- (d) is there a legal basis for legislation?
- (e) what is the appropriate level (or levels) of government for this action?
- (f) do the benefits of legislation justify the costs?
- (g) is the distribution of effects across the country transparent?
- (h) is the legislation clear, consistent, comprehensible, and accessible to users?
- (i) have all interested parties had the opportunity to present their views?
- (j) how will compliance be achieved?

2.2 Checklist 4: Basic benchmark on Analysing the Legislative Policy

The major task of a drafter is to analyze and refine the policy. Drafters should analyze the legislative policy contained in the drafting instructions before embarking on drafting the text of the legislation.

The legislator or the legislative support staff who is checking the Bill should also ensure that the manner that the provisions of a Bill or legislation are drafted and the legislative policy is consistent with existing legislations and the requirements of a coherent legislative scheme.

Accordingly, at this stage, the issues for checking and analyzing the drafting instructions are as follows:

- (a) the extent to which the policy impinges upon matters that are already governed by existing legislation;
- (b) compatibility of the policy with the Constitution of the Federal Republic of Nigeria, 1999 (as amended) — legislative competence of the Federal, State and Local Governments; Federal Character Principle and Fundamental Objectives of State Policy;
- (c) repeals and amendments needed in existing legislations to bring them into conformity with the new legislations; and
- (d) how the proposed means of implementation and enforcement may be formulated to ensure fairness and transparency.

2.3 Checklist 5: Basic benchmarks for Designing the Legislative Scheme

The third stage in Bill drafting is the design of the legislative scheme. The drafter should carefully design the legislative frame work before the composition of the text. For this reason, a drafter should decide on:

- (a) The basic legal approach that the proposed legislation should take,
- (b) The issues to be considered and the mechanisms needed to put the law into effect.

Decisions on these matters are necessary to enable the drafter organize the draft text in a rational and coherent sequence. Designing the legislative scheme will also assist the drafter to produce a logical relationship that makes the substantive provisions accessible and understandable to users.

2.3.1 Principles of legislative design.

In the design of the legislative scheme, the following principles of legislative design should be borne in mind by the drafter:

- (a) gather related or linking provisions together in the same part of the Bill;
- (b) create separate chapters or parts for distinct groups;
- (c) order groups of provisions and parts according to the principles that govern individual provisions;
- (d) place primary provisions before subsidiary provisions;
- (e) place general provisions before any exceptions to them;
- (f) place provisions of general application before provisions dealing with specific issues;
- (g) place substantive provisions before those that state the objectives of the legislation; and
- (h) explain basic concepts and terms in the legislation.

2.4 Checklist 6: Basic minimum benchmarks for Composing and developing legislation

The mode of expression and the legislative style that drafters adopt are generally dictated by the drafting conventions that reflect the language of legislation. Therefore, when composing and developing the provisions of a legislation, the drafter should be guided by the following principles.

2.4.1 Principles of legislative composition

- (a) draft provisions in a direct prescribed form, rather than narrative form;
- (b) avoid long sentences and sections comprising of many sentences;
- (c) ensure that the contents of each section have a unity of purpose;
- (d) use plain language;
- (e) avoid legalistic and antique modes of expression;
- (f) use appropriate legal terms for legal concepts;
- (g) use terminologies consistently, i.e. the same terms for the same case;

- (h) avoid using words that are superfluous or repetitious;
- (i) avoid expressions that are ambiguous, vague or obscure in meaning.

2.5 Checklist 7: Basic benchmarks for Scrutinizing and testing of legislative Bills

At the level of scrutinizing and testing the draft legislation, the drafter should ensure that each provision of the proposed legislation is subjected to verification applying the following principles.

2.5.1 Principles of legislative verification:

- (a) checks for legal compliance
- (b) compatibility with the constitution
- (c) compatibility with international norms or treaties
- (d) compatibility with existing laws
- (e) consistency of concepts and legal approach
- (f) inclusion of transitional provisions to ensure legal continuity .

2.5.2 Checks as to operational features

- (a) inclusion of all provisions necessary to make the legislation operative and enforceable.
- (b) effectiveness, fairness, consistency and administrative enforcement and adjudication procedures.
- (c) expressions that diminish the likelihood of disputes and aid settlement.
- (d) easy to use legislative provisions.

2.5.3 Checks as to form, clarity and comprehensibility

- (a) Compliance with the standard requirements as to format, presentation and style.
- (b) Compliance with best practice as to legislative expression and composition.
- (c) Logical and accessible organization of the provisions (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

Chapter Three

STRUCTURE OF A BILL

3.1 Checklist 8: Basic benchmark on the Structure of a Bill

Legislative drafting requires a systematic application of a range of analytical and writing skills. Broadly, a Bill is composed of Four major parts namely:

- (a) Preliminary provisions;
- (b) Principal provisions,
- (c) Miscellaneous provisions and

- (d) Final provisions.
- ★ **Preliminary provisions**
 - (i) Long title
 - (ii) Preamble (in Nigeria, preambles are only used in Bills that are domestication of Treaties)
 - (iii) Enacting clause
 - (iv) Purpose Clause (for civil law jurisdictions)
 - (v) Commencement
 - (vi) Duration/Expiry
 - (vii) Application
- ★ **Principal provisions**
 - (i) Substantive provisions
 - (ii) Administrative provisions
- ★ **Miscellaneous**
 - (i) Offences and provisions ancillary to offences such as time limit for prosecution, continuing offences, offences by corporations, and vicarious responsibility.
 - (ii) Miscellaneous and supplementary provisions such as evidentiary provisions, a power to make subordinate legislation, service of notices, powers of entry and search, seizure and arrest.
- ★ **Final Provisions**
 - (i) Savings and transitional (these may also be placed in a schedule if they are long)
 - (ii) Repeals
 - (iii) Consequential amendments (these may be placed in an annex especially if the repeals and consequential amendments are numerous and can conveniently be presented in a tabular form)
 - (iv) Definitions
 - (v) Interpretation
 - (vi) Short title
 - (vii) Explanatory Memorandum
 - (viii) Schedules

3.2 Table of Contents

3.3 Long Title

Every Bill has a long title. The purpose of the Long Title is to provide a concise but comprehensive statement of the subject matter of the Bill, by describing the nature of the proposed Bill or legislation. As a general Rule of interpretation of Statutes, the Long Title does not form part of the Bill or legislation but it is useful for discerning the intention of the legislature. The title, generally referred to as the long title, is prefixed to the Bill and retained in the Act, and is different from the short title. Care must be taken to ensure that the title is sufficiently wide to cover all the provisions of the Bill, and that it is not vague, otherwise it may invite amendments. For instance, the long title is usually expressed as follows: A Bill for an Act to Provide for the Establishment of the National Transport Commission as an independent Multi-Model Economic Regulator for the Transport Industry and for Other Related Matters

3.4 Enacting Formula

The enacting formula states the authority by which legislation is made. For instance, an enacting formula for a federal legislation is usually stated as follows:

- (a) "The National Assembly of the Federal Republic of Nigeria enacts:"
The enacting formula for a legislation enacted by a State House of Assembly would be: "The Kaduna State House of Assembly enacts:"
- (b) The enacting formula for a Local Government Bye-Law would be as follows:
"I, Dr. Nasiru Tijani, Chairman of Bwari Local Government Area of Niger State, by virtue of the powers conferred upon me by the LOCAL GOVERNMENT LAW OF NIGER STATE, 2009, do make the VILLAGE MARKET TAX REGULATIONS as follows."

3.5 Purpose Clause

In civil law jurisdictions and in some common law jurisdictions such as New Zealand, there is usually a "Purpose Clause" that provides a statement of the object, goal and purpose of the Bill or legislation. In Nigeria, in recent times, certain legislations copy this trend by commencing with a statement of the Goals and objectives (purpose) of the Bill or legislation. For example, section 1 of the Environmental Impact Assessment Act, Chapter E12, Laws of the Federation of Nigeria, 2004 reads: "Goals and objectives of environmental impact assessment". In Nigerian legislations and Bills, the Explanatory Memorandum serves as the equivalent of the PURPOSE CLAUSE.

3.6 Application Clause

A law passed by Parliament is applicable throughout the country except where it is otherwise expressly provided for in the Statute itself. It is, however, usual and convenient and at times necessary to specify the extent explicitly. It gives an indication of an area of application of an Act. For instance the application clause is usually expressed thus: This Act shall apply to the provision or use of transport and related services in marine, rail and road transport in Nigeria. An extent or application clause may, however, be rendered unnecessary by the nature of the Act when it indicates the areas to which it will apply, or denotes the persons who will be subject to it, or signifies things which will come under its purview. In Nigeria, all laws made by the National Assembly in respect of matters contained in the Exclusive Legislative List apply throughout the federation. However, some laws made by the National Assembly, have limited application to the Federal Capital Territory (FCT) alone because the National Assembly is the legislature of the FCT.

3.7 Commencement Clause

The commencement clause forms an important provision of a Bill. The general rule regarding the coming into operation of enactments is that in the absence of any express provision to the contrary an Act comes into operation on the day on which it receives the assent of the President. In view of the above general rule, Acts which are intended to take effect at once need not, and do not usually, have a commencement clause. In some cases, it is necessary to give retrospective effect to an enactment, but, note that there is a constitutional prohibition on giving retrospective effect to criminal legislations in Nigeria.

3.8 Interpretation or Definition Clause

Where the expressions defined occur only in a single section, the definitions are given in that section and where the definitions are necessary only for a particular part or chapter, they are given in that part of chapter. Definitions are required to avoid tedious paraphrases, explain terms which are of ambiguous or uncertain meaning, give meaning to a term which has been judicially interpreted or a sense other than that given by such interpretation or include or exclude, for the purposes of the Act, something in regard to the inclusion or exclusion of which there might otherwise be doubt. The definitions are arranged in alphabetical order.

In Nigeria, as a general Rule, the Interpretation Clause or section is usually placed towards the end of the Bill or legislation. However, whenever a legislation deals with a technical subject-matter, the Interpretation Section usually occurs at the beginning of the Bill or legislation. For example, see the Petroleum Industry Bill, 2009 version.

3.9 Duration (Sunset) Clause

Certain laws are of limited duration and are enacted for a short stipulated period. Such enactments cease to be effective after the expiry of the period stipulated. The duration clause is embodied as one of the sub-clauses in the clause of a Bill. The form used may be different in different Bills, as the situation demands. For example the Offshore Production Sharing Contracts Act, 2000 had a lifespan of fifteen (15) years which expired in the year 2015. The purpose of this legislation was to grant tax holiday or exemption to oil companies that were involved in exploitation of oil and gas resources in offshore oil fields considering the huge financial expenses involved in undertaking such offshore oil exploitation activities, the Federal Government of Nigeria granted them an exemption from payment of taxes for the first fifteen years of production.

3.10 Marginal notes

Marginal notes, also called "statutory footnotes" are brief summations of provisions of a statute. They are useful as editorial flags and for ease of the readers of the Bill or legislation. Marginal notes are important in statutory construction as they provide insights into the nitty-gritty of the provision.

3.11 Rule-making Clause

Some legislations include provisions delegating powers to the officials of the Executive to make Subsidiary legislations such as Rules, and Regulations for administering the principal Act (legislation). This provision is contained in the rule-making clause of a Bill.

3.12 Repeals, Consequential Amendments and Savings Clause

The provisions regarding both repeal and savings are embodied in the same clause. The clause is invariably placed at the end of a Bill, so that the structure of the enactment in which it is contained may remain unimpaired when the clause itself is repealed. When an enactment is repealed, the repeal, unless a different intention appears from the context, does not —

- (a) revive anything not in force or existing at the time at which the repeal takes effect;
- (b) affect the previous operation of any enactment so repealed or anything duly done or suffered;

- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed;
- (d) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if the Repealing Act had not been passed.

With the repeal of an enactment, all rules, etc., made under it are repealed, unless provision is made to the contrary in the Repealing Act. The savings clause reserves something which would be otherwise included in the words of the enacting part. This clause only preserves things which were in force at the time of its enactment and therefore cannot affect transactions which were complete on the date of the Repealing Statute. It is inserted in the Statute in order to protect or save a person as regards rights which he may have acquired under the then existing law.

3.13 **Explanatory Memorandum**

The proper function of the explanatory memorandum is to explain certain facts which are necessary to be explained before the enactments contained in the Act can be understood. For example, it is normally expressed thus: This Act seeks to establish the National Transport Commission as an effective, impartial, independent regulatory authority in the Transport sector, promote the implementation of the national transport policy and provide for an efficient economic regulation of the transport sector and for other related matters.

3.14 **Short Title**

It identifies, describes and gives a name to the Act. It is often called the statutory nickname of the Bill or the legislation. For example, National Transport Commission Bill, 2015. Every Bill has a short title. It has to be short for it is merely a label or index-heading to the enactment in question and has also to be apposite. It is cited in the first clause of the Bill. An enactment is cited by reference to the short title or by reference to the number and year. Where in any enactment it is necessary to cite or refer to another Act, its short title is cited in the body and reference to the number and year made in the margin.

3.15 **Citation.**

It states how the Act should be cited. For example: The Act may be cited as the Forest Act 1995

3.16 **Schedules**

Schedules are used in legislative drafting to supply supplementary details. Therefore, details of information, statistics, figures, tables, codes, maps and other technical matters highlighted or referred to in the body of the Bill or legislation are contained in the Schedule. Some Bills have Schedules appended to them. As a rule, matters of detail are relegated to Schedules, e.g., illustrations of forms, agreements and plans. When the constitution of an organization is declared in the Bill itself, the mode of appointment and rules governing meetings of that organization are placed in a Schedule. It is sometimes convenient to indicate in a Schedule where several Acts or parts of several Acts are being repealed or where a considerable number of minor amendments are being made.

3.16 **Table of contents**

A table of contents is required for longer Bills. The table of contents is based on the headings used in the Bill. The detailed reasons are included in the table of contents at the level of chapters; only in especially long Bills may the table of contents be presented at the level of individual sections. The table of contents follows the executive summary.

The true test of the practicability of legislation is when the legislation is implemented. How, for example the public responds to it, and whether it will secure a satisfactory level of compliance can only be assessed when the law is in operation. Being a medium of communication, the language of a legislative instrument must be simple, concise and comprehensible. Legislative drafters must at all times follow the sequence of presentation of legislative instruments in term of structure and organization (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

Chapter Four

SCRUTINY AND TESTING OF BILLS

4.0 Checklist 9: Basic benchmarks for Scrutiny and testing of Bills

4.1 Understanding scrutiny

At this stage the drafter should use checklists to scrutinise the draft Bill. The drafter should take into consideration contents of the following checklist:

- (a) Does the draft achieve all those objects that the drafter believes to be the intended objects of the legislative proposal?
- (b) Does the draft fit harmoniously into the general body of law?
- (c) Does the law comply with basic principles of the legal and constitutional system?
- (d) Does the draft form a coherent well-structured whole and does the material flow in logical sequence?
- (e) Are the content and the language of the draft as clear and comprehensible as the drafter can make them?
- (f) Consistency of language (is the same word always used with the same meaning? Are different words used for the same meaning?)
- (g) References to other legislation (are they up-to-date and accurate?)
- (h) Internal cross-references (are they necessary and if so are they accurate?)
- (i) The use of definitions (is every definition necessary? Does every definition comply with the criteria in the chapter?)
- (j) Numbering and lettering provisions, do they comply with the accepted style and are they accurate?
- (k) The use of paragraphs
- (l) Capital letters (are they all necessary?)
- (m) Spelling
- (n) Punctuation
- (o) Consistency of penal sanctions (is the level appropriate and does the draft provide a sanction in every case, where it should?)

- (p) Arrangement of provisions within the appropriate parts or Divisions, is it satisfactory?
- (q) The commencement provision does it adequately cover the whole draft?
- (r) Geographical references and references to offices (are they accurate?)
- (t) Suitability and accuracy of headings, including section headings or marginal notes
- (u) Adequacy of the long title
- (v) Accuracy of the table of contents .

4.2 Checklist 10: The Procedure of the House of Representatives regarding scrutiny of Bills
 With regards to scrutiny of Bills in the House of Representatives, the practice and procedure are as follows:

- (1) Copies of the Bills are received by the Presiding Officers.
- (2) In the case of Executive Bill, it is forwarded with a letter from the President to the Presiding Officer. If it is an Appropriation Bill, it is deemed to have been read the first time after the presentation of the budget by the President.
- (3) On receiving the draft Bill from a Member, the Clerk of the House shall forward it to the appropriate office (usually the Bills Office) in liaison with the Directorate of Legal Services for legislative scrutiny and clean up and technical inputs before publication in the Journal for first reading.
- (4) Bills coming to the House of Representatives must comply with the requirements in this Manual.

APPENDIX A — COMPENDIUM OF BACKGROUND INFORMATION

To determine the efficiency of a proposed legislative Bill, at the point of submission of a Bill, the legislative drafter is under obligation to submit an accompanying document, this document is entitled the "Compendium of Background Information" of the proposed Legislative Bill, as stipulated under Order Twelve, Rule 3 of the Standing Orders of the House of Representatives, Ninth Edition, Re-Printed March 2016. It would be appropriate to also have a compendium of financial implications included in the Standing Orders of the House.

With respect to the procedure on Bills, Compendium and Consolidation, the following compilation is presented for the general information of legislators. The compilation shown below is a summary of the contemplated personnel and organizational and administrative structure of the proposed Fund, and its anticipated recurrent and capital expenditure in the first twelve months immediately following the commencement of this Act.

PROJECTED RECURRENT EXPENDITURE PERSONNEL REQUIREMENT FOR THE FUND IN THE FIRST TWELVE MONTHS NEXT AFTER THE COMMENCEMENT OF THIS ACT, AND PROJECTED REMUNERATION"

TOTAL PROJECTIONS/ESTIMATES FOR THE RECURRENT AND CAPITAL EXPENDITURE FOR THE FUND IN THE FIRST TWELVE MONTHS IMMEDIATELY FOLLOWING COMMENCEMENT

Projected Recurrent Expenditure (Salaries and Allowances of personnel)

Projected Recurrent Expenditure (Social security benefits, maintenance of vehicles, management costs of offices and other contingency)
Estimated Capital Expenditure (Office accommodation, furniture, etc.) 802,176,000.00

4. Estimated Capital Expenditure (Purchase of vehicles)

Total Projected/Estimated Costs for First Year of Commencement of the fund

SURMISES

The forgoing compilation proffers a fair approximation of the financial implications for the establishment of the Bill in Nigeria. To all intents and purposes, the financial outlay estimated and projected for, is modest and appropriate for the effective discharge of the provisions of this Bill (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

APPENDIX B — MODEL BILL

TREATMENT OF VICTIMS OF ACCIDENT (COMPULSORY) BILL, 2013

ARRANGEMENT OF CLAUSES

Clause:

1. Duty to treat victims without police report.
2. Report to and clearance from police
3. Protection of medical personnel.
4. Penalties
5. Interpretation
6. Citation
7. Explanatory Memorandum

A BILL

FOR

An Act to provide for compulsory emergency medical services to victims of a gunshot, crime or accident by medical personnel without making police report a requirement before such services are rendered, and to protect medical personnel from arrest or harassment by any law enforcement agent in the course of their duty; and for related matters

Sponsor: Hon Olufemi Fakeye

ENACTED by the National Assembly of the Federal Republic of Nigeria —

1. A medical personnel in any public or private hospital shall treat a victim of gunshot, crime or accident on arrival at the hospital without a request for the presence of a police officer or police report. Duty to treat victims without police report.
2. A medical personnel giving emergency medical treatment to victims of gunshot, crime or accident shall — Report to and clearance from police.
 - (a) report the admission of victims to the nearest police station within 12 hours;
 - (b) retain the victim in the hospital;
 - (c) keep the victim under a strict surveillance by requesting the nearest police station to formally provide police protection within 12 hours after the report ;
 - (d) obtain clearance from the police before discharging the victim and the police shall unconditionally give such clearance within 24 hours of a written request by the hospital.
3. A medical personnel shall not be arrested or harassed on ground of giving emergency medical treatment to victims mentioned in clause 1 of this Bill, except where the medical personnel — Protection of medical personnel.
 - (a) fails to report and obtain a police clearance as required under clause 2 of this Bill; and
 - (b) discharges the victim without the consent of police.
4. (1) Where a medical personnel refuses to give emergency medical treatment to the victims, the medical personnel commits an offence and if — Penalties.
 - (a) death or permanent disability occurs, is liable on conviction to a term of imprisonment not exceeding 5 years;
 - (b) the victim suffers serious financial loss which the victim may not have suffered if immediately treated, a medical personnel is liable on conviction to a term of imprisonment not exceeding 10 months or a fine of (₦500,000).
- (2) A police officer shall report a medical personnel who contravenes the provisions of this Bill to the relevant professional body for appropriate discipline.
- (3) Where a refusal to give emergency medical treatment is based on any instruction given or policy introduced by the hospital, if the hospital is a —
 - (a) private hospital, the proprietor of the hospital shall be liable on conviction to a fine of not less than ₦500,000; and
 - (b) public hospital, the Chief Medical Director shall be suspended for a period of one year and shall be liable on conviction to a fine of not less than ₦1,000,000.

5. In this Bill —

Interpretation.

"medical personnel" includes a medical doctor, nurse or any other trained medical personnel on duty.

6. This Bill may be cited as the Treatment of Victims of Accident (Compulsory) Bill, 2013

Citation.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for compulsory emergency medical services to victims of a gunshot, crime or accident by medical personnel without making police report a requirement before such services are rendered.

The Bill also seeks to protect medical personnel from arrest or harassment by any law enforcement agent in rendering such medical services to the victims of a gunshot, crime or accident.

APPENDIX C — SAMPLE OF AN AMENDMENT BILL**Armed Forces Comfort Fund (Amendment) Bill, 2017****ARRANGEMENT OF CLAUSES**

1. Amendment of Section 1
2. Amendment of Section 2
3. Amendment of Section 3
4. Short Title of the Bill

A BILL**FOR**

AN ACT TO AMEND THE ARMED FORCES COMFORT FUND CHAPTER A21, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO EXPAND THE APPLICATION OF THE FUND TO VICTIMISATION RESULTING FROM INSTANCES OF CIVIL UNREST, MILITANCY, ARMED ROBBERY AND TO EXPAND THE PURPOSE OF THE FUND TO INCLUDE THE NIGERIAN VICTIM SUPPORT FUND AS AN ADDITIONAL SOURCE OF FUNDING AND TO PROVIDE ACCESS TO EDUCATION AND PSYCHOLOGICAL COUNSELLING FOR ORPHANS AND OTHER FAMILY MEMBERS OF DECEASED MEMBERS OF THE ARMED FORCES AND FOR RELATED MATTERS

Sponsor: **HON. JONES GEORGE**

() Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows —

The Armed Forces Comfort Fund, Chapter A21, Laws of the Federation of Nigeria 2004 (in this Bill referred to as "the Principal Act") is amended as set forth in this Bill.

1. Section 1 of the Principal Act is amended by inserting a new subsection (1) (c) Immediately after subsection (1) (b) as follows:

“(1) (c) any further sums, educational scholarship or medical treatment that shall be provided from time to time from by the Management Team of the Nigerian Victim Support Fund established by the Office of the President of the Federal Republic of Nigeria (The Presidency). Provided that such sums are in response to written application of the Chief of Staff (Nigerian Army), the Chief of Naval Staff or the Chief of Air Staff, whichever is appropriate”.

Amendment of Section 1 of the Principal Act.
2. Section 2 (a) of the Principal Act is amended by inserting the new phrase "or suppressing civil unrest, or armed robbery" after the word "war" in line 2

Amendment of Section 2 (a) of the Principal Act.
3. Section 2 of the Principal Act is further amended by inserting a new subsection (2) (f) immediately after sub-section (2) (e) as follows:

“(2) (f) for award of educational scholarships, guidance counselling and psychological counselling for family members of the armed forces”.

Amendment of Section 2 of the Principal Act.
4. Section 3 of the Principal Act is amended by substituting the number "28" in line 2 with number "23"

Amendment of Section 3 of the Principal Act.
5. This Bill may be cited as the Armed Forces Comfort Fund (Amendment) Bill, 2017.

Short title.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the ARMED FORCES COMFORT FUND CHAPTER A21, LAWS OF THE FEDERATION OF NIGERIA, 2004 to expand the application of the fund to victimisation resulting from instances of civil unrest, militancy, armed robbery and to expand the purpose of the fund to include the Nigerian victim support fund as an additional source of funding and to provide access to education and psychological counselling for orphans and other family members of deceased members of the armed forces and for related matters.

APPENDIX D-SAMPLE OF APPROPRIATION BILL

2017 APPROPRIATION BILL

Section:

1. Issue and appropriation of ₦7,298,507,709,937 from the Consolidated Revenue Fund of the Federation for 2017
2. Release of funds from the Consolidated Revenue Fund of the Federation
3. Virement
4. Interpretation
5. Short Title

A Bill for an Act to authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦7,298,507,709,937 (Seven Trillion, Two Hundred and Ninety-Eight Billion, Five Hundred and Seven Million, Seven Hundred and Nine Thousand, Nine Hundred and Thirty-Seven Naira) only, of which, ₦419,020,648,000 (Four Hundred and Nineteen Billion, Twenty Million, Six Hundred and Forty-Eight Thousand Naira) only is for Statutory Transfers, ₦1,663,885,430,499 (One Trillion, Six Hundred and Sixty-Three Billion, Eight Hundred and Eighty-Five Million, Four Hundred and Thirty Thousand, Four Hundred and Ninety-Nine Naira) only is for Debt Service, ₦177,460,296,707 (One Hundred and Seventy-Seven Billion, Four Hundred and Sixty Million, Two Hundred and Ninety-Six Thousand, Seven Hundred and Seven Naira) only is for Sinking Fund for maturing bonds, ₦2,979,151,756,196 (Two Trillion, Nine Hundred and Seventy-Nine Billion, One Hundred Fifty-One Million, Seven Hundred and Fifty-Six Thousand, One Hundred and Ninety-Six Naira) only is for Recurrent (Non-Debt) Expenditure while the sum of ₦2,058,989,578,536 (Two Trillion and Fifty-Eight Billion, Nine-Hundred and Eighty-Nine Million, Five Hundred and Seventy-Eight Thousand, Five Hundred and Thirty-Six Naira) only is for contribution to the Development Fund for Capital Expenditure (exclusive of capital expenditure in Statutory Transfers) for the year ending on the 31st day of December, 2017.

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

- | | | | |
|----|-------|---|---|
| 1. | (i) | The Accountant-General of the Federation shall, when authorised to do so by Warrants signed by the Minister charged with responsibility for finance, pay out of the Consolidated Revenue Fund of the Federation during the year ending on the 31st day of December 2017, the sums specified by the warrants, not exceeding in the aggregate ₦7,298,507,709,937 (Seven Trillion, Two Hundred and Ninety-Eight Billion, Five Hundred and Seven Million, Seven Hundred and Nine Thousand, Nine Hundred and Thirty-Seven Naira) only. | Issue and appropriation of ₦7,298,507,709,937 from the Consolidated Revenue Fund for 2017 |
| | (ii) | The amount mentioned in subsection (1) of this section shall be appropriated to heads of expenditure as indicated in the Schedule to this Act. | |
| | (iii) | No part of the amount aforesaid shall be released from the Consolidated Revenue Fund of the Federation after the end of the year mentioned in subsection (1) of this section. | |
| 2. | | All amounts appropriated under this Act shall be released from the Consolidated Revenue Fund of the Federation only for the purpose specified in the Schedule to this Act. | Release of funds from the Consolidated Revenue Fund. |
| 3. | | In the event that the implementation of any of the projects intended to be undertaken under this Act cannot be completed without virement, such virement shall only be effected with the prior approval of the National Assembly. | Virement. |
| 4. | | For the purposes of this Act the term "schedule" includes the detailed estimates of expenditure attached thereto. | Interpretation. |
| 5. | | This Bill may be cited as the Appropriation Bill 2017. | Short Title. |

SCHEDULE 2017 BUDGET PROPOSAL**PART A - STATUTORY TRANSFERS**

HEAD	STATUTORY TRANSFERS	₦
	NATIONAL JUDICIAL COUNCIL	100,000,000,000
	NIGER-DELTA DEVELOPMENT COMMISSION	61,364,607,953
	UNIVERSAL BASIC EDUCATION	92,456,040,046
	NATIONAL ASSEMBLY	115,000,000,000
	PUBLIC COMPLAINTS COMMISSION	4,000,000,000
	INEC	45,000,000,000
	NATIONAL HUMAN RIGHT COMMISSION	1,200,000,000
TOTAL - STATUTORY TRANSFERS		419,020,648,000

PART B - DEBT SERVICE

HEAD	DEBT SERVICE	
	DOMESTIC DEBTS	1,488,002,436,547
	FOREIGN DEBTS	175,882,993,952
	TOTAL	1,663,885,430,499
HEAD	SINKING FUND:	
	SINKING FUND TO RETIRE MATURING BONDS	177,460,296,707
	TOTAL	177,460,296,707

PART C - RECURRENT (NON-DEBT) EXPENDITURE

HEAD	MINISTRY/DEPARTMENT/AGENCY EXECUTIVE:	
	AUDITOR GENERAL FOR THE FEDERATION	2,693,253,521
	MINISTRY OF BUDGET AND NATIONAL PLANNING	8,129,490,024
	FEDERAL MINISTRY OF AGRICULTURE & RURAL DEVELOPMENT	31,790,817,608
	MINISTRY OF DEFENCE	325,488,229,573
	FEDERAL MINISTRY OF EDUCATION	398,009,615,150
	FEDERAL MINISTRY OF ENVIRONMENT	16,187,383,841
	FEDERAL MINISTRY OF FINANCE	9,495,253,136
	MINISTRY OF FOREIGN AFFAIRS	56,868,775,454
	FEDERAL MINISTRY OF HEALTH	252,875,396,663
	FEDERAL MINISTRY OF INDUSTRY, TRADE AND INVESTMENT	10,806,257,619
	FEDERAL MINISTRY OF INFORMATION & CULTURE	41,084,053,254
	FEDERAL MINISTRY OF INTERIOR	482,369,717,560

SCHEDULE**2017 BUDGET PROPOSAL**

	₦
FEDERAL MINISTRY OF JUSTICE	21,038,344,711
FEDERAL MINISTRY OF LABOUR AND EMPLOYMENT	8,671,186,611
FEDERAL MINISTRY OF MINES & STEEL DEVELOPMENT	10,375,564,741
FEDERAL CAPITAL TERRITORY ADMINISTRATION	0
FEDERAL MINISTRY OF NIGER DELTA	1,808,882,365
FEDERAL MINISTRY OF PETROLEUM RESOURCES	62,455,519,807
FEDERAL MINISTRY OF SCIENCE AND TECHNOLOGY	27,807,809,688
FEDERAL MINISTRY OF TRANSPORTATION	14,860,103,581
FEDERAL MINISTRY OF WATER RESOURCES	7,301,176,944
FEDERAL MINISTRY OF WOMEN AFFAIRS	1,486,534,201

FEDERAL MINISTRY OF POWER, WORKS & HOUSING	34,873,929,055
FEDERAL MINISTRY OF YOUTH & SPORTS DEVELOPMENT	78,416,015,167
FISCAL RESPONSIBILITY COMMISSION	302,848,038
INDEPENDENT CORRUPT PRACTICES AND RELATED OFFENCES COMMISSION (ICPC)	5,159,640,131
INFRASTRUCTURE CONCESSIONARY AND REGULATORY COMMISSION (ICRC)	884,624,464
FEDERAL MINISTRY OF COMMUNICATIONS TECHNOLOGY	11,206,782,734
NATIONAL SALARIES, INCOME AND WAGES COMMISSION	631,503,868
OFFICE OF THE NATIONAL SECURITY ADVISER	67,281,025,653
OFFICE OF THE HEAD OF THE CIVIL SERVICE OF THE FEDERATION	6,692,280,969
STATE HOUSE	22,947,666,215
SECRETARY TO THE GOVERNMENT OF THE FEDERATION (SGF)	51,990,014,275
SUB-TOTAL: EXECUTIVE	2,071,989,696,622

FEDERAL EXECUTIVE BODIES:

CODE OF CONDUCT BUREAU	2,037,582,923
CODE OF CONDUCT TRIBUNAL	573,778,581
FEDERAL CHARACTER COMMISSION	2,164,721,471
FEDERAL CIVIL SERVICE COMMISSION	943,761,945
NATIONAL POPULATION COMMISSION	5,563,110,903
POLICE SERVICE COMMISSION	708,272,631
REVENUE MOBILIZATION, ALLOCATION AND FISCAL COMMISSION	2,061,930,637
SUB-TOTAL: FEDERAL EXECUTIVE BODIES	14,053,159,091
TOTAL: EXECUTIVE & FEDERAL EXECUTIVE BODIES	2,086,042,855,712

SERVICE-WIDE VOTES AND PENSIONS:

PENSIONS AND GRATUITIES: TOTAL ALLOCATION	191,631,846,956
OFFICE OF THE HEAD OF THE CIVIL SERVICE (CIVILIAN PENSION)	33,290,715,716
PENSIONS	28,391,013,524
GRATUITIES	2,300,000,000
BENEFITS OF RETIRED HEADS OF THE CIVIL SERVICE OF THE FEDERATION AND FEDERAL PERMANENT SECRETARIES	2,599,702,192
MILITARY PENSIONS AND GRATUITIES (DMP)	71,156,115,576
PENSIONS	65,619,472,577
2017 EXPECTED RETIREES	3,170,929,878
DEATH BENEFITS	2,115,713,121
PENSION RUNNING COSTS	150,000,000
2017 VERIFICATION COSTS	50,000,000
ADMINISTRATIVE COSTS	50,000,000
POLICE PENSIONS AND GRATUITIES	7,412,463,652
PENSIONS	7,412,463,652
CUSTOMS, IMMIGRATION AND PRISONS PENSION OFFICE	8,420,000,000
PENSIONS	8,420,000,000
UNIVERSITIES' PENSIONS INCLUDING ARREARS	14,343,326,479
PENSIONS	14,343,326,479
PARASTATALS' PENSION AND RAILWAY PENSIONS	26,756,754,031
PENSIONS	26,756,754,031

SCHEDULE

2017 BUDGET PROPOSAL

PRE-1996 NIGERIA RAILWAY CORPORATION PENSION PENSIONS	₦ 2,257,298,262
DEPARTMENT OF STATE SECURITY PENSIONS (INCLUDING ARREARS)	2,257,298,262
NIGERIA INTELLIGENCE AGENCY PENSIONS/DEPENDANTS BENEFITS	7,643,405,446
NELMCO	7,643,405,446
NELMCO PENSION/ARREARS	3,709,146,567
	3,709,146,567
	16,642,621,229
	16,642,621,229
SERVICE WIDE VOTES:	
TOTAL ALLOCATION:	
SERVICE-WIDE VOTES PENSIONS	236,477,053,528
ARREARS OF 33% INCREASE IN PENSION RATE - MILITARY	89,977,053,528
ARREARS OF PENSION LIABILITIES	14,481,244,610
PAYMENT OF OUTSTANDING DEATH BENEFIT TO CIVIL SERVANTS/POLICE	3,000,000,000
PAYMENT INTO THE REDEMPTION FUND (5% OF TOTAL PERSONNEL COST) INCLUDING ARREARS OF 2014 AND 2015	5,000,000,000
GROUP LIFE INSURANCE FOR ALL MDAs INCLUDING DSS/INSURANCE OF SENSITIVE ASSETS/CORPERS PLUS ADMINISTRATION AND MONITORING	50,195,808,918
ENTITLEMENTS OF FORMER PRESIDENTS/HEADS OF STATE AND VICE-PRESIDENTS/CHIEFS OF GENERAL STAFF	15,000,000,000
OTHER SERVICE-WIDE VOTES	2,300,000,000
PUBLIC SERVICE WAGE ADJUSTMENT FOR MDAs (INCLUDING ARREARS OF PROMOTION AND SALARY INCREASES) & PAYMENT OF SEVERANCE BENEFITS	146,500,000,000
MILITARY OPERATIONS : LAFIYA DOLE & OTHER OPERATIONS OF THE ARMED FORCES	31,500,000,000
CONTRIBUTION TO INTERNATIONAL ORGANISATIONS/EXTERNAL FINANCIAL OBLIGATIONS	30,000,000,000
MARGIN FOR INCREASES IN COSTS AND RECURRENT ADJUSTMENT COSTS	10,000,000,000
CONTINGENCY (RECURRENT)	6,000,000,000
EMPLOYEES COMPENSATION ACT - EMPLOYEES' COMPENSATION FUND	15,000,000,000
PAYMENT FOR OUTSOURCED SERVICES	4,000,000,000
SERVICE WIDE TRAINING OF BUDGET/PLANNING OFFICERS ON GIFMIS BUDGET PREPARATION SYSTEM (BPS) AS WELL AS MONITORING AND EVALUATION OF ALL PROJECTS NATIONWIDE	2,000,000,000
TSA OPERATIONS	1,000,000,000
IPPIS CAPTURING	5,000,000,000
SETTLEMENT OF MDA's ELECTRICITY BILLS	2,000,000,000
REFUNDS TO SPECIAL ACCOUNTS	40,000,000,000
SPECIAL INTERVENTION (RECURRENT)	50,000,000,000
PRESIDENTIAL AMNESTY PROGRAMME:	350,000,000,000
STIPENDS, OPERATIONS AND REINTERGRATION	
TOTAL CRF CHARGES	65,000,000,000
TOTAL RECURRENT (NON-DEBT)	893,108,900,484
	2,979,151,756,196

PART D - CAPITAL EXPENDITURE

HEAD	MINISTRY/DEPARTMENT/AGENCY EXECUTIVE:	
	AUDITOR GENERAL FOR THE FEDERATION	90,509,818
	MINISTRY OF BUDGET AND NATIONAL PLANNING	3,572,867,027
	FEDERAL MINISTRY OF AGRICULTURE & RURAL DEVELOPMENT	91,649,990,014
	MINISTRY OF DEFENCE	140,000,000,000
	FEDERAL MINISTRY OF EDUCATION	50,433,487,465
	FEDERAL MINISTRY OF ENVIRONMENT	9,524,482,833
	FEDERAL MINISTRY OF FINANCE	1,981,348,624
	MINISTRY OF FOREIGN AFFAIRS	9,795,042,441
	FEDERAL MINISTRY OF HEALTH	51,315,564,740
	FEDERAL MINISTRY OF INDUSTRY, TRADE AND INVESTMENT	80,856,946,059
	FEDERAL MINISTRY OF INFORMATION & CULTURE	8,380,248,826
	FEDERAL MINISTRY OF INTERIOR	63,261,062,487
	FEDERAL MINISTRY OF JUSTICE	1,200,000,000
	FEDERAL MINISTRY OF LABOUR AND EMPLOYMENT	8,332,520,400
	FEDERAL MINISTRY OF MINES & STEEL DEVELOPMENT	12,900,000,000
	FEDERAL CAPITAL TERRITORY ADMINISTRATION	37,297,122,872
	FEDERAL MINISTRY OF NIGER DELTA	33,692,500,001
	FEDERAL MINISTRY OF PETROLEUM RESOURCES	7,093,128,647
	FEDERAL MINISTRY OF SCIENCE AND TECHNOLOGY	37,331,179,072
	FEDERAL MINISTRY OF TRANSPORTATION	262,000,000,000
	FEDERAL MINISTRY OF WATER RESOURCES	85,146,305,445
	FEDERAL MINISTRY OF WOMEN AFFAIRS	3,980,732,000
	FEDERAL MINISTRY OF POWER, WORKS & HOUSING	529,337,594,442
	FEDERAL MINISTRY OF YOUTH & SPORTS DEVELOPMENT	5,000,000,000
	FISCAL RESPONSIBILITY COMMISSION	118,155,391
	INDEPENDENT CORRUPT PRACTICES AND RELATED OFFENCES COMMISSION (ICPC)	767,865,170
	INFRASTRUCTURE CONCESSIONARY AND REGULATORY COMMISSION (ICRC)	34,310,245
	FEDERAL MINISTRY OF COMMUNICATIONS TECHNOLOGY	7,544,169,142
	NATIONAL SALARIES, INCOME AND WAGES COMMISSION	163,121,916
	OFFICE OF THE NATIONAL SECURITY ADVISER	43,209,203,765
	OFFICE OF THE HEAD OF THE CIVIL SERVICE OF THE FEDERATION	1,979,176,735
	STATE HOUSE	19,970,000,001
	SECRETARY TO THE GOVERNMENT OF THE FEDERATION (SGF)	20,981,998,169
	SUB-TOTAL: EXECUTIVE	1,628,940,633,747
	FEDERAL EXECUTIVE BODIES:	
	CODE OF CONDUCT BUREAU	694,854,364
	CODE OF CONDUCT TRIBUNAL	513,616,705
	FEDERAL CHARACTER COMMISSION	400,000,000
	FEDERAL CIVIL SERVICE COMMISSION	16,171,828
	NATIONAL POPULATION COMMISSION	4,236,308,554
	POLICE SERVICE COMMISSION	1,258,900,000
	REVENUE MOBILIZATION, ALLOCATION AND FISCAL COMMISSION	229,093,337
	SUB-TOTAL: FEDERAL EXECUTIVE BODIES	7,348,944,788
	TOTAL: EXECUTIVE & FEDERAL EXECUTIVE BODIES	1,636,289,578,536
	CAPITAL SUPPLEMENTATION TOTAL ALLOCATION:	272,700,000,000
	GIFMIS/IPPIS CAPITAL	6,000,000,000

OSSAP- SDGs (SPECIAL PROJECTS)	6,000,000,000
OSSAP-SDGs (CONDITIONAL GRANTS & SOCIAL SAFETY NETS)	20,000,000,000
CAPITAL EXIGENCIES/ADJUSTMENT TO CAPITAL COST	6,000,000,000
NATIONAL DEVELOPMENT PLANS (MINISTRY OF BUDGET AND NATIONAL PLANNING)	1,200,000,000
HEAD OF SERVICE (FEDERAL GOVERNMENT STAFF HOUSING LOANS BOARD)	1,000,000,000
ZONAL INTERVENTION PROJECTS	100,000,000,000
NORTHEAST INTERVENTION FUND	45,000,000,000
COUNTERPART FUNDING INCLUDING GLOBAL FUND/HEALTH	3,500,000,000
PAYMENT OF LOCAL CONTRACTORS' DEBTS/OTHER LIABILITIES	25,000,000,000
GALAXY BACKBONE	4,000,000,000
CONTINGENCY (CAPITAL)	10,000,000,000
RECAPITALISATION OF DEVELOPMENT FINANCE INSTITUTIONS	15,000,000,000
SUBSCRIPTIONS TO SHARES IN INTERNATIONAL ORGANISATIONS	30,000,000,000
TOTAL - CAPITAL SUPPLEMENTATION	272,700,000,000
CAPITAL IN FGN SPECIAL INTERVENTION PROGRAMME	150,000,000,000
TOTAL CAPITAL EXPENDITURE	2,058,989,578,536
AGGREGATE EXPENDITURE	7,298,507,709,937

EXPLANATORY MEMORANDUM

A Bill for an Act to authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦7,298,507,709,937 (Seven Trillion, Two Hundred and Ninety-Eight Billion, Five Hundred and Seven Million, Seven Hundred and Nine Thousand, Nine Hundred and Thirty-Seven Naira) only, of which, ₦419,020,648,000 (Four Hundred and Nineteen Billion, Twenty Million, Six Hundred and Forty-Eight Thousand Naira) only is for Statutory Transfers, ₦1,663,885,430,499 (One Trillion, Six Hundred and Sixty-Three Billion, Eight Hundred and Eighty-Five Million, Four Hundred and Thirty Thousand, Four Hundred and Ninety-Nine Naira) only is for Debt Service, ₦177,460,296,707 (One Hundred and Seventy-Seven Billion, Four Hundred and Sixty Million, Two Hundred and Ninety-Six Thousand, Seven Hundred and Seven Naira) only is for Sinking Fund for maturing bonds, ₦2,979,151,756,196 (Two Trillion, Nine Hundred and Seventy-Nine Billion, One Hundred Fifty-One Million, Seven Hundred and Fifty-Six Thousand, One Hundred and Ninety-Six Naira) only is for Recurrent (Non-Debt) Expenditure while the sum of ₦2,058,989,578,536 (Two Trillion and Fifty-Eight Billion, Nine-Hundred and Eighty-Nine Million, Five Hundred and Seventy-Eight Thousand, Five Hundred and Thirty-Six Naira) only, is for contribution to the Development Fund for Capital Expenditure (exclusive of capital expenditure in Statutory Transfers) for the year ending on the 31st day of December, 2017 (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

APPENDIX E-SAMPLE OF FLOOR AND CEILING PROVISIONS IN A BILL

A floor provision is one that sets a minimum benchmark while a ceiling provision sets the maximum or the limit. A classic example of the floor and ceiling provisions can be found in section 17 (2) of the Economic and Financial Crimes Commission (Establishment) Act, Chapter E1 Laws of the Federation of Nigeria, 2004, which states that:

17. (1) A person who, without lawful authority
- (a) engages in the acquisition, possession or use of property knowing at the time of its acquisition, possession or use that such property was derived from any offence referred to in this section, or
 - (b) engages in the management, organisation of financing of any of the offences under this Act; or
 - (c) engages in the conversion or transfer of property knowing that such property is derived from any offence under this Act; or
 - (d) engages in the concealment or disguise of the true nature, source, location, disposition, movement, rights with respect to or ownership of property knowing that such property is derived from any offence referred to in this section, commits an offence under this Act and is liable on conviction to the penalties provided in Subsection (2) of this section.
- (2) The penalties for offences under subsection (1) of this section shall be imprisonment for a term not less than fifteen years and not exceeding twenty-five years.

The floor provision here is the minimum of fifteen years while the ceiling provision is the maximum of twenty five years imprisonment (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the *Ad-hoc* Committee on Development and Standardization of Manuals and Templates for the House of Representatives on the Bills Drafting Manual and approved Chapters 1 - 4, and Appendices of the Report.

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

(ii) **Committee on Health Institutions:**

Motion made and Question proposed, "That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to Amend the Radiographers (Registration, etc.) Act, Cap. R1, Laws of the Federation of Nigeria, 2004 and for Related Matters and approve the recommendations therein" (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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 RADIOGRAPHERS
(REGISTRATION, ETC.) ACT, CAP. R1, LAWS OF THE FEDERATION OF
NIGERIA, 2004 AND FOR RELATED MATTERS (HB. 676)

Committee Recommendation:

Clause 1: Amendment of the Principal Act, Cap. R1, Laws of the Federation of Nigeria, 2004.

The Radiographers (Registration, etc.) Act Cap. R1, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act" is amended as set out in this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 2: Amendment of Section 14.

(i) Section 14 (1) as amended now to read thus:

"any person including X-ray technicians, medical imaging technologists dispensing ionizing radiation or radiant energies and not being registered on any register maintained under section 8 of this Act, who holds himself out to be so registered or uses any name, title, description or symbol, calculated to lead any person to infer that he is so registered, shall be guilty of an offence".

(ii) Section 14 (2) of the Principal Act is amended thus:

(a) in subsection (2) line 2 by deleting ₦100 and ₦200 and inserting ₦300, 000 and ₦600,000 respectively.

(b) in subsection (2) line 2 by deleting "not exceeding" and inserting not less than (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 3: Amendment of Section 16.

Section 16 (3) of The Principal Act is to be amended thus:

(i) Subsection (a) by deleting not exceeding ₦100 and inserting not less than ₦300,000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(ii) Subsection (b) by deleting not exceeding ₦1,000 and inserting ₦500,000.

(iii) (3) That for already certified practitioners duly registered by the RRBN and qualified for the award of academic fellowship of the Nigerian Institute of Radiographers, late payments for induction will attract in addition to the original fees, a penalty of five thousand Naira (₦5,000) only (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 4: Amendment of Section 17: Legal Proceedings.

Section 17 of the Principal Act read thus:

(1) No suit shall be commenced against the Board before the expiration of a period of one month after written notice of intention to commence the suit shall have been served on the Board by the intending plaintiff or his agent and the notice clearly and explicitly states —

- (a) the cause of action;
 - (b) the particulars of the claim;
 - (c) the name and place of abode of the intending plaintiff; and
 - (d) the relief which he claims.
- (2) The notice referred to in subsection (1) of this section and any summons, notice or other document required or authorized to be served on the Board under the provisions of this Act or any other enactment or law, may be served by (a) the cause of action:
 - (a) delivering the same to the Director-General;
 - (b) sending it by registered post addressed to the Director-General at the head office of the Board.
- (3) In any action or suit against the Board, no execution or attachment or process in the nature thereof shall be issued against the Board, but any sums of money which may, by judgment of the court, be awarded against the Board shall, subject to any directives given by the Board, be paid from the fund of the Board (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 5: Amendment of Section 26.

Section 26 of the Principal Act is amended by in the shoulder note by deleting the words, "to the Court of Appeal" (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 6: Citation.

This Bill may be cited as the Radiographers (Registration etc.) (Amendment) Bill, 2017 (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to amend the Radiographers (Registration, etc.) Act Cap.R1 Laws of the Federation of Nigeria 2004 to provide for increased penalties and give the Federal High Court appellate jurisdiction (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Radiographers (Registration, etc.) Act, Cap. R1, Laws of the Federation of Nigeria, 2004 and for Related Matters (HB. 676) (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Agreed to.

Committee Recommendation:

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 of the Committee on Health Institutions on a Bill for an Act to Amend the Radiographers (Registration, etc.) Act, Cap. R1, Laws of the Federation of Nigeria, 2004 and for Related Matters and approved Clauses 1- 6, approved the Explanatory Memorandum and the Long Title of the Bill.

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

(iii) Committee on Health Institutions:

Motion made and Question proposed, “That the House do consider the Report of the Committee on Health Institutions on a Bill for an Act to Regulate the Medical Residency Training Programme in Nigeria and for Other Related Matters (HB. 982) and approve the recommendations therein” (Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency).

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 REGULATE THE MEDICAL RESIDENCY TRAINING
PROGRAMME IN NIGERIA AND FOR RELATED MATTERS**

PART I — REGULATORY BODY

Committee Recommendation:**Clause 1: Regulatory body.**

National Medical Postgraduate College of Nigeria shall be the regulatory body (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:**Clause 2: Structure.**

- (1) The Medical Residency Training Programme shall be in two continuous phases, namely:
 - (i) Junior Residency (Registrar Cadre)
 - (ii) Senior Residency (Senior Registrar Cadre)
- (2) All Medical Practitioners and Dental Surgeons who have graduated from accredited Medical School and have passed their primary examination from National Medical Postgraduate College of Nigeria or its equivalent, and applied for positions in Residency Programme shall be absorbed by the Residency Training Programme.

- (3) There shall be a comprehensive accessible database for all accredited Residency Training Programmes in the various Specialty (and/or subspecialty) and location where these trainings are being done by the National Postgraduate Medical College of Nigeria and its equivalent like the West African College of Surgeons and Physicians:
- (a) Admission into the Residency Training Programme should be Automatic.
 - (b) Accreditation — two years for partial and five years for full accreditation.
- (4) Curriculum and scheme of the Residency Training Programme;
- (a) there shall be a National Curriculum and Scheme of work for the Residency Training Programme to be used by all accredited Institutions in Nigeria.
 - (b) the National Postgraduate Medical College shall have the responsibility to produce the curriculum and Scheme in consultation with the West African College of Surgeons and the West African College of Physicians.
 - (c) such Curriculum and Scheme shall be reviewed every four (4) years.
 - (d) the National Postgraduate College shall have a comprehensive online version of the curriculum and scheme (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 3: Requirements for Entry into the Residency Training Programme (General Requirements).

- (1) Applicants shall possess a Basic Medical Degree; MB.BS, MB.CH.B, BDS or its equivalent.
- (2) Applicants must have passed the primary examination by the National Postgraduate Medical College or its equivalent.
- (3) Applicant shall be required to show evidence of payment of Annual practicing fees and Certificate of Annual Practice Registration before he/she will be allowed to practice in a Residency Training Institute as mandated by the Medical and Dental Council of Nigeria (MDCN).
- (4) Applicant shall possess a discharge certificate/exemption from the National Youth Service Corps.
- (5) Applicant has passed the Primary examination or its equivalent.
- (6) Applicant shall be required to pass a medical examination of fitness and a security screening by the Chief Staff Medical officer and the Chief Security Officer of the Residency Training Institute.
- (7) Such employment shall be in accordance with the tenure for Residency Training Programme.

- (8) Such employment shall also be in line with the scheme of service for employment of doctors of such Cadre by the Federal Ministry of Health, and other agencies of government.
- (9) The resident Doctor so employed must possess professional indemnity certificate from a reputable insurance company (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 4: Tenure of Part I Residency Training Programme

- (a) The duration of PART I RESIDENCY TRAINING shall be contained in the online data base of all accredited Residency Training Institutions approved by the National post graduate College;
- (b) A Resident shall be removed from the programme if he/she fails the Part 1 fellowship Examination more than twelve (12) months after the date of his/her eligibility to first sit for the part 1 examination;
- (c) A resident will proceed to part 2 Residency Training Programme if he/she passes the part 1 Fellowship examination (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Amendment Proposed:

In subclause (b), line 1, *leave out* the words “he/she” and (wherever it appears in the Bill) *insert* the word “he” (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Question that the amendment be made — Agreed to.

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

PART II — RESIDENCY TRAINING PROGRAMME

Committee Recommendation:

Clause 5: Specific Requirements.

- (1) Applicants must have passed the Part I/Membership examination.
- (2) Applicant must receive the award of membership certificate from the examining Post Graduate College.
- (3) Transition/promotion/advancement shall be seamless continuation for those successful at the PART I examinations within the standardized period as contained the approved template and in line with the career progression for resident doctors and the scheme of service of medical officers of such Cadre (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 6: Tenure of Part II Residency Programme.

- (1) The duration of PART II RESIDENCY TRAINING shall be as contained in the online data base of all accredited Residency Training Institutes approved by the commission:

- (a) a Resident shall be removed from the programme if he/she fails the Part II Fellowship examination more than eighteen (18) months after the date of his/her eligibility to first sit for the Part II examination.
- (b) a Resident shall withdraw from the programme Six (6) months after the Resident passes the PART II Fellowship Examination of any of the Postgraduate Medical Colleges. The appointment of the Resident terminates with this withdrawal.
- (c) a Resident shall withdraw from the programme if he/she fails to measure up to the terms and conditions as in the letter of appointment.
- (d) in either case (a) or (b) above, Resident will seek for a job of his/her own and if the Resident succeeds in getting public service appointment, will be entitled to add unto his/her service record, the period of Residency Training for seniority in the service, gratuity and pension.
- (e) if a Resident is already in the employment of the Hospital, the terms, and conditions of in-service training in the Public Service apply.
- (f) a Resident on bond cannot exit the programme without fulfilling the bond conditions.

Conduct of Residents: Professional Conduct of Residents.

- (2) All matters of confidentiality in clinical practice apply to Resident's conduct.

Salaries and other benefits.

- (3) Residents' salary entry point for this appointment is as contained in the Scheme of Service.
- (4) Resident shall be entitled to an annual increment in salary and shall be entitled to promotion subject to passing the examination of each level of the programme.
- (5) Other conditions of Service are in accordance with the Public Service.

Termination of Appointment.

- (6) Termination of appointment of Resident by either party shall be effected upon the service of one (1) months' notice or, in the alternative, payment of one (1) months' salary in lieu of notice or as in 4 (b) and 6 (a), (b) and (c) (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Amendment Proposed:

In subclause (1) (a), line 2, immediately after the word "examination" *leave out* the words "more than" and *insert* the words "not exceeding" (*Hon. Aminu Shehu Shagari — Yabo/Shagari Federal Constituency*).

Question that the amendment be made — Agreed to.

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

PART III — SPONSORSHIP

Committee Recommendation:**Clause 7: Sponsorship.**

- (1) All Resident Doctors shall be entitled to sponsorship of two update courses for Part I and two update courses for Part 2.
- (2) All Resident Doctors shall be entitled to sponsorship of one examination in Part 1 and one examination in Part 2 (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:**Clause 8: Funding of the RTP.**

- (1) All payments accruing to Resident Doctors shall be made through the IPPIS platform.
- (2) Funds for the Residency Training Programme shall be made available through:
 - (i) National Budgetary allocations should be made to the Ministry of Health for Residency Training.
 - (ii) 20% Internal funding from Residency Training Institutions (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:**Clause 9: Interpretation.**

In this Act, unless the context otherwise requires —

"FMOH" means the Federal Ministry of Health of Nigeria (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"RTP" means Residency Training Programme (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"RTI(s)" means Residency Training Institution(s); Hospitals that have been accredited to carry-out Residency Training (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that the meaning of the abbreviation "RTI(s)" be as defined in the interpretation to this Bill — Agreed to.

"Resident" means Resident Doctors; a trainee Doctor appointed under the Residency Training Programme, resident dental Surgeon (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Residency" means Postgraduate Specialist Training for Medical Practitioners and Dental Surgeons to be certified as specialists in a specialized branch of Medicine or Dentistry (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

MDCN" means Medical and Dental Council of Nigeria (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

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

Committee Recommendation:

Clause 10: Short Title.

This Bill may be cited as the Medical Residency Training Bill, 2017 (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Explanatory Note:

This Bill seeks to regulate the Medical Residency Training Programme in Nigeria (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Regulate the Medical Residency Training Programme in Nigeria and for Related Matters (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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 of the Committee on Health Institutions on a Bill for an Act to Regulate the Medical Residency Training Programme in Nigeria and for Other Related Matters (HB. 982) and approved Clauses 1 - 3, approved Clause 4 as amended, approved Clause 5, approved Clause 6 as amended, approved Clauses 7, 8, 9, 10, approved the Explanatory Note and the Long Title of the Bill.

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

(iv) Committee on Health Institutions:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Health Institutions on an Investigative Hearing on the Joint Venture Agreement between the University of Abuja Teaching Hospital, Gwagwalada and Crystal Thorpe Nigeria Limited and approve the recommendations therein" (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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)

Recommendation:

“That the PPP/JVA between the University of Abuja Teaching Hospital and Crystal Thorpe Nigeria Limited be cancelled and a transparent due process be followed” (Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency).

Agreed to.

Chairman to report Proceeding.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Health Institutions on an Investigative Hearing on the Joint Venture Agreement between the University of Abuja Teaching Hospital, Gwagwalada and Crystal Thorpe Nigeria Limited and approved the only Recommendation of the Report.

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

(v) Committee on Telecommunications:

Motion made and Question proposed, “That the House do consider the Report of the Committee on Telecommunications on a Bill for an Act to Amend the Stamp Duties Act, Cap. S8, Laws of the Federation of Nigeria, 2004 to ensure Compliance with Current Realities and for Related Matters (HB. 889) and approve the recommendations therein” (Hon. Saheed Akinade-Fijabi — Ibadan Southwest/Ibadan Northwest Federal Constituency).

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 STAMP DUTIES ACT, CAP. S8, LAWS OF THE
FEDERATION OF NIGERIA, 2004 TO ENSURE COMPLIANCE WITH CURRENT
REALITIES AND FOR RELATED MATTERS (HB. 889)

Debate.

Consideration deferred.

Chairman to report Progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole deferred consideration of the Report of the Committee on Telecommunications on a Bill for an Act to Amend the Stamp Duties Act, Cap. S8, Laws of the Federation of Nigeria, 2004 to ensure Compliance with Current Realities and for Related Matters (HB. 889) till Thursday, 27 July, 2017.

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

23. Adjournment

That the House do adjourn till Wednesday, 26 July, 2017 at 11.00 a.m. (Hon. Femi Gbajabiamila — House Leader).

The House adjourned accordingly at 2.36 p.m.

Yussuff Sulaimon Lasun
Deputy Speaker

23