



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 23 November, 2017

1. The House met at 11.04 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 Wednesday, 22 November, 2017.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcement**
Visitors in the Gallery:

Mr Deputy Speaker recognised the presence of the following visitors in the Gallery:

- (i) Students of *Yandutse College*, Bompai, Kano State
- (ii) Staff and Students of *De Great Lato Basic Academy*, Bwari, Abuja;
- (iii) Members of *National Association of Igbo Students*, University of Abuja Chapter, Gwagwalada, Abuja;
- (iv) Staff and Students of *United Baptist Academy*, Bwari, Abuja; and
- (v) Clerk and Staff of Gombe State House of Assembly, Gombe State.

4. **Petitions**

- (i) A petition from Bashir Shittu, on the non-compliance with court order in Suit No: FHC/KD/CS/39/99 by the Nigeria Institute of Transport Technology (NITT), was presented and laid by Hon. Abbas Tajudeen (Zaria Federal Constituency);
- (ii) A petition from Maryam Danna Mohammed, on her disengagement from the service of the Niger Delta Power Holding Company (NDPHC) by the Secretary to the Government of the Federation (SGF), was presented and laid by Hon. Mahmud Lawan Maina (Dikwa/Mafa/Konduga Federal Constituency);
- (iii) Petitions from the following persons were presented and laid by Hon. Ekpoattai Owoidighe Ime (Eket/Onna/Esit Eket/Ibena Federal Constituency):

- (a) Cosmic Chambers (Legal Practitioners, Consultants & Notary Public), on behalf of Abraham Ebhoaye, on the short-payment of his monthly pension by the National Bureau of Statistics;
- (b) Socio-Cultural Organization of the Mdzough U. Tiv, Idoma National Forum and Omi Nij Igede, on alleged sponsored attack on Benue State by Miyetti Allah Kauta Hore Fulani Socio-Cultural Organization, over the implementation of Anti-Grazing Law by the State Government;
- (c) Garba Musa Rano and 190 others, on the termination of their appointments from the service of the National Institute for Hospitality and Tourism (NIHOTOUR);
- (d) Chief Chris Uche (SAN) & Co., on behalf of Ozoo West Multi-Purpose Co-operative Society Limited and 6 others, on the non-payment of their benefits, by the FADAMA III Additional Financing Project Coordinator of Abia State Ministry of Agriculture;
- (e) K. C. Nwifo (SAN) & Associates (Legal Practitioners & Notary Public), on behalf of Ugwunna Gustau Ubani, on the non-compliance with the House Reslution conveyed under letter reference No. NASS/CNA/105/Vol.22/101, by the Nigeria Customs Service;
- (f) Finidi Jahbless (FJ), on the alleged injustice meted out on him (Trading under the name and style of Omre & Associates) regarding NGO 1001316 (A28) and NGO 1003i28 (A29) by Shell Petroleum Development Company (SPDC);
- (g) Crownfield Solicitors (Solicitors & Advocates), on behalf of Opukula Community and 9 others, on the alleged threat to peace and security in their Community as a result of the award of surveillance contract without involving all the Stakeholders by the Officials of AITEO Pipelines Company Limited;
- (h) Nembe Youths Emancipation Networks, on the alleged award of Trunkline Surveillance contract from Nembe Creek Oilfield, in Bayelsa and Rivers States, to the exclusion of all the Stakeholders by the Nigeria National Petroleum Corporation (NNPC);
- (i) Johnson Oye & Co, on behalf of I/Cpl Abdul Umar, on his dismissal from service by the Nigerian Army; and
- (iv) A petition from Empowerment for Unemployment Youth Initiative and 9 other Civil Society Organizations on the alleged unconstitutional ceding of the Nigerian Coastal Waterways to a foreign company by the Federal Ministries of Transport and Defence, was presented and laid by Hon. Shuaibu Abdulrahman Abubakar (*Mubi North/Mubi South/Miaha Federal Constituency*).

Petitions referred to the Committee on Public Petitions.

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

- (i) ***Need to Investigate the Status and Viability of Fast Power Programme Accelerated Gas Production for Power Generation by the Federal Ministry of Power:***
Hon. Abubakar Chika Adamu (*Shiroro/Rafi/Munya Federal Constituency and 3 others*) 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 to Investigate the Status and Viability of Fast Power Programme-accelerated Gas Production for Power Generation by the Federal Ministry of Power:

The House:

Notes that the Fast Power Program located in Rivers State is a project designed to add gas fired generation capacity and new gas supply for incremental power of 240 MW on the national grid in 2017 and 2018, in partnership with International Original Equipment Manufacturers (OEM) with proposed expansion to 600MW in future;

Informed that the proposed financing structure of the projects requires Federal Government of Nigeria (FGN) to invest 15% of the capital cost of the project with the partner OEM's spreading 85% of the capital cost over 5 years, payable from the power purchase agreement (PPA) revenues of the projects. The projects are set up as licensed power companies in line with current industry structure;

Also informed that FGN's 15% investment is recoverable upon sale of the shares of the companies in expedited transactions to be implemented by Bureau for Public Enterprises and the Ministry of Power. FGN would retain a carried interest to ensure all permits, licenses and agreements with Government agencies are provided;

Aware that the first project is on target to deliver 240 MW at Afam III power station before July 31, 2017 with stranded gas from Shell's Okoloma gas processing facility on which the partner OEM has agreed to spread 85% of the \$186 million, equivalent to (₦56,730,000,000) cost over 5 years;

Observes that the total cost of the project amounting to \$186 million with 15% down payment of \$27.99 million already paid; 35% payment security of \$65.31 million due for payment but not yet paid and 85% balance payment which involved monthly payments of over 5 years at 9% interest is too exorbitant with high risk of payment default in future;

Determines to unmask whether the project was competitively bided for before it was awarded to General Electric; or whether the project has a license from Nigerian Electricity Regulatory Commission (NERC) and NBEF and the general uncertainties of the project;

Resolves to:

- (i) mandate the Committees on Power, and Public Procurement to investigate the uncertainties/viability of Fast Power Project and report back within 8 weeks for further legislative action; and
- (ii) urge the Federal Ministry of Power to stop forthwith further payment of the Fast Power Project, pending the outcome of the Committees' investigation (*Hon. Abubakar Chika Adamu — Shiroro/Rafi/Munya Federal Constituency*).

Debate

Amendment Proposed:

In Prayer (i) line 1, immediately after the words "Public Procurement", insert the words "and Aids, Loans and Debt Management" (*Hon. Oladimeji Ayodele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that the amendment be made — Negatived

Main Question on the Motion — Agreed to.

The House:

Noted that the Fast Power Program located in Rivers State is a project designed to add gas fired generation capacity and new gas supply for incremental power of 240 MW on the national grid in 2017 and 2018, in partnership with International Original Equipment Manufacturers (OEM) with proposed expansion to 600MW in future;

Informed that the proposed financing structure of the projects requires Federal Government of Nigeria (FGN) to invest 15% of the capital cost of the project with the partner OEM's spreading 85% of the capital cost over 5 years, payable from the power purchase agreement (PPA) revenues of the projects. The projects are set up as licensed power companies in line with current industry structure;

Also informed that FGN's 15% investment is recoverable upon sale of the shares of the companies in expedited transactions to be implemented by Bureau for Public Enterprises and the Ministry of Power. FGN would retain a carried interest to ensure all permits, licenses and agreements with Government agencies are provided;

Aware that the first project is on target to deliver 240 MW at Afam III power station before July 31, 2017 with stranded gas from Shell's Okoloma gas processing facility on which the partner OEM has agreed to spread 85% of the \$186 million, equivalent to (₦56,730,000,000) cost over 5 years;

Observed that the total cost of the project amounting to \$186 million with 15% down payment of \$27.99 million already paid; 35% payment security of \$65.31 million due for payment but not yet paid and 85% balance payment which involved monthly payments of over 5 years at 9% interest is too exorbitant with high risk of payment default in future;

Determined to unmask whether the project was competitively bided for before it was awarded to General Electric; or whether the project has a license from Nigerian Electricity Regulatory Commission (NERC) and NBET and the general uncertainties of the project.

Resolved to:

- (i) mandate the Committees on Power, and Public Procurement to investigate the uncertainties/viability of Fast Power Project and report back within 8 weeks for further legislative action; and
 - (ii) urge the Federal Ministry of Power to stop forthwith further payment of the Fast Power Project, pending the outcome of the Committees' investigation (**HR. 177/2017**).
- (ii) ***Need to Review the New Nigerian Visa Policy in the United States of America (USA):***
Hon. Rita Orji (Ajeromi/Ifelodun 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 114, 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 to Review the New Nigerian Visa Policy in the United States of America That Commenced on October 16, 2017:

The House:

Notes the alleged new visa policy of Nigeria which came into effect in the United States of America on October 16, 2017, meant to fleece Nigerians in the Diaspora by whatever means;

Also notes that two business concerns, Innovate 1 Services Inc. and Integrated Solutions (OIS) both owned by a Nigerian are based in the USA, with six centers and offices in the 50 States of the USA;

Aware that anyone wishing to obtain a Nigerian visa is required to go and complete a biometric process of finger printing and capturing with these business concerns;

Also aware that the companies charge each applicant a fee of twenty dollars (\$20) for the visa and additional twelve dollars (\$12) for the passport;

Worried that the new visa policy is logically flawed; applicants are now required to pay an additional \$90 to the same group of owners; the OIS has just six centers in New Jersey, Washington DC, Atlanta, Houston, Los Angeles and San Francisco;

Also worried that Nigerians in Diaspora bear the financial burden of transportation accommodation and feeding, just to obtain visa to come home;

Concerned that these same business concerns first started with BVN registration where they charged every Nigerian in Diaspora who wished to maintain his/her bank accounts in Nigeria;

Also concerned that as alleged, that OIS has been assigned the sole duty of doing biometrics for everyone wishing to obtain a Nigerian visa in the USA by the Minister of Foreign Affairs, while charging fees of \$90 per applicant, after such applicant has paid the visa fee of \$180.

Resolves to:

- (i) mandate the Committee on Diaspora to, as a matter of urgency, liaise with the Nigerian Immigration Service (NIS) to ascertain the veracity of this allegation in order to quell the uprising that is going on right now as a result of this allegation, and report back within one week;
- (ii) also mandate the Committees on Foreign Affairs, Interior, and Diaspora to commence investigation into the allegation immediately to save the image of the country in the USA;
- (iii) urge the Ministers of Foreign Affairs, and Interior to stay action on this supposed scheme pending the outcome of the investigation; and
- (iv) further mandate the Committee on Legislative Compliance to ensure compliance to this resolution (*Hon Rita Orji — Ajeromi/Ifelodun Federal Constituency*).

Debate

*Agreed to.**The House:*

Noted the alleged new visa policy of Nigeria which came into effect in the United States of America on October 16, 2017, meant to fleece Nigerians in the Diaspora by whatever means;

Also noted that two business concerns, Innovate 1 Services Inc. and Integrated Solutions (OIS) both owned by a Nigerian are based in the USA, with six centers and offices in the 50 States of the USA;

Aware that anyone wishing to obtain a Nigerian visa is required to go and complete a biometric process of finger printing and capturing with these business concerns;

Also aware that the companies charge each applicant a fee of twenty dollars (\$20) for the visa and additional twelve dollars (\$12) for the passport;

Worried that the new visa policy is logically flawed; applicants are now required to pay an additional \$90 to the same group of owners; the OIS has just six centers in New Jersey, Washington DC, Atlanta, Houston, Los Angeles and San Francisco;

Also worried that Nigerians in Diaspora bear the financial burden of transportation, accommodation and feeding, just to obtain visa to come home;

Concerned that these same business concerns first started with BVN registration where they charged every Nigerian in Diaspora who wished to maintain his/her bank accounts in Nigeria;

Also concerned that as alleged, that OIS has been assigned the sole duty of doing biometrics for everyone wishing to obtain a Nigerian visa in the USA by the Minister of Foreign Affairs, while charging fees of \$90 per applicant, after such applicant has paid the visa fee of \$180.

Resolved to:

- (i) mandate the Committee on Diaspora to, as a matter of urgency, liaise with the Nigerian Immigration Service (NIS) to ascertain the veracity of this allegation in order to quell the uprising that is going on right now as a result of this allegation, and report back within one week;
- (ii) also mandate the Committees on Foreign Affairs, Interior, and Diaspora to commence investigation into the allegation immediately to save the image of the country in the USA;
- (iii) urge the Ministers of Foreign Affairs, and Interior to stay action on this supposed scheme pending the outcome of the investigation; and
- (iv) further mandate the Committee on Legislative Compliance to ensure compliance to this resolution (**HR. 178/2017**).

6. Presentation of Bills

The following Bills were read the *First Time*:

- (1) Nigeria Natural Medicine Development Agency (Establishment) Bill, 2017 (HB. 1219).

- (2) Raw Materials Research and Development Council (Repeal and Re-Enactment) Bill, 2017 (HB. 1220).
- (3) Federal Institute for Industrial Research Bill, 2017 (HB. 1221).
- (4) Federal College of Education, Akwete (Establishment) Bill, 2017 (HB. 1218).
- (5) Federal Polytechnic, Koko (Establishment) Bill, 2017 (HB. 1217).
- (6) Ministries, Departments and Agencies (MDAs) (Compulsory) Website Bill, 2017 (HB. 1222).
- (7) Private Guards Companies Act (Amendment) Bill, 2017 (HB. 1223).
- (8) Federal Government Staff Housing Loans Board Act (Amendment) Bill, 2017 (HB. 1224).

7. **Presentation of Reports**

- (i) ***Ad-hoc Committee on the Investigation of the Planned Relocation of Shell Petroleum Development Company (SPDC) from Port Harcourt, Rivers State:***
Motion made and Question proposed, "That the House do receive the Report of the *Ad-hoc* Committee on the Investigation of the Planned Relocation of Shell Petroleum Development Company (SPDC) from Port Harcourt, Rivers State, to Forestall an Impending Crisis in the Niger-Delta Region (HR. 35)" (*Hon. Ibrahim Isiaka — Ifo/Ewekoro Federal Constituency*).

Agreed to.

Report laid.

- (ii) ***Committee on Power:***

Motion made and Question proposed, "That the House do receive the Report of the Committee on Power on a Bill for an Act to Amend the Nigerian Electricity Regulatory Commission Meter Reading, Billing, Cash Collection and Credit Management for Electricity Supplies Regulations No. 42 of 2007 to Address Matters Relating to Outstanding Liability of Electricity Bills in Rented Apartments; and for Related Matters (HB. 510)" (*Hon. Daniel Asuquo — Akamkpa/Biase Federal Constituency*).

Agreed to.

Report laid.

- (iii) ***Committee on Power:***

Motion made and Question proposed, "That the House do receive the Report of the Committee on Power on a Bill for an Act to Provide for the Utilisation, Sustainability and Adequate Supply of Renewable Energy for Electricity and Heat Generation; and for Related Matters (HB. 440)" (*Hon. Daniel Asuquo — Akamkpa/Biase Federal Constituency*).

Agreed to.

Report laid.

(iv) **Committee on Power:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Power on a Bill for an Act to Amend the Electric Power Sector Reform Act, Cap. E7, Laws of the Federation of Nigeria, 2004 to Reposition the Nigerian Electricity Regulatory Commission for Effective Service Delivery; and for other Related Matters (HB. 611)" (*Hon. Daniel Asuquo — Akamkpa/Biase Federal Constituency*).

Agreed to.

Report laid.

(v) **Committee on Finance:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Finance on a Bill for an Act to Amend the Revenue Mobilization, Allocation and Fiscal Commission Act, Cap. R7, Laws of the Federation of Nigeria, 2004 to make Provisions for Erring Revenue Generating Agencies and Enhance the Revenue Profile and Remittances into the Federation Account to Facilitate National Development; and for Related Matters (HB. 542)" (*Hon. Chukwukere Austine Ikechukwu — Ideato North/Ideato South Federal Constituency*).

Agreed to.

Report laid.

(vi) **Committee on Aids, Loans and Debt Management:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Aids, Loans and Debt Management on the Proposed External Borrowing Request for State Governments Under the 2016-2017 External Borrowing (Rolling) Plan for Jigawa, Katsina, Ogun and Plateau States (Second Batch)" (*Hon. Adeyinka Ajayi — Odo-Otin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

Report laid.

(vii) **Committee on Commerce:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Commerce on a Bill for an Act to Amend the Oil and Gas Export Free Zone Authority Act, Cap. O5, Laws of the Federation of Nigeria, 2004 to Provide for the Designation and Establishment of Oil and Gas Free Zones in Nigeria; and for other Related Matters (HB. 64, HB. 332 and HB. 400)" (*Hon. Sylvester Ogbaga — Abakaliki/Izzi Federal Constituency*).

Agreed to.

Report laid.

(viii) **Committees on Foreign Affairs, and Cooperation and Integration in Africa:**

Motion made and Question proposed, "That the House do receive the Report of the Committees on Foreign Affairs, and Cooperation and Integration in Africa on Review of Nigeria's Continued Membership of the Economic Community of West African States (ECOWAS) in View of the Clamour to Admit Morocco into the Community (HR. 91/2017)" (*Hon. Nnenna Elendu Ukeje — Bende Federal Constituency*).

Agreed to.

Report laid.

8. **A Bill for an Act to Provide for the Establishment of the School of Mines and Geological Studies in Akoko-Edo Local Government Area; and for Related Matters (HB. 105) — Third Read**

Motion made and Question proposed, “That a Bill for an Act to Provide for the Establishment of the School of Mines and Geological Studies in Akoko-Edo Local Government Area; and for Related Matters (HB. 105) be now read the Third Time” (*Hon. Femi Gbajabiamila — House Leader*).

Question Agreed to.

Bill read the Third time and passed.

9. **A Bill for an Act to Amend the Hydro Electric Power Production Areas Development Commission (Establishment, etc.) Act, 2010 to make Provisions for Reduction of Percentage on Revenue Generated by any Company or Authority from the Operations of Hydro Electric Dams; and for Related Matters (HB. 1213) — Second Reading**

Order read; deferred by leave of the House.

