

*Extraordinary*



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# A BILL

## FOR

AN ACT TO PROVIDE FOR THE COMPULSORY TEACHING OF SECURITY AND INTELLIGENCE STUDIES IN THE SYLLABUSES OF SECONDARY SCHOOLS IN NIGERIA AND FOR RELATED MATTERS, 2019

*Sponsored by Hon. Abdullahi Ibrahim Halims*

[ ] Commencement

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

- 1           **1.**-(1) As from the Commencement of this Act all Secondary      Security and  
2      Schools in Nigeria shall include the teaching of Security and Intelligence      Intelligence  
3      Studies in their Syllabuses.      Studies
- 4           (2) It is hereby accordingly declared that it shall be the policy of  
5      Government to ensure that Security and Intelligence Studies be taught in all  
6      Secondary Schools in Nigeria as from the commencement of this Act.
- 7           **2.**-(1) Every Secondary School in Nigeria which fails or refuses to      Offences and  
8      include the teaching of Security and Intelligence Studies in their Syllabuses      Penalties  
9      commits an offence and is liable on conviction to a fine of not less than Five  
10     Million Naira (N5,000,000.00) or may have its operating license revoked.
- 11          (2) Where a Secondary School commits an offense under this Act  
12     any Officer or Agent of the School who directed, authorized, assented to or  
13     acquiesced or participated in the commission of the offense is a party to and  
14     is liable on conviction to a fine not less than Five Hundred Thousand Naira  
15     (N500,000.00), or to imprisonment for a term of Three Months.
- 16          **3.** The Federal Ministry of Education shall in liaison with the      Regulations  
17     Ministry of Defense, Office of the National Security Adviser, Ministry of  
18     Police Affairs and Minister of Interior; prepare the Security and Intelligence  
19     Studies Subject content.

Interpretation	1	<b>4.</b> In this Bill unless the context otherwise requires:
	2	"Security and Intelligence Studies" means a unique study designed to equip
	3	students with the necessary knowledge and skills as future leaders on Security
	4	and Intelligence consciousness techniques with a view to identifying and
	5	preventing dangers within their environment, etc.
	6	"Secondary School" means Public and Private (Government Approved Private
	7	Schools) in Nigeria.
Short title	8	<b>5.</b> This Bill may be cited as Security and Intelligence (Compulsory
	9	Inclusion in Secondary Schools Syllabuses) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the Compulsory Teaching of Security and Intelligence Studies in the Syllabuses of Secondary Schools in Nigeria; to promote the Development of Policy-oriented Studies of Security and Intelligence Services and to also inculcate the awareness and value for National Security in Nigeria for best International practice.

It also makes it an Offence not to include the teaching of Security and Intelligence Studies in the Syllabuses of Secondary Schools in Nigeria.

# A BILL

## FOR

AN ACT TO AMEND THE NATIONAL YOUTH SERVICE CORPS ACT CAP. N84 LFN, 2004 TO MAKE IT MANDATORY FOR THE SERVICE CORPS TO PROVIDE LIFE INSURANCE POLICY FOR CORP MEMBER, AND FOR RELATED MATTERS, 2019

*Sponsored by Hon. Ali Abdullahi Ibrahim Halims*

[ ] Commencement

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

- 1           1.-(1) Section 19 of the National Youth Service Corps Act Cap. N84 LFN 2004 (hereinafter referred to as 'the principal Act') is amended by  
2 deleting the existing provisions and inserting, to replace therein, the  
3 following new provisions:  
4  
5           "1.9 -(1) The service corps shall insure every corps member against  
6 loss of life or serious injury incurred or occasioned while performing official  
7 duty or while traveling, seven days preceding the date of commencement of  
8 the service period or seven days after the end of the service period, from the  
9 place of residence or mobilization to the place of deployment and vice visa.  
10           (2) The Public Officers Protection Act shall apply to every member  
11 of the Service Corps and to any other person employed under any  
12 undertaking or project for the duration of his service in the service".  
13           2. This Bill may be cited as the National Youth Service Corps Act  
14 (Amendment) Bill, 2019.

Amendment of  
Section 19 of the  
Act

Citation

### EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Youth Service Corps Act Cap. N84 LFN, 2004 and to make mandatory for the Service Corps to provide Life Insurance Policy for Corp Members. The emergence and importance of this Bill is as a result of the recent unlawful killings of Corp Members in various parts of the Country.



# A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL COUNCIL ON AGEING SO AS TO  
PROVIDE SOCIAL WELFARE SERVICES FOR THE ELDERLY AND FOR  
PURPOSE OF DESIGNING DEVELOPMENTAL PROGRAMMES AND ACTIVITIES  
FOR THE ADVANCEMENT OF ELDERLY PERSONS IN NIGERIANS; AND FOR  
RELATED MATTERS, 2019

*Sponsored by Hon. Ali Abdullahi Ibrahim Halims*

[ ] Commencement

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

1	1.-(1) There is hereby established a body to be known as the	Establishment of the Security National Council for Elderly Persons
2	National Council for Elderly Persons.	
3	(2) The Council shall:	
4	(a) be a body corporate with perpetual succession; and	
5	(b) may sue and be sued in its corporate name.	
6	(3) The Council shall be located in the Federal Capital Territory,	
7	Abuja and shall have branches in all State Capitals.	
8	2.-(1) There is hereby established for the Council a Governing	Governing Board of the Council
9	Board (in this Bill referred to as "the Board") which shall administer and	
10	direct the affairs of the Council.	
11	(2) The Board shall consist of the following:	
12	(a) a Chairman;	
13	(b) a representative of the Ministry responsible for Social	
14	Development not below the rank of a Director;	
15	(c) a representative each of the Ministry of Finance and the	
16	Ministry of Health not below the rank of a Director; and	
17	(d) six other members one representing each of the six geopolitical	
18	zones of the country;	

1 (e) the Director General of the Council who shall also be the Secretary  
2 of the Board.

3 (3) The Chairman and members of the Board other than ex-officio  
4 members shall:

5 (a) be appointed by the President; and

6 (b) be persons with proven integrity.

7 (4) The supplementary provisions contained in the Schedule to this  
8 Bill shall have effect with respect to the proceedings of the Council and other  
9 matters mentioned therein.

Tenure of Office

10 **3.-(1)** The members of the Board other than ex -officio members  
11 appointed under section 2 (2) (a) - (b) of this Bill shall hold office for a period of  
12 4 years in the first instance and may be eligible for re-appointment for a further  
13 period of 4 years and no more.

14 (2) The members of the Board shall be paid such remuneration and  
15 allowances as the Revenue Mobilization Allocation and Fiscal Commission  
16 may, from time to time, determine.

17 (3) A member of the Board other than an ex-officio member may  
18 resign his appointment by a notice in writing under his hand, addressed to the  
19 Minister and which resignation shall take effect immediately upon receipt of  
20 same by the Minister.

Cessation of  
Membership

21 **4.-(1)** A member of the Board shall be relieved of his appointment by  
22 the President of the Federal Republic of Nigeria if he:

23 (a) becomes of unsound mind;

24 (b) becomes bankrupt or makes a compromise with his creditors;

25 (c) is convicted of a felony or of any offence involving dishonesty;

26 (d) is guilty of serious misconduct in relation to his duties; or

27 (e) is permanently incapacitated and cannot perform his official  
28 duties.

29 (2) Where a vacancy occurs in the membership of the Board, it shall  
30 be filled by the appointment of a successor in accordance with Section 3 of this

1 Bill to hold office for the remainder of the term of office of his predecessor.

2           **5.-(1)** The Council shall be at liberty to provide basic welfare,  
3 recreational facilities for the elderly as well as stimulate consciousness  
4 towards the attainment of higher levels of development and activity for  
5 elderly persons in Nigeria and promote international co-operation for the  
6 attainment of this objective.

Functions of  
the Council

7           (2) In the pursuance of the provisions of subsection (1) of this  
8 Section, the Council shall:

- 9           (a) promote research into matters related to elderly persons;  
10           (b) serve as a data bank on matters related to elderly persons;  
11           (c) facilitate the formulation of policies affecting elderly persons  
12 primarily in areas such as recreation, sports, health and finance;  
13           (d) provide for guidance and counselling for elderly persons;  
14           (e) provide community based care and support services in areas of  
15 recreation, sports, health, housing and finance;  
16           (f) liaise with national, regional and international agencies  
17 involved in matters related to elderly persons;  
18           (g) register and regulate the activities of residential facilities for  
19 elderly persons; and  
20           (h) implement all legislations applicable to elderly persons.

21           **6.-(1)** There shall be established a secretariat for the Council.

Establishment  
of the Secretariat

22           **7.-(1)** There shall be appointed for the Council, a Director-General  
23 who shall be appointed by the President.

