

*Extraordinary*



# National Assembly Journal

No. 28

Abuja - 13th July, 2021

Vol. 18

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Printed and Published by the National Assembly Press, Abuja, Nigeria

**NASSP 28/137/2021/900**

Subscribers who wish to obtain the Journal after 1st January should apply to the Clerk, National Assembly, Abuja for amended Subscriptions.



YOUTH ENTREPRENEURSHIP DEVELOPMENT TRUST FUND  
(ESTABLISHMENT) BILL, 2021  
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# A BILL

## FOR

AN ACT TO MAKE PROVISION FOR THE ESTABLISHMENT OF YOUTH  
ENTREPRENEURSHIP DEVELOPMENT TRUST FUND AND A MANAGEMENT  
TEAM TO ADMINISTER THE FUND; AND FOR RELATED MATTERS

*Sponsored by Hon. Farah Dagogo*

[ ] Commencement

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

### PART I - ESTABLISHMENT, FUNCTIONS AND MEMBERSHIP

#### OF THE BOARD

1.-(i) There shall be established a fund into which shall accrue all  
moneys that shall be saved and employed strictly in the circumstances as  
provided for in this Bill;

Establishment  
and Objective of  
the Fund

(ii) The Fund shall be known as the Youth Entrepreneurship  
Development Trust Fund (in this Bill referred to as the "the Youth Fund");

(iii) The objective of the Youth Fund shall be: 0 provide an assured  
socio-economic security for Nigerian youth, and for use in the  
circumstances provided for in this Bill.

(2) The fund shall consist of:

(a) not less than 5% capital estimate proposal from .the Federation  
Account approved as appropriation for the fiscal year;

(b) revenue accruing periodically from approved investments  
made out of the capital in the Youth Fund;

(c) One percent profit as declared by each private entity in the.  
country;

(d) other revenue legitimately accruing to the fund by means not  
provided for in this Bill; and

(e) such other sums as may accrue to the capital in the Youth Fund

	1	from time to time.
Establishment of the Management Board	2	<b>2.-(1)</b> There is hereby established for the management of the Youth
	3	Fund, a body to be known as the Youth Fund Management Board (in this Bill
	4	referred to as "the Board") which shall, subject to this Bill have general control
	5	of the Youth Fund and investments of sums forming part of the Youth Fund.
	6	(2) The Board shall be a body corporate with perpetual succession and
	7	a common seal and may sue and be sued in its corporate name.
	8	(3) The Board shall for the purpose of the discharge of its functions
	9	under this Bill have power, to:
	10	(a) acquire, hold and alienate property, real or personal; and
	11	(b) enter into any contract or other transactions.
Functions of the Board	12	<b>3.-(1)</b> The Board shall be responsible for, the:
	13	(a) administration of the Youth Fund and the investment of sums
	14	forming part of the Fund;
	15	(b) pre-qualification of youths of Nigerian origin to benefit from the
	16	Youth Fund;
	17	(c) disbursement of the Fund to the Youth that have been qualified to
	18	benefit from the Youth Fund;
	19	(d) setting the guideline for accessing the Youth Fund
	20	(e) general administration of the Youth Fund and regulations made
	21	there-under.
	22	(2) The Board shall have power to carry out such activities, as may
	23	appear to the Board to be incidental or conducive to the attainment of its
	24	objects under this Bill.
Membership of the Board	25	<b>4.-(1)</b> The Board shall consist of the following members:
	26	(a) the Chairman who shall be a Youth appointed by the President, on
	27	the recommendation of the Minister for Youth & Sports Development;
	28	(b) one persons nominated by the National Youth Council of Nigeria;
	29	and
	30	(c) one representative each of:

- 1 (i) the Federal Ministry of Youth & Sports Development
- 2 (ii) Federal Ministry of Employment, Labour and Productivity;
- 3 (iii) the Central Bank of Nigeria;
- 4 (d) the Managing Director.

5 (2) The supplementary provisions set out in the Schedule to this  
 6 Bill shall have effect with respect to the proceedings of the Board and the  
 7 other matters contained therein.

8 **5.-(1)** The members of the Board shall hold office for a term of four Tenure of office  
 9 years and shall be eligible for reappointment for one further term of four  
 10 years and no more.

11 (2) The members of the Board shall be paid such remuneration and  
 12 allowances as the Minister may, from time to time, determine.

13 (3) A member of the Board may resign his appointment by a notice  
 14 in writing under his hand, addressed to the Minister.

15 **6.** A member of the Board shall cease to hold office if, he: Cessation of  
Membership

- 16 (a) becomes of unsound mind;
- 17 (b) becomes bankrupt or makes a compromise with his creditors;
- 18 (c) is convicted of a felony or of any offense involving dishonesty;
- 19 (d) is guilty of serious misconduct in relation to his duties.

## 20 PART II - MANAGEMENT OF THE FUND AND STAFF OF THE BOARD

21 **7.-(1)** The President shall appoint for the Board, a Managing Appointment of  
the Managing  
Director and  
Executive Directors  
 22 Director and six Executive Directors representing each of the geopolitical  
 23 zones in the country on the recommendation of the Minister.

24 (2) The Managing Director shall be the Chief Executive Officer of  
 25 the Board and shall, subject to the general control of the Board, be  
 26 responsible for the day-to-day administration of the affairs of the Board.

27 (3) The Managing Director and the Executive Directors shall each  
 28 hold office for a term of four years in the first instance and shall be eligible  
 29 for re-appointment for one further term of four years and no more.

29                   **12.** Money standing to the credit of the Youth Fund and not  
30 immediately required to be expended in meeting the obligations of the Board



1 may be invested from time to time in such proportions as the Board may  
2 approve, having regard to contingencies.

3 **13.-(1)** The Board shall cause to be kept proper books of account  
4 and records in relation thereto, and when certified by the Board such  
5 accounts shall be audited as provided in subsection (2) of this section.

Accounts and  
audit

6 (2) The Board shall not later than six months after the end of each  
7 year cause its accounts to be audited by auditors appointed by the Board  
8 from the list and in accordance with the guidelines supplied by the Auditor-  
9 General for the Federation.

10 (3) The financial year of the Fund shall end on 31 December in each  
11 year.

12 (4) The Board shall determine the fee payable to auditors for the  
13 services rendered pursuant to this section.

14 **14.** The Board shall cause to be prepared and submitted to the  
15 President, not later than 30 July in each year a report on the activities of the  
16 Board during the immediately preceding year and shall include in the report  
17 the audited accounts of the Board and the Auditor-General's report thereon.

Annual report

18 **15.** The fund shall not be used under any circumstances for the  
19 following purposes:

Prohibition of  
the use of the  
Youth Fund

20 (a) as collateral or security for any form of borrowing by the  
21 Government; or

22 (b) to make up shortfalls in the Recurrent or Capital Expenditure of  
23 the Government.

#### 24 PART IV - MISCELLANEOUS PROVISIONS

25 **16.** No stamp duty shall be payable on any receipt, contract,  
26 instrument or other document given or executed by or on behalf of the  
27 Board.

Exemption from  
payment of stamp  
duty

28 **17.** The Board shall not be liable to pay income tax and no tax by  
29 whatever name called shall be payable in respect of any property vested in  
30 the Board.

Board exempted  
from payment of  
income tax

Benefits exempted from tax and inalienable	1	<b>18.-(1)</b> Benefits payable under this Bill:
	2	(a) shall be exempted from taxation; and
	3	(b) shall not be liable to attachment for debt under any process of law.
	4	(2) Contributions to the Youth Fund shall be inalienable and shall not
	5	be assets for the benefits of creditors in the event of the bankruptcy or
	6	insolvency of the contributor.
Indemnity	7	<b>19.</b> No member, officer, servant or agent of the Board shall incur
	8	personal liability for any act done in good faith while engaged in the business of
	9	the Board.
Review of operation of the scheme	10	<b>20.-(1)</b> The Board shall not later than five years from the
	11	commencement of this Bill and at least once during the course of every five
	12	years thereafter, cause an actuary to review the operations of the Board under
	13	this Bill.
	14	(2) An actuary, appointed pursuant to subsection (1) of this section,
	15	shall prepare a report on the state of the Youth Fund and in regard to any
	16	deficiency revealed, he shall state what action he recommends should be taken
	17	thereon.
	18	(3) The Board shall submit a copy of the report of the actuary to the
Reciprocal agreements	19	Minister together with the Board's observations on any recommendations
	20	made by the actuary.
	21	<b>21.</b> The Minister may enter into a reciprocal agreement with the
	22	government of any other country in which a scheme similar to that established,
	23	by this Bill has been established, and may include in the agreement provisions
	24	modifying, adapting or amending the provisions of this Bill to give effect to the
	25	agreement.
Regulations	26	<b>22.-(1)</b> The Board may, after consultation with the Minister, make
	27	regulations giving effect to the provisions of this Bill and without prejudice to
	28	the generality of the foregoing the regulations may provide for:
	29	(a) the prescription of anything required to be prescribed under the
	30	Bill;

1 (b) the prescription of the amount payable to any Youth under the  
2 Bill;

3 (c) specifying the records to be kept by the Board and its employees  
4 in respect of contributions to the Youth Fund;

5 (d) specifying the amount of contributions payable under the Bill;

6 (e) specifying the method of collecting contributions under the  
7 Bill;

8 (f) the prescription of the procedure for making claims and making  
9 payments under the Bill;

10 (g) the prescription of any forms or documents required for the  
11 purposes of the Bill;

12 (h) the prescription of the procedure for assessment of contribution  
13 by or on behalf of the Board.

14 (2) Regulations made under this section shall not come into  
15 operation until they are published in the Federal Gazette.

16 **23.** The provisions of the Trustee Investment Act shall not apply to  
17 the investment of money by the Board.

Trustee Investments  
Act not apply

18 **24.**-(1) The Board shall open and operate separate bank accounts in  
19 any reputable Nigerian bank or banks, which bank shall then become a  
20 Custodian, for the purposes of receiving into and paying out the sums  
21 standing to the credit of the Fund.

Bank Accounts  
and Mandates

22 (2) Any account opened under sub-section (1) above shall be  
23 named as the "Nigeria Youth Fund Account."

24 (3) No withdrawal or payment shall be made from the Youth Fund  
25 Account unless an Instrument of withdrawal or payment order in respect of  
26 such withdrawal is validated through a letter of authorization under the hand  
27 of two duly authorized first class signatories of the Youth Fund, supported  
28 by a two-thirds majority resolution of the Board.

29 **25.**-(a) Subject to Clause 4 (2) the Board shall meet for the  
30 discharge of its business at such times and at such places as the Committee

Meetings of the  
Committee/Quorum

1 may determine but shall meet at least once every quarter;

2 (b) A special meeting of the Board shall be called upon a written  
3 request by the Chairman or by not less than two- third of the members of the  
4 Board to addressed to the Secretary of the Committee;

5 (c) the quorum for any meeting of the Board shall be one third of the  
6 total Members of the Board;

7 (d) At every meeting of the Board at which the Chairman is present,  
8 the Chairman shall preside and in his absence a member of the Board appointed  
9 by the members present from among themselves shall preside;

10 (e) The Board may at any time co-opt any person or persons to act as  
11 adviser or advisers at any of its meetings, but no such person( s) so co-opted  
12 shall be entitled to vote at any such meetings on any matter for decision by the  
13 Committee nor shall count for a quorum;

14 (f) Questions proposed at a meeting of the Board shall be determined  
15 by a simple majority of members present and voting and in the event of an  
16 equality of votes, the Chairman shall have a second or casting vote;

17 (g) A member of the Board who has an interest in any company or  
18 undertaking with which the Government proposes to enter into a contract on  
19 behalf of the Youth Entrepreneurship Fund or who has any interest in any  
20 contract which the Government proposes to enter into on behalf of the  
21 Investment shall disclose in writing to the Committee the nature of his interest;

22 (h) The secretary of the Committee shall prepare and distribute to  
23 members all Minutes after each meeting.

Sub-Committees

24 **26.** The Board may constitute such sub-committees as it considers fit  
25 to deal with different aspects of its responsibilities and such sub-committee  
26 shall lay before the Managing Director for onward transmission to the Board  
27 the report of its activities.

Citation

28 **27.** This Bill may be cited as the Youth Entrepreneurship  
29 Development Trust Fund (Establishment) Bill, 2021.

## EXPLANATORY MEMORANDUM

This Bill seeks to create a Fund which shall be used to provide financial support to Nigerian Youth with entrepreneurship skills. It is hoped that the Youth Fund would provide a vehicle for assured socioeconomic security for Nigerian youth, to galvanize them to become employers of labour, self reliance and captains of industry. This would reduce unemployment and the social vices that characterize the Nigerian society today.



# A BILL

## FOR

AN ACT TO REGULATE AND CONTROL INDOOR AND OUTDOOR SIGNAGE,  
HOARDING AND ADVERTISEMENTS IN THE FEDERAL CAPITAL TERRITORY  
(FCT) ABUJA AND FOR RELATED MATTERS

*Sponsored by Hon. Aniekan Umanah, Hon. Hassan Sokodabo*

[ ] Commencement

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

### PART I - ESTABLISHMENT OF BOARD

1           1.-(1) There is hereby established an agency to be known n as the      Establishment  
2      Signage Advertisement Control Agency (referred to this Bill as 'the      of Board  
3      Agency").

4           (2) The Agency shall be a body corporate with perpetual  
5      succession and common seal and shall have power to sue and be sued in its  
6      corporate name and may own and dispose of properties.

7           2.-(1) The Agency shall have a Board consisting of:      Composition of  
8           (a) Part-time Chairman who shall be a person of proven integrity      the Board

9      appointed by the FCT Minister subject to confirmation by the National  
10     Assembly;

11          (b) Two executive Directors;

12          (c) The Minister for Environment or his representative;

13          (d) The ALGON Chairman FCT or his representative who shall  
14      also be a serving Chairman! Chairperson of an Area Council in the FCT;

15          (e) The General Manger of the Agency;

16          (f) A representative of:

17          (i) the Minster of FCT;

18          (ii) Ministry of Works;

19          (iii) Civil Society Organization or APCON.

Secretary of the Agency	1	<b>3.-(1)</b> The Secretary of the Agency shall serve as the Secretary to the
	2	Board.
	3	(2) The Chairman and other members, other than ex-officio members,
	4	of the Board shall be paid such remuneration as the Minister may, from time to
	5	time, approve.
Tenure of office	6	<b>4.</b> A member, other than ex-officio member, shall hold office for a
	7	term of four years and may be reappointed for a further term of four years only.
Vacancy	8	<b>5.-(1)</b> The office of a member shall become vacant if:
	9	(a) his tenure of office has elapsed;
	10	(b) he, by notice under his hand addressed to the Minister of FCT
	11	resigns his office;
	12	(c) he is unable to discharge the functions of his office whether arising
	13	from infirmity of mind, body or any other cause;
	14	(d) he is convicted by a court of competent jurisdiction of an offence
	15	involving stealing, Fraud or dishonesty; or
	16	(e) he is removed from office by the FCT Minister.
	17	PART II - FUNCTIONS OF AGENCY AND BOARD
Functions of the Agency	18	<b>6.</b> The Functions of the Agency shall be to:
	19	(a) Control indoor and outdoor structures to be used for signage and
	20	advertisements;
	21	(b) Issues licenses and permits for the construction and placement of
	22	indoor and outdoor structures in any part of the State;
	23	(c) Protect the environment from potential adverse impact from visual
	24	blights;
	25	(d) Control the number, size and location of indoor and outdoor
	26	structures;
	27	(e) Ensure that the indoor-outdoor structures are carefully designed,
	28	erected, modified, maintained or removed when no longer in use to avoid
	29	potential damage to lives and property;
	30	(f) Ensure that indoor and outdoor structures are compatible with



1 surrounding land uses and environment and further the beautification of the  
2 immediate surrounding and vicinity of the advertisement;

3 (g) Control the pasting and display of posters on public structures  
4 and highways;

5 (h) Organize the procedure to regulate the ownership and operation  
6 of indoor and outdoor structures for the purpose of signage or  
7 advertisements under specific regulations as contained in this Law;

8 (i) Reject, revoke or modify a permit if found to be in violation of  
9 any of the provision of this Law or the conditions for its grant;

10 (j) Prepare and keep all records related to the issuance and denial of  
11 indoor and outdoor structures permit as well as appropriate general records;

12 (k) Establish a data-base of all indoor and outdoor structures used  
13 for signage and advertisement, their owners and operator as well as their  
14 location and the reason for the operation.

15 **7. The functions of the Board shall be to:**

Functions of the  
Board

16 (a) Regulate day-to-day operation of the advertisement control  
17 system, and decide whether a particular advertisement should be permitted  
18 or not;

19 (b) Ensure that signs or advertisement do not constitute a danger or  
20 nuisance to members of the general public whether by way of obstruction,  
21 interference with traffic signals or with the visibility of such signals, light,  
22 nuisance or otherwise;

23 (c) Approve, fees, levies and fines chargeable by the Agency for  
24 Indoor and Outdoor advertisement structures and infractions by offenders  
25 should not exceed 10% of the annual industry rate;

26 (d) Ensure that signage or advertising displayed in the FCT  
27 environment is aesthetically pleasing, appropriate and placed at suitable  
28 sites with an uncluttered effect;

29 (e) Ensure that the FCT environment is characterized by a light  
30 standard of user-friendly signage and advertising, satisfactorily integrated

1 into the environment;

2 (f) Engage the services of agents, professionals, contractors and other  
3 persons as may be required for the performance of its functions and prescribe  
4 their terms of engagement;

5 (g) Operate bank accounts in such banks as it may approve'

6 (h) Set up organizational structures as may be necessary for the  
7 performance of the functions of the Agency; and

8 (i) Do such other things as it may consider necessary for the excellent  
9 performance of the functions of the Agency

10 **PART III - STAFF OF THE AGENCY**

Staff of the  
Agency

11 **8.-(1)** There shall be a General Manager for the Agency appointed by  
12 the FCT Minister who shall be a person experienced in advertising  
13 management and shall be responsible for the implementation of the decisions  
14 of the Board of the Agency.

15 (2) The General Manager shall be the Chief Executive Officer of the  
16 Agency and shall:

17 (a) Subject to such general policy guidelines as may be approved by  
18 the Board, be responsible for the day-to-day management of the affairs of the  
19 Agency; and

20 (b) Perform such other functions as the Board may, from time to time,  
21 assign him.

22 **9.-(1)** The Board may, subject to the approval of the FCT Minister,  
23 employ such number of staff as it considers necessary for the purpose carrying  
24 out the functions of the Agency under this Law.

Power of the  
Board

25 (2) The Board shall have power to:

26 (a) develop appropriate conditions of service covering remuneration,  
27 fringe benefits and pension for the staff of the Agency subject to the applicable  
28 conditions in the public services of the State; and

29 (b) Appoint, promote, transfer and exercise disciplinary control over  
30 its staff subject to the Public Service Rules.