10. **A Bill for an Act to Amend the National Boundaries Commission (Establishment) Act, Cap. N10, LFN, 2004 to provide for Regular, Periodic Delimitation and Supervision of the States, Local Governments and Community Boundaries by the Commission so as to Check and Forestall Boundary Disputes; and for Related Matters (HB. 1184) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the National Boundaries Commission (Establishment) Act, Cap. N10, LFN, 2004 to provide for Regular, Periodic Delimitation and Supervision of the States, Local Governments and Community Boundaries by the Commission so as to Check and Forestall Boundary Disputes; and for Related Matters (HB. 1184) be now read a Second Time” (*Hon. Ochiglegor Idagbo — Obanliku/Obudu/Bekwarra 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 Special Duties.

11. **A Bill for an Act to Establish the Institute of Chartered Franchise Executives of Nigeria to be charged with the Responsibility for Registration and Disciplining of its Members; and for Related Matters. (HB. 999) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Establish the Institute of Chartered Franchise Executives of Nigeria to be charged with the Responsibility for Registration and Disciplining of its Members; and for Related Matters. (HB. 999) be now read a Second Time” (*Hon. Sylvester Ogbaga — Abakaliki/Izzi Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Commerce.

12. **A Bill for an Act to Amend the Nigerian Television Authority Act, Cap. N136, Laws of the Federation of Nigeria, 2004; and for Related Matters. (HB.1137) — *Second Reading***
Motion made and Question proposed, “That a Bill for an Act to Amend the Nigerian Television Authority Act, Cap. N136, Laws of the Federation of Nigeria, 2004; and for Related Matters. (HB.1137) be now read a Second Time” (*Hon. Odebunmi Olusegun Dokun — Ogo-Oluwa/Surulere Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Information, National Orientation, Ethics and Values.

13. **Rescission of the House Resolution on the Report of the Committee on Local Content on Investigation into the Provision of Indigenous Support Vessel Total Upstream Nigeria Limited, Total Nigeria Plc Tender for Provision of PVC and Terminal Support Ref: NTD 00001632; Pursuant to Order Nine, Rule 1(6) of the Standing Orders of the House of Representatives**

Order read; deferred by leave of the House.

14. **Need to Rehabilitate Ero Dam in Ekiti State**

Motion made and Question proposed;

The House:

Notes that Ero Dam, which is situated at Ikun Ekiti in Moba Local Government Area of Ekiti State is a major Dam that has capacity to provide potable water for at least fourteen (14) local government areas in the State;

Also notes that the Dam has been underutilized due to lack of proper maintenance and poor funding by the Federal Government, as a result, some of the equipment are fast becoming obsolete, therefore requiring replacement for proper functioning;

Aware that lack of potable water in the areas has made the residents of the communities that depend on the Dam to resort to fetching water from streams and rivers as the only source of drinking water, a development that exposes the people to the risks of contracting deadly water borne diseases like cholera and typhoid from the untreated water;

Concerned that no positive results have been achieved by efforts to revive the Dam, despite several moves that had been made in the past in that regard and believing that immediate action needs to be taken to resuscitate the Dam to provide potable water and stave off water borne diseases and breakout of epidemic;

Resolves to:

Mandate the Committee on Water Resources to interface with the Benin-Owena River Basin Development Authority to ensure the resuscitation of Ero Dam and report back within six (6) weeks for further legislative action (*Hon. Thaddeus Akinola Aina — Moba/Ilejemeje/Ido Osi Federal Constituency*).

Agreed to.

(HR. 179/2017).

Motion referred to the Committee on Water Resources, pursuant to Order Eight, Rule 9 (5).

15. Need to Investigate the Low Concessionary Tariffs running into Hundreds of Billions of Naira granted by the Federal Ministry of Industry, Trade and Investment to Companies for Importation of Sugar

Motion made and Question proposed;

The House:

Notes that in 2013, the Federal Government approved low concessionary tariffs of 5 percent duty and 5 percent levy to companies for importation of raw sugar as against the 5 percent duty and 70 percent levy contained in the National Sugar Policy;

Also notes that the National Sugar Development Council (NSDC) had revealed that some companies had flouted the terms and conditions for obtaining a three year low tariff running into hundreds of billions of Naira for sugar importation into the country;

Further notes that the high tariff for importation of refined sugar was deliberately designed to discourage importation and encourage local production of sugar, but the concession became necessary in order not to hike the local price of the commodity since the country has not yet achieved self-sufficiency in sugar production;

Aware that the Government took the decision to approve the National Sugar Master Plan Policy because of the importance of the commodity given that Nigeria, as at 2013, still depended on sugar importation to meet 90 percent of local demand and in realization that if sugar is to be imported at that high tariff, the cost will be excessively high;

Also aware that the concession was then given to three companies that had signed a commitment for Backward Integration Programme (BIP) with the Federal Government in which the money saved from the concession is to be invested in their farms to cater for sugar being sourced locally with the target that by 2018, the companies will be able to produce 700,000 metric tons of sugar locally from those farms, create jobs for the teeming unemployed youths, diversify the economy from Petroleum to Agriculture, become a source of energy and evolve large scale savings of money for the country;

Recalls that in November 2015, the Executive Secretary of the National Sugar Development Council (NSDC), Dr Abdullatif Demola Busari revealed that some companies had flouted the terms and conditions for obtaining the three year low tariffs for sugar importation;

Observes that the grant of low tariffs to those companies was for them to put the savings from the concession into the Backward Integration Programme (BIP) Agricultural farm sites, a move that will help the country achieve self-sufficiency in sugar production for both domestic consumption and export;

Concerned that the companies have nothing to show for the grants in their farm sites over the three years they enjoyed concessionary low tariffs running into hundreds of billions of Naira;

Resolves to:

Set up an *Ad-hoc* Committee to investigate the low concessionary tariffs given to companies by the Federal Ministry of Industry, Trade and Investment for sugar importation into the country from 2013 to 2016 as contained in the Backward Integration Policy (*Hon. Agbonayinma Johnson Ehiozuwa — Egor/Ikpoba/Okha Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that in 2013, the Federal Government approved low concessionary tariffs of 5 percent duty and 5 percent levy to companies for importation of raw sugar as against the 5 percent duty and 70 percent levy contained in the National Sugar Policy;

Also noted that the National Sugar Development Council (NSDC) had revealed that some companies had flouted the terms and conditions for obtaining a three year low tariff running into hundreds of billions of Naira for sugar importation into the country;

Further noted that the high tariff for importation of refined sugar was deliberately designed to discourage importation and encourage local production of sugar, but the concession became necessary in order not to hike the local price of the commodity since the country has not yet achieved self-sufficiency in sugar production;

Aware that the Government took the decision to approve the National Sugar Master Plan Policy because of the importance of the commodity given that Nigeria, as at 2013, still depended on sugar importation to meet 90 percent of local demand and in realization that if sugar is to be imported at that high tariff, the cost will be excessively high;

Also aware that the concession was then given to three companies that had signed a commitment for Backward Integration Programme (BIP) with the Federal Government in which the money saved from the concession is to be invested in their farms to cater for sugar being sourced locally with the target that by 2018, the companies will be able to produce 700,000 metric tons of sugar locally from those farms, create jobs for the teeming unemployed youths, diversify the economy from Petroleum to Agriculture, become a source of energy and evolve large scale savings of money for the country;

Recalled that in November 2015, the Executive Secretary of the National Sugar Development Council (NSDC), Dr Abdullatif Demola Busari revealed that some companies had flouted the terms and conditions for obtaining the three year low tariffs for sugar importation;

Observed that the grant of low tariffs to those companies was for them to put the savings from the concession into the Backward Integration Programme (BIP) Agricultural farm sites, a move that will help the country achieve self-sufficiency in sugar production for both domestic consumption and export;

Concerned that the companies have nothing to show for the grants in their farm sites over the three years they enjoyed concessionary low tariffs running into hundreds of billions of Naira;

Resolved to:

Set up an *Ad-hoc* Committee to investigate the low concessionary tariffs given to companies by the Federal Ministry of Industry, Trade and Investment for sugar importation into the country from 2013 to 2010 as contained in the Backward Integration Policy (**HIR. 180/2017**).

16. Need to Investigate the Collapse of Etisalat Nigeria (Now 9mobile) in Order to Protect the Interests of Nigerian Subscribers and Other Stakeholders

Motion made and Question proposed;

The House:

Notes that Etisalat Nigeria (now 9 mobile) commenced business in Nigeria in 2009 after acquiring the unified access license spectrum in the GSM 1800 and 900 MHz bands from the Nigeria Communications Commission (NCC) in January 2007, thus becoming Nigeria's fourth largest telecommunications network operator with over 21 million subscribers and controlling about 12.9 per cent of the country's telecom market share;

Also notes that Etisalat Nigeria was formerly owned by three shareholders, namely Emirates Telecommunications Group Company (40 percent), Mubadala Development Company, Abu Dhabi (45 percent) and EMTS Holding BV (15 percent);

Aware that Etisalat Nigeria obtained a loan of \$1.2 billion (377.4 billion Naira) in 2013 from thirteen (13) Nigerian banks which involved a foreign-backed guaranteed bond to finance a major network rehabilitation, upgrade and expansion of its operational base in Nigeria;

Also aware that Etisalat Nigeria had so far paid about half of the initial loan amounting to about 504 billion Naira with total outstanding sum of about 574 million dollars but had reneged on its debt servicing obligations after the intervention of the Nigerian Communications Commission and the Central Bank of Nigeria to restructure the loan and new repayment deadline;

Concerned that the failure of Etisalat to meet its debt servicing obligations with the banks since 2016 resulted in its foreign major shareholders pulling out and eventual take-over of the company by the banks;

Cognizant that the take-over of Etisalat Nigeria which was renamed 9mobile by the banks is a clear violation of Section 38 (1) of the Nigerian Communications Act, 2003 which provides that "the grant of a license shall be personal to the licensee and the license shall not be operated by assigned, sub-licensed or transferred to any other party unless the prior written approval of the Commission has been granted";

Resolves to:

Mandate the Committee on Telecommunications to conduct investigation with a view ascertaining what led to the collapse of Etisalat Nigeria and report back in eight (8) weeks for further legislative action (*Hon. Saheed Akinade-Fijabi — Ibadan Southwest/Ibadan Northwest Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Etisalat Nigeria (now 9 mobile) commenced business in Nigeria in 2009 after acquiring the unified access license spectrum in the GSM 1800 and 900 MHz bands from the Nigeria Communications Commission (NCC) in January 2007, thus becoming Nigeria's fourth largest telecommunications network operator with over 21 million subscribers and controlling about 12.9 per cent of the country's telecom market share;

Also noted that Etisalat Nigeria was formerly owned by three shareholders, namely Emirates Telecommunications Group Company (40 percent), Mubadala Development Company, Abu Dhabi (45 percent) and EMTS Holding BV (15 percent);

Aware that Etisalat Nigeria obtained a loan of \$1.2 billion (377.4 billion Naira) in 2013 from thirteen (13) Nigerian banks which involved a foreign-backed guaranteed bond to finance a major network rehabilitation, upgrade and expansion of its operational base in Nigeria;

Also aware that Etisalat Nigeria had so far paid about half of the initial loan amounting to about 504 billion Naira with total outstanding sum of about 574 million dollars but had reneged on its debt servicing obligations after the intervention of the Nigerian Communications Commission and the Central Bank of Nigeria to restructure the loan and new repayment deadline;

Concerned that the failure of Etisalat to meet its debt servicing obligations with the banks since 2016 resulted in its foreign major shareholders pulling out and eventual take-over of the company by the banks;

Cognizant that the take-over of Etisalat Nigeria which was renamed 9mobile by the banks is a clear violation of Section 38 (1) of the Nigerian Communications Act, 2003 which provides that "the grant of a license shall be personal to the licensee and the license shall not be operated by, assigned, sub-licensed or transferred to any other party unless the prior written approval of the Commission has been granted";

Resolved to:

Mandate the Committee on Telecommunications to conduct investigation with a view to ascertaining what led to the collapse of Etisalat Nigeria and report back in eight (8) weeks for further legislative action (**HR. 181/2017**).

17. Need to Release Funds to Federal Tertiary Hospitals for Payment of Staff whose Services were Outsourced

Motion made and Question proposed;

The House:

Notes that in 2007, the Federal Government outsourced the services of cleaners, security staff, laundry, maintenance and environmental staff in Tertiary Health Institutions, and in 2015, about 40% of the outsourced funds was released to the Institutions, however, in 2016 and 2017, no release of funds was made for the payment of the staff whose services were outsourced;

Aware that the funds are not domiciled in the accounts of the respective Health Institutions for the payment of the salaries of those outsourced staff, hence the adverse effects on the service delivery capability of those institutions;

Concerned that the failure to release the funds that were budgeted for the payment of those staff has led to crisis at the Health Institutions that have manifested in dirty environments, unhealthy living conditions for patients and staff and frequent cases of industrial actions that have led to closure of some of the Institutions;

Resolves to:

- (i) urge the Federal Ministry of Finance to urgently release the funds budgeted in 2015, 2016 and 2017 for the payment of salaries of staff of Tertiary Health Institutions whose services were outsourced; and

- (ii) mandate the Committee on Health Institutions to interface with the Federal Ministry of Finance and the Director-General, Budget Office of the Federation to ensure that funds are provided in the 2018 Appropriation proposal for the payment of those outsourced services and are to be domiciled in the accounts of the various Teaching Hospitals/Federal Medical Centres (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency and 17 Others*).

Debate.

Agreed to.

The House:

Noted that in 2007, the Federal Government outsourced the services of cleaners, security staff, laundry, maintenance and environmental staff in Tertiary Health Institutions, and in 2015, about 40% of the outsourced funds was released to the Institutions, however, in 2016 and 2017, no release of funds was made for the payment of the staff whose services were outsourced;

Aware that the funds are not domiciled in the accounts of the respective Health Institutions for the payment of the salaries of those outsourced staff, hence the adverse effects on the service delivery capability of those institutions;

Concerned that the failure to release the funds that were budgeted for the payment of those staff has led to crisis at the Health Institutions that have manifested in dirty environments, unhealthy living conditions for patients and staff and frequent cases of industrial actions that have led to closure of some of the Institutions;

Resolved to:

- (i) urge the Federal Ministry of Finance to urgently release the funds budgeted in 2015, 2016 and 2017 for the payment of salaries of staff of Tertiary Health Institutions whose services were outsourced; and
- (ii) mandate the Committee on Health Institutions to interface with the Federal Ministry of Finance and the Director-General, Budget Office of the Federation to ensure that funds are provided in the 2018 Appropriation proposal for the payment of those outsourced services and are to be domiciled in the accounts of the various Teaching Hospitals/Federal Medical Centres (**HR. 182/2017**).

18. Consideration of Reports

- (i) **Committee on Aids, Loans and Debt Management:**
Motion made and Question proposed, "That the House do consider the Report of the Committee on Aids, Loans and Debt Management on the Proposed External Borrowing Request for State Governments under the 2016-2017 External Borrowing (Rolling) Plan for Jigawa, Katsina, Ogun and Plateau States (Second Batch) and approve the recommendations therein" (*Hon. Adeyinka Ajayi — Odo-Otin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

Question that the House do suspend Order Seven, Rule 2 (2) to enable the Deputy Speaker preside in the Committee of Supply — Agreed to.

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

(HOUSE IN COMMITTEE OF SUPPLY)

(Mr Deputy Speaker in the Chair)

Recommendation (i):

“That the House do approve the ongoing negotiations of external borrowing in the sum of \$492.4m for the under listed State projects under the 2016-2018 Medium Term External Borrowing (Rolling) plan:

- (a) \$32.4million Islamic Development Bank assisted Jigawa State Integrated Rural Development Project.
- (b) \$110million Islamic Development Bank assisted Katsina State Health Systems Project.
- (c) \$350million World bank assisted Ogun State Development Policy Operation.
- (d) \$50million French Development Bank assisted Plateau Third National Urban Water Sector Reform Project (NUWSRP-III)” (*Hon. Adeyinka Ajayi — Odo-Itin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

Recommendation (ii):

“That the terms and conditions of the loan from the respective Development Agencies, be forwarded to the National Assembly prior to the execution of same for proper documentation and concurrence (*Hon. Adeyinka Ajayi — Odo-Itin/Ifelodun/Boripe Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of Supply considered the Report of the Committee on Aids, Loans and Debt Management on the Proposed External Borrowing Request for State Governments under the 2016-2017 External Borrowing (Rolling) Plan for Jigawa, Katsina, Ogun and Plateau States (Second Batch) and approved Recommendations (i) and (ii) of the Report.

Question that the House do adopt the Report of the Committee of Supply — 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 Repeal the Pharmacists Council of Nigeria Act, Cap. P17, Laws of the Federation of Nigeria, 2004 and Re-enact the Pharmacists Council of Nigeria Bill to Regulate the Training and Practice of Pharmacy; and for Related Matters (HB. 656 and HB. 364) 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 REPEAL THE PHARMACISTS COUNCIL OF NIGERIA ACT, CAP. P17, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE PHARMACY COUNCIL OF NIGERIA (ESTABLISHMENT, ETC.) ACT TO REGULATE THE TRAINING AND PRACTICE OF PHARMACY; AND FOR OTHER RELATED MATTERS

PART I — ESTABLISHMENT OF THE PHARMACY COUNCIL OF NIGERIA

Committee Recommendation:

Clause 1: Establishment of the Pharmacy Council of Nigeria.

- (1) There is established a body known as the Pharmacy Council of Nigeria (in this Bill referred to as "the Council")
- (2) The Council —
 - (a) shall be a body corporate with perpetual succession and a common seal;
 - (b) may sue or be sued in its corporate name, and
 - (c) may acquire, hold or dispose of any property, movable or immovable, subject to the provisions of the Land Use Act, for the purpose of carrying out any of its functions under this Bill (*He Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 2: Composition of the Council.

- (1) The Council shall consist of —
 - (a) Chairman, who shall be a pharmacist with not less than twenty-five years post registration experience;
 - (b) the Head of Food and Drug Services Department of the Federal Ministry of Health or his representative; who shall be a registered Pharmacist.
 - (c) the President of the Pharmaceutical Society of Nigeria;
 - (d) one Director responsible for Pharmaceutical Services from each of the geopolitical zones chosen in rotation among the States in the respective zones;
 - (e) six members of the Committee of Deans chosen in rotation from approved Faculties of Pharmacy in Nigerian Universities;
 - (f) the head of Pharmaceutical Services of the Armed Forces of Nigeria;
 - (g) the Director-General of the National Institute of Pharmaceutical Research and Development or his representative; who shall be a Pharmacist.

