

Extraordinary



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CONTENTS

INDEX TO LEGISLATIVE INSTRUMENTS

<i>Bill No.</i>	<i>Long Title</i>	<i>Page</i>
HB. 11	A Bill for an Act to Amend the National Tobacco Control Act, 2015 and for Related Matters	C 61 - 64
HB. 12	A Bill for an Act to Amend the National Orientation Agency Act, Cap. N100 LFN, 2004 and for Related Matters	C 65 - 84
HB. 13	A Bill for an Act to Establish the National Ear Care Centre, Kaduna for the prevention, diagnosis and treatment of Ear, Nose and Throat (ENT) Diseases, co-ordination of research in Ear, Nose and Throat challenges, training of specialist in Ear, Nose and Throat and other supporting fields; and for Related Matters	C 85 - 101
HB. 14	A Bill for an Act to Amend the Nigerian Law Reform Commission Act, Cap. N118 LFN, 2004 and for Related Matters	C 103 - 107
HB. 15	A Bill for an Act to Repeal the Emergency Powers Act, 1961 to enact the Emergency Powers Act 2019; to provide for the declaration of a State of Emergency and for Related Matters	C 109 - 128
HB. 16	A Bill for an Act to Establish the National Postgraduate College of Medical Laboratory Science to conduct professional postgraduate examination of candidates into various specialised branches of Medical Laboratory Science; and for Related Matters	C 129 - 138
HB. 17	A Bill for an Act to Establish the Nigerian Peace Corps to develop, empower and provide gainful employment for the youth, facilitate peace, volunteerism, community services, neighbourhood watch and nation-building; and for Related Matters	C 139 - 160
HB. 18	A Bill for an Act to Amend the Acts Authentication Act Cap. A2 LFN, 2004 and for Related Matters	C 161 - 161
HB. 19	A Bill for an Act to Amend the Nigerian Meteorological Agency (Establishment) Act No. 9 of 2003 and for Related Matters	C 163 - 163

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A BILL

FOR

AN ACT TO AMEND THE NATIONAL TOBACCO CONTROL ACT, 2015 TO CURE CERTAIN DEFECTS IN THE ACT, ENSURE ITS EFFECTIVE IMPLEMENTATION IN NIGERIA AND ADDRESS THE LACUNA THAT MAYBE EASILY EXPLOITED BY TOBACCO INDUSTRY IN NIGERIA; AND FOR RELATED MATTERS

Sponsored by Hon. Mohammed Tahir Monguno

[] Commencement

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

- | | | |
|----|-----------------------------------------------------------------------------|-------------------|
| 1 | 1. The National Tobacco Control Act, 2015 (hereafter called "the | Amendment of |
| 2 | Principal Act") is amended as set out below. | the Principal Act |
| 3 | 2.-(a) Section 2 of the Principal Act is amended in subsection (1) | Amendment of |
| 4 | (d) by introducing the following agencies to be represented as members of | Section 2 |
| 5 | the Committee immediately after the Standards Organisation of Nigeria and | |
| 6 | renumbering accordingly; | |
| 7 | (x) Nigeria Police Force; | |
| 8 | (xi) Nigeria Security and Civil Defence Corps; | |
| 9 | (xii) Federal Ministry responsible for Youth Development; and | |
| 10 | (xiii) Federal Ministry responsible for Tourism; | |
| 11 | (b) Section 2 of the Principal Act is further amended by deleting | |
| 12 | subsection (1)(h) and replace it with a new subsection as follows; | |
| 13 | (h) a person appointed by the Minister as Chairperson of the | |
| 14 | Tobacco Control Unit shall also serve as Secretary to the Committee. | |
| 15 | (c) Section 2 of the Principal Act is further amended by introducing | |
| 16 | a new subsection (5) as follows; | |
| 17 | (5) The Chairperson of the Committee shall be a qualified Medical | |
| 18 | Doctor of not less than 10 years cognate experience or a Legal Practitioner | |

	1	of not less than 10 years Post Call experience.
Amendment of Section 8	2	3.-(a) Section 8 of the Principal Act is amended in subsection (2) by
	3	introducing new paragraphs (d), (e) and (f) as follows;
	4	(d) 40% of all taxes, levies and excise collected on tobacco products
	5	manufacture, importation and distribution;
	6	(e) application and licence fees, fines and penalties from violations of
	7	the provisions of this Act;
	8	(f) sales of properties forfeited to the government as consequence of
	9	violation of the provisions of this Act.
	10	(b) Section 8 of the Principal Act is amended by introducing near
	11	subsections (3) of section 8, thus:
	12	3. (a) The Fund shall be used for the general administration of the Act;
	13	(b) To defray the expenses of the National Tobacco Control
	14	Committee.
Amendment of Section 9	15	4.-(a) Section 9 of the Principal Act is amended in subsection (1) by
	16	deleting the phrase except in room exclusively occupied by the smoker in
	17	paragraph (a) of subsection 9; and also by deleting the phrase 'except in a
	18	vehicle exclusively occupied by the smoker in paragraph (b) of subsection 9;
	19	And also deleting the phrase 'with the permit or approval of the Committee in
	20	paragraph (d) of subsection 9;
	21	(b) Section 9 of the Principal Act is further amended by deleting
	22	subsections 2, 3 and 4 of Section 9;
	23	(c) Section 9 of the Principal Act is further amended in subsection 5 by
	24	introducing new paragraphs (h), (i) and G) and renumbered accordingly as
	25	follows;
	26	(h) any service area;
	27	(i) anywhere within 30 meters of any childcare facility, healthcare
	28	facility, educational institution;
	29	(j) anywhere within 30 meters of any playground, amusement park,

1 plaza, stadium, arena, any kind of performance space, or any public
2 gathering space.

3 **5.** Section 11 of the Principal Act is amended by deleting
4 subsection 3 of section 11. Amendment of
Section 11

5 **6.-(a)** Section 12 of the Principal Act is amended in subsection (1)
6 by introducing a new paragraph (d) as follows; Amendment of
Section 12

7 (d) in-country, local and cross-border advertisement, promotion or
8 sponsorship of tobacco or tobacco products is prohibited in Nigeria and
9 across its borders.

10 (b) Section 12 of the Principal Act is further amended by deleting
11 subsection (2)(b) of section 12.

12 (c) Section 12 of the Principal Act is further amended in subsection
13 (4) by inserting the words 'as may be prescribed by the Ministry' in
14 paragraph (a) immediately after the word 'information' in the last line of
15 paragraph (a).

16 **7.-(a)** Section 14 of the Principal Act is amended by substituting
17 the word "Section" with the word "Part" in line 1 of paragraph 1. Amendment of
Section 14

18 (b) Section 14 of the Principal Act is further amended by
19 introducing a new paragraph (e) to subsection (2) as follows;

20 (e) "Non-compliance with section 13 of this Act shall lead to
21 suspension or revocation of licence, and a fine of N5,000,000.

22 **8.-(a)** Section 16 of the Principal is amended by deleting
23 subsection 1 of section 16. Amendment of
Section 16

24 (b) Section 16 of the Principal is further amended in subsection (2)
25 by deleting the words "the applicable penalties for the violation of the
26 provisions of this Part are" - in paragraph (a) as a preamble to section 16.

27 (c) Section 16 of the Principal is further amended III subsection (2)
28 by deleting paragraph (b) of subsection (2) of section 16.

29 **9.** Section 17 of the Principal Act is amended by introducing a new
30 subsection (3) as follows; Amendment of
Section 17

	1	(3) tobacco and tobacco products standard shall be prescribed by a
	2	Joint Committee of the Federal Ministry of Health and the Standards
	3	Organisation of Nigeria.
Amendment of Section 18	4	10. Section 18 of the Principal Act is amended by deleting the words
	5	"Standards Organisation of Nigeria" in the last line of subsection 1 and
	6	substituting it with the words "Joint Committee of the Federal Ministry of
	7	Health and Standards Organisation of Nigeria".
Amendment of Section 20	8	11. Section 20 of the Principal Act is amended by deleting the figure
	9	"50%" in line 3 of subsection 1 and substituting it with the figure "80%".
Amendment of Section 22	10	12. Section 22 of the Principal Act is amended by deleting the phrase
	11	"18 months" in line 3 of section 22 and substituting it with the phrase "6
	12	months".
Amendment of Section 28	13	13. Section 28 of the Principal Act is amended by inserting the words
	14	"and shall do so under oath" immediately after the word "specified" in the last
	15	line of subsection (4) of section 28.
Amendment of Section 29	16	14. Section 29 of the Principal Act is amended by deleting the proviso
	17	to subsection 1 of section 29.
Amendment of Section 39	18	15. Section 39 of the Principal Act is amended by deleting Sub-
	19	section (2) of section 39, and the section is remembered section 39 simpliciter.
Amendment of Section 42	20	16. Section 42 of the Principal Act is amended in subsection (1) by
	21	inserting the words "or its Regulations" immediately after the word "Act" in
	22	line 1 of subsection (1) of section 42.
Citation	23	17. This Bill may be cited as the National Tobacco Control Act
	24	(Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Tobacco Control Act, 2015 to cure certain Defects in the Act to ensure effective implementation of the Law in Nigeria.

A BILL

FOR

AN ACT TO AMEND THE NATIONAL ORIENTATION AGENCY ACT, CAP. N100, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE FOR AN OPERATIONAL FRAMEWORK FOR THE GLOBAL INITIATIVE FOR HARMONY CORPS IN ORDER TO PROMOTE INTER-ETHNIC INTEGRATION, MEDIATION, PEACE-BUILDING, MUTUAL UNDERSTANDING, PATRIOTISM, FOR PEACEFUL CO-EXISTENCE AND FOR RELATED MATTERS

Sponsored by Hon. M.T. Monguno

[] Commencement

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

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| <p>1 1. The National Orientation Agency Act No. 100, Laws of the</p> <p>2 Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is</p> <p>3 amended as set under this Bill.</p> | <p>Amendment of
the National
Orientation Agency
Act, Cap. N100
LFN, 2004</p> |
| <p>4 2. The Principal Act is amended by inserting after section 11, new</p> <p>5 sections "11A"- 11W":</p> <p>6 <i>"Establishment of the Global Initiative for Harmony Corps of Nigeria</i></p> <p>7 11A. (1) There is established the Global Initiative for Harmony</p> <p>8 Corps Nigeria (in this Bill referred to as "the Harmony Corps}, which shall</p> <p>9 be under the supervision of the Director-General of the Agency;</p> <p>10 (2) The Harmony Corps shall be headed by a General Coordinator</p> <p>11 who shall report to the Director-General of the Agency;</p> <p>12 <i>Objectives of the Harmony Corps</i></p> <p>13 11B. The objectives of the Harmony Corps are to:</p> <p>14 (a) cooperate with the Federal, State and Local government in the</p> <p>15 eradication of anti-social behaviours of the youth, such as street</p> <p>16 trading/hawking; urinating along streets across the nation, cultism,</p> <p>17 prostitution, examination malpractices and drug abuse;</p> | <p>Insertion of
new sections
11A - 11W</p> |

1 (b) spread the virtues of Universal Basic Education (UBE) by
2 ensuring that children remain in their Schools during school hours;

3 (c) participate in conflict resolution and promote total harmony, unity
4 and tolerance among our communities;

5 (d) highlight the need for peaceful co-existence among Nigerians
6 irrespective of tribe or religion;

7 (e) promote mutual understanding, teach and indoctrinate the youths
8 into accepting Nigeria as one nation of one people destined to live together as
9 one family;

10 (f) promote peace activities and dialogue through publications,
11 including books, newspapers, magazines and journals and through television
12 and radio programmes, etc.

13 (g) embark on supportive intelligent assignment for small and large
14 scale industries in order to checkmate the issuance of fake receipts by
15 unscrupulous Persons;

16 (g) assist the relevant agencies of government to ensure compliance
17 with tax payment laws by individuals and corporate entities in Nigeria;

18 (h) promote Partnership, Education and Peace-Building in all the
19 sectors of national development; and

20 (i) ensure that the proper National Flag is hoisted in all public offices,
21 government establishments, public and private schools nationwide.

22 *Office of the Harmony Corps General Coordinator*

23 11C. (1) There shall be the Office of the Harmony Corps General
24 Coordinator, who shall be-

25 (a) the Chief Executive Officer of the Corps; and

26 (b) shall be a person possessing sound knowledge of the Initiative's
27 mission and administration of matters relating to the advancement of unity,
28 peace and harmony in Nigeria.

29 (2) The President shall, on the recommendation of the Board, appoint
30 the General Coordinator who shall:

1 (a) exercise general supervision and control over members of the
2 Harmony Corps, the Zonal and State Harmony Corps, and the other staff of
3 the Harmony Corps;

4 (b) direct the activities of the Harmony Corps, including training
5 and education, workshop, public awareness campaign to be carried out by
6 the members of the Harmony Corps;

7 (c) manage the financial affairs of the Harmony Corps; and

8 (d) be free to deploy the human and material resources of the
9 Harmony Corps in accordance with this Bill in order to achieve results and
10 ensure the attainment of the objects of this Bill.

11 (3) The Harmony Corps General Coordinator is vested with the
12 power to delegate functions to any capable Senior Officer, in the ranks of
13 Harmony Corps Deputy General Coordinator, Harmony Corps Assistant
14 General Coordinator, Harmony Corps State Coordinators, Harmony Corps
15 State Deputy Coordinators, Harmony Corps State Assistant Coordinators,
16 Harmony Corps Chief Superintendent, Harmony Corps Deputy
17 Superintendent, Harmony Corps Assistant Superintendent (I) and Harmony
18 Corps Assistant Superintendent (II) to perform such functions on behalf of
19 the General Coordinator anywhere within the Federation.

20 (4) The Office of the Harmony Corps General Coordinator shall be
21 assisted by other appointed Staff Officers/Personnel and ensure effective,
22 efficient and smooth running of the day to day administration and operation
23 of the Harmony Corps.

24 (5) The Harmony Corps General Coordinator shall be answerable
25 to the Director-General and Commander-in-Chief of the Armed Forces,
26 Federal Republic of Nigeria.

27 *Harmony Corps Deputy General Coordinator (HCDGC)*

28 11D. (1) There shall be three (3) Harmony Corps Deputy General
29 Coordinators shall be in Charge of the various Directorates and Departments
30 of the Harmony Corps, as may be determined from time to time.

1 (2) All Harmony Corps Deputy General Coordinators shall be
2 appointed by the Harmony Corps General Coordinator on the advice of the
3 Board of Trustees.

4 (3) A Deputy General Coordinator appointed shall exercise powers as
5 may be delegated/assigned to him/her only within the Directorate or
6 Department of the Corps.

7 (4) All Harmony Corps Deputy-General Coordinators shall be
8 assisted by other appointed staff or officers.

9 *Harmony Corps Assistant General Coordinator (HCAGC)*

10 11E. (1) There shall be Harmony Corps Assistant General
11 Coordinators who shall hold appointment under the Office of each Harmony
12 Corps Deputy General Coordinator, Directorate or Department in each Zonal
13 Command as may be demarcated under this Bill and the Harmony Corps
14 Assistant General Coordinator shall be the officer in charge of the Zone.

15 (2) The Assistant General Coordinator shall be appointed by the
16 Harmony Corps General Coordinator on the advice of the Board of Trustees.

17 (3) Any Harmony Corps Assistant General Coordinator appointed
18 under the Office of Harmony Corps General Coordinator or at the National
19 Headquarters, shall exercise powers as may be assigned to him within the
20 Directorate or Department under the Office of the Harmony Corps Deputy
21 General Coordinator or any other Special assignment that he may be called to
22 perform.

23 (4) Any Zonal Harmony Corps Assistant General Coordinator
24 appointed to Head the Zonal Commands, shall exercise powers as may be
25 delegated or assigned to him only within the designated and specified area of
26 jurisdiction.

27 (5) All Harmony Corps Assistant General Coordinators shall be
28 assisted by other staff and officers.

29 *Harmony Corps State Coordinators (HCSC)*

30 11F. (1) There shall be in each State of the Federation and, the Federal

1 Capital Territory, FCT, the Office of the Harmony Corps State Coordinator
2 as the Chief Executive Officer of the State or FCT Command.

3 (2) The Harmony Corps State Coordinators shall be appointed by
4 the General Coordinator on the advice and approval of the Board of
5 Trustees.

6 (3) A Harmony Corps State Coordinator appointed, shall exercise
7 powers as may be assigned to him by the General-Coordinator only within
8 that State.

9 (4) The Harmony Corps State Coordinator shall be assisted by
10 other appointed staff, officers or Personnel to ensure effective, efficient and
11 smooth running of the administration and policy or mandate of the Harmony
12 Corps in the State of appointment.

13 (5) The Harmony Corps State Coordinator is vested with the power
14 to delegate functions to any capable staff or officer in the ranks of Harmony
15 Corps Deputy Coordinator, Harmony Corps Assistant Coordinator,
16 Harmony Corps Chief Superintendent, Harmony Corps Deputy
17 Superintendent and Harmony Corps Assistant Superintendent to perform
18 such functions on behalf of the Harmony Corps State Coordinator within the
19 State of appointment.

20 (6) The Harmony Corps State Coordinator shall be answerable to
21 the Harmony Corps General Coordinator.

22 *Harmony Corps Chief Superintendent (HCCS)*

23 11G. (1) There shall be the position of the Harmony Corps Chief
24 Superintendent who shall oversee designated and specified area of
25 jurisdiction, referred to as Area Command.

26 (2) The Harmony Corps Chief Superintendent shall be appointed
27 by the Harmony Corps State Coordinator on the approval of the Zonal
28 Coordinator to perform delegated functions on behalf of the Harmony Corps
29 State Coordinator.

30 (3) The Harmony Corps Chief Superintendent shall be answerable

1 to the Harmony Corps State Coordinator.

2 (4) The Harmony Corps Chief Superintendent shall be assisted by
3 staff and officers of the Harmony Corps.

4 *Harmony Corps Deputy Superintendent (HCDS)*

5 11H. (1) There shall be the position of the Harmony Corps Deputy
6 Superintendent who shall be the administrative head of each designated and
7 specified area of jurisdiction referred to as Division.

8 (2) The Harmony Corps Deputy Superintendent Officers shall be
9 appointed by the Harmony Corps State Coordinators on the approval of the
10 Zonal Coordinator to perform functions within the area of jurisdiction on
11 behalf of the Harmony Corps State Coordinator.

12 (3) The Harmony Corps Deputy Superintendent shall be assisted by
13 staff, officers or personnel of the Harmony Corps.

14 *Approved terms and Conditions of Service*

15 111. (1) The Principal Officers of the Harmony Corps shall, in the
16 performance of their functions be governed by the approved terms and
17 conditions of service provided that, any exercise of such powers prior to the
18 approval and application of the conditions of service, shall be governed by the
19 Standing Orders of the Harmony Corps.