Appointment of  
Director-General

24           (2) The Director General shall be:

- 25           (i) the head of the Secretariat;  
26           (ii) responsible for the implementation of the decisions of the  
27 Board and the day-to-day administration of the affairs of the Council; and  
28           (iii) responsible for keeping the books and records of the  
29 proceedings of the Board.

30           (3) The Director-General shall hold office for a period of 4 years in



	1	the in the first instance and may be reappointed for a further term of 4 years and
	2	no more.
Other staff of the Council	3	<b>8.</b> -(1) The Board may from time to time appoint such other staff as it
	4	may deem necessary to assist the Director General in the performance of his
	5	functions under this Bill.
Staff Regulations	6	<b>9.</b> -(1) The staff of the Council appointed under Section 8 of this Bill
	7	shall be appointed upon such terms and conditions of service as the Board may,
	8	after consultation with the Federal Civil Service Commission, determine.
	9	(2) The staff of the Council shall be public officers as defined in the
	10	Constitution of the Federal Republic of Nigeria.
Pension	11	<b>10.</b> -(1) Service in the Council shall be public service for the purposes
	12	of the Pensions Reform Act and, accordingly, officers and other persons
	13	employed in the Council shall, in respect of their service in the Council, be
	14	entitled to pension, gratuities and other retirement benefits as are prescribed
	15	thereunder, so however that nothing in this Bill shall prevent the appointment
	16	of a person to any office on terms which preclude the grant of a pension,
	17	gratuity or other retirement benefits in respect of that office.
	18	(2) For the purposes of the application of the provision of the Pension
	19	Reform Act, any power exercisable thereunder by a Minister or any other
	20	authority of the Government of the Federation other than the power to make
	21	regulation, is hereby vested in and shall be exercisable by the Council and not
	22	by any other person or authority.
Fund	23	<b>11.</b> -(1) The Board shall establish and maintain a fund from which
	24	shall be defrayed all expenditure reasonably incurred by the Board for the
	25	execution of the functions the Council under this Bill.
	26	(2) There shall be paid and credited to the fund pursuant to Sub-
	27	Section (1) of this Section:
	28	(a) such money as may each year be approved by the Federal
	29	Government for the Council; and

1 (b) all other assets which may, from time to time, accrue to the  
2 Council.

3 (3) The Council shall be managed in accordance with rules to be  
4 made by the Board and without prejudice to the generality of the power to  
5 make rules under this subsection, the rules shall in particular contain  
6 provisions:

7 (a) specifying the manner in which the assets of the Council are to  
8 be held and regulating the making of payments into and out of the Council;  
9 and

10 (b) requiring the keeping of proper accounts and records for the  
11 purposes of the Council in such form as may be specified in the rules.

12 (3) The Board may, from time to time, apply the proceeds of the  
13 Council for following purposes:

14 (a) the cost of administration of the Council and the Board; and

15 (b) the payment of salaries, fees and other remuneration,  
16 allowances, pension and gratuities payable to members or employees of the  
17 Council or experts or professionals appointed by the Board.

18 **12.-(1)** The Board shall not later than 31<sup>st</sup> August submit to the President a Budgetary Provisions. Budgetary provisions

20 **13.-(1)** Subject to the guidelines issued by government from time to time, the Board shall have power to approve the award of Contracts. Award of contracts

22 **14.-(1)** The Board may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the persons or organization making the gift; provided that the terms and condition are not contrary to the objectives and functions of the Council under this Bill. Power to accept gifts

27 **15.-(1)** The Board shall keep proper accounts in a form which conforms with accepted commercial standards of its receipts, payments, assets and liabilities and shall submit the accounts annually for auditing by a qualified auditor appointed from the list of auditors and in accordance with Annual Estimates, Accounts and Audit

	1	the guidelines supplied by the Auditor-General of the Federation.
Quarterly Report	2	<b>16.</b> -(1) The Board shall, notwithstanding the provisions of Section 17
	3	of this Bill submit to the Minister a report on its activities every three months.
Annual Report	4	<b>17.</b> -(1) The Board shall not later than three months before the end of
	5	each year submit to the Minister a report on the activities and the administration
	6	of the Council during the immediate preceding year and shall include in such
	7	reports the Auditor's report thereon.
Regulations	8	<b>18.</b> -(1) The Board may with the approval of the Minister make such
	9	regulations as are necessary or expedient for giving full effect to the provisions
	10	of this Bill.
Interpretation	11	<b>19.</b> -(1) In this Bill, unless the context otherwise requires:
	12	"Council" means the National Council for Elderly Persons established by
	13	Section 1 of this Bill;
	14	"Board" means the Governing Board established for the Council under Section
	15	2 (1) of this Bill;
	16	"Elderly Person" means a person who, in the case of a male is 65 years of age or
	17	older and, in the case of a female, is 60 years of age or older;
	18	"Director-General" means the Director General appointed under Section 7 of
	19	this Bill;
	20	"Member" means a member of the Board and includes the Chairman;
	21	"Minister" means the Minister charged with the responsibility for matters
	22	relating to Social Development.
Short Title	23	<b>20.</b> -(1) This Bill may be cited as the National Council for Elderly
	24	Persons (Establishment) Bill, 2019.

## 1 SCHEDULE

2 *Section 2(4)*

## 3 SUPPLEMENTARY PROVISION RELATING TO THE BOARD

4 *Proceeding of the Board*

5 1.-(1) Subject to this Bill and Section 27 of the Interpretation Act,  
6 the Board may make standing orders regulating its proceedings or those of  
7 any of its committees.

8 (2) The quorum of the Board shall be the Chairman and four other  
9 members and the quorum of any committee of the Board shall be determined  
10 by the Board.

11 2.-(1) The Board shall meet not less than two times in each year and  
12 subject thereto, the Board shall meet whenever it is summoned by the  
13 Chairman; and if the Chairman is required to do so by notice given to him by  
14 not less than four other members, he shall summon a meeting of the Board,  
15 to be held within fourteen days from the date on which the notice is given.

16 (2) At any meeting of the Board, the Chairman shall preside but if  
17 he is absent, the members present at the meeting shall appoint one of their  
18 members to preside at that meeting.

19 (3) Where the Board desires to obtain the advice of any person on a  
20 particular matter the Board may co-opt him to the Board for such period as it  
21 thinks fit; but a person who is in attendance by virtue of this sub-section shall  
22 not be entitled to vote at any meeting of the Board and shall not count  
23 towards a quorum.

24 *Committees*

25 3.-(1) The Board may appoint one or more committees to carry out,  
26 on its behalf such functions as it may determine.

27 (2) A committee appointed under subsection (1) of this section  
28 shall consist of such number of persons (not necessarily members of the  
29 Board) as may be determined by the Board; and a person other than a  
30 member of the Board shall hold office on the committee in accordance with

1 the terms of his appointment.

2 (3) A decision of a committee of the Board shall be of no effect until it  
3 is confirmed by the Board.

4 *Miscellaneous*

5 4.-(1) The fixing of the seal of the Council shall be authenticated by  
6 the signature of the chairman or of any other person authorized generally or  
7 specially to act for that purpose by the Board.

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

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

15 5. The validity of any proceeding of the Board or of a Committee  
16 thereof shall not be adversely affected by any vacancy in the membership of the  
17 Board or Committees, or by any defect in the appointment of a member of the  
18 Board or of a Committee, or by reason that a person not entitled to do so took  
19 part in the proceedings of the Board or Committees.

#### EXPLANATORY MEMORANDUM

The Bill seeks to establish a National Council for Elderly Persons for the general purpose of providing welfare and recreational facilities for the elderly and the designing of developmental programmes and activities for the advancement of elderly persons in Nigeria.

STATUTORY BODIES (FINANCIAL AUTHORIZATION) BILL, 2019

ARRANGEMENT OF SECTIONS

*Section:*

1. Application to statutory bodies
2. Effect of non-compliance with the provisions of this Bill
3. Financial Authorization Bill
4. Procedure for Financial Authorization Bill
5. Commencement of Financial Authorization Bill
6. Disciplinary action for gross misconduct
7. Report to National Assembly
8. Interpretation
9. Short title.



FOR

*Sponsored by Hon. Benjamin Mzondu*

[ ] Commencement

1	<b>1.-(1)</b> Except otherwise provided by the Constitution, where by an	Application to statutory bodies
2	Bill of the National Assembly, power, on any matter within the legislative	
3	competence of the National Assembly is conferred on a statutory body to	
4	establish and maintain a fund the provision of this Act shall apply	
5	notwithstanding any contrary provision in the Bill or any other law.	
6	(2) The provisions of this Bill shall apply to statutory bodies set up	
7	under the Constitution or an Bill of the National Assembly but shall not	
8	apply to professional bodies established pursuant to an Act of the National	
9	Assembly.	
10	<b>2.</b> It shall be unlawful for any statutory body listed under section 1	
11	(2) of this Bill to withdraw any money from its fund unless it is in	Effect of non- compliance with the provisions of this Bill
12	compliance with the provisions of this Bill.	
13	<b>3.</b> No money shall be withdrawn from any public fund established	Financial Authorization Bill
14	pursuant to any Act of the National Assembly providing for the	
15	establishment of a statutory body unless the issue of those moneys has been	
16	authorized by an Bill of the National Assembly as set out in this Bill.	
17	<b>4.-(1)</b> A statutory body shall prepare and submit to the relevant	Procedure for Financial Authorization Bill
18	committee of each chamber of the National Assembly at any time before the	



1 31st of March of each year estimates of revenues and expenditure of such  
2 statutory body for that year.