- (h) six members who shall not be of less than 10 years post qualification experience to represent the geopolitical zones of the Federation, on the recommendation of the Pharmaceutical Society of Nigeria through the Minister;
 - (i) three (3) members who shall be a registered Pharmacy Technician in good standing with the Council with not less than ten years post-registration experience ; and
 - (j) the Registrar of the Council who shall be a member and the Secretary to the Council; and
 - (k) the Director-General of NAFDAC or its representatives.
- (2) The Chairman and members of the Council shall be paid such emoluments, allowances and benefits as the President may, from time to time, direct in line with the recommendations of the Revenue Mobilization, Allocation and Fiscal Commission (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 3: Appointment and tenure of Members of the Council.

- (1) The Chairman and other members of the Council other than the Registrar, shall —
- (a) be appointed by the President on the recommendation of the Minister;
 - (b) hold office on part time basis for a term of four years; and
 - (c) be eligible for re-appointment on satisfactory performance for a further term of four years and no more;
- (2) The office of the Chairman or a member of the Council shall become vacant where —
- (a) his term of office expires;
 - (b) he resigns his appointment as a member of the Council by a notice in writing under his hand addressed to the President; or
 - (c) he dies.
- (3) The President may on the recommendation of the Minister remove the Chairman or a Member of the Council on any of the following grounds —
- (a) he has been absent from the Council meetings for four consecutive times without the permission of the Council;
 - (b) he is incapable of carrying out his duties due to mental or physical infirmity;
 - (c) he has been declared bankrupt or he makes compromise with his creditors;

- (d) he has been convicted of a felony or any offence involving fraud or dishonesty;
 - (e) he is guilty of gross misconduct relating to his duties;
 - (f) the President is satisfied that it is not in the interest of the Council or of the public for the person to continue in office; or
 - (g) in the case of an ex-officio member, he ceases to hold the office on the basis of which he became a member of the Council.
- (4) Where any member of the Council ceases to hold office before the date when his term of office would have expired by the effluxion of time, the body or person by whom he was appointed shall as soon as possible appoint a person to fill the vacancy for the residue of the term aforesaid.
- (5) The provisions of the First Schedule to this Bill shall have effect with respect to the proceedings of the Council and other matters mentioned in it (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 4: Functions and Powers of the Council.

- (1) The Council shall in the public interest —
- (a) administer the provisions of this Bill;
 - (b) regulate the standard of Pharmacy practice and business in Nigeria;
 - (c) determine the standard of knowledge and skills to be attained by persons seeking to become registered members of the pharmacy profession and review such standards, from time to time;
 - (d) determine and set standards for the degree courses in Faculty of Pharmacy in Nigerian Universities;
 - (e) establish requirements and standards for registration of intern Pharmacists for internship and any other experiential training to enable a person obtain practical experience in the practice of pharmacy;
 - (f) establish requirements for the grant of licence to intern Pharmacists to undergo internship training and engage in the practice of Pharmacy in an approved institution under the direct supervision of registered pharmacists;
 - (g) establish and maintain a register of persons entitled to practice as members of the pharmacy profession and publish the list of members from time to time;

- (h) approve, licence and regulate the registration and practice or operations in all pharmaceutical premises where drugs, medicines and poisons are manufactured, imported, exported, distributed, stored, dispensed or sold in Nigeria, excluding the (GMP) activities in the manufacturing sector;
- (i) establish and maintain a register of premises used for the manufacture, storage, importation, exportation, distribution, sale and dispensing of drugs, poisons and medicines;
- (j) formulate, publish and review from time to time, the Code of Conduct, Ethics and Practice of the pharmacy Profession and code of conduct for pharmacy technicians, patent medicine vendors and pharmaceutical marketers;
- (k) determine and set standards for the training of Pharmacy technicians in Schools and Colleges of health technology approved by Council;
- (l) determine the standards of knowledge and skills to be attained by persons seeking to become pharmacy technicians and patent medicine vendors, and review such standards, from time to time;
- (m) establish requirements for continuing education and development for pharmacists, pharmacy technicians, patent medicine vendors and other cadres in practice in institutions and centres recognized by it, including the determination of acceptable continuing educational and developmental courses.
- (n) register, regulate and control the practice of pharmacy technicians or such other cadres as may be recognized by the Council in Nigeria;
- (o) register, regulate and control the activities of Patent and Proprietary Medicines Vendors and satellite medicine facilities, pharmacies, pharmaceutical manufacturing, importation, distribution of pharmaceutical products and veterinary products in Nigeria;
- (p) regulate and control the practice of pharmaceutical marketing and representations;
- (q) regulate and control pharmacy practice in all its aspects and ramifications; and
- (r) do such other things that are necessary to ensure the efficient discharge of the functions conferred on the Council under this Bill
(Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency).

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

PART II — REGISTRAR AND OTHER STAFF OF THE COUNCIL

Committee Recommendation:**Clause 5: Appointment, Functions and Tenure of the Registrar of the Council.**

- (1) There shall be a Registrar appointed by the Council who shall be a registered Pharmacist of not less than 20 years post-registration experience.
- (2) The Registrar shall be —
 - (a) the chief executive and accounting officer of the Council;
 - (b) member and secretary to the Council and the secretary to the Disciplinary Tribunal;
 - (c) responsible for the execution of policies, decisions and directives of the Council and the day-to-day administration of the Council;
 - (d) responsible for keeping and maintaining the registers under this Bill; and
 - (e) subject to the supervision and control of the Council.
- (3) The Registrar shall hold office —
 - (a) for a term of four years from the date of his appointment and shall be eligible for re-appointment for another term of 4 years and no more; and
 - (b) on such other terms and conditions as may be specified in his letter of appointment.
- (4) The office of the Registrar shall become vacant where —
 - (a) his term of office expires;
 - (b) he resigns his appointment as Registrar by a notice in writing under his hand addressed to the Council;
 - (c) he is incapable of carrying out his duties due to mental or physical infirmity;
 - (d) he has been declared bankrupt or he makes compromise with his creditors;
 - (e) he has been convicted of a felony or any offence involving fraud or dishonesty;
 - (f) he is guilty of gross misconduct relating to his duties;
 - (g) he dies; or
 - (h) the Council is satisfied that it is not in the interest of the Council or of the public for the person to continue in office (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 6: Other Staff of the Council.

- (1) The Council shall appoint directly or on secondment from other Government Ministries, Departments and Agencies such number and category of employees as it may require in the effective discharge of its duties and functions under this Bill.
- (2) The Council shall have power to appoint, promote and discipline staff of the Council.
- (3) The Council shall make rules and regulations in line with Public Service Rules relating to the conditions of service of employees of the Council, including rules providing for the appointment, promotion, advancement, determination of appointment and discipline of the employees.
- (4) The members of staff of the Council shall be public officers as defined in the Constitution of the Federal Republic of Nigeria, 1999 (as amended).
- (5) Service in the Council shall be pensionable service under the Pension Reform Act provided that nothing in this section shall exclude the Council from employing staff on non-pensionable terms and conditions (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 7: Zonal and State Offices.

The Council shall have the power to establish Zonal and State Offices to enhance its operations and the performance of its functions under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 8: Co-operation with other Bodies.

The Council may cooperate with relevant organizations and authorities involved in public health - related issues in the performance of its functions under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

PART III — FINANCIAL PROVISIONS

Committee Recommendation:

Clause 9: Fund of the Council.

- (1) There is established for the Council, a fund which shall consist of —
 - (a) budgetary and extra budgetary allocations received from the Government of the Federation, grants and annual subventions;
 - (b) all monies held immediately before the commencement of this Bill by the Pharmacists Council of Nigeria;

- (c) gifts, loans, endowment, grants-in-aids, testamentary disposition, bequest or other voluntary contributions where the terms and conditions attached are not inconsistent with the functions of the Council;
 - (d) all foreign aids and monetary assistance received by the Council under any agreement or arrangement with any international body or organization with the approval of the Government of the Federation;
 - (e) fees, charges for publications and services rendered by the Council; and
 - (g) such other monies as may be received by the Council from investments and other sources
 - (h) Pharmaceutical Education Fund: It shall be lawful for pharmaceutical companies to make contribution to the pharmaceutical educational development in Nigeria. The Council shall determine the sum to be contributed to the educational pharmaceutical funds from time to time.
- (2) The Council may apply the fund established under subsection (1) of this section —
- (a) to pay the costs of administration, charges and expenses of the Council;
 - (b) to discharge the cost of maintaining the Head Office and other offices of the Council;
 - (c) for the development and maintenance of any property vested in or owned by the Council;
 - (d) for the payment of the allowances and other benefits of members of the Council or any committee set up by it;
 - (e) for payment of emoluments, allowances, benefits and other entitlements of the Registrar and other staff of the Council;
 - (f) for payment for all purchases made by the Council and training of members of its staff;
 - (g) for provision of scholarships, bursaries and awards for specialized training of members of staff of the Council;
 - (h) for payment to publicize and promote the activities of the Council;
 - (i) for payment to various stakeholders involved in regulatory activities of the Council;
 - (j) for payments for the support of national and international scientific and professional organizations;
 - (k) for maintaining general financial reserves subject to general or specific directives that may be given by the President;

- (l) for payments of annual and other subscriptions and contributions to national and international scientific and professional organizations;
- (m) for the payment of all consultancies, legal fees and costs of contracts awarded by the Council; and
- (n) for any other expenditure as may be approved by the Council, from time to time, in connection with all or any of its functions and powers under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 10: Investment of the Fund of the Council.

- (1) The Council may invest any or all monies in its fund, not immediately required for its current expenditure in —
 - (a) any securities created or issued by or on behalf of the Federal Government, as may be approved by the Council, from time to time;
 - (b) the purchase or improvement of any land in any part of the Federation; or
 - (c) any venture in Nigeria as may be approved by Minister, including investment in stocks quoted at the Nigerian Stock Exchange.
- (2) In the exercise of its powers of investment under subsection (1) of this section, the Council may from time to time vary any such investments and may deposit any monies for the time being un-invested with any bank approved by the Council in line with Government Regulations (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 11: Power to Borrow.

The Council may with the approval of the President and in line with applicable laws, policies and regulations, borrow such sums by way of loan, overdraft or from any other source, as may be required for the performance of its functions and meeting its obligations under this Bill; and any interest payable on monies so borrowed shall be paid out of the fund of the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 12: Power to Accept Gifts.

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

- (2) The Council shall not accept any gift if the conditions attached by the persons or organization offering the gift are inconsistent with the functions of the Council under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 13: Annual Estimates.

- (1) The Council shall, not later than 30th September of each financial year, prepare and submit to the Minister for onward transmission to the National Assembly, an estimate of its income and expenditure for the next succeeding year.
- (2) Notwithstanding the provisions of subsection (1) of this section, the Council may, where necessary due to unforeseen circumstances, submit supplementary or adjusted statements of estimated income and expenditure to the Minister for onward transmission to the National Assembly for approval (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 14: Accounts, Records and Audit.

- (1) The Council shall keep proper and regular accounts and other records of monies received and paid by the Council and for other purposes for which monies have been received or paid, and of its assets, credits and liabilities in respect of each year and shall cause its accounts to be audited on or before 31st March of the following year to which the accounts relate, by a firm of auditors appointed from the approved list of auditors, and in accordance with guidelines, supplied by the Auditor-General for the Federation.
- (2) The Council shall do all things necessary to ensure that all payments of its funds and bank accounts are correctly made and properly authorized and that adequate control is maintained over its assets.
- (3) As soon as the accounts and the financial statements of the Council have been audited in accordance with the requirement of this Bill, the Council shall forward a copy of the audited financial statements to the Minister together with any report or observations made by the auditors and the Auditor-General for the Federation on the statement of accounts.
- (4) The remuneration of the auditor shall be paid out of the fund of the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:**Clause 15: Annual Reports.**

The Council shall, not later than 30th June of each year, prepare and submit to the Minister and the Auditor - General of the Federation, a report on the activities and administration of the Council during the preceding year and shall include in the report a copy of the audited accounts of the Council for the year and the auditor's report thereon (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

**PART IV — REGISTERS OF PHARMACISTS, PHARMACY TECHNICIANS, PREMISES,
SATELLITE MEDICINE FACILITIES AND PATENT MEDICINES SHOPS**

Committee Recommendation:**Clause 16: Keeping and Maintaining Registers.**

- (1) The Registrar shall in accordance with Rules made by the Council, keep and maintain —
 - (a) a register of Pharmacists, where the names, addresses, qualifications and such other particulars of all persons who are entitled to be enrolled as provisional members or members of the profession who apply to the Council to be so registered shall be entered;
 - (b) the register of Pharmacy Technicians where the names, addresses, qualifications and such other particulars of all persons who are entitled to be enrolled as Pharmacy Technicians who apply to the Council to be so registered shall be entered;
 - (c) the registers of premises used by Pharmacists, Pharmacy Technicians and Patent Medicine vendors, or any other person licensed by the Council for the manufacture, production, exportation, importation, stocking, distribution, sale or dispensing of drugs and medicines and the provision of other pharmaceutical products shall be entered; and
 - (d) any other register that the Council may require to be kept from time to time.
- (2) The register of Pharmacists provided for under subsection (1) of this section shall consist of two parts as follows —
 - (a) provisional members; and
 - (b) members
- (3) The register of the Pharmacy Technicians provided for under subsection (1) of this section shall consist of —
 - (a) the names of Pharmacy Technicians;
 - (b) matters relating to Pharmacy Technicians; and
 - (c) particulars of the location where medicines are sold or distributed by Pharmacy Technician or satellite medicine facility.

- (4) A register of premises referred to under subsection (1) of this section shall contain —
- (a) the names and addresses of premises to which the entries relate and to which members carry on pharmacy business;
 - (b) the type of pharmaceutical practice being carried on at the premises;
 - (c) the name of the Pharmacist or person, company, firm or body lawfully carrying on the business;
 - (d) the name of the approved vendor of medicines and location where the medicines are being sold; and
 - (c) such other matters relating to the premises as may be specified by the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 17: Rules for keeping and maintaining Registers.

- (1) Subject to the provisions of this Bill, the Council shall make rules with respect to the forms, contents, parts and procedures for keeping and making of entries in any of the registers provided under this Part.
- (2) The rules made pursuant to subsection (1) of this section shall in particular make provision for —
 - (a) regulating the making and processing of applications for enrolment of provisional members or members and the registration of premises under this section;
 - (b) providing for the notification to the Registrar of any change in those particulars by the person to whom any registered particulars relate or by the person carrying on a pharmacy practice at any registered premises;
 - (c) providing for the procedure for the acceptance and registration of additional qualification to the earlier qualification held by him which is in relation to the profession;
 - (d) specifying the fees, including any annual subscription, to be paid to the Council in respect of —
 - (i) entry of names in the register of Pharmacists or in respect of the registration of premises in the register of premises, and
 - (ii) entry of names in the register of Pharmacy Technicians or in respect of the registration of Satellite Medicine Facilities or Patent Medicines Vendors in respect of registration of shops;

- (e) authorizing the Registrar to refuse to enter a name or premises in a register until any fees specified for the entry has been paid or until the premises comply with the requirements of this Bill or of rules made on that behalf which are for the time being in force; and
 - (f) specifying any other thing not mentioned under the foregoing provisions which the Council considers necessary or expedient.
- (3) A document signed by the Registrar stating that, on a specified date, specified persons or premises were or were not registered under this Bill shall be admissible in a proceeding as evidence of such registration or non-registration (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 18: Correction of entries in the Registers.

It shall be the duty of the Registrar, to —

- (a) correct any entry in the registers of Pharmacists, premises, Pharmacy technicians, satellite medicines facilities and patent medicines shops in accordance with the Council's directions or order of court;
- (b) make or update, from time to time, any necessary alteration in the registers of Pharmacists, Pharmacy Technicians, satellite medicines facilities, licensed patent medicines shops and the registers of premises as may be necessary or expedient;
- (c) remove from the registers of Pharmacists, pharmacy technicians, satellite medicines facilities and patent medicines shops or the registers of premises the name of any registered person who is dead or premises which has ceased to be used for the purpose for which it was registered; and
- (d) remove from the register of premises any premises that its registration has become void under the provisions of this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 19: Removal of names from the Registers.

(1) Where the Registrar —

- (a) sends by registered post, e-mail or other recognized means of communication to any person, a letter addressed to him at the address on the register of Pharmacist, Pharmacy Technician, satellite medicines facilities and Medicines Vendor, enquiring whether the registered particulars relating to him or to the premises at which he carries on pharmacy practice are correct and the Registrar receives no reply to the letter within a period of six months from the date of posting or sending it; and

- (b) considers it necessary upon the expiration of that period of six months, sends in the like manner to the person in question, a second similar letter and receives no reply within three months from the date of posting or sending it;
 - (c) the Registrar may remove the name and particulars of that person or any registered premises where that person carries on a pharmacy practice from the register of Pharmacists, Pharmacy technicians, satellite medicines facilities and Patent Medicines Vendors or the registers of premises or both.
- (2) The Council may direct the Registrar to restore to the appropriate register any name, premises or particulars removed from the register under subsection (1) of this section (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 20: Publication of list of Pharmacists, Pharmacy Technicians, Premises, Satellite Medicines Facilities and Patent Medicines Shops, etc.
The Registrar shall cause —

- (a) the list of licensed Pharmacists, Pharmacy Technicians, Satellite Medicines Facilities, Patent Medicines Vendors and licensed premises to be printed, published and gazetted not later than two years from the commencement of this Bill;
- (b) to be updated, printed and published, each of the lists referred to under paragraph (a) of this section, in each subsequent year;
- (c) a print of each edition of the list of licensed Pharmacists, Pharmacy Technicians, satellite medicines facilities and Vendors and the lists of premises and of each document or corrections thereto to be deposited at the principal office of the Council; and
- (d) to be kept, the documents so deposited in line with the provisions of paragraph (c) of this section, open to members of the public at all reasonable times for inspection (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 21: Print of an Edition of a Register as Admissible Evidence.