1                   **10.** Nothing in this Bill shall preclude the Board from appointing  
2                   persons from within or outside the public service of the federation or the  
3                   FCT whenever it deems it necessary to do so.

4                   **11.** There shall be an Accountant to the Agency who shall:

5                   (a) Keep the book of account of the Agency in accordance with  
6                   modern accounting principles;

7                   (b) Prepare all vouchers relating to payment of salaries, allowance  
8                   and claims;

9                   (c) Shall with inputs by other Departments cause to be prepared a  
10                  detailed Budget performance of the current fiscal year as well estimates for  
11                  the succeeding year to be submitted to the relevant Committees of the  
12                  National Assembly for appropriation;

13                  (d) Perform such other duties as the Board or the General Manager  
14                  may assign.

15                  **12.** The Board may:

16                  (a) cause to be appointed a special and adhoc committee among its  
17                  members over such specific matters that may require professional and  
18                  multidisciplinary approach to guide the Board in the efficient discharge of  
19                  its functions. The committee ceases after the issues that necessitated its  
20                  creation has been dealt with;

21                  (b) appoint agents, consultants or contractors, from time to time, as  
22                  the Board may deem fit to exercise or perform any of the powers or duties  
23                  conferred or imposed upon the Agency, or to provide professional services  
24                  to the Agency.

25                  **13.-(1)** There shall be established such departments as the Agency     Establishment  
26                  may require.   of the Departments

27                  (2) The Departments may include:

28                  (a) Legal Department;

29                  (b) Planning, Research and Statistics Department;

30                  (c) Finance and Accounts Department;

- 1 (d) Information Department;  
2 (e) Human Resources Departments  
3 (f) Any other departments as the Agency may require for the effective  
4 discharge of its responsibilities, provided such depts do not exceed seven (7)

5 **PART IV - MEETINGS**

Meetings

6 **14.-(1)** The Board shall meet at least once every quarter for the  
7 dispatch of business at such place and time as the Chairman may determine.

8 (2) A meeting of the Board shall be convened at the instance of the  
9 Chairman or where two or more members request for such meeting by a notice  
10 in writing to the Chairman.

11 (3) The Chairman shall preside at any meeting of the Board and in his  
12 absence, the members present shall elect one of their numbers to preside at such  
13 meeting.

14 (3) The Chairman or any member presiding in the absence of the  
15 Chairman shall have a vote and, in the case of any equality of votes, second or  
16 casting voice.

17 (4) The Secretary of the Agency shall be entitled to attend all meetings  
18 of the Board and shall take part in its proceedings and the Board may also  
19 require any of its officers or servants to attend such meeting and take part in the  
20 proceedings but neither the Secretary nor any of the officers or servants of the  
21 Agency attending such meetings, shall have a right to vote on any matter or  
22 count towards the quorum.

23 **15.** No meeting of the Board of Agency shall proceed to business  
24 unless there is a quorum present and one-third of members present at any  
25 meeting shall form the quorum.

26 **16.** Whenever the Board needs the advice of any person on any matter,  
27 the Board may co-opt such a person to be present at such meeting, and the  
28 person so co-opted shall advise the Board on any matter referred to him but  
29 shall not vote on any question or count towards the quorum at such meeting

30 **17.** The validity of any proceedings of the Board shall not be affected

1 by any vacancy in its membership or any defect in the appointment of a  
2 member or by reason that a person who is not entitled has taken part in such  
3 Proceedings.

4 **18.** The Board may make standing orders to regulate its Standing Orders  
5 proceedings and those of any of its committee.

6 **PART V**

7 **19.** The funds of the Agency shall consist of: Funds of the  
8 Agency

9 (a) Such money as may be appropriated to the Agency by the  
10 Federal Capital Territory and such other monies as may be granted to the  
11 Agency from time to time by the Area Councils or other donors;

12 (b) Alimonies which may vest in the Agency under any Law;

13 (c) All fees, charges and tariffs for services rendered by the  
14 Agency; and

15 (d) All other monies accruing to the Agency from any other  
16 legitimate source.

17 **20.**-(1) The Revenue of the Agency shall be shared in accordance Revenue of the  
18 with the following formula: Agency

19 (a) Forty percent (40%) to the FCT;

20 (b) Thirty-five percent (35%) to the Area Councils;

21 (c) Twenty-five percent (25%) to the Agency for administrative  
22 cost.

23 (2) Notwithstanding the provisions of subsection (1) of this  
24 section, the revenue sharing formula shall be subject to review from time to  
25 time as it appears expedient.

26 **21.** The Agency may with the approval of the Board borrow money Power to borrow  
27 by way of loans and overdraft on such terms and conditions as the Agency  
28 may require in the exercise of its functions under this Bill.

29 **22.** All sums received on account in the name of the Agency shall  
30 be paid into such reputable bank in the FCT as may be approved by the  
Board and the signatories to the account shall be as determined by the Board

	1	provided that the Head of Accounts, the General Manager and Head HRM shall
	2	be co-signatories and the mandate shall be for any two to sign.
Fees	3	<b>23.</b> The Board shall prescribe fees, tariffs and charges and may review
	4	from time to time such fees, tariffs and charges and also make direct annual
	5	rental charges on users of structures and signage in line not exceeding 10% of
	6	the industry approved rate/value subject to review as deemed appropriate
	7	under this Law.
	8	<b>24.-(1)</b> The Board shall prescribe necessary charges for amendment
	9	of existing structures and review from time to time, the fees and charges as
	10	prescribed in Regulations made under this Law.
	11	(2) Notwithstanding the provision of any other law any person who
	12	fails or neglects to pay fees, tariffs or charges for structure and signage shall be
	13	deemed to be a debtor and such debt may be recovered by a civil action in the
	14	appropriate court.
	15	<b>25.</b> The Board shall prescribe the amount to be paid as fees/charges
	16	within the different zones for mounting of outdoor structures as well as the
	17	necessary charges for amendment of the existing structures and review from
	18	time, the fees and charges contained in the regulations made under this Law.
Account keeping	19	<b>26.-(1)</b> The Agency shall cause to be kept, proper accounts in respect
	20	of its revenue and expenditure and shall within three months after the end of
	21	each financial year, prepare annual statement showing accurately its financial
	22	position.
	23	(2) The annual statement of account shall be audited by an auditor
	24	jointly appointed by the Board in conjunction with the office of the Auditor
	25	General of the FCT
	26	(3) The Agency shall forward copies of the audited annual statement
	27	of account together with copies of the audited report to the FCT and the Area
	28	Council, and relevant Committees of the National Assembly respectively.
Quarterly report	29	<b>27.</b> The Agency shall submit quarterly report of its activities to the
	30	FCT and Area Councils.

1	<b>28.</b> The Agency shall as soon as possible after the end of each	Annual report
2	financial year and, not later than three months, submit the annual report of its	
3	activities to the FCT and Area Councils as well as the National Assembly.	
4	<b>29.</b> The Board shall have power to make and modify regulations to	Regulations
5	enforce the provisions of this Law and such regulations may be published by	
6	the Agency from time to time.	
7	<b>30.</b> -(1) An person who violates any of the provisions of this Law	Offence
8	or who fails to comply with any regulations or order, falsifies plans,	
9	statement or information or who continues to display a sign or billboard,	
10	L.E.D, Screens, post any bills, posters, signs, panels, banners, stickers and	
11	other advertising materials and messages on trees, electricity poles, road	
12	directional signs, road dividers, flyovers, bridges, walls and rocks or on any	
13	unauthorized surface whatsoever, commits an offence and shall be liable to a	
14	fine of five hundred thousand Naira or six months imprisonment or both on	
15	conviction.	
16	(2) Without prejudice to subsection (1) of this section the Agency	
17	may cause the removal of any structure or sign that violates this Law or	
18	regulations made under this Law and the owner of the structure or sign shall	
19	be liable to bear the cost of such removal, and any person who fails, neglects	
20	or refuse to pay for such removal when requested to do so by the Agency	
21	shall be guilty of an offence and shall, in addition to paying the cost of the	
22	removal, be liable to a fine of one hundred Thousand Naira or imprisonment	
23	for three years.	
24	<b>31.</b> Where there is conflict or inconsistency between this Law and	
25	any other Law in the FCT, the provisions of this Law shall prevail to the	
26	extent of such inconsistency.	
27	<b>32.</b> The Federal Capital Territory Minister shall supervise the	
28	Agency in line with the applicable rules in the public service of the	
29	Federation.	
30	<b>33.</b> In any civil proceedings, the Agency may be represented in	

1 court by counsel nominated by the Head of FCT, Legal Department.

2 **34.-(1)** Where dispute cannot be amicably resolved, the dissatisfied  
3 party shall first serve one month's notice of intention to commence court action  
4 on the Agency.

5 (2) Such notice of intention to commence a court action or suit shall  
6 state:

7 (a) The cause of action in the intended suit;

8 (b) the name and place of abode of the intending plaintiff or claimant;

9 and

10 (c) The claims and reliefs sought by the intending plaintiff or  
11 claimant.

Interpretation

12 **35.** In this Law, unless the context otherwise requires-

13 "Board" means the Board of the Agency established under section 2 of this  
14 Law;

15 "Directional sign" means any sign that serves to designate the location or  
16 direction of any place or area. This includes such signs as those identifying  
17 roads, restrooms, telephone, parking areas, access, exits;

18 "Government" means Government of FCT;

19 "Minister" means the Minister of FCT;

20 L.E.D' Means Light Emitting Diode;

21 "Ministry" Means Ministry of FCT, Environment, Works and Information;

22 "Sign: Means any emblem painting, banner, pennant, placard, design,  
23 identification, description, illustration, illuminated or non-illuminated to  
24 advertise, Identify, convey information or direct attention to a product, service,  
25 place of activity, person, institution business including any permanently  
26 installed or situated merchant signs and shall also include all sign structures.

Citation

27 **36.** This Bill may be cited as the Regulation and Control of Indoor and  
28 Outdoor Signage, Hoarding and Advertisement in FCT Bill, 2021.



EXPLANATORY MEMORANDUM

This Bill seeks to regulate and control indoor and outdoor signage, hoarding and advertisements in the Federal Capital Territory (FCT) Abuja.



# A BILL

## FOR

AN ACT TO ESTABLISH THE INSTITUTE OF CO-OPERATIVE PROFESSIONALS  
OF NIGERIA; AND FOR RELATED MATTERS

*Sponsored by Hon. Kolawole Lawal*

[ ] Commencement

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

- |    |   |  |
|----|---|--|
| 1  | <b>1.</b> There is hereby established a body to be known as the Institute | Establishment<br>of Institute of<br>Co-operative<br>Professional of<br>Nigeria |
| 2  | of Co-operative Professionals of Nigeria (in this Bill referred to as the |  |
| 3  | Institute).   |  |
| 4  | <b>2.</b> The Institute:  | The Institute  |
| 5  | (1) shall be a body corporate with perpetual succession and a             |  |
| 6  | common seal; and  |  |
| 7  | (2) may sue or be sued in its corporate name.                             |  |
| 8  | (3) The Institute may hold, acquire and dispose of any property,          |  |
| 9  | movable or immovable, for the purposes of its functions under this Bill.  |  |
| 10 | (4) The Institute shall establish a head office or headquarters at        |  |
| 11 | Abuja and offices in each of the State Capital including FCT.             |  |
| 12 | <b>3.</b> The objectives of the Institute shall be to:                    | Objectives of<br>the Institute   |
| 13 | (1) Unite Co-operative Professionals in Nigeria and encourage             |  |
| 14 | them to work together in the overall interest of the members and co-      |  |
| 15 | operative movement:   |  |
| 16 | (2) Complement efforts in making the Co-operative profession              |  |
| 17 | more impactful in the economy.  |  |
| 18 | <b>4.</b> The Institute shall be charged with the general duty of:        | Duties of the<br>Institute   |
| 19 | (1) determining what standards of knowledge and skill are to be           |  |
| 20 | attained by persons seeking to become members of the co-operative         |  |
| 21 | profession and review those standards from time to time;                  |  |

1 (2) ensuring professional ethics, high standard and sound knowledge  
2 by members of the Institute;

3 (3) Consulting with and making recommendations to governments,  
4 regulatory bodies, trade associations, academic institutions and other  
5 professional bodies on all matters related to co-operative management,  
6 training and development;

7 (4) securing in accordance with the provisions of this Bill, the  
8 establishment and maintenance of the register of members;

9 (5) performing through the Governing Council all functions  
10 conferred on it by this Bill.

Establishment  
of the Governing  
Council of the  
Institute

11 **5.-(1)** There shall be a Governing Council for the Institute (referred to  
12 in this Bill as the Council) charged with the responsibility of formulation of  
13 policies in between conferences.

14 (2) The Council shall consist of elected professional members not  
15 below the category of Associate Member and government representatives as  
16 follows:

17 (a) the National President of the Institute, who shall be Chairman of  
18 the Governing Council;

19 (b) the three Vice Presidents of the Institute, one of which shall be  
20 Vice-Chairman of the Governing Council, and on a yearly rotation basis;

21 (c) the treasurer of the Institute;

22 (d) past presidents of the Institute who shall sit on the Council for a  
23 maximum period of three years from the expiration of their terms of office;

24 (e) three members to be elected by the National Conference of the  
25 Institute who shall come from geopolitical zones different from that of the three  
26 Vice-Chairmen;

27 (f) six representatives of the Federal Government from:

28 (i) the government department in charge of co-operatives;

29 (ii) the National Universities Commission;

30 (iii) the National Board for Technical Education;

1 (iv) the National Commission for Colleges of Education;  
2 (v) a representative of the Co-operative Colleges, and  
3 (vi) the Public Service Office in the Office of the Secretary to the  
4 Government of the Federation.

5 (g) three representative of the Co-operative Movement:

6 (i) a representative of the Co-operative Federation of Nigeria  
7 (CFN) Limited;

8 (ii) one representative each from any two Sectoral Units of the  
9 CFN Limited.

10 (h) the Registrar of the Institute, who shall be the Secretary of the  
11 Council.

12 (3) The tenure of office for members of the Council shall be three  
13 years subject to a maximum of two consecutive terms.

14 (4) Any member of the Council may, by notice in his own hand  
15 submitted to the President of the Institute, resign his membership of the  
16 Council.

17 **6.** The Governing Council shall have powers to:

Powers of the  
Governing Council

18 (1) Perform all functions conferred on the Institute by this Bill;

19 (2) Formulate policies for the Institute in between conferences;

20 (3) Make rules to govern the proceedings of its meetings;

21 (4) Appoint a Registrar for the Institute;

22 (5) Make rules of a general nature on procedures for and  
23 Maintenance of membership registration as provided in Section 14(9) of this  
24 Bill;

25 (6) Make rules on acts that constitute professional misconduct as  
26 provided for in Section 27 of this Bill.

27 **7.-(1)** There is hereby established the National Conference  
28 (hitherto known in this Bill as the Conference) which shall hold not later  
29 than the second quarter of the year on dates to be determined by the Council.

Establishment  
of National  
Conference

30 (2) Members and state chapters shall be given at least 30 days

	1	notice for any Conference.
	2	(3) Decisions at the Conference shall be by simple majority of votes
	3	and in the case of a tie, the President shall have a casting vote.
	4	(4) The Conference shall rotate from State to State and FCT in an
	5	order to be prescribed by the Council.
	6	(5) Every registered member shall attend the Conference and pay the
	7	Conference fee as may be determined by the Council from time to time.
Power of National Conference	8	<b>8.</b> The Conference shall have power to:
	9	(1) Elect officers of the Institute;
	10	(2) approve disciplinary measures;
	11	(3) approve adhoc and standing committees.
	12	(4) Consider the Annual Reports and Annual Accounts and Balance
	13	Sheet of the Institute;
	14	(5) Appoint Auditors;
	15	(6) Review the activities, plans and programmes of the Institute;
	16	(7) Approve any financial levy on members and fees charged by the
	17	Institute;
	18	(8) Approve the conferment of Fellowships and Honours on
	19	Deserving persons;
	20	(9) Delegate some of its powers to the National Council.
Quorum of the Conference	21	<b>9.</b> The quorum of the Conference shall be representation of members
	22	from at least nine states reflecting at least four (4) geopolitical zones of the
	23	country.
Establishment of National Executive Council	24	<b>10.-(1)</b> There shall be the National Executive Council (in this Bill
	25	referred to as the NEC) comprising of the officers of the body namely, the
	26	National President, three Vice Presidents, three Representatives, National
	27	Secretary, Assistant National Secretary, National Treasurer, National Financial
	28	Secretary and National publicity Secretary, together with all the Presidents and
	29	Secretaries of the State Chapters.
	30	(2) The NEC shall sit at least four times a year and such meetings shall

1 rotate among the States and Federal Capital Territory.

2 (3) The Quorum at NEC meetings shall be 15 members with five  
3 States represented.

4 (4) The Registrar of the Institute shall be in attendance at and  
5 service all meetings of the NEC.

6 **11.** The functions of NEC shall be:

Functions of the  
National Executive  
Council

7 (a) To execute or implement all the decisions of the National  
8 Council;

9 (b) To maintain the Register of Members and consider applications  
10 for promotions of members to higher levels;

11 (c) To generate and control the funds and render accounts to  
12 National Council;

13 (d) To run the activities of the Institute on the day-to-day basis;

14 (e) To publish the Nigerian Co-operative Review, a journal of the  
15 Institute;

16 (f) To carry out all delegated responsibilities of the Council.

17 **12.-(1)** Members of the National Executive Council shall be  
18 elected by the National Conference for a term of three years;

19 (2) No officer shall serve in the same office for more than two  
20 consecutive terms.

21 **13.** There is hereby established State Chapters which shall each  
22 comprise of:

Establishment  
of State Chapters

23 (1) The State Body:

24 (a) The State Body shall comprise of the registered members in a  
25 state;

26 (b) The State Body shall hold Annual General Meetings once a  
27 year, within the first quarter of the year, during which Conference papers  
28 shall be presented, among other things;

29 (c) The State Body shall hold Ordinary General Meetings as and  
30 when necessary but not less than four times a year;

1 (d) Absence from General Meetings shall carry a penalty as may be  
2 determined by the State Chapter;

3 (e) The quorum for General Meetings shall be one-quarter of the  
4 membership of a State Chapter or 10 members, whichever is less;

5 (f) No resolution of the State Chapter shall contradict any Section of  
6 this Bill.

7 (2) The State Executive Council:

8 (a) The State Executive Council shall comprise of the following  
9 officers:

10 (i) Chairman;

11 (ii) Vice Chairman;

12 (iii) Assistant Registrar;

13 (iv) Treasurer;

14 (v) Financial Secretary; and

15 (vi) Four other members.