3 (2) The heads of expenditure contained in the estimates shall be  
4 included in a bill to be known as Financial Authorization Bill, providing for the  
5 issue from the fund of such statutory body of the sums necessary to meet that  
6 expenditure and the authorization of those sums for the purposes specified  
7 therein.

8 (3) If in respect of any financial year it is found that:

9 (a) the amount authorized by the Financial Authorization Bill for any  
10 purpose is insufficient; or

11 (b) a need has arisen for expenditure for a purpose for which no  
12 amount has been authorized by the Bill, a supplementary estimate showing the  
13 sums required shall be submitted to relevant committees of each house of the  
14 National Assembly and the heads of any such expenditure shall be included in a  
15 Supplementary Financial Authorization Bill.

16 (4) The bill required pursuant to the provisions of subsection (2) of  
17 this section shall stand in the name of the chairman and members of the relevant  
18 committee of the National Assembly.

19 (5) The provisions of section S9 of the Constitution shall apply to a  
20 Financial Authorization Bill.

21 (6) If the Financial Authorization Bill in respect of any financial year  
22 has not been passed into law by the 30th of June of the financial year, the  
23 statutory body may authorize the withdrawal of moneys from the fund of a  
24 statutory body for the purpose of meeting expenditure necessary to carry on the  
25 services of such statutory body for a period not exceeding six months or until  
26 the coming into operation of the Financial Authorization Bill, whichever is the  
27 earlier:

28 Provided that the withdrawal in respect of any such period shall not  
29 exceed the amount authorized to be withdrawn from the fund of a statutory  
30 body under the provisions of the Financial Authorization Bill passed by the

1 National Assembly for the corresponding period in the immediately  
2 preceding financial year, being an amount proportionate to the total amount  
3 so authorized for the immediate preceding financial year.

4           **5.** A Financial Authorization Bill shall come into operation the 1st  
5 day of January of a year and shall be deemed to have expired on the 31st of  
6 day of December of that same year.

Commencement  
of Financial  
Authorization  
Bill

7           (2) The operation of a Financial Authorization Bill may be  
8 extended to a maximum period of three months from the date it may have  
9 been deemed to have expired only by a simple resolution of each house of  
10 the National Assembly authorizing such extension.

11           **6.-(1)** A person who contravenes a provision of this Bill is liable to  
12 gross misconduct in service and on the recommendation of both houses of  
13 the National Assembly disciplinary action shall be commenced, according  
14 to the law or the rule of service, which is applicable, against him or her.

Disciplinary  
action for gross  
misconduct

15           (2) Nothing in this section shall prejudice the prosecution of a  
16 person undergoing disciplinary action or preclude such person from being  
17 prosecuted or punished for an offence in a court of law.

18           (3) Where a person who is a public officer is liable under this Bill,  
19 unless he shows reasonable cause which is sufficient for his or her pardon,  
20 he or she shall be personally liable.

21           (4) The person referred to in subsection (1) of this section shall be  
22 the head of a statutory body.

23           **7.** A statutory body shall prepare and forward to relevant  
24 committees of both chambers of the National Assembly not later than 30  
25 days from the end of a financial year its financial and operational report for  
26 the immediately preceding year.

Report to National  
Assembly

27           **8.** In this Bill, unless the context otherwise requires:  
28 "Constitution" means the Constitution of the Federal Republic of Nigeria,  
29 1999;  
30 "National Assembly" means the Senate and House of Representatives;

Interpretation

1 "person" includes statutory body;  
2 "power" includes function and duty;  
3 "public officer" means a member of staff of the public service defined by the  
4 Constitution;  
5 "relevant committees" in respect to each House of the National Assembly  
6 means the committees charged with the responsibility of oversight on a  
7 statutory body;  
8 "statutory body" means bodies corporate established pursuant to an Act of the  
9 National Assembly and the Constitution.

Short title

10 9. This Bill may be cited as the Statutory Bodies (Financial  
11 Authorization) Bill, 2019.

## EXPLANATORY MEMORANDUM

This Bill seeks to require financial authorization by the National Assembly prior to the withdrawal of monies from the funds of statutory bodies and as well to prescribe the procedure for Financial Authorization Acts for the purpose of enforcing Constitutional requirement and for the enhancement of transparency and accountability by statutory bodies.

# A BILL

## FOR

AN ACT TO MAKE AGRICULTURAL SCIENCE A CORE AND COMPULSORY  
SUBJECT IN SECONDARY SCHOOLS IN NIGERIA; AND FOR RELATED  
MATTERS, 2019

*Sponsored by Hon. Yusuf Buba Yakub*

[ ] Commencement

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

- |    |  |                               |
|----|--|-------------------------------|
| 1  | <b>1.</b> The Educational Research Institute is mandated to provide for    | Establishment                 |
| 2  | mandatory inclusion of Agricultural Science as a core and compulsory       |                               |
| 3  | subject for all secondary schools in Nigerian.                             |                               |
| 4  | <b>2.-(1)</b> The institute shall in liaison with the States Ministries of | Regulation/<br>Implementation |
| 5  | Education ensure the inclusion of Agricultural Science in the Junior       |                               |
| 6  | Secondary Schools Curriculum.  |                               |
| 7  | (2) The Agricultural Science shall be made a compulsory subject in         |                               |
| 8  | Junior Secondary School in those States.                                   |                               |
| 9  | <b>3.</b> This Bill may be cited as the Mandatory Inclusion of             | Citation                      |
| 10 | Agricultural Science in Secondary Schools Curriculum in Nigeria Bill,      |                               |
| 11 | 2019.  |                               |

### EXPLANATORY MEMORANDUM

This Bill seeks to provide for the inclusion of Agricultural Science as a core  
and compulsory subject in the curriculum of all secondary schools in  
Nigeria.



# A BILL

FOR

AN ACT TO ESTABLISH A NATIONAL PEST CONTROL AGENCY (NAPCA)  
AND FOR RELATED MATTERS, 2019

*Sponsored by Hon. Yusuf Buba Yakub*

[ ] Commencement

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

## PART 1 - ESTABLISHMENT OF THE NATIONAL PEST CONTROL AGENCY

## AND THE GOVERNING BOARD

1	1. There is established a body to be known as the National Pest	Establishment of the National Pest Control Agency
2	Control Agency (in this Act referred to as "the Agency") which:	
3	(a) shall be a body corporate with perpetual succession and a	
4	common seal; and	
5	(b) may sue and be sued in its corporate name.	
6	2.-(1) There is established for the Agency, a Governing Board	Establishment of the Governing Board
7	which shall consist of:	
8	(a) a chairman;	
9	(b) representative of the Federal Ministry of Agriculture and Rural	
10	Development:	
11	(c) representative of the Federal Ministry of Health;	
12	(d) representative of the Federal Ministry of Transportation;	
13	(e) representative of the Federal Ministry of Finance;	
14	(f) one other person to represent public interest; and	
15	(g) the Director - General of the Service.	
16	(2) Members, other than ex-officio shall:	
17	(a) be appointed by the President on the recommendation of the	
18	Minister; and	

Cessation of  
membership

1 (b) hold office on part-time basis for a term of four years and no more.

2 (3) The supplementary provisions set out in the First Schedule to this  
3 Act shall have effect with respect to the proceedings of the Board and other  
4 matters contained therein.

5 3.-(1) A member shall cease to be a member if:

6 (a) he resigns as a member by notice in writing under his hand  
7 addressed to the Minister and from the date specified in the notice or, if no date  
8 is specified, from the date of the receipt by the Minister of the notice, he shall  
9 cease to be a member;

10 (b) he is without permission of the Board absent from more than two  
11 consecutive meetings or without such permission is absent from the country for  
12 a period exceeding one year; or

13 (c) the Minister subject to the approval of the President, is satisfied  
14 that is not in the interest of the Agency or the public for the person appointed to  
15 continue in office and notifies the member in writing to that effect.

16 (2) If the Minister is satisfied that a member of the Board:

17 (a) has become bankrupt;

18 (b) is incapacitated by physical or mental illness;

19 (c) holds any other office of profit under the Service;

20 (d) enters into contract with the Agency or is engaged or participates  
21 in the sharing of the profits of any contract with the Agency;

22 (e) is guilty of serious misconduct in relating to his duties;

23 (f) has been convicted at any time by any court of law in Nigeria or  
24 elsewhere for an offence involving financial dishonesty; or

25 (g) is otherwise unable or unfit to discharge the functions of a  
26 member; the Minister may declare his office as a member of the board to be  
27 vacant.