- (1) A document purporting to be a print of an edition of any list published under section 20 of this Bill by authority of the Registrar, or documents purporting to be prints of an edition of such list, and of the lists of corrections to that edition so published in the current year and of lists of corrections to that edition so published, shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence showing that —
 - (a) any other person or premises specified in the document, or
 - (b) the documents read together, as being licensed;

- (c) was so licensed at that date of the edition or of the list of corrections of licensed persons or premises, as the case may be, and that any person or premises not so specified was not so licensed at that date.
- (2) Where in accordance with subsection (1) of this section, the name of any person or any premises, as the case may be, is in any proceedings shown to have been or not to have been licensed in the register of pharmacists or the register of premises at a particular date, the person or the premises, as the case may be, shall unless the contrary is proved, be taken for the purposes of those proceedings as having at all material times thereafter continued to be, or not to be so licensed (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

PART V — REGISTRATION OF PREMISES

Committee Recommendation:

Clause 22: Registration of Premises.

- (1) Any place used for the purpose of dispensing, selling, compounding, distribution, storage, stocking, retailing, wholesale, manufacturing, importation, exportation of drugs and poisons, scientific offices or any other form of pharmaceutical activities shall be registered in accordance with the provisions of this Bill and in case of manufacturing facility such (GMP) activities is not included.
- (2) Where an application is made under subsection (1) of this section and it appears to the Registrar that the premises to which the application relates do not comply with the requirements of this Bill, the Registrar may refuse to register the premises and state the reasons for such refusal in writing.
- (3) The applicant may within thirty days after the service of notice of refusal by the Registrar under subsection (2) of this section, give notice to the Registrar of his desire to be heard or make representation in writing to the Registrar with respect to the notice of refusal.
- (4) The Registrar before making any determination under subsection (3) of this section shall —
 - (a) where the applicant has given notice of his desire to be heard; afford the applicant an opportunity of appearing before and being heard by a person appointed by the Registrar for the purpose; or
 - (b) where the applicant has made representations in writing; consider the representations of the applicant in determining whether the premises is suitable for registration or otherwise.
- (5) Where a determination is made pursuant to subsection (4) of this section that the premises is —
 - (a) suitable for registration, the Registrar shall cause the details of the premises to be entered into the register subject to the provisions of section 23 of this Bill; or

- (b) unsuitable for registration, the Registrar shall not enter the premises in the register; and shall notify the applicant of his decision accordingly.
- (6) Where the applicant is dissatisfied with the decision under paragraph (b) of subsection (5) of this section, he may within fourteen days after being notified of the decision make application in writing to the Council stating the grounds of his dissatisfaction and the reliefs sought.
- (7) The Council shall consider and determine the application made pursuant to the provisions of subsection (5) of this section within three months of the receipt of the application or such extended period as it may deem necessary in any particular case.
- (8) Where the Council pursuant to subsection (6) of this section, determines that the premises is —
- (a) suitable for registration, the Registrar shall enter the premises in the register, subject to the provisions of section 23 of this Bill; or
- (b) unsuitable for registration, the Registrar shall not enter the premises in the register; and shall notify the applicant of the decision accordingly, in writing (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 23: Payment of Fees in Respect of Registration and Retention of Premises.

- (1) The Council shall prescribe the fees for the registration and retention of premises.
- (2) The Council may vary the prescribed fees provided for under subsection (1) of this section.
- (3) A person shall not operate a premises where drugs, poisons and medicines are sold, dispensed, distributed, manufactured, stored, imported or exported unless he has paid the prescribed fees and is duly licensed by the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Committee Recommendation:

Clause 24: Payment of Retention Fees.

- (1) Where any premises has been entered in the register of premises, a retention fee of an amount prescribed by the Council in respect of the type of pharmacy practice being carried on at the premises, shall be payable to the Council every subsequent year by the person carrying on the pharmacy practice in the premises.
- (2) A retention fee shall become due on the first day of January of each year.

- (3) Where the person carrying on pharmacy practice at any premises entered in the register of premises fails to pay the retention fee in respect of any year by 31st day of March, the Council may close the premises and remove the name from the register of premises.
- (4) Where the person in default of payment of retention fees under subsection (2) of this section, pays before the end of the year in default, together with additional sum, if any, the Registrar shall restore the name of the premises to the register and the restoration shall be deemed to have had effect as from the date on which the premises were removed from the register of premises (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 25: Records of Annual Subscription Defaulters.

The Registrar shall keep record of the names of registered persons who are in default of the payment of the annual subscription for a period of more than six months and take such actions including the removal of the names of the defaulters from the appropriate register as the Council may direct or require (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 26: Application for Retention of Name of all Premises.

- (1) Every person who carries on practice of Pharmacy whether on line or on sight shall, in the month of January in each year deliver to the Registrar, an application for renewal or retention of name of the premises at which his practice is located or where he carries on his practice for a prescribed fee.
- (2) An application for renewal or retention of premises under subsection (1) of this section shall state the name of the Superintendent Pharmacist under whose control the practice is being carried on (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 27: Operating a Retail, Community Pharmacy or Pharmaceutical Company.

- (1) A person shall not own or operate a retail or community pharmacy practice unless such a person is registered as a Pharmacist under this Bill.
- (2) The Council may approve satellite pharmacy owned by licensed pharmacists who have a minimum of 10 years post-registration experience provided that such satellite pharmacy is affiliated to a registered pharmaceutical premises for the purpose of regulation and control.
- (3) A company owned by non-Nigerians or foreign company shall not own or operate a chain retail or community pharmacy unless such a company has Nigerian pharmacist or pharmacists on Board of Directors who shall alone or jointly own not less than 40% shares of the company.

- (4) A corporate body shall not operate a pharmaceutical company for the purpose of manufacture, importation, exportation, distribution or wholesale business without having as a member of the Board of Directors, at least a registered Pharmacist who shall be a shareholder of the company.
- (5) A person or corporate body shall not own or operate a private pharmacy in a public health facility.
- (6) Any pharmacist who makes a false statement under subsection (3) above commits an offence and is liable on conviction to a fine equivalent to the value of the shares he claimed to own or a term of imprisonment for 2 years or both (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 28: Failure to renew premises licence by the 31st day of March.

- (1) Any licensee that fails to renew its licence by the 31st day of January in each year shall in addition to the prescribed fee, pay a fine equivalent to fifty percent of the applicable fee.
- (2) Any premises which fail to renew its licence by the 31st day of March in each year shall be considered to be operating in violation of the provisions of this Bill and shall be liable to closure by the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 28 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 29: Requirement for Superintendent Pharmacists.

- (1) Every pharmaceutical premises shall be under the direct supervision of a Superintendent Pharmacist.
- (2) Where a premises is operated without a Superintendent Pharmacists for a continuous period of thirty days, the registration of the premises certificate shall lapse at the expiration of that thirty days.
- (3) Every pharmacy whether in public or private hospital shall be under the supervision and control of a superintended pharmacist (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 29 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 30: Notification of change in company's profile.

- (1) A body corporate shall notify the Council of any change in its company's profile, profile of Pharmacist Director, ownership, type of business being done on the premises and name of the company not later than sixty days of its occurrence.
- (2) A body corporate shall conspicuously display the original of the Superintendent Pharmacist's annual licence and certificate of registration of the premises (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 30 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 31: Appointment of Pharmaceutical Inspection Officer.

- (1) The Council shall appoint licensed pharmacists as Pharmaceutical Inspection officers.
- (2) A person appointed by the Council as Pharmaceutical Inspection officer may for the purposes of section 32 of this Bill enter at any reasonable time —
 - (a) any premises where pharmaceutical activities are carried on; or
 - (b) any premises on or in relation to which he has reasonable cause to believe that an offence with respect to this Bill has been committed (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 31 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 32: Powers of Pharmaceutical Inspection Officer.

- (1) A pharmaceutical Inspection officer may —
 - (a) require the Superintendent Pharmacist on the premises to furnish him with any information in his or her possession concerning the pharmaceutical activities being carried on in the premises;
 - (b) inspect and seal premises where drugs are sold or dispensed, in violation of any provisions of the Act.
- (6) A Pharmaceutical inspection officer appointed by the Council in the course of his duty and on production of his identity card if so requested, may —
 - (a) open and examine while in the premises any container or package which he reasonably believes may contain anything which may help in his investigation; and
 - (b) examine any book, computer, document, prescription, register of poison or dangerous drugs or other records, electronic or printed found on the premises which the pharmaceutical inspection officer reasonably believes may contain any information relevant to the enforcement of the Act and make copies thereof or extracts from it; and
- (7) A pharmaceutical inspection officer who uses to his advantage or discloses to a third party any information obtained in the course of his duties under this Bill other than for investigative and prosecutorial purposes, commits an offence.
- (8) Any person who willfully delays, cause to be delayed or obstruct or cause to be obstructed a pharmaceutical inspection officer in the exercise of any of the powers conferred upon him under this Bill, commits an offence.

- (9) The owner or person in-charge of any premises entered into by a pharmaceutical inspection officer shall render all reasonable assistance within their powers to the pharmaceutical inspection officer and shall make available to him all such information as he may reasonably require for the purpose of the Act.
- (10) A person operating any pharmaceutical business on any premises has a duty to provide information on the owner when requested by an inspector and to produce to the inspector all books kept in accordance with this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 32 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 33: Inspection and Registration of Hospital Pharmacies.

- (1) Pharmacies in both public and private hospitals and clinics shall be subject to inspection, registration and annual licensure by the Council.
- (2) There shall be a Superintendent Pharmacist in every public or private hospital, clinic or healthcare institution where drugs are dispensed.
- (3) The Council may grant exemptions on the application of subsections (1) and (2) of this section or prescribe supervisory roles to cover pharmaceutical services in underserved areas, on such terms as the Council may prescribe (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 33 stands part of the Bill — Agreed to.

PART VI — REGISTRATION OF PHARMACISTS

Committee Recommendation:

Clause 34: Registration of Pharmacists.

- (1) A person shall not hold any appointment as a Pharmacist or practice as a Pharmacist in Nigeria unless he is registered with the Council under the provisions of this Bill.
- (2) A registered Pharmacist shall be entitled to practice as a Pharmacist in any part of Nigeria provided he is licenced to practice (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 34 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 35: Registration of Provisional Member or Member.

- (1) A person admitted to membership of the Pharmacy profession in Nigeria under the provisions of this Bill may be registered as —
- (a) a provisional member; or
- (b) a member.
- (2) A person shall be entitled to be enrolled as a provisional member where he —

- (a) has completed a degree course of study in a Faculty of Pharmacy in a recognized University;
 - (b) has submitted a written application in the form prescribed by the Council and has paid the prescribed registration fee;
 - (c) has sworn to the Pharmacist oath;
 - (d) is of good character;
 - (e) has not been convicted in the last ten years in Nigeria or elsewhere of any criminal offence involving fraud or dishonesty; and
 - (f) meets any other requirements for registration as a provisional member of the profession as may be prescribed by the Council;
- (3) A person shall be entitled to be registered as a member of the profession if in addition to holding the qualifications and satisfying all the conditions set out in subsection (2) of this section; he —
- (a) has submitted a written application in the form prescribed by the Council and paid the prescribed fee for his registration;
 - (b) has completed the statutory continuous internship training for not less than one year in an institution approved by the Council and has obtained from the approved institution a certificate of experience in that regard;
 - (c) meets any other requirements for registration as a member of the profession as may be prescribed by the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 35 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 36: Registration of Nigerian citizen who qualified outside Nigeria.

A Nigerian citizen who qualified as a Pharmacist in an approved institution outside Nigeria shall be registered as a Pharmacist under this Bill: where he —

- (a) holds a qualification in Pharmacy awarded by an approved or recognized university outside Nigeria which qualification for the time being, is acceptable to the Council for the purposes of this Bill;
- (b) holds a certificate of registration as a Pharmacist, acceptable to the Council;
- (c) has completed in Nigeria the statutory internship course of training and obtained certificate specified in section 35 (3) (b) of this Bill (where applicable);
- (d) has received instructions in Pharmacy for a period specified by the Council in an institution in Nigeria approved by the Council for the purpose, and has passed such examinations as the Council may prescribe, including an examination in Forensic Pharmacy;

- (e) is of good character;
- (f) has not been convicted in the last ten years in Nigeria or elsewhere of any criminal offence involving fraud or dishonesty;
- (g) submits a duly completed application in writing in the prescribed form and paid the prescribed fee for his registration; and
- (h) meets any other requirements for registration as a member of the profession as may be prescribed by the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 36 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 37 Registration of non-Nigerian Pharmacists.

- (1) A person who is not a citizen of Nigeria may be registered as a Pharmacist under this Bill if the country of which he is a citizen grants reciprocal registration facilities to Nigerian citizens and where he —
 - (a) holds a requisite qualification recognized by the Council;
 - (b) has passed the Council's examination in law and ethics governing the practice of Pharmacy in Nigeria and such other examinations as the Council may prescribe;
 - (c) has acquired the requisite experience in accordance with section 34 (3) (b) of this Bill;
 - (d) has been resident in Nigeria for not less than twelve calendar months immediately preceding the date of his application for registration; and
 - (e) meets all other requirements for registration as may be prescribed by the Council.
- (2) An applicant applying for registration under this section shall in addition to evidence of qualification, satisfy the Council that he —
 - (a) is of good character;
 - (b) has not been convicted in the last ten years in Nigeria or elsewhere of any criminal offence involving fraud or dishonesty;
 - (c) submits a duly completed application in writing in the prescribed form; and
 - (d) has paid the prescribed fee for registration (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 37 stands part of the Bill — Agreed to.

*Committee Recommendation:***Clause 38: Payment of practicing fees.**

- (1) No person shall practice as a Pharmacist in any year unless he has paid to the Council the appropriate practicing fees prescribed by the Council which shall be due in January of each year as prescribed by the Council.
- (2) The Council shall disburse or distribute the aggregate amount collected as practicing fees as follows —
 - (a) 70 percent to the Pharmaceutical Society of Nigeria; and
 - (b) 30 percent to the Council.
- (3) A Pharmacist with at least forty years post registration experience or who has attained the age of sixty-five years is exempted from the payment of practicing fees.
- (4) A registered Pharmacist who fails to pay the prescribed practicing fee by 31st day of March of every year shall in addition to the fee, pay a fine of a sum which is equivalent to fifty percent of the applicable fee within the year.
- (5) A registered Pharmacist who has paid his practicing fee in any year as prescribed in subsection (1) of this section or who is exempted from payment of practicing fee under subsection (3) of this section, shall be entitled to a practicing licence for that year authorizing him, subject to any enactment or regulation in force applicable to him to —
 - (a) import, export, mix, compound, prepare, dispense, sell, procure and distribute drugs and poisons, herbal medicines, veterinary drugs and health supplements, chemicals and home use Invitro Diagnostics (IVDs);
 - (b) monitor pharmaceutical products;
 - (c) perform other duties related to —
 - (i) Drug Utilization Review (DUR);
 - (ii) Pharmaceutical Care (PC);
 - (iii) Collaborative Drug Therapy Management (CDTM); and
 - (d) any other pharmaceutical activities.
- (6) The Council may from time to time, vary the practicing fees prescribed in subsection (1) of this section provided that any variation of the practicing fee shall not come into force unless confirmed at the Annual General Meeting of the Pharmaceutical Society of Nigeria (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 38 stands part of the Bill — Agreed to.

PART VII — TRAINING AND INTERNSHIP OF PHARMACISTS

*Committee Recommendation:***Clause 39: Approval of institutions and pharmacy degree courses, etc.**

- (1) No Institution shall award any degree in pharmacy unless such Institution and the Course of study are approved by the Council.
- (2) The Council may approve —
- (a) any course of training intended for persons seeking to become or who are already Pharmacists and which in the opinion of the Council is designed to confer appropriate knowledge and skills; and
 - (b) any qualification with attendant course content which in the opinion of the Council affords the candidate sufficient knowledge and skill to practice as Pharmacist.
- (3) The Council may withdraw any approval given under subsection (1) of this section in respect of any course, qualification or institution provided that before such approval is withdrawn, the Council shall —
- (a) give notice of such proposed withdrawal to the affected institution;
 - (b) give the institution an opportunity of make representation to the Council in respect of the proposed withdrawal; and
 - (c) take into account any representations made to it pursuant to paragraph (b) of this subsection as regards the proposed withdrawal.
- (4) A course, qualification or an institution shall not be treated as approved under this section during any period that the approval is withdrawn by the Council under this section.
- (5) The withdrawal of an approval under subsection (3) of this section shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or was eligible for registration either unconditionally or subject to obtaining a certificate of experience as an intern Pharmacist immediately before the approval was withdrawn.
- (6) The giving or withdrawal of an approval under this section shall have effect from the date the Council may signify in an instrument and the Council shall —
- (a) publish such instrument in the Gazette; and
 - (b) before its publication as aforesaid, send a copy of the instrument to the Minister (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 39 stands part of the Bill — Agreed to.

Committee Recommendation:**Clause 40: Supervision and Assessment of Institutions, Instructions and Degree Examinations.**

- (1) The Council shall, from time to time, assess the nature of instructions given to persons undergoing professional degree course of training in Pharmacy in an approved Institution.
- (2) The council may where necessary constitute external assessors or visitation teams to evaluate degree examinations or course of training in approved Institutions.
- (3) The external assessors or visitation teams shall submit a report to the Council on the approved institution visited and the report may disclose —
 - (a) the adequacy of the instructions given to persons attending the degree course of training in Pharmacy or the facilities for such instructions;
 - (b) the adequacy of the professional Pharmacy degree examinations; and
 - (c) any other matter relating to the institutions and examinations on which the Council may, either generally or in particular direct;
 - (d) provided that external assessors or visitation team shall not in the performance of its functions under this section interfere with the holding of any degree examination.
- (4) The Council may, on the receipt of a report made under this section by a visitation team or external assessors, demand for a clarification from the institution visited where necessary (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 40 stands part of the Bill — Agreed to.