16 (b) Members of the State Executive Council shall be elected at the  
17 Annual General Meeting for a term of three years provided that no officer shall  
18 serve for more than two consecutive terms in the same office.

19 (c) The State Executive Council shall meet at least four times a year;

20 (d) The quorum of the State Executive Council shall consist of half of  
21 its members.

Appointment  
of Registrar

22 **14.-(1)** There shall be appointed for the Institute a fit person as  
23 Registrar.

24 (2) It shall be the duty of the Council to appoint a Registrar for the  
25 Institute.

26 (3) The Registrar shall be the Chief Administrative Head of the  
27 Institute.

28 (4) Whenever the Registrar is absent or is unable for any other reason  
29 to discharge the functions of his office, the Council shall appoint an Acting  
30 Registrar for the period the Registrar is not available.



(5) The Registrar and other staff of the Institute shall hold office on such conditions as the Council may determine.

(6) The Registrar shall on the instructions of the President of the Council, convene meetings of committees, Council, and Conference and keep minutes of the proceedings at all such meetings.

(7) It shall be the duty of the Registrar to prepare and maintain, in accordance with the provisions of this Bill and rules made by the Council and Conference, a Register of members consisting of names, addresses, date of registration, registration number, and approved qualifications of persons who are registered as members and those who apply to be so registered.

11 (8) The Register shall consist of seven parts, one part each in  
12 respect of the following:

13 (a) Student members;

14 (b) Graduate members;

15 (c) Associate members;

16 (d) Senior members;

17 (e) Fellows;

18 (f) Honorary Fellows; and

19 (g) Corporate members.

20 (9) Without prejudice to the provisions of this section:

21 (a) the Council shall make Rules with respect to the form and  
22 keeping of the register and the making of entries therein; and in particular:

23 (i) regulating the making of applications for enrollment or  
24 registration;

(ii) providing for the notification of the Registrar, by the person to whom any registered particulars relate, of any change in those particulars;

(iii) Specifying the fees, including any annual subscription, to be paid to the Institute in respect of the entry of names on the register, and authorizing the Registrar not to enter any name on the register until any fee specified for the entry has been paid;

Qualifications  
of Membership

1                   **15.-(1)** Membership shall be open to those who have the following  
2                   qualifications:

3                   (a) Certificate/Diploma in Co-operative Studies: Higher National  
4                   Diploma; Bachelors; Post Graduate Diploma in Co-operatives, Masters; Ph.D  
5                   or equivalent in Co-operative studies;

6                   (b) B.Sc/HND, M.Sc. MBA, Ph.D in Accounting, Banking and  
7                   Finance, Insurance, Management Sciences, Marketing, Agriculture,  
8                   Agricultural Economics, Law, Economics, Business Administration, Social  
9                   Sciences subject to passing the prescribed professional examination of the  
10                  Institute;

11                  (c) Final Certificate from any related professional body to be  
12                  determined from time to time by the Governing Council subject to passing the  
13                  prescribed professional examination.

14                  (2) Members shall be issued with membership cards bearing  
15                  membership numbers.

16                  (3) Membership forms shall be collected from and submitted through  
17                  State Chapters.

18                  (4) The membership forms shall be filled in duplicate and the first  
19                  copy submitted to the Council through the Registrar and the duplicate copy  
20                  shall be retained at the State Offices.

Enrollment  
Interviews

21                  **16.** There shall be enrollment interviews to ascertain the qualification  
22                  and competence of applicants; and to exclude undisciplined, incompetent and  
23                  corrupt members from membership.

24                  **17.** Where a thesis/dissertation is required, the candidate shall defend  
25                  his or her thesis/dissertation during the said interview to the satisfaction of  
26                  Council.

Receiving of  
new members

27                  **18.** New members shall be publicly received at an induction  
28                  ceremony at the National Conference.

29                  **19.** There shall be seven classes of membership in the Institute as  
30                  follows:

1                   (1) Student Member: This shall be open to all students currently  
2                   studying co-operatives in any Institution of higher learning or enrolled for  
3                   the Institute of Cooperative Professional of Nigeria's examination Stage  
4                   One.

5                   (2) Graduate Member: This shall be open to holders of  
6                   Bachelors/Higher National Diploma in Co-operative Studies or their  
7                   equivalents.

8                   (3) Associate Member: An Associate Member shall have been a  
9                   graduate Member or possess the Institute of Co-operative Professional of  
10                  Nigeria's Certificate Stage II:

11                  (a) He/she shall have acquired not less than five years post  
12                  qualification experience in co-operatives or related discipline;

13                  (b) He/she shall be entitled to the initials, AMCP after his/her  
14                  name.

15                  (4) Senior Member: A Senior Member shall have been an  
16                  Associate Member and shall be recommended by the State Chapter for up  
17                  grading:

18                  (a) He/she shall have acquired not less than ten years experience in  
19                  co-operatives or related profession;

20                  (b) He/she shall be entitled to the initials, SMCP after his/her name.

21                  (5) Fellow: Fellowship is the most prestigious level of membership  
22                  and shall be open to Senior Members who have rendered distinguished  
23                  service to the co-operative movement or to the Institute:

24                  (a) Candidates for fellowship must be at least 40 years old and must  
25                  have acquired not less than 15 years experience in the co-operative field;

26                  (b) Any person applying to be a Fellow shall submit book(s) or  
27                  thesis on Co-operative to the Council and defend same as a valuable  
28                  contribution to the study of Co-operatives in Nigeria;

29                  (c) He/she shall be entitled to the initials, FICP after his/her name.

30                  He/She shall be decorated with the Institute's medal. He/She can operate as

1 an independent co-operative consultant. His signature and seal shall be a  
2 conclusive evidence of the authenticity and legality of the document that bears  
3 it.

4 (6) Honorary Fellow: The Council may, at its discretion, elect  
5 distinguished persons, being non-members, to honorary fellowship.

6 (a) Such person(s) would normally have used their positions to render  
7 valuable assistance to the Institute and/or the co-operative movement.

8 (7) Corporate Fellow: The Council may admit as Corporate Members  
9 companies, institutions, and organizations seen to promote co-operative  
10 interests and/or render valuable assistance to the Institute and/or the co-  
11 operative movement.

12 (8) The Institute shall charge registration fees, annual dues,  
13 examination fees and other fees as may be fixed by the National Council and  
14 approved by the Conference.

15 (9) The Institute shall conduct the following membership qualifying  
16 examinations:

17 (1) The Institute of Cooperative Professionals of Nigeria  
18 Examination Stage 1, which shall be open to persons with qualifications lower  
19 than the HND/B.Sc in Co-operative Studies wishing to be members of the  
20 Institute.

21 (2) The Institute of Cooperative Professionals of Nigeria  
22 Examination Stage II shall be open to persons with stage I Certificate, HND,  
23 B.Sc, M.Sc, and Ph.D in Co-operative Studies or their equivalents, with at least  
24 5 years post qualification experience.

25 **20.** A person shall cease to be a member of the Institute if:

26 1. (1) He/She dies;

27 (2) He/She resigns after giving three months' notice in writing and  
28 paying all liabilities owed by him/her to the Institute;

29 (3) He/she is adjudged by a competent medical board to be of unsound  
30 mind;

1 (4) He/she fails to pay his/her dues and subscriptions for two  
2 consecutive years;

3 (5) He/she is convicted of a criminal offence or found guilty of any  
4 misconduct by a competent court of law;

5 (6) his/her expulsion is approved by the Council on disciplinary  
6 reasons.

7 2. A person who ceases to be a member of the Institute shall have  
8 his/her certificate cancelled and his/her name struck out of the Register of  
9 Members.

10 3. Notwithstanding the provision of section 22(4), a person loses  
11 his/her membership for default in dues and subscriptions, may be readmitted  
12 on application and payment of the debt and a fine as may be fixed by the  
13 Council in the sum not exceeding 15% of the amount in default.

14 **21.** Members below Associate as well as Honorary Fellows are not  
15 entitled to vote, or be voted for, at meetings of the Institute.

16 **22.** All persons who apply to be members of the Institute within six  
17 months of the commencement of this Bill shall be deemed to be foundation  
18 members and shall be exempted from qualifying examinations as provided  
19 for by Section 21 of this Bill.

20 **23.-(1)** The Council may make rules not inconsistent with this Bill  
21 as to acts which constitute professional misconduct.

Rules and  
Regulations

22 (2) The Rules shall include a Code of Conduct to which every  
23 member shall subscribe upon admission.

24 (3) The Council shall constitute a national disciplinary committee  
25 which shall be charged with monitoring compliance with the code of  
26 conduct and recommending disciplinary actions referred to it by the  
27 Council.

28 (4) Notwithstanding section 27(3), the state Chapter may establish  
29 state disciplinary committees to handle local issues not already treated by  
30 the national disciplinary committee.

Fund of the  
Institute

1 (5) Any member dissatisfied with the action of the state disciplinary  
2 committee, shall have the right to appeal to the national disciplinary committee

3 **24.-(1)** The Institute shall maintain a Fund which shall be applied  
4 towards the carrying out of its functions.

5 (2) There shall be paid and credited into the fund established pursuant  
6 to section (1) of this section:

7 (a) all fees and other monies payable to the Institute in pursuance of  
8 this Bill;

9 (b) all grants, aids, loans and solicited funds received for the Institute;

10 (c) proceeds from programmes/activities;

11 (d) money borrowed from time to time for the purpose of executing  
12 programmes of the Institute;

13 (e) proceeds from any investment in securities created or issued by or  
14 on behalf of the government of the federation or any other securities in Nigeria  
15 approved by the Council.

16 (3) There shall be paid out of the fund:

17 (a) all expenditures incurred by the Institute in the discharge of its  
18 functions under this Bill;

19 (b) any interest payable on monies borrowed for the activities of the  
20 Institute;

21 (c) the remuneration and allowances of the Registrar and other  
22 employees of the Institute; and

23 (d) such reasonable traveling and subsistence allowances of Council  
24 executive and committee members in respect of the time spent on the duties of  
25 the Institute as may be determined by the Council.

26 (4) The Council shall ensure that proper records of income and  
27 expenditure of the Institute are kept in respect of each year; and the Council  
28 shall cause the accounts to be audited by registered external auditors and to  
29 submit the said audited accounts to the National Conference once in each year.

- 1                   **25.**-(1) The Institute shall maintain bank accounts(s) in its name in     Bank Accounts  
2                   banks approved by the Council (2) Any funds of the Institute in excess of an  
3                   imprest to be determined by the Council shall be lodged into the Institute's  
4                   account.
- 5                   (3) The National President, National Treasurer and the Registrar  
6                   shall be signatories to the Institute's account.  
7                   At the State Chapters the Chairman, the Treasurer and Assistant Registrar  
8                   shall be signatories.
- 9                   **26.** The seal of the Institute can only be affixed to any instrument     Seal of the  
10                  by the President and any instrument that bears the seal and the signature of     Institute  
11                  the President shall be of judicial recognition.
- 12                  **27.** In the event of the dissolution of the Institute, all debts and  
13                  liabilities legally incurred on behalf of the Institute shall be fully discharged  
14                  and any credit balance shall be transferred to the Co-operative Federation of  
15                  Nigeria Limited for Co-operative development.
- 16                  **28.** This Bill may be cited as the Institute of Co-Operative     Citation  
17                  Professionals of Nigeria Bill, 2021.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the Institute of Co-Operative Professionals of Nigeria and determining what standards of knowledge and skill are to be attained by persons seeking to become members of the co-operative profession and review those standards from time to time.





NATIONAL SOCIAL SECURITY AND WELFARE BOARD BILL, 2021

ARRANGEMENT OF CLAUSES

1. Establishment of the National Social Security Board
2. Functions of the Board
3. Powers of the Board
4. Establishment of the Governing Council of the Board
5. Composition of the Council
6. Appointment
7. Schedule
8. Tenure of Office
9. Cessation of membership of the Council
10. Replacement of the member
11. Removal of a member
12. Remuneration of the member
13. Powers of the Council
14. Executive Secretary
15. Functions of the Executive Secretary
16. Tenure of Office
17. Remuneration of Executive Secretary
18. Cessation of Office
19. Resignation of Appointment
20. Secretary
21. Other Staff
22. Direct Appointment
23. Departments
24. Service in Commission
25. Funds of the Board
26. Sale of stamps
27. Budgetary estimates
28. Gift to the Commission

- 29. Expenditure and account
- 30. Audit and Account
- 31. Auditor-General
- 32. Acquisition of Land or interest in land for office use
- 33. Legal Proceedings against the Board, Cap. 379
- 34. Restriction on Execution against property of the Board
- 35. Indemnity of officers
- 36. Service of documents
- 37. Penalty
- 38. Regulation.
- 39. Interpretation
- 40. Short Title

# A BILL

## FOR

AN ACT' TO ESTABLISH THE NATIONAL SOCIAL SECURITY AND WELFARE BOARD AND VEST IT WITH THE RESPONSIBILITY FOR THE CONTROL AND ADMINISTRATION OF BENEFITS AND ASSISTANCE TO ENHANCE THE WELFARE OF CITIZENS, ESPECIALLY DISADVANTAGED PERSONS, PARTICULARLY CHILDREN, WOMEN, THE HANDICAPPED, THE SICK, THE AGED AND THE UNEMPLOYED 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 PART I - ESTABLISHMENT OF THE NATIONAL SOCIAL SECURITY BOARD

2 1.-(1) There is established a body to be known as the National  
3 Social Security Board (hereinafter in this Act referred to as "the Board")  
4 which shall have the functions and powers conferred on it by this Act

Establishment  
of the National  
Social Security  
Board

5 (2) The Board shall be a body corporate with perpetual succession  
6 and a common seal and shall have power to sue and be sued in its corporate  
7 name.

8 PART II - FUNCTIONS AND POWER OF THE BOARD

9 2. The functions of the Board shall be to:

Functions of  
the Board

10 (a) control and administer benefits, incentives or compensate or  
11 assist the following disadvantaged persons:

12 (i) children,

13 (ii) women,

14 (iii) physically challenged,

15 (iv) the aged, not being less than 65 years of age who were  
16 previously in gaining public or organized private employment or reasonable  
17 occupation, and

Powers of the  
Board

1 (v) unemployed who possesses university degrees or its equivalent  
2 and had applied for employment but their applications were rejected on  
3 account of no vacancy or people retrenched from their places of work;

4 (b) support indigent, orphaned, abandoned, neglected or abused  
5 children or children engaged in premature or forced labour.

6 (c) give maternal support to women with children or pregnancy,  
7 especially in case of indecency, abuse, neglect, widowhood and  
8 unemployment;

9 (d) give old-age support to persons of advanced years, not being less  
10 than sixty-five and must have been previously in gainful public or private  
11 employment or reasonable occupation; and

12 (e) give miscellaneous support as may be determined by the Council  
13 for enhancement of the welfare of citizens, in particular, the disadvantaged.

14 **3.** The Board shall have power to:

15 (a) determine the beneficiaries of the social security benefits, taking  
16 into consideration available resources and equity;

17 (b) administer and monitor the benefit;

18 (c) formulate policies and criteria for determining persons entitle to  
19 the benefits;

20 (d) undertake studies and make recommendations and implement, the  
21 most effective methods for providing social and health insurance plans for  
22 citizens covered by this act and for administering all the benefits it is mandated  
23 to provide;

24 (e) acquire, hold, manage, and alienate liquid or fixed assets;

25 (f) delegate any of its function to any of its agents or operatives;

26 (g) decline being subjected to the authority, direction or control of any  
27 office other than that of the President in the discharge of its statutory duties; and

28 (h) do anything that may be necessary to facilitate the carrying out its  
29 functions.

1	PART III - ESTABLISHMENT AND COMPOSITION OF	
2	GOVERNING COUNCIL	
3	4.-(1) There is established an executive body to be known as the	Establishment of the Governing Council of the Board
4	Governing Council for the National Social Security Board.	
5	(2) The head office of the Governing Council shall be in Abuja.	
6	(3) The Council shall establish, in each capital of the state of the	
7	Federation, a branch office of the Board.	
8	5. The Council shall consist of:	Composition
9	(a) a chairman;	
10	(b) a representative of each State of the Federation;	
11	(c) a representative of the Federal Ministry of Labour and	
12	Productivity;	
13	(d) a representative of the Federal Ministry of Health;	
14	(e) a representative of the Federal Ministry of Women's Affairs;	
15	(f) a representative of the Federal Ministry of Sports and Youth	
16	Development;	
17	(g) a representative of the Federal Ministry of Finance;	
18	(h) a representative of the National Bureau of Statistics;	
19	(i) an Executive Secretary.	
20	6.-(1) The Chairman and Members of the Council shall be	Appointment
21	appointed by the President of the Federal Republic of Nigeria Subject to the	
22	confirmation of the Senate.	
23	(2) Membership of the Council shall be of part-time status.	
24	(3) The Executive Secretary shall be of full-time status.	
25	7. The supplementary provisions set out in the schedule to this Act	Schedule
26	shall apply to the procedures of meetings of the council.	
27	PART IV - TENURE AND CESSATION OF COUNCIL MEMBERSHIP	
28	8. Subject to the provisions of section 12, the Chairman and	Tenure of office by the Members
29	members of the Council shall each hold:	
30	(a) for a term of 4 years and may be re-appointed for a further term	

	1	of 4 years and no more; and
	2	(b) on such terms and conditions as may be specified in his letter of
	3	appointment.
Cessation of Membership of Council	4	<b>9.</b> A person shall cease to hold office as a member of the Council in the
	5	occurrences of any of the following:
	6	(a) he dies;
	7	(b) he becomes bankrupt;
	8	(c) he is convicted of a felony or any offence involving dishonesty or
	9	fraud;
	10	(d) he becomes of unsound mind or is capable for any reason of
	11	carrying out his duties (e) he is guilty of a serious misconduct in relation to his
	12	duties;
	13	(f) in the case of a person possessed of professional qualification, he is
	14	disqualified or suspended, other than at his own request, from practicing his
	15	profession in any part of the world by an order of a competent authority made in
	16	respect of that member; or
	17	(g) he resigns his appointment by a written notice under his hand to
	18	the President.
Replacement of Membership	19	<b>10.</b> Where a member ceases to hold office for any reason before the
	20	expiration of his term, another person representing the same interest as that
	21	member shall be appointed in his place.
Removal of Members	22	<b>11.</b> The President may remove a member if he is satisfied that is not in
	23	the interest of the Board or the public that the member continues in office.
Remuneration of the Members	24	<b>12.</b> A member of the Council shall be paid such allowances and
	25	expenses as may be determined by the Revenue Mobilization, Allocation and
	26	Fiscal Commission.
Powers of the Council	27	<b>13.</b> The Council shall have power to:
	28	(a) manage and superintend the affairs of the Board;
	29	(b) make rules and regulation for the proper functioning of the Board;
	30	(c) employ and pay the staff of the Board appropriate remuneration,

1 commensurate in scale with that of staff in organization of similar stature;  
2 and.