28 (3) Where a member ceases to hold office for any reason whatsoever  
29 before the expiration of his term of office, President after consulting the  
30 Minister may appoint another person for the unexpired term.

1	4. Notwithstanding anything to the contrary in this Act, the	Dissolution
2	Minister shall exercise the powers of the Board where:	
3	(a) the Board has not been constituted;	
4	(b) the Board has been dissolved; and	
5	(c) any action taken or decision reached in compliance with the	
6	provisions of this subsection shall be valid for all intent and purpose.	
7	5. A member shall be paid such remuneration and allowance as	Allowances of
8	the Federal Government may from time to time direct.	members
9	PART II - FUNCTIONS OF THE AGENCY AND POWERS OF THE BOARD	
10	6.-(1) The Agency shall:	Functions of
11	(a) enforce compliance with laws, guidelines, policies and	the Agency
12	standards on pest control matters;	
13	(b) coordinate and liaise with stakeholders within and outside	
14	Nigeria to ensure compliance with matters of pest control standards,	
15	regulations and enforcement;	
16	(c) enforce compliance with the provisions of international	
17	agreements, protocols, conventions and treaties on pest control, including	
18	forestry, endangered species, plants, plant products, animal products,	
19	animal biologics, sanitation, marine and wildlife, and such other pest control	
20	agreements as may from time to time come into force such as International	
21	Plant Protection Convention, International Office of Epizootics, etc; .	
22	(d) enforce compliance with any legislation on disposal of spent	
23	animal, animal product, biologics, plants, fish and fish products, wood and	
24	other wood packaging materials and regulated articles at the ports of entry	
25	and Pest Control Stations;	
26	(e) enforce compliance through monitoring the pest control	
27	regulations and standards on plant, fishes, animal;" and forestry wood and	
28	their product;	
29	(f) enforce compliance with regulations on the implementation and	
30	exportation of fishes and fish products, animals, animal products, biologics,	



- 1 plants, plant products, wildlife and wildlife trophies, and wood products:
- 2 (g) ensure that pest control projects funded by donor organizations
- 3 and external support agencies are carried put in compliance to regulations in
- 4 plant health, animal public health, safety and environmental protection;
- 5 (h) enforce compliance with pest control measure using the
- 6 registration, plant health, public health, licensing and permit systems, permits,
- 7 inspection and certification system;
- 8 (i) conduct pest control audit, pest survey and disease surveillance,
- 9 containment and eradication programmes on regulated pests and establish data
- 10 bank on regulatory and enforcement mechanisms of pest control standard;
- 11 (j) prohibit the use of processes, equipment and materials that are
- 12 capable of undermining public health, sanitation, and endangering the
- 13 agricultural economy;
- 14 (k) develop pest control monitoring networks, compile and
- 15 synthesize data on pest control measures compliance from all sectors;
- 16 (l) enter into agreement with public or private organizations and
- 17 individuals to develop, utilize, coordinate and share monitoring programmes,
- 18 research works, data on the effect of various activities as they concern the
- 19 mandate of the Agency;
- 20 (m) collect and make available, through publications and other
- 21 appropriate means and in co-operation with public and private organizations,
- 22 scientific data and other information pertaining to pest control measures and
- 23 standards;
- 24 (n) charge fees for tests, investigations and other services performed
- 25 by the Agency;
- 26 (o) develop pest diagnostic and analytic capabilities and establish
- 27 laboratories and pest stations at such places as may be deemed necessary and
- 28 encourage and promote activities related to be functions of the Agency;
- 29 (p) collaborate with relevant agencies in the conduct of public
- 30 investigation on epidemic, public health and sanitation occasioned by the

1 spread or outbreak of pests;

2 (q) train and develop the staff of the Agency; and

3 (r) other relevant agencies (national and international) with the  
4 approval of the Minister, establish the programmes for setting standards and  
5 regulations for the prevention, reduction and elimination of pest and  
6 epidemics caused by these diseases or brought about by these pests.

7 (2) The Service shall to the greatest extent be consistent with the  
8 performance of its duties under this Act, collaborate and co-operate with  
9 Ministries, Departments particularly parent Departments of Agriculture,  
10 Livestock and Pest Control Services, Fisheries, Forestry, branches and  
11 agencies of any Government in Nigeria and international organizations  
12 having duties related to those of the Agency.

13 (3) The Minister shall approve collaboration referred in sub-  
14 section (2) and such approval shall be laid before the Board within 60 days.

15 (4) The Agency may cause to be published such studies and reports,  
16 which shall include a review of medium and long-term economic prospects  
17 and problems, prepared for the use of the Agency as it sees fit.

18 (5) It shall be the duty of the Board to comply with any directives  
19 given by the President under this section.

20 7.-(1) The Board shall have power to:

Powers of the  
Board

21 (a) manage and superintend the affairs of the Agency;

22 (b) subject to the provisions of this Act, make, alter and revoke  
23 rules and regulations for carrying on the functions of the Agency;

24 (c) fix the terms and conditions of service including remuneration  
25 of employees of the Agency in conjunction with the office of the Head of  
26 Service of the Federation;

27 (d) maintain the efficiency and adequacy of the Agency to ensure  
28 the efficient performance of its functions;

29 (e) in the absence of a duly constituted Board for the Agency, the  
30 Director General of the Agency shall with the approval of the Minister carry

1 out such functions of the Board as ay be required;

2 (2) In the exercise of its functions and powers, the Agency shall give  
3 effect to the policy of the Agency in relation to those functions and powers as  
4 communicated to it from time to time in writing by the Minister.

5 PART III - APPOINTMENT OF THE DIRECTOR GENERAL

6 AND OTHER STAFF

Appointment  
of the Director  
General

7 **8.**-(1) There shall be for the Agency a Director General who shall be  
8 appointed by the President on the recommendation of the Minister.

9 (2) The Director General shall be a person with cognate and  
10 professional experience in pest control activities.

11 (3) The Director General shall be the Chief Executive and Accounting  
12 Officer of the Agency and is responsible for the execution of the policies and  
13 the day to day administration of the Agency

14 (4) The Director General shall:

15 (a) hold office for a term of five years only; and

16 (b) on such terms and conditions as are specified in his letter of  
17 appointment.

18 (5) If for any reason the Director General is unable to perform his  
19 function or carry out his duties or there exist a vacancy in the office of the  
20 Director General the board may designate an employee of the agency who is  
21 next in rank to act as the Director General during the period of his inability or  
22 vacancy until a Director General is appointed in accordance with the provision  
23 of this Act and the employee shall while so acting have all the powers and  
24 perform all the functions of the Director General.

Appointment  
of Secretary/  
Legal Adviser

25 **9.**-(1) The Board shall appoint for the Agency, a Secretary/Legal  
26 Adviser who shall be a legal practitioner and must have been so qualified for a  
27 period of not less than 10 years.

28 (2) The Secretary/Legal Adviser shall:

29 (a) be Secretary to the Board;

30 (b) be responsible for keeping the books and proper records of

1 proceedings and correspondences of the Board and the upkeep of the records  
2 of the Agency;

3 (c) administer and discharge all legal obligations of the Agency;

4 (d) administer and discharge all insurance requirements of the  
5 Agency;

6 (e) retain external legal services on behalf of the Board as he may  
7 deem necessary or expedient; and

8 (f) perform such other functions as the Board or the Director -  
9 General as the case may be, may from time to time, assign to him.

10 (3) The Board may deploy or appoint other employees upon such  
11 terms and conditions as may be determined by the Board.

12 **10.**-(1) The Agency may establish Zonal Pest Control offices and  
13 Directorates as it deems necessary for the discharge of its function

Establishment  
of Zonal Pest  
Control Offices

14 PART IV - FINANCIAL PROVISIONS

15 **11.**-(1) The Agency shall establish and maintain a Fund from which  
16 shall be defrayed all expenditure incurred by the Agency.

