

Extraordinary



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NATIONAL GINGER DEVELOPMENT BILL, 2021

ARRANGEMENT OF CLAUSES

Clause:

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2. Allowances of Members
3. Functions of the Board
4. Powers of the Board

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OTHER STAFF

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A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIAN GINGER COMMISSION BOARD AND TO
PROVIDE FOR THE PROMOTION AND REGULATION OF GINGER INDUSTRY AND
FOR RELATED MATTERS

Sponsored Hon. Gabriel, Salleh Zock

[] Commencement

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

- 1 PART I - NATIONAL GINGER DEVELOPMENT BOARD
- 2 1.-(1) There is hereby established a body to be known as the Establishment
- 3 National Ginger Development Board (in this Bill referred to as lithe Board" and membership
- 4 (2) The Board shall be: of the Board
- 5 (a) a body corporate with perpetual succession and a common seal;
- 6 and
- 7 (c) may sue or be sued in its corporate name.
- 8 (3)(a)The Board shall consist of a Chairman and six other members
- 9 to be appointed by the President;
- 10 (b) The appointment of the six members shall be made from the six
- 11 geo-political zones in the state;
- 12 (c) The following are ex officio members of the Board-
- 13 (i) the Minister responsible for agriculture or his representative
- 14 who shall not be below the rank of a Director;
- 15 (ii) the Minister responsible for trade and/or industries or his
- 16 representative who shall not be below the rank of a Director;
- 17 (iii) the Minister responsible for National planning or his
- 18 representative who shall not be below the rank of a Director;
- 19 (iv) the Minister responsible for finance or his representative who
- 20 shall not be below the rank of a Director;

1 (v) six representatives of ginger farmers, from the major ginger
2 producing state, which shall be determined by the board from time to time four
3 of whom shall be elected on a zonal basis to represent ginger farmers' co-
4 operative societies and two of whom shall be appointed by the commissioner to
5 represent ginger marketers who are not members of any ginger farmers' co-
6 operative society;

7 (vi) the managing director.

8 (4) Subject to subsection (5) of this section, a person appointed as a
9 member of the board shall hold office for 4 years and shall be eligible for re-
10 appointment for one further period of 4 years.

11 (5) The President, may upon ratification by a simple majority of the
12 National assembly, terminate the appointment of a member on grounds of
13 misbehaviour or inability to discharge the duties of his office by reason of
14 physical or mental incapacity.

15 (6) The supplementary provisions contained in the Schedule to this
16 Bill shall have effect with respect to the proceedings of the board and other
17 matters therein mentioned.

18 (7) Notwithstanding the provisions of subsection (5) of this Section, a
19 person shall cease to hold office as a member of the board on the occurrence of
20 any of the following-

21 (a) he becomes bankrupt, suspends payment or compounds with his
22 creditors;

23 (b) he is convicted of a felony or any offence involving dishonesty or
24 fraud;

25 (c) he becomes of unsound mind or is incapable of carrying out his
26 duties;

27 (d) he is guilty of a serious misconduct in relation to his duties; or

28 (e) he resigns his appointment by a letter addressed to the Chairman of
29 the board and in the case of the chairman's resignation he shall address to the
30 President.

1 (7) A member of the board shall not while holding office hold any
2 other office of emolument whether in the Federal or State public service.

3 2. Members of the board shall be paid such allowances and
4 expenses as the Government may direct from time to time. Allowances of members

5 3.-(1) The main object of the Board is to promote the ginger
6 industry in Nigeria. Functions of the Board

7 (2) The functions of the Board include carrying on activities and
8 doing things to further its main object and without prejudice to those general
9 functions, the particular functions of the Board are-

10 (a) to plan, monitor and regulate ginger growing and marketing;

11 (b) to maintain a register of ginger growers and persons dealing
12 with ginger;

13 (c) to regulate and carry out quality control of ginger;

14 (d) to regulate the ginger industry;

15 (e) to advise the government on the pricing of ginger;

16 (f) to regulate and control the quality and supply of ginger roots or
17 rhizomes;

18 (g) to carry out and promote research and development in ginger
19 production and processing technology;

20 (h) to provide training, either on payment or without charge, or co-
21 ordinate training for any sector of the ginger industry; and

22 (i) to render any service prescribed by regulations made by the
23 minister of Agriculture.

24 (3) The Board shall, if the minister of Agriculture so directs, be the
25 agent of the government for all matter concerning agreements made or to be
26 made in relation to ginger.

27 (4) In carrying out its functions, the Board shall comply with any
28 general or special directions which the minister may give to it in writing.

29 (5) Notwithstanding any other provisions of this Bill, the Board
30 may, during such period as may be determined by the minister, own and

Powers of the
Board

1 operate ginger farms and for that purpose may purchase ginger roots and sell
2 ginger as well as do all other things necessary for the effective operation of the
3 ginger industry.

4 **4.-(1)** The Board shall have the powers to-

5 (a) enter into contracts, arrangements or guarantees which are, in the
6 opinion of the Board, necessary or expedient for carrying out its functions;

7 (b) acquire, buy, sell, dispose off, rent or hire, pledge or mortgage any
8 movable or immovable property or interest therein;

9 (c) subject to the prior approval of the minister in consultation with
10 minister responsible for finance, borrow money;

11 (d) accept gifts and donations;

12 (e) make such investments of money as are allowed by law for the
13 investment of funds or as are approved by the Minister;

14 (f) fix such charges for its services under this Bill as it thinks fit;

15 (g) appoint and employ agents to perform any of its functions or
16 exercise any of its powers;

17 (h) appoint committees, whether of its own members or otherwise, to
18 carry out general or particular functions as specified by the Board;

19 (i) by resolution delegate to any member, officer or employee of the
20 Board, or to a committee appointed under paragraph (h), the performance of
21 any of its functions or the exercise of any of its powers, either generally or in
22 any particular case;

23 (j) do anything required under this or any other written law to be done
24 by the Board; and

25 (k) do anything incidental to any of its powers.

26 **PART II - APPOINTMENT OF THE MANAGING DIRECTOR**

27 **AND OTHER STAFF**

The Managing
Director

28 **5.-(1)** There shall be a Managing Director of the Board who shall be
29 appointed by the President.

30 (2) The Managing Director shall-

- 1 (a) be a person who has distinguished himself in the area of
2 agriculture and business management/administration;
3 (b) be subject to the supervision and control of the Board;
4 (c) be the Chief Executive and Accounting Officer of the Board;
5 (d) be responsible for the execution of the policies and the
6 administration of the board;
7 (e) be paid such remuneration as may be prescribed in his letter of
8 appointment; and
9 (f) ensure and perform any other function in compliance with the
10 provision of this Bill.

11 **6.** The Managing Director may resign his appointment by writing
12 under his hand and delivered to the President.

Resignation of
the Managing
Director

13 **7.** The Board shall have power to appoint or accept on transfer or
14 on secondment from any public service of the Federation, such other staff as
15 may be in the opinion of the Board, be required to assist the Managing
16 Director in the discharge of any of his functions under this Bill and shall
17 have power to pay persons so appointed such remunerations (including
18 allowances) as it may, from time to time, determine.

Staff of the
Board

19 **8.-(1)** The Board may, subject to the provisions of this Bill, make
20 regulations generally relating to the conditions of service of the staff of the
21 Board and without prejudice to the generality of the foregoing, such
22 regulations may provide for-

Staff Regulations

23 (a) appointment, promotion and discipline (including dismissal) of
24 staff;

25 (b) appeals by such staff against dismissal or other disciplinary
26 measures and until such regulations are made, any instrument relating to the
27 conditions of service of officers in the civil service of Nigeria shall be
28 applicable, with such modifications as may be necessary.