3 (d) enter into any negotiations, agreement and contractual  
4 relationship such as may be necessary or expedient for the discharge of the  
5 functions of the Board.

6 PART V - STAFF OF THE BOARD

7 **14.** There shall be an Executive Secretary for the Board, who shall  
8 be appointed by the President. Executive  
Secretary

9 **15.** The Executive Secretary shall be: Functions of the  
Executive Secretary  
10 (a) the Chief Executive and accounting officer of the Board;  
11 (b) responsible to the Council for the Execution of the policies and  
12 the administration of the daily affairs of the Board.

13 **16.** The Executive Secretary shall be appointed for a term of five  
14 years in the first instance and may be appointed for a further term of 5 years  
15 and no more. Tenure of Office  
of the Executive  
Secretary

16 **17.** The Executive Secretary shall be paid such remuneration as  
17 may be contained in his letter of appointment or as will be determined by the  
18 Revenue Mobilization, Allocation and Fiscal Commission. Remuneration  
of the Executive  
Secretary

19 **18.** The Executive Secretary shall cease to hold office if any of the  
20 conditions contained in section 12 pertaining to members of the Council Cessation of office  
by the Executive  
Secretary

21 **19.** The Executive Secretary may resign his appointment by a  
22 written notice under his hand delivered to the President. Resignation of  
appointment by  
the Executive  
Secretary

23 **20.** The Council shall appoint for the Board, a secretary who shall: Secretary

24 (a) be a legal practitioner and is qualified for a period of no less than  
25 10 years;

26 (b) keep records and conduct correspondence of the Board;

27 (c) perform such other functions as the Council or the Executive  
28 Secretary may direct.

29 **21.** The Council shall appoint for the Board such member of  
30 employees as may in the opinion of the Council be expedient and necessary Other Staff

	1	for the proper efficient performance of the functions of the Board and pay them
	2	remuneration and allowances as it determines.
Direct Appointment	3	<b>22.</b> -(1) Notwithstanding the provisions of section 22 and 23, the
	4	Council shall have power to appoint for the Board either directly or on
	5	secondment from any public services of the Federation, such number of
	6	employees as may in the opinion of the Council be required to assist the Board
	7	in the discharge of any of its functions under this Act.
	8	(2) The person seconded under this section may elect to be transferred
	9	to the services of the Board and any previous service he may have rendered in
	10	the public service shall count as service to the Board for the purpose of any
	11	pension subsequently payable by the Board.
Departments	12	<b>23.</b> There shall be established in the head office of the Board the
	13	following Departments:
	14	(a) Finance and Personnel Management;
	15	(b) Planning, Research and Statistics;
	16	(c) Monitoring and Evaluation; and
	17	(d) Legal Services.
Pensions	18	<b>24.</b> -(1) Service in the Commissions shall be, approved service for the
	19	purposes of the Pension.
	20	(2) The officers and other persons employed in the Commission shall
	21	be entitle to pension, gratuities and other retirements benefits as are enjoyed by
	22	persons holding equivalent ranks in the Civil Service of the Federation.
	23	(3) Nothing in subsection (1) and (2) of this section shall prevent the
	24	appointment of a person to any office on terms which preclude the grant of
	25	pension and gratuity in respect of that office.
	26	(4) For the purposes of the application of the provisions of this Act,
	27	and power exercisable thereunder by the Minister or other authority of the
	28	Government of the Federation, other than the power to make regulations Board
	29	of the Commission.



## 1 PART VI - FINANCIAL PROVISIONS

2 **25.**-(1) The Board shall establish and maintain a fund to which all Funds of the  
3 monies accruing to it shall be paid into from which shall be defrayed all Board  
4 expenditure incurred by the Board.

5 (2) The funds of the Board shall consist of:

6 (a) annual Appropriation in the Federal Budget, being not less 5%  
7 of the Consolidated Revenue Fund of the Federation;

8 (b) 5% of statutory subventions from each of the State  
9 Government;

10 (c) social security tax on personal and corporate income, equal to  
11 some percentage of such income;

12 (d) sums accruing to the board by way of donations, gift, grants  
13 endowments, bequest or otherwise;

14 (e) interest and revenue accruing from savings and investments  
15 made by the Board;

16 (f) loans, which may be required from time to time for the objects  
17 of the Board, provided that the Board shall not, without the prior approval of  
18 the President, borrow money in excess of one million Naira, or as may be  
19 determined from any other sources.

20 **26.**-(1) The Director, Federal Board of Internal Revenue shall  
21 furnish to the Post-Master-General without pre-payment, a suitable quantity  
22 of stamps, coupons, books, tickets or other devices prescribed by the  
23 Director for the collection or payment of any tax imposed by this Act, to be  
24 distributed and kept on sale by all post offices.

Sale of Stamps,  
etc. Cap. S8 LFN,  
2004

25 (2) Whoever buys, sells, offers for sale, uses, transfers or gives in  
26 exchange or pledges excepts as authorized in the Act or in regulations made  
27 pursuant thereto, any stamp, coupon, ticket, book or other devices  
28 prescribed by the Director of Internal Revenue, commits an offence and is  
29 liable on conviction to a fine not exceeding N2,000 or imprisonment term of  
30 not more than 3 months.

Budgetary estimates	1	<b>27.</b> The Council shall, not later than 30 September of each year,
	2	submit to the National Assembly, through the Ministry, an estimate of the
	3	projected expenditure of the Board during the next succeeding year and shall
	4	include a copy of the audited accounts of that year and a copy of the auditor's
	5	report
Gifts	6	<b>28.-(1)</b> The Board may accept gifts of money, land or other properly
	7	on such terms and conditions, if any, as may be specified by the person or
	8	organization making the gift.
	9	(2) The Commission shall not accept gift if the conditions attached
	10	thereto are inconsistent with the functions of the commission under this Act.
Expenditure and account	11	<b>29.</b> The Council shall approve any expenditure of the Board and shall:
	12	(a) issue proper accounts and of transactions and affairs of the Board
	13	and ensure that all expenditure is dully authorized;
	14	(b) prepare in respect of each financial year, a statement of account in
	15	such form as the Auditor-General may direct.
Audit and Account	16	<b>30.</b> The Auditor-General of the Federation shall:
	17	(a) inspect and audit the accounts of the financial transactions of the
	18	Board;
	19	(b) inspect records relation to assets of the Board; draw the attention
	20	of the ministry to any irregularity discerned by the inspectors and auditors.
Auditor-General	21	<b>31.</b> The Auditor-General of the Federation or any officer who is
	22	authorized by him, is entitled at all reasonable times, to a full and free access to
	23	all accounts, records, documents and papers of the Board relation directly or
	24	indirectly to the receipt or payment of money by the Board or to the acquisition
	25	receipt, custody or disposal of assets of the Board.
	26	PART VII - MISCELLANEOUS PROVISIONS
Acquisition of land or interest in land for office use	27	<b>32.-(1)</b> For the purposes of providing offices and premises necessary
	28	for the performance of its functions under this Act, the Board may, subject to
	29	the Land Use Act:
	30	(a) purchase or lease, any interest in land, other property; and

1 (b) construct offices and premises, equip and maintain them,  
2 (2) the Commission may, subject to the Land Use Act, sell or lease  
3 out any Land required for the performance of its functions under this Act.

4 **33.**-(1) The provision of the Public Officers' Protection Act shall  
5 apply in relation to any suit instituted against any officer or employee of the  
6 Board in his capacity as such.

Legal proceedings  
against the Board  
Cap. P4 LFN, 2004

7 (2) No suit shall be commenced against a member of the councilor  
8 the Executive Secretary or any officer or employee of the Board in that  
9 capacity before the expiration of a period of one month after writing a notice  
10 of intention to commence the suit which shall have been served upon the  
11 Board by the intending plaintiff or his agent.

12 (3) The notice referred to in subsection (2) shall state the cause of  
13 action, particulars of claims, the name and place of abode of the intending  
14 plaintiff and the relief, which he claims.

15 (4) A notice, summons or other documents required or authorized  
16 to be served upon the Board under the provision of the Act or any other law  
17 or enactment may be served by delivering it to the Executive Secretary at the  
18 Head office of the Board.

19 **34.**-(1) No execution or attachment of processes shall be issued  
20 against the Board in any action or suit without the consent of the Attorney-  
21 General of the Federation.

Restriction on  
execution against  
property of the  
Board

22 (2) Any sum of money which may by the judgement of any court be  
23 awarded against the Board shall, subject to any direction given by the court  
24 where notice of appeal of the said judgement has been given, be paid from  
25 the general reserved fund of the Board.

26 **35.** A member of the council, the Executive Secretary, any officer  
27 or employee of the Board, shall be indemnified out of the assets of the Board  
28 against any proceeding, whether civil or criminal, in which judgement is  
29 given in his favour or in which he is acquitted, if any such proceeding is  
30 brought against him in his capacity as a member, Executive Secretary or

Indemnity of  
Officers

	1	officer or employee of the Board.
Services of document	2	<b>36.</b> A notice, summons or other documents required or authorized to
	3	be served upon the Board under the provisions of this Act or any other law or
	4	enactment may be served by delivering it to the executive Secretary or by
	5	sending it by registered post and addressed to the Executive Secretary at the
	6	Principal office of the Board.
Penalty	7	<b>37.</b> Whoever makes any false statement as to any material fact in
	8	respect of any payment under this Act, knowing or having reason to believe
	9	that, that statement is false, commits an offence and is liable on conviction to a
	10	fine not exceeding N50,000 or imprisonment term of not more than 4 years.
Regulation	11	<b>38.</b> The Minister may make regulations generally for the purpose of
	12	carrying out or giving effect to the provisions of this Act.
Interpretation	13	<b>39.</b> In this Act:
	14	"Benefits" means the Social Welfare benefits, grants, incentives and assistance
	15	accruing to the beneficiaries;
	16	"Board" means the National Social Security and Welfare Board;
	17	"Member" means a member of the Governing Council of the Board;
	18	"Minister" means the Minister in charge of the ministry of labour and
	19	productivity.
Short title	20	<b>40.</b> This Bill may be cited as the National Social Security and Welfare
	21	Board Bill, 2021.

## 1 SCHEDULE

## 2 SUPPLEMENTARY PROVISION RELATING 'TO THE COUNCIL, ETC.

3 *Proceedings of the Council. Cap 123 LFN, 2004*

4 1.-(1) Subject to this Act and Section 37 of the Interpretation Act,  
5 the Council may make a standing order regulating its proceeding or those of  
6 any of its committees.

7 (2) The quorum of the Council shall be the chairman or the person  
8 presiding at the meeting and 5 other members of the Council.

9 *Meeting*

10 2.-(1) The Council shall meet whenever it is summoned by the  
11 Chairman and if the Chairman is required to do so by notice given to him by  
12 not less than 8 other members, he shall summon a meeting of the Council to  
13 be held within 14 days from the date on which the notice is given.

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

17 (3) Where the Council desires to obtain the advices of any person  
18 on a particular matter, the Council may co-opt him to the Council for such  
19 period as it deems fit, but a person who is in attendance by virtue of this sub-  
20 paragraph shall not be entitled to vote at any meeting of the Council and  
21 shall not Count towards a quorum.

22 *Committees*

23 3.-(1) The Council may appoint one or more committees to carry  
24 out, on behalf of the Council such functions as the Council may determine.

25 (2) A committee appointed under this paragraph shall consider  
26 such number of persons as be determined by the Council and a person shall  
27 hold office in the committee in accordance with the term of his appointment.

28 (3) A decision of a committee of the Council shall be of no effect  
29 until it is confirmed by the Council

1 *Miscellaneous*

2 4.-(1) The fixing of the seal of the Board shall be authenticated by the  
3 signature of the Chairman or any other member of the Council generally or  
4 specifically authorized by the Council to act for that purpose and the Executive  
5 Secretary.

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

10 (3) A document purporting to be a document duly executed under the  
11 seal of the Board shall be received in evidence and shall, unless and until the  
12 contrary is proved, be presumed to be executed

13 (4) The validity of any proceedings of the Council or of a Committee  
14 shall not be adversely affected by:

15 (a) A vacancy in the membership of the Council or the Committee

16 (b) A defect in the appointment of a member of the Council or  
17 Committee; or

18 (c) Reason that a person is not entitled to do so took part in the  
19 proceedings of the Council or Committee.

## EXPLANATORY MEMORANDUM

This Bill seeks to establish a National Social Security Board and to vest it with the responsibility to administer and control welfare benefits in respect of Citizens, especially disadvantaged Citizens.

A BILL

FOR

AN ACT TO REPEAL THE NATIONAL COUNCIL OF NIGERIAN VISION  
(ESTABLISHMENT, ETC) ACT CAP. N26, LAWS OF THE FEDERATION OF  
NIGERIA 2004 AND FOR RELATED MATTERS

*Sponsored by Hon. Kabiru Amadu*

[ ] Commencement

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

- 1

2

3
1.

2.
- The National Council of Nigerian Vision (Establishment, Etc.)

This Bill may be cited as the National Council of Nigerian
- Act Cap. N26, Laws of the Federation of Nigeria 2004 is hereby repealed.

Vision (Establishment, Etc.) Act (Repeal) Bill, 2021.
- Repeal

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the National Council of Nigerian Vision  
(Establishment, Etc.) Act Cap. N26, Laws of the Federation of Nigeria 2004  
as the time frame for the objectives of the Act has since elapsed.





# A BILL

## FOR

AN ACT TO AMEND THE TERTIARY EDUCATION TRUST FUND  
(ESTABLISHMENT, ETC.) ACT 2011 TO INCLUDE FEDERAL INSTITUTES AND  
COLLEGES OF FORESTRY AS BENEFICIARIES OF THE FUND AND FOR  
RELATED MATTERS, 2021

*Sponsored by Hon. Johnson Egwakhide Oghuma*

[ ] Commencement

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

- 1           **1.** The Tertiary Education Trust Fund (Establishment, Etc) Act,  
2   2011 (in this Bill referred to as the Principal Act) is hereby amended as set  
3   out in this Bill. Amendment of  
the Principal Act
- 4           **2.** Section 7 (1) is amended as follows: Amendment of  
Section 7
- 5           “the Board of Trustees shall administer the tax imposed by this Act  
6   and disburse the amount in the fund to:
- 7           (a) Federal and State Universities;
- 8           (b) Federal and State Polytechnic;
- 9           (c) Federal and State Institutes and Colleges of Forestry;
- 10          (d) Federal and State Colleges of Education;
- 11   specifically for the provision or maintenance of:
- 12          (a) essential physical infrastructure for teaching and learning;
- 13          (b) institutional material and equipment;
- 14          (c) research and publication;
- 15          (d) academic staff training and development; and
- 16          (e) any other need which, in the opinion of the Board of Trustees, is
- 17   critical and essential for the improvement and quality and management of
- 18   standards in the higher education institutions.”

Amendment of Section 7 (2)	1	<b>3.</b> Section 7(2) is amended as follows:
	2	“The Board of Trustees shall administer, manage and disburse the tax
	3	imposed by this Act on the basis of:
	4	(a) Funding of:
	5	(i) Federal and State Universities;
	6	(ii) Federal and State Polytechnic;
	7	(iii) Federal and State Institutes and Colleges of Forestry;
	8	(iv) Federal and State Colleges of Education; and
	9	(v) Any other federal or State Tertiary Institution
	10	(b) Equality among the 6 geo-political zones of the federation in case
	11	of special intervention; and
	12	(c) Equality among the States of the Federation in case of regular
	13	intervention.”
Amendment of Section 7 (3)	14	<b>4.</b> Section 7(3) is amended as follows:
	15	(3) The distribution of funds shall be in the ratio of 2: 1: 1 as in
	16	Universities, Polytechnics and other Institutes and Colleges of higher
Amendment of Section 20 (1)	17	education
	18	<b>5.</b> Section 20 (1) of the Principal Act is amended by inserting "and
	19	Federal Institute or College of Forestry" after College of Education.
Citation	20	<b>6.</b> This Bill may be cited as the Tertiary Education Trust Fund
	21	(Establishment, etc.) Act (Amendment) Bill, 2021.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Tertiary Education Trust Fund (Establishment, Etc.) Act to include Federal and State Institutes and Colleges of Forestry as beneficiaries of the TETFUND.

FEDERAL COLLEGES OF EDUCATION BILL, 2021

ARRANGEMENT OF SECTIONS/CLAUSE

*Sections/Clause*

PART 1- ESTABLISHMENT OF FEDERAL COLLEGES OF EDUCATION

1. Establishment of Federal Colleges of Education and Legal Status of Colleges
2. Functions of each College
3. Governing Structure of each College
4. Governing Council of each College
5. Membership of Governing Councils
6. Tenure of office of Council Members
7. Powers of the Council
8. The Academic Board and its Functions
9. Establishment of College Congregation
10. Powers of the Minister over Councils
11. Office of Provost
12. Tenure and Procedure for the removal of Provost
13. Office of the Deputy Provost; Functions, Tenure and Procedure for Removal
14. Other Principal Officers
15. Functions of Registrar and Tenure
16. Functions of Bursar and Tenure
17. Function of College Librarian and Tenure
18. Procedure for the appointment of Registrar, Bursar and College Librarian
19. How a Principal Officer can Resign his Appointment
20. Appointment of other staff of the College, who are not Principal Officers
21. Remuneration of the Provost, other Principal Officers and other Employees

- 22. Pension Act Provisions
- 23. Retirement Age for Staff of Colleges of Education

PART II - FINANCIAL PROVISIONS

- 24. Establishment of Colleges of Education Fund
- 25. Power to Accept gift
- 26. Accounts
- 27. Annual Reports of Operations, Finance and Audit

PART III - MISCELLANEOUS AND SUPPLEMENTARY

- 28. Offices and Premises
- 29. Discipline of Students
- 30. Interpretation
- 31. Citation

# A BILL

## FOR

AN ACT TO REPEAL THE FEDERAL COLLEGES OF EDUCATION ACT, 1986,  
AND TO RE-ENACT FEDERAL COLLEGES OF EDUCATION AND FOR  
RELATED MATTERS, 2021

*Sponsored by Hon. Aminu Suleiman*

[ ] Commencement

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

### PART I - ESTABLISHMENT OF FEDERAL COLLEGES OF EDUCATION

1           1.-(i) There are hereby established, the Federal Colleges of  
2 Education, specified in Schedule 1 this Act (hereinafter referred to as  
3 "Colleges"), which shall have such powers and exercise functions as are  
4 conferred on them by this Act;

Establishment  
of Federal Colleges  
of Education and  
Legal Status of  
the Colleges

5           (ii) Each College shall be a body corporate with perpetual  
6 succession and a common seal and shall have power to acquire and dispose  
7 of interests in movable and immovable property may sue or be sued in its  
8 corporate name.