Committee Recommendation:**Clause 41: Intern Pharmacists trained in Nigeria.**

- (1) A person seeking to undergo training as an intern Pharmacist under this Bill shall —
 - (a) be a graduate and have received a first degree in Pharmacy from a recognized University approved by the Council; and
 - (b) be duly registered as a provisional member.
- (2) An intern Pharmacist shall within six weeks of commencing his training as an intern notify the Council in the prescribed form of the —
 - (a) identity of the institution approved by the Council, where he is undergoing his internship;
 - (b) particulars of the registered Pharmacist approved by the Council to supervise his work; and
 - (c) date when the internship commenced.

- (3) An intern Pharmacist shall as soon as any change in the particulars mentioned in subsection (2) (a) and (b) of this section occurs, notify the Council of the change.
- (4) One year period of internship training shall be calculated from the date of the notification referred to in subsection (2) of this section.
- (5) An Intern Pharmacist, after the one year internship training shall be required to pass a pre-registration examination to qualify for full registration as a pharmacist (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 41 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 42: Approval of Institutions for internship placement.

- (1) An Institution or Facility shall not be used for internship placement for the purposes of section 39 of this Bill, unless approved by the Council in writing.
- (2) The Council shall approve an institution for the purpose of subsection (1) of this section where it is satisfied that —
- (a) the Institution or facility provide a conducive environment to the learning of the practice of Pharmacy by intern Pharmacists; and
 - (b) all intern Pharmacists undergoing the training at the institution at any particular time are exposed to all facets of the practice of Pharmacy available at the institution or facility.
- (3) The Council may make rules or guidelines for Internship placement (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 42 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 43: Supervision of Intern Pharmacists.

- (1) An intern Pharmacist in an approved institution under section 40 (1) of this Bill shall be under the direct supervision of a licensed Pharmacist who must have practiced for such a period as Council may specify by regulations.
- (2) A Pharmacist serving as a supervisor of an intern Pharmacist shall notify the Council in the prescribed form of the date of commencement of the internship by the intern Pharmacist (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 43 stands part of the Bill — Agreed to.

PART VIII — TRAINING AND REGISTRATION OF PHARMACY TECHNICIANS

Committee Recommendation:

Clause 44: Training and Registration of Pharmacy Technician.

- (1) No Institution shall award Pharmacy Technician certificate unless such Institution and the Course of study are approved by the Council.

- (2) A person shall not be qualified to work as a Pharmacy Technician in any part of the Federation unless he is duly registered and issued with an annual permit by the Council as a Pharmacy Technician.
- (3) A person shall not be registered by the Council as a Pharmacy Technician unless he has —
 - (a) undergone a course of training for Pharmacy Technicians in a School of Health Technology or any other institution approved by the Council;
 - (b) been converted from pharmacy assistant to Pharmacy Technician before the commencement of this Bill or holds a certificate issued by a recognized Institution approved by the Council; or
 - (c) undergone a course of training in a foreign institution recognized by the Council for a specified period of time and has also undergone a mandatory six months orientation programme in a School of Health Technology or any other Institution recognised by the Council for that purpose.
- (4) A person who is registered as a Pharmacy Technician under subsection (2) of this section shall work under the direct supervision and control of a registered Pharmacist.
- (5) A supervising Pharmacist shall not assign to a Pharmacy Technician any duty which is required under the provision of this Bill to be performed only by a Pharmacist.
- (6) A person who does not possess the qualifications specified in subsection (2) of this section or who has not registered as a pharmacy technician or deemed to have been so registered, shall not work or perform any duty as a pharmacy technician at any place of work in any part of Nigeria.
- (7) A person shall not —
 - (a) use or bear the title "Pharmacy Technician" in connection with any work or duty performed by him at any place of work in any part of Nigeria, if he is not registered as a Pharmacy Technician in accordance with the provisions of this Bill;
 - (b) use or bear the title "Pharmacy Technician" in connection with his work or duty, in circumstances likely to suggest that he possesses any of the qualifications specified in subsection (2) of this section for Pharmacy Technicians but that person does not in fact possess or to suggest that he has been registered or deemed to be registered as a Pharmacy Technician under this Bill, when in fact he is not so registered; and
 - (c) work as a Pharmacy Technician in any year unless he has paid in respect of that year the prescribed annual permit renewal fee before 31st day of March.

- (8) Any person who violates the provisions of subsection (5) and (6) of this section commits an offence and shall be liable on conviction to a term of imprisonment for 2 years or a fine of N500,000 or to both such fine and imprisonment (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 44 stands part of the Bill — Agreed to.

PART X — PROFESSIONAL DISCIPLINE

Committee Recommendation:

Clause 45: 45. Establishment of Disciplinary Tribunal.

- (1) There shall be a tribunal to be known as the Pharmacy Council of Nigeria Disciplinary Tribunal (hereinafter referred to as the "Tribunal") which shall be charged with the responsibility of considering and determining any case referred to it by the Investigating Panel established under section 46 of this Bill.
- (2) The Tribunal shall consist of the Chairman of the Council and six other members appointed by the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 45 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 46: Establishment of an Investigating Panel.

- (1) There shall be a body to be known as the Pharmacy Council of Nigeria Investigating Panel (hereinafter referred to as the "Investigating Panel") charged with the following responsibilities —
- (a) conducting a preliminary investigation into any case where it is alleged that a person registered under this Bill as a Pharmacist, Pharmacy intern or Provisional member has committed an act in that capacity amounting to a professional misconduct or infamous conduct in a professional respect, or should for any other reason be the subject of proceedings before the Tribunal; and
- (b) deciding whether the case should be referred to the Tribunal.
- (2) The Panel shall be appointed by the Council and shall consist of four members of the Council and one other person who is not a member of the Council, but who shall be a registered Pharmacist appointed by the Council.
- (3) The provisions of the Second Schedule to this Bill shall apply to the Tribunal and the Investigating Panel respectively.
- (4) Without prejudice to the foregoing provisions of this section, the Council shall make regulations for the discipline of pharmacy technicians and medicine Vendors when necessary (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 46 stands part of the Bill — Agreed to.

Committee Recommendation:**Clause 47: Meaning of Professional Misconduct or Infamous Conduct.**

- (1) For the purposes of this Part, professional misconduct or infamous conduct in a professional respect include
- (a) the publication or circulation of false, misleading or deceptive statements concerning the practice of pharmacy;
 - (b) divulging or revealing to unauthorized persons, a patient or another practitioner's information, or the nature of professional pharmacy services rendered, without the patient's express consent, or without order or direction of a court;
 - (c) selling, giving away, or disposing of accessories, chemicals, drugs, medicines or devices which have been obtained illegally, when the pharmacist knows or ought to have known of their having been obtained illegally or their intended use in illegal activities;
 - (d) manufacturing, importing, exporting, procuring, compounding, mixing, preparing, dispensing, selling, distributing of medicines, chemicals, drugs, poisons, devices or accessories in an unlicensed premises;
 - (e) dispensing, selling, distributing, giving away or disposing accessories, chemicals, drugs, poisons, medicines or devices to unauthorized persons;
 - (f) engaging in conduct likely to deceive, defraud or harm the patient or the public, or demonstrating a willful or careless disregard for the health, welfare or safety of a patient or the public or engaging in conduct which substantially departs from the standards of care ordinarily exercised by a pharmacist;
 - (g) knowingly failing to maintain a complete and accurate records of all drugs and medicines produced, received, dispensed or disposed of in compliance with the requirements of all enactments, regulations and rules for the time being in force;
 - (h) practicing the profession without being licensed; or
 - (i) obtaining any monies by fraud, misrepresentation or deception.
- (2) Without prejudice to the provisions of subsection (1) of this section, the Council may make rules prescribing other acts or omissions which shall constitute professional misconduct or infamous conduct in professional respect under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 47 stands part of the Bill — Agreed to.

Committee Recommendation:**Clause 48: Penalties for professional misconduct, etc.**

- (1) Where —

- (a) a pharmacist is found by the disciplinary tribunal to be guilty of professional misconduct or infamous conduct in any professional respect;
- (b) a pharmacist is convicted by any court or tribunal in Nigeria or elsewhere having power to award imprisonment, of an offence which in the opinion of the tribunal is incompatible with his status as a pharmacist; or
- (c) the disciplinary tribunal finds that the name of any person has been fraudulently registered under this Bill;
- the tribunal may give a direction —
- (i) reprimanding that person;
- (ii) ordering the Registrar to suspend him from practice;
- (iii) ordering the Registrar to strike out his name off the appropriate register;
- (iv) ordering the person to pay a fine as may be specified in the direction; or
- (v) ordering the Registrar to remove from the register of premises, any premises entered in the register of premises, at which the pharmacy practice in question is carried out by a registered person, where applicable.
- (2) The tribunal may defer its decision under subsection (1) of this section provided, that —
- (a) no decision shall be deferred for more than an aggregate period of three months; and
- (b) a member of the tribunal shall not sit for the purpose of reaching a decision which has been deferred unless he was present when the decision to defer was taken.
- (3) Where the tribunal gives a direction under subsection (1) of this section, the tribunal shall cause a notice of the direction to be served on the person to whom it relates.
- (4) A person to whom a direction under subsection (1) of this section relates may, at any time within thirty days from the date of service on him of the notice of direction, appeal against the direction to the Court of Appeal and the tribunal may appear as respondent to the appeal and, for the purpose of enabling directions to be given by the Court of Appeal as to the costs of the appeal and of proceedings before the tribunal, the tribunal shall be considered to be a party to the appeal, whether or not it appears on the hearing of the appeal.
- (5) A direction of the tribunal under subsection (1) of this section shall take effect —

- (a) where no appeal under subsection (4) of this section is brought against the direction within the time limit for such an appeal, on the expiration of that time;
 - (b) where an appeal under subsection (4) of this section is brought against the direction, but it is withdrawn or struck out for want of prosecution, from the date of the withdrawal or striking out of the appeal; or
 - (c) where such an appeal is brought and is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed.
- (6) A person whose name is struck out of any register kept under this Bill or suspended from practice in pursuance of a direction of the tribunal shall not be entitled to be re-registered in that register or reinstated to practice, except in pursuance of a direction given by the Tribunal or the Appellate Court.
- (7) A Pharmacist who in respect of any year practices the profession without paying his annual practicing fee commits a misconduct and shall be liable —
- (a) in the case of a first offender, to a fine of twice the prescribed practicing fee;
 - (b) in the case of a second or subsequent offender, to a fine of not less than ten times the prescribed practicing fees, and if the Pharmacist is in the employment of any person, the employer shall be guilty of an offence punishable in the like manner as the Pharmacist where it is proved that the Pharmacist's failure to pay the prescribed fees was with the knowledge, consent or connivance of the employer (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 48 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 49: When a person shall be treated as convicted.

For the purposes of section 48 (1) (b) of this Bill, a person shall not be treated as convicted unless as at the time the conviction is subsisting, the time stipulated for appeal has lapsed and no appeal is pending in an appellate court (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 49 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 50: When a person is deemed to Practice as a Pharmacist.

For the purpose of this Bill, a person shall be considered to practice as a pharmacist if he —

- (a) engages himself in the practice of pharmacy or holds himself out to the public as a pharmacist;
- (b) renders professional service or assistance in or about matters of principle or detail relating to pharmacy; or

- (c) renders any other service which may, by regulations made by the Council, be designated as service constituting practice as a licensed pharmacist (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 50 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 51: The jurisdiction of the Disciplinary Tribunal.

Criminal proceedings shall not oust the jurisdiction of the Disciplinary Tribunal from determining any case of misconduct or infamous conduct in a professional respect (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 51 stands part of the Bill — Agreed to.

PART XI — OFFENCES AND PENALTIES

Committee Recommendation:

Clause 52: General Offences.

- (1) Any person who knowingly makes a false statement for the purpose of procuring the registration of any name, premises, qualification or any other matter under this Bill, commits an offence.
- (2) A person who is not a registered pharmacist, an intern-pharmacist, pharmacy technician, satellite medicines facilities, vendor or pharmaceutical representative under this Bill, but practices as such or holds himself out as being so registered and entitled to practice in that capacity whether for reward or not, or takes or uses any name, title, addition or description implying that he is so registered and authorized by law to so practice, commits an offence under this Bill.
- (3) A person convicted of any offence under this section is liable on —
 - (a) conviction in the case of subsection (1) of this section, to a fine of not less than ₦500,000.00 or to a term of imprisonment not exceeding one year or to both; or
 - (b) conviction in the case of subsection (2) of this section, to a fine of not less than ₦1,000,000.00 or to a term of imprisonment not exceeding two years, or to both.
- (4) A body corporate that violates the provisions of this section commits an offence and is liable on —
 - (a) conviction in the case of subsection (1) of this section, to a fine of not less than ₦2,000,000.00 and the directors or principal officers of the body corporate shall be liable to a fine of not less than ₦250,000.00 or to a term of imprisonment not exceeding two years or to both; or
 - (b) conviction in the case of subsection (2) of this section, to a fine of not less than ₦5,000,000.00 and the directors or principal officers of the body corporate shall be liable to a fine of not less than ₦500,000.00 or to a term of imprisonment not exceeding three years or to both.

- (5) Where an offence under this Bill which has been committed by a body corporate is proved to have been committed with the consent, connivance or collusion of or to be attributable to any neglect on the part of a director, manager, secretary or any other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (6) In relation to a body corporate carrying on pharmacy business, subsection (4) of this section shall have effect as to a person who not being an officer of the body corporate at the time of the commission of the offence —
- (a) is the superintendent pharmacist; or
 - (b) at any premises where the business is carried on, is the pharmacist who acts under the directions of the superintendent pharmacist;
 - (c) as if he were such an officer of the body corporate as is mentioned in preceding subsection (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 52 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 53: Obstruction of a Pharmaceutical Inspection Officer and Breaking of Seal.
Any person who —

- (a) obstructs, resists, or attempts to obstruct or resist a Pharmaceutical Inspection Officer in the execution of his duty under this Bill;
- (b) makes any statement to a Pharmaceutical Inspection Officer in the course of his duties which that person knows or has reasonable cause to believe to be false or misleading; or
- (c) without the authority of the Pharmaceutical Inspection Officer removes, alters or interferes in anyway with any article seized under this Bill, or
- (d) breaks the Council's seal or lock, commits an offence and is liable on conviction to a fine of ₦2,000,000.00 or to a term of two years imprisonment or to both (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 53 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 54: Operating a pharmacy without registration.

- (1) Any person or body corporate that owns, operates, maintains, establishes or has charge of either alone or with another person or persons, a pharmacy which is not registered under the provisions of this Bill, commits an offence and is liable on conviction to a fine of ₦2,500,000.00 or two years imprisonment or both.

- (2) Any person or body corporate that owns, operates, maintains, establishes or has charge of, either alone or with another person or persons, a pharmacy in which a person not licensed as a pharmacist or not registered as an intern pharmacist or in which an intern pharmacist who is not acting under the direct and immediate personal supervision of a licensed pharmacist fills, compounds, or dispenses any prescription or dispenses medicines, drugs or poison commits an offence and is liable on conviction to a fine of ₦2,500,000.00 or two years imprisonment or both.
- (3) Any person or body corporate that owns, operates, maintains, establishes or has charge of either alone or with another person or persons a Satellite Medicine Facilities outlet or Patent and Patent Medicines Vendors Shop which is not registered under the provisions of this Bill commits an offence and is liable on conviction to a fine of ₦500,000.00 or to a term of imprisonment not less than 6 months or both.
- (4) Any person who knowingly and with intent to defraud —
 - (a) makes a false or fraudulent claim, either for himself or another person, in any application, affidavit or statement presented to the Council or any proceeding before the Council; or
 - (b) fills, compounds or dispenses prescriptions or medicines without holding a valid licence as a pharmacist or not registered as an intern Pharmacist or is an intern not acting under the direct and immediate personal supervision of a licensed pharmacist; commits an offence and is liable on conviction to a fine of ₦250,000.00 or one year imprisonment or both (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 54 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 55: General Penalty.

- (1) Any person who commits an offence under this Bill for which no specific penalty is provided is liable on conviction to a fine of not less than ₦500,000.00 or to a term of two years imprisonment or both.
- (2) A body corporate that commits an offence under this Bill for which no specific penalty is provided is liable on conviction to a fine of not less than ₦2,000,000.00 (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 55 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 56: Arrest, Investigation and prosecution of criminal cases.

Subject to the provisions of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and the Administration of Criminal Justice Act, a Police officer or other relevant law enforcement agencies shall have power under this Bill to —

- (a) arrest and investigate offenders; or
- (b) prosecute cases (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 56 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 57: Seizure.

- (1) Any medicines, drugs, poisons or other articles sold, offered for sale, stocked or dispensed in violation of any provisions of this Bill may be seized by the Council.
- (2) Whenever Medicines, drugs, poisons or other articles are seized under any of the provisions of this Bill, the Council may —
 - (a) place the Medicines, drugs, poisons or other articles under seal; or
 - (b) remove the Medicines, drugs, poisons or other articles to a place designated by the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 57 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 58: Forfeiture of drugs, Medicines, poisons, etc.

- (1) Medicines, drugs, poisons or other articles seized under this Bill shall be forfeited to the Federal Government of Nigeria and shall be free of any encumbrances.
- (2) Any drug, medicine, poison or other articles seized by the Council in accordance with the provisions of this Bill shall be forfeited to the Federal Government and shall be dealt with in such manner as the Minister may, from time to time determine (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 58 stands part of the Bill — Agreed to.

PART XI — ETHICAL AND DANGEROUS DRUGS

Committee Recommendation:

Clause 59: Supply of ethical or dangerous drugs.

- (1) No ethical drugs shall be supplied, sold, offered to be sold or dispensed by any person unless under the direct supervision of a licensed pharmacist.
- (2) No person shall supply, sell or dispense dangerous drugs unless —
 - (a) he is a licensed pharmacist;
 - (b) the drug is in a container of the prescribed description; and
 - (c) the container bears a label indicating the prescribed particulars of its contents.
- (3) Where a drug is supplied on prescription, the supplier of the drug shall —
 - (a) enter on the prescription in indelible writing, the —

- (i) date on which the drug is supplied, and
- (ii) name and address of the supplier; and
- (b) if the drug is fully dispensed, make entry in a manner as to be readily available for inspection (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 59 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 60: Dangerous drugs record.