20 (2) Subject to the provision of this Bill, a person may be recruited into
21 the Harmony Corps if he-

22 (a) is not less than eighteen 18 or not more than 25 years of age;

23 (b) is in possession of a minimum Certificate of Education and/or
24 qualification of a Secondary School Certificate or its equivalent and above;

25 (c) is not less than 167.64 centimeters and 162.56 centimeters tall for
26 men and women, respectively;

27 (d) in the case of men, has not less than 86.36 centimeters chest
28 measurement when fully expanded;

29 (e) is of good character and is physically fit; and

30 (f) has signified in writing, his willingness to serve as a member of the

1 Harmony Corps.

2 (3) Every member of the Harmony Corps, if posted, shall be liable
3 to serve in any State of the Federation.

4 (4) Every member of the Harmony Corps shall upon recruitment,
5 be trained for a period of Six months or a specified number of additional
6 months for professional training or course (for Professionals only) and
7 thereafter be issued a Certificate of Appointment by the Harmony Corps
8 General Coordinator.

9 (5) Every member of the Harmony Corps recruited under this Bill
10 shall serve for a period of 35 years or is 60 years of age, whichever comes
11 first, except where duly disengaged in accordance with the provisions of this
12 Bill.

13 *Powers, Privileges and Immunities of the Corps*

14 11J. A member of the Harmony Corps recruited under this Bill,
15 shall, when on duty and in uniform, have the powers, privileges and
16 immunities of a Harmony Corps officer protected by law under any law in
17 Nigeria relating to universal peace.

18 *Functions and Powers of the Corps*

19 11K. The Harmony Corps shall be the responsibility for:

20 (a) promoting inter-ethnic integration, cohesion, mutual
21 understanding, patriotism and solidarity among Nigerians at home and in
22 Diaspora, despite their tribal or ethnic differences;

23 (b) advocating and inculcating among Nigerian citizens, true spirit
24 of nationalism, love and respect for the Nigerian constitution, transparency,
25 loyalty and faithfulness to the government of the Federal Republic of
26 Nigeria at all times;

27 (c) engendering and maintaining brotherliness, peaceful co-
28 existence and communal peace among Nigerians at home and in Diaspora;

29 (d) controlling intra-city road traffic and removal of all perceived
30 obstructions blockades or obstacles that may create hold up and congestion

1 on the road;

2 (e) assisting appropriate Ministries, Departments and Agencies of
3 government or organizations in handling environmental challenges,
4 management, protection and conservation of Nigeria's ecosystem and the
5 natural resources;

6 (f) supporting relevant agencies of government in public
7 enlightenment programmes and educate Nigerians on the importance of
8 immunizations, sanitation, election and electioneering programmes;

9 (g) promoting self-reliance, safety and security of Nigerians and
10 upholding the principles of fairness, fundamental human rights and equal
11 justice;

12 (h) organising programmes, including, regular conferences,
13 organized fora, symposia, workshops, educational programmes on cultural
14 values and peace, sense of unity and social integration, peace building,
15 mediation, conflict resolution for national integration and development;

16 (i) liaising with the traditional institutions to promote the concept of
17 cultural values, societal integration, religious harmony and national unity;

18 (j) imparting the attributes of social justice on Nigerians and actively
19 support all efforts that seek to promote and advance peace-building, thereby
20 fostering a culture of national unity, peace and security, obedience to
21 constituted authorities, imbibing the culture of religious tolerance and peaceful
22 co-existence in Nigeria;

23 (k) assisting pedestrians to cross major roads safely and encourage
24 Pedestrians to use the foot pedestrians bridges, where available;

25 (l) assisting the law enforcement agencies in protecting lives,
26 properties and road infrastructures round the cities and urban towns from
27 intentional damage by aggrieved individuals and groups; and

28 (m) undertaking such other activities as may be directed by the
29 government and the Ministry.

Establishment of Administrative and Operations Departments

11L. (1) In order to facilitate the proper performance of the functions and the exercise of the powers conferred on the Harmony Corps by this Bill, there shall be established for the Corps, the following administrative and operations departments:

- (a) The Department of Zonal and State Coordination;
- (b) The Inter-faith Harmony, Peace and Security Department;
- (c) The Department of Human Resources;
- (d) The Department of Finance and Administration;
- (e) The Department of Procurement and Supply;
- (f) The Legal and Corporate Services Department;
- (g) The Department of Training and Operations;
- (h) The Department of Community Relations and Social Responsibility; and
- (i) The Department of Cultural, Inter-Religious and Traditional Matters.

(2) The composition, duties and powers of the administrative and operations departments, established under subsection {1}, shall be as may be determined by the Harmony Corps General Coordinator, subject to the approval of the Board.

*Appointments, Recruitment, Etc. of Officers and other**Ranks of the Corps*

11M. (1) The Board is responsible for drawing up programmes for the recruitment and training of members of the Harmony Corps in order to enhance their knowledge, diligence and efficiency in the performance of their functions under this Bill.

(2) Members of the Harmony Corps recruited in accordance with the provision of subsection (1), shall bear such insignia as may be assigned to them by the Board, and without prejudice to this subsection, the ranks and insignia for members of the Harmony Corps for the time being, shall be as

1 specified in the Second Schedule to this Bill.

2 (3) The qualification for appointment and recruitment of the officers
3 and other members of the Harmony Corps and the procedure for their
4 promotion to various ranks, shall be in accordance with the rules made by the
5 Board for that purpose.

6 *Accouterments, Immunity, and Protection of Members of*
7 *the Harmony Corps*

8 11N. The Harmony Corps shall provide for every serving member,
9 such accouterments as it may consider necessary, for the proper performance of
10 the functions conferred under this Bill, and without prejudice to the provisions
11 of this section, such accouterments shall include uniforms, identification cards,
12 raincoats, motor-cycles, motor cars, two-way mobile radio, telephone sets and
13 other necessary equipment and such other items stipulated in the First
14 Schedule.

15 *Establishment of Fund and Expenditure*

16 11O. (1) There is established and maintained by the Board, a fund into
17 which shall be paid and credited:

18 (a) the take-off grant for the Harmony Corps;

19 (b) donations from donor agencies, international organizations and
20 annual subventions, received from the Government of the Federation;

21 (c) all fees and charges for services rendered by the Harmony Corps to
22 the public; and

23 (d) all other sums which may, from time, accrue to the Harmony
24 Corps.

25 (2) The Board shall apply the proceeds of the Fund at its disposal for
26 the:

27 (a) cost of administration and operations of the Harmony Corps and
28 other activities undertaken thereof;

29 (b) payment of fees, allowances and expenses of the members of the
30 Harmony Corps and any Committee set up by the Board;

- 1 (c) payment of salaries, allowances and benefits of officers, staff
2 and other members of the Harmony Carps;
3 (d) maintenance of any property vested in the Board .or under its
4 administration;
5 (e) training of members of the Harmony Corps within and outside
6 Nigeria, and other research programmes carried out by the Harmony Corps;
7 and
8 (f) overall or any of the functions of the Harmony Corps under this
9 Bill.

10 *Establishment Of Investigating Panel*

11 11P. (1) There is established the Harmony Corps Investigating
12 Panel (in this Bill, referred to as "the Panel") charged with the duty of:

13 (a) conducting a preliminary investigation into any matter brought
14 before it where it is alleged that an officer or a member of the Harmony
15 Corps has misbehaved or breached any of the Codes of conduct in his
16 capacity as an officer or of the Harmony Corps;

17 (b) deciding whether the matter should be referred to the
18 Disciplinary Committee; and

19 (c) presenting a report containing its recommendations to the
20 Disciplinary Committee in respect of any matter brought before it.

21 (2) The Board shall constitute the Panel, which shall consist of
22 three members of the Board and two other persons who are members of the
23 Harmony Corps, but are not members of the Board at the time of their
24 appointment.

25 (3) The Panel may make rules, not contained in this Bill, as to its
26 procedure for carrying on an investigation into any matter brought before it.

27 *Establishment of Disciplinary Committee*

28 11Q. (1) Without prejudice to the powers of the Board to set up
29 committees for the conduct of its affairs under this Bill, there is established
30 the Harmony Corps Disciplinary Committee (in this Bill referred to as lithe

1 Disciplinary Committee" charged with the duty of:

2 (a) maintaining discipline among officers and members of the
3 Harmony Corps; and

4 (b) considering and determining any matter of gross misconduct by
5 any officer or member of the Harmony Corps.

6 (2) The Disciplinary Committee shall consist of a Chairman and four
7 other members of the Harmony Corps.

8 (3) The Disciplinary Committee shall have a Secretary and such other
9 number of staff as the Chairman of the Board may determine.

10 (4) The Chairman of the Disciplinary Committee shall have power to
11 summon a meeting of the Committee, at any time to consider and determine
12 any report of indiscipline by any officer and member of Harmony Corps.

13 (5) The Disciplinary Committee may make standing rules for its
14 proceedings under this Bill.

15 *Codes of Conduct for Members of the Initiative*

16 11R. (1) The Board is responsible for setting out the Codes of Conduct
17 for officers and members of the Harmony Corps, which may not be published
18 in the Federal Government Gazette, but shall cause them to be brought to the
19 notice of all officers and members of the Harmony Corps, in such a manner as it
20 may be determined.

21 (2) Notwithstanding the provision of subsection ("the Codes of
22 Conduct set out by the Board shall take cognizance of matters relating to the
23 conduct and comportment of officers and members of the Harmony Corps in
24 public places, their dealings with members of the society and attitude to the
25 discharge of their duties.

26 *Offences and Punishment*

27 11S. (1) Where a member or officer of the Harmony Corps breaches,
28 contravenes or violates any of the Codes of Conduct of the Harmony Corps or
29 any other law in force in the Federation, the Disciplinary Committee shall have
30 power to recommend:

1 (a) suspension of the officer or member of the Harmony Corps
2 from duty without pay for a specified period;

3 (b) demotion in rank of the officer or deferment of promotion for a
4 specified period;

5 (c) dismissal from the service of the Harmony Corps; or

6 (d) combination of the punishments.

7 (2) In the case of the contravention or violation of any law in force
8 in the Federation by an officer or a member, the Disciplinary Committee
9 shall, in addition to issuing a recommendation for his dismissal, recommend
10 that the offender be handed over to the appropriate authority for prosecution.

11 (3) Every recommendation of the Disciplinary Committee under this section
12 shall not have force, unless approved by the Board.

13 *Rules and Regulations*

14 11T. (1) The Board may, with the approval of the Minister, make
15 such rules and regulations, which in its opinion are necessary or expedient
16 for giving full effect to the provisions of this Bill.

17 (2) Without prejudice to the provision of subsection (1), the Board
18 shall may make regulations generally for carrying out the objectives of this
19 Bill and, in particular, shall make regulations relating to:

20 (a) the rank, salaries and allowances of the officers and members of
21 the Harmony Corps;

22 (b) the hours of duty, schedule of work and leave of officers or
23 members of the Harmony Corps;

24 (c) the procedure and terms of appointment and recruitment of
25 officers or members of the Harmony Corps;

26 (d) subject to the provisions of this Bill, the qualification for
27 appointment of officers or members of the Harmony Corps or any ranks, and
28 the procedure for promotion to any such rank;

29 (e) the maintenance of discipline among members of the Harmony
30 Corps; and

1 (f) any other matter for which the Board has powers or which is
2 incidental or supplementary to the provisions of this section.

3 *Retirement and Resignation*

4 11U. (1) An officer or a member of the Harmony Corps recruited
5 under this Bill shall be retired upon attaining 35 years in Public Service or upon
6 attainment of 60 years of age, whichever comes first.

7 (2) Subject to the provision of subsection (1), a member of the
8 Harmony Corps may resign his or her position by a notice in writing, addressed
9 to the Harmony Corps General Coordinator, indicating his intention to resign
10 his appointment on a date mentioned in the notice (at least 28 days from the
11 date on which the notice is given).

12 (3) On receipt of the notice and upon the Harmony Corps General
13 Coordinator consenting in writing to same, the appointment of the member of
14 the Corps shall be determined accordingly.

15 (4) A member of the Corps disengaged in accordance with the
16 provisions of this Bill, shall be issued Certificate of Discharge.

17 *Remuneration and Allowances*

18 11V. (1) Every member of the Harmony Corps employed pursuant to
19 this Bill, shall be entitled to basic salary as may be determined by the authority,
20 including-

- 21 (a) hazard allowance;
22 (b) medical allowance;
23 (c) transport allowance;
24 (d) torch light allowance;
25 (e) meal subsidy allowance;
26 (f) kits (uniform) allowance;
27 (g) insurance scheme;
28 (h) housing scheme; and
29 (i) leave allowance.

30 (2) A member of the Harmony Corps is also entitled to benefit from

1 the National Health Insurance Scheme, (NHIS).

2 *Service Number of Members*

3 11 W. (1) Every officer or member of the Harmony Corps recruited
4 under this Bill, shall be issued a Service Number with the letters "CSN" and
5 all members of the Harmony Corps deployed in the Federal Republic of
6 Nigeria shall have their names and numbers appear on the register and data
7 bank kept for that purpose, by the Board.

8 (2) Every officer or member of the Harmony Corps to whom a
9 Harmony Corps number has been allocated in accordance with subsection
10 (1), shall while on duty, wear such Harmony Corps Service Number (for
11 Rank and File only) and name tag on the Chest top pockets of his uniform.

12 (3) To ensure the provisions of logistics and enhance the
13 performance of the Harmony Corps, the Board shall liaise with the Federal,
14 State and Local Government to provide for:

- 15 (a) vehicles, trucks, cars and buses for official uses;
16 (b) motorcycles (speed Bike), helmets and riding kits;
17 (c) communication equipment/gadgets;
18 (d) medical Equipment;
19 (e) reflective equipment kits, Jackets, Batons and other logistics
20 for traffic control/directing/dispensing;
21 (f) uniform kits, Iron buttons customized with "GIHN", Leg
22 Anklets and Boots, Beret and Belt, Rain Boot, Rain Coat and a round Jungle
23 hat;
24 (g) other necessary logistics gadgets as may be required from time
25 to time.

26 (4) A person who, before the coming into force of this Bill, holds an
27 office in the Harmony Corps shall, at the commencement of this Bill, be
28 deemed to have been appointed by the Board under this Bill.

29 3. This Bill may be cited as the National Orientation Agency Act Short title
30 (Amendment) Bill, 2019.

1 FIRST SCHEDULE

2 *Uniforms, Flag and Emblem*

3 1.-(1) The Harmony Corps shall have and maintain the following
4 design of Uniforms, Flag and Emblem;

5 (a) a pair of Trouser for men and Skirt for women with Purple Shirt
6 and Beret, Jungle cap or 'P' cap, a Sky-Blue Line yard for Field control or action
7 uniform or normal daily duty;

8 (b) the Liberty Uniform shall be a complete starched khaki trouser
9 and Shirt with Sky-Blue collar, background Shoulder flap with design pips (for
10 Officers only) or "GIHN" (for Rank/File only) on it, with the Service Colours at
11 the beginning of the flaps and a pair of leg anklets, belt and Beret, Jungle cap or
12 'p' cap with the service Colour-designed feathers on the caps, a line yard and the
13 designed hand badge for general dressing;

14 (c) the Ceremonial Uniform shall be a complete outfit (a pair of
15 trouser and a jacket), for officers only and the Officers' trouser shall have the
16 service colours adorn the sides. The jacket shall be designed with ceremonial
17 line yard, rank and a belt, a cap with the service designed-colours on it and a
18 pair of black shoes, white hand gloves and a sword by the side;

19 (d) for the Rank and File, the Ceremonial uniform shall be a pair of
20 trouser and a jacket and the trouser shall have the Service colours adorn on the
21 sides. The Jacket shall have a Conical shaped design at the arms, down the
22 sleeves, a ceremonial line yard and white hand gloves, with a pair of black
23 boots and anklets, purple belt, a 'p' cap with the service
24 colour-designed feathers on it for ceremonial functions;

25 (e) the Provost Uniform shall be a complete starched khaki trouser
26 and a Shirt with Sky-Blue collar, a pair of White Leg Anklets, Belt, white
27 crossed belt, white line yard and a beret or white 'p' cap or a jungle cap, with the
28 service colours-designed feathers on it, a badge with the inscription "GP"
29 (Initiative Provost) and the hand badge and a neck moflag with the service
30 colours and the emblem on it, for Provost Personnel only;

1 (f) in addition, a special track suit is designed for Harmony Corps
2 sports personnel, the truck suit is purple in colour with the service colour
3 adorn the sides of the trouser and the sleeves of the jacket, running from the
4 neck or shoulders down the arms and round the neck flap and hand or wrist.
5 The Service emblem is also printed on the breast position of the jacket;

6 (g) a special cardigan for Harmony Corps personnel use is also
7 there, it is purple in colour with the Harmony Corps colours running across
8 the 'V' neck, the arms and the down end of the cardigan, to be worn in cold
9 environment or atmosphere; and (h) a hand badge, chest badge are also
10 designed for personnel use to show-case the beauty of the Harmony Corps
11 uniform outfits.

12 (2) Officers Uniform from the rank of Harmony Corps Assistant
13 Coordinator (HCAC) and above would always have a collar designed
14 Corgem attached to it in accordance with the prevailing lay down ethics of
15 senior officers' rights, with other Paramilitary Organisations in the country.

16 (3) The 'GIHN' cap designs of Officers shall be as follows:

17 (a) Harmony Corps Chief Superintendent (HCCS) would always
18 have a silver designed cord in a single crescent form at the front handle,
19 without a wreath surrounding the Harmony Corps emblem and in all the
20 caps worn by these category of senior officers;

21 (b) from the rank of Harmony Corps State Coordinator (HCSC),
22 Harmony Corps State Deputy Coordinator (HCSDC) and the Harmony
23 Corps State Assistant Coordinator (HCSAC) the 'GIHN' cap would always
24 have a designed gold shells in a single crescent form at the front handle with
25 a single wreath surrounding the Harmony Corps emblem and in all the caps
26 worn by these category of senior officers;

27 (c) from the rank of Harmony Corps Assistant General Coordinator
28 (HCAGC) and the Harmony Corps Deputy General Coordinator (HCDGC)
29 the 'GIHN' cap would always have a designed goldshells in double crescent
30 form at the front handle with double wreath surrounding the service emblem

1 and in all the caps worn by these category of officers.

2 (d) for the Harmony Corps General Coordinator (HCGC), the 'GIHN'
3 cap would always have a designed gold shells in double crescent form at the
4 handle with triple wreath surrounding the Service emblem and in all the caps
5 worn by the Harmony Corps General Coordinator (HCGC).

6 (4) The Flag shall be Green, Sky-Blue and Purple Colours, arranged
7 horizontally from either sides.

8 (5) The Emblem of the GIHN shall be the Peace and Harmony sign of
9 "Peace and Harmony" represented with cross 'PH' circled, with two batons on
10 top, connected by a cord, with an Eagle sitting on the cord. Underneath a
11 wreath with the ensigned "Peace and Harmony".

12 (6) Any regulation made under subsection (1), need not be published
13 in the Federal Government Gazette but the Board shall cause same to be
14 brought to the notice of all members.