9           2. The objectives of the review of the Federal Colleges of  
10 Education Establishment Act, which emanated from a 1986 Decree,  
11 includes the following, among others:

Objectives

12           (i) To update the Principal Act, which was enacted through a decree  
13 in 1986 to the current realities;

14           (ii) To place the Colleges identity in their respective states as the  
15 creation of states has consequently placed most of the FCEs in different  
16 states other than their origin states due to boundary adjustments/delineation.  
17 For example, whereas the Principal indicates the initial location of some  
18 FCEs at the time of their establishment like, FCE Gombe, reads "FCE (T),  
19 Gombe, Bauchi State" instead of Gombe State", "FCE, Okene reads FCE,

1 Okene, Kwara State" instead of Kogi State; and many others with similar as a  
2 result of the creation of new states from the former states they were curved of  
3 from;

4 (iii) To provide legal basis for service-delivery of the COEs to the  
5 Nigerian public. The seal of the Colleges have transcended the mandate of  
6 NCE alone at inception as envision the current Act. This is because, presently,  
7 some Colleges offer Diplomas, Degrees and other programmes in addition to  
8 the known traditional NCE Programmes;

9 (iv) To provide additional avenue and open more space for ease of  
10 access to tertiary education and support in terms of evacuation of the ever-  
11 increasing number of you seeking degree education each year which the  
12 universities alone cannot accommodate all the candidates. This is more so as all  
13 the twenty-one old COEs are in one form of affiliation with chosen universities  
14 or another for degree programmes in education, for decades. The review of the  
15 Act would provide the needed autonomy to the colleges to do so. This would  
16 further enhance the number of candidates being admitted in ensuring quality  
17 teacher-education degree programmes;

18 (v) Many policies of Federal Government related to the  
19 administration and management of the COE system, have made a review of the  
20 Act imperative. A good example is the GIFMIS and IPPIS payment platforms  
21 vis-a-vis the Fiscal Responsibilities Act and its provisions' implication on the  
22 disbursement of funds to FCEs which was hitherto, been done by the  
23 Regulatory Commission, NCCE, as contained in the Acts;

24 (vi) To bring the COEs at par with sister institutions, especially the  
25 Polytechnic subsector, which establishment Act has been reviewed in 2019  
26 with a view to make a semblance of uniformity in tertiary institutions in  
27 Nigeria;

28 (vii) To provide the COE system the best global practices in teacher-  
29 education service- delivery.

1	<b>3.</b> The functions of each College shall be:	Functions of each College
2	(a) To provide full-time and part-time courses in teaching,	
3	instruction and training in:	
4	(i) Technology, Sciences/Applied Sciences, Commerce, Arts,	
5	Social Sciences, Humanities and management; and	
6	(ii) Such other fields of applied learning, relevant to the needs of	
7	the development of Nigeria, in the areas of Industrial and Agricultural	
8	production and distribution, and for research in the development and	
9	adaptation techniques, as the Council may, from time to time, determine;	
10	(b) To conduct research in fields of learning and courses in	
11	Education, to qualified teachers;	
12	(c) To conduct Research; Conferences, Seminars, Inaugural	
13	Lectures, Workshops and Consultancy Services, relative to the field of	
14	learning, specified in subsection (a) (i-ii) of this section; and	
15	(d) To perform such other functions, which in the opinion of the	
16	Council, in consultation with the Academic Board, may serve to promote the	
17	objectives of the College.	
18	<b>4.-(1)</b> The Governing Structure of each College shall consist of the	Governing Structure of each College
19	following:	
20	(a) Governing Council;	
21	(b) Management Committee;	
22	(c) Academic Board;	
23	(d) School Board; and	
24	(e) Departmental Board	
25	(2) (i) the President, Federal Republic of Nigeria shall be The	
26	Visitor to Colleges;	
27	(ii) The Visitor shall, not less than once in every five years, conduct	
28	a visitation of the or appoint a Visitation Panel, consisting of not less than	
29	five experts, to conduct the visit.	
30	(a) for the purpose of evaluating the Academic and Administrative	

	1	Performance of the College;
	2	(b) for such other purpose or in respect of any other affairs of the
	3	College, as the Visitor may deem fit.
	4	(3) The provisions set out in the Second Schedule to this Act, shall
	5	apply in relation to the Council Governing structure and other matters specified
	6	in the Schedule.
Governing Council of each College	7	<b>5.-(1)</b> the governance of each College and the direction of its affairs
	8	shall vest in the Governing Council of the College concerned (hereafter in the
	9	Act, referred to as the "Council").
	10	(2) without prejudice to the generality of subsection (1) of this
	11	section, it shall be the responsibility of the Council to consider and approve:
	12	(a). the plan of activities of the College;
	13	(b). the programme of Studies, Courses and Research to be
	14	undertaken by the College;
	15	(c). the annual estimates of the College; and
	16	(d). the investment plans of the College.
	17	(3) The Provisions of schedule 2 to this Act shall have effect with
	18	respect to the Council as specified therein.
Membership of Governing Councils	19	<b>6.-(1)</b> The Council of each College, other than a Federal College of
	20	Education (Technical) shall consist of a Chairman, to be appointed by the
	21	President, Federal Republic of Nigeria; and the following other members:
	22	(a) four persons of note in the areas of Arts, Sciences and Technical
	23	Education, who shall be former or serving Teachers/Educationists/Seasoned
	24	Administrators and broadly, representative of the whole Federation; one of
	25	whom shall be a woman, appointed by the President, Federal Republic of
	26	Nigeria;
	27	(b) A representative of the Federal Ministry of Education;
	28	(c) A representative of the regulatory agency/Commission;
	29	(d) The Provost;
	30	(e) The Deputy Provost



1 (f) Two persons, not below the rank of Chief Lecturer, elected by  
2 the Academic Board, from among its member; and

3 (g) Four persons to be elected by the Congregation, from amongst  
4 its members, in which two persons shall be not below the rank of Chief  
5 Lecturer or its equivalent, and the remaining (2) persons shall be non-  
6 teaching staff, not below the rank of Deputy Registrar or its equivalent.

7 (h) The Registrar shall be Secretary;

8 (2) The Council of each Federal College of Education (Technical)  
9 shall consist of a Chairman be appointed by the President, Federal Republic  
10 of Nigeria; and the following other member

11 (a) four persons of note in the areas of Science and Technology,  
12 Technical Education, or Seasoned Administrator, who shall be former or  
13 serving Teacher/Educationist/ Administration and broadly representative of  
14 the whole Federation, one of whom shall be a woman, appointed by the  
15 President, Federal Republic of Nigeria;

16 (b) A representative of the Federal Ministry of Education;

17 (c) A representative of the regulatory agency/Commission;

18 (d) The Provost;

19 (e) The Deputy Provost;

20 (f) two persons, not below the rank of Chief Lecturer, elected by the  
21 Academic Board from among its member;

22 (g) Four persons to be elected by the Congregation, from amongst  
23 its members, in which two (2) persons shall be not below the rank of Chief  
24 Lecturer or its equivalent, and the remaining two (2) persons shall be non-  
25 teaching staff, not below the rank of Deputy Registrar or its equivalent.

26 (h) The Registrar shall be Secretary

27 (3). for Federal College of Education (Special), in addition to the  
28 above composition, there shall be 2 members who are Physically  
29 Challenged.

Tenure of office  
of Council Members

1                   7.-(1) A member of the Council shall hold office for a term of three (3)  
2     years and, subject to the provisions of subsection (2) of this section, may be  
3     eligible for re-appointment! re- election the case may be, for a further period of  
4     three (3) years and no more. However, there shall no vacuum in the exiting of  
5     Council in any College. At any time the President dissolves Council of a  
6     College, an immediate replacement shall be made.

7                   (2) The office of a member appointed under section 5, subsections (1),  
8     (2) and (3) of this Act shall become vacant if:

9                   (a) the member resigns his office by notice in writing under his hand;

10                  (b) the Minister, in consultation with the Council, is satisfied that it is  
11     not in the inter the College for the person(s) appointed to continue in office and  
12     notifies the member in writing to that effect.

Powers of the  
Council

13                  8.-(1) for the carrying out of the functions of each College, the  
14     Council shall have power to:

15                  (a) Approve for the College to receive from any student or any other  
16     person attend College for the purpose of teaching or instruction, such fees as  
17     the Council may the prior approval of the regulatory Commission, from time to  
18     time determine;

19                  (b) Provide amenities for and make such other provision for the  
20     welfare of staff of College;

21                  (c) Invest the funds of the College in securities, specified by law or in  
22     such other securities in Nigeria, as may be approved by the Regulatory  
23     Commission;

24                  (d) Source for funds within Nigeria for the purpose of development of  
25     the College, manner and upon such security, as the Regulatory Commission  
26     may, from time authorize;

27                  (e) Recruit qualified and competent staff for the College;

28                  (f) ratify the establishment and maintenance of such Schools,  
29     Departments and other teaching units within the College or extramural  
30     departments as may be recommended by the Academic Board;

1 (g) Provide such course of instruction, either alone or in  
2 association with other institutions whether in Nigeria or not, as the Council  
3 may determine and approve;

4 (h) Encourage and make provision for research and research grants  
5 in the College;

6 (2) The power of the Council to establish further Schools and  
7 Departments within the College shall be exercisable by order and not  
8 otherwise within the stipulated guidelines.

9 **9. A (1)** There shall be established for each College, a Board to be  
10 known as the Academic Board, which shall consist of the following  
11 members:

The Academic  
Board and its  
Functions

12 (a) The Provost of the College, who shall be the Chairman;

13 (b) Deputy Provost;

14 (c) The College Librarian;

15 (d) Deans;

16 (e) Academic Directors;

17 (f) All Heads of Academic Departments/Units;

18 (g) All Chief Lecturers;

19 (h) Two members from the Academic Staff Congregation; and

20 (i) The quorum for any Academic Board meeting shall be 'li of its  
21 members.

22 (2) The Academic Board shall be responsible for:

23 (a) The direction and management of academic matters of the  
24 College

25 (b) Regulation of admission of students;

26 (c) Award Nigeria Certificate in Education (NCE), Diplomas,  
27 Professional Certificate Degrees, Prizes, Scholarships and other Academic  
28 Distinctions of the College, to persons who may have pursued a course of  
29 study approved by the Regulatory Agency/Commission and who have

- 1 satisfied such other requirements as have been accredited by the Commission.
- 2 (d) Consideration of awards of Certificates, Prizes, Scholarships and
- 3 other Academic Distinctions;
- 4 (e) Teaching and Research;
- 5 (f) Making periodic reports on such academic matters to the Council;
- 6 and
- 7 (g) Discharging any other functions which the Council may from time
- 8 to time delegate it;
- 9 (h) Mount exhibitions and displays, designed to foster an appreciation
- 10 of trends in the scope and requirements of Education;
- 11 (i) Institute and award fellowships, medals, prizes and other titles;
- 12 (j) Erect, provide, equip and maintain such educational, recreational
- 13 and residential facilities as the College may require;
- 14 (k) Create lectureships and other academic posts and offices and to
- 15 make appointments thereto;
- 16 (l) Hold inaugural and public lectures and undertake printing,
- 17 publishing and bookselling;
- 18 (m) Make gifts for any charitable purpose;
- 19 **9. B (1)** There shall be a Management Committee consisting of all the
- 20 Principal Officers of the College.
- 21 (2) The Provost shall be the Chairman of the Management
- 22 Committee.
- 23 (3) The Management Committee shall meet at least once in a month to
- 24 discuss and take decisions on matters of general interest to the College, while
- 25 its quorum shall be Y2 of its members.
- 26 (4) There shall be a School Board for each school In the College,
- 27 consisting of all academic staff in the school.
- 28 (5) The School Board shall deal with all academic matters and any
- 29 other matter of interest to the school or any matter assigned to it by the Council,
- 30 the Academic Board or the Provost.

1 (6) The Dean shall be the chairman of the School Board, while its  
2 quorum shall be Y2 its members.

3 (7) The Dean shall be elected from among the Academic staff, not  
4 below the rank of Chief Lecturer in that school, for a term of two years,  
5 renewable once.

6 (8) There shall be a Departmental Board for each Department in the  
7 College consisting of all academic staff in that Department.

8 (9) The Departmental Board shall deal with all academic matters  
9 and any other matter interest to the Department.

10 (10) The Head of Department shall be the chairman of the  
11 Departmental Board, while quorum shall be Y2 of its members.

12 (11) The Head of Department shall be appointed form among the  
13 Academic Staff below the rank of a Principal Lecturer in the Department for  
14 a term of two years, renew once.

15 (12) Where there is no qualified candidate for the position of Dean  
16 or Head of Department, the Provost shall appoint an Acting Dean, not below  
17 the rank of Senior Lecturer or Acting Head of Department not below the  
18 rank of Lecturer I, for a term of one year in the first instance and renewable  
19 only once.

20 (13) Nothing in the Act shall prevent the Management Committee  
21 and Board from making supplementary rules to guide their proceedings  
22 provided such rules are consistent with the provision of this Act.

23 **10. Congregation:**

Establishment  
of College  
Congregation

24 (a) There shall be for the College of Education, a Congregation  
25 made of both Academic and Senior Non - Teaching staff, who holds at least a  
26 first degree or its equivalent;

27 (b) The provost shall be the Chairman of the Congregation; while  
28 the Registrar shall be the Secretary;

29 (c) The Congregation shall meet at least once in a year;

30 (d) The quorum of congregation shall be at least half the total

	1	number of its members;
	2	(e) Congregation may regulate its own proceedings and procedures;
Power of the Minister over Councils	3	<b>11.</b> Subject to the provisions of this Act, the Minister may give to the
	4	Council, directives of a general character or relating generally to matters of
	5	policy with regard to the exercise by Council, of its functions under this Act,
	6	and it shall be the duty of the Council to comply such directives.
Office of the Provost, Functions, Appointment and Tenure	7	<b>12.-(1)</b> there shall be a Provost of each College (in this Act referred to
	8	as "the Provost") who shall appointed by the Council, in accordance with the
	9	provisions of this section.
	10	(2) Where vacancy occurs in the post of Provost, the Council shall:
	11	(a) advertise the vacancy in not less than two widely read newspapers
	12	in Nigeria, not less than Six (6) months before the expiration of the office of the
	13	sitting Provost, specifying:
	14	(i) The qualities of the person who may apply for the post; and
	15	(ii) The terms and Conditions of Service applicable to the post, and
	16	(iii) Thereafter draw up a short list of suitable candidates for
	17	consideration;
	18	(b) Constitute a Search Team consisting of:
	19	(i) A member of Council, not being a member of the Academic Board,
	20	as Chairman;
	21	(ii) Two members of the Academic Board, not below the rank of Chief
	22	Lecturer/Professor;
	23	(iii) two members of the Academic Community of the College, who
	24	are not below the rank of Principal Lecturer! Associate Professor and not
	25	members of the Academic Board, to be selected by the Academic Staff
	26	Congregation to identify and draw up a short list of suitable persons who are
	27	not likely to apply for the post for any reason whatsoever;
	28	(iv) a senior non- teaching staff, not below the rank of a Deputy
	29	Registrar, who shall serve as member/secretary.
	30	(c) the congregation shall conduct election to decide acceptability

1 level of the candidates by College and forward the results, in order of rating  
2 to the Joint Council, Academic Board Congregation selection Committee,  
3 as established under sub section 3 (a) to (d) of this see provided the score  
4 from this exercise shall not exceed 5 points.

5 (3) Joint Council, Academic Board and Congregation Selection  
6 Committee consisting of:

7 (a) the Chairman of the Council;

8 (b) two members of the Council, not being members of the  
9 Academic Board;

10 (c) two members of the Academic Board, not below the rank of  
11 Chief Lecturer, who not members of the Search Team; and

12 (d) a senior non- teaching staff, not below the rank of a Deputy  
13 Registrar; who shall recommend three best candidates in order of  
14 performance and rating from shortlist drawn up under subsection 2( c) of  
15 this section.

16 (4) The Council shall appoint as Provost the candidate that is most  
17 suitably qualified and if the Visitor.

18 (5) Subject to this Act and the general control of the Council, the  
19 Provost shall be the Chief Executive of the College and shall be charged  
20 with general responsibility for matters relate to the day-to-day management  
21 and operations of the College.

22 (6) (a) The Provost shall hold office for a single term of five (5)  
23 years only, beginning with the effective date of his appointment and on such  
24 terms and conditions, as may be specified in his letter of appointment;

25 (b) Where on the commencement of this section a Provost  
26 appointed before commencement of this Act has held office:

27 (i) for less than five years, he shall be deemed to be serving his 5  
28 years single tenure shall not have right for the renewal of his appointment for  
29 a further term of four years;

30 (ii) for more than five years and serving his second term of office,

Tenure and  
procedure for the  
removal of Provost

- 1 be deemed to be serving last term of office without any further extension
- 2 **13.**-(a) The Provost may be removed from office by the Governing
- 3 Council on grounds of gross misconduct or inability to discharge the functions
- 4 of his office as a result of infirmity of the body mind, at the initiative of the
- 5 Council, Senate or the Congregation after due process.
- 6 (b) When the proposal for the removal of the Provost is made, the
- 7 Council shall constitute a Jo Committee of Council and Academic Board
- 8 consisting of:
- 9 (i) Three members of the Council, one of whom shall be the Chairman
- 10 of the Committee;
- 11 (ii) Two members of Academic Board;
- 12 (iii) The Registrar, who shall serve as Secretary;
- 13 (c) Where the ground for the removal is based on infirmity of the body
- 14 or mind, the Council shall seek appropriate medical opinion to determine the
- 15 Provost's incapacitation;
- 16 (d) The Committee shall conduct investigation into the allegations
- 17 made against the Provost and shall report its findings to the Council;
- 18 (e) The Council may where the allegations are proved remove the
- 19 Provost or apply at other disciplinary action it may deem fit and notify the
- 20 Visitor accordingly provide that a Provost who is removed shall have right of
- 21 appeal to the Visitor;
- 22 (f) There shall be no Sole Administrator in the College of Education
- 23 system;
- 24 (g) In any case of a vacancy in the Office of the Provost, the Council
- 25 shall appoint a Deputy Provost in an acting capacity on the recommendation(s)
- 26 of the Academic Board;
- 27 (h) An Acting Provost in all circumstances shall not be in office for
- 28 more than 6 months.