- (1) A person who supplies dangerous drugs shall keep on the premises from where he supplied the drugs, a book of the prescribed description to be known as the "Dangerous Drugs Record"
- (2) Before a person supplies dangerous drugs, he shall record in the Dangerous Drugs Record the —
 - (a) name and quantity of the drug to be supplied;
 - (b) name, and address, signature or thumb print of the person to whom it is supplied;
 - (c) signature of the person who supplied the drug; and
 - (d) date of supply (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 60 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 61: Control of dispensing of dangerous drugs.

A pharmacist shall not dispense dangerous drugs, except under a prescription issued by a licensed medical practitioner, dentist or veterinary practitioner (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 61 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 62: Preparation of restricted drugs.

- (1) A person shall not mix, compound, prepare or supply restricted drug unless that person is a registered pharmacist or a licensed company under the supervision of a pharmacist.
- (2) The provisions of subsection (1) of this section shall not apply to the mixing, compounding or preparing of a dangerous drug by a student under the supervision of a pharmacist (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 62 stands part of the Bill — Agreed to.

PART XII — MISCELLANEOUS

Committee Recommendation:**Clause 63: Jurisdiction.**

The Federal High Court shall have the jurisdiction to hear and determine criminal and civil matters under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 63 stands part of the Bill — Agreed to.

Committee Recommendation:**Clause 64: Regulations, Rules and Guidelines.**

- (1) The Council may, with the approval of the Minister, make regulations, rules and guidelines as may be required to give effect to the provisions of this Bill.
- (2) Without prejudice to the generality of the provisions of subsection (1) of this section, the Council may make rules, guidelines and regulations for the purpose of —
 - (a) ensuring the ethical sales, dispensing, distribution, importation, exportation, compounding, warehousing, manufacture of drugs, medicines, drugs and poisons, operations of pharmacy technicians, medicine vendors and such other persons as may be approved by the Council;
 - (b) training of pharmacists, pharmacy technicians and Patent medicines vendors;
 - (c) supervision and regulation of the engagement, training and transfer of such persons;
 - (d) prescribing the type of licence to be issued annually under this Bill to a person to practice as an intern pharmacist or pharmacy technician and operating premises; or, where the Council considers fit, for the annual renewal of the licence to be done by endorsement of the renewal on an existing licence;
 - (e) restricting the right of practice as a pharmacist or operating a premises where there is a default of payment of the amount of the annual subscription and the default continues for longer than such period as may be prescribed by the rules;
 - (f) restricting the right of practice as a pharmacist where the qualification granted outside Nigeria does not entitle the holder to practice as a pharmacist in Nigeria;
 - (g) prescribing the form and manner of the inspection of premises where medicines, pharmaceutical raw materials are kept, stored, sold or manufactured;
 - (h) reviewing all categories of pharmacy practice from time to time;

- (i) prescribing the procedure for maintaining and filing with the Council within two months of the publication of the result of the final examination conducted by a School of Health Technology or any other Institution approved by the Council for persons seeking to qualify as pharmacy technician including the list of the candidates who are successful at the examination;
 - (j) regulating all forms of manufacturing, compounding, storage, sale, dispensing, distribution, importation or exportation of drugs, poisons, medicines, herbal medicines, food supplements, nutraceuticals, veterinary drugs and pharmaceuticals or by whatever name described;
 - (k) prescribing the requirement of re-certification as a condition for the retention of the name of registered Pharmacists, Pharmacy Technicians and Medicine Vendors in the register or conditions for renewal of the practicing license of a registered pharmacist, Pharmacy Technicians and Medicine Vendors; or
 - (l) supervision and regulation of Pharmacy Technicians and restriction of the work of any Pharmacy Technician in default where such defaults continue longer than that prescribed by the rules.
- (3) The power to make regulations, rules and guidelines under subsections (1) and (2) of this section shall not be exercised in the absence of the Council.
 - (4) Any Regulation, rule or guideline made under this Bill shall be published in the Gazette (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 64 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 65: Duty of Deans to Furnish Registrar Details of Pharmacy Students in Training.
It shall be the duty of the dean of each faculty of pharmacy approved by Council in any University in Nigeria to furnish to the Registrar —

- (1) not later than 31st of march in every year a list of the names and such other particulars as the Council may by order specifying of all persons who are registered as pharmacy students in that faculty during the academic session.
- (2) with the list of candidates successful at the final pharmacy degree examination immediately after the release of the result (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 65 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 66: Pre-action notice.

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

- (a) the cause of action;
 - (b) the particulars of the claim;
 - (c) the name and place of abode of the intending plaintiff; and
 - (d) 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 Council under this Bill or any other law, may be served by —
- (a) delivering it to the abode of the intending plaintiff and the relief while Registrar; or
 - (b) sending it by registered post addressed to the Registrar at the Head Office of the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 66 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 67: Restriction on execution against property of the Council.

In any action or suit against the Council, no execution shall be levied or attachment process issued against the Council unless not less than 30 days' notice of the intention to execute or attach has been given to the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 67 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 68: Indemnity of officers of the Council.

A member of the Council, Registrar, officer or employee of the Council shall be indemnified out of the assets of the Council against any proceedings brought against him in his capacity as a member of the Council, Registrar, officer or employee of the Council where the act complained of is not ultra vires his powers (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 68 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 69: Repeal and Savings.

- (1) The Pharmacists Council of Nigeria Act, Cap P17, Laws of the Federation of Nigeria, 2004, (in this Bill referred to as "the repealed Act") is repealed.
- (2) Notwithstanding the provisions of subsection (1) of this section -
 - (a) any person who is registered and all regulations and amendments made under the repealed Act shall be deemed to have been made under this Bill;
 - (b) any register kept in pursuance of the repealed Act shall be deemed to be part of the register kept under this Bill;

- (c) any document referring to the provisions of the former Acts shall be construed as referring to the corresponding provisions of this Bill;
- (d) any direction, orders and appointments lawfully given, made or other acts done under the repealed Act and in force immediately before the commencement of this Bill, shall be deemed to have been given, made or done under this Bill and shall have effect accordingly;
- (e) any person who immediately before the commencement of this Bill held appointment as an employee of the Council shall on the commencement of this Bill be deemed to have been deployed to the Council as an employee without further assurance; and
- (f) all property held by or on behalf of the Council immediately before the commencement of this Bill, shall on the commencement of this Bill be deemed to have been vested in the Council without further assurance (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 69 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 70: Adaptation of the Poisons and Pharmacy Act.

- (1) The Poisons and Pharmacy Act, Cap 535, Laws of the Federation of Nigeria, 1990 shall be read with such modifications as are necessary to bring it into conformity with the provisions of this Bill.
- (2) Where the provisions of the Poisons and Pharmacy Act are inconsistent with the provisions of this Bill, the provisions of this Bill shall prevail and the provisions of the Poisons and Pharmacy Act shall to the extent of the inconsistency be void in relation to matters provided for under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 70 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 71: Interpretation.

In this Bill —

"Approved" means approved by the Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Article" includes —

- (a) any drug, poison, medicine or medical consumables;
- (b) anything used for the manufacture, preparation, preservation, packaging or storing of any drug poison or medical device;

- (c) any labeling or advertising material relating to or for use in connection with any drug, poison or medical device;
- (d) records and books required to be kept under this Bill; or
- (e) electronic records, receipts, invoices and other relevant documents (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Associate Member" mean students in accredited Faculties or Schools of Pharmacy (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"CDTM" Collaborative Drug Therapy Monitoring, this is a team approach to healthcare delivery, that seeks to maximize the expertise of the pharmacist and the physician in order to achieve optimal patient care outcomes through appropriate medication use and enhanced patient care services (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Chain Retail Pharmacy" means a number of registered pharmaceutical premises as specified by regulation bearing same name engaged in retail pharmaceutical practice and owned by body corporate or pharmacist (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that the meaning of the words "Chain Retail Pharmacy" be as defined in the interpretation to this Bill — Agreed to.

"Community Pharmacy" is a health care facility that provides pharmaceutical services to people in a local area or community (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Council" means the Pharmacy Council of Nigeria established under section 1 of this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Court" means the Federal High Court (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Dangerous Drugs" means any drug to which the provisions of Dangerous Drugs Act apply (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Disciplinary Tribunal" means the Pharmacy Council of Nigeria Disciplinary Tribunal established under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Dispensing" means to prepare, to count out, measure or decant from a bulk supply, or mix, or dissolve, or disperse, and dispose the drug, for gain or otherwise for the treatment of a particular person or animal but does not include the actual administration of the drug (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Doctor's Emergency Medicine Kit" means drug for patients' immediate use; for a period not exceeding 24 hours, and contained in a standard leather briefcase (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that the meaning of the words "Doctor's Emergency Medicine Kit" be as defined in the interpretation to this Bill — Agreed to.

"Drugs or medicines" include any substance of vegetable, animal or mineral origin or any preparation or mixture, which is used for internal or external application in —

- (a) the diagnosis, treatment, mitigation or prevention of any disease disorder, abnormal physical state, or the symptoms thereof, in man or in animals;
- (b) restoring, correcting or modifying organic functions in man or in animals;
- (c) disinfection, or the control of vermin, insects or pests, or
- (d) contraception (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that the meaning of the words "Drugs or medicines" be as defined in the interpretation to this Bill — Agreed to.

"DUR" means Drug Utilization Review Process of a comprehensive review of medication profile by a pharmacist (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Ethical Drugs" means drugs or medicines dispensed under the direct supervision of a licenced Pharmacist (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Emergency Drugs" are medications for immediate use within a period of 24 hours as specified by the prescriber (Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency).

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

"Emergency Tray" means a standard array of listed emergency and lifesaving drugs specifically laid out and replenished only in hospital (Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency).

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

"Fees" include annual subscription, practicing fee, registration fees, renewal fees, inspection fees (Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency).

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

"Forensic Pharmacy" means study of pharmacy and drug laws as well as the application of pharmaceutical sciences and practice to legal matters (Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency).

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

"Hospital Pharmacy" is the department, section or unit of the hospital or clinic that manage the procurement, storage, preservation, packaging, sterilization, compounding, preparation, dispensing or distribution of medicine in the hospital or clinics (Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency).

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

"Insanitary Conditions" mean such condition or circumstances that might contaminate any food, drug or cosmetic with dirt or filth or render it injurious to health (Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency).

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

"Investigating Panel" means the Pharmacy Council of Nigeria Investigating Panel established under this Bill (Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency).

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

"Label" in relation to any food, drug, cosmetic, medical device or package which includes any legend, word or mark attached to, included in, belonging to or accompanying that food, drug, cosmetic, medical device or package (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"PPMV" refers to a person whose patent medicines shop has been licenced to stock and sell Class C drugs (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Members" mean persons with full registration status with Pharmacy Council of Nigeria (PCN) (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Minister" means the Federal Minister charged with the responsibility for matters relating to Health (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"OTC" means Over the Counter medicines which may be sold without prescription and include but not limited to non-prescription medicine and invitro diagnostic (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Package" includes anything in which any food, drug, cosmetic or device is wholly or partly contained, wrapped, placed or packed (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Pharmacist" refers to any person who is registered and licensed to engage in pharmacy in Nigeria and whose name is in the register kept for such purpose by Pharmacy Council of Nigeria (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Pharmacy Technician", means a person who has undergone a course of training for Pharmacy Technicians in a School of Health Technology or any other institution approved by the Council, is duly registered and issued with an annual permit by the Council as a Pharmacy Technician Pharmacist (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Pharmaceutical activities" include dispensing, selling, distribution, storage, stocking, wholesaling or manufacturing of drugs and poisons (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Pharmaceutical Inspection Officer" also known as "Pharmaceutical Inspector" or "Inspector" refers to a registered pharmacist appointed or engaged by the Pharmacy Council of Nigeria to carry out inspection on premises where pharmaceutical activities, operations and businesses are carried out (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Pharmaceutical Care" is the responsible provision of drug therapy for the purpose of achieving definite outcomes that improve and sustain a patient's quality of life (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Pharmaceutical Marketing and Representation" means any activity undertaken or organized or sponsored by a company, distributor, or an importer that is promoting the prescription, recommendation, supply, sale or distribution of a pharmaceutical product (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that the meaning of the words "Pharmaceutical Marketing and Representation" be as defined in the interpretation to this Bill — Agreed to.

"Pharmacy" or any other cognate expression when used in connection with a business carried on any premises shall be deemed to be reasonably calculated to suggest that the owner of the business and the person having the control of the business on those premises are registered or ought to be registered under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Pharmacy Practice" include giving of patient-centred care, provision of drug information, monitoring of drug therapy, discovery and evaluation of drugs, clinical interventions and provision of technical aspects of pharmaceutical services or business such as importation, exportation, mixing, compounding, preparing, dispensing, selling and distribution of drugs and poisons (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Poison" includes substances whether natural or synthetic, mixed with other ingredients or not, and whatever restrictions under the provisions of this Bill are placed on any particular poison shall apply to it whether it is unmixed or is contained as an ingredient in some preparation, unless it is contained in one of the preparations specifically exempted from such provisions (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"POM" Prescription only Medicines, these are medicines which can only be obtained by the general public if they are in possession of a valid prescription (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Practicing fee" means payment made by registered members of the profession to Council (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Premises" refers to a place approved and registered by the Council for any of the following purposes of dispensing, selling, distribution, storage, stocking, retailing, wholesale, manufacturing, importation, exportation of drugs and poisons, herbal and dietary supplements, scientific offices or any other form of pharmaceutical activities (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Prescribed" means prescribed by the regulations (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"President" means President and Commander-in-Chief of the Federal Republic of Nigeria (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Profession" means Pharmacy Profession (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Provisional Members" persons with provisional registration status with Pharmacists Council of Nigeria (PCN) and this include non-Nigerians and Nigerian citizens undergoing internship programmes (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Register" means any register maintained or required to be maintained in accordance with the provisions of this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Registrar" means the Registrar appointed under the provisions of this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Regulation" means rules and regulations made under this Bill (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Restricted Drugs" these are controlled and psychotropic substances as well as any drug to which the provisions of Dangerous Drugs Act apply (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Retention Fees" are annual fees paid for the retention of names of persons or premises in their respective registers (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

"Satellite Medicine Facility" is a retail medicine facility established through an arrangement with a registered community pharmacy of not less than 5 years of existence in Nigeria, for the sole purpose of improving access to quality, safe, efficacious and affordable Pharmaceutical products and services in underserved communities and other areas the Council deems necessary (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that the meaning of the words "Satellite Medicine Facility" be as defined in the interpretation to this Bill — Agreed to.

"Selling" includes offering for sale, hawking for sale and displaying for purpose of sale and in possession for sales or distribution (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

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

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

"Superintendent Pharmacist" means a registered and licenced pharmacist who applied for and through whom the registration of the pharmaceutical premises was procured and he exercises direct personal control and management of pharmaceutical activities carried on in the premises (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

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

Question that Clause 71 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 72: Short Title.

This Bill may be cited as the Pharmacy Council of Nigeria (Establishment, etc.) Bill, 2017 (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that Clause 72 stands part of the Bill — Agreed to.

SCHEDULES

FIRST SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Council

1. (1) Subject to the provisions of this Bill, the Council may make standing orders regulating its proceedings or any of its committees thereof.
- (2) Questions for determinations shall be decided by a majority of the members present and voting thereon and, in the event of equality of votes, the chairman, shall have a second or casting vote.
- (3) Standing orders made for a committee shall provide for the committee to report to the Council on any matter referred to it by the Council.
- (4) The quorum of the Council shall be one-third of the members of the Council and the quorum of a committee of the Council shall be fixed by the Council.

- (5) The Council may invite any person to attend and participate at any of its meetings provided that a person so co-opted shall only be in attendance and shall not count towards the quorum or vote at the meeting.

Meetings of the Council

2. (1) Subject to the provisions of any standing orders of the Council, the Council shall meet whenever it is summoned by the chairman, and if the chairman is requested to do so, by notice in writing given to him by not less than five other members, he shall summon a meeting of the Council to be held within fourteen days from the date on which the notice is given.
- (2) At any meeting of the Council, the Chairman shall preside or in his absence, the members present at the meeting, shall appoint one of their members to preside.
- (3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him as a member for such period as the Council thinks fit, but a person who is a member by virtue of this paragraph shall not be entitled to vote at the meeting and shall not count towards the quorum.
- (4) Notwithstanding anything in the foregoing provisions of this paragraph, the inaugural meeting of the Council shall be summoned by the Minister.

Committees

3. (1) The Council may appoint one or more committees to carry out on behalf of the Council such functions as the Council may determine.
- (2) A Committee appointed under this paragraph shall consist of the number of persons determined by the Council of whom not more than two thirds may be persons who are not members of the Council.
- (3) A person other than a member of the Council shall hold office on the committee in accordance with the terms of the letter by which he is appointed.
- (4) A decision of a committee of the Council shall be of no effect until it is confirmed by the Council.

Miscellaneous

4. (1) The fixing of the seal of the Council shall be authenticated by the signature of the chairman, the Registrar or any other members of the Council authorized generally or specially by the council to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be sealed, may be made or executed on behalf of the Council, by any person generally or specially authorized by the Act, for that purpose by the Council.
- (3) Any document purporting to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

- (4) The validity of any proceedings of the Council or of a committee of the Council shall not be adversely affected by any vacancy in membership of the Council or by any defect in the appointment of a member of the Council or of a person to serve on the committee, or by reason that a person not entitled to do so took part in the proceedings.
- (5) Any member of the Council and any person holding office on a committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee thereof shall disclose his interest, and shall not vote on any question relating to the contract or arrangement.
- (6) A person shall not by reason only of his membership of the Council be treated as holding an office in the public service of the Federation (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that the provisions of the First Schedule stands part of the Bill — Agreed to.

SECOND SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL

The Disciplinary Tribunal

1. The quorum of the Disciplinary Tribunal shall be five members.
2. The Attorney General of the Federation shall —
 - (a) appoint an assessor to the Tribunal for the purpose of any proceeding before the Disciplinary Tribunal; and
 - (b) make rules as to the selection of members of the Disciplinary Tribunal for the purpose of any proceeding, the procedure to be followed and the rules of evidence to be observed in proceedings before the Disciplinary Tribunal.
3. The Rules made pursuant to paragraph 3 of this Schedule shall in particular provide —
 - (a) for securing that notice of the proceedings shall be given in such time and manner, as may be specified by the rules to the person who is the subject of the proceedings;
 - (b) for determining who, in addition to the person aforesaid, shall be a party to the proceedings;
 - (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Disciplinary Tribunal;
 - (d) for securing that any part to the proceedings may be represented by a legal practitioner;
 - (e) for determining the costs of proceedings before the Disciplinary Tribunal.