15 SECOND SCHEDULE

16 *Section 11*

17 RANKS STRUCTURE

18 1.-(1) The different ranks of superior officers of the Harmony Corps,
19 the precedence and the insignia of each of such rank, shall be as prescribed
20 below:

21 (a) Harmony Corps General Coordinator.....the device of the
22 Federation, two star and crossed tip staves surrounded by a laurel wreath;

23 (b) Harmony Corps Deputy General Coordinator.....the device of the
24 Federation, one star Star and crossed tip staves surrounded by a laurel
25 wreath;

26 (c) Harmony Corps Assistant General Coordinator. the device of
27 the Federation, one Bar and crossed trip staves surrounded by a laurel wreath;

28 (d) Harmony Corps State Coordinator.....the device of the
29 Federation, and crossed tips taved surrounded by a Laurel wreath;

30 (e) Harmony Corps State Deputy Coordinator.....a star, and crossed

- 1 tip staves surrounded by a laurel wreath;
- 2 (f) Harmony Corps State Assistant Coordinator.....crossed tip
- 3 staves surrounded by a laurel wreath;
- 4 (g) Harmony Corps Chief Superintendent.....the device of the
- 5 Federation and a star;
- 6 (h) Harmony Corps Deputy Superintendent.....the device of the
- 7 Federation;
- 8 (i) Harmony Corps Assistant Superintendent (I).....3 stars
- 9 arranged vertically;
- 10 (j) Harmony Corps Assistant Superintendent (II).....2 stars
- 11 arranged vertically (Substantive rank);
- 12 (k) Harmony Corps Inspector (I).....one star (on probation/on
- 13 trial); and
- 14 (I) Harmony Corps Inspector (II).....one star surmounting a
- 15 white band on the shoulder trap.
- 16 (2) The different ranks of the Senior non-commissioned officers of
- 17 the Harmony Corps, the precedence, and the insignia of each of such rank
- 18 shall be as prescribed below:
- 19 (a) Chief Inspector 4 horizontal bars arranged vertically;
- 20 (b) Principal Inspector 3 horizontal bars arranged
- 21 (Substantive) vertically;
- 22 (c) Inspector 2 horizontal bars arranged vertically (on
- 23 probation};
- 24 (d) Cadet Inspector one epaulette and two horizontal bars
- 25 (2nd 6 months in training) arranged vertically;
- 26 (e) Cadet Inspector one epaulette (1'6 months in
- 27 training).
- 28 (3) The different ranks of the Junior non-commissioned officer of
- 29 the Harmony Corps, the precedence and the insignia of each of such rank
- 30 shall be as prescribed below:

1 (a) Sergeant 3 chevrons, worn points down; and

2 (b) Corporal 2 chevrons, worn points down.

3 *Ranks System of the Corps with Initials*

4 1. Harmony Corps General Coordinator (HCGC);

5 2. Harmony Corps Deputy General Coordinator (HCDGC);

6 3. Harmony Corps Assistant General Coordinator (HCAGC);

7 4. Harmony Corps State Coordinator (HCSC);

8 5. Harmony Corps State Deputy Coordinator (HCSDC);

9 6. Harmony Corps State Assistant Coordinator (HCSAC);

10 7. Harmony Corps Chief Superintendent (HCCS);

11 8. Harmony Corps Deputy Superintendent (HCDS);

12 9. Harmony Corps Assistant Superintendent (HCAS I);

13 10. Harmony Corps Assistant Superintendent (HCAS II);

14 11. Harmony Corps Inspector (HCI - I);

15 12. Harmony Corps Inspector (HCI- II);

16 13. Harmony Corps Inspector (HCI- III);

17 14. Harmony Corps Cadet (HCC-I);

18 15. Harmony Corps Cadet (HCC-II); and

19 16. Harmony Corps Cadet (HCC-III).

20 EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Orientation Agency Act, NI00 Laws of the Federation of Nigeria, LFN 2004 to provide for an operational framework for the Global Initiative for Harmony Corps to among other things, promote inter-ethnic integration, mediation, peace-building, mutual understanding, patriotism, for peaceful co-existence and for related matters.

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL EAR CARE CENTRE, KADUNA FOR THE PREVENTION, DIAGNOSIS AND TREATMENT OF EAR, NOSE AND THROAT (ENT) DISEASES, CO-ORDINATION OF RESEARCH IN EAR, NOSE AND THROAT CHALLENGES, TRAINING OF SPECIALIST IN EAR, NOSE AND THROAT, AND OTHER SUPPORTING FIELDS; AND FOR RELATED MATTERS

Sponsored by Hon. M.T. Monguno

[] Commencement

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

Establishment, etc of the National Ear Care Centre

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <p>1 1.-(1) There is established a Centre to be known as the National Ear</p> <p>2 care Centre (in this Bill referred to as "the Centre")</p> <p>3 (2) The Centre:</p> <p>4 (a) shall be a body corporate with perpetual succession and a</p> <p>5 common seal;</p> <p>6 (b) may sue and be sued in its corporate name; and</p> <p>7 (c) may acquire, hold and dispose of property movable or</p> <p>8 immovable.</p> <p>9 (3) The Headquarters of the Centre shall be in Kaduna and may</p> <p>10 have six zonal Centres established in each of the six geo-political zones of</p> <p>11 Nigeria.</p> <p>12 (4) The Centre shall be a hospital, specializing in Otolaryngologist</p> <p>13 at all levels.</p> | <p>Establishment
of the National
Ear Care Centre</p> |
| <p>14 2.-(1) The Functions of the Centre shall be to provide hospital and</p> <p>15 specialist services in connection with the diagnosis and treatment of</p> <p>16 diseases or defect of the Ear, Nose and Throat (ENT), supply of appliances</p> <p>17 and other supplementary Otolaryngology services.</p> | <p>Functions and
Powers of the
Centre</p> |

- 1 (2) The Centre shall have power to:
- 2 (a) provide diagnostic, curative, preventive and rehabilitative
- 3 Otolaryngology service;
- 4 (b) provide ambulatory outreach and domiciliary ENT treatment,
- 5 employing the services of Otolaryngologist and other medical Practitioners;
- 6 (c) provide and facilitate the training of Otolaryngologist and
- 7 topologist;
- 8 (d) provide and facilitate the training of ENT personnel and
- 9 dispensing Nurses, and technicians;
- 10 (e) provide and facilitate the training of ENT related courses at
- 11 certificate and diploma levels;
- 12 (f) provide and facilitate other trainings including residency, post
- 13 basic training, etc;
- 14 (g) provide and facilitate research in all aspect of Otolaryngology,
- 15 including ENT, clinical and experimental;
- 16 (h) facilitate the training of specialist in ENT and other supporting
- 17 fields; and
- 18 (i) develop new diagnostic and therapeutic ENT instruments and
- 19 appliances better situated for the practice of Otolaryngology in Nigeria, (3) For
- 20 the purposes of the discharge of its functions under this Bill, the Centre may:
- 21 (a) arrange periodic conferences, seminars, study groups and like
- 22 activities in Otolaryngology;
- 23 (b) advise the government of the Federation or of a state on all matters
- 24 relating to defects and diseases of ENT and the prevention of deafness;
- 25 (c) offer such assistance to ENT hospitals or units in various part of
- 26 the Federation, as the Board may deem necessary; and
- 27 (d) do anything in connection with or incidental to the functions
- 28 conferred on it in this Bill.
- 29 **3. The Centre shall be constituted as follows:**
- 30 (a) a Management Board;

- 1 (b) an Education Committee;
2 (c) the Clinical and other departments of the Centre;
3 (d) all members of the administrative, clinical and technical staff;
4 and
5 (e) all students of the Centre.

6 4.-(1) There is established for the centre, a body to be known as the Establishment
7 National Ear Care Centre Management Board (in this Bill refers to as "the of the Management
8 Board"), which shall have general responsibility for the government of the Board
9 Centre.

10 (2) The Board shall consist of:

- 11 (a) the Chairman;
12 (b) the Medical Director;
13 (c) four persons to represent a broad variety of interest in Nigeria;
14 (d) two persons appointed by the consultant staff of the hospital
15 from among their number;
16 (e) the Permanent Secretary, Federal Ministry of Health, or his
17 representatives;
18 (f) the Permanent Secretary, Federal Ministry of Education, or his
19 representatives;

20 (3) The President shall on the recommendation of the Minister of
21 Health appoint, apart from the ex-officio members, the Chairman and other
22 members of the Board;

23 (4) The Chairman shall be a person of proven integrity, possess
24 cognate experience and outstanding ability in administration and
25 professional or technical education.

26 (5) The members specified in subsection (2)(b),(d),(e) and(f) of
27 section 4, are hereinafter referred to as "ex-officio members".

28 (6) The supplementary provision as set out in the Schedule to this Schedule
29 Bill shall have effect with respect to the proceedings of the Board and the
30 education committee and the other matters mentioned therein.

Tenure of the
office of members
of the Board

1 5.-(1) The Chairman and any other member of the Board (not being an
2 ex-officio member), shall hold office for a period of four years and shall be
3 eligible for re-appointment for a further period of four years and no more:

4 Provided that members of the Board under paragraph (d) of subsection(2) of
5 section 4 of this Bill, shall hold office for two years and shall not be eligible for
6 re-appointment.

7 (2) A member of the Board, other than an ex-officio member, shall be
8 paid out such remunerations and allowances in accordance with such terms and
9 conditions as may be stipulated in their letters of appointment.

10 (3) In the event of the death or incapacity of the Chairman of the
11 Board, or if for any reason other than lapse of time, the office of the chairman
12 becomes vacant, the President shall, on recommendation of the Minister,
13 appoint another person as Chairman for the residue of the term of the Chairman
14 of the Board.

15 (4) The office of a member of the Board shall become vacant if:

16 (a) he resigns his office by notice in writing under his hand, addressed
17 to the Minister;

18 (b) the period of his appointment has expired; or

19 (c) by resolution of the Board:

20 (i) that he has become unfit to continue as a member of the Board by
21 reason that the member has become incapable by reason of mental or bodily
22 infirmity of discharging his duties; or

23 (ii) that he has been absent from three consecutive meetings of the
24 Board without leave of the Board; or

25 (iii) he has been convicted of an offence involving dishonesty, fraud
26 or moral turpitude.

27 (5) Where the office of a member becomes vacant, another person
28 representing the same interest, shall be appointed for the remainder of the term
29 for which the vacating member was appointed.

30 (6) Any member of the Board other than an ex-officio member may,

1 by notice to the Board, resign his appointment.

2 6.-(1) The Board shall be the governing body of the Centre and Duties of the
3 shall be charged with the general control and superintendence of the policy, Board
4 finances and property of the Centre, including its public relations.

5 (2) Without prejudice to the generality of the foregoing, it shall be
6 the duty of the Board to construct, equipment and operate:

7 (a) the hospital, including the zonal Centres, which is to provide
8 comprehensive services, teaching and clinical research in Otolaryngology;

9 (b) such training schools and similar Institutions as the Board
10 considers necessary for providing the Centre at all times with adequate and
11 sufficient qualified staff, including Otolaryngology, ENT technicians,
12 nurses and members of other allied professions and calling, relevant to the
13 practice of Otolaryngologist.

14 (c) such clinics, units, out-patient departments, laboratories,
15 research or experimental stations and other like institutions, as the Board
16 may consider necessary for the efficient functioning of the Centre.

17 (3) The duty of running the Centre conferred by the foregoing
18 subsection shall include, the duty of providing proper courses of instruction
19 for students; but the Board shall not have power to award degrees, but the
20 Board shall not be prevented from arranging for students to attend courses at
21 or take higher qualifications awarded by other institutions not controlled by
22 the Board.

23 (4) The Board shall ensure that the standards of treatment and care
24 for patients provided at all establishments controlled by the Board are
25 maintained and the standards of training at those establishment, do not fall
26 below those usually provided by similar establishment of Internationally
27 high repute.

28 (5) Subject to this Bill, the Board shall have power to do anything,
29 which in its opinion is calculated to facilitate the carrying out of its functions
30 under this Bill.

7. The Board shall be responsible for laying down general policies and guidelines relating to the management of the affairs of the Centre, including the management of the hospital and the provision of facilities relating to the training of all categories of ENT personnel and it shall be the duty of the Medical Director to execute such policies and to keep within such guidelines.

7 **8.-(1)** Subject to the provisions of this Bill, the Medical Director shall
8 be appointed or removed from his office by the President.

(2) The Medical Director shall hold office for four year period in the first instance and shall be eligible for reappointment for terms not exceeding three years on each occasion.

(3) Subject to this section, the Medical Director shall hold office on such terms as to emoluments or otherwise as may be specified in his letter of appointment.

(4) The Medical Director shall, in relation to the Board, take precedence over all other members of the Centre, except the Chairman of the Board and any person for the time being acting as Chairman of the Board.

(5) The Medical Director shall be the Chief executive officer of the Centre and in addition to any other function conferred on him by this Bill, have the general function of directing the day-to-day activities of the Centre.

21 **9.-(1)** The senior members of the clinical, administrative and
22 technical staff of the Centre shall be appointed by the Board on the
23 recommendation of a Committee, to be known as the Appointments and
24 Promotions Committee, set up under the provisions of paragraph 4 (3) of the
25 Schedule to this Bill.

26 [Schedule]

(2) The Board shall from among the officers appointed pursuant to subsection (1) of this section select, on the recommendation of the Medical Director, a person to act both as the Secretary to the Board and to the education Committee.

1 (3) The power to appoint all other categories of staff to hold or act
 2 in offices in the Centre (including power to make appointments on
 3 promotion and transfer and to confirm, dismiss or exercise other
 4 disciplinary control over persons holding or acting in such offices), shall be
 5 exercised by the Medical Director acting on the recommendation of the
 6 Junior Staff Appointments and Promotions Committee, constituted under
 7 paragraph 4 (b) of the Schedule to this Act.

8 **10.** The Education Committee shall consist of:

Composition of
the Education
Committee

9 (a) the Medical Director, who shall be the Chairman;

10 (b) the heads of the departments of the Centre, responsible for
 11 training; and

12 (c) the persons for the time being holding such offices in the
 13 Centre, as the Medical Director may specify.

14 **11.** The Education Committee shall have responsibility for the
 15 running of the academic affairs of the Centre including:

Functions of the
Education
Committee

16 (a) the organisation and control of courses of study at the Centre
 17 and of the examinations held in connection with those courses;

18 (b) determining the requisite qualifications for admission into any
 19 of the courses offered by the Centre;

20 (c) determining the duration of the training period; and

21 (d) effecting the affiliation of the Centre with Universities and
 22 Institutions, for the award of Degrees, Diplomas or fellowship to students,
 23 on the successful completion of the relevant courses.

24 **12.** Where a candidate offers himself for admission as a
 25 postgraduate medical student under this Bill, he shall satisfy the Board that
 26 he is a registered Medical Practitioner or that he is on the temporary or
 27 provisional register of Medical Practitioners of the Nigeria Medical
 28 Council.

Candidacy for
admission

29 **13.** The Minister may give to the Board directions of a general
 30 character or relating generally to particular matters (but not to any individual

Power of the
Minister to give
directions

	1	person or case), with regard to the exercise by the Board of its functions under
	2	this Bill, and it shall be the duty of the Board to comply with the directions, but
	3	no direction shall be given which is inconsistent with the duties of the Board
	4	under this Bill.
	5	<i>Financial provision</i>
Fund of the Centre	6	14.-(1) The Board shall establish and maintain a fund into which it
	7	shall pay:
	8	(a) such sums as may be provided, from time to time, by the
	9	Government of the Federation or of a State for the Centre; and
	10	(b) all sums accruing to the Centre by way of fees, gifts, testamentary
	11	disposition, contributions from philanthropic persons or organisations or other
	12	entities.
Power to borrow	13	15. Except with the approval of the Minister, the Centre shall not
	14	have power to borrow money.
Annual estimates and expenditure	15	16. The Board shall prepare and submit to the Minister, not later than
	16	31 September in each financial year, an estimate of the income and expenditure
	17	of the Centre during the next succeeding financial year.
Accounts and Audit	18	17. The Centre shall keep proper Accounts and audit in respect of
	19	each financial year and proper records in relation to those accounts and shall
	20	cause its accounts to be audited as soon as may be, after the end of the financial
	21	year to which the accounts relate by a firm of auditors appointed, as respects
	22	that year, by the Board from the list and in accordance with the guidelines
	23	supplied by the Auditor-General of the Federation.
Fees for services	24	18. The Board may, with the approval of the Minister, prescribe the
	25	scale of fees chargeable for hospital services provided by the Centre.
Power to accept gifts	26	19.-(1) The Centre may accept gifts of land, money or other property
	27	upon such terms and conditions, if any, as may be specified by the person or
	28	organisation making the gift.
	29	(2) The Board shall not accept any gift if the conditions attached by
	30	the person making the gift are inconsistent with the functions of the Board

1 under this Act.

2 **20.**-(1) Subject to the provisions of this section, where it appears to Discipline of
3 the Medical Director that any student of the Centre has been guilty of students
4 misconduct, the Medical Director may, without prejudice to any other
5 disciplinary powers conferred on him by regulations, direct that:

6 (a) the student shall not, during such period as may be specified in
7 the direction, participate in such activities of the Centre or make use of such
8 facilities of the Centre as may be so specified;

9 (b) the activities of the student shall, during such period as may be
10 specified in the direction, be restricted in such manner as may be so
11 specified;

12 (c) the student be rusticated for such period as may be specified in
13 the direction; or

14 (d) the student be expelled from the Centre.

15 (2) Where a direction is given under subsection (1) (c) or (d) of this
16 section in respect of any student, the student may, within the prescribed
17 period and in the prescribed manner, appeal from the direction to the Board;
18 and where such an appeal is brought, the Board shall, after causing inquiry to
19 be made in the matter as the Board considers appropriate, either confirm or
20 set aside the direction or modify it in such manner as the Board thinks fit.

21 (3) The fact that an appeal from a direction is brought in pursuance
22 of the foregoing subsection, shall not affect the operation of the direction
23 while the appeal is pending.

24 (4) The Medical Director may delegate his powers under this
25 section to a disciplinary committee consisting of such members of the
26 Centre as he may nominate.

27 (5) Nothing in this section shall be construed as preventing the
28 restriction or termination of a student's activities at the Centre otherwise
29 than on the ground of misconduct.

30 (6) The power of the Medical Director to give direction under

Removal and
discipline of
clinical,
administrative
and technical
staff

1 subsection (1) (a) of this section may be combined with a direction under
2 subsection (1) (b) of this section.

3 (7) Nothing in this section shall affect the provisions of any enactment
4 relating to the discipline of medical practitioners, pharmacists, nurses or
5 members of any other profession or calling.