Office of the  
Deputy Provost

- 29 **14.**-(1) There shall be for each College, such number of Deputy



1 Provost, as the Council may deem necessary to appoint for proper  
2 administration;

3 (2) Where a vacancy occurs in the post of Deputy Provost, the  
4 Provost shall forward the Academic Board, a list of two candidates for the  
5 post of Deputy Provost that is vacant;

6 (3) The Academic Board shall elect for each vacant post, one  
7 candidate from the list forwarded to it under sub-section (2) of this section,  
8 and forward his name to the Council for confirmation.

9 (4) Where the:

10 (a) Academic Board rejects the two candidates forwarded to it by  
11 the Provost under s section (2) of this section, the Provost shall submit  
12 another list; and

13 (b) Council rejects the name sent to it under sub-section (3) of this  
14 section, the Academic Board shall send the name of the other candidate on  
15 the list forwarded to it by the Provost under sub-section (2) of this section

16 (5) The Deputy Provost shall:

17 (a) Assist the Provost in the performance of his functions, as  
18 contained in this Act;

19 (b) Act in the place of the Provost when the post of the Provost is  
20 vacant or if the Provost is, for any reason, absent or unable to perform his  
21 function Provost; and

22 (c) Perform such other functions for the Provost or as the Council  
23 may, from time to time assign to him.

24 (6) The Deputy Provost:

25 (a) shall hold office for a period of two years, beginning from the  
26 effective date of his appointment and on such terms and conditions as may  
27 be specified in his letter of appointment; and

28 (b) May be re-appointed for further period of two years and no  
29 more;

30 (c) A Deputy Provost may be removed from office for good cause

1 by the Council, act on the recommendation of the Provost and Academic  
2 Board;

3 (d) "Good cause" for the purpose of this section means gross  
4 misconduct or inability' discharge the functions of the office, arising from  
5 infirmity of body or mind.

Other Principal  
Officers

6 **15.** There shall be for each College, the following Principal Officers,  
7 in addition to the Provost. These are:

- 8 (a) The Registrar;  
9 (b) The Bursar; and  
10 (c) The College Librarian;

11 Who shall be appointed by the Council, on the recommendation of the  
12 Selection Board, constituted under section 18, sub section (1) (a-d) and (2) of  
13 this Act.

Functions of  
Registrar and  
Tenure

14 **16.-(1)(a)** The Registrar shall be the Chief Administrative Officer of  
15 the College; and shall be responsible to the Provost for the day-to-day general  
16 administrative work and running of the College;

17 (b) He shall keep all records of staff and students; conduct and receive  
18 all correspondence of Council and Management; and shall perform such other  
19 duties of the Council, and as the Provost may, from time to time direct.

20 (2) The Registrar shall, in addition to the other duties conferred on  
21 him by or under this Act, be a Secretary to the Council; Secretary to  
22 Management Committee; Secretary to Academic Board and any Committee of  
23 the Council; and in his absence, the Council may appoint some other persons in  
24 the Registry, to act as Secretary.

25 (3) (a) A Registrar shall hold office for a single term of five years only,  
26 beginning from the effective date of his appointment, and such terms and  
27 conditions as may be specified in his letter of appointment;

28 (b) Where on the commencement of this section a Registrar appointed  
29 before the commencement of this Act has held office:

30 (i) for less than five years, he shall be deemed to be serving his 5 years

1 single tenure and shall not have right for the renewal of his appointment for a  
2 further term of five years;

3 (ii) for more than five years and serving his second term of office,  
4 be deemed to be serving his last term of office, without further extension.

5 17.-(1) The Bursar shall be the Chief Financial Officer of the  
6 College and be responsible to the Provost for the day-to-day administration  
7 and control of financial affairs of the College.

Functions of  
Bursar and tenure

8 (2) A Bursar shall hold office for a single term of five years only,  
9 beginning from the effective date of his appointment and such terms and  
10 conditions as may be specified in his letter of appointment.

11 (3) (a) Where on the commencement of this section, a Bursar  
12 appointed before the commencement of this Act has held office:

13 (i) for less than five years, he shall be deemed to be serving his 5  
14 years single tenure and shall not have right for the renewal of his  
15 appointment for a further term of five years;

16 (ii) for more than five years and serving his second term of office,  
17 be deemed to be serving his last term of office, without further extension.

18 18.-(1) The College Librarian shall be responsible to the Provost  
19 for the administration of the College Library and co-ordination of the  
20 Library services in the teaching units of the College;

Function of  
College Librarian  
and tenure

21 (2) A College Librarian shall hold office for a single term of five  
22 years only, beginning from the effective date of his appointment and such  
23 terms and conditions as may be specified in his letter of appointment;

24 (3) (a) Where on the commencement of this section a College  
25 Librarian appointed before the commencement of this Act has held office:

26 (i) for less than five years, he shall be deemed to be serving his 5  
27 years single tenure and shall not have right for the renewal of his  
28 appointment for a further term of five years;

29 (ii) for more than five years and serving his second term of office,  
30 be deemed to be serving his last term of office, without further extension.

Selection Board	1	<b>19.-(1)</b> There shall be for each College, a Selection Board which shall
	2	consists of:
	3	(a) the Chairman of the Council;
	4	(b) The Provost;
	5	(c) Four members of the Council not being members of Academic
	6	Board; two members of Academic Board; and
	7	(d) a senior non- teaching staff, not below the rank of a deputy
	8	registrar who shall serve as member/secretary.
	9	(2) The functions, procedures and other matters relating to the
	10	Selection Board, constituted under subsection (1, a-d) of this section, shall be
	11	as the Council may determine from time to time.
How a Principal Officer can resign his appointment	12	<b>20.-(1)</b> A Principal Officer may resign his appointment:
	13	(a) in the area of the Provost, by notice to the Visitor, through the
	14	Council; and
	15	(b) in any other case, by notice to the Council
Appointment of other staff of the College, who are not Principal Officers	16	<b>21.-(1)</b> The Council may appoint such other persons to be employees
	17	of the College as the Council may determine, to assist the Provost and other
	18	Principal Officers of the College, in the performance of their functions under
	19	this Act.
	20	(2) Subject to the provisions of this Act, the remuneration, tenure of
	21	office and Condition of Service of the employees of the Council, shall be
	22	determined by the Council, in consultation with the regulatory
	23	agency/Commission and the National Salaries, Incomes and Wages
	24	Commission.
	25	(3) The Council may appoint such other persons to be employees of
	26	the College, as the Council may determine, to assist the Provost in the exercise
	27	of his functions under Act.
Remuneration of the Provost, other Principal Officers and other Employees	28	<b>22.</b> The remuneration, tenure of office and Conditions of Service of
	29	the Provost and other employees of the Council, shall be determined by the
	30	Council, in consultation with the Regulatory Agency/Commission, Revenue

1 Mobilization, Allocation and Fiscal Commission National Salaries, Income  
2 and Wages Commission.

3 **23.**-(1) It is hereby declared that Service in each College shall be  
4 approved Service for the purposes of the Pensions Act and accordingly,  
5 offices and other persons employed in each College, except Principal  
6 Officers, shall, in respect of their services in the College, be entitled to  
7 pensions, gratuities and other retirement benefits as are prescribed there  
8 under, so however, that, nothing in this Act, shall prevent the appointment of  
9 a person to any office, on terms which precludes the grant of a pension and  
10 gratuity in respect of that office.

Pension Act  
Provisions

11 (2) Staff of Colleges shall retire at the age of 65 years.

12 **24.** Notwithstanding anything to the contrary, as contained in the  
13 Pensions Reform Act, (2014 amended, or any other extant rules; the  
14 compulsory retirement age of staff of Colleges of Education shall be 65  
15 years.

Retirement Age  
for Staff of College  
of Education

#### 16 PART II - FINANCIAL PROVISIONS

17 **25.**-(1) The Council shall establish and maintain a fund which shall  
18 be applied towards the promotion of the objectives specified in this Act.

Establishment  
of Colleges of  
Education Fund

19 (2) There shall be paid and credited to the fund established under  
20 subsection (1) of this section:

21 (a) Such sums as may, from time to time, be granted to the Council  
22 by the Government of the Federation;

23 (b) All monies raised for the purposes of the Council by way of  
24 gifts, grants-in-aid or testamentary disposition; and

25 (c) All subscriptions, fees and charges for services rendered by the  
26 Council and all other sums that may accrue to the Council from any source.

27 (3) The Council shall submit to the Minister, not later than 3  
28 months before the end of each financial year or at least, at such other time as  
29 he may direct, an estimate of its revenue and expenditure for the succeeding  
30 financial year.

Power to accept gifts	1	<b>26.-(1)</b> The Council may accept gifts of land, money or other
	2	property, upon such terms and conditions, if any, as may be specified by the
	3	person making the gift; and
	4	(2) The Council shall not accept any gift if the conditions attached by
	5	the person making the gift are inconsistent with the functions of the Council.
Accounts	6	<b>27.</b> The Council shall keep proper accounts of its receipts, payments,
	7	assets and liabilities, and she in respect of each year, cause the accounts to be
	8	audited.
Annual reports of operations, finance and audit	9	<b>28.</b> The Council shall, as soon as it may be possible, after the
	10	expiration of each financial year, prepare and submit to the Minister, through
	11	the Regulatory Agency/Commission, a report of its activities during the
	12	immediate preceding financial year and shall include in the report, a copy of the
	13	audited accounts of the College, for that year and of the Auditor's report on the
	14	accounts.
	15	PART III - OFFICES AND PREMISES
Offices and Premises	16	<b>29.-(1)</b> For the purpose of providing offices and premises necessary
	17	for the performance of its functions, the Council may:
	18	(a) Purchase any interest in, or take on lease, any land; and
	19	(b) Build, equip and maintain offices and premises.
	20	(2) The Council may, with the approval of the Minister, sell any
	21	interest in, or lease any land, offices or premises held by it and no longer
	22	required for the performance of its functions.
Discipline of Students	23	<b>30.-(1)</b> The Council may make rules, providing for the Provost to
	24	conduct enquiries into alleged breaches of discipline (including lack of
	25	diligence) by students and such rules may make different provisions for
	26	different circumstances;
	27	(2) The rules shall provide for the procedure and rules of evidence to
	28	be followed at enquiries under this section;
	29	(3) Subject to the provisions of subsection (1) of this section, where it
	30	is proved during the enquiry that any student of the College has been found

1 culpable or guilty of misconduct; the Provost may, without prejudice to any  
2 other disciplinary powers conferred on him by this or any regulations made  
3 thereunder, direct:

4 (a) that the student shall not, during such period as may be specified  
5 in the direction, participate in such activities of the College, or make use of  
6 such facilities of the College, as he may specify; or

7 (b) that the activities of the student shall, during such period as may  
8 be specified in the direction be restricted in such manner as may be so  
9 specified; or

10 (c) that the student be suspended for such period as may be  
11 specified in the direction; or

12 (d) that the student shall be expelled from the College.

13 (4) Where the Provost refuses to apply any disciplinary measures,  
14 the Council may, either directly or through some other staff, apply such  
15 disciplinary actions as are specified in subsection 3 (a-d) of this section, to  
16 any student of the College who is guilty of misconduct

17 (5) Where a direction is given under subsection 3 (c) or (d) of this  
18 section, in respect of any student, the student may, within 21 days from the  
19 date of the letter communicating the decision to him, appeal from the  
20 decision, to the Council, and where such an appeal is brought, the Council  
21 shall, after causing such inquiry to be made in the matter as the Council  
22 considers just, either confirm or set aside the decision or modify it in such  
23 manner as the Council may think fit.

24 (6) The fact that an appeal from a decision is brought in pursuance  
25 of the last foregoing subsection, shall not affect the operation of the decision  
26 while the appeal is pending, except the Council directs otherwise.

27 (7) The Provost may delegate his powers under this section to a  
28 Disciplinary Committee, consisting of such members of the College, as he  
29 may nominate.

30 (8) Nothing in this section shall be construed as preventing or

1 restriction or termination of a student's activities at the College, otherwise than,  
2 on the ground of misconduct and, or cultism.

3 (9) It is hereby declared that a direction under subsection (3) (a) of this  
4 section may be combine with a direction under subsection (3) (b) of this  
5 section.

6 (10) In all cases under this section, the decision of the Council shall be  
7 final, unless reversed by the Minister, on appeal by the student.

8 (11A) There shall be Committee on students' Affairs which shall  
9 consist of:

10 (a) a Deputy Provost as Chairman,

11 (b) one member of the Council,

12 (c) Dean of students Affairs,

13 (d) Two members of academic staff not below the rank of Senior  
14 Lecturer, and

15 (e) Two representatives of the students Union of the College.

16 (11B) A Committee on Students Affairs shall be charged with the duty  
17 of considering any:

18 (a) Matter which relates to the welfare of students;

19 (b) Other matter referred to it by ether the Council or management of  
20 the College; and

21 (c) Matters which the students wish to refer to Council which shall be  
22 referred to the Management in the first instance, which may in turn refer the  
23 matter to the Committee on Student affairs

24 (12) No decision of a Committee of the Council shall have effect  
25 unless it is confirmed by the Council.

Interpretation

26 **31.** In this Act, unless the context otherwise requires:

27 "Chairman" means the Chairman of the Council;

28 "College" means any of the Federal Colleges of Education specified in  
29 Schedule 1 to this Act;

30 "Colleges" shall be construed accordingly;



1 "Council" means the Governing Council of any of the Colleges established  
2 by or pursuant section 2 of this Act;

3 "Congregation" means gathering of senior staff (teaching and non-  
4 teaching), with at least; degree or its equivalent, with a view to addressing all  
5 matters affecting the interest and welfare of staff of the College;

6 "Provost" means the Provost of a College, appointed under section 11 of this  
7 Act;

8 "Function" includes powers and duties;

9 "Minister" means the Minister charged with the responsibility for matters  
10 relating to Education;

11 "Member" means a member of the Council, including the Chairman.

12 **32.** This Bill may be cited as the Federal Colleges of Education Citation  
13 Bill, 2021.

14 SCHEDULE 1

15 *Section 1*

16 (1) Federal College of Education, Abeokuta, Ogun State;

17 (2) Federal College of Education, (Technical) Akoka, Yaba, Lagos;

18 (3) Federal College of Education, (Technical) Asaba, Delta State;

19 (4) Federal College of Education, (Technical) Bichi, Kano State;

20 (5) Federal College of Education Eha-Amufu, Enugu State;

21 (6) Federal College of Education, (Technical) Gombe, Gombe  
22 State;

23 (7) Federal College of Education, (Technical) Gusau, Zamfara  
24 State;

25 (8) Federal College of Education, Kano, Kano State;

26 (9) Federal College of Education, Katsina, Katsina State.

27 (10) Federal College of Education, Kontagora, Niger State;

28 (11) Federal College of Education, Obudu, Cross River State;

29 (12) Federal College of Education, Okene, Kogi State;

- 1 (13) Federal College of Education, (Technical), Omoku, Rivers State;
- 2 (14) Adeyemi Federal College of Education, Ondo, Ondo State;
- 3 (15) Alvan Ikoku Federal College of Education, Owerri, Imo State;
- 4 (16) Federal College of Education, (Special), Oyo Town, Oyo State;
- 5 (17) Federal College of Education, Pankshin, Plateau State;
- 6 (18) Federal College of Education, (Technical), Potiskum, Yobe
- 7 State;
- 8 (19) Federal College of Education, (Technical), Umunze, Anambra
- 9 State;
- 10 (20) Federal College of Education, Yola, Adamawa State; and
- 11 (21) Federal College of Education, Zaria, Kaduna State.
- 12 (22) Federal College of Education, Jama'are, Bauchi State
- 13 (23) Federal College of Education, Odugbo, Benue State
- 14 (24) Federal College of Education, Isu, Ebonyi State
- 15 (25) Federal College of Education, Ekiadolor, Edo State
- 16 (26) Federal College of Education, Iwo, Osun State
- 17 (27) Federal College of Education, Gidan Madi, Sokoto State

## 18 SCHEDULE 2

### 19 *Section 2*

#### 20 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

##### 21 *Terms of Service*

##### 22 *Remuneration of Council Members*

23 1. There may be paid to the members of the Council or any Committee,  
 24 such remuneration and allowances as may, from time to time be determined by  
 25 the President, Commander-in-Chief of the Armed Forces.

26 2. Where a vacancy occurs in respect of the membership specified in  
 27 section 5, subsections (1) (a-i), (2) (a-i), and (3), of this Act, it shall be filled by  
 28 the appointment of a successor, through the same process, to hold offices for  
 29 the remainder of the term of office of his predecessor.

30 3. The Council may act, notwithstanding any vacancy in its

1 membership or any defect in the appointment of a member or the absence of  
2 a member.

3 *Proceedings*

4 4.-(a) The Council shall meet for the conduct of business in the  
5 college at such times that it may appoint once in every three months;

6 (b) The Chairman may, at any time, and shall, at the request in  
7 writing of not less than 8 members, convene a meeting of the Council;

8 (c) At any meeting of the Council, the Chairman shall preside; but  
9 in his absence, members present shall elect one of their members to preside  
10 at the meeting;

11 (d) Where the Council desires to obtain the advice of any person on  
12 any particular matter, the Council may co-opt persons who are not members  
13 of the Council, but persons co-opted shall not be entitled to vote at a meeting  
14 of the Council;

15 (e) The quorum of the Council shall be simple majority of the total  
16 members of the Council, at least one of whom shall be a member appointed  
17 by the President, Commander-in-Chief of the Armed Forces;

18 (f) Decisions of the Council shall be made on approval by a simple  
19 majority of members present at the meeting.

20 *Miscellaneous*

21 5.-(a) The fixing of the seal of the College shall be authenticated by  
22 the signature of the Chairman, Provost and some other members of the  
23 Council, authorized generally or specially by the Council to act for that  
24 purpose;

25 (b) Any contract or instrument which, if made executed by a person  
26 other than a body corporate, would not be required to be under seal, may be  
27 made and executed on behalf of the College by any person, generally or  
28 specially authorized to act for that purpose, by the Council;

29 (c) Any document purporting to be duly executed under the seal of  
30 the College, shall be received in evidence and shall, unless the contrary is

1 proved, be presumed to be so executed;

EXPLANATORY NOTE

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

This Bill seeks to establish the Federal Colleges of Education, listed in Schedule 1 to the Act.

The functions of each College, amongst other things are:

(a) To provide full-time courses of teaching, instruction and training in technology, Applied Sciences, Commerce, Arts, Social Sciences, Humanities, Law and Management;

(b) Carry out research in the development and adaptation of techniques as the Council may, from time to time, determine.

(c) Engage in community services, as may be appropriate

The Bill also provides for the appointment of a Provost, to be the Chief Executive of each College.

FEDERAL COLLEGE OF NURSING AND MIDWIFERY SOBE, EDO STATE  
(ESTABLISHMENT, ETC.) BILL, 2021

ARRANGEMENT OF SECTION

*Section:*

PART I - ESTABLISHMENT, OBJECTS, POWERS, FUNCTIONS ETC.