Fund of the  
Agency

17 (2) There shall be paid and credited into the Fund the following:

18 (a) such sum as may be appropriated to it by the National  
19 Assembly;

20 (b) 2% of the Agriculture Development Fund;

21 (c) such sum as may be approved by the President from the  
22 National Resource Development Fund;

23 (d) loans and grants in aid from national, bilateral and multilateral  
24 agencies;

25 (e) all sums accruing to the Agency by way of rents, fees grants,  
26 subsidies, subscriptions, interest, royalties and other internally generated  
27 revenues from services rendered by the Service;

28 (f) all sums accruing to the Agency by way of gifts, endowments,  
29 bequeaths or other voluntary contributions by persons and organizations but  
30 the Agency shall not be obliged to accept a gift, endowment, bequeath,

- 1 contribution or donation for a particular purpose unless it approves of the terms  
2 and conditions attached to such donation;
- 3 (g) any sum or property which may in any manner become payable to  
4 or vest in the Agency in respect of the performance of its functions;
- 5 (h) any sum derived from the sale of any property held by or on behalf  
6 of the Agency;
- 7 (i) any other sum and property lawfully received by the Agency for  
8 the purposes of the Agency; and
- 9 (j) all accumulations of income derived from any such property or  
10 money.
- Expenditure 11 **12.** The Agency shall, from time to time, apply the funds at its  
12 disposal to:
- 13 (a) the cost of establishing and maintaining the Head Office of the  
14 Agency located at the Federal Capital Territory, Abuja and its offices and  
15 stations in other places in Nigeria;
- 16 (b) the cost of compliance monitoring and enforcement activities  
17 including provision of uniform materials/paraphernalia, and payment of rents  
18 for offices;
- 19 (c) pay allowances and other benefits of members of the Agency and  
20 of its committees;
- 21 (d) pay the salaries and entitlements of the Director-General and other  
22 members of staff of the Agency;
- 23 (e) pay the pension, overhead and other administrative costs incurred  
24 by the Agency;
- 25 (f) training and capacity building of staff of the Agency; develop and  
26 maintain any property vested in or owned by the Agency including vehicles,  
27 facilities, laboratories and infrastructures;
- 28 (h) pay for services and contracts entered into by the Agency; and
- 29 (i) undertake any other activity in connection with all or any of the  
30 functions of the Agency.

1	<b>13.</b> -(1) The Agency shall every year cause to be prepared and shall	Annual account and estimate
2	adopt annual estimates of income and expenditure of the Agency for the	
3	ensuring year and, if so directed by the Minister, for any other period and	
4	shall submit these estimates not later than such date as the Minister directs.	
5	(2) A copy of all annual estimates and supplementary estimates,	Annual Report
6	shall, upon their adoption by the Board, be sent forthwith to the Minister for	
7	approval.	
8	(3) Moneys shall not be expended by the Agency other than in	
9	accordance with the estimates of expenditure approved by the Minister.	
10	<b>14.</b> -(1) The Agency shall, as soon as practicable after each thirtieth	Annual Report
11	day of December occurring after the commencement of this Act, prepare and	
12	furnish to the Minister a report on the operation of the Agency during the	
13	year ended on that date, together with financial statements in respect of that	
14	year in such form as the Auditor-General of the Federation approves.	
15	(2) Before furnishing the financial statements to the Minister, the	Power to accept gift
16	Agency shall submit to the Auditor - General of the Federation, who shall	
17	satisfy:	
18	(a) whether the statements are based on proper accounts and	
19	records;	
20	(b) whether the statements are in agreement with the accounts and	Power to accept gift
21	records and show fairly and truly the financial operations and state of the	
22	affairs of the Agency;	
23	(c) whether the receipt, expenditure and investment of money, and	
24	the acquisition and disposal of assets, by the Agency during the year have	
25	been in accordance with this Act; and	
26	(d) as to such other matters arising out of the statements as the	Power to accept gift
27	Auditor-General of the Federation considers should be reported to the	
28	Minister.	
29	<b>15.</b> -(1) The Agency may accept any gift of land, money or other	
30	property on such terms and conditions, if any, as may be specified by the	

	1	person or organization making the gift.
	2	(2) The Agency shall not accept any gift if the conditions attached by
	3	the person or organization offering the gift are inconsistent with functions and
	4	objectives of the Fund.
Power to borrow	5	<b>16.</b> -(1) The Agency may from time to time, borrow by way of
	6	overdraft or otherwise such sums as it may require for the performance of its
	7	functions under this Act.
	8	(2) The Agency shall not, without the approval of the Minister,
	9	borrow money which exceeds at any time, the
	10	(3) Where the sum to be borrowed is in foreign currency, the Agency
	11	shall seek and obtain the approval of the Minister through the Board.
Power to enter into contract	12	<b>17.</b> No committee of the Agency or any person or body engaged by it,
	13	and notwithstanding anything in the terms of reference:
	14	(a) shall carry on any activity on behalf of the Agency unless the
	15	consent of the Minister is obtained; and
	16	(b) shall enter into any contract with any other person or body, except
	17	with the consent of, or in accordance with the terms of any general authority
	18	given by the Board.
Power to acquire land	19	<b>18.</b> -(1) For the purpose of providing offices and premises necessary
	20	for the performance of its functions, the Agency may, subject to the provisions
	21	of the Land Use Act, 1978:
	22	(a) purchase or take on lease any interest in land, building or property;
	23	and
	24	(b) build, equip and maintain offices and premises
	25	(2) The Agency may, subject to the provisions of the Land Use Act,
	26	1978, sell or lease any office or premises held by it, which is no longer required
	27	for the performance of its functions under this Act.
	28	PART V - MISCELLANEOUS
Power of Authorised Officer	29	<b>19.</b> Authorised Officer shall:
	30	(a) inspect, examine and take samples of any plant, plant product,

1       annual, animal products, fish and fishery product or regulated articles and  
2       send such samples for further sanitary or phytosanitary action;

3               (b) enter and search at all reasonable time and with such assistance,  
4       if any, as he considers necessary, any area or premises if he has a reason to  
5       believe that an offence under this Act has been, is being or is about to be  
6       committed or for the purpose of satisfying himself that the provisions of this  
7       Act are being complied with after identifying himself by making available  
8       the identity card issued to him by the Agency;

9               (c) ask the consignee to produce an import permit or health  
10       certificate or other documentation required under this Act, provided that no  
11       officer shall in the exercise of the power conferred by this section, enter into  
12       any building or part of a building which is used exclusive as a private  
13       dwelling place or residence on board of any seas going ship or vessel unless  
14       he shall have been authorized by a warrant issued by a competent authority;

15              (d) inspect, examine and make copies of such permits, certificates  
16       and documentation or take extracts from registers or records kept by such  
17       persons and seize them if they have reason to believe that all or any of them  
18       may be evidence of the commission of an offence punishable under this Act;

19              (e) search any person, baggage, package, conveyance or any other  
20       regulated article upon entry into or exit from Nigeria;

21              (f) make such examination and inquiries as he thinks fit in order to  
22       ascertain whether the provisions of this Act are being complied with and for  
23       that purpose stop any conveyance;

24              (g) stop the distribution, sale or use of any product, animal  
25       products, fish, fish products or regulated articles and seize same if he has  
26       reason to believe that they are being distributed, sold or used in  
27       contravention of the provisions of this Act;

28              (h) order at the owners expense, the treatment or disposal including  
29       reshipment and confinement in pest sites of plants, products, animal, animal  
30       products, fish, fish products or regulated articles imported into Nigeria,



1 whether or not they are covered by imported permits or health certificates, as  
2 well as the treatment of incoming conveyances as he may consider necessary  
3 for the prevention of the spread of any regulated pest or diseases which he has  
4 reasonable grounds to believe is or are among such plants, plant products,  
5 animal, animal products, fish, fish products or regulated articles;

6 (i) be present when the official agency seal on containers containing  
7 products, animal, animal products, fish, fish products or regulated articles are  
8 being broken;

9 (j) be accompanied and assisted by Police Officers in the performance  
10 of their functions under this section;

11 (k) order that plants, plant products and other regulated articles  
12 imported if found or suspected to be infected with any regulated pest of  
13 diseases be destroyed or re-shipped to the country of origin or they shall direct  
14 such plants products, animal, animal products, fish, fish products or regulated  
15 articles should not be granted entry into Nigeria unless they are treated in  
16 accordance with the existing sanitary and phytosanitary, regulations of the  
17 Agency, reshipping to country or be destroyed;

18 (l) refuse to issue phytosanitary certificate for plants, plant products,  
19 health certificates for animal and fish products and other regulated articles on  
20 exportation where request for sanitary and phytosanitary certificates are found  
21 or suspected not to be in compliance with sanitary requirements of the  
22 importing country until they have been so treated;

23 (m) conduct inspection and animal diseases surveillance of trade  
24 plants which shall be accompanied with pestnary movement and loading  
25 permit at the inter-state veterinary control posts; and

26 (n) exercise such other powers as the agency may deem necessary to  
27 delegate for carrying out the purposes of this Act.

Offences

28 **20.** It shall be an offence to:

29 (a) grow, rear, possess, sell, offer for sale, transport or distribute in any  
30 manner any plant, plant product, animal, animal product, fish, fish product or

1 regulated article knowing them to be imported into Nigeria contrary to this  
2 Act;

3 (b) assault, resist, threaten or willfully obstruct any authorized  
4 officer from exercising his lawful function under this Act;

5 (c) fail to comply with any order or directive lawfully made or  
6 given under this Act;

7 (d) import any plant, plant product, animal, animal product, fish,  
8 fish product or regulated articles contrary to any requirements prescribed  
9 under this Act;

10 (e) import any plant, plant product, animal, animal product, fish,  
11 fish product or regulate articles contrary to any requirements prescribed  
12 under this Act;

13 (f) fail to allow a search or inspection authorized under this Act;

14 (g) knowingly or recklessly provide information which is false for  
15 the purpose of obtaining any document under this Act; and

16 (h) alter, forge, deface or destroy any document issued under this  
17 Act.