6 **21.-(1)** If it appears to the Board that there are reasons for believing
7 that any person employed as a member of the clinical, administrative or
8 technical staff of the Centre, other than the Medical Director, should be
9 removed from his office or employment, the Board shall require the Medical
10 Director to:

11 (a) give notice of those reasons to the person in question;

12 (b) afford him an opportunity of making representations in person on
13 the matter to the Board; and

14 (c) if the person in question so requests within the period of one month
15 beginning with the date of the notice, make arrangements:

16 (i) for a Committee to investigate the matter and to report on it to the
17 Board; and

18 (ii) for the person in question to be afforded an opportunity of
19 appearing before and being heard by the investigating committee with respect
20 to the matter, and if the Board, after considering the report of the investigating
21 committee, is satisfied that the person in question should be removed, the
22 Board may so remove him by a letter signed on the direction of the Board.

23 (2) The Medical Director may, in a case of misconduct by a member of
24 staff, which in the opinion of the Medical Director is prejudicial to the interest
25 of the Centre, suspend any such member and any such suspension shall
26 forthwith be reported to the Board.

27 (3) For good cause, any member of the staff may be suspended from
28 his duties or his appointment may be terminated by the Board; and for the
29 purposes of this section;

30 "Good cause" means-

1 (a) a conviction for any offence which the Board considers to be
2 such as to render the person concerned unfit for the discharge of the
3 functions of his office;

4 (b) any physical or mental incapacity which the Board, after
5 obtaining medical advice, considers to be such as to render the person
6 concerned unfit to continue to hold his office;

7 (c) conduct of a scandalous or other disgraceful nature which the
8 Board considers to be such as to render the person concerned unfit to
9 continue to hold his office; or

10 (d) conduct which the Board considers to be such as to constitute
11 failure or inability of the person concerned to discharge the functions of his
12 office or to comply with the terms and conditions of his service.

13 (4) Any person suspended shall, subject to subsections (2) and (3)
14 of this section, be on half pay and the Board shall before the expiration of a
15 period of three months after the date of such suspension, consider the case
16 against that person and come to a decision as to-

17 (a) whether to continue such person's suspension and if so, on what
18 terms (including the proportion of his emoluments to be paid to him);

19 (b) whether to reinstate such person, in which case the Board shall
20 restore his full emoluments to him with effect from the date of suspension;

21 (c) whether to terminate the appointment of the person concerned,
22 in which case such person will not be entitled to the proportion of his
23 emoluments withheld during the period of suspension; or

24 (d) whether to take such lesser disciplinary action against such
25 person (including the restoration of his emoluments that might have been
26 withheld), as the Board may determine, and in any case where the Board,
27 pursuant to this section, decides to continue a person's suspension or decides
28 to take further disciplinary action against a person, the Board shall, before
29 the expiration of a period of three months from such decision, come to a final
30 determination in respect of the case concerning any such person.

1 (5) It shall be the duty of the person by whom a letter of removal is
2 signed in pursuance of subsection (1) of this section, to use his best endeavours
3 to cause a copy of the letter to be served as soon as reasonably practicable on
4 the person to whom it relates.

5 (6) Nothing in the foregoing provisions of this section shall prevent
6 the Board from making regulations for the discipline of students and all other
7 categories of employees of the Centre, as the Board may prescribe.

8 (7) Regulations made under subsection (6) of this section, need not be
9 published in the Federal Gazette, but the Board shall bring them to the notice of
10 all affected persons in such manner as it may, from time to time, determine.

Discipline of
junior staff

11 **22.**-(1) If any junior staff is accused of misconduct or inefficiency, the
12 Medical Director may suspend him for not more than three months and
13 forthwith shall direct the Junior Staff Appointments and Promotion Committee
14 appointed under the provisions of paragraph 3 (b) of the Schedule to this Act-

15 *[Schedule]*

16 (a) to consider the case; and

17 (b) to make recommendations as to the appropriate action to be taken
18 by the Medical Director.

19 (2) In all cases under this section the officer shall be informed of the
20 charge against him and shall be given reasonable opportunity to defend
21 himself.

22 (3) The Medical Director may, after considering the recommendation
23 made pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or
24 down-grade the officer concerned.

25 (4) Any person aggrieved by the Medical Director's decision under
26 subsection (3) of this section may, within a period of 21 days from the date of
27 the letter communicating the decision to him, address a petition to the Board to
28 reconsider his case, and the Board's decision thereon shall be final.

1 *Miscellaneous*

2 **23.** No person shall be required to satisfy requirements as to any of
 3 the following matters, that is to say, race (including ethnic grouping), sex,
 4 place of birth or of family origin, or religious or political persuasion, as a
 5 condition to becoming or continuing to be a student at the Centre, the holder
 6 of any appointment or employment at the Centre or a member of anybody
 7 established by virtue of this Act; and no person shall be subjected to any
 8 disadvantage or accorded any advantage in relation to the Centre, by
 9 reference to any of those matters:

Exclusion of
discrimination
on account of
religion, race, etc.

10 Provided that nothing in this section shall be construed as
 11 preventing the Centre from imposing any disability or restriction on any of
 12 the aforementioned persons, where such person wilfully refuses or fails, on
 13 grounds of religious belief to undertake any duty generally and uniformly
 14 imposed on all such persons or any group of them which duty, having regard
 15 to its nature and the special circumstances pertaining thereto, is in the
 16 opinion of the Centre reasonably justifiable in the national interest.

17 **24.** The Board shall prepare and submit to the President, through
 18 the Minister, not later than 30 June in each year, a report in such form as the
 19 Minister may direct on the activities of the Board during the immediately
 20 preceding year and shall include in such report a copy of the audited
 21 accounts of the Centre for that year and of the auditors' report thereon.

Annual report

22 **25.** In this Act:
 23 "the Board" means the governing Board of the Centre, established under
 24 section 4(1) of this Act;
 25 "the Centre" means the National Ear Care Centre, established under section
 26 1 of this Act;
 27 "functions" includes powers and duties;
 28 "the Minister" means the Minister responsible for health matter;
 29 "Student" means a person enrolled at an institution controlled by the Board,
 30 for the purpose of pursuing a course of instruction at the institution.

Interpretation

Citation 1 **26.** This Bill may be cited as the National Ear Care Centre
2 (Establishment) Bill, 2019.

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, THE EDUCATION
COMMITTEE, ETC.

(Section 4 (6))

Proceedings of the Board

1. Subject to the provisions of this Bill and Section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by a majority of the members of the body and for the person presiding to have a second or casting vote), the Board may make Standing Orders regulating the proceedings of the Board or any Committee thereof.

2. The quorum of the Board shall be three which shall include the Chairman and two other members; and the quorum of any Committee of the Board shall be determined by the Board.

3.-(1) Subject to the provisions of any Standing Orders of the Board, the Board shall meet whenever it is summoned by the Chairman; and if the Chairman is required so to do by notice given to him by not less than four other members, he shall summon a meeting of the Board to be held within fourteen days of the date of the receipt by him of the notice.

(2) At any meeting of the Board, the Chairman of the Board shall preside and if the Chairman is absent, the members present shall elect one of their numbers to preside at the meeting.

(3) Where the Board desires to obtain the advice of any person on any particular matter, the Board may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this sub-paragraph, shall not be entitled to vote and shall not count towards a quorum.

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister, who may give such directions as he thinks fit as to the procedure which shall be

1 followed at that meeting.

2 *Committees of the Board and Education Committee*

3 4.-(1) The Board may appoint one or more Committees to carry out
4 on behalf of the Board such of its functions as the Board may determine, but
5 a decision of a Committee shall be of no effect until it is confirmed by the
6 Board.

7 (2) The Education Committee may appoint one or more
8 Committees to carry out on behalf of the Education Committee such of its
9 functions as the Education Committee may determine, but a decision of a
10 Committee shall be of no effect until it is confirmed by the Education
11 Committee.

12 (3) Without prejudice to the generality of sub-paragraphs (1) and
13 (2) of this Schedule, the Board shall appoint the following Committees-

14 (a) Appointments and Promotions Committee, which shall-

15 (i) consist of not less than five members, including the Medical
16 Director, who shall be the Chairman of the Committee;

17 (ii) be charged with the responsibility for making
18 recommendations to the Board on the appointment and promotion of the
19 clinical, administrative and technical staff of the Centre and have a quorum
20 of three members;

21 (b) the Junior Staff Appointments and Promotions Committee,
22 which shall have the powers set out in Section 22 of this Bill.

23 *Employees of the Centre*

24 5. Subject to this Act, the Board shall have power-

25 (a) to pay the employees of the Centre such remuneration and
26 allowances as the Board may with the approval of the Minister determine;

27 (b) to pay any person appointed to a Committee of the Board such
28 remuneration (whether by way of fees or otherwise), in respect of the
29 performance of his functions under this Bill and such travelling and

1 subsistence allowances while on the business of the Board, as the Board may
2 determine;

3 (c) to establish for the employees of the Centre such superannuation
4 scheme (whether contributory or not), as the Board may determine; and

5 (d) to give loans to its employees for purposes approved by the Board.

6 *Miscellaneous*

7 6.-(1) The fixing of the seal of the Board shall be authenticated by the
8 signature of the Chairman or of some other member, authorised generally or
9 specially by the Board for that purpose.

10 (2) Any contract or instrument which, if made or executed by a person
11 not being a body corporate would not be required to be under seal, may be made
12 or executed on behalf of the Centre by any person generally or specially
13 authorised to act for that purpose by the Board or a Committee of the Board.

14 (3) Any document purporting to be a document duly executed under
15 the seal of the Centre shall be received in evidence and shall, unless the
16 contrary is proved, be presumed to be so executed.

17 7. The validity of any proceedings of the Board or a Committee
18 thereof, shall not be affected by any vacancy in the membership of the Board or
19 Committee, or by any defect in the appointment of a member of the Board or of
20 any other person on the Committee.

21 8. Any member, and any person holding office on a Committee of the
22 Board, who has a personal interest in any contract or arrangement entered into
23 or proposed to be considered by the Board, shall forthwith disclose his interest
24 to the Board and shall not vote on any question relating to the contract or
25 arrangement.

26 *Education Committee*

27 9. The provisions of this Schedule shall apply mutatis mutandis to the
28 education Committee; but in relation to the quorum thereof, it shall be as may
29 be determined by the education committee.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Ear care Centre, Kaduna for the prevention, diagnosis and treatment of Ear, Nose and Throat (ENT) Disease in Nigeria.

NIGERIAN LAW REFORM COMMISSION (AMENDMENT) BILL, 2019

ARRANGEMENT OF CLAUSES

Clause:

1. Amendment of Cap. N118 LFN, 2004
2. Amendment of section 2
3. Amendment of section 5
4. Amendment of section 8
5. Amendment of section 9 (1)
6. Insertion of section 9
7. Amendment of section 14
8. Citation

A BILL

FOR

AN ACT TO AMEND THE NIGERIAN LAW REFORM COMMISSION ACT CAP. N118 LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE A PROCEDURE RESIGNATION AND FOR FILLING THE VACANCY IN THE MEMBERSHIP OF THE COMMISSION; AND FOR RELATED MATTERS

Sponsored by Hon. Mohammed Tahir Monguno

[] Commencement

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

- 1 **1.** The Nigerian Law Reform Commission Act Cap. N118 Laws
2 of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal
3 Act') is amended as set out in this Bill. Amendment of
Cap. N118 LFN,
2004
- 4 **2.** Section 2 of the Principal Act is amended- Amendment of
Section 2
 - 5 (a) in subsection (2), by-
 - 6 (i) inserting, after the word, "appearing to", in line 2, the words,
7 "the Senate of", and
8 (ii) substituting for the word, "twelve", in paragraph (b), the word,
9 "fifteen";
10 (b) by inserting, after subsection (4), new subsections "(4A)" -
11 "(4B)"-
12 "(4A) Where a vacancy occurs in the membership of the
13 Commission, the President shall appoint from the geo-graphical zone of the
14 predecessor member to hold office for the remaining terms of the
15 predecessor.
16 "(4B) A member of the Commission may, at any time, resign his
17 appointment by letter in writing addressed to the President"; and
18 (c) in subsection (5), by substituting for-
19 (i) the words, "National Assembly" in line 1, the word, President",
20 and

Amendment
of Section 5

1 (ii) the word, "misbehaviour" in line 1, the word, "misconduct".
2 **3.** Section 5 of the Principal Act is amended-
3 (a) in subsection (1), by inserting after the word, "review" in line 2, the
4 words, "through research";
5 (b) in subsection (2)(b) by inserting, after-
6 (i) the word, "may", in line 1, the words, "conduct research",
7 (ii) paragraph (e), new paragraphs "(f)" - "(g)" -
8 (f) shall receive and consider any proposal for the reform of the law
9 which may be made or referred to it by the National Assembly; and
10 (g) may include in any programme of the Commission any proposal
11 relating to its functions received from any authority, body or person.
12 (c) by substituting for subsection (6), a new subsection "(6)" -
13 "(6). Where the Attorney-General refers a programme to the
14 Commission, or the Commission initiates a programme, the Attorney-General
15 shall within 3 months from the date of receipt of the Commission's report and
16 proposal for reform, lay before the Federal Executive Council any programme
17 prepared by the Commission and any proposal for reform formulated by the
18 Commission pursuant to such programme:
19 Provided that where the programme is initiated by the Commission, if
20 after 3 months from the date of receipt of the Commission's report and
21 proposals for reform, such report is not laid before the Federal Executive
22 Councils, the Commission may forward to the National Assembly such report
23 and proposals for reform.

Amendment
of Section 8

24 **4.** Section 8 of the Principal Act is amended by substituting for
25 subsection (3), a new subsection "(3)" -
26 "(3) The remuneration, tenure and condition of service of the
27 employees of the Commission shall be as those applicable to staff in the
28 Nigerian Universities or otherwise as may be determined, from time to time, by
29 the Federal Government."

1	5. Section 9 (1) of the Principal Act is amended by inserting, after	Amendment of
2	the word, "post", in line 4, the words, "in the Nigerian Universities".	Section 9
3	6. Insert, after section 9 of the Principal Act, a new section "9A"-	Insertion of
4	<i>"Establishment of Zonal offices"</i>	Section 9
5	9A The Commission may establishment and maintain such number	
6	of zonal offices as the Commission may deem necessary".	
7	7. Section 14 of the Principal Act is amended-	Amendment of
8	(a) by inserting, in alphabetical order, the following new	Section 14
9	definitions-	
10	"Federal laws" means all laws within made by the National Assembly within	
11	the legislative competence of the National Assembly of the Federation and	
12	includes all received law and rules of law in force in the Federation and	
13	having effect as if enacted by the National Assembly and all procedural laws	
14	and all subsidiary instruments made under or pursuant to any such law; and	
15	"State laws" includes any law which is not a Federal law.	
16	(b) in the definition of "high judicial officer", by substituting for	
17	the words, "Judge of a High Court", in line 1, the words, "Justice of the Court	
18	of Appeal".	
19	8. This Bill may be cited as the Nigerian Law Reform Commission	Citation
20	(Amendment) Bill, 2019.	

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian Law Reform Commission Act Cap. N118 Laws of the Federation of Nigeria, 2004 to provide a procedure resignation and for filling the vacancy in the membership of the Commission.

A BILL

FOR

AN ACT TO REPEAL THE EMERGENCY POWERS ACT, 1961 AND TO ENACT
THE EMERGENCY POWERS ACT 2019; TO PROVIDE FOR THE DECLARATION
OF A STATE OF EMERGENCY AND FOR RELATED MATTERS

Sponsored by Hon. Mohammed Tahir Monguno

[] Commencement

ENACTED By the National Assembly of the Federal Republic of
Nigeria:

PART I - OBJECTIVES

- 1 **1.** The objective of this Bill is to make provision for the declaration Objectives
- 2 of a State of Emergency in Nigeria or any part thereof subject to the
- 3 provisions of the Constitution of the Federal Republic of Nigeria, 1999 (as
- 4 amended) and to provide for the:
- 5 (a) general administration of an emergency area;
- 6 (b) search, arrest without warrant and detention of persons in the
- 7 emergency area;
- 8 (c) prohibition of public processions, demonstrations and meetings
- 9 in the emergency area;
- 10 (d) imposition of curfew in the emergency area;
- 11 (e) declaration of protected places and control of persons in the
- 12 protected places; and
- 13 (f) control of arms and explosives in the emergency area.

- 14 **2.** The provisions of this Bill shall apply in any emergency area Application
- 15 and or throughout the Federal Republic of Nigeria.

PART II - DECLARATION OF A STATE OF EMERGENCY

- 17 **3.-(1)** The President in accordance with the advice of the Federal Declaration of
- 18 Executive Council may, by proclamation published in the Official Gazette, a state of
- 19 declare a state of emergency in Nigeria or in any part of Nigeria. emergency

1 (2) The Governor of a State, supported by two-third majority of the
2 House of Assembly may request the President to make a proclamation of state
3 of emergency in a state or any part thereof, where the need for such declaration
4 is reasonably justifiable.

5 (3) The President shall, in the declaration of state of emergency, state
6 the reason for the proclamation.

National Assembly
to be informed

7 4.-(1) Notwithstanding any other provision of this Bill, where a
8 proclamation is published under subsection (1) of section 3 of this Bill, the
9 President shall place immediately before the two Chambers of National
10 Assembly the facts and circumstances leading to the declaration of the state of
11 emergency.

12 (2) The National Assembly shall, within seventy-two hours after
13 being so notified, decide whether the proclamation should remain in force or
14 should be revoked; and the President shall act in accordance with the decision
15 of the National Assembly.

16 (3) Notwithstanding any other provision of this Bill, where a request
17 for the proclamation under subsection (2) of section 3 of this Bill is desired by a
18 Governor of a State, the President shall be given a reasonable time within
19 which to issue the proclamation.

Duration of a
state of emergency

20 5.-(1) A declaration of a state of emergency shall cease to have effect
21 at the expiration of a period of six months beginning with the date of
22 publication of the proclamation, unless, before the expiration of that period, it
23 is approved by members through a resolution passed by simple majority of
24 both chambers of the National Assembly.

25 (2) Subject to subsection (2) of section 4 of this Bill, where a
26 declaration of a state of emergency is approved by a simple majority resolution
27 of both chambers of the National Assembly, the state of emergency shall
28 continue to be in force until the expiration of a period of six months beginning
29 with the date upon which it was approved or until such earlier date as may be
30 specified in the resolution.