29 (2) Staff regulations made, under subsection (1) of this section
30 shall not have effect until approved by the Board and when so approved, the

	1	Board shall cause them to be brought to the notice of all affected persons in
	2	such manner as it may, from time to time, determine.
Service in the Board	3	9.-(1) Service in the Board shall be the federal civil service for the
	4	purpose of the Pensions Act and, accordingly, officers and other persons
	5	employed in the Board shall in respect of their service in the Board, be entitled
	6	to pensions, gratuities and other retirement benefits as prescribed under the
	7	Pension Act.
	8	(2) Nothing in this Bill shall prevent the appointment of a person to
	9	any office on terms which may preclude the grant of a pension or gratuity in
	10	respect of that office.
	11	PART III - FINANCIAL PROVISIONS ETC.
Financial Provisions	12	10.-(1) The Board shall establish and maintain a fund which shall be
	13	applied towards the promotion of the object specified in this Bill.
	14	(2) There shall be paid and credited to the fund established pursuant to
	15	subsection (1) of this section-
	16	(a) such sums as may be provided in each financial year to the Board
	17	by the Federal Government;
	18	(b) fees charged for services rendered by the Board; and
	19	(c) subject to section 11(2) of this Bill, all sums accruing to the Board
	20	by way of gifts testamentary disposition, endowment or contributions from
	21	philanthropic persons or organizations or otherwise howsoever.
Power to accept gifts	22	11.-(1) The Board may accept gifts of any land, money, loan, building,
	23	or other property connected with its functions under or pursuant to this Bill
	24	upon such Boards and conditions, if any, as may be specified by the person or
	25	organization making the gift.
	26	(2) The Board shall not accept any gift if the conditions attached by
	27	the person or organization making the gift to the acceptance thereof are
	28	inconsistent with the functions of the Board.
Power to borrow	29	12.-(1) The Board may, with the consent of the minister or in
	30	accordance with any general authority given in that behalf by the Federal

1 Government, borrow by way of loan or overdraft from any source any sums
2 required by the Board for meeting its obligations and discharging its
3 functions under this Bill.

4 (2) The Board may, subject to the provisions of the Bill and the
5 conditions of any Board created in respect of any property, invest all or any
6 of its funds with the like consent or general authority.

7 (3) The Board may invest any surplus funds of the Board in such
8 specified as may be approved by the Commissioner.

9 **13.**-(1) The Board shall cause to be prepared not later than 3pt Accounts and
10 December in each year, an estimate of the expenditure and income of the records
11 Board during the next seceding financial year and when so prepared, it shall
12 be submitted to the commissioner for approval.

13 (2) The Board shall cause to be kept proper accounts of the Board
14 and proper records in relation thereto and when certified by the proper
15 records in relation thereto and when certified by the Board such accounts
16 shall be audited as provided in subsection (3) of this section.

17 (3) The accounts of the Board shall be audited after end of each
18 financial year by auditors appointed by the Board with the approval of the
19 Federal Executive Council and the fees of the auditors and the expenses of
20 the audit generally shall be paid from the funds of the Board.

21 (4) Before appointing auditors as provided in subsection (3) of this
22 section, the Board shall consult the minister charged with the responsibility
23 of Finance;

24 **14.** The Board shall, not later than six months after the end of each Annual Reports
25 year submit, through the minister, to the President and the National
26 Assembly a report on the activities of the Board, during the immediately
27 preceding year and shall include in such report the audited accounts of
28 Board and the auditor's comments thereon

29 PART IV - REGISTRATION OF EXPORTERS, PROCESSORS ETC

30 **15.**-(1) Subject to this Bill, no person shall-

Restriction on
export and sale
of ginger

1 (a) sell ginger or ginger roots to any person unless such person has
2 been registered by the Board in respect of ginger or ginger roots to the extent
3 and subject to the conditions considered necessary by the Board; or

4 (b) carry out the marketing of ginger unless he holds a certificate of
5 registration under section 19.

6 (2) The minister may from time to time, after consultation with the
7 Board, fix prices at which purchasers of ginger or ginger roots or rhizomes may
8 buy.

9 (3) Any person who contravenes subsection (1) shall be guilty of an
10 offence and liable to a fine not exceeding N100,000.00 thousand naira or to
11 imprisonment for a term not exceeding two years or to both.

Board may
register buyers,
processors and
exporters

12 **16.-(1)** The Board may, on application, register a person as a buyer,
13 processor or exporter of ginger.

14 (2) Registration under Subsection (1)-

15 (a) may be subject to such conditions and restrictions as the Board
16 thinks fit;

17 (b) shall remain in force, unless cancelled in accordance with this Bill,
18 for such period (not exceeding three years) as is determined by the Board; and

19 (c) may be renewed for such period (not exceeding three years) as is
20 determined by the Board.

Application for
Registration

21 **17.-(1)** A person may apply to the Board for registration as a buyer,
22 processor or exporter of ginger.

23 (2) An application under Subsection (1) shall-

24 (a) be in the prescribed form;

25 (b) contain particulars of the applicant's financial position and of his
26 proposals relating to the facilities or organization for the storage, control of
27 quality, handling and marketing of ginger;

28 (c) contain such other particulars as are prescribed; and

29 (d) be accompanied by the prescribed fee.

1	18. (1) Where an application is made to the Board under Section	Board to consider
2	17, the Board shall consider the application and may, in its discretion-	Application, etc.
3	(a) grant the application and register the applicant as a buyer,	
4	processor or exporter of ginger subject to such conditions and restrictions (if	
5	any) as the Board thinks fit; or	
6	(b) refuse the application.	
7	(2) Without prejudice to or limiting the Board's discretion under	
8	Subsection (1), the Board may refuse an application where, in the opinion of	
9	the Board, the applicant has no adequate finance, facilities or organization	
10	for the storage, control of quality, handling or marketing of ginger.	
11	19. Where the Board registers a person under Section 18(1)(a) it	Certificate of
12	shall issue to him a certificate of registration in the prescribed form and shall	Registration
13	endorse on the certificate of registration any conditions referred to in	
14	Section 17(1)(a).	
15	20. The Board may cancel the registration of a person as a	Cancellation of
16	registered buyer, processor or exporter under Subsection (1) if the Board is	Registration
17	satisfied that-	
18	(a) registration was obtained by-	
19	(i) means of a false or misleading statement; or	
20	(ii) partly by means of a false or misleading statement; or	
21	(iii) fraud; or	
22	(iv) by other improper means; or	
23	(b) the person has been convicted of an offence under this Act; or	
24	(c) the person has not, in the Board's opinion, adequate finance,	
25	facilities or organisation for the storage, control of quality, handling or	
26	marketing of ginger.	
27	21. (1) For the purpose of appeals under Section 22 there is	Appeal Committee
28	established an Appeal Committee.	
29	(2) The Appeal Committee shall consist of-	

	1	(a) an officer nominated by the minister, who shall be Chairman; and
	2	(b) two other persons, other than officers of the Public Service, who
	3	shall be representatives of the ginger industry, appointed by the minister by
	4	notice in the Gazette.
	5	(3) The Chairman of the Appeal Committee shall determine-
	6	(a) the time and place of; and
	7	(b) subject to Section 22(3), the procedure to be followed at meetings
	8	of the Appeal Committee.
Appeals	9	22. -(1) A person, aggrieved by a decision of the Board-
	10	(a) to refuse under Section 18(1)(b) to grant his application; or
	11	(b) in relation to any conditions or limitations to which his registration
	12	is made subject; or
	13	(c) to cancel his registration under Section 20, may appeal in writing
	14	to the Appeal Committee.
	15	(2) As soon as practicable after receipt of an appeal under Subsection
	16	(t), the Appeal Committee shall meet and consider the appeal.
	17	(3) The procedure during the consideration of an appeal shall be
	18	informal but regard shall be had at all times to natural justice.
	19	(4) The decision of the Appeal Committee is final and shall be
	20	implemented as if it were a decision of the Board.
	21	PART V - ENFORCEMENT PROVISIONS
Appointment and functions o inspectors	22	23. -(1) For the purposes of this Bill, the Board may, by notice in the
	23	Gazette, appoint such number of inspectors as it may consider necessary.
	24	(2) The functions of an inspector shall be-
	25	(a) to monitor ginger growing and marketing;
	26	(b) to inspect ginger plants for disease and pests;
	27	(c) to carry out quality control of planting growing and marketing;
	28	(d) to take samples and grade raw ginger, ginger roots or rhizomes;
	29	and

1 (e) to certify weights and qualities of raw ginger, ginger root or
2 rhizomes.