18 **21.-(1)** Any person who commits an offence under section 20 of Penalties  
19 this Act shall:

20 (a) on a first summary conviction be sentenced to imprisonment for  
21 a period of 1 year or fine of 100% of the market value of the plants, plant  
22 products, animal, animal products, fish, fish products or regulated articles or  
23 both; and

24 (b) on a second summary conviction be sentenced to imprisonment  
25 for a period of 2 years or fine of 200% of the market value of the plants, plant  
26 products, animal, animal products, fish, fish products or regulated articles or  
27 both.

28 (2) In addition, in the case of second summary conviction, the  
29 agency may suspend the rights of the person temporarily to import as well as  
30 to perform any activities accredited by the Agency.

	1	(3) In all cases, all plants, plant products, animal, animal products,
	2	fish, fish products or regulated articles imported into Nigeria in contravention
	3	of this Act, rules, orders or regulations under this Act shall be subject to
	4	reshipments, confiscation and destruction if there is no alternative sanitary and
	5	phytosanitary measure approved by the Service to deal with the goods.
	6	PART VI - LEGAL PROCEEDINGS
Indemnity	7	<b>22.</b> A member, the Director - General or any employee of the Agency
	8	shall be indemnified out of the asset of the Agency against any liability incurred
	9	by him in defending any proceeding, whether civil or criminal, if any such
	10	proceeding is brought against him in his capacity as a member, Director
	11	General or employee of the Agency.
Execution of deeds	12	<b>23.</b> -(1) All deeds, instruments, contracts and other documents shall be
	13	duly executed by or on behalf of the Agency if sealed with the seal of the
	14	Agency and signed by the Director -General and the Director of Finance and
	15	Administration or any other person not below the rank of a Director appointed
	16	by the Board for that purpose.
	17	(2) A deed, instrument, contract or other document executed in
	18	accordance with subsection (1) shall, subject to any exception that may be
	19	taken thereto on any ground other than that of competence of the party
	20	executing the same on behalf of the Agency, be effectual in law to bind the
	21	Agency and its successors and may be varied or discharged in like manner as
	22	that in which it was executed.
Limitation of suits against the Agency	23	<b>24.</b> -(1) No suit shall be instituted against the Agency or its employees
	24	unless it commenced (a) within three months after the act, neglect, or default
	25	complained of; and
	26	(b) in the case of continuation of damage or injury, within six months
	27	after the ceasing thereof.
	28	(2) No suit shall commence against the Board, Director - General or
	29	any employee of the Agency before the expiration of a period of one month,
	30	after written notice of intention to commence the suit shall have been served on

1 the Agency by the intending plaintiff or his agent.

2 (3) The notice referred to in subsection (2) of this section shall  
3 clearly state the:

4 (a) cause of action;

5 (b) particulars of the claim;

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

7 (d) relief which he claims.

8 **25.** The notice or other documents required or authorized to be  
9 served on the services under the provisions of this Act or any other law may  
10 be served by:

Service of  
documents

11 (a) delivering the same to the office of the Director - General; or

12 (b) sending it by registered post addressed to the Director - General

13 at the Head Office of the Agency.

14 **26.** In this Act:

Interpretation

15 "Authorised Officer" means an inspector in the Pre-entry Department of the  
16 Agency;

17 "Board" means the Governing Board of the Agency established by section 2  
18 of this Act;

19 "Chairman" means the Chairman of the Board;

20 "Director General" means the Chief Executive of the Agency and Chairman  
21 of the Management Committee;

22 "Functions" includes power and duty;

23 "Fund" means the account established by section 8 (1);

24 "member" means an individual representing an organization or institution in  
25 (the Board and includes the Chairman and Director General);

26 "Minister" means the Minister charged with responsibility for matters  
27 relating to Agriculture;

28 "Agency" means the Agency established by section 1 (1).

29 **27.** This Bill may be cited as the National Pest Control Agency  
30 (Establishment, etc.) Bill, 2019.

Short title

## 1 SCHEDULE

## 2 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

3 1.-(1) The Board shall meet and deliberate on the affairs of the Agency  
4 at least twice in one year.

5 (2) At any meeting of the Board:

6 (a) six members shall form a quorum, but in determining whether a  
7 quorum has been constituted the presence of any person invited to offer opinion  
8 or tender documents shall not be considered;

9 (b) the Chairman, or in his absence, the member elected by the  
10 members present to act as Chairman, shall preside;

11 (c) where the Board wishes to obtain the advice of any person on any  
12 particular matter, the Board may invite any person as it thinks fit, but any  
13 person who is invited by virtue of this sub paragraph shall not be entitled to vote  
14 at any meeting of the Board and shall not count towards a quorum; and

15 (d) the Chairman or a member presiding has a deliberative vote and, in  
16 the event of equality of votes, also has a casting vote.

17 2. The Board may, if thinks fit, transact any of the business by the  
18 circulation of papers, and resolution in writing approved in writing by a  
19 majority of the members thereof shall be as valid and effectual as if it had been  
20 passed at a meeting of the Board by the votes of the members so approving the  
21 resolution.

22 3.-(1) If any member has any beneficial interest in any land or  
23 building situate in an area comprised in any project of the Agency, or has any  
24 beneficial interest in any company or undertaking with which the Agency  
25 proposes to make any contract, or has an interest in any such contract, he shall  
26 forthwith disclose to the Board the fact and the nature of such interest, and such  
27 disclosure shall be recorded in the minutes of the Board, and thereafter such  
28 member shall take no further part in any deliberation or decision of the Board  
29 relating to such project or contract.

30 (2) Any member disclosing any interest in any project or company or

1       undertaking in which the Agency proposes to make any contract shall be  
2       disregarded for the purposes of constituting a quorum of the Board for any  
3       such deliberation or decision.

4               (3) For the purposes of subsection (1) of this section a general  
5       notice given at a meeting of the Board by a member to the effect that he is a  
6       member of a specified company or firm and is to be regarded as interested in  
7       any transaction or project of the agency concerning the company or firm,  
8       shall be regarded as a sufficient disclosure of his interest in relation to that  
9       transaction or project.

10              (4) A member need not attend in person at a meeting of the Board in  
11       order to make any disclosure which he is required to make under this section  
12       if he takes reasonable steps to secure that the disclosure is made by notice  
13       which is brought up and read at the meeting.

14              4.-(1) The Board may, subject to the provisions of this Act, make  
15       staff regulations relating generally to the conditions of service of the Agency  
16       and without prejudice to the generality of the foregoing, such regulations  
17       may provide for:

18              (a) the appointment, promotion, termination, dismissal or other  
19       disciplinary control of the staff of the Agency;

20              (b) appeals by such staff against dismissal or other disciplinary  
21       measures, and until such regulations are made any instrument relating to the  
22       conditions of service of officers in public service of the Federation shall be  
23       applicable, with such modifications as may be necessary; and

24              (c) the Board shall be responsible for the policy guidance affairs of  
25       the Agency.

26              (2) The Board may make regulations with respect to:

27              (a) the quorum, proceedings and meetings of the Board and the  
28       determination of the Board;

29              (b) the execution of instruments and the mode of entering into  
30       contracts by or on behalf of the Board, and the proof of documents

1 purporting to be executed, issued or signed by the Board, or an Officer or  
2 servant of the Agency.

3 (3) Until such regulation is made relevant sections of this Act shall  
4 apply to regulate the quorum, proceedings, meetings and determination of the  
5 Board.

6 (4) The Board may from time to time, by resolution, appoint,  
7 constitute, discharge, alter, continue or reconstitute any committee to advise  
8 the Board on such matters concerning the functions of the Agency as it sees fit.

9 (5) Any person may be appointed to be a member of a committee not  
10 withstanding that he is a member of the Board.

11 (6) Subject to any direction given by the Board every committee may  
12 regulate its own procedure.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish a National Pest Control Agency (NAPCA) and enforce compliance with laws, guidelines, policies and standards on pest control matters.