1	6.-(1) The National Assembly may, by resolution passed by simple	Extension or Revocation of a state or emergency
2	majority of its members, extend the approval of proclamation for periods of	
3	not more than three months at a time.	
4	(2) The National Assembly may, by a resolution passed by a simple	
5	majority of its members, at any time, revoke a declaration of a state of	
6	emergency it earlier approved.	
7	7. The President may issue a Proclamation of a state of emergency	Circumstances under which a state of emergency may be declared
8	where:	
9	(a) the Federation is at war;	
10	(b) the Federation is in imminent danger of invasion or	
11	involvement in a state of war or insurgency;	
12	(c) there is actual breakdown of public order and public safety in	
13	the Federation or any part thereof to such extent as to require extraordinary	
14	measures to restore peace and security;	
15	(d) there is a clear and present danger of an actual breakdown of	
16	public order and public safety in the Federation or any part thereof requiring	
17	extraordinary measures to avert such danger;	
18	(e) there is an occurrence or imminent danger, or the occurrence of	
19	any disaster or natural calamity, affecting the community or a section of the	
20	community in the Federation;	
21	(f) there is any other public danger which clearly constitutes a	
22	threat to the existence of the Federation; or	
23	(g) the President receives a request to do so in accordance with the	
24	provisions of subsection (2) of section 3 of this Bill.	
25	8.-(1) On the declaration of a state of emergency under section 3 of	Consequential powers
26	this Bill, the President may take such measures as he considers necessary	
27	and justifiable for the purpose of dealing with the situation that exists during	
28	the period that the state of emergency is in force.	
29	(2) Without prejudice to subsection (1) of this section, the	
30	President during the period of state of emergency, may in the case of an	

- 1 emergency affecting the whole of Nigeria-
- 2 (a) prevent assistance to an enemy in case of war; and
- 3 (b) or in any part of Nigeria, take any of the following steps, which
- 4 includes the:
- 5 (i) detention of persons or the restriction of their movement;
- 6 (ii) deportation and expulsion from Nigeria of persons whose
- 7 presence in Nigeria constitute threat;
- 8 (iii) acquisition of any property or taking possession of or controlling
- 9 on behalf of the state of any property;
- 10 (iv) searching without warrant of any premises;
- 11 (v) payment of compensation to any person affected by any action
- 12 taken under the emergency that is not in conformity with the provisions of this
- 13 Bill or any other law;
- 14 (vi) arrest, trial and punishment of any person for breach of any
- 15 instruments, orders or declaration related to the proclamation of state of
- 16 emergency;
- 17 (vii) suspension of operation of any law; and
- 18 (viii) removal of any person from the emergency area where the
- 19 emergency relates only to a part of the country.
- 20 (3) The powers conferred on the President under this Bill may be
- 21 exercised by the issuance of executive instruments, orders or declarations
- 22 published in the Official Gazette.
- 23 **9.** At the end of an emergency period declared under section 3 of this
- 24 Bill, a person in restriction or detention or in custody as a result of the
- 25 declaration of the emergency, shall be released either conditionally or
- 26 unconditionally.
- 27 **10.-(1)** The person authorised by the President shall make monthly
- 28 report to the National Assembly of the number of persons restricted or detained
- 29 by virtue of this Bill or any other enactment conferring emergency powers and
- 30 the number of cases in which the authority that ordered the restriction or

Termination of
state of emergency

Report to National
Assembly of
restricted or
detained persons

1 detention has acted in accordance with the decisions of the tribunal
2 appointed under this Bill.

3 (2) Notwithstanding subsection (1) of this section, the person
4 referred to in subsection (1) shall publish on monthly basis in the Gazette,
5 the number of-

6 (a) persons restricted or detained stating their names and
7 addresses;

8 (b) cases reviewed by the court or tribunal appointed under the
9 provisions of this Bill; and

10 (c) cases in which the authority which ordered their restriction or
11 detention has acted in accordance with the decisions of the court or tribunal
12 appointed under this Bill.

13 PART III - ADMINISTRATION OF THE EMERGENCY AREA

14 **11.**-(1) The State Governor or the Local Government Chairman in
15 an emergency area shall continue with the general functions of
16 administering the emergency area under the control of the President or any
17 person designated or authorized to act on his behalf.

Administration
of the Emergency
Area

18 (2) The President may give directions to a State Governor or Local
19 Government Chairman directly or through his designate or a duly
20 authorized person with respect to the administration of the emergency area
21 and it shall be the duty of the State Governor or Local Government
22 Chairman to comply with the direction.

23 (3) The President may with the approval of the National Assembly
24 suspend a State Governor or the Local Government Chairman in an
25 emergency area during an emergency period.

26 **12.**-(1) The President may make such Orders as appear to him to be
27 necessary or expedient for the purpose of maintaining and securing peace,
28 public order, public safety and good Government in the emergency area.

Power of the
President to make
Order for an
emergency area

29 (2) Any Order made under subsection (1) of this section may, if it
30 appears to the President to be necessary or expedient for the purpose

1 mentioned in the subsection-

2 (a) make provision for the detention of any person either within the
3 emergency area or elsewhere and removal and exclusion of any person from
4 the emergency area;

5 (b) authorized the taking of possession or control of any property or
6 undertaking in the emergency area;

7 (c) authorize the entry and search of any premises;

8 (d) provide for the application of any law (with or without
9 modification), in relation to that area;

10 (e) provide for the utilization of the funds of any Local Government in
11 the emergency area;

12 (f) provide for the payment of compensation and remuneration to
13 persons affected by the Order;

14 (g) provide for the apprehension, trials and punishment of persons
15 offending against the Order; or

16 (h) provide for the maintenance of such supplies and services as the
17 President considers essential to the lives of persons in the emergency area.

18 (3) Nothing in subsection (2) of this section shall authorize the
19 making of provisions for the trials of a person by military courts.

20 (4) An Order made under this section may provide that the Order shall
21 have effect for all purposes as if it were a law made by the House of Assembly
22 of the State of the emergency area concerned.

23 (5) The President shall, as soon as reasonably practicable after an
24 Order has been made under this Bill, transmit a copy of the Order to each House
25 of the National Assembly for approval and if the National Assembly disallows
26 the Order, it shall cease to have effect without prejudice to anything done
27 thereunder.

Control of the
Police in the
Emergency Area

28 **13.** Subject to the provisions of subsection (3) of section 215 of the
29 Constitution of the Federal Republic of Nigeria 1999, as amended and of any
30 directions given in pursuance of that subsection, a person designated or

1 authorized by the President may give to the Commissioner of Police in the
2 emergency area such directions with respect to the maintenance and security
3 of public safety and order as the person considers expedient and it shall be
4 the duty of the Commissioner of Police to comply with the directions.

5 **14.** The President or his designate or authorised person shall,
6 without prejudice to the generality of the powers conferred on him by these
7 Regulations-

Suspension and
control of
functions of certain
authorities in the
emergency area

8 (a) allow any person holding offices as in the Local Government of
9 the emergency area, or public service of the State within the meaning of the
10 Constitution of the Federal Republic of Nigeria 1999, as amended in the
11 emergency area; or any customary court or Local Government Authority in
12 the emergency area, to exercise their functions in accordance with any
13 directions given to them; and

14 (b) may suspend from office any such person, who in his opinion,
15 fails to comply with direction given under this regulation and may appoint
16 some other person to act in the place of the suspended person during the
17 period of the emergency.

18 **15.** Any instrument purported to be signed by the President, his
19 designate or a person authorized by him shall until the contrary is proved, be
20 deemed to be signed by the President, his designate or the authorized person.

Authentication
of instruments

21 **PART IV - DETENTION OF PERSONS**

22 **16.-(1)** Where the Appropriate Authority is satisfied that a person
23 in the emergency area is or has been involved in the preparation or
24 instigation of acts prejudicial to public safety and that by reason thereof, it is
25 necessary to exercise control over him, he may make a Detention Order
26 directing that the person be detained in any place in the emergency area or in
27 any Maximum Prison in Nigeria as may be specified in the Detention Order.

Detention Orders

28 (2) Any Detention Order under subsection (1) of this section may
29 be made orally or in writing provided that if made orally, it shall as soon as
30 practicable be confirmed in writing and in either case, the Detention Order

1 issued shall be complied with immediately.

2 (3) Any person detained pursuant to a Detention Order made under
3 subsection (1) of this section shall be deemed to be in lawful custody.

Authority for
detention

4 **17.** An order of the Appropriate Authority made under the provisions
5 of section 16 of this Bill shall be fully executed by the person or persons to
6 whom the order is given, to arrest the person(s) against whom it is made and to
7 detain him or her during such time as the Detention Order is in force.

Powers of search
without warrant

8 **18.-** (1) Any superior police officer or any personnel of the armed
9 forces not below the rank of an Army Captain or its equivalent may, at any time,
10 enter without warrant and search any building (including a dwelling house),
11 ship, aircraft, vehicle or place where he has reasonable cause to believe that
12 there is or likely to be-

13 (a) any person against whom an order has been made under section 16
14 of this Bill; or

15 (b) any seditious or subversive document, pamphlet or literature; or

16 (c) anything which may provide evidence of the preparation,
17 instigation or commission of any act referred to in subsection (1) of section 16
18 of this Bill; and

19 (d) any firearm or ammunition owned, possessed or kept contrary to
20 the law.

21 (2) Where any person or thing referred to in sub-regulation (1) of this
22 regulation is found in any building, ship, aircraft, vehicle or place, any superior
23 police officer or any personnel of the armed forces may arrest the person or
24 seize the thing as the case may be.

25 (3) The police or members of the armed forces conducting any search
26 pursuant to the provision of subsection (1) of this section may require the
27 assistance of any person as deemed necessary for the purpose and such person
28 shall render such assistance to the best of his or her ability.

29 (4) Where any person is conducting a search in pursuance of powers
30 conferred upon him by subsection (1) of this section, the provisions of the

1 Administration of Criminal Justice Act, 2015 shall apply as though he were
2 conducting such search in the execution of a search warrant.

3 (5) Any property, item or thing seized under the provisions of
4 section (1) of this section may be detained and disposed of in accordance
5 with the Administration of Criminal Justice Act, 2015, as though it had been
6 seized in the execution of a search warrant.

7 **19.** At any time after a Detention Order is made against any person Variation and
8 under the provisions of section 16 of this Act, the Appropriate Authority may suspension of
9 direct- Detention Order

10 (a) that the person so detained be removed to any other place of
11 detention within the emergency area, or with the consent of the President, to
12 another place in Nigeria;

13 (b) that the operation of the Detention Order be suspended, subject
14 to such conditions:

15 (i) prohibiting or restricting the possession or use by the person of
16 any specified articles;

17 (ii) imposing on the person such restrictions as may be specified in
18 the direction in respect of his employment or business, concerning the place
19 of his residence or his association or communication with other persons;

20 (iii) restricting his movement between such hours as may be so
21 specified, except under the authority of a written permit granted by any
22 relevant authority or person;

23 (iv) requiring him to notify his movements, in such manner and at
24 such times, and to such authority or person as may be so specified of his
25 movement; or

26 (v) prohibiting him from travelling except in accordance with
27 permission given to him by such authority or person as may be specified.

28 **20.** The Appropriate Authority may revoke any direction issued Revocation
29 pursuant to this Part of this Bill, if he is satisfied that the person against
30 whom the Order was made has failed to observe any condition imposed or

Control of
Detention Orders
by President

1 that the operation of the Order can no longer remain suspended without it being
2 detrimental to public safety.

3 **21.** Where the Appropriate Authority is a designated or authorized
4 person acting on behalf of the President, he shall immediately after a Detention
5 Order has been issued under these regulations, transmit a copy of the Detention
6 Order to the President for approval and where the President disallows the
7 Detention Order, it shall cease to have effect without prejudice to anything
8 done thereunder.

9 PART V - RESTRICTION ORDERS

Restriction
Orders

10 **22.-(1)** For the purpose of maintaining public order in the emergency
11 area, the Appropriate Authority may make an order (in this Act referred to as "a
12 Restriction Order"):

13 (a) providing that a person shall be and remain or not be or not remain,
14 in a particular place or area as may be specified in the Restriction Order; and

15 (b) requiring a person to notify the Appropriate Authority or such
16 other authority or person of his movement in such manner and at such times and
17 as may be specified in the Restriction Order or any permit made pursuant to the
18 Restriction Order.

19 (2) A permit may be issued by the Appropriate Authority on such
20 terms and conditions as the Appropriate Authority deems expedient.

21 (3) A Restriction Order shall come into force immediately upon its
22 service on the restricted person.

23 (4) Where at the time of the service of a Restriction Order, the
24 Restricted Person is within the place or area specified in the Restriction Order,
25 the Restricted Person may be removed from that place or area by a police
26 officer or any person authorised in writing by the Appropriate Authority.

27 (5) Without prejudice to any proceedings which may be taken against
28 a Restricted Person under these Regulations, a Restricted Person who is in
29 contravention of the provisions of a Restriction Order, or any term or condition
30 of a permit issued pursuant to Restriction Order, may be removed from the

1 place or area by any police officer or any person authorised in writing by the
2 Appropriate Authority.

3 (6) A person while being removed under this Part shall be deemed
4 to be in lawful custody.

5 **23.** Where the Appropriate Authority is a designated or authorized
6 person acting on behalf of the President, he shall immediately after a
7 Restriction Order has been made under this Act, transmit a copy of the
8 Restriction Order to the President for approval and where the President
9 disallows the Restriction Order, such Restriction Order shall cease to have
10 effect without prejudice to anything done there under.

Control
Restriction Orders
by the President

11 PART VI - REPORTING OF PERSONS

12 **24.** The Appropriate Authority may, if he deems it expedient for
13 securing public safety and maintenance or restoration of public order, issue a
14 direction in writing requiring any person in the emergency area to whom the
15 direction is addressed, to report to such place in the emergency area within
16 such time as may be specified in the direction and to comply with direction
17 relating to his movements as may be given by the Appropriate Authority.

Power to require
persons to report

18 **25.-(1)** A direction issued pursuant to the provision of section 24 of
19 this Act shall remain in force for a period of 21 days from the date of receipt
20 by the person to whom it is addressed.

Duration of a
direction

21 (2) On the expiration of the period specified in subsection (1) of
22 this section, the Appropriate Authority may issue a further direction.

23 **26.** Where the Appropriate Authority is a designated or authorized
24 person acting on behalf of the President, he shall immediately after a
25 direction has been issued under these regulations, transmit a copy of the
26 direction to the President for approval and where the President disallows the
27 direction, it shall cease to have effect without prejudice to anything done
28 there under.

Control of
directions by
the President

29 **27.-(1)** For the purpose of Bill, a direction shall be deemed to have
30 been received if it is delivered to:

Notice of
Direction

1 (a) the person to whom it is addressed or made known to him; or

2 (b) the usual place of abode or business of such a person.

3 (2) It shall be a defence for a person who is found to be in
4 contravention of the provision of subsection (1) (b) of this section to prove that
5 he was absent from his usual place of abode or business as the case may be
6 when the direction was delivered and that on his return, he took immediate
7 steps to comply with the direction.

8 PART VII - PROCESSION AND MEETINGS

Prohibition of
public
processions,
demonstrations
and meetings

9 **28.** The Appropriate Authority, may by order prohibit the holding of
10 any public procession, demonstration or public meeting in any emergency area
11 for such period as may be specified in the order if he is satisfied that the holding
12 of the public procession, demonstration or public meeting would be likely to
13 cause serious public disorder.

Use of force

14 **29.** Any police officer or a member of the Armed Forces of the
15 Federal Republic of Nigeria may take such steps and use such force as may
16 reasonably be necessary to secure compliance with any order made under these
17 Regulations.

18 PART VIII - CURFEW

Power to impose
curfew

19 **30.** The Appropriate Authority may, by order, impose a curfew upon
20 the inhabitants of the emergency area or any part thereof.

Publication,
commencement
and proof of
curfew order

21 **31.-(1)** Every curfew order shall be made known to the inhabitants of
22 the area to which it relates in such manner as the Appropriate Authority thinks
23 fit, and shall come into operation on the date it is issued.

24 (2) Without prejudice to any other mode of proof, a certificate signed
25 by the Appropriate Authority or at his direction stating the terms of any curfew
26 order and the date on which it came into operation in accordance with the
27 provisions subsection (1) of this section shall be conclusive evidence of those
28 matters.

29 (3) As soon as a curfew order is made, the Appropriate Authority shall
30 cause it to be published by notice in the Government Gazette.

1	32.	Where a curfew has been imposed in any area, no person other	Effect of curfew
2		than a police officer, a member of the armed forces of the Federation, a	order
3		person registered as a medical practitioner or any other person authorized in	
4		writing under this Bill shall be outdoors within the area between such hours	
5		as may be specified in the curfew order (in this Bill referred to as 'the hours	
6		of curfew').	

7 **33.-(1)** Any superior police officer may issue to any person Permits
8 applying therefrom a written permit authorizing the holder thereof to be
9 outdoors within a curfew area during such times and for such purposes and
10 subject to such conditions or limitations as may be specified in such permit.

(2) It shall be a condition of every such permit that the person to whom it has been granted shall carry it on his person at all times when he is outdoors in a curfew area during the hours of curfew.

(3) Every such permit shall, on demand, be produced for the inspection of a police officer or a member of the armed forces of the Federation.

17 PART IX - PROTECTED PLACES

18 **34.** The Appropriate Authority may by order, where it appears to Declaration of
19 him to be necessary or expedient: protected places

20 (a) for the maintenance of supplies and services essential to the life
21 of the community; or

22 (b) for securing the public safety; or

(c) that special precautions should be taken to prevent the entry of unauthorized persons, declare those premises to be a protected place for the purpose of this Act and so long as the order is in force, no person shall, subject to any exemptions for which provision may be made by the order, enter or attempt to enter or be in those premises without the permission of such authority or person as may be specified in the order.

29 **35.** Every person to whom permission to enter a protected place is Control of
30 granted pursuant to section 34 of this Bill shall, while in that place, comply persons in
protected places

1 with such directions for regulating his conduct as may be given by the
 2 Appropriate Authority or by the authority or person granting the permission,
 3 and any authorized officer or any person authorized in that behalf by the
 4 occupier of the premises, may search any person entering or seeking to enter or
 5 being in any protected place, and may detain any such person for the purpose of
 6 searching him.

Removal of
unauthorized
persons

7 **36.** Where a person is in a protected place in contravention of this Part
 8 of this Bill or while in any such place, fails to comply with any direction given
 9 under this Part of this Bill, then without prejudice to any proceedings which
 10 may be taken against him, he may be removed from there by any authorized
 11 officer or any person authorized in that behalf by the occupier of the premises.

Additional
Protective
Measures

12 **37.-(1)** The Appropriate Authority may authorize such steps to be
 13 taken as he may deem necessary for the protection of any protected place, and
 14 such steps may extend to the taking of defensive measures which involve or
 15 may involve danger to the life of any person entering or attempting to enter any
 16 protected place.

17 (2) Where any measures involving such danger as aforesaid are
 18 adopted, the senior police officer or a member of the Armed Forces of the
 19 Federal Republic of Nigeria responsible for the locality in which the protected
 20 place is situated, shall cause such precautions to be taken, including the
 21 prominent display of warning notices, as he deems necessary to prevent
 22 inadvertent or accidental entry into the protected place and, where such
 23 precautions have been duly taken, no person shall be entitled to compensation
 24 or damages in respect of injury received or death caused as a result of any
 25 unauthorized entry into the protected place.

26 PART X - POSSESSION OF EXPLOSIVES

Possession of
Explosives etc.

27 **38.** Exercise of Powers by the Appropriate Authority is subject to
 28 directions, if any, given by the Appropriate Authority, a superior police officer
 29 or any member of the armed forces not below the rank of an Army Captain or its
 30 equivalent may exercise in the emergency area, all or any of the powers

1 conferred upon the Appropriate Authority by section 39 of this Bill.