- (f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Disciplinary Tribunal adjudges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and
 - (g) for publishing in the Gazette notice of any direction of the Disciplinary Tribunal which has taken effect providing that a person's name shall be struck off a register.
- 4. For the purpose of any proceedings before the Disciplinary Tribunal, any member of the Disciplinary Tribunal may administer oath and any party to the proceedings may issue out of the registry of the Federal High Court writs of *supoena ad testificandum* and *ducestecum* but no person appearing before the Disciplinary Tribunal shall be compelled to —
 - (a) make any statement before the Disciplinary Tribunal tending to incriminate himself; or
 - (b) produce any document under such a writ which he could not be compelled to produce at the trial of an action.
- 5. For the purpose of advising the Disciplinary Tribunal on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the Disciplinary Tribunal who shall be appointed by the Council on the nomination of the Attorney-General of the Federation and shall be a legal practitioner of not less than ten years standing.
- 6. The Attorney-General of the Federation shall make rules as to the functions of assessors appointed under this paragraph and in particular such rules shall contain provisions for securing that —
 - (a) where an assessor advises the disciplinary tribunal on any question of law as to evidence, procedure or any other matters specified by rules, he shall do so in the presence of every party or person representing a party to the proceedings who appear thereat or, if the advice is tendered while the Disciplinary Tribunal is deliberating in private, that every such party or person as aforesaid shall be informed what advice the assessor has tendered; and
 - (b) every such party or person as aforesaid shall be informed if in any case the Disciplinary Tribunal does not accept the advice of the assessor on such a question as aforesaid.

Investigating Panel

- 7. The quorum of the Investigating Panel shall be three all of whom shall be pharmacists.
- 8. The Investigating Panel may, at any of its meeting attended by all the members of the Investigating Panel, make standing orders with respect to the Investigating Panel.
- 9. Subject to the provisions for any such standing orders, the Investigating Panel may regulate its own procedure.

Miscellaneous

10. A person ceasing to be a member of the Disciplinary Tribunal or the Investigating Panel shall be eligible for appointment as a member of that body.
11. A person may, if otherwise eligible, be a member of both the Disciplinary Tribunal and the Investigating Panel; but no person who acted as a member of the Investigating Panel with respect to any case shall act as a member of the Disciplinary Tribunal with respect to that case.
12. The Disciplinary Tribunal or the Investigating Panel may act notwithstanding any vacancy in its membership, and the proceedings of either body shall not be invalidated by any irregularity in the appointment of member of that body by reason of the fact that any person who was not entitled to do so took part in the proceedings of that body.
13. Any document authorized or required by virtue of this Bill to be served on the Disciplinary Tribunal or the Investigating Panel shall be served on the Registrar.
14. Any expenses of the Disciplinary Tribunal or Investigating Panel shall be defrayed by the Council.
15. A person shall not by reason of his appointment as an assessor to the Disciplinary Tribunal, be treated as holding an office in the Public Service of the Federation (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that the provisions of the Second Schedule stands part of the Bill — Agreed to.

Explanatory Note:

(This note does not form part of the above Act but is intended to explain its purport)

The Bill establishes the Pharmacy Council of Nigeria charged with the duty, amongst others, of regulating and controlling the education, training and practice of Pharmacy and allied matters in Nigeria (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Repeal the Pharmacists Council of Nigeria Act, Cap. P17, Laws of the Federation of Nigeria, 2004 and Enact the Pharmacy Council of Nigeria (Establishment, etc.) Act to Regulate the Training and Practice of Pharmacy; and for Other 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 Repeal the Pharmacists Council of Nigeria Act, Cap. P17, Laws of the Federation of Nigeria, 2004 and Re-enact the Pharmacists Council of Nigeria Bill to Regulate the Training and Practice of Pharmacy; and for Related Matters (HB. 656 and HB. 364) and approved Clauses 1 - 72, the Schedules, 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) ***A Bill for an Act to Establish the Nigerian Financial Intelligence Agency as the Central Body in Nigeria Responsible for Receiving, Requesting, Analyzing and Disseminating Financial Intelligence Report and Other Information to Law Enforcement, Security and Intelligence Agencies and Other Relevant Authorities; and for Related Matters (HB.1082) (Committee of the Whole):***

Motion made and Question proposed. "That the House do consider the Report of the Whole on a Bill for an Act to Establish the Nigerian Financial Intelligence Agency as the Central Body in Nigeria Responsible for Receiving, Requesting, Analyzing and Disseminating Financial Intelligence Report and Other Information to Law Enforcement, Security and Intelligence Agencies and Other Relevant Authorities; and for Related Matters (HB.1082) and approve the recommendations therein" (*Hon. Kayode Oladele — Egbado North/Imeko Afon 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 ESTABLISH THE NIGERIAN FINANCIAL INTELLIGENCE AGENCY AS THE CENTRAL BODY IN NIGERIA RESPONSIBLE FOR RECEIVING, REQUESTING, ANALYZING AND DISSEMINATING FINANCIAL INTELLIGENCE REPORT AND OTHER INFORMATION TO LAW ENFORCEMENT, SECURITY AND INTELLIGENCE AGENCIES AND OTHER RELEVANT AUTHORITIES; AND FOR RELATED MATTERS (HB.1082)

PART I — OBJECTIVES OF THIS BILL

Clause 1: Objectives.

The principal objectives of this Bill are to —

- (a) provide a legal framework for the Nigerian Financial Intelligence Unit;
- (b) create the legal, institutional and regulatory framework to ensure transparency, effective and efficient management, administration and operation of the Nigerian Financial Intelligence Unit;
- (c) institutionalise best practices in financial intelligence management in Nigeria;
- (d) strengthen the existing system for combating money laundering and associated predicate offences, financing of terrorism and proliferation of weapons of mass destruction; and
- (e) make provision for the Unit to exchange information with Financial Intelligence Institutions or similar bodies in other countries in matters relating to money laundering, terrorist financing activities and other predicate offences. And to make the Unit an autonomous body (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

PART II — ESTABLISHMENT OF NIGERIAN FINANCIAL INTELLIGENCE AGENCY

Clause 2: Establishment of Nigerian Financial Intelligence Agency.

- (1) There is established a body to be known as the Nigerian Financial Intelligence Agency (in this Bill referred to as "the Agency") which shall be the central body in Nigeria responsible for receiving, requesting, analysing and disseminating financial intelligence reports on money laundering, terrorist financing and other relevant information to law enforcement, security and intelligence agencies, and other relevant authorities.

Autonomy and Domiciliation of the Agency.

- (2) The Agency shall be independent and operationally autonomous in the discharge of its duties and functions under this Bill.
- (3) For purposes of institutional location and logistical support only, the Agency shall be domiciled in the Economic and Financial Crimes Commission (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Amendment Proposed:

In subclause (1), line 2, immediately after the word "Intelligence", *leave out* the word "Agency" and *insert* the word "Unit" and wherever it appears (*Hon. Odebunmi Olusegun Dokun — Ogo-Oluwa/Surulere Federal Constituency*)

Question that the amendment be made — Agreed.

Question that the amendment made stand part of the Bill — Agreed.

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

Clause 3: Functions of the Agency.

The functions of the Agency are to —

- (a) receive and collect currency transactions reports, suspicious transactions reports and any other information, including records of wire transfers relevant to money laundering, financing of terrorism, proliferation of weapons of mass destruction and associated predicate offences from financial institutions, designated non-financial institutions, law enforcement agencies, security agencies, anti-corruption agencies and relevant regulatory and administrative authorities;
- (b) analyse, process, interpret and assess the information and reports received under paragraph (a) of this section, and undertake strategic and operational analysis in relation thereto;
- (c) disseminate spontaneously, and upon request, information and the results of analysis, related to money laundering, terrorist financing, proliferation of weapons of mass destruction, associated predicate offences or other unlawful activity has taken place, is taking place or is about to take place in a secured manner to law enforcement agencies, security agencies, regulatory agencies and other competent authorities;

- (d) provide advice to supervisory authorities as it considers appropriate to combat money laundering, financing of terrorism, proliferation of weapons of mass destruction and associated predicate offences;
- (e) maintain financial intelligence network with regulatory authorities, law enforcement and security agencies, anti-corruption agencies in Nigeria and financial intelligence units and competent authorities in other countries with mandate to fight financial crimes;
- (f) ensure compliance by reporting institutions with their obligations under this Bill, the Money Laundering (Prohibition) Act, and the Terrorism (Prevention) Act;
- (g) assist in the identification of the proceeds of unlawful activities, the combating of money laundering, the financing of terrorism and proliferation of weapons of mass destruction, and related activities;
- (h) make information collected and analysed by it available to investigating, security and law enforcement Agencies to facilitate the administration and enforcement of relevant laws;
- (i) exchange information with financial intelligence units, law enforcement agencies, anti-corruption agencies and competent authorities in other countries regarding money laundering, the financing of terrorism and proliferation of weapons of mass destruction, and associated predicate offences;
- (j) respond to requests for information by law enforcement and security agencies and other competent authorities;
- (k) maintain a comprehensive, secured financial intelligence database for the storage of information and intelligence to enable the Unit to exchange such intelligence with law enforcement agencies, security agencies, regulatory authorities, anti-corruption agencies in Nigeria and financial intelligence units and competent authorities in other countries with mandate to fight financial crimes;
- (m) advise the Government, law enforcement and security agencies, supervisory authorities, and reporting institutions on the prevention of money laundering, the financing of terrorism and proliferation of weapons of mass destruction, and associated predicate offences;
- (n) develop and implement policies and procedures to guide the sharing of financial intelligence in a confidential and secured manner;
- (o) monitor compliance by reporting institutions, and advise supervisory authorities as to the performance by those institutions with regards to their obligations under this Act;
- (p) monitor and undertake studies and risk assessments on emerging trends and patterns on money laundering, the financing of terrorism and proliferation of weapons of mass destruction, and associated predicate offences;

- (q) maintain comprehensive statistics on matters relevant to the effectiveness and efficiency of money laundering and associated predicate offences, financing of terrorism and proliferation of weapons of mass destruction, including statistics on suspicious transactions received and disseminated, money laundering and terrorist financing investigations, prosecutions and convictions, property frozen, seized and confiscated, mutual legal assistance or other international requests for cooperation;
- (r) receive and provide feedback, general or specific, on the value of information reported by reporting institutions, regulatory authorities, law enforcement and security agencies and any other competent authority;
- (s) direct the monitoring of accounts, transfers and any other means of payment or transfer of funds;
- (t) do such other things as are necessary or expedient for the attainment of the mandate of the Unit under the Act; and
- (u) the Agency shall serve as the secretariat to the inter-ministerial committee on AML/CFT in accordance with GIABA resolution and shall be responsible in the coordination of the activities of the IMC.
- (v) the Agency shall in accordance with the provisions of section 4 (d) of the Terrorist Prevention (Freezing of International Terrorist Funds and Other Related Measures) Regulation, 2013 serve as the secretariat to the Nigerian Sanctions Committee (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 4: Powers of the Agency.

- (1) The Agency shall have powers to —
 - (a) enter into Memoranda of Understanding or such other arrangements as will enable it to carry out its functions effectively in Nigeria and with financial intelligence units and other competent authorities in other countries;
 - (b) collaborate with other regulatory authorities, law enforcement and security agencies, and self-regulatory bodies in Nigeria and other countries in combating money laundering, financing of terrorism and proliferation of weapons of mass destruction and associated predicate offences;
 - (c) review anti-money laundering, counter terrorism financing, proliferation of weapons of mass destruction counter- measures and associated predicate offences on a regular basis in consultation with regulatory authorities and competent authorities;
 - (d) disseminate, spontaneously and upon request, information and results of its analysis to relevant competent authorities and with Financial Intelligence Units in other countries with or without a Memorandum of Understanding;

- (e) receive, collect and analyse reports concerning transactions of the type mentioned in the Money Laundering (Prohibition) Act, the terrorism prevention Act and any other relevant laws;
 - (f) demand statistics of cases, convictions and feedback on intelligence provided to law enforcement, security, anti-corruption agencies, regulatory authorities and other competent authorities;
 - (g) request for and collect any such other information as the Unit deems necessary in order to fulfil its functions under this Bill; and
 - (h) do such other things as are necessary or expedient for the effective and efficient performance of its functions under this Bill or any other relevant laws, rules and regulations.
- (2) The Agency shall have powers to access or request for additional information from relevant reporting institutions and regulatory authorities, law enforcement and security agencies, and anti-corruption agencies required to perform its functions.
 - (3) The Agency shall initiate, develop or improve on specific training programmes for its officers, reporting institutions, relevant supervisory authorities, law enforcement and security agencies, and other bodies charged with the responsibility for the prevention, detection, investigation, prosecution and adjudication of offences under any relevant law or regulations.
 - (4) The Agency shall, in developing the training programmes referred to in subsection (3) of this section consult with the relevant regulatory authorities, law enforcement and security agencies.
 - (5) The Agency shall develop policies and guidelines on the security of information and procedure for the maintenance of confidentiality of information provided by competent authorities, deriving from foreign jurisdictions or reporting institutions or obtained in any way by the Unit.
 - (6) The Agency shall by regulations provide sanctions against officers who breach its security and confidentiality policies (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

PART III — MANAGEMENT AND STAFF OF THE UNIT

Clause 5: Director of the Agency.

- (1) There shall be for the Agency, a Director to be appointed by the President on the recommendation of the Attorney-General of the Federation and Minister of Justice.
- (2) The Director shall —
 - (a) be the chief executive and accounting officer of the Agency;

- (b) have at least a recognized degree in any of the areas of law, humanities, Management or any of the Social Sciences with fifteen years cognate experience;
 - (c) be responsible for the day-to-day administration and management of the Agency and the keeping of books and records of the Agency; and
 - (d) perform such other functions as are assigned to him under this Bill or any other law.
- (3) The Director shall hold office for a term of five years in the first instance and shall be eligible for re-appointment for another term of five years and no more.
- (4) The office of the Director shall become vacant where —
 - (a) his term of office expires;
 - (b) he resigns his office by a notice in writing addressed to the President;
 - (c) becomes of unsound mind or incapable of carrying out his duties due to physical or mental illness;
 - (d) has been declared bankrupt;
 - (e) has been convicted of a felony, fraud or any offence involving dishonesty; or
 - (f) is guilty of gross misconduct relating to his duties;
- (5) Notwithstanding the provisions of subsection (4) of this section, the President may remove the Director from office upon the recommendations of the Minister that the Director can no longer carry out his duties as provided under this Bill (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Amendment Proposed:

In subclause (2) *insert* a new paragraph (e) as follows:

“The Director shall be a member of the Board of Director of the Economic and Financial Crimes Commission”, (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that the amendment be made — Agreed.

Question that the amendment made stand part of the Bill — Agreed.

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

Clause 6: Delegation of powers by the Director.

- (1) The Director may delegate any of his functions and powers under this Bill to any competent officer of the Agency and may instruct any employee to perform any of the functions assigned to the Agency under this Bill.

- (2) A delegation or instruction under subsection (1) of this section shall be subject to the limitations or conditions that the Director may impose; and does not relieve the Director of the ultimate responsibility concerning the exercise of the delegated power or the performance of the assigned function.
- (3) The Director may confirm, vary or revoke any decision taken by an employee in consequence of a delegation or instruction under subsection (1) of this section (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 7: Other staff of the Agency.

- (1) The Agency may, from time to time, appoint directly such professional, technical and other staff as it may consider necessary to assist the Unit in the effective and efficient performance of its functions under this Bill.
- (2) The staff of the Unit appointed under subsection (1) of this section shall be appointed on such terms and conditions as are applicable to law enforcement agencies, security agencies and related services in Nigeria.
- (3) The Agency shall, with the approval of the Minister and other appropriate authorities, make staff regulations and determine conditions of service, including allowances, pensions and other benefits, and disciplinary control, as are appropriate for its employees.
- (4) The Agency shall publish regulations made under subsection (3) of this section in such manner as it may determine.
- (5) The Agency shall, for the purpose of achieving maximum efficiency in the discharge of its functions set out in this Bill, institute schemes for the training of its staff (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 8: Security screening of employees of the Agency.

- (1) A person shall not be appointed to perform any of the functions of the Agency unless —
 - (a) information with respect to that person has been gathered in a security screening by the State Security Service; and
 - (b) the Agency after evaluating the information gathered, is satisfied that the person may be so appointed or seconded without the possibility that he might be a security risk or that he might act in any way prejudicial to the objectives or functions of the Agency.
- (2) The Director may at any time, and in line with the staff regulations subject a person referred to in subsection (1) of this section to further security screening as contemplated in subsection (1) (a) of this section (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 9: Service in the Agency to be pensionable.

- (1) Service in the Agency shall be pensionable service for purposes of the Pension Reform Act, and accordingly, employees of the Agency shall, in respect of their services, be entitled to pensions and other retirement benefits as are enjoyed by persons holding equivalent grades in the public service of the Federation.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of pension in respect of that office.
- (3) For the purpose of the application of the provisions of the Pension Reform Act, any powers exercisable by a Minister or other authority of the Government of the Federation (not being the power to make regulations under the Pension Reforms Act) are hereby vested in and shall be exercisable by the Director (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 10: Establishment of Departments, Special Units and Technical Units.

- (1) The Agency shall establish Departments, Special Units and Technical Units for the effective and efficient discharge of its functions and powers under this Bill.
- (2) All Departments, Special Units and Technical Units shall carry out such duties as may be required in the exercise, performance or carrying out of the powers, functions and duties of the Agency under this Bill (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

PART IV — FINANCIAL PROVISIONS**Clause 11: Fund of the Agency.**

- (1) There shall be established for the Agency a fund ("the Fund") into which shall be credited —
 - (a) take off grants and /or other subventions received from the Government of the Federation;
 - (b) budgetary allocations approved by the National Assembly for the purpose of the Agency; and
 - (c) grants, gifts or donations from international organisations and donor agencies, provided that the terms and conditions attached to a grant, gift or donation are not inconsistent with the functions of the Agency, must be disclosed to the National Assembly
- (2) The Fund established pursuant to subsection (1) of this section shall be managed in accordance with extant Financial Regulations applicable in the public service of the Federation (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 12: Expenditure of the Agency.