OF THE COLLEGE

1. Establishment of the Federal College of Nursing and Midwifery
2. Objects of the College
3. Powers of the College

PART II - GOVERNING COUNCIL OF THE COLLEGE

4. Tenure of Members
5. Functions of the Council
6. Functions of the Academic Committee
7. Secretary to the Council

PART III - SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE

8. School of Nursing
9. School of Midwifery
10. Units with the School

PART IV - PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE

11. Appointment of Provost
12. The Dean of the College
13. The Deputy Den of the College
14. The Registrar of the College
15. The Bursar of the College
16. The Librarian of the College
17. Removal and discipline of Academic, Administrative and Professional Staff

PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES

18. Composition of the Committee
19. Functions of the Committee

PART VI - ACADEMIC BOARD

- 20. Composition of the Academic Board
- 21. Functions of the Academic Board

PART VII - SUPPLEMENTARY PROVISIONS

- 22. Transfer of Property to the College.
- 23. Property of the College
- 24. Expenditure of the College
- 25. Revenue of the College
- 26. Annual Estimate
- 27. Statement of Account
- 28. Account Audit
- 29. Interpretation.
- 30. Short Title

# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF NURSING AND MIDWIFERY SOBE, EDO STATE; AND FOR RELATED MATTERS

*Sponsored by Hon. Julius Ihonvbere*

[ ] Commencement

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

1 PART 1 - ESTABLISHMENT, POWERS AND FUNCTIONS OF THE FEDERAL  
2 COLLEGE OF NURSING AND MIDWIFERY SOBE, EDO STATE

3 1.-(1) There is hereby established the Federal College of Nursing  
4 and Midwifery Sobe, Edo State (in this Bill referred to as "the College").

Establishment  
of the College

5 (2) The College shall:

6 (a) Have the status of a tertiary institution with rights and privileges  
7 of such institution; and

8 (b) Be a body corporate with perpetual succession and a common  
9 seal with powers to sue and be sued in its corporate name.

10 2. The object of College shall be:

Object of the  
College

11 (a) To provide training and research in general Nursing, Midwifery  
12 and other specialties of Nursing leading to the award of professional  
13 Certificates, Diplomas, Degrees, and other post Basic Certificates;

14 (b) To provide avenues for continuing education in nursing,  
15 midwifery, and other specialties of Nursing; and

16 (c) To provide such services that is necessary and incidental to the  
17 object of the College.

18 3.-(1) The College shall be a teaching and examining body and  
19 shall be subject to the provisions of this Bill and the regulations of the  
20 College have powers to:

Powers of the  
College

- 1           (a) Provide rules and conditions under which persons may be  
2 admitted as students for any particular course of study provided by the College;
- 3           (b) Provide courses of instruction in the academic and professional  
4 programmes for students;
- 5           (c) Make provision for research and the dissemination of  
6 knowledge;
- 7           (d) Establish Departments and such other units of learning and  
8 research as the purpose of the College may require;
- 9           (e) Create such offices and posts as the purpose of the College may 2  
10 require and to appoint persons to and remove person from such office or 3 posts  
11 and prescribe their conditions of service;
- 12           (f) Maintain libraries, laboratories, workshops, lecture halls, hostels,  
13 dining halls, sport field and other buildings or facilities of the College;
- 14           (g) Provide for residence, recreation and welfare of members of 8  
15 staff and students of the College as may be deemed necessary;
- 16           (h) Demand and receive from students and other persons 10 attending  
17 the College for the purpose of instruction such fees as the 11 College may from  
18 time to time determine;
- 19           (i) Prescribe rules for the discipline of student of the College;
- 20           (j) Conduct examinations and arrange for award of certificates and  
21 distinctions to persons who pursue courses of studies approved by the  
22 College and who satisfy such other requirement as may from time to time be  
23 Prescribe;
- 24           (k) Subject to specific limitations or conditions that may imposed by  
25 extant Government regulations or circular, invest any fund apportioned to  
26 the College by way of endowment, whether for general or special purpose and  
27 such monies as may not immediately be required for current expenditure in any  
28 investment or securities;
- 29           (l) Print or publish works or undertake service as may be deemed  
30 consistent with the object of the College;



1 (m) Do such other acts and things necessary under this Act for the  
2 attainment of the object of the College or incidental to the powers of the  
3 College; and

4 (n) Carry out any special or general directive consistent with  
5 Government policy as the Minister of health may give in writing.

6 (2) Without prejudice to the generality of the provision of Section 2  
7 of this Act and subsection (1) this Section, the College may, by special  
8 arrangement with the Nursing and Midwifery Council of Nigeria or other  
9 Examination bodies, prepare its students for award of certificates or other  
10 distinctions.

11 (3) Subject to the provisions of this Bill and of any other statute, the  
12 power conferred on the College by subsection (1) of this section shall  
13 be exercised on behalf of the College by the Council and the committees  
14 established for the College or by such officers and other staff of the College  
15 as may be authorized in that behalf and may also be exercised through  
16 schools established under this Act.

17 4.-(1) The provost shall have custody of the common seal of the Seal of the  
18 College and shall be responsible for affixing same to documents. College

19 (2) The common seal of the College shall not be used save upon the  
20 4 direction of the Council and shall be authenticated by the signature of the  
21 Provost.

22 PART II - GOVERNING COUNCIL OF THE COLLEGE

23 5.-(1) There shall be establish for the College, a Government Governing  
24 Council to be known as the Governing council of the Federal College of 9 Council of the  
25 Nursing and Midwifery Sobe, Edo State. College

26 (2) The Council shall consist of:

27 (a) A Chairman who shall be appointed on part time basis by the  
28 Minister on the recommendation of the Board;

29 (b) A representative of the Minister of health;

30 (c) The Provost of the College;

	1	(d) A representative of the Edo State Chapter of National Association
	2	of Nigeria Nurses and Midwives;
	3	(e) Two Members to represent the interest of the public to be
	4	appointed by the Minister on the recommendation of the Board;
	5	(f) A representative of the Ministry of Justice, Edo State;
	6	(h) A representative of the Ministry of Education, Edo State;
	7	(i) The Director, Finance and Administration in the Secretariat;
	8	(j) The Director of Nursing in Edo State Hospitals Management
	9	Board; and
	10	(k) The Director, Nursing Service of the Secretariat who shall also
	11	serve as the Secretary.
Tenure of Members	12	<b>6.-(1)</b> Members of the council, other than ex-officio members, shall
	13	hold office for a period of four years from the date of their appointment and
	14	shall be eligible for re-appointment for one further term of four years and no
	15	more.
	16	(2) Any member of the council other than an ex officio member may
	17	by notice to the council resign his appointment.
	18	(3) Any vacancy occurring in the membership of the council shall be
	19	filled by the appointed of a successor who shall represent the same interest as
	20	his predecessor for the remainder of the term of the predecessor.
Functions of the Council	21	<b>7.-(1)</b> Subject to the provisions of this Act, the Council shall:
	22	(a) Be the governing authority of the College;
	23	(b) Be charged with general control and superintendence of the 2
	24	policies, finances, and properties of the College;
	25	(c) Make regulations for the day-to-day management of the College;
	26	and
	27	(d) Do any other thing necessary or incidental to attainment of 6
	28	objects of the College.
Functions of the Academic Committee	29	(2) Without prejudice to the provisions of subsection (1) of this
	30	section, the Council shall:

1 (a) Ensure that the courses and instructions provided by the 11  
2 College conform to the required standard laid down from time to time by 12  
3 the Nursing and Midwifery council of Nigeria;

4 (b) Regulate the teaching of courses offered by the College, and  
5 also regulate the conduct of examination with respect to the College;

6 (c) Approve contracts for procurement of equipment, furniture and  
7 other properties required for the purpose of the College;

8 (d) Approve contracts for maintenance of the premises and other  
9 properties of the College;

10 (e) Formulate policies and initiate programmes in all fields of  
11 learning conducted by the College;

12 (f) Assess from time to time the courses offered by the College; and

13 (g) Perform such other function as may be necessary.

14 (3) The council may delegate any of its functions, other than the  
15 Power to make regulations, to the Chairman or any other person, Board or  
16 Committee it deems it fit in that behalf, but no decision of such person or  
17 Committee shall take effect unless ratified by council.

18 **8.** The Director, Nursing service of the secretariat shall be the Secretary to the Council  
19 Secretary to the council, and for any particular meeting that he may be  
20 absent, he shall send a representative to act in that behalf.

21 **9.-(1)** The Secretary of Health may give to the council directions as  
22 to the discharge of its functions in relation to matters appearing to the  
23 Secretary of Health to affect public interest and the Council shall give effect  
24 to such directive.

25 (2) The council shall afford the Secretary of Health facilities for  
26 obtaining information with respect to the property of the College and the  
27 functions of the council and he shall be furnished with returns, accounts and  
28 facilities for verification of the information in such manner and at such times  
29 as he may require.

	1	PART III - SCHOOLS, DEPARTMENTS AND UNITS WITHIN THE COLLEGE
Units within the College	2	<b>10.</b> -(1) There shall be within the College a School of Nursing and a
	3	4School of Midwifery and such other schools as the Ministry of Health may
	4	5with the approval of the Nursing and Midwifery Council of Nigeria establish.
	5	(2) Each school shall provide instruction for courses, conduct 8
	6	research, and carry out such functions as may be prescribed by the council 9
	7	with the approval of the Minister of Health.
	8	(3) The constitution of and other matters relating to each school may
	9	be prescribed by the council with the approval of the Minister of health
	10	<b>11.</b> In furtherance of the provisions of Section 3(1)(c) of this Act, the
	11	council shall with the approval of the secretary of Health establish for each
	12	school such department as the Nursing and Midwifery Council of Nigeria may
	13	from time to time prescribe.
	14	<b>12.</b> Subject to the provision to this Act, the council may with the
	15	approval of the Minister of Health establish units for special purposes
	16	within the College; and the name, constitution, and functions of any such units
	17	may be prescribed by director of the Council.
	18	PART IV - PRINCIPAL OFFICERS AND STAFF OF THE COLLEGE
	19	<b>13.</b> There shall be for the College a provost and other principal
	20	officers, the designations, qualifications, functions, appointments, and
	21	removal of whom shall be as spelt out in section 15 to 22 of this Act.
Principal Officers of the College	22	<b>14.</b> -(1) The Principal Officers of the College shall include:
	23	(a) The Deans of the Schools in the College;
	24	(b) The Deputy Deans (Academics and Administration) of the schools
	25	in the College;
	26	(c) The Registrar;
	27	(d) The College Librarian; and
	28	(e) The Bursar.
	29	(2) The principal officers of the College other than Deans and Deputy
	30	Deans of schools in the College shall be appointed by the Council subject to the

1 approval of the Minister of Health.

2 (3) The Deans and the Deputy Deans of schools shall be appointed  
3 by the Council.

4 **15.**-(1) The Provost shall be appointed from amongst the Principal Appointment of  
5 Officers and Staff of the College academic staff of the College and shall be Provost  
6 the Chief Executive and Administrator of the College and also be  
7 responsible to the council for maintaining and promoting efficiency and  
8 discipline in the College.

9 (2) The Provost shall hold a higher degree in Nursing and shall be a  
10 5 registered Educator in Nursing, Midwifery or other specialty areas of 6  
11 Nursing with not less than fifteen years of teaching experience.

12 **16.**-(1) The Deans of schools in the College shall be responsible to Deans  
13 9 the Provost for the administration of the schools.

14 (2) The Deans of schools in the College shall hold degrees in 11  
15 Nursing and shall be registered Educators in the Nursing specialty related 12  
16 to their respective schools and with not less than ten years of teaching 13  
17 experience.

18 **17.**-(1) The Deputy Deans of schools in the College shall be the Deputy Deans  
19 assistants to the Deans of their respective schools and shall perform such  
20 duties as may be assigned to them by the Deans.

21 (2) The Deputy Deans of schools in the College shall hold degrees  
22 in Nursing and shall be Registered Educators in the Nursing specialty  
23 related to their respective schools with not less than seven years teaching  
24 experience.

25 **18.**-(1) The Registrar of the College shall be the head of The Registrar  
26 administration of the College shall be responsible to the provost. of the College

27 (2) The Registrar shall be an experienced graduate of humanities  
28 with not less than fifteen years' experience in public Administration

29 (3) The person holding the office of the Registrar of the College  
30 shall by virtue of that office be the secretary to the Academic Board and the

	1	Finance and General-Purpose Committee.
The Bursar of the College	2	<b>19.</b> -(1) The Bursar shall be the Chief Financial officer of the College
	3	and shall be responsible to the provost for the day-to-day administration of the
	4	financial affairs of the College.
	5	(2) The Bursar shall be a qualified Accountant with not less than ten
	6	years post qualification experience.
The Librarian of the College	7	<b>20.</b> -(1) The Librarian shall be responsible to the provost for the co-
	8	ordination of Library services in College.
	9	(2) The Librarian shall have a degree in library sciences with not less
	10	than ten years post qualification experience as a Librarian.
	11	<b>21.</b> The Council may appoint such other persons to be staff of the
	12	College as it may deem fit on such terms and conditions as maybe specified in
	13	their instructions of appointment.
Removal from Office	14	<b>22.</b> -(1) The Principal officers and other Senior Staff of the College
	15	may be removed from office by the Minister for misconduct,
	16	incompetence, or any other justifiable reason on the recommendation of the
	17	council.
	18	(2) The Council shall have power to remove any junior staff of the
	19	College for justifiable reasons.
	20	PART V - ESTABLISHMENT AND FUNCTIONS OF COMMITTEES
Finance and General Purpose	21	<b>23.</b> There shall be a committee of the council to known as the Finance
	22	and General-Purpose Committee.
Composition of the Committee	23	<b>24.</b> -(1) The Finance and General-Purpose Committee shall consist of:
	24	(a) The chairman of the Governing Council who shall be the
	25	chairman;
	26	(b) The representative of the Minister of Health;
	27	(c) The Provost of the College;
	28	(d) The Director of finance and administration in the Ministry;
	29	(e) The Director of nursing services in the Ministry;

1 (f) One member of the Academic Committee to be appointed by the  
2 Council; and

3 (2) The Registrar shall be Secretary of the Committee.

4 **25.** The Finance and General-Purpose committee shall:

5 (a) Exercise control over property, revenue and expenditure of the Functions of the  
Committee  
6 College;

7 (b) Award contracts for the execution of projects of the College;  
8 and

9 (c) Perform such other functions as the council may delegate to it.

10 **26.**-(1) Any body of persons established by this Act shall, without  
11 prejudice to the generality of the powers of that body, have power to  
12 constitute committees, which need not consist exclusively of members of  
13 that body, and to authorize a committee established by it;

14 (a) To exercise, on its behalf, such of its function as it may  
15 determine; and

16 (b) To co-opt members, and may direct whether or not co-opted 3  
17 members if any, shall be entitle to vote in that committee.

18 (2) Any two or more such bodies may arrange for the holding of 5  
19 joint meetings of those bodies or for the appointment of committees  
20 consisting of members of those bodies for the purpose of considering any  
21 matter within the competence of those bodies or any of them and either of  
22 dealing with it or of reporting on it to those bodies or any of them.

23 (3) The quorum and procedure of a committee established, or  
24 meeting held in pursuance of this section shall be such as may be determined  
25 by the body or bodies which have decided to establish the committee or hold  
26 the meeting.

27 **PART VI - ACADEMIC BOARD**

28 **27.** There shall be for each school of the College an Academic Academic Board  
29 Board which shall be responsible for the academic work of the school.

### Composition of Academic Board

1                   **28.** The Academic Board of each school of the College shall be  
2   composed of:

3 (a) The Provost of the College, as Chairman;

4 (b) The Dean of the School, as Deputy Chairman;

5 (c) The Deputy of Dean of the school;

6 (d) All Heads of Department of the schools;

7 (e) One academic staff not below the rank of senior lecturer to be  
8 selected from each of the Department of the school;

9 (f) A representative of the Director, Nursing Service in the Ministry of  
10 Health;

11 (g) The school Librarian; and

12 (i) The Registrar who shall be the secretary of the Board.

13                   **29.** Subject to the overall control and direction of the council, the  
14 Academic Board of each school of the College shall perform the following  
15 functions:

(1) Regulating and organizing the process of admission, conduct of examinations, award of certificates and all formalities relating to the registration and licensing of graduates.

19 (2) Making recommendation to the Council on appointment of  
20 academic staff of the school and on the organization of departments, libraries  
21 and other units of learning and research in the school.

(3) Making guidelines for the purpose of exercising any of the functions conferred on it under the provisions of this section.

(4) Preparing curriculum for the school in line with guidelines from the Nursing and Midwifery Council of Nigeria and or other regulatory bodies.

26 (5) Performing such other functions that may be assigned to it by 4 the  
27 Council.

28 PART VII - SUPPLEMENTARY PROVISIONS

29                   **30.** The supplementary provision contained in the schedule shall 7  
30   have effect in relation to the proceeding of the various bodies appointed 8 under



1 the provision of this Act.

2 **31.** In the absence of the council and until it is constituted for the  
3 10 College, the functions and powers of the council under this Act may be 11  
4 exercised by the Minister of health in consultation with the Director of 12  
5 Nursing Services in the Ministry of Health.

6 **PART VIII - PROPERTY AND FINANCE**

7 **32.** The Government of Edo State may, by order transfer any  
8 property whether movable or immovable to the College and from the date of  
9 such order, any property so transferred shall vest in the College and shall be  
10 used for the purpose of the College.

Transfer of  
Property

11 **33.** The Council may, subject to the provisions of this Act:  
12

Property of the  
College

13 (a) Acquire and hold such movable or immovable property as may  
14 be necessary or expedient for carrying into effect the provisions of this Act;

15 (b) Invest the funds of the College in such manner and to such  
16 extent as it may deem necessary or expedient; and

17 (c) Enter into contractual agreement on behalf of the College;

18 **34.**-(1) the council shall have power to approve expenditure of over  
19 N100,000.00 but not exceeding N1,000,000.00 per unit transaction for the  
20 procurement of goods, works and services and shall refer procurements  
21 exceeding the amount to the Minister of Health.

Expenditure of  
the College

22 (2) The Provost shall approve procurement of works, goods and  
23 services not exceeding N100, 000,00.

24 (3) The threshold mentioned in this section may be adjusted, in the  
25 case of:

26 (a) Subsection (1), by the Minister of Health; and

27 (b) Subsection (2), by the Council.