2 **39.**-(1)The Appropriate Authority may by order made in respect of Possession of
3 the whole or any part of the emergency area prohibit, either absolutely or Explosives etc.
4 conditionally, the possession by any person of any explosive, ammunition,
5 arms or component parts thereof, and any such order may be made with
6 respect to all explosives, ammunition, arms or component parts thereof.

(2) The Appropriate Authority may by order made in respect of the whole or any part of the emergency area provide for the custody of explosives, ammunition, arms and component parts thereof, as he shall deem fit.

(3) Any person who, in any such area as may be specified in an order made pursuant to subsection (2) of this section, has in his possession, custody or control any explosive, ammunition, arms or component part thereof, shall comply with such directions in respect thereof as may be given by a police officer or a member of the Armed Forces of the Federal Republic of Nigeria in the district in which the articles are situated; and the directions may require the removal of the articles to such place as may be specified therein.

(4) Where any directions given by any police officer or a member of the Armed Forces of the Federal Republic of Nigeria under subsection (3) of this section are not complied with, then (without prejudice to any proceedings which may be taken in respect of the offence) the said officer may cause the articles to which the directions relate to be dealt with in such manner as may be necessary for securing compliance with the directions.

25 PART XI - MISCELLANEOUS

26 **40.-(1)** Not more than fourteen (14) days after the commencement
27 of the restriction or detention of any person under section 16 of this Bill, a
28 notification shall be published in the Official Gazette, stating the number of
29 person(s) that have been arrested, restricted or detained on the grounds of
30 violating the proclamation of state of emergency.

	1	(2) The person(s) detained shall be allowed to consult with a lawyer
	2	of his choice who shall also be permitted to make representations to either the
	3	court or tribunal appointed for the review of his case, and at the hearing of his
	4	case, he shall be permitted to appear in person or by a lawyer of his choice.
Review by either a court or tribunal	5	41. -(1) Not more than ten (10) days after the commencement of the
	6	restriction or detention, and after that, during the restriction or detention, at
	7	intervals of not more than three months, the case shall be reviewed by either a
	8	court or tribunal composed of not less than three Justices of the Superior Court
	9	appointed by the Chief Justice of Nigeria; except that the same court or tribunal
	10	shall not review more than once the case of a person restricted or detained.
	11	(2) On a review by a court or tribunal of the case of a restricted or
	12	detained person, the tribunal may order the release of the person and the
	13	payment to him of adequate compensation or uphold the grounds of his
	14	restriction or detention, and the authority by which the restriction or detention
	15	was ordered shall act accordingly.
Hearing of proceedings in Camera	16	42. -(1) A court sitting in any part of Nigeria where a proclamation
	17	under section 3 of this Bill is in force, if it is satisfied that it is in the interest of
	18	the public safety or the defence of the State, may-
	19	(a) direct that throughout or during any part of its proceedings, such
	20	persons or classes of persons as the court may determine shall be excluded; and
	21	(b) prohibit or restrict the disclosure of information relating to its
	22	proceedings.
	23	(2) A person who contravenes the directions of the court under
	24	subsection (1) of this section, commits an offence and is liable on conviction to
	25	imprisonment for a term of not less than 30 days.
	26	(3) Nothing in this Act shall authorise the making of any provision for
	27	the trial of a non-military person by a military court.
Offences and penalties	28	43. -(1) A person who-
	29	(a) contravenes the provisions of a Restriction Order; or
	30	(b) fails to comply with any term or condition of a permit pursuant to

1 a Restriction Order,
2 commits an offence and liable on summary conviction to imprisonment for a
3 term not exceeding two years or to a fine of N500,000.00 or to both.

4 (2) A person who receives a direction in pursuance of Part VI of
5 this Bill and fails to comply with the requirements of the direction, commits
6 an offence and shall be liable on summary conviction to imprisonment, for a
7 term not exceeding 6 months or to a fine of N200,000.00 or to both.

8 (3) A person who fails to comply with any order made under Part
9 VII of this Bill commits an offence and shall be liable on summary
10 conviction to imprisonment for a term not exceeding two years or to a fine of
11 not less than N500,000.00 or to both.

12 (4) A person found outdoors in any area where a curfew has been
13 imposed contrary to the provisions of Part VII of this Bill may be arrested
14 without warrant by a police officer or a member of the armed forces of the
15 Federation, and shall be liable on summary conviction to a fine not
16 exceeding N200,000 or to imprisonment for a term not exceeding six
17 months or to both.

18 (5) A person to whom a permit has been granted under Part VIII of
19 this Act who fails to produce it when lawfully required to do so shall be liable
20 on summary conviction to a fine not exceeding N100,000 or to
21 imprisonment for a term not exceeding three months.

22 (6) A person who enters or attempts to enter a protected place in
23 contravention of any of the provisions of Part IX of this Bill or a person
24 while in a protected place fails to comply with any direction given under
25 Bill, commits an offence and shall be liable-

26 (a) on summary conviction, to imprisonment for a term not
27 exceeding 2 years; or

28 (b) on conviction on indictment, to imprisonment for a term not
29 exceeding 5 years.

30 (7) A person who fails to comply with the provisions of any order

	1	or direction made or given under Part X of this Bill commits an offence and
	2	shall be liable on summary conviction, to imprisonment for a term not
	3	exceeding 5 years.
Repeal and savings provisions	4	44. -(1) The State of Emergency Act, 1961 is repealed.
	5	(2) Without limiting the provisions of the Interpretation Act, the
	6	repeal of the Act referred to in subsection (1) of this section, shall not affect any
	7	proclamation made or anything whatsoever done under the repealed
	8	enactment.
	9	(3) Every order, requirement, certificate, notice, direction, decision,
	10	authorisation, consent, application, request or thing made, issued, given or
	11	done under the enactment repealed by this Bill, shall continue in force and shall
	12	have effect as if made, issued, given or done under the corresponding provision
	13	of this Bill.
Interpretation	14	45. In this Act, unless the context otherwise requires:
	15	"Appropriate Authority" means the President of the Federal Republic of
	16	Nigeria or any person designated or authorised to act on his behalf;
	17	"ammunition" includes all materials for loading firearms, percussion caps and
	18	gunpowder of every kind;
	19	"arms" means offensive weapons and includes firearms of all descriptions;
	20	"Detention Order" means an order made in accordance with the provision of
	21	Part IV of this Bill;
	22	"duly authorized person" means any person designated or authorised to act on
	23	behalf of the President of the Federal Republic of Nigeria with respect to the
	24	administration of any emergency area;
	25	"emergency area" means the Areas listed in the Schedule to Proclamation
	26	issued pursuant to this Bill;
	27	"explosives" includes gunpowder of every kind, rockets, nitroglycerine,
	28	dynamite, gun-cotton, blasting powder, detonators, fulminate of mercury or
	29	other metals, and every other explosive substance being any compound of or
	30	having any ingredients in common with any of the above;

- 1 "firearms" includes any cannon, gun, rifle, machine-gun, cap-gun, flint-lock
2 gun, revolver, pistol or other firearm (In detached pieces; and
3 "offensive weapons" includes air guns, air pistols, bows and arrows, spears,
4 cutlasses, machetes, daggers, cudgels or any piece of wood, metal or stone
5 capable of being used as an offensive weapon;
6 "outdoors" means out-of-doors and includes open air, place of worship,
7 schools or other public places;
8 "protected place" means any premises in respect of which an order has been
9 made by the Appropriate Authority pursuant to this Bill;
10 "public meeting" means a meeting in a public place;
11 "public procession" means a procession in a public place and includes a
12 demonstration;
13 "public place" includes any-
14 (a) public way;
15 (b) building, place or conveyance, to which for the time being the
16 public is entitled or permitted to have access, with or without any condition;
17 (c) building or place which is for the time being used for any public
18 or religious meeting, assembly or as an open court.
19 "Restricted Person" means a person subject to a Restriction Order as
20 provided under this Bill;
21 "Restriction Order" means an order made in accordance with the provision
22 of section 22 of this Bill;
23 "specified" means specified in the Restriction Order or a permit, issued
24 pursuant to a Restriction Order.

25 **46.** This Bill may be cited as the Emergency Powers (Repeal and Citation
26 Enactment) Bill, 2019.

EXPLANATORY MEMORANDUM

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

This Bill seeks to repeal the Emergency Powers Act, 1961 and enact Emergency Powers Act, 2018 to provide for the procedure for the declaration of a State of Emergency in Nigeria or any part thereof subject to the provisions of the Constitution of the Federal Republic of Nigeria, 1999, as amended and in particular provides for the general administration of an emergency area, search, arrest without warrant and detention of persons in the emergency area, prohibition of public processions, demonstrations and meetings in the emergency area, imposition of curfew in the emergency area, declaration of protected places and control of persons in the protected places; and control of arms and explosives in the emergency area.

NATIONAL POSTGRADUATE COLLEGE OF MEDICAL LABORATORY
SCIENCE (ESTABLISHMENT) BILL, 2019
ARRANGEMENT OF SECTIONS

Section:

- 1 Establishment of National Postgraduate College of Medical
Laboratory Science
- 2 Responsibilities of the College
- 3 Fellows of the College
- 4 Governing body of the College
- 5 Powers of the Governing Board
- 6 Composition of the Senate
- 7 Functions of the Senate
- 8 Appointment of the President of the College, tenure and
resignation
- 9 Faculties
- 10 Eligibility for admission
- 11 Award of Fellowship
- 12 Award of Honourary Fellowship
- 13 Publication of particulars of standard
- 14 Staff of the College
- 15 Interpretation
- 16 Citation

FOR

Sponsored by Hon. Mohammed Tahir Monguno

[] Commencement

Schedule

	1	have effect with respect to the proceedings of the Governing Board and Senate
	2	and the other matters mentioned in the Schedule.
Governing Board of the College	3	4. There is established for the College the Governing Board which
	4	shall consist of:
	5	(a) the President of the College who shall be the Chairman;
	6	(b) the Chairman and Registrar of the Medical Laboratory Science
	7	Council of Nigeria;
	8	(c) 12 representatives of the Senate;
	9	(d) the Federal Director of Medical Laboratory Service;
	10	(e) the Permanent Secretary, Federal Ministry of -
	11	(i) Health or his representative;
	12	(ii) Finance or his representative;
	13	(iii) Education or his representative; and
	14	(iv) Science and Technology or his representative; and
	15	(f) two representatives of the Association of Medical Laboratory
	16	Scientists of Nigeria.
Powers of the Governing Board	17	5. The Governing Board shall be the governing body of the College
	18	charged with the general control and superintendence of the policies, finances
	19	and property of the College, including its public relations.
Composition of the Senate	20	6. The Senate shall consist of:
	21	(a) the President of the College who shall be Chairman;
	22	(b) the Chairman and Secretary of each Faculty Board appointed in
	23	line with section 9 of this Act; and
	24	(c) one representative elected by each Faculty.
Functions of the Senate	25	7. The Senate shall be responsible for the running of the academic
	26	affairs of the College including:
	27	(a) the organisation and control of courses of study at the College and
	28	the examinations held in connection with those courses;
	29	(b) the award of Fellowships, Diplomas and such other qualifications
	30	as may be prescribed in connection with examinations held.

- 1 **8.**-(1) Subject to paragraph 1 of the Schedule to this Act, the
2 President shall- Appointment of
the President of
the College, tenure
and resignation
- 3 (a) be appointed by the Governing Board; and
- 4 (b) hold office for three years.
- 5 (2) In the event of the death or incapacity of the President or if, for
6 any reason other than the effluxion of time, the office of President is vacant,
7 the Governing Board shall appoint another person as President for the
8 residue of the term of the President.
- 9 (3) Members of the Governing Board appointed under section 4 (b)
10 and members of the Senate appointed under section 6 (b) and (c) above shall
11 hold office for three years.
- 12 (4) Any of the members of the Governing Board or the Senate
13 referred to in subsection (3) may, by notice to the Governing Board or, as the
14 case may be, to the Senate, resign his appointment, and where any such
15 member ceases to hold office before his term of office would have expired
16 by effluxion of time, the body by whom he was appointed or elected shall, as
17 soon as may be practicable, appoint or, as the case may be, elect a person to
18 fill the vacancy for the residue of term.
- 19 **9.**-(1) There shall be the following Faculties for the College and Faculties
20 each Faculty shall comprise all Fellows in the appropriate specialty and the
21 faculties in the College:
- 22 (a) the Faculty of Clinical Chemistry;
- 23 (b) the Faculty of Medical Bacteriology and Mycology;
- 24 (c) the Faculty of Haematology and Blood Transfusion Science;
- 25 (d) the Faculty of Cellular Pathology and Histoscience;
- 26 (e) the Faculty of Medical Parasitology and Entomology;
- 27 (f) the Faculty Diagnostic Molecular Biology
- 28 (g) the Faculty of Immunology;
- 29 (h) the Faculty of Medical Virology;
- 30 (i) the Faculty of Cytogenetics;

1 (j) the Faculty of Forensic Science;
2 (k) the Faculty of Biomedical Technology and Instrumentation;
3 (l) the Faculty of General Medical Laboratory Practice; and
4 (m) the faculty of any other specialty as may be prescribed by the
5 Governing Board of the College.

6 (2) Each Faculty shall elect, from among its members, at least seven
7 but not more than 15 persons to serve as its Faculty Board, two of such persons
8 being elected Chairman and Secretary respectively of the Faculty Board and all
9 members so elected shall hold office for a term of three years.

10 (3) Subject to such standing orders that may be made by the Senate for
11 that purpose, each Faculty Board may carry out its duties as it deems fit.

12 (4) Each Faculty shall appoint a court of examiners and the court shall
13 be charged with the conduct of examinations under this section and thereafter
14 the Faculty Board shall make its recommendations to the Senate.

15 (5) Members of the Faculty Board shall not be entitled to any
16 emolument other than expenses reasonably incurred in travelling on the
17 Board's business, but members of a court of examiners shall be entitled to such
18 remuneration as the Governing Board of the College may authorise.

Eligibility for
admission

19 **10.** Where a candidate offers himself for examination under this Act
20 he shall satisfy the appropriate Faculty Board:

21 (a) that he is a registered medical laboratory scientist with a current
22 practising license; and

23 (b) that he is in possession of and is therein named as the holder of a
24 certificate from an institution recognised by the College showing that he has
25 satisfactorily attended the prescribed course of training in the particular
26 specialised branch and for prescribed period of the course.

Award of
Fellowship

27 **11.** Where the College awards its Fellowship under this Act, the
28 holder shall be entitled to the status as a Fellow in the specialised branch of
29 which the Fellowship is awarded.

1	12.- (1) The College may, on the recommendation of the Senate,	Award of
2	award Honorary Fellowship to persons of distinction in the community who	Honourary
3	need not be medical laboratory scientists, and, without prejudice to	fellowship
4	subsection (2), may, on the same recommendation, elect Fellows who need	
5	not have offered themselves for any post-graduate examination conducted	
6	by the College.	
7	(2) No person is eligible for election as a Fellow unless he	
8	possesses a degree or other qualification registered with the Medical	
9	Laboratory Science Council of Nigeria and satisfies such other conditions as	
10	may be prescribed by the College.	
11	13. The College shall publish in the Federal Government Gazette	Publication of
12	and elsewhere as it may deem fit:	particulars of
13	(a) particulars of the standards which are to be treated as sufficient	standards
14	for the purposes of examinations conducted by the College under this Act;	
15	and	
16	(b) the list of institutions recognised for purposes of section 10 of	
17	this Act.	
18	14.- (1) The Governing Board may employ such staff of the College	Staff of the
19	as it may consider necessary for the purpose of any of the functions	College
20	conferred on any of the bodies under this Act.	
21	(2) The Governing Board shall, from among the officers appointed	
22	under subsection (1) of this section, select a person to act as its Registrar and	
23	as Secretary to the Senate.	
24	15.- (1) In this Act:	Interpretation
25	"College" means the Postgraduate College of Medical Laboratory Science	
26	established under section 1 (1) of this Act;	
27	"Faculty Board" means any Faculty Board established under section 9 (1) of	
28	this Act;	
29	"Governing Board" means the Governing of the College referred to in	
30	section 3 (1)(a) of this Act;	

1 "Medical Laboratory Science Council" means the Medical Laboratory Science
2 Council of Nigeria;
3 "President" means the President of the College; and
4 "Senate" means the Senate of the College referred to in section 3 (1) (b) of this
5 Act.

6 (2) Unless the context otherwise requires, expressions used in this Act
7 have the same meaning as in the Act.

Citation 8 **16.** This Bill may be cited as the National Postgraduate College of
9 Medical Laboratory Science (Establishment) Bill, 2019.

10 SCHEDULE

11 *Section 3 (2)*

12 SUPPLEMENTARY PROVISIONS RELATING TO THE GOVERNING BOARD

13 AND THE SENATE

14 *Composition of the First Senate and Faculty Boards and Election of the*
15 *First President of the College*

16 1.-(1) Notwithstanding anything to the contrary in this Act, the
17 persons who immediately before the commencement of this Act were Fellows
18 of the Medical Laboratory Council of Nigeria shall on the commencement of
19 this Act become members of the corresponding Faculty Boards for purposes of
20 this Act and shall be deemed to have been appointed pursuant to section 9 of
21 this Act.

(2) Appointments of members of Faculty Boards shall be made in accordance with the provisions of section 9 of this Act.

(3) Each Faculty shall elect the first representative of the corresponding Faculty on the Senate as specified in section 6 (c) of this Act.

26 (4) The first meeting of the Senate shall be summoned by the
27 President of the Council and shall be presided over by him.

(5) At the first meeting, the Senate shall elect the person to be recommended to the Governing Board for appointment as the first President of the College as well as the first twelve representatives of the Senate on the

1 Governing Board as specified in section 4 (c) of this Act.

2 (6) The first meeting of the Governing Board shall be called by the
3 President of the Council and shall be presided over by him until the
4 President of the College is appointed in the manner prescribed in section 8
5 (1) of this Act.

6 *Proceedings of the Governing Board and Senate*

7 2.-(1) The Governing Board may make standing orders regulating
8 its proceedings or of any committee of the Board.

9 (2) The Senate may make standing orders regulating its
10 proceedings or of any Faculty Board or committee of the Senate.

11 3. The quorum of:

12 (a) the Governing Board shall be seven;

13 (b) the Senate shall be 14;

14 (c) any Faculty Board shall be determined by the Senate.

15 4. At any meeting of the Governing Board or the Senate, the
16 President shall preside and if the President is absent the members present
17 shall elect one of them to preside at that meeting.

18 *Committees of the Governing Board and Senate*

19 5.-(1) The Governing Board may set up one or more committees to
20 carry out, on behalf of the Board, such of its functions as the Board may
21 determine, but a decision of a committee shall be of no effect until it is
22 confirmed by the Board.

23 (2) The Senate may set up one or more committees to carry out, on
24 behalf of the Senate, such of its functions as the Senate may determine, but a
25 decision of a committee shall be of no effect until it is confirmed by the
26 Senate.

27 *Miscellaneous*

28 6.-(1) The fixing of the seal of the College shall be authenticated by
29 the signature of the President or of some other member authorised generally
30 or specially by the Governing Board for that purpose.

1 (2) Any contract or instrument, which if made or executed by a person
2 not being a body corporate would not be required to be under seal, may be made
3 or executed on behalf of the College by any person generally or specially
4 authorised to act for that purpose by the Governing Board.

5 (3) Any document purporting to be a document duly executed under
6 the seal of the College shall be received in evidence and shall, unless the
7 contrary is proved, be deemed to be so executed.

8 7. The validity of any proceeding of the Governing Board, the Senate
9 Faculty Board or a committee of the Governing Board or Senate shall not be
10 affected by-

11 (a) any vacancy in the membership of the body concerned;

12 (b) any defect in the appointment of any member; or

13 (c) reason that a person not entitled to do so took part in the
14 proceedings.

15 8. A Member of the Governing Board and any person holding office
16 on a committee of the Board, who has a personal interest in any contract or
17 arrangement entered into or proposed to be considered by the Board or a
18 committee shall disclose his interest to the Board and shall not vote on any
19 question relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establishes the National Postgraduate College of Medical Laboratory Science to conduct provisional postgraduate examination of candidates into the various specialised branches of medical laboratory science.

NIGERIAN PEACE CORPS (ESTABLISHMENT) BILL, 2019

ARRANGEMENT OF SECTIONS

*Section:*PART I - ESTABLISHMENT, FUNCTIONS AND OBJECTIVES OF THE PEACE
CORPS

- 1 Establishment, Functions and Objectives of the Peace Corps
- 2 Functions of the Peace Corps.

PART II - GOVERNING BOARD, COMPOSITION

- 3 Governing Board of the Peace Corps
- 4 Composition of the Board
- 5 Qualifications of the Chairman and other members of the Peace Corps
- 6 Appointment of the Chairman and Members of the Board
- 7 Tenure of office
- 8 Removal from office
- 9 Allowances
- 10 Powers of the Board

PART III - STAFF AND MEMBERSHIP OF THE PEACE CORPS

- 11 National Commandant of the Peace Corps
- 12 Deputy National Commandants, National Corps Secretary, Assistant National Commandants and other employees of the Peace Corps
- 13 Membership of the Peace Corps
- 14 Pensions

PART IV - APPOINTMENT, PROMOTION, OFFENCES AND
DISCIPLINE OF STAFF

- 15 Appointment of staff of the Peace Corps
- 16 Conditions of Service of Staff of the Peace Corps
- 17 Discipline of junior staff of the Peace Corps

PART V - ADMINISTRATIVE STRUCTURE AND ZONAL COMMANDS
OF THE PEACE CORPS

- 18 Administrative structure and Zonal Commands of the Peace Corps
- 19 Zones and Zonal Commands of the Peace Corps.

- 20 State Command
- 21 Local Government Command.
- 22 Squadron Command.

PART VI - FINANCIAL PROVISIONS

- 23 Funds of the Peace Corps
- 24 Expenditure of the Peace Corps
- 25 Annual estimates and accounts
- 26 Annual report
- 27 Power to accept donations
- 28 Power to borrow
- 29 Investment
- 30 Provision of library facilities
- 31 Exemption from tax

PART VII - LEGAL PROCEEDINGS

- 32 Limitation of suits against the Peace Corps
- 33 Service of Documents
- 34 Restriction on execution against property of the Peace Corps
- 35 Indemnity of officers
- 36 Secrecy
- 37 Power to obtain information

PART VIII - DISSOLUTION OF THE EXISTING PEACE CORPS OF NIGERIA

SAVINGS

- 38 Dissolution of the existing Peace Corps of Nigeria and savings

PART IX - MISCELLANEOUS

- 39 Directives by the Minister
- 40 Regulations
- 41 Interpretation
- 42 Citation

Schedule

Functions of the
Peace Corps

1 respect for constituted authorities, and
2 (iv) democratic norms and the rule of law; and
3 (b) re-direct the productive energies of the youth towards the socio-
4 economic and political advancement of the nation.

5 **2.-(1)** The core mandate of the Peace Corps is to Develop; Empower
6 and provide Gainful Employment for the Youths; to facilitate Peace;
7 Volunteerism, Community Services; Neighbourhood Watch and Nation-
8 building.

9 (2) The functions of the Peace Corps shall include to:

10 (a) enlist, mobilise, train, orientate and provide gainful employment
11 for the youths in order to develop them as supporting agents of social order by
12 providing a second line of public safety;

13 (b) serve as a think tank and engage in educating residents of every
14 community on security and safety measures peculiar to their neighbourhood;

15 (c) uphold a bottom-up surveillance through monitoring and
16 observation and to detect, collate, analyse and transmit intelligence data on
17 matters that may likely cause breach of peace and security within the
18 neighbourhood and transmit same to the appropriate Security Agency for pre-
19 emptive measures/actions;

20 (d) engage in Peace Education, Mediation and Conflict Resolution in
21 order to advance the course of Peace-building, Reconciliation and Conflict
22 Transformation in all communities in Nigeria;

23 (e) secure Educational Institutions from intruders and to combat all
24 forms of social decadence/vices, including cultism and examination
25 malpractices with a view to creating peaceful and conducive atmosphere for
26 learning;

27 (f) serve as a Reservoir and Spring-board of man-power for
28 volunteerism and involvement in social and community services such as
29 Crowd Control, Tour Guard/Guide, Emergency Relief Services, Rehabilitation
30 of Internally Displaced Persons, Voters' Registration, Election Duties, Census,

1 Immunization, Sanitation and First Aid;
 2 (g) set up a Centre saddled with the responsibility of training and
 3 building the capacity of the youths in the areas of Critical Thinking,
 4 Creativity, Innovation, Entrepreneurial and Skill Acquisition and;
 5 (h) carry out other functions as may be prescribed by an Act of the
 6 National Assembly or any Bye-law

7 PART II - GOVERNING BOARD, COMPOSITION AND POWERS

8 3. There is established for the management of the Peace Corps a
 9 Governing Board (in this Act referred to as "the Board").

Governing Board
of the Peace Corps

10 4. The Board shall consist of:

Composition of
the Board

- 11 (a) a Chairman;
 12 (b) a representative each of the Federal Ministry of:
 13 (i) Youth Development,
 14 (ii) Interior,
 15 (iii) Employment, Labour and Productivity,
 16 (iv) Education,
 17 (v) Environment,
 18 (vi) Finance, and
 19 (vii) Justice;
 20 (c) a representative each of the:
 21 (i) Institute of Peace and Conflict Resolution,
 22 (ii) National Orientation Agency,
 23 (iii) National Population Commission,
 24 (iv) Nigerian Tourism Development Corporation, and
 25 (v) National Directorate of Employment; and
 26 (d) the National Commandant, who shall serve as Secretary.

27 5.-(1) The Chairman shall be a person who has cognate experience
 28 and proven capacity to discharge his responsibilities to facilitate the
 29 accomplishment of the objectives of the Peace Corps.

Qualification of
the Chairman and
other members of
the Peace Corps

30 (2) The members referred to in section 4 of this Act shall:

	1	(a) not be below the rank of Director or its equivalent in the Force; and
	2	(b) be persons who have cognate experience and proven capacity to
	3	discharge their duties.
Appointment of the Chairman and Members of the Board	4	6. -(1) The President shall appoint the Chairman and Members of the
	5	Board on the recommendation of the Minister.
	6	(2) Without prejudice to the provisions of this Act, the Minister shall
	7	perform the functions of the Board where the Board has:
	8	(a) not been constituted; and
	9	(b) been dissolved.
Schedule	10	(3) The provisions of the Schedule to this Act shall have effect with
	11	respect to the proceedings of the Board and other matters contained in the
	12	Schedule.
Tenure of office	13	7. The Chairman and other members of the Board, other than ex-
	14	officio members:
	15	(a) shall hold office for a term of 4 years on such terms and conditions
	16	as may be specified in their letters of appointments; and
	17	(b) may be re-appointed for another term of 4 years and no more.
Removal from office	18	8.- (1) Notwithstanding the provisions of section 7 of this Act, a
	19	member may at any time be removed from office by the President if he:
	20	(a) is unable to discharge the functions of his office whether arising
	21	from infirmity of the body or mind;
	22	(b) is convicted by a court of law of a felony, fraud or any serious act
	23	of misconduct; and
	24	(c) without permission of the Board, is absent for more than 3
	25	consecutive meetings of the Board or without such permission is absent from
	26	the country for a period exceeding 1 year.
	27	(2) The Chairman or a member may resign by a notice addressed
	28	through the Secretary to the Government of the Federation to the President and
	29	such notice of resignation becomes effective from the date of acceptance of the
	30	resignation by the President.

1	9. A member shall be paid such allowances as may be determined	Allowances
2	by the National Salaries, Income and Wages Commission.	
3	10. The Board shall be responsible for:	Powers of the Board
4	(a) providing the general policies and guidelines relating to major	
5	expansion programmes of the Peace Corps;	
6	(b) the supervision of management and general administration of	
7	the Peace Corps;	
8	(c) recruiting regular members of the Peace Corps;	
9	(d) organising basic development and refresher courses for	
10	members of the Peace Corps;	
11	(e) fixing, with the approval of the Minister, the terms and	
12	conditions of service of members and employees of the Peace Corps,	
13	including their remuneration; and	
14	(f) doing such other things, which, in the opinion of the Board, are	
15	necessary to ensure the efficient performance of the functions of the Peace	
16	Corps.	
17	PART III - STAFF AND MEMBERSHIP OF THE PEACE CORPS	
18	11.-(1) There shall be for the Peace Corps a National Commandant	National Commandant of the Peace Corps
19	who shall be appointed by the President and Commander-in-Chief on the	
20	recommendation of the Minister-	
21	(a) Notwithstanding any provision in this Act, the position of the	
22	National Commandant shall be appointed from among the very Senior	
23	Officers cadre of the Peace Corp; and	
24	(b) The appointee must have occupied an office in Peace Corps not	
25	below the position of Assistant National Commandant and would have	
26	served in the Peace Corps meritoriously for not less than Ten (10) years.	
27	(2) The National Commandant shall hold office:	
28	(a) in the first instance for a term of 5 years and may be eligible for	
29	reappointment for another term of 5 years and no more; and	

1 (b) on such terms and conditions as may be specified in his letter of
2 appointment.

3 (3) The National Commandant shall be the Chief Executive and
4 Accounting Officer of the Peace Corps.

5 (4) The National Commandant shall, in the performance of his
6 functions, be directly responsible to the President but shall regularly consult
7 with the Minister and the Board.

8 (5) The National Commandant shall be responsible for the execution
9 of the policies of the Peace Corps and its day-to-day administration.

10 (6) Subject to the provisions of this Act, the National Commandant
11 shall hold office on such terms and emolument as may be specified in his letter
12 of appointment, and as may be approved by the President.

Deputy National
Commandants,
National Corps
Secretary,
Assistant National
Commandants
and other
employees of the
Peace Corps

13 **12.-(1)** The National Commandant shall recommend for appointment
14 by the Board such number of Deputy National Commandants, National Corps
15 Secretary, Assistant National Commandants, Commandants and such officers
16 from Level 8 and above as it may deem necessary for the purposes of the
17 effective administration of the Peace Corps.

18 (2) The terms and conditions of service (including remuneration,
19 allowances, benefits and pensions) of regular members and employees of the
20 Peace Corps shall be determined by the Board using the same criteria as may be
21 applied to other similar Agencies with the approval of the Minister.

22 (3) The Volunteers of the Peace Corps shall, for any period they are on
23 duty for the Peace Corps, be paid such allowances and other benefits as may be
24 approved by the National Commandant in consultation with the Minister.

25 (4) The National Commandant, after due consultation with the
26 Minister, shall appoint for the Peace Corps such number of officers, other ranks
27 and employees below Level 8 as it may deem necessary for the purposes of
28 effective administration of the Peace Corps.

Membership of
the Peace Corps

29 **13.-(1)** The Personnel of the Peace Corps shall consist of:

30 (a) regular members and volunteers; and

1 (b) officers and other ranks.

2 (2) Members of the Peace Corps shall be Nigerians within the age
3 of 18-35 years at the time of enlistment.

4 (3) Regular members and other staff shall be recruited by the Board
5 periodically to meet the personnel requirements of the Peace Corps, while
6 the recruitment of the volunteers shall be handled by the National
7 Commandant as the need arises.

8 **14.**-(1) The service in the Peace Corps shall be approved service for Pensions
9 the purposes of the Pension Reform Act and, regular members and
10 employees of the Peace Corps are entitled to pensions, gratuities and other
11 retirement benefits as prescribed under the Pension Reform Act.

12 (2) Notwithstanding the provisions of subsection (1) of this
13 section, nothing in this Act prevents the appointment of a person to any
14 office on such terms which preclude the grant of pension, gratuity or other Act No. 4, 2014
15 retirement benefits in respect of that office.

16 (3) For the purposes of the application of the provisions of the Act No. 4, 2014
17 Pension Reform Act, any power exercisable by the Minister or other
18 authority of the Federal Government, other than the power to make
19 regulations under section 40 of the Act is vested in, and shall be exercisable
20 by, the Peace Corps and not by any other person or authority.

21 (4) For the purpose of the application of the provisions of the Act No. 4, 2014
22 Pension Reform Act any power exercisable by the Secretary to the
23 Government of the Federation or other authority of the Government of the
24 Federation, other than the power to make regulations under section 40 of this
25 Act is vested in, and shall be exercisable by the Peace Corps and not by any
26 other persons or authority.

27 PART IV - APPOINTMENT, PROMOTION, OFFENCES AND

28 DISCIPLINE OF STAFF

29 **15.**-(1) The Senior Staff of the rank of Commandant and above Appointment of
30 shall be appointed by the President upon nomination by the National staff of the Peace
Corps

1 Commandant and on the recommendation of the Board.

2 (2) The appointment of State Commandants shall be by the Board on
3 the recommendation of the National Commandant.

4 (3) The post of the Deputy National Commandant shall be a terminal
5 post on which the holder shall retire from Peace Corps as may be determined by
6 the President.

7 (4) The National Commandant shall, in consultation with the Board,
8 establish such number of offices or units in the Headquarters and recruit
9 officers to discharge responsibilities.

10 (5) If for any reason, the National Commandant is unable to perform
11 his functions and there exists a vacancy in the office of the National
12 Commandant, the officer who is next in rank to the National Commandant is to
13 act for the period of his inability or vacancy, until a National Commandant is
14 appointed in accordance with the provisions of this Act, and the officer shall,
15 while so acting, have all the powers to perform the functions of the National
16 Commandant.

Condition of
service of other
staff of the Peace
Corps

17 **16.-(1)** The appointment of other staff of the Peace Corps shall be
18 governed by the general terms and conditions of service as the Board may, after
19 consultation with the Federal Civil Service Commission or related
20 organisations, determine.

21 (2) The Board may, subject to the provisions of this Act, make staff
22 regulations relating generally to the conditions of service of the staff of the
23 Peace Corps, and the regulations may provide for:

24 (a) the appointment, promotion, termination, dismissal and
25 disciplinary control of the staff of the Peace Corps; and

26 (b) appeal by such staff against wrongful dismissal or other
27 disciplinary measures, and until such regulations are made, any instrument
28 relating to the conditions of service of officers in the civil service of the
29 Federation or related organisations shall be applicable, with such
30 modifications as may be necessary to the staff of the Peace Corps.

1 (3) The staff of Peace Corps shall be Public Officers as defined in
2 the Constitution of the Federal Republic of the Nigeria.

3 (4) Staff regulations made under subsection (2) of this section shall
4 not have effect until they have been approved by the Board and, when so
5 approved, the Board shall cause them to be brought to the notice of all
6 affected persons.

7 **17. -(1)** The power of appointment, promotion and discipline of the
8 junior staff of the Peace Corps is vested in the National Commandant.

Discipline of
staff of the Peace
Corps

9 (2) The National Commandant may delegate his powers in respect
10 of discipline of junior staff to Deputy or Assistant National Commandant in
11 the Headquarters and State Command who shall discipline such staff in their
12 Departments and Commands respectively in accordance with existing
13 Peace Corps regulations.

14 (3) Appeal against all decisions concerning the discipline of such
15 staff shall be to the Senior Staff Disciplinary Committee.

16 (4) There is established the Senior Staff Disciplinary Committee
17 vested with the power to discipline the senior staff of the Peace Corps.

18 (5) The Senior Staff Disciplinary Committee shall consist of:

19 (a) a Deputy National Commandant and Assistant National
20 Commandant with the Deputy National Commandant serving as Chairman,
21 while in the absence of a Deputy National Commandant, the most Senior
22 Assistant National Commandant shall serve as Chairman;

23 (b) the Provost Marshal;

24 (c) the Head of Legal Matters; and

25 (d) National Corps Secretary.

26 (6) There is established the Junior Staff Disciplinary Committee
27 vested with the power to discipline the junior staff of the Peace Corps.

28 (7) In addition to functions specified in subsection (3) of this
29 section, the Senior Staff Disciplinary Committee shall consider and
30 determine appeals emanating from decisions of the Junior Staff Disciplinary

1 Committee of the Peace Corps and decisions on such appeals shall be final.

2 (8) Appeal against the decisions of the Senior Staff Disciplinary
3 Committee shall lie with the Board.

4 (9) The National Commandant shall, in relation to the staff of the
5 Peace Corps, ensure:

6 (a) probity and accountability;

7 (b) maintenance of a system of screening and vetting at the
8 recruitment stages which shall be a continuous exercise throughout the career
9 of personnel in the Peace Corps; and

10 (c) maintenance of a policy of continuous staff assessment.

11 (10) The National Commandant shall promulgate and distribute a
12 code of conduct to staff of the Peace Corps the breach of which shall attract the
13 appropriate penalty stipulated in the code.

14 (11) For the purpose of proper legal guidance and accountability, the
15 heads of the legal and audit unit shall report directly to the National
16 Commandant.

17 PART V - ADMINISTRATIVE STRUCTURES AND ZONAL COMMANDS

18 OF THE PEACE CORPS

Administrative
structures of the
Peace Corps

19 **18.-** (1) The Peace Corps Headquarters shall be in the Federal Capital
20 Territory, Abuja and headed by the National Commandant.

21 (2) There shall be established in the National Headquarters of the
22 Peace Corps the Departments of:

23 (a) Administration;

24 (b) Finance and Accounts;

25 (c) Planning Research and Statistics;

26 (d) Training and Operations;

27 (e) Intelligence and General Duties

28 (f) Peace Building and Conflict Resolution; and

29 (g) Logistics and Supply.

1 (3) The Department shall be headed by an officer not below the
2 rank of a Deputy National Commandant.

3 (4) Each of these Departments shall be established at the various
4 Command structures of the Peace Corps as provided in subsection (2) and
5 shall be headed by an officer not below the rank of Assistant Commandant.

6 **19.**-(1) The Board shall:

Zones and Zonal
Commands of the
Peace Corps

7 (a) create such number of Zones as it deems fit for the effective
8 operations of the Peace Corps; and

9 (b) establish, in each zone, a Zonal Command, which shall be
10 headed by an officer not below the rank of Assistant National Commandant.

11 (2) The Zonal Command shall, subject to the direction and overall
12 command of the Peace Corps, be responsible for coordinating the activities
13 of the Peace Corps in the zone.

14 **20.**-(1) The Peace Corps shall have a State Command in each State
15 of the Federation and the Federal Capital Territory, Abuja.

State Command

16 (2) The State Command shall, subject to the directive and overall
17 command of the Peace Corps Headquarters and Zonal Command, be
18 responsible for carrying out the functions of the Peace Corps in the State and
19 the Federal Capital Territory, Abuja.

20 **21.**-(1) The Peace Corps shall have a Command in each Local
21 Government Area of the Federation and Area Council of the Federal Capital
22 Territory, Abuja.

Local Government
Command

23 (2) The Local Government and Area Council Commands shall,
24 subject to the directive and overall command of the Peace Corps and State
25 Command, be responsible for carrying out the functions of the Peace Corps
26 in each of the Local Government Areas or Area Councils of the Federal
27 Capital Territory, Abuja.

28 **22.**-(1) The Peace Corps shall establish a Squadron Command in
29 each educational institution in the Federation, which shall be headed by a
30 Squadron Commander.

Squadrons
Command

	1	(2) The Squadron Command shall, subject to the direction and overall
	2	Command of the Peace Corps, State Command, be responsible for carrying out
	3	the functions of the Peace Corps in the educational institutions.
	4	PART VI - FINANCIAL PROVISIONS
Funds of the Peace Corps	5	23. The Peace Corps shall establish and maintain a fund into which
	6	shall be paid:
	7	(a) all subventions and budgetary allocations from the Federal
	8	Government;
	9	(b) all sums accruing to the Peace Corps from donations made by
	10	local or international donor agencies;
	11	(c) statutory allocations from the Federal Government;
	12	(d) gifts from the three tiers of government, ministries or agencies and
	13	private corporations;
	14	(e) loans, grants and aid; and
	15	(f) bequests.
Expenditure of the Peace Corps	16	24. The Peace Corps may apply the proceeds of the Fund established
	17	under section 23 of this Act:
	18	(a) to the cost of administration of the Peace Corps; and
	19	(b) to the payment of salaries, fees or other remuneration or
	20	allowances, gratuities payable to the officers and other employees of the Peace
	21	Corps, and no payment of any kind under this paragraph (except such as may be
	22	expressly authorised), shall be made to any person who is in receipt of
	23	emoluments from the Government;
	24	(c) for the maintenance of any property vested in the Peace Corps; and
	25	(d) for and in connection with all or any of its functions under this Act.
Annual estimates, accounts and audit	26	25.-(1) The Peace Corps shall, not later than 30th September in each
	27	year, submit to the Minister an estimate of its expenditure and income
	28	(including payments to the Peace Corps Fund) during the next succeeding year,
	29	after approval by the Board.
	30	(2) The Peace Corps shall keep proper records in relation to those

1 accounts and shall cause its accounts to be audited within six months after
 2 the end of each year by auditors appointed from the list, and in accordance
 3 with the guidelines, supplied by the Auditor-General for the Federation.

4 **26.** The Peace Corps shall prepare and submit to the Federal Annual report
 5 Executive Council, through the Minister after approval by the Governing
 6 Board, not later than six months after the end of each year, a report in such
 7 form as the Minister may direct on the activities of the Peace Corps during
 8 the immediate preceding year, and shall include in such report a copy of the
 9 audited accounts of the Peace Corps for that year and the auditor's report on
 10 the accounts.

11 **27.-(1)** The Peace Corps may accept gifts of land, money or other Power to accept
 12 property on such terms and conditions, if any, as may be specified by the donations
 13 person or organisation making the donations.

14 (2) The Peace Corps shall not accept any gift if the conditions
 15 attached by the person or organisation offering the gift are inconsistent with
 16 the functions or objectives of the Peace Corps.

17 **28.-(1)** The Peace Corps may borrow, by overdraft or otherwise, Power to borrow
 18 such sums as it may require for the performance of its functions under this
 19 Act.

20 (2) The Peace Corps shall not, without the approval of the Board,
 21 borrow money which exceeds, at any time, the amount set by the Board.

22 **29.** The Peace Corps may, subject to the provisions of this Act and Investment
 23 the conditions of any trust created in respect of any property, invest all or any
 24 of its funds in any security prescribed by the Trustee Investments Act, in
 25 such other securities as may be approved by the Minister.

26 *Cap. T22 LFN, 2004.*

27 **30.** The Board shall provide and maintain a library at the Provision of
 28 Headquarters and State Commands of the Peace Corps comprising such library facilities
 29 books and publications as may be provided for the advancement of the
 30 knowledge and skills of members of the Peace Corps, for research purposes,

1 and for other purposes connected with the objects and functions of the Peace
2 Corps.

Exemption from
tax

3 **31.**-(1) The Peace Corps is exempted from payment of any income tax
4 on any income accruing from investments made by the Board for the Peace
5 Corps.

6 (2) The provisions of any enactment relating to the taxation of
7 company or trust funds does not apply to the Peace Corps or the Board.

8 PART VII - LEGAL PROCEEDINGS

Limitation of
suits against the
Peace Corps

9 **32.**-(1) Subject to the provisions of this Act, the provisions of the
10 Public Officers Protection Act shall apply in relation to any suit instituted
11 against any officer or employee of the Peace Corps.

12 (2) Notwithstanding anything contained in any other enactment, no
13 suit against any member of the Board or the National Commandant or any other
14 officer or employee of the Peace Corps, for any act done in pursuance or
15 execution or in respect of any alleged enactment or law, or of any public duty or
16 authority or in respect of any alleged neglect or default in the execution of this
17 Act or any other enactment or law, duty or authority, shall lie or be instituted in
18 any court unless it is commenced:

19 (a) within three months after the act, neglect or default complained of;

20 (b) in the case of a continuation of damage or injury, within six
21 months after the ceasing of the damage or injury.

22 (3) No suit shall be commenced against a member of the Board or the
23 National Commandant or any other officer or employee of the Peace Corps
24 before the expiration of one month after a written notice of intention to
25 commence the suit shall have been served on Peace Corps by the intending
26 plaintiff or his agent.

27 (4) The notice referred to in subsection (3) shall clearly state:

28 (a) the cause of action;

29 (b) the particulars of claim;

30 (c) the name and place of abode of the intending plaintiff; and

1 (d) the relief, which the plaintiff claims.

2 *Cap. P41 LFN, 2004.*

3 **33.** A notice, summons or other document required or authorised
4 to be served on the Peace Corps under the provisions of this Act or any other
5 enactment or law may be served by delivering it to the National
6 Commandant or by sending it by registered post and addressed to the
7 National Commandant at the Headquarters of the Peace Corps.

Service of
documents

8 **34.**-(1) In any action or suit against the Peace Corps, no execution
9 or attachment of process in that nature shall be issued against the Peace
10 Corps unless a notice of at least three months, of the intention to execute or
11 attach has been given to the Peace Corps.

Restriction on
execution against
property of the
Peace Corps

12 (2) Any sum of money, which may, by the judgment of any court,
13 be awarded against the Peace Corps shall, subject to any direction given by
14 the court where the notice of, appeal against the judgment has been given, be
15 paid from the Fund of the Peace Corps.

16 **35.** A member of the Board or the National Commandant or any
17 officer or employee of the Peace Corps shall be indemnified out of the assets
18 of the Peace Corps against any liability incurred by him in defending any
19 proceeding, whether civil or criminal, if the proceeding is brought against
20 him in his capacity as a member, National Commandant, officer or other
21 employee of the Peace Corps.

Indemnity of
officers

22 **36.**-(1) A member of the Board, the National Commandant or any
23 other officer or the employee of the Peace Corps shall:

Secrecy

24 (a) not, for his personal gain, make use of any information, which
25 has come to his knowledge in the exercise of his powers or is obtained by
26 him in the ordinary course of his duty as a member of the Board, the National
27 Commandant or officer or employee of the Peace Corps;

28 (b) treat as confidential any information which has come to his
29 knowledge in the exercise of his powers or is obtained by him in the
30 discharge of his duties under this Act; and

Power to obtain
information

1 (c) not disclose any information referred to under paragraph (b) of this
2 subsection except when required to do so by any court or in such other
3 circumstances as may be prescribed by the Board.

4 (2) A person who contravenes the provisions of section 36 (1) (a)
5 commits an offence and is liable on conviction to a fine of at least N100,000 or
6 imprisonment for a term not exceeding two years.

7 **37. -(1)** For the purpose of performing the functions conferred on the
8 Peace Corps under this Act, the National Commandant or any other officer or
9 employee of the Peace Corps authorised in that behalf:

10 (a) shall have a right of access to all the records of any person or
11 authority affected by this Act for the specific purpose of discharging his duties
12 under this Act; and

13 (b) may, by notice in writing served on any person or premises require
14 that person or authority to furnish information on such matters as may be
15 specified by the notice.

16 (2) The person or authority served with the notice under section 33
17 shall furnish information as required under section 37 (1) (a) and comply with
18 the notice within a reasonable time.

19 PART VIII - DISSOLUTION OF THE EXISTING PEACE CORPS OF NIGERIA

20 AND SAVINGS

Dissolution of
the existing
Peace Corps of
Nigeria

21 **38.-(1)** The Peace Corps of Nigeria (in this section referred to as the
22 "Peace Corps") existing before the commencement of this Act is dissolved.

23 (2) There shall be vested in the Peace Corps, immediately at the
24 commencement of this Act, all assets, funds, resources and other movable or
25 immovable property which immediately before the commencement of this Act,
26 were vested in the dissolved Peace Corps.

27 (3) As from the commencement of this Act:

28 (a) all rights, interest, obligations and liabilities of the dissolved Peace
29 Corps existing immediately before the commencement of this Act under any
30 contract or instrument, at law or in equity, shall by virtue of this Act, be

1 assigned to and vested in the Peace Corps;

2 (b) any contract or instrument as mentioned in paragraph (c) of this
3 subsection shall have the same force and effect against or in favour of the
4 Peace Corps and shall be enforceable as fully and effectively as if, the Peace
5 Corps had been a party to the contract; and

6 (c) the Peace Corps shall be subject to all obligations and liabilities
7 to which the dissolved Peace Corps was subject immediately before the
8 commencement of this Act, and all other persons shall, as from the
9 commencement of this Act, have the same rights, powers and remedies
10 against the Peace Corps as they had against the dissolved Peace Corps
11 immediately before the commencement of this Act.

12 (4) Any action pending or existing immediately before the
13 commencement of this Act by or against the dissolved Peace Corps in
14 respect of any right, interest, obligation or liability of the dissolved Peace
15 Corps, and action may be commenced, continued or enforced by or against
16 the Peace Corps.

17 (5) Notwithstanding the provision of this Act, but subject to such
18 directions as may be issued by Peace Corps, a person who, immediately
19 before the commencement of this Act, was a volunteer or a regular member
20 of or held office in the dissolved Peace Corps shall be deemed to have been
21 transferred to the Peace Corps on terms and conditions not less favourable
22 than those obtained immediately before commencement of this Act.

23 (6) The service in the dissolved Peace Corps shall be deemed to be
24 service in the Peace Corps for purpose of pension.

25 (7) Notwithstanding the provision of this Act or any other existing
26 law in force, apart from all regular and volunteer members and officers of
27 the dissolved Peace Corps, any individual, Group, Association or body
28 absorbed as a member of the Peace Corps either by transfer, enlistment or by
29 whatsoever legal means shall not, as at the time of commencement of this
30 Act be less than 18 years of age and not above the age of 45 years.

1 (8) Individuals, Groups, Associations or bodies that have shown or
2 demonstrated interest to be absorbed as members of the Nigerian Peace Corps
3 shall be absorbed subject to the mandatory Basic Training and Orientation
4 programme of the Peace Corps as prescribed from time to time upon the
5 commencement of this Act.

6 (9) Notwithstanding the provision of subsection (8) the Basic
7 Training and Orientation programme of the Peace Corps may be subject to
8 periodic review after the commencement of this Act as the Board may deem fit.

9 (10) Notwithstanding any provision in this Act, an individual who has
10 served in any capacity in the public service at any level (Federal, State, Local
11 Government and Area Councils) and is entitled to gratuity and pension benefit
12 is not eligible for consideration as a staff of the Peace Corps.

13 PART IX - MISCELLANEOUS

Directives by
the Minister

14 **39.-(1)** The Minister may give to the Peace Corps, the Board or
15 National Commandant such directives:

16 (a) of a general nature or relating generally to matters of policy with
17 regards to the exercise of its functions; and

18 (b) with respect to the maintenance and securing of public safety and
19 order, as he may consider necessary and the Peace Corps, the Board or the
20 National Commandant shall comply with the directives or cause them to be
21 complied with.

22 (2) Subject to the provisions of subsection (1) of this section, a
23 Governor of a State may give to a State Commandant such directives with
24 respect to the maintenance and securing of public safety and order in the State
25 as he may consider necessary and the State Commandant shall comply with the
26 directives or cause them to be complied with.

Regulations

27 **40.** The Peace Corps or the Board may, with the approval of the
28 Minister, make such regulations as in its opinion are necessary or expedient for
29 giving full effects to the provisions of this Act and the regulations shall be laid

1 before the National Assembly and published in the Federal Government
2 Gazette.

3 **41.** In this Act:

Interpretation

4 "Board" means the Governing Board of the Nigerian Peace Corps
5 established under section 3 of this Act;

6 "Minister" means the Minister charged with responsibility for matters
7 relating to Youth Development;

8 "Peace Corps" means the Nigerian Peace Corps established under section 1
9 of this Act;

10 "Peace Corps Volunteers" means accreted youth within the age range of 18-
11 29 years not on full remuneration but are on monthly stipend to be
12 determined by the Governing Board and are to serve as reservoirs for the
13 Corps and other security agencies;

14 "President" means the President of the Federal Republic of Nigeria;

15 "regular staff officers" means main core staff of the Peace Corps on full
16 remuneration; and

17 "Student Membership" means all Nigerian Students Studying in Nigeria in
18 institutions and schools on voluntary basis and non-remunerated.

19 **42.** This Bill may be cited as the Nigerian Peace Corps
20 (Establishment) Bill, 2019. Citation

21 SCHEDULE

22 *Section 6 (3)*

23 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

24 *Proceedings*

25 1.-(1) The Board shall, for the purpose of this Act meet at least four
26 times in each year.

27 (2) The Board shall meet whenever it is summoned by the
28 Chairman, and if the Chairman is required to do so by a notice given to him
29 by at least five other members, he shall summon a meeting of the Board to be
30 held within 14 days from the date on which the notice is given.

1 (3) Where the Board desires to obtain the advice of any person on a
2 particular matter, the Board may co-opt the person to the Board for such period
3 as it deems fit but a person who is a member by virtue of this subparagraph is
4 not entitled to vote at any meeting of the Board and is not counted towards a
5 quorum.

6 *Committees*

7 2.-(1) The Board may set up one or more Committees to carry out, on
8 behalf of the Board, its functions under this Act as the Board may deem fit.

9 (2) A Committee set up under this paragraph shall consist of such
10 number of persons (not necessarily members of the Board as may be
11 determined by the Board) and a person other than a member of the Board shall
12 hold office in the Committee in accordance with the terms of his appointment.

13 (3) A decision of the Committee of the Board shall be of no effect until
14 it is confirmed by the Board.

15 *Seal*

16 3.-(1) The fixing of the Seal of the Peace Corps shall be authenticated
17 by the signature of the Chairman or any other person authorised generally or
18 specifically to act for that purpose by the Board and the National Commandant.

19 (2) Any contract or instrument, which if made or executed by a person
20 not being a body corporate, would not be required to be under seal, may be
21 made or executed on behalf of the Board by the National Commandant or any
22 person generally or specially authorised to act for that purpose by the Board.

23 (3) Any document purporting to be a document duly executed under
24 the seal of the Board shall be received in evidence and shall, unless the contrary
25 is proved, be presumed to be executed.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Peace Corps to develop empower and provide gainful employment for the youth, facilitate peace, volunteerism, community services, neighbourhood watch and nation-building.

A BILL

FOR

AN ACT TO AMEND THE ACTS AUTHENTICATION ACT CAP A2 LAWS OF
THE FEDERATION OF NIGERIA, 2004; AND FOR RELATED MATTERS

Sponsored by Hon. Benjamin Okezie Kalu

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows-

- 1 **1.** The Acts Authentication Act, Cap A2, Laws of the Federation
2 of Nigeria, 2004 (herein referred to as the "Principal Act") is amended as set
3 out in this Bill. Amendment of
Cap. A2 LFN,
2004
- 4 **2.** Section 2 of the Principal Act is amended- Amendment of
Section 2
 - 5 (a) in subsection (1) by deleting the word "forthwith" and inserting
6 the following "not later than 30 days" instead thereof; and
 - 7 (b) in subsections (2), (3) and (4) respectively by inserting the
8 words "the President of the Senate" immediately before the words "the
9 Speaker of the House of Representatives".
- 10 **3.** Section 3 of the Principal Act is amended in subsection by Amendment of
Section 3
 - 11 deleting the words "The Schedule and copies of the Bills shall be presented"
 - 12 and inserting the following "Pursuant to the provisions of section 2(1) of this
 - 13 Act, the Clerk of the National Assembly shall within 7 days present the
 - 14 Schedule and copies of the Bills" instead thereof.
- 15 **4.** This Bill may be cited as the Acts Authentication Act Citation
16 (Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Acts Authentication Act, Cap A2 Laws of the Federation of Nigeria, 2004 to inter alia provide for time frame for the performance of functions of the Clerk of the National Assembly.

A BILL

FOR

AN ACT TO AMEND THE NIGERIAN METEOROLOGICAL AGENCY
(ESTABLISHMENT) ACT NO. 9 OF 2003; AND FOR RELATED MATTERS

Sponsored by Hon. Benjamin Okezie Kalu

[] Commencement

BE IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows-

- 1 **1.** The Nigerian Meteorological Agency Act No.9 of 2003 (herein Amendment of
2 referred to as the "Principal Act") is amended as set out in this Bill. 2003 No. 9
- 3 **2.** Section 7 of the Principal Act is amended in subsection (l)(q) by Amendment of
4 replacing the existing paragraph with a new paragraph as follows- Section 7
- 5 "(q) be the sole authority to grant approval and licence to persons
6 wishing to establish meteorological stations for meteorological
7 observations".
- 8 **3.** This Bill may be cited as the Nigerian Meteorological Agency Citation
9 (Establishment) Act (Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian Meteorological Agency
(Establishment) Act so as to grant the Nigerian Meteorological Agency the
sole authority to grant approvals and licences for the establishment of
meteorological stations.