HATE SPEECH (PROHIBITION) BILL, 2019

ARRANGEMENT OF CLAUSES

*Clauses:*

1. Objectives of the Bill
2. Offences and Penalties
3. Sacred sites and symbol
4. Prohibition of use of Self Help
5. Complaint and Enforcement
6. Power to award damages or compensation
7. Jurisdiction
8. Interpretation
9. Citation





A BILL

FOR

AN ACT TO AMONG OTHER THINGS PROVIDE FOR THE PROMOTION OF RELIGIOUS AND ETHNIC TOLERANCE AMONG NIGERIANS AND TO PROHIBIT HATE SPEECHES THAT IS CAPABLE OF INCITING VIOLENCE AND CIVIL DISORDER AND TO PROVIDE STIFFER PUNISHMENT FOR OFFENDERS AND FOR RELATED MATTERS

*Sponsored by Hon. Mohammed Tahir Monguno*

[ ] Commencement

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

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- 1.-(a) To give effect to provision of Chapter IV of the Constitution of the Federal Republic of Nigeria 1999 (as amended), particularly section 39;

(b) To give effect to international instruments and protocols signed and domesticated by Nigeria on the subject by ensuring compliance with our treaty obligations arising there from;

(c) To promote tolerance and reconciliations among Nigerians by prohibiting hate speeches and providing stiffer punishment for offenders;

(d) To educate the public and raise awareness on the importance of promoting religious and ethnic tolerance and overcoming hate speech; and

(e) To assist in the provision of legal redress and compensation for victims of hate speech.

2.-(1) Any person or institution who:

(a) uses threatening, abusive or insulting words, actions, or behaviour, or displays any written material;

(b) publishes or distributes written material;

(c) gives a sermon or other speech or public talk during a religious gathering, service, or ritual, festivities;
- Objectives of the Bill

Offences and Penalties

1 (d) distributes, shows or plays, a recording of visual images; or  
2 (e) provides, produces or directs a programme; with the intent to  
3 incite or propagate:

4 (i) war,

5 (ii) civil disorder and violence,

6 (iii) hatred that is based on race, ethnicity, gender or religion-

7 Commits an offence.

8 (2) Any person found guilty of the offences under sub clause (1) shall  
9 be liable on conviction to a fine not exceeding One Million naira  
10 (N1,000,000.00) or to imprisonment for a term not exceeding Three years or to  
11 both such fine and imprisonment.

12 (3) Any institution or group of persons found guilty of the offence  
13 provided in sub clause (1) shall on conviction be liable to a fine not exceeding  
14 Five Million naira in addition to the proscription of the institution or group.

Scared sites  
and symbol

15 **3.-(1)** A person or religious organization or group shall not willfully  
16 desecrate a sacred place, site or symbol of any religious person or group.

17 (2) Any person who desecrates sacred spaces, sites or symbols  
18 commits an offence and shall on conviction be liable to a fine not exceeding  
19 Five Hundred Thousand naira or imprisonment for a term of two years or to  
20 both such fine and imprisonment.

21 (3) Where a religious organization or group is found guilty of  
22 desecrating sacred spaces, sites or symbols it shall on conviction be liable to a  
23 fine of One Million Naira, in addition to offsetting the costs associated with  
24 cleaning up or repairing any damage done to such sacred space, site or symbol.

Prohibition of  
use of Self Help

25 **4.-(1)** No person, institution or group of persons shall resort to self-  
26 help in enforcing any violation of the provisions of this Bill.

27 (2) Any person found guilty of violating sub clause (1) of this clause  
28 shall on conviction be liable to a fine not exceeding Two Million naira or to  
29 imprisonment for a term not less than Five years or to both such fine and  
30 imprisonment.

1 (3) Any institution or group of persons found guilty shall on  
2 conviction be liable to a fine not exceeding Ten Million Naira in addition to  
3 the proscription of the institution or group.

4 5.-(1) Complaints for infractions of the provision of this Bill shall  
5 be filed with the Nigeria Police Force or National Human Rights  
6 Commission who shall consider same and deal as appropriate. Compliant and  
Enforcement

7 (2) The Commission shall, in conjunction with appropriate  
8 security agencies carry out investigation into complaints submitted to it.

9 (3) Upon completion of investigation, the Commission may  
10 forward their findings to the Office of the Attorney General for prosecution.

11 6. The Court may award damages or compensation to the victim of  
12 any crime under this Bill. Power to award  
damages or  
compensation

13 7. The Federal High Court, High Court of the Federal Capital  
14 Territory and the State High Courts shall have jurisdiction to try offences  
15 under this Bill. Jurisdiction

16 8. In this Act: Interpretation

17 "Hate speech" includes all forms of expression or actions that spread, incite,  
18 promote or justify religious, ethnic, cultural, or racial hatred, xenophobia, or  
19 other forms of hatred based on intolerance, including intolerance expressed  
20 by aggressive nationalism and ethnocentrism, discrimination and hostility  
21 against minorities, migrant and people of immigrant origin;

22 "Institutions and groups" means any social group assembly, or organization  
23 concerned with God, spirituality, and morality, especially those of the  
24 Islamic faiths, Christian faiths, traditional faiths, as well as any other socio-  
25 cultural group;

26 "Leader" means any individual in a position of responsibility within a  
27 religious group or institution;

28 "Self-help" for purposes of this Act means any act, conduct, or behaviour,  
29 including assault, killing, or any form of violence in enforcing this act  
30 without going through the legal procedure for enforcing this Bill;

1 "Sacred Space" means a location or space that is acknowledged and accepted as  
2 where a person feels a connection to their spirituality, limited to the options  
3 articulated herein, or as explicitly identified by majority vote of a local  
4 government within which such a space or location may be. A sacred space shall  
5 herein include a church, mosque, synagogue, shrine, temple or any other place  
6 of worship as identified by a religious person, group or institution;  
7 "Sacred Symbol" is defined as an iconic representation intended to represent a  
8 specific religion, or a specific concept within a given religion. It is considered  
9 by some to be the main characteristic of religious expression;  
10 "Sacred Site" is defined as a place where a religious group or institution has  
11 given sacred character, by distinguishing it from other places by constructing  
12 or adding sacred objects, signs, or decorations to make it a place of spiritual  
13 sanctity;  
14 "Desecration" means to violate, wilfully and in sound mind, the sanctity of a  
15 sacred space or site by urinating, defecating, shedding blood of an animal or  
16 person in or around the sacred space or site, destroying, distorting or  
17 disfiguring any and or part of the sacred space or site and by doing anything that  
18 will cause any destruction or cause harm or discontent to a person that believes,  
19 meditates, prays, and otherwise uses that sacred space or site.

Citation

20 9. This Bill may be cited as the Hate Speech Bill, 2019.

## EXPLANATORY MEMORANDUM

This Bill seeks to among other things provide for the promotions of religious and ethnic tolerance among Nigerians and to prohibit hate speeches that are capable of inciting violence and civil disorder and to provide stiffer punishment for offenders.

# A BILL

## FOR

AN ACT TO AMEND THE EXPLOSIVES ACT CAP. E18, LAWS OF THE  
FEDERATION OF NIGERIA 2004 TO EMPOWER THE OFFICE OF THE  
NATIONAL SECURITY ADVISER TO MAKE REGULATIONS FOR THE  
CONTROL OF EXPLOSIVES FOR THE PURPOSE OF MAINTAINING AND  
SECURING PUBLIC SAFETY AND FOR RELATED MATTERS

*Sponsored by Hon. Mohammed Tahir Monguno*

[ ] Commencement

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

- |                      |  |  |
|----------------------|--|--|
| 1<br>2<br>3          | 1. The Explosives Act CAP. E18, Laws of the Federation of<br>Nigeria, 2004 (in this Bill referred to as the "Principal Act") is amended as<br>set out in this Bill   | Amendment of<br>the Principal Act<br>Cap. E18 LFN,<br>2004 |
| 4<br>5<br>6          | 2. Section 1 of the Principal Act is amended:<br>(a) In sub-section (1) by substituting for the existing subsection (1),<br>new subsections 1/(1)" and 11(2)":   | Amendment of<br>Section 1                                  |
| 7<br>8<br>9          | "(1) The Office of the National Security Adviser may make<br>regulations with respect to explosives for the purpose of maintaining and<br>securing public safety to give effect to the provisions of this Bill;  |  |
| 10<br>11<br>12       | "(2) In exercise of powers conferred on the Office of the National<br>Security Adviser by sub clause (1) of this clause, the office shall be<br>responsible for review and update of the controlled list of explosives";                                 |  |
| 13<br>14             | (b) in subsection (2) by substituting the existing paragraph (e) for a<br>new paragraph "(e)":   |  |
| 15<br>16<br>17<br>18 | "(e) any customs officer or other person who aids, counsels,<br>procures or conspires with any other person to contravene the regulations<br>made under this clause shall be guilty of an offence and liable on conviction<br>to imprisonment for life." |  |

Citation

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**3.** This Bill may be cited as Explosives Act (Amendment) Bill, 2019.

## EXPLANATORY MEMORANDUM

This Bill seeks to amend the Explosives Act Cap, E18, Laws of the Federation of Nigeria 2004 to empower the Office of the National Security Adviser (ONSA) to make regulations for the control of explosives and provides stiffer penalty for its contravention to maintain and secure public safety in Nigeria.