28 **35.** The revenue of the College shall include:

Revenue of the  
College

29 (a) Revenue from time to time accruing to the College by way of 2  
30 Government grant, subvention or endowment or other forms of grant-in aid;

(b) Fees charges by and payable in respect of students;

	1	(c) Any other amounts charges or dues recoverable by the College;
	2	(d) Receipts for publications or services;
	3	(e) Interest on investments;
	4	(f) Donations and Legacies.
Annual Estimate	5	<b>36.</b> Before the end of each financial year or at such other time as may
	6	be required by the council, the Director, Finance and Administration or the
	7	Provost shall present to the Council, an estimate of revenue and expenditure for
	8	the ensuing financial year and the accepted estimates shall be presented to the
	9	Minister of Health.
Statement of Account	10	<b>37.-(1)</b> The College shall prepare in respect of each financial year a
	11	statement of account in such form as may be approved by the Minister of
	12	Health and the said annual statement of account shall be a fair and accurate
	13	statement of the financial position of the College for the financial year to which
	14	it relates.
	15	(2) The said annual statement of accounts shall be audited by the
	16	Auditor-General of the State or by such competent auditor appointed by him.
	17	(3) The said audited statement of accounts, after verification by the
	18	Council shall together with the auditor's report is forwarded to the Minister of
	19	Health.
Interpretation	20	<b>38.</b> In this Act unless the context otherwise requires:
	21	"Academic Board" means the Academic Board established under this Act;
	22	"Chairman" means the Chairman of the Governing Council of the College or
	23	where the context requires Chairman of the respective committees established
	24	under this Act;
	25	"College" means the Federal College of Nursing and Midwifery Sobe, Edo
	26	State;
	27	"Council" means the Governing Council established under section 4(1) of this
	28	Act for the College;
	29	"Executive Committee" means the Edo State Executive Committee;
	30	"Minister" means the Minister of Health;

1        "Junior staff" is a reference to staff on CONHESS 01-05 or salary Grade  
2        levels 01-06;

3        "Members" means members of the Council and includes the Chairman of  
4        the Council;

5        "Provost" means the Provost of the College;

6        "Regulations" means any regulation formulated for the College by the  
7        council;

8        "Secretary" means the Secretary to the council of the College and otherwise  
9        means the Secretary of any Committees established under this Act;

10       "Secretary of Health" means the Secretary of Health and Human Services or  
11       such other official as may be from time-to-time designation as head of the  
12       body responsible for Health service under Edo State;

13       "Senior staff" is a reference to staff on CONHESS 06-16 or salary Grade  
14       Levels 07-17.

15                **39.** This Bill may be cited as the Federal College of Nursing and    Short title  
16        Midwifery Sobe, Edo State Bill, 2021.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Nursing and Midwifery Sobe, Edo State, to among other things provide full-time courses, teaching, instruction and training in General Nursing, Midwifery and other specialties of Nursing, and to carry out research in the development and adaption of techniques; and also make provision for the appointment of a Provost and the officials of the College to carry out the administration and the discipline of students of the College.



# A BILL

## FOR

AN ACT TO AMEND NIGERIAN INVESTMENT PROMOTION COMMISSION ACT  
CAP. N117, LAWS OF THE FEDERATION OF NIGERIA, 2004 IN ORDER TO  
RESERVE CERTAIN KINDS OF RETAIL BUSINESSES FOR NIGERIANS AND  
STIPULATE CONDITIONS FOR FOREIGNER'S PARTICIPATION SO AS TO  
ENHANCE WEALTH CREATION AND EMPLOYMENT GENERATION FOR  
NIGERIANS AND FOR RELATED MATTERS

*Sponsored by Hon. Francis Ejiroghene Waive*

[ ] Commencement

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

- |    |   |                   |
|----|---|-------------------|
| 1  | 1. The Nigerian Investment Promotion Commission Act, Cap.117                  | Amendment of      |
| 2  | Laws of the Federation of Nigeria, 2004 (in this Bill referred to as lithe    | the Principal Act |
| 3  | Principal Act") is amended as set out in this Bill.                           |                   |
| 4  | 2. Section 17 of the Principal Act is amended by substituting for             | Substitution of   |
| 5  | the existing Section17 a new Section "17":                                    | Section 17        |
| 6  | "17. The enterprises specified in the Second Schedule are reserved            |                   |
| 7  | for Nigerians and shall not be undertaken by a person who is not a Nigerian." |                   |
| 8  | 3. Section 19 of the Principal Act is amended by substituting for             | Substitution of   |
| 9  | the existing Section19 a new Section "19":                                    | Section 19        |
| 10 | "19 (1) subject to the provision of section 17, 18 and any other law,         |                   |
| 11 | a non- Nigerian may invest and participate in the operation of any enterprise |                   |
| 12 | in Nigeria.   |                   |
| 13 | (2) An enterprise in which foreign participation is permitted in Sub          |                   |
| 14 | clause (1) of this Clause, shall not commence business, except:               |                   |
| 15 | (a) It is incorporated or registered under the Companies and Allied           |                   |
| 16 | Matters Act;  |                   |
| 17 | (b) Obtained such licence, lease, permit or any other approval as             |                   |

1 may be required for the establishment or operation of the enterprise;

2 (c) In case of a joint enterprise with a Nigerian partner, there is  
3 investment by the foreign partner of a capital of not less than N10, 000.000  
4 (Ten Million Naira) or its equivalent worth in capital goods by way of equity  
5 participation; or

6 (d) If the enterprise is wholly owned by a foreigner there is an  
7 investment of a capital of not less than N20,000.000 (Twenty Million Naira) or  
8 its equivalent worth in capital goods.

9 (3) Notwithstanding the provisions of sub clause (2) of this Clause, in  
10 case of a trading enterprise involving only the purchasing and selling of goods  
11 which is wholly or partly owned by a person who is not a Nigerian, there shall  
12 be:

13 (a) an investment of foreign capital or its equivalent in goods worth at  
14 least US\$500,000.00 by way of equity capital; and

15 (b) at least fifteen Nigerians under the employment of the enterprise  
16 amongst which shall be at least 30% Senior and Management Staff."

Insertion of  
Second Schedule

17 **4.** The Principal Act is amended by inserting a Second Schedule after  
18 paragraph 5 of the existing Schedule:

19 "SECOND SCHEDULE

20 *[Section 17]*

21 Enterprises Wholly Reserved for Nigerians

22 1. The sale of anything whatsoever in an open market, petty trading,  
23 hawking or selling from a kiosk.

24 2. Operation of taxi services and car hire service. (A non- Nigerian  
25 may undertake this service where there is a minimum fleet of ten new vehicles).

26 3. Services of Artisans, Masons, Bricklayers, Iron benders, wielders  
27 and Fabricators.

28 4. Operation of beauty salons and barber shops

29 5. Bakeries."

- 1                    **5.** This Bill may be cited as Nigerian Investment Promotion      Citation  
2                    Commission Act (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend Nigerian Investment Promotion Commission Act Cap.N117, Laws of the Federation of Nigeria, 2004 in order to reserve certain kinds of retail businesses for Nigerians and stipulate conditions for foreigner's participation so as to enhance wealth creation and employment generation for Nigerians.





# A BILL

## FOR

AN ACT TO AMEND THE NATIONAL BROADCASTING COMMISSION ACT TO PROVIDE FOR COMPETITION IN NIGERIA TO PROMOTE EFFICIENCY AND EXPAND OPPORTUNITIES FOR NIGERIAN PARTICIPATION IN WORLD MARKETS WHILE AT THE SAME TIME RECOGNIZING THE ROLE OF FOREIGN COMPETITION IN NIGERIA AND FOR RELATED MATTERS, 2021

*Sponsored by Hon. Francis Ejiroghene Waive*

[ ] Commencement

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

- |    |  |                |
|----|--|----------------|
| 1  | 1. The National Broadcasting Commission Act (in this Act                       | Amendment of   |
| 2  | referred to as “The Principal Act”) is hereby amended as set out hereunder.    | National       |
| 3  |  | Broadcasting   |
| 3  | 2. Section 2 sub-sections 1 of the Principal Act is hereby amended             | Commission Act |
| 4  | by deleting existing paragraph u and inserting new paragraphs (u), (v) and     | Amendment of   |
| 5  | (w) as follows:  | Section 2      |
| 6  | (u) Maintaining and promoting fair and efficient market conduct                |                |
| 7  | and effective competition in the broadcast industry in Nigeria, or, in the     |                |
| 8  | absence of a competitive market, to prevent the misuse of monopoly or          |                |
| 9  | market power or anti-competitive and unfair practices by other broadcasters    |                |
| 10 | or facilities providers or equipment suppliers in the broadcast industry.      |                |
| 11 | (v) developing codes of practice relating to content acquisition,              |                |
| 12 | sharing of content rights for rebroadcasting and technical standards for       |                |
| 13 | media services; and to standards of fair market conduct in any media           |                |
| 14 | industry, and monitor compliance with such codes.                              |                |
| 15 | (w) carrying out such other activities as are necessary or expedient           |                |
| 16 | for the full discharge of all or any of the functions conferred on it under or |                |
| 17 | pursuant to this Act.  |                |

Insertion of a  
new section 13A

1                   3. The Principal Act hereby amended by inserting new section 13A as  
2 follows:

3                   13A. COMPETITION

4                   (1) The Commission shall within 90 days of the coming into force of  
5 this amendment, by publication in the National Broadcasting Code, issue one  
6 or more codes of practice and standards of performance for all or any of the  
7 following purposes:

8                   (a) To maintain fair market conduct and competition in any media  
9 industry in Nigeria;

10                  (b) To safeguard the interests of consumers of media services and of  
11 the public generally;

12                  (c) To provide guidance in relation to the operation of any provision of  
13 this Part;

14                  (d) For the regulation of activities and conduct in any media industry,  
15 and for matters connected therewith;

16                  (e) Generally for carrying out the purposes and provisions of this Part  
17 and for the due administration thereof.

18                  (2) The code of practice may, in particular specify the duties and  
19 obligations of any person, corporate entity or broadcaster in relation to its  
20 business operations in any media industry; and provide for such fees or charges  
21 as may be payable to the Commission in relation to any application or request  
22 made to it.

23                  (3) The Commission may, at any time, by publication in the National  
24 Broadcasting Code, add to, vary or revoke any code of practice.

25                  (4) A licensee shall immediately after the coming into force of this  
26 Amendment be prohibited from entering into any form of a agreement contract  
27 concerted practices or take any decision which have as their object and  
28 intendment the prevention, restriction or distortion of competition in, or in any  
29 part of, the media and broadcasting industry in Nigeria: and for this purpose no  
30 licensee shall enter into any form of broadcasting right either in Nigeria or

1 anywhere in the world to acquire any broadcasting, right(s) to the exclusion  
2 of any other person in Nigeria.

3 (5) An agreement or a decision which is prohibited by subsection 4  
4 is void.

5 (6) The Commission may from time to time publish guidelines or  
6 regulations which clarify the meaning of "agreement, decisions or concerted  
7 practices, which have as their object or intendment. the prevention,  
8 restriction or distortion of competition" in the Nigerian broadcast industry  
9 and such guidelines or regulations may include but shall not be limited to  
10 references to:

- 11 (a) the relevant economic market;
- 12 (b) global trends in the relevant market;
- 13 (c) the impact of the conduct on the number of competitors in a  
14 market and their market shares;
- 15 (d) the impact of the conduct on barriers to entry into the market;
- 16 (e) the impact of the conduct on the range of services in the market;
- 17 (f) the impact of the conduct on the cost and profit structures in the  
18 market; and
- 19 (g) any other matters which the Commission is satisfied are  
20 relevant.

21 (7) The Commission shall in a code of practice, publish guidelines  
22 and regulations which clarify how it shall apply the test of "dominant  
23 position" to persons, corporate entities, affiliated companies and/or  
24 licensees; and the guidelines and regulations in subsection (6) of this section  
25 may specify the matters which the Commission may take into account,  
26 including but not limited to:

- 27 (a) the relevant economic market;
- 28 (b) global technology and commercial trends affecting market  
29 power;
- 30 (c) the market share of the licensee;

1 (d) the licensee's power to make independent rate setting decisions;

2 (e) the degree of product or service differentiation and sales  
3 promotion in the market; and

4 (f) any other matter which the commission is satisfied is relevant.

5 (8) The Commission shall have the power to direct a licensee in a  
6 dominant position in the broadcast industry to cease a conduct in that market  
7 which has or may have the effect of substantially preventing, restricting and/or  
8 distorting competition in the broadcast industry and to implement appropriate  
9 penalties and/or remedies.

10 (9) The Commission shall in a code of practice, prohibit any conduct  
11 on the part of one or more persons, corporate entities, affiliated companies,  
12 subsidiaries and/or Broadcaster(s) which amounts to the abuse of a dominant  
13 position in, or in any part of, any media industry in Nigeria if in its discretion, it  
14 may or would adversely hinder the maintenance and preservation of  
15 competition in any media industry in Nigeria.

16 (10) For the purposes of this section, the Commission shall have the  
17 obligation, a code of practice, to specify the Broadcaster(s) whom it considers  
18 to have a dominant or non-dominant position in, or in any part of, any media  
19 industry in Nigeria.

20 (11) The Commission shall also have the power to compel any  
21 licensee or broadcaster in the broadcast industry to license its broadcast and/or  
22 signal rights in any genre of programme(s) being broadcast in Nigeria if the  
23 following circumstances are present:

24 (a) If the genre of programme(s) enjoys compelling viewership by  
25 50% of Nigerians or more;

26 (b) it relates to a product or service that is objectively necessary to be  
27 able to compete effectively on a downstream market;

28 (c) it is likely to lead to the elimination of effective competition on the  
29 downstream market;

30 (d) and the refusal is likely to lead to consumer deprivation.

1           (12) The Commission in invoking its powers under subsection (12)  
2       of this section will make an assessment whether competitors can create an  
3       alternative source of efficient supply, which would be capable to be disposed  
4       in the downstream market.

5           (13) The power of the Commission to compel compliance herein,  
6       shall be binding on all persons, corporate entities, affiliated companies  
7       and/or Broadcaster(s) irrespective of contracts executed with right owners  
8       to the contrary.

9           (14) The Commission shall in a code of practice, publish  
10      guidelines and regulations which regulate the conduct of persons, corporate  
11      entities, affiliated companies, subsidiaries and/or Broadcaster(s) if the  
12      Commission concludes that the prior or proposed action(s) of the foregoing:

13          (a) is likely or shall cause substantial restraint of competition or  
14      tend to create monopoly in any line of business enterprise;

15          (b) the use of such shares by voting or granting proxies or  
16      otherwise shall not cause substantial restraint of competition or tend to  
17      create monopoly in any line of business enterprise.

18           (15) The Commission shall conduct an investigation if there are  
19      reasonable grounds for suspecting that any provision of this Part or of any  
20      code of practice has been infringed or upon the petition of a broadcaster or  
21      concerned person.

22           (16) Where, following an investigation conducted under this  
23      section, the Commission considers that any provision of this Part or of any  
24      code of practice has been infringed and the Commission proposes to make a  
25      direction thereto, the Commission shall:

26          (a) give written notice to the person likely to be affected by such  
27      direction; and

28          (b) give such person an opportunity to make representations to the  
29      Commission.

30           (17) Without prejudice to the generality of the foregoing

1 provisions, if the Commission is satisfied that any person is infringing, likely to  
2 infringe or has infringed any provision of this Part or of any code of practice,  
3 the Commission may, in writing take one or more of the following actions:

4 (a) direct one or more persons, corporate entities, affiliated  
5 companies, subsidiaries and/or broadcaster(s) to comply with that provision or  
6 cease infringing that provision;

7 (b) specify any procedure or action to be observed or taken by that  
8 person;

9 (c) impose such other direction or restriction as the Commission  
10 considers appropriate;

11 (d) require that person to modify or terminate any agreement,  
12 decision or concerted practice;

13 (e) require that person to modify or cease any conduct in question.

14 (18) Provided that if the infringement relate to any act or deed to  
15 overtly or covertly prevent or restrict any other person from entering into the  
16 market or obtaining a broadcasting right thereby preventing competition in  
17 Nigeria, any licensee, broadcaster or person if after investigation is liable shall  
18 be liable to a fine of at least N10,000,000 (Ten Million Naira) in addition or  
19 apart from any of the requirement under Section 18 above.

20 (19) This Part shall apply to all individuals, whether resident in  
21 Nigeria or not and whether citizens of Nigeria or not, and to all bodies  
22 corporate or unincorporate, whether incorporated or carrying on business in  
23 Nigeria or not; provided they are engaged in broadcasting in Nigeria or the  
24 owners/exclusive licensees of content and programmes to be broadcast in  
25 Nigeria or the operators technical or other services for broadcast in Nigeria.

26 4. The Principal Act is amended by deleting the existing section 26  
27 and substituting same with a new section 26 as follows:

Interpretation

28 *“Interpretation*

29 In this Act, unless the context otherwise requires:

30 "chairman" means the chairman of the Commission;

1 "Commission" means the National Broadcasting Commission established  
2 by section 1 of this Act;

3 "member" means a member of the Commission and includes the chairman;

4 "Minimum Qualifying Criteria" means the minimum requirements that  
5 must be satisfied by a potential purchaser requesting supply under this  
6 section, which may include requirements relating to:

7 (a) bank Guarantee;

8 (b) technical standards for retail provision of content;

9 (c) technical standards for securing wholesale supply of content;

10 and

11 (d) encryption and security;

12 "Minister" means the Minister charged with responsibility for information;

13 and

14 "Ministry" shall be construed accordingly;

15 "person, company and/or Broadcaster" is in a dominant position when, in  
16 the opinion of the Commission, that Broadcaster is able to act without  
17 significant competitive restraint from its competitors;

18 "secretary" means the secretary to the Commission;

19 "station" means a place or organisation established for the purpose of  
20 distribution of radio or television programmes to the public through wireless  
21 or cable means;

22 "Stipulated Prices" shall mean a sum not exceeding N4,000.00 (Four  
23 Thousand Naira) per subscriber per month, and applies to the wholesale  
24 charge for the programme and/or channel where all the sports, movie and  
25 News programme and/or channels is taken as an aggregate and offered on a  
26 stand-alone basis;

27 "Subscription Platform" means any method of electronically transmitting  
28 audio-visual images via a closed circuit encrypted platform such as  
29 including but not limited to Direct to Home, Cable, DTT, IPTV and Mobile  
30 Technologies used for the distribution of programmes to subscriber for

	1	reception and viewing in Nigeria upon the payment of a fee, other than a
	2	platform operated solely by the Licensee.
Short title	3	<b>5.</b> This Bill may be cited as the National Broadcasting Commission
	4	(Amendment) Bill, 2021.

EXPLANATORY NOTES

This Bill seeks to encourage competition in the Nigeria broadcasting industry in order to expand opportunities for Nigerian participation in world markets while at the same time recognizing the role of foreign competition in Nigeria thereby providing consumers with competitive prices and product choices.