3 **24.**-(1) For the purposes of this Bill, where an inspector has Powers of entry
4 reasonable grounds for doing so he may at any reasonable time enter upon
5 any land, premises or vehicle and may take with him such persons and things
6 as he considers necessary for those purposes and may-

7 (a) exercise his functions under section 23 (2);

8 (b) search for ginger roots or rhizomes, or ginger varieties;

9 (c) make enquiries or carry out a search to ascertain if this Bill is
10 being complied with;

11 (d) demand the production by a certificate holder of such certificate
12 for examination;

13 (e) seize and remove any ginger roots or ginger or any other article
14 or thing in respect of which he has reasonable grounds for believing that an
15 offence under this Bill is being or has been committed; or

16 (f) do any other thing authorized under this Bill.

17 (2) The owner or occupier of or any person on land or in premises
18 or a vehicle which is entered under subsection (1) shall render such
19 reasonable assistance as may be required of him by the inspector.

20 (3) A person who refuses or delays or fails to comply with a
21 requirement under subsection (2) shall be guilty of an offence and liable to
22 imprisonment for a term not exceeding twelve months or to a fine not
23 exceeding fifty thousand naira or to both.

24 **25.**-(1) No person shall prevent, hinder or obstruct an inspector in Obstruction of
25 performance of his functions, powers or duties under this Bill. inspectors

26 (2) A person who contravenes subsection (1) shall be guilty of an
27 offence and liable to imprisonment for a term not exceeding twelve months
28 or to a fine not exceeding fifty thousand naira or to both.

29 **26.** Where a body corporate is guilty of an offence under this Bill, Offences by
30 every person who at the time of the offence was a director or officer or was bodies corporate

	1	concerned in the management of the body corporate, or was acting, or
	2	purporting to act, in such a capacity, shall also be guilty of an offence unless he
	3	proves-
	4	(a) that, through no act or omission on his part, he did not know that
	5	the contravention was intended or about to take place or was taking place; or
	6	(b) that he took all reasonable steps to prevent the contravention take
	7	place.
Cognizable offences	8	27. Offences under this Bill are cognizable offences.
Forfeiture	9	28. In any conviction for an offence under this Bill, the Court may, in
	10	addition to or instead of any other penalty, order that any ginger root or ginger,
	11	implement, machine, vehicle or other thing in respect of which the offence was
	12	committed shall be forfeited to the Government.
	13	PART VI - MISCELLANEOUS PROVISIONS
Infected areas	14	29.-(1) The minister may, after consultation with the Board, by order
	15	published in the Gazette-
	16	(a) declare an area, ginger farm or processing company which is
	17	infected with ginger disease or pest to be an infected area;
	18	(b) prohibit the use of an infected area for planting, growing,
	19	collecting, storing, processing or other dealing with planting seed, raw cotton,
	20	cotton lint or cotton seed or for any purpose connected with those activities;
	21	(c) for the purpose of preventing cotton disease or pest or the spread of
	22	cotton disease or pest, either in the crop or otherwise, prohibit the movement of
	23	ginger roots or rhizomes or ginger from, to, through or within an infected area
	24	or another specified area(s);
	25	(d) extend, diminish or otherwise alter an infected area; and
	26	(e) where it is no longer infected with ginger disease or pest, revoke
	27	the declaration of an infected area.
	28	(2) The minister may by regulations make further provisions for the
	29	control of infected areas.

- 1 **30.** The minister may, after consultation with the Board, make Regulations
2 regulations generally for the better carrying out of the objects and purposes
3 of this Bill, including-
- 4 (a) prescribing the kind and quality of ginger root or rhizomes and
5 prohibiting the use of any other kind and quality of root or rhizomes for
6 growing ginger;
- 7 (b) regulating the method of purchase, collection, transport,
8 movement, storage, processing, or otherwise preparing, sale or disposal of
9 any particular kind or quality of ginger roots or rhizomes or ginger;
- 10 (c) regulating the distribution of ginger roots or rhizomes to
11 persons requiring it for planting;
- 12 (d) providing for the requisition of ginger roots or rhizomes;
- 13 (e) regulating and controlling the method, time and place of
14 planting and growing ginger and the acreage which may be planted by any
15 person;
- 16 (f) providing for the inspection of ginger roots or rhizomes or
17 ginger plantations, stores and processing companies and prescribing the
18 class and standard of premises which may be used in the processing and
19 storage of ginger;
- 20 (g) prescribing either or both maximum or minimum prices to be
21 paid to growers of ginger in any area; and different prices may be prescribed
22 for different types of grades of ginger;
- 23 (h) limiting the number of certificates to be issued in any area and
24 prescribing the procedure to be followed in cases where there are more
25 applicants than one for a certificate for any particular area;
- 26 (i) providing for the establishment, organization and
27 administration of ginger buying centres;
- 28 (j) providing for the controlling of the weighing, sales and
29 purchase of ginger or ginger roots; and for their classification and for the
30 provision to the Board free of charge of samples for classification;

1 (k) providing for the destruction or removal, in either case with or
2 without compensation, of any soil, ginger root, ginger plant, rhizomes or
3 ginger residues;

4 (l) controlling diseases and pests in ginger plants and ginger roots;

5 (m) requiring ginger growers to supply to the Board free of charge
6 samples of ginger for experimental purposes or scientific investigation;

7 (n) prohibiting or otherwise controlling the use of ginger sales centres
8 for purposes other than the processing and buying of ginger;

9 (o) providing for the exhibition of certificates issued under this Bill;

10 (p) prescribing the books, accounts, vouchers and records to be kept
11 by certificate holders under this Bill;

12 (q) prescribing fees or charges to be paid for anything done under this
13 Bill;

14 (r) regulating and prescribing the charges, if any, for services
15 rendered under the Bill including handling and processing commissions;

16 (s) providing for the enforcement, method of payment and regulation
17 of levies imposed by the Board;

18 (t) prescribing any matter or thing which is to be or may be prescribed
19 under this Bill;

20 (u) prescribing any forms to be used in connection with this Bill;

21 (v) prescribing the manner in which representatives of ginger
22 growing co-operative societies for the purposes of this Bill may be elected;

Interpretation

23 **32.** In this Bill, unless the context otherwise requires-

24 "application" means an application for the first issue of a certificate or for the
25 renewal of or variation of a certificate, as the case may be;

26 "Board" means the National Ginger Development Board established under
27 section 1;

28 "Minister" means commissioner charged with the responsibility of agriculture;

29 "co-operative society" means a co-operative society registered or deemed to be
30 registered under the co-operative societies laws;

1 "ginger root" means ginger planting portion produced from raw ginger;
2 "infected area" means an area, declared to be an infected area under section
3 30 (1);
4 "inspector" means a person appointed as an inspector in terms of section 23
5 (1);
6 "managing director" means the person for the time being appointed as
7 managing director under section 5 (1);
8 "premises" includes any building or structure;
9 "raw ginger" includes unprocessed ginger or ginger root;
10 "rhizomes" means group of stems or roots for or intended for use for
11 growing ginger;
12 "staff" means the managing director, secretary, officers and employees of
13 the Board.

14 33. This Bill may be cited as the National Ginger Development Short title
15 Bill, 2021.

16 SCHEDULE

17 [Section 1 (6).]

18 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

19 *Proceedings of the Board*

20 1. Subject to this Bill and Section 27 of the Interpretation Act
21 (which provides for decisions of a statutory body to be taken by a majority of
22 its members and for the chairman to have a second or casting vote), the
23 Board may make standing orders regulating the proceedings of the Board
24 and any of its ad-hoc committees.

25 2. A meeting of the Board shall be presided over by the chairman
26 or if the chairman is unable to attend a particular meeting, the deputy
27 chairman or the members present at the meeting, shall elect one of their
28 number to-preside at that meeting.

29 3. The quorum at a meeting of the Board shall consist of the
30 chairman (or, in an appropriate case, the person presiding at the meeting

1 pursuant to paragraph 2 of this Schedule), the Managing Director and five other
2 members.

3 4. Where on a special occasion, the Board desires to obtain the advice
4 of a person on a particular matter, the Board may co-opt that person to be a
5 member for as many meeting as may be necessary, and that person while so co-
6 opted, shall have all the rights and privileges of a member, except that he shall
7 not be entitled to vote or count towards a quorum.

8 *Ad-hoc and Special Committees*

9 5.-(1) Subject to its standing order, the Board may appoint such
10 number of ad-hoc and special committees as it thinks fit to consider and report
11 on any matter with which the Committee is concerned.

12 (2) Every committee appointed under the provisions of sub-
13 paragraph (1) of this paragraph, shall be presided over by a member of the
14 Board and shall be made up of such number of persons, not necessarily
15 members of the Board, as the Board may determine in each case.

16 6. The decision of a committee shall be of no effect, until it is
17 confirmed by the Board.

18 *Miscellaneous*

19 7. The validity of proceedings of the Board or of its committee shall
20 not be adversely affected by-

21 (a) Vacancy in the membership of the Board; or

22 (b) by a defect in the appointment of a member of the Board or
23 committee; or

24 (c) by reason that a person not entitle to do so, took part in the
25 proceedings.

26 8. A member of the Board or of its committee, who has a personal
27 interest in any arrangement or agreement entered into or proposed to be
28 considered by the Committee or committee, shall forthwith disclose his
29 interest to the Board or committee and shall not vote on any question relating to
30 the arrangement or agreement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigerian Ginger Commission Board and to provide for the promotion and regulation of Ginger industry in Nigeria.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FACILITY
MANAGEMENT AGENCY OF NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Ibrahim Hamza

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE FACILITY MANAGEMENT

2 AGENCY OF NIGERIA

3 1.-(1) There is hereby established a body to be known as the Establishment
4 Facility Management Agency of Nigeria (in this Act referred to as "the of the Facility
5 Agency") which shall be a body corporate with perpetual succession and a Management
6 common seal and may sue and be sued in its corporate name. Agency of Nigeria

7 (2) The supplementary provision in the schedule to this Act shall
8 have effect with respect to the proceedings of the governing board or its
9 committees and other matters.

10 2. There shall be established for the Agency a governing Board (in Governing Board
11 this Act referred to as "the Board") which shall consist of a chairman, who of the Agency
12 shall be appointed by the president and the following other members, that is:

13 (i) one person to represent the Federal Ministry of Works and
14 Housing;

15 (ii) one person to represent the Federal Ministry of Finance;

16 (iii) one person to represent the Federal Ministry of Labour and
17 Employment;

18 (iv) one person to represent the office of the Head of Service of the
19 Federation;

20 (v) one person to represent the Nigerian Labour congress;

	1	(vi) one person to represent the civil society organizations in Nigeria
	2	(vii) one person to represent the Trade Union Congress
	3	(viii) two persons to be appointed on individual merit on a nationwide
	4	basis who shall have a wide experience of service in the public or private
	5	sector; and
	6	(ix) the Director-General of the Agency who shall be an ex-officio
	7	member of the Board but shall not have the right to vote at the meetings of the
	8	Board.
Functions of the Board	9	3. The functions of the Board shall be to:
	10	(a) formulate and provide general policy guidelines for the discharge
	11	of the functions of the agency.
	12	(b) monitor and ensure the implementation of the programmes of the
	13	agency.
	14	(c) approve rules and regulations relating to the appointment,
	15	promotion and disciplinary measures for the employees of the agency.
	16	(d) fix the remuneration, allowances and benefits of the employees of
	17	the agency.
	18	(e) regulate its proceedings and make standing orders with respect to
	19	the holding of meetings, notices to be given, the keeping of minutes of its
	20	proceedings and such other matters as the governing board may, from time to
	21	time determine.
	22	(f) carry out such other functions are necessary or expedient to ensure
	23	the efficient performance of the functions of the agency under this Act.
Tenure of office of Members	24	4.-(1) A member of the Board other than an ex-officio member shall
	25	hold office for a term of four years and no more.
	26	(2) Members of the Board shall be paid allowances as may be
	27	determined by the Board in consultation with the National Salaries, Wages and
	28	Income Commission.
Resignation of members of the Board	29	5. A member may resign his appointment by a notice in writing
	30	addressed to the president.

1	6. A member ceases to hold office if he:	Cessation of membership
2	(a) becomes of unsound mind;	
3	(b) is withdrawn by the body he represents;	
4	(c) is convicted of a felony or any offence involving dishonesty.	
5	7. Notwithstanding the provisions of section 4 of this Act, the	Removal from office of a member
6	president may remove a member from the Board if any circumstance arises	
7	which would require the removal of the member from the Board.	
8	8. The functions of the Agency shall be to:	Functions of the Agency
9	(a) supervise the maintenance of assets owned or controlled by the	
10	Federal Government and ensure that facilities and installations operate at	
11	optimal capacity;	
12	(b) engage the services of professionals, engineers, artisans or	
13	workmen for maintenance works including but not limited to mechanical	
14	and electrical maintenance, replacement of spare parts, cleaning,	
15	fumigation, painting, maintenance of sewage and drainage systems in any	
16	facility under an agreement with any government ministry, department or	
17	agency or any private organization;	
18	(c) advise and make recommendations to the Federal Government	
19	on matters relating to the maintenance of assets and facilities owned or	
20	controlled by the Federal Government;	
21	(d) conduct investigation on in-house expenses incurred by any	
22	ministry, department or agency of the Federal Government for the	
23	maintenance of any facility or any outsourced contract awarded in relation	
24	thereto by such ministry, department or agency;	
25	(e) create an Asset Register that meets international standards;	
26	(f) draw up master plan towards management and maintenance of	
27	assets owned by the Federal Government and establish assessment	
28	procedure for such assets;	
29	(g) perform periodic audit of Federal Government-owned	

- 1 infrastructure and assets and advise on the maintenance and disposal of such
- 2 assets;
- 3 (h) improve health and safety in the working environment;
- 4 (i) act as consultant to ministries, departments and agencies of the
- 5 Federal Government in facility management and maintenance;
- 6 (j) ensure proper monitoring and accountability for capital and
- 7 recurrent works;
- 8 (k) create performance benchmarks for the maintenance of assets and
- 9 determine service levels for each asset class; and
- 10 (l) carry out any other function that may be necessary for the
- 11 attainment of the objectives of the agency.

12 PART II - STAFF OF THE AGENCY

Appointment
of Director-
General of the
Agency

13 **9.-(1)** There shall be appointed by the President on the
14 recommendation of the Minister, a Director-General to the Agency, who shall
15 possess relevant and adequate professional qualification in facility
16 management with 15 years cognate experience.

17 (2) The Director-General shall be the Chief Executive of the Agency
18 and shall be responsible for the execution of the policy of the Agency and the
19 day to day running of the affairs of the Agency.

20 (3) The Director-General shall hold office in the first instance for a
21 period of four years and shall be eligible for re-appointment for one further
22 term of two years and no more.

Removal of
the Director-
General

23 **10.-(1)** Notwithstanding the provision of sub-section 3 of section 9 of
24 this Act, the Director-General may be removed from office by the President if
25 he deems it necessary for the attainment of the objectives of the Agency.

26 (2) A person appointed as the Director-General after such removal in
27 subsection (1) shall serve the unexpired period of the term of his predecessor -
28 in-office.

Appointment
of the staff of
the Agency

29 **11.-(1)** The Agency may, from time to time, appoint such other staff as
30 it may deem necessary to assist the Director-General in the performance of the

1 functions of the Agency.

2 (2) Notwithstanding the provision of sub-section (1) of this
3 section, employees of the Agency may be appointed by the Agency by way
4 of transfer from the public service of the Federation.

5 12.-(1) It is hereby declared that service in the Agency shall be
6 pensionable under the Pension Reform Act and accordingly, employees of
7 the Agency shall, in respect of their services in the Agency, be entitled to
8 pensions, gratuities, and other retirement benefits as are prescribed there-
9 under.

Application of
the Pension Act

10 (2) Notwithstanding the provision of subsection (1) of this section,
11 nothing in this Act shall prevent the appointment of a person to any office on
12 terms which preclude the grant of pension and gratuity in respect of that
13 office.

14 PART III - FINANCIAL PROVISIONS

15 13.-(1) The Agency shall establish a fund from which shall be
16 defrayed all expenditure incurred by the Agency for the purpose of this Act.

Funds of the
Agency

17 (2) There shall be paid and credited to the fund established in
18 pursuance of subsection (1) of this section, such payments as may be made
19 to the Agency by the Federal Ministry of Finance for the running expense of
20 the Agency and all other payments or monies, from time to time accruing to
21 the Agency.

22 14. The Agency may from time to time, apply the proceeds of the
23 fund established in pursuance of section 13 of this Act:

Expenditure of
the Agency

24 (a) to the cost of administration of the Agency;

25 (b) to the payment of salaries, fees or other remunerations or
26 allowances, pensions, and gratuities payable to members or employees of
27 the Agency, so however that no payment of any kind under this paragraph
28 shall be made to any person who is in receipt of emoluments from the
29 Government of the Federation or of a state.

Annual estimates and accounts	1	15.-(1) The Agency shall submit to the Minister not later than 30th
	2	September in each year, an estimate of its expenditure and income during the
	3	next succeeding year.
	4	(2) The Agency shall keep proper accounts in respect of each year
	5	(and proper records in relation thereto) and shall cause the accounts to be
	6	audited by an auditor appointed from the list in accordance with the guidelines
	7	supplied by the Auditor-General of the Federation.
Annual reports	8	16. The Agency shall prepare and submit to the President through the
	9	Minister not later than 30th June in each year, a report in such form as he may
	10	direct on the activities of the Agency, on or during the immediate preceding
	11	year, and shall include in such report a copy of the audited accounts of the
Power of Minister to give directives	12	Agency for that year and the Auditor-General's report thereon.
	13	17. Subject to the provisions of this Act, the Minister may give to the
	14	Agency directives of a general character or relating generally to matters of
	15	policy with regards to the exercise by the Agency of its functions and it shall be
Interpretation	16	the duty of the Agency to comply with such directives.
	17	18. In this Act, unless the context otherwise requires-
	18	"agency" means Facility Management Agency of Nigeria;
	19	"asset" means a property acquired or owned by the Federal Government;
	20	"board" means the Governing Board of Facility Management Agency of
	21	Nigeria;
	22	"chairman" means the chairman of the Governing Board of Facility
	23	Management Agency of Nigeria;
	24	"function" includes power and duty;
	25	"minister" means the Minister in charge of works and housing;
Short title	26	"president" means the president of the Federal Republic of Nigeria.
	27	19. This Bill may be cited as the Facility Management Agency of
	28	Nigeria (Establishment) Bill, 2021.

1 SCHEDULE

2 (Section 1(2))

3 SUPPLEMENTARY PROVISIONS RELATING TO THE PROCEEDINGS

4 OF THE BOARD

5 1. Subject to this Act and Section 27 of the Interpretation Act
6 (which provides for decisions of a statutory body to be taken by a majority of
7 its members and for the chairman to have a second or casting vote), the
8 Board may make standing orders regulating the proceedings of the Board or
9 any committee thereof.

10 2. Every meeting of the Board shall be presided over by the
11 Chairman or if the chairman is unable to attend a particular meeting, the
12 members present at the meeting shall elect one of their numbers to preside at
13 the meeting.

14 3. The quorum at a meeting of the Board shall consist of the
15 Chairman (or, in an appropriate case, the person presiding at the meeting
16 pursuant to paragraph 2 of this schedule) and five other members.

17 4. Where upon any special occasion, the Board desires to obtain
18 the advice of any person on any matter, the Board may co-opt that person to
19 be member for as many meetings as may be necessary, and that person,
20 while co-opted, shall not be entitled to vote or count towards a quorum.

21 5.-(1) Subject to its standing orders, the Board may appoint such
22 number of standing and ad-hoc committees as it thinks fit, to consider and
23 report on any matter with which the Board is concerned.

24 (2) Every committee appointed under the provisions of sub-
25 paragraph (1) of this paragraph, shall be presided over by a member of the
26 Board and shall be made up of such number of persons, not necessarily
27 members of the Board, as the Board may determine in each case.

28 6. The decision of a committee shall be of no effect until confirmed
29 by the Board.

30 7. The fixing of the seal of the Agency shall be authenticated by the

1 signature of the Chairman or the Director- General of the Agency.

2 8. Any contract or instrument which, if made by a person not being a
3 body corporate, would not be required to be under seal, may be made or
4 executed on behalf of the Agency by the Director-General or by any other
5 person generally or specifically authorized to act for that purpose by the
6 Agency.

7 9. Any document purporting to be a contract, instrument or other
8 document signed or sealed on behalf of the Agency shall be received in
9 evidence and unless the contrary is proved, be presumed without further proof,
10 to have been so signed or sealed.

11 10. The validity of any proceedings of the Board or a committee
12 thereof shall not be adversely affected:

13 (a) by any vacancy in the membership of the Board or committee;

14 (b) by any defect in the appointment of a member of the Board or
15 committee, or

16 (c) by reason that a person not entitled to do so took part in the
17 proceedings.

18 11. Any member of the Board or Committee thereof, who has a
19 personal interest in any contract or arrangement entered into or proposal to be
20 considered by the Board or Committee, shall forthwith disclose his interest to
21 the Board or Committee and shall not vote on any question relating to the
22 contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Facility Management Agency of Nigeria to be charged with the responsibility of ensuring proper maintenance of assets owned or controlled by the Federal Government.

A BILL

FOR

AN ACT TO AMEND THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA 1999 (AS AMENDED) BY CHANGING THE NAME OF LAMURDE LOCAL GOVERNMENT AREA OF ADAMAWA STATE TO BASHAMA LOCAL GOVERNMENT AREA AND FOR RELATED MATTERS

Sponsored by Hon. Kwamoti B. Laori

[] Commencement

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

- 1
- 2
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- 4
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- 9
1. The Constitution of the Federal Republic of Nigeria, 1999 (In this Bill referred to as "the Principal Act") is amended as set out in this Bill.
2. Second column of Part 1 of the first schedule having Lamurde as the name of the Local Government Area be amended to read "BASHAMA".
3. The name BASHAMA Local Government Area shall continue to appear anywhere reference is made to the name of the Local Government Area-anywhere in the principal legislation.
4. This Bill may be cited as the Constitution of the Federal Republic of Nigeria (Amendment) Bill, 2021.

Amendment of Lamurde Local Government Area

Enactment of the new name Bashama Local Government Area against the existing Lamurde

Interpretation

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Constitution of the Federal Republic of Nigeria 1999 (As Amended) by changing the name of Lamurde Local Government Area of Adamawa State to Bashama Local Government Area.

BACHAMA is the headquarters of the Bashama Traditional Council. The present day headquarters of Lamurde Local Government Area of Adamawa State, Bashama is inhabited predominantly by the Bwatiye people. Prior to the creation of what is today known as LAMURDE Local Government Area, the name of the current LGA headquarters is known as Bashama.

In order to preserve the correct historical identity of the community, there is

the need to revert back to the original name BASHAMA so that the cultural and traditional affiliations of a name be achieved.

Secondly, the name Lamurde similarly exist in Mubi-North Local Government Area of Adamawa State making it confusing for visitors and development partners to correctly identify the locality they intend to either visit or partner with, hence the need for this amendment.

A BILL

FOR

AN ACT TO PROVIDE FOR THE LEGAL FRAMEWORK FOR PROMOTION OF RESEARCH, STUDY, INVESTMENT, EXPLORATION, PRODUCTION, DEVELOPMENT AND UTILISATION OF LOCALLY SOURCED BITUMEN IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Samuel Akinfolarin

[] Commencement

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

PART I - OBJECTIVE AND APPLICATION

1.-(1) The objective of this Bill is to provide for an effective legal and institutional framework for the promotion of research in, study of, investment in, exploration and production of, development and utilization of locally sourced bitumen in Nigeria.

Objective and Application

(2) The provisions of this Bill shall apply to all parts of the Federal Republic of Nigeria.

PART II - ADMINISTRATION OF BITUMEN BASED ACTIVITIES IN NIGERIA

2.-(1) There shall be established a body to be known as the Bitumen Development Commission (in this Bill referred to as "the Commission").

Establishment of the Bitumen Development Commission of Nigeria

(2) The Commission-

(a) shall be a body corporate with perpetual succession and a common seal;

(b) may sue and be sued in its corporate name;

(c) may acquire, purchase, mortgage, hold and dispose of property whether movable or immovable; and

(d) shall be independent in carrying out its functions and duties under this Bill.

Functions of
Bitumen
Development
Commission of
Nigeria

- 1 **3.** The Commission shall-
- 2 (a) be solely responsible for the promotion of research, study,
- 3 investment, exploration, production, development and utilisation of locally
- 4 sourced bitumen in Nigeria;
- 5 (b) develop policies and regulations that are intended to improve
- 6 research activities, exploration, production and utilization of Nigerian sourced
- 7 bitumen;
- 8 (c) seek and/or provide funding for research activities and for small
- 9 scale exploration and production activities directly connected utilization of
- 10 Bitumen in Nigeria;
- 11 (d) cooperate with all relevant agencies of government and non-
- 12 governmental organizations within and outside Nigeria, towards the
- 13 promotion and actualization of its objectives and functions; and
- 14 (e) perform such other functions that may be assigned to it from time
- 15 to time by President of the Federal Republic of Nigeria or through any Minister
- 16 to whom the President delegates this function,

Source of funding
for the Bitumen
Development
Commission of
Nigeria

- 17 **4.**-(1) The source of funding for the Commission shall consist of:
- 18 (a) a levy of 0,005% of the profit after payment of tax of all
- 19 construction and mining companies operating directly or indirectly in Nigeria;
- 20 (b) such money as may be appropriated to meet the objective of this
- 21 Bill by the National Assembly;
- 22 (c) aids, grants, support and assistance from national and international
- 23 donors;
- 24 (d) monies derived as proceed from investments undertaken by the
- 25 Commission; and
- 26 (e) such other funds statutorily appropriated to the Commission,

Establishment
of the Board of
the Bitumen
Development
Commission
of Nigeria

- 27 **5.**-(1) There is established for the Commission a Board which shall
- 28 have overall supervision of the Commission as specified under this Bill.
- 29 (2) The Board shall consist of-
- 30 (a) the Chairman who shall be a person with cognate experience in

1 Bitumen exploration or production and/or utilisation;
 2 (b) Six members with relevant qualifications and expertise who
 3 shall be appointed by the President to represent each of the six geo-political
 4 zones;

5 (c) a representative of the Attorney-General of the Federation;

6 (d) a representative of the Federal Ministry of Works and Housing,
 7 not below the rank of a Director;

8 (e) a representative of the Office of the Federal Ministry of
 9 Petroleum Resources not below the rank of a Director; a representative of
 10 Civil Society;

11 **6.** The Board shall-

Functions of the
Board

12 (a) provide the general policy direction for the effective
 13 functioning of the Commission;

14 (b) review and approve Regulations, Guidelines, Directions and
 15 Circulars issued by the Commission;

16 (c) review and approve the strategic plans of the Commission;

17 (d) approve the appointment of the Directors of the Commission;

18 (e) receive and consider, for approval, the audited accounts of the
 19 Commission;

20 (f) do such other things which in its opinion are necessary to ensure
 21 the efficient performance of the functions of the Commission under this Bill.

22 **7.** The Chairman and Members of the Board shall be appointed by
 23 the President of the Federal Republic of Nigeria.

24 **8.** The Chairman and other members of the Board, other than ex-
 25 officio members, shall each hold office:

26 (a) for a term of four years renewable once only; and

27 (b) on such terms and conditions as may be specified in the letter of
 28 Appointment.

29 **9.** Notwithstanding the provisions of this section, the Chairman
 30 and any Member of the Board shall cease to hold if-

1 (a) he resigns his appointment as a member of the Board by notice,
2 under his hand, addressed to the President;

3 (b) he becomes of unsound mind;

4 (c) he becomes bankrupt or makes a compromise with his creditors;

5 (d) he is convicted of a felony or any offence involving dishonesty or
6 corruption;

7 (e) he becomes incapable of carrying on the functions of his office
8 either arising from an infirmity of mind or body;

9 (f) the President is satisfied that it is not in the interest of the
10 Commission or in the interest of the public for the person to continue in office
11 and the President removes him from office;

12 (g) he has been found guilty of contravening the Code of Conduct
13 Bureau and Tribunal Act; or gross misconduct in relation to his duties;

14 (h) in the case of a person possessing a professional qualification, he
15 is disqualified by a competent authority; or

16 (i) in the case of a person who becomes a Member by virtue of the
17 office he occupies, he ceases to hold such office.

Executive
Secretary and
Staff of the
Commission

18 **10.-(1)** The President shall, on the recommendation of the Minister of
19 Mines and Steel, appoint the Executive Secretary for the Commission.

20 (2) The Executive Secretary shall:

21 (a) be a person of unquestionable character and integrity; and

22 (b) have qualifications and experience as are appropriate for a person
23 required to perform the functions of that office under this Bill; and

24 (3) The Executive Secretary shall hold office:

25 (a) for a term of three years in the first instance and may be eligible for
26 re-appointment for another term of three years and no more; and

27 (b) on such other terms and conditions as may be specified in his letter
28 of appointment.

29 (4) The Executive Secretary:

30 (a) is the Chief Executive and Accounting Officer of the Commission;

- 1 (b) is responsible for the administration of the Commission;
2 (c) is be the Secretary to the Board;
3 (d) shall keep proper records of the proceedings of the Board;
4 (e) shall be in charge of the general direction and control of all other
5 employees of the Commission; and
6 (f) discharge such other duties as may be directed by the Board.
7 (5) The Executive Secretary may be removed from office by the
8 President where any circumstances arise which in the opinion of the
9 President makes the Executive Secretary no longer capable of discharging
10 the duties and responsibilities of his office
11 (6) The Board may appoint such other staff as may, in the opinion
12 of the Board, be necessary to assist the Commission in performing its
13 functions under this Bill.
14 (7) The terms and conditions of service (including terms and
15 conditions as to the remuneration, payment of allowances and other
16 benefits) of person employed shall be determined by the Board in
17 consultation with the National Salaries, Income and Wages Commission.
18 (8) The Board may appoint, either on transfer or secondment from
19 any Public Service of the Federation, such number of employees required
20 for the effective discharge of the duties of Commission under this Bill.
21 (9) Service in the Commission shall be for the duration of the
22 Commission and employees of the Commission, in respect of their services,
23 are entitled to other retirement benefits and severance allowances as may be
24 determined by the National Revenue, Mobilisation, Allocation and Fiscal
25 Commission.

26 PART III - GENERAL PROVISIONS RELATING TO THE BITUMEN

27 DEVELOPMENT COMMISSION OF NIGERIA

- 28 11. The Commission shall set up, operate and manage research
29 centers of excellence in Federal Universities in at least each of the six
30 geopolitical zones of Nigeria;

1 **12.** No person shall without the prior written approval of the
2 Commission commence exploration mining, production of Bitumen in
3 Nigeria.

4 **13.** The approval of the Commission shall be distinct from licence(s)
5 issued under the Minerals and Mines Act 2007 or any other relevant legislation.

6 **14.** The Commission shall when it considers appropriate direct all
7 companies licenced under the Minerals and Mines Act 2007 or any other
8 relevant legislation and/or under the Petroleum Act to commence research and
9 development into the exploration, production and utilization of Bitumen in
10 locations within which their licences cover and ensure that the output of their
11 research and development is transformed into productive output.

12 **15.** The Federal Inland Revenue Service (in this Bill referred to as "the
13 Service") shall assess and collect from all companies the levy imposed under
14 this Bill.

15 **16.** The Service shall while assessing companies for either company
16 income tax or petroleum profit tax for an accounting period of the company,
17 also proceed to assess the company for the levy payable under this Bill.

18 **17.** The provision of the Companies Income Tax Act and the
19 Petroleum Profit Tax Act relating to the collection of companies income tax or
20 petroleum profit tax shall subject to this Bill, apply to the levy payable under
21 this Bill.

22 **18.** The levy imposed under this Bill shall be payable within 60 days
23 after the Service has served notice of assessment on a company.

24 **19.** The Service may, for the purpose of assessment and collecting the
25 levy imposed by this Bill, devise such forms as it may deem necessary.

26 **20.** Notwithstanding any other provision in this Bill, it shall be the
27 duty and responsibility of every company liable to pay the levy to ensure that its
28 annual returns are filed with the Service for the purpose of assessing the levy
29 payable by the company under this Bill.

30 **21.** The Service shall pay the tax collected under this Act into the

1 account of the Commission and shall, when doing so, submit to the
2 Commission, in such form as the Board shall approve, a return showing:

- 3 (a) the name of the company making the payment;
4 (b) the amount collected;
5 (c) the assessable profit of the company for the accounting period;

6 and

- 7 (d) such other information as may be required by the Commission.

8 **22.** Any person that contravenes any provision of this Bill other
9 than the provision relating to the collection and administration of the levy,
10 shall be liable to an administrative fine of N1,000,000.00 for each month
11 that the default occurs or persists.

12 **23.** Any persons that contravenes any provision of this Bill in
13 relation to the collection and administration of the levy shall be deemed to
14 have contravened the provision of the Federal Inland Revenue
15 (Establishment) Act 2007.

16 **24.** In this Bill unless, the context otherwise requires -

Interpretation

17 "Bitumen means as defined in the Minerals and Mines Act 2007 or any other
18 similar legislation;

19 "Commission" means the Bitumen Development Commission of Nigeria;

20 "Nigeria" means the Federal Republic of Nigeria;

21 "Service" means the Federal Inland Revenue Service.

22 **25.** This Bill may be cited as the Bitumen Development Short title
23 Commission of Nigeria (Establishment) Bill, 2021.

EXPLANATORY MEMORANDUM

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

This Bill seeks to provide for the legal framework for promotion of research,
study, investment, exploration, production, development and utilisation of
locally sourced bitumen in Nigeria.

A BILL

FOR

AN ACT TO AMEND THE NATIONAL INSTITUTE OF CONSTRUCTION
TECHNOLOGY AND MANAGEMENT (ESTABLISHMENT) ACT UROMI AND
FOR RELATED MATTERS

Sponsored by Hon. Sergius Ogun

[] Commencement

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

- 1 **1.** The National Institute of Construction Technology and Enactment
2 Management (Establishment) Act Uromi (in this Bill referred to as the
3 "Principal Act") is hereby amended as set out hereunder.
- 4 **2.** Section 1(2) of the Principal Act is amended by changing the Amendment of
5 name of the Institute from "National Institute of Construction Technology Section 1 of the
6 and Management" to "Anthony Anenih Institute of Construction Act
7 Technology and Management, Uromi, Edo State." as follows:
8 "There is established a Polytechnic to be known as the "Anthony
9 Anenih Institute of Construction Technology and Management, Uromi, Edo
10 State (in this Bill referred to as the Institute)".
- 11 **3.** This Bill may be cited as the National Institute of Construction Citation
12 Technology and Management (Establishment) Act (Amendment) Bill,
13 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Institute of Construction Technology
and Management (Establishment) Act in order to rename the Institute after
Chief Anthony Anenih.

A BILL

FOR

AN ACT TO AMEND THE NIGERIAN NATIONAL HEROES REGISTER ACT AND
FOR RELATED MATTERS

Sponsored by Hon. Sergius Ogun

[] Commencement

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

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1. The Nigerian National Heroes Register Act, Cap. N121, Laws of the Federation of Nigeria 2004 (in this Bill referred to as the "Principal Act") is hereby amended as set out hereunder.

2. Section 3(1) of the Principal Act is amended by deleting paragraph (a) and replacing it with a new paragraph as follows:
"he shall have rendered continuous service that impacts positively on the nation or any part thereof (whether or not in the public services in the federation)."

3. Section 3(1) of the Principal Act is amended by deleting paragraph (d) completely from the subsection

4. This Bill may be cited as the Nigerian National Heroes Register Act (Amendment) Bill, 2021.
- Enactment

Amendment of section 3(1) of the Act

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian National Heroes Register Act in order to review the eligibility age for consideration as a National hero.

A BILL

FOR

AN ACT TO AMEND THE NIGERIAN NATIONAL MERIT AWARD ACT AND
FOR RELATED MATTERS

Sponsored by Hon. Sergius Ogun

[] Commencement

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

- | | | |
|----|--|------------------|
| 1 | 1. The Nigerian National Merit Award Act, Cap. N122, Laws of | Enactment |
| 2 | the Federation of Nigeria 2004 (in this Bill referred to as the "Principal Act") | |
| 3 | is hereby amended as set out hereunder. | |
| 4 | 2. Section 8 of the Principal Act is amended by replacing the | Amendment of |
| 5 | phrase "not later than 1st September in each year" with the phrase "not later | section 8 of the |
| 6 | than 1st August in each year" and by replacing the phrase "on the first | Act |
| 7 | Thursday in the month of December" with the phrase "on the 1st of October | |
| 8 | in each year" as follows: | |
| 9 | “Where the Board, after consideration of the report of the | |
| 10 | committee of assessors mentioned in section 7 of this Act, is of opinion that | |
| 11 | the circumstances are such as to render it expedient that an award be made to | |
| 12 | a particular person or that a joint award should be made to two persons in the | |
| 13 | field concerned, it shall transmit its decision to the secretary to the | |
| 14 | Government of the Federation not later than 1st August in each year so as to | |
| 15 | enable the President to make the Award to the recipient or recipients | |
| 16 | concerned on the 1st of October in each year:" | |
| 17 | 3. This Bill may be cited as the Nigerian National Merit Award Act | Citation |
| 18 | (Amendment) Bill, 2021. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Nigerian National Merit Award Act in order to provide for the conferment of a National Merit Award on a deserving citizen on a National day.

A BILL

FOR

AN ACT TO AMEND THE NATIONAL IDENTITY MANAGEMENT COMMISSION
ACT AND FOR RELATED MATTERS

Sponsored by Hon. Sergius Ogun

[] Commencement

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

- 1 **1.** The National Identity Management Commission Act, Cap. Enactment
2 N154, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as the
3 Principal Act) is hereby amended as set out in this Bill.
- 4 **2.** Section 27 of the Act is amended by inserting a new paragraph Amendment of
5 (k) after the subsisting paragraph (j) and renumbering the subsection Section 27
6 accordingly as follows:
- 7 "(k) registration of subscriber identity module (SIM) card by all
8 mobile telecommunication network operators;"
- 9 **3.** Section 27 of the Act is amended by renumbering the other
10 paragraphs after the new paragraph (k) accordingly.
- 11 **4.** This Bill may be cited as the National Identity Management Citation
12 Commission Act (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Identity Management Commission
Act Cap N154, Laws of the Federation of Nigeria, 2004, to expand the scope
of transactions requiring the mandatory use of the National Identification
Number.

A BILL

FOR

AN ACT TO AMEND THE NOTARIES PUBLIC ACT AND FOR RELATED MATTERS

Sponsored by Hon. Sergius Ogun

[] Commencement

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

- 1 **1.** The Notaries Public Act, Cap. N141, Laws of the Federation of Enactment
2 Nigeria, 2004 (in this Bill referred to as the Principal Act) is hereby amended
3 as set out in this Bill.
- 4 **2.** Section 15 of the Act is amended by replacing the word "two" Amendment of
5 with the word "seven" as follows: Section 15
- 6 "Any notary public or other person who wilfully certifies or
7 propounds any false statement or document, or who fraudulently or with
8 intent to deceive conceals, withholds or perverts any fact or document
9 pertinent to the subject of a protest or other notarial act, is guilty of an
10 offence and liable on conviction, to imprisonment for a term of seven years."
- 11 **3.** Section 16 of the Act is amended by replacing "N100" with Amendment of
12 "N500,000", replacing the phrase "four months" with "three years" and Section 16
13 inserting the phrase "or both" after the phrase "four months" as follows:
- 14 "Any person who is suspended from practising as a notary or
15 whose name is not on the register as a notary who makes, does, exercises or
16 performs any act, matter or thing appertaining or belonging to the office,
17 function or practice of a notary public or who being suspended from
18 practising as a notary purports to act in any capacity as a notary public is
19 guilty of an offence and liable on summary conviction to a fine of
20 N500,000 or to imprisonment for a term of three years, or both.

Citation 1 **4.** This Bill may be cited as the Notaries Public Act (Amendment)
 2 Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Notaries Public Act Cap N141, Laws of the Federation of Nigeria, 2004, to review upwards the penalty imposed for misfeasance and for other offences under the Act.

MINIMUM STANDARDS FOR HEALTH CARE FACILITIES BILL, 2021

ARRANGEMENT OF SECTIONS

Section:

1. Objectives
2. Enforcement
3. Creation of Quality Assurance Department
4. Minimum Standards to be observed
5. Duration of Compliance
6. Interpretation
7. Short Title

A BILL

FOR

AN ACT TO ESTABLISH THE MINIMUM STANDARDS FOR HEALTH CARE
FACILITIES AND FOR RELATED MATTERS

Sponsored by Hon. Sergius Oseasochie Ogun

[] Commencement

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

- 1 **1.-(1)** The objectives of this Act is to-
- 2 (a) Regulate the standard of facilities and premises to be used as
- 3 hospitals, health centres, dispensaries, pharmacies, labouratories and other
- 4 related health care centres;
- 5 (b) To ensure that health care facilities used by health care
- 6 providers mentioned in paragraph (a) above, meet the standard specification
- 7 for such facilities and conforms to best practices obtainable anywhere in the
- 8 world;
- 9 (c) Ensure that all such health care service providers use facilities
- 10 and premises that meet with the minimum standard of a health care centre
- 11 anywhere in the world;
- 12 (d) Ensure that health practitioners in the country carry on the
- 13 practice in compliance with best practices and acceptable standards
- 14 anywhere in the world;
- 15 (e) Ensure that all non compliant health care facilities are made to
- 16 comply with the principles of this bill forthwith, by upgrading their
- 17 operational facilities to meet with the stipulated standards;
- 18 (f) Empower the Federal Ministry of Health to regulate, oversee
- 19 and give operational license to all potential health care service providers,
- 20 before they go into operation in any place or premises.

Objectives of
the Act

Enforcement

1 2.-(1) It shall be the duty of the Department of Quality Assurance for
2 Health Care Facilities of the Federal Ministry of Health to enforce the
3 provisions of this bill.

4 (2) Every prospective health care service provider shall apply to the
5 Department of Quality Assurance for Health Care Facilities of the Federal
6 Ministry of Health for prior certification of fitness of the facility and premises
7 for use and authorisation, before going into operation.

8 (3) All existing health care service centres shall submit their names
9 and addresses to Department of Quality Assurance for Health Care Facilities of
10 the Federal Ministry of Health for inspection and quality assurance within
11 three months of coming into law of this bill.

Department of
Quality Assurance
for Health Care
Facilities

12 3.-(1) There is hereby created, a department to be known as the
13 Quality Assurance for Health Care Facilities, within the Federal Ministry of
14 Health to enforce the provisions of this bill and other regulations as may be
15 prescribed by the Ministry.

16 (2) It shall be the duty of the Officers of the Quality Assurance
17 Department to carry out periodic checks and verify if existing and potential
18 Health Care Facilities are in compliance with the established principles.

19 (3) The Quality Assurance Department shall adopt the standards
20 and/or principles of globally recognised Health Care Facilities Regulatory
21 Codes as basic standards for accessing the fitness or otherwise of Health Care
22 Facilities in Nigeria.

23 (4) Every prospective Health Care Facility operator shall apply to the
24 Quality Assurance Department of the Ministry for prior certification of fitness
25 of the facility and premises for use and authorisation, before going into
26 operation.

27 (5) No Operational License shall be granted to any Health Care
28 Facility operator, until such facility is certified fit by the Quality Assurance
29 Department of the Ministry.

1	4. All Health Care Services' Operational Facilities shall meet with	Minimum
2	the following minimum standards:	Standards
3	(1) Shall be decent, spacious, well equipped and properly sanitised.	
4	(2) Shall not be run in hidden/enclosed/uncompleted	
5	building/premises.	
6	(3) Shall meet with the standard requirement of public utility	
7	facility, with fire extinguishers installed where appropriate.	
8	(4) Shall have adequate facilities and fixtures for the treatment,	
9	care movement and accommodation of patients and/or its end-users.	
10	(5) Shall observe basic sanitary standards like installation of wash	
11	hand basins in every habitable part of the facility.	
12	(6) In addition to the fore-going, they shall meet with the standards	
13	to be prescribed by the Quality Assurance Department of the Ministry.	
14	5.-(1) Where a Health Care Facility is found to be in breach of the	Duration for
15	minimum standards enshrined herein and prescribed by the Quality	Compliance
16	Assurance Department of the Ministry, such Health Care Facility Operator	
17	shall be given three months within which to bring the Health Care Facility in	
18	compliance with this bill and other approved regulation(s).	
19	(2) Where such Health Care Facility Operator(s) fails to comply	
20	within the specified period, the Facility shall be marked as UNFIT.	
21	6. In this Act-	Interpretation
22	"Health Care Facility" means any building or premises where medical	
23	services/health care related practices are carried out;	
24	"Minimum Standards" refers to the standard every health care operational	
25	facility is to comply with;	
26	"The Ministry" refers to the Federal Ministry of Health;	
27	"Quality Assurance Department" refers to the Department of Quality	
28	Assurance for Health Care Facilities of the Federal Ministry of Health;	
29	"Quality Assurance