# A BILL

## FOR

AN ACT TO PROVIDE GUIDELINES FOR THE PAYMENT OF JUDGMENT DEBT  
OWED BY THE FEDERAL GOVERNMENT AND ITS AGENCY AND FOR  
RELATED MATTERS

*Sponsored by Hon. Lynda Chuba Ikpeazu*

[ ] Commencement

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

- |    |   |                           |
|----|---|---------------------------|
| 1  | <b>1.</b> The objective of this Bill includes to:                             | Objectives of<br>the Bill |
| 2  | (a) ensure that the Federal Government and its Agencies, conduct              |                           |
| 3  | their activities according to the law and due processes to forestall conflict |                           |
| 4  | and unnecessary litigation;   |                           |
| 5  | (b) ensure that public servant whose action or inaction occasioned,           |                           |
| 6  | resulted to avoidable litigation which lead to judgment debt are held         |                           |
| 7  | personally liable for their action or inaction as provided by the Public      |                           |
| 8  | Service Rules and Regulations;  |                           |
| 9  | (c) ensure that Federal Government and its Agencies directly pay              |                           |
| 10 | judgment debt as and when due without any negative impact on the quality      |                           |
| 11 | of their services to the public;  |                           |
| 12 | (d) Curb fraud and arbitrariness in the payment of judgment debt              |                           |
| 13 | by the Federal Government and its Agencies;                                   |                           |
| 14 | (e) Provide guidelines for the payment of judgment debt owed by               |                           |
| 15 | the Federal Government and its Agencies;                                      |                           |
| 16 | (f) Ensure that judgment debt owed by the Federal Government                  |                           |
| 17 | and its Agencies are verified and documented for record purpose;              |                           |
| 18 | (g) ensure that the National Assembly appropriate funds to the                |                           |
| 19 | office of the Attorney General of the Federation for the payment of judgment  |                           |
| 20 | debt annually or when necessary.  |                           |



Verification of  
Judgment

- 1                   **2.**-(1) Every judgment debt shall be presented to the office of the  
2   Attorney General for verification within 3 months from the date of judgment  
3                   (2) Subject to subsection (1), the following information are required  
4   for verification of a judgment debt:  
5                   (a) Contractual agreement;  
6                   (b) History of conflict;  
7                   (c) Parties to the conflict;  
8                   (d) Evidence of reconciliation of conflict prior to the litigation (if  
9   any);  
10                  (e) Certified true copy of judgment;  
11                  (f) Suit number;  
12                  (g) Principal sum and interest (if any);  
13                  (h) Terms of payment;  
14                  (i) Payment made with date;  
15                  (j) Balance of payment;  
16                  (k) Appeal (if any);  
17                  (l) Evidence of re-negotiating payment after judgement;  
18                  (m) Evidence of disciplinary measure taken against the public servant  
19   for action or inaction resulting to conflict; and  
20                  (n) Any other information that may be required for verification.

Guidelines for  
payment of  
Judgment Debt

- 21                   **3.**-(1) The Attorney general on the advice of the Minister in charge of  
22   Finance, may propose an amount subject to the approval of both Houses of the  
23   National Assembly for the payment of judgment debt annually or when  
24   necessary.  
25                   (2) Subject to subsection (1) in determining the amount to be  
26   proposed for payment of judgment debt, priority should be given to the  
27   following:  
28                   (a) the need for government and its agencies to obey court judgment;  
29                   (b) where the judgment creditor is a foreign government or  
30   international organization and delay in payment may lead to embarrassment in

- 1 the eyes of the international community;
- 2 (c) where an order of garnishee in respect of the matter has been
- 3 given by a court of law on the judgment;
- 4 (d) where delay in payment in the opinion of the National Security
- 5 Adviser constitutes threat to national security and order;
- 6 (e) where the conflict involves death or threat to life of a person and
- 7 payment of the judgment debt may ameliorate the situation;
- 8 (f) date of judgment namely, first in time;
- 9 (g) where delay in payment of the principal sum attracts compound
- 10 interest;
- 11 (h) where the judgment creditor agrees to part payment in
- 12 satisfaction of full payment of the judgment debt;
- 13 (i) where the judgment creditor agrees to installment payment in
- 14 satisfaction of full payment;
- 15 (g) where payment of the judgment debt is recommended by the
- 16 president of the Federal Republic of Nigeria for public interest; and
- 17 (k) any other criteria specified in a regulation made by the office of
- 18 the Attorney General of the Federation pursuant to this Bill.

19 **4.** Notwithstanding the provisions of this Bill, the Federal

20 Government and its agencies shall be directly responsible for the payment of

21 judgment debt on services and supplies for which funds were duly

22 appropriated in the annual budget by the National Assembly.

Direct payment  
of Judgment Debt  
by the Federal  
Government and  
its Agencies

23 **5.** Except otherwise authorized under this Bill or its regulations,

24 every Federal revenue generating Agency shall be directly responsible for

25 the payment of the judgment debt owed by it.

Payment of  
Judgment Debt  
by Federal Revenue  
Generating Agencies

26 **6.** To realize the objective of this Bill, the Attorney General shall

27 subject to the approval of both Houses of National Assembly make

28 regulations on any of the following:

Regulations

29 (a) On the mount of judgment debt that the Federal Government

30 and its Agencies shall have power to pay directly;

	1	(b) Guidelines for payment of judgment debts by Federal revenue
	2	generating agencies;
	3	(c) Composition and functions of a committee to assist to verify
	4	judgment debt claims and payments.
Interpretation	5	7. Except otherwise stated by this Act, the word:
	6	“Attorney General” means office of the Attorney General of the Federation;
	7	“Agency” means federal ministries, Departments and Agencies;
	8	“Compound interest” means interest added to the judgment debt so that the
	9	added interest also earn interest from then on;
	10	“Judgment debt” means a debt that has been reviewed by a judge in a court of
	11	law and found to be valid;
	12	“Federal Revenue Generating Agencies” means any agency authorized by law
	13	to generate fund and retain part of such funds to finance its operations;
	14	“Garnishee order” means a court order requiring a person to withhold part of
	15	the funds owed to a judgment debtor and instead to the judgment creditor or the
	16	court in satisfaction of a debt which is due;
	17	“International embarrassment” means any international discomfiture.
Citation	18	8. This Bill may be cited as Judgment Debt (Payment Guidelines)
	19	Bill, 2019.

## EXPLANATORY MEMORANDUM

This Bill seeks to provide guidelines for the payment of judgment owed by the Federal Government and its Agencies.

# A BILL

## FOR

AN ACT TO AMEND THE ALLOCATION OF REVENUE (FEDERATION  
ACCOUNT, ETC) ACT 2004 AND FOR RELATED MATTERS

*Sponsored by Hon. Chris Emeka Azubogu*

[ ] Commencement

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

- 1                   **1.** The Allocation of Revenue (Federation Account etc.) Act, CAP      Amendment of  
2    A15 2004 Act is hereby amended as set out hereunder.                    the Principal Act
- 3                   **2.** The Principal Act is hereby amended by inserting a new      Amendment of  
4    subsection 1 after the Principal Section as follows:                    Section 1  
5    “Provided that disbursement shall only be made to States whose Local  
6    Governments are in accordance with democratic principles as enshrined in  
7    Section 7 of the Constitution (1999) as amended”.
- 8                   **3.** The principal Act is hereby amended and a new subsection 2 is      Amendment of  
9    added as follows:                    Section 1  
10   “where a State's Local Government Councils fails to meet the requirements  
11   of democratic principles as enshrined in Section 7 of the Constitution 1999  
12   as amended, its share of allocation to the Local Government councils shall  
13   be held in an escrow account established for it until the Attorney General of  
14   the Federation or in his absence the Solicitor General of the Federation shall  
15   communicate in writing to the FAAC that such state has satisfied the  
16   requirements of Section 7 of the Constitution. Monthly return of any State  
17   whose Local Government have not met the requirements of democratic  
18   principles enshrined in Section 7 of the Constitution 1999 as amended, shall  
19   be made to the FAAC by the Attorney General of the Federation”.
- 20                   **4.** The principal Act is hereby amended by adding a new      Amendment of  
21   subsection 2(a) as provided thus:                    Section 2

	1	“It shall be an offence to act contrary to the provisions of this law”.
Amendment of Section 2	2	<b>5.</b> The principal Act is hereby amended by adding a new subsection
	3	2(b) as provided thus:
	4	“A person who violates Section 2(a) above is liable to a fine of not less than N1
	5	million or imprisonment of not less than one year or both. (Note that the
	6	liability shall extend to the Federal and State Government officials who
	7	contravene the law)”.
Citation	8	<b>6.</b> This Bill may be cited as the Allocation of Revenue (Federation
	9	Account, etc) Act (Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Allocation of Revenue (Federation Account, etc) Act 2004 by making it mandatory for Local Government Councils to be Democratic in order to collect their share of Revenue from the Federation Account and criminalises violation of the Act.