The Agency may, from time to time, apply the proceeds of the Fund established pursuant to section 11 (1) of this Bill for the —

- (a) cost of administration of the Agency;
- (b) reimbursement of members of any committee set up by the Agency for such expenses as may be authorised in accordance with the rates approved by the Government of the Federation;
- (c) payments of salaries, fees and other remunerations or allowances, payable to employees, experts or professionals appointed by the Agency;
- (d) the maintenance of any property acquired or vested in the Agency; and
- (e) any matter connected with all or any of the functions of the Agency under this Bill (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 13: Estimates, accounts and audit.

- (1) The Agency shall not later than 30th August in each financial year prepare and present to the National Assembly, a statement of estimated income and expenditure for the following financial year.
- (2) Notwithstanding the provisions of subsection (1) of this section, the Agency may, where necessary due to unforeseen circumstances, submit supplementary or adjusted statements of estimated income and expenditure to the National Assembly for approval.
- (3) The Agency shall keep proper and regular accounts and other records of monies received and paid by the Agency and of the several purposes for which the moneys have been received or paid, and of its assets, credits and liabilities.
- (4) The Agency shall do all things necessary to ensure that all payments out of its Fund and bank accounts are correctly made and properly authorised and that adequate control is maintained over the assets in its custody and over the expenditures incurred by the Unit.
- (5) The Agency shall, within the first four months of each financial year, submit its accounts to auditors appointed by the Agency from the list and in accordance with guidelines approved by the Auditor-General of the Federation, its accounts for audit (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 14: Annual report.

The Agency shall, not later than six months after the end of each year, submit to the National Assembly, a report on the activities of the Agency, including evaluation reports received and of money laundering and terrorist financing trends and its administration during the preceding year and shall include in the report, the audited accounts of the Agency and the auditor's comments on them for the preceding year (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

PART V — SUPERVISION AND MONITORING BY THE AGENCY**Clause 15: Database of reporting institutions.**

- (1) The Agency shall request and gain direct access to all data base of entities or authorities that it considers relevant to the performance of its duties.
- (2) Where the database referred to in subsection (1) of this section is held in a computer database it shall be transmitted to the Agency in such a format as to be transferable to a similar computer database within the Agency (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 16: Account Surveillance.

- (1) The Director may, in line with operational procedures of financial intelligence units, issue a directive placing an account under surveillance if satisfied that the account relates to a financial intelligence inquiry that is being conducted by the Agency;
- (2) The directive referred to in subsection (1) of this section may be issued where —
 - (a) the amount is, or related to, an account that has been the subject of a report of the type referred to in the Money Laundering (Prohibition) Act;
 - (b) the account is or related to, an account that has been the subject of a report of the type referred to in section 55 of the Terrorism (Prevention) Act;
 - (c) the account is, or is related to an account, that is subject to an inquiry in relation to money laundering, associated predicate offences, the financing of terrorism or the proliferation of weapons of mass destruction being conducted on behalf of a foreign financial intelligence unit; or
 - (d) there are reasonable grounds to believe that the owner of the account or any other person connected to the account is suspected to have —
 - (i) committed a money laundering offence within the provisions of the Money Laundering (Prohibition) Act,

- (ii) committed a terrorism financing offence under the Terrorism (Prevention) Act,
 - (iii) property constituting or derived from unlawful activity,
 - (iv) property constituting the instrumentalities of unlawful activity,
 - (v) derived a benefit from unlawful activity; or
- (e) there are reasonable grounds for believing that material which may be provided in compliance with the directive is likely to be of substantial value, whether or not by itself, to the financial intelligence inquiry for the purposes of which the directive is sought (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 17: Meaning of account surveillance directive.

- (1) An account surveillance directive referred to in section 16 of this Bill is an instruction to a financial institution to —
- (a) subject a specified account or accounts held in a financial institution under close scrutiny by that institution;
 - (b) report any transaction concerning that account to the Agency in the manner, place and time as may be specified in the directive; and
 - (c) provide account information of the description specified in the directive to an appropriate officer of the Unit in the manner, place and time stated in the directive.
- (2) An account surveillance directive shall not exceed a period of ninety days commencing from the date of the directive (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 18: Disclosure of confidential information.

- (1) A person who —
- (a) makes a disclosure which is likely to be detrimental to an investigation or a financial intelligence inquiry under this Bill; or
 - (b) falsifies, conceals, destroys or disposes of, or causes or permits the falsification, concealment, destruction or disposal of documents which are relevant to an inquiry by the Agency or a financial intelligence inquiry under this Bill,
- commits an offence and is liable on conviction —

- (a) in the case of an individual to a fine of not less than 500,000 Thousand Naira or imprisonment for a term of not less than two years or to both; and
 - (b) in the case of a financial institution or other body corporate, to a fine of not less than fifty million Naira.
- (2) An officer of the Agency who discloses or causes to be disclosed any information which may have come to his possession during the course of his duties in the Agency or is detrimental to an inquiry or a financial intelligence inquiry under this Bill commits an offence
- (3) An officer of the Agency who is in breach of Sub-section (2) shall be investigated and if indicted prosecuted for criminal disclosure and shall be liable on conviction to imprisonment for a term of not less than five years without option of fine and dismissal from office (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 19: Joint Inspections by the Agency and relevant supervisory authorities.

- (1) The Agency shall, conduct regular inspections of reporting institutions jointly with the relevant regulatory authority or by itself, to ensure their compliance with this Bill, the Money Laundering (Prohibition) Act and the Terrorism (Prevention) Act.
- (2) Any inspection of the type referred to sub-section (1) of this section shall take place at normal working hours.
- (3) The Agency shall obtain copies and extracts from, any recorded information found under sub-section (1) of this section which it considers relevant for the performance of its analytical functions or inquires into the transactions of an entity or a subject.
- (4) An officer may exercise powers under this section only in connection with the exercise by the Agency of its functions under this Bill (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 20: Maintenance of reporting standards.

- (1) The Agency shall ensure that all reports of the type referred to in section 5 (a) of this Bill are fit for the purpose for which they were intended.
- (2) In the event that a report mentioned in subsection (1) of this section is found to be inadequate in any respect, it shall be rejected by the Agency (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

PART VI — APPLICATION OF COUNTER - MEASURES AND RISK MANAGEMENT

Clause 21: Application of Financial Action Task Force's counter-measures.

The Agency shall advise supervisory authorities on compliance with the Financial Action Task Force's counter-measures, from time to time (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

Clause 22: Conduct of risk assessment.

- (1) The Agency shall be responsible for the identification, assessment and compilation of reports on risks of money laundering, terrorist financing and proliferation of weapons of mass destruction.
- (2) The Agency shall —
 - (a) consult with relevant Government agencies and reporting institutions in developing enforcement measures, guidelines and policies necessary for the mitigation of the risks of money laundering, terrorist financing and proliferation of weapons of mass destruction; and
 - (b) advise relevant supervisory authorities on the application of risk-based approach by reporting entities in the conduct of customer due diligence depending on identified risks in money laundering, terrorist financing and proliferation of weapons of mass destruction risks in relation to the customer, transaction, country or geographical area, product and services involved in the business transactions (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

PART VII — LEGAL PROCEEDINGS

Clause 23: Limitation of suits against the Agency.

Subject to the provisions of this Bill, the provisions of the Public Officers' Protection Act shall apply in relation to any suit instituted against the Director or any member of staff of the Agency (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

PART VIII — MISCELLANEOUS

Clause 24: Administrative penalties.

Any person or institution who has an obligation to report under this Bill, who breaches any of the requirements of this Bill or who fails to comply with any notice, order or direction given by the Agency pursuant to the provisions of this Bill shall be liable to pay such administrative penalty as may be prescribed Agency (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that Clause 24 stand part of the Bill — Agreed to.

Clause 25: Obstruction of the Agency or authorised officer.

- (1) A person who wilfully obstructs the Agency or any authorised officer in the exercise of the functions or powers conferred by this Bill or any other law, commits an offence and is liable on conviction —
 - (a) in the case of an individual, to imprisonment for a term of not less than three years or to a fine to be set out in the regulations for every day the obstruction persists; and
 - (b) in the case of an entity, to a fine to be set out in the regulations for every day that the obstruction persists.
- (2) Any other regulatory authority may on the recommendation of the Agency withdraw the licence of any person or entity who contravenes the provisions of subsection (1) of this section (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that Clause 25 stand part of the Bill — Agreed to.

Clause 26: Regulations and guidelines.

- (1) The Attorney-General of the Federation and Minister of Justice may make regulations as are necessary or expedient for the efficient implementation of the provisions of this Bill.
- (2) The Agency shall with the approval of the Minister, issue guidelines as may be necessary for the exercise of any of the duties, functions or powers of the Agency under this Bill (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Amendment Proposed:

Leave out Clause 26 (Hon. Femi Gbajabiamila — Surulere 1 Federal Constituency).

Question that the amendment be made — Agreed.

Clause 27: Transitional and savings provisions.

- (1) Subject to the approval of the Director, any person who immediately before the commencement of this Bill was a staff of the Nigerian Financial Intelligence Unit may continue in office subject to the report of the security screening referred to in section 8 of this Bill
- (2) All assets, funds, resources and other movable and immovable property which, immediately before the commencement of this Bill, is vested in the Nigerian Financial Intelligence Unit shall by virtue of this Bill continue to be vested in the Agency established under this Bill.
- (4) All rights, obligations and liabilities which, immediately before the commencement of this Bill, were vested in or imposed on the Nigerian Financial Intelligence Unit shall continue be the rights, obligations and liabilities of the Agency under this Bill;
- (5) As from the commencement of this Bill, any disciplinary proceeding pending or existing against any employee of the Nigerian Financial Intelligence Unit shall be continued and completed by the Agency under this Bill (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that Clause 27 stand part of the Bill — Agreed to.

Clause 28: Consequential amendments.

- (1) The Economic and Financial Crimes Commission (Establishment) Act, is amended by deleting sections 1 (2) (c) and 6 (1) of the Act.
- (2) The Money Laundering (Prohibition) Act, is amended in sections 1, 2, 5.6, 8, 10 and 13 by substituting for the word "Commission" found anywhere in those sections with the words "Nigerian Financial Intelligence Agency".
- (3) The Money Laundering (Prohibition) Act and the Terrorism (Prevention) Act, are amended by substituting for the words "Chairman of the Economic and Financial Crime Commission" wherever appearing with the words "Director of the Nigerian Financial Intelligence Agency" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that Clause 28 stand part of the Bill — Agreed to.

Clause 29 Interpretation.

- (1) In this Bill, unless the context otherwise requires:

"account" means a facility or an arrangement by which a financial institution does any one or more of the following —

- (a) accepts deposits of currency;
- (b) allows withdrawals of currency or transfers into or out of the account;
- (c) pay cheques or payment orders drawn on a financial institution or cash dealers by, or collects cheques or payment orders on behalf of a person; or
- (d) supplies a facility or an arrangement for a safe deposit box (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"bank" has the meaning given to it in the Banks and Other Financial Institutions Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"beneficiary" and "beneficial owner" have the same meaning applicable to them in the Money Laundering (Prohibition) Act and Regulations made pursuant to the Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that the meaning of the words "beneficiary" and "beneficial owner" be as defined in the interpretation to this Bill — Agreed to.

"business relationship" has the same meaning applicable to it in the Money Laundering (Prohibition) Act and Regulations made pursuant to the Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"Agency" means the Nigerian Financial Intelligence Agency established under section 2 of this Bill (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"competent authority" means any agency or institution concerned with combating money laundering and terrorist financing under this Bill or under any other law or regulations (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"customer" means —

- (a) the person for whom an account or right or obligation under a transaction has been assigned or transferred;
- (b) a person who is authorised to conduct a transaction or control an account;
- (c) a person who attempts to take any of the actions referred to in paragraph (a) or (b); and
- (d) such other persons as may be prescribed by regulations made under this Bill (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"currency" means the coin and paper money of Nigeria or of a foreign country that is designated as legal tender or is customarily used and accepted as a medium of exchange (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"data" means a representation of information, knowledge, facts or concepts (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"designated non-financial institutions" has the same meaning applicable to it in the Money Laundering (Prohibition) Act and Regulations made pursuant to the Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that the meaning of the words "designated non-financial institutions" be as defined in the interpretation to this Bill — Agreed to.

"entity" means a person, group, trust, partnership, fund or any other association or organisation, whether corporate or unincorporated or partnership, for the purpose of providing a product or service either for profit or non-profit (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"false declaration" refers to a misrepresentation of —

- (a) the value of the currency or bearer negotiable instrument being transported; and
- (b) other relevant data required for submission in the declaration or otherwise requested by the authorities (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"Financial Action Task Force" means the inter-governmental body created in 1989 under the aegis of the European Union G8 to generate the necessary political will to bring about legislative and regulatory reforms for the development and promotion of national and international policies to combat money laundering and terrorism financing (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that the meaning of the words "Financial Action Task Force" be as defined in the interpretation to this Bill — Agreed to.

"Financial Institution" has the same meaning applicable to it in the Money Laundering (Prohibition) Act and Regulations made pursuant to the Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"funds" refer to "assets of every kind, whether tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to or interest in such assets, including but not limited to bank credits, travelers cheques, bank cheques, money orders, shares, securities, bonds, drafts or letters of credit" (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"immediate stop" means to on the spot halt the transfer, conversion, disposal, alteration, use of or dealing with funds in any way that would result in change of volume, amount or location, ownership or possession, character, destination or movement of fund or other assets (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"Minister" means the Attorney - General of the Federation and Minister of Justice (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"money laundering" has the meaning given to it in the Money Laundering (Prohibition) Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"other regulatory authorities" means the Central Bank of Nigeria, the Securities and Exchange Commission and the National Insurance Commission (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that the meaning of the words "other regulatory authorities" be as defined in the interpretation to this Bill — Agreed to.

"proceeds of an offence" means property —

- (a) wholly derived or realised, whether directly or indirectly, from the commission of the offence; or
- (b) partly derived or realised, whether directly or indirectly, from the commission of an offence,

whether the property is situated within or outside Nigeria; or whether or not a person has been convicted of the offence (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that the meaning of the words "proceeds of an offence" be as defined in the interpretation to this Bill — Agreed to.

"proliferation of weapons of mass destruction" means the illegal production and distribution of weapons of mass destruction (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that the meaning of the words "proliferation of weapons of mass destruction" be as defined in the interpretation to this Bill — Agreed to.

"property" means assets of every kind, whether corporeal or incorporeal, moveable or immoveable, tangible or intangible and legal documents or instruments evidencing title to or interest in such assets (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"report" means an account or statement describing in details, an event, situation, suspicious or unusual transaction or the like, usually as the result of observation or inquiry; pursuant to the provisions of this Bill or any other relevant law or regulations (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"self-regulatory body" is a body that represents a profession and which is made up of members of that profession, and —

- (a) has a role in regulating the persons that are qualified to enter and who practice in the profession, and
- (b) to some extent performs supervisory or monitoring functions (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that the meaning of the words "self-regulatory body" be as defined in the interpretation to this Bill — Agreed to.

"shell bank" has the same meaning applicable to it in the Money Laundering (Prohibition) Act and Regulations made pursuant to the Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"supervisory authorities" has the same meaning applicable to it in the Money Laundering (Prohibition) Act and Regulations made pursuant to the Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"suspicious" means a matter which is beyond mere speculations and based on some foundation (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"suspicious transaction" means a transaction that falls within a description of transactions in section 6 of the Money Laundering (Prohibition) Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

"terrorism", "terrorist", "terrorist act", "terrorist financing" and "terrorist organisation" shall have the respective meanings ascribed to them under the Terrorism (Prevention) Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that the meaning of the words "terrorism", "terrorists", "terrorist transaction" be as defined in the interpretation to this Bill — Agreed to.

"wire transfer" has the same meaning applicable to it in the Money Laundering (Prohibition) Act and Regulations made pursuant to the Act (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

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

- (2) A word or phrase not defined in this Bill but defined in the Money Laundering (Prohibition) Act, or the Terrorism (Prevention) Act, has the meaning given to it in those Acts (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that Clause 29 stand part of the Bill — Agreed to.

Clause 30: Short Title.

This Bill may be cited as the Nigerian Financial Intelligence Agency Bill, 2017 (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Question that Clause 30 stand part of the Bill — Agreed to.

Explanatory Memorandum:

(This Memorandum does not form part of the above Bill but is intended to explain its purport)

This Bill seeks to give a legal framework to the Nigerian Financial Intelligence Agency as the central authority in Nigeria responsible for requesting, receiving, analysing and disseminating financial and other information to all law enforcement and security agencies and other relevant authorities (*Hon. Kayode Oladele — Egbado North/Imeko Afon Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Nigerian Financial Intelligence Agency as the Central Body in Nigeria Responsible for Receiving, Requesting, Analyzing and Disseminating Financial Intelligence Report and Other Information to Law Enforcement, Security and Intelligence Agencies and Other Relevant Authorities; and for Related Matters (HB.1082) (*Hon. Kayode Oladele — Egbado North/Imeko Afon 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 on a Bill for an Act to Establish the Nigerian Financial Intelligence Agency as the Central Body in Nigeria Responsible for Receiving, Requesting, Analyzing and Disseminating Financial Intelligence Report and Other Information to Law Enforcement, Security and Intelligence Agencies and Other Relevant Authorities; and for Related Matters (HB.1082) and approved Clauses 1, approved Clause 2 as amended, approved Clauses 3 and 4, approved Clause 5 as amended, approved Clauses 6 - 25, rejected Clause 26, approved Clauses 27 - 30, 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.

19. Adjournment

That the House do adjourn till Tuesday, 28 November, 2017 at 11.00 a.m. (Hon. Femi Gbajabiamila — House Leader).

The House adjourned accordingly at 2.04 p.m.

Yussuff Sulaimon Lasun
Deputy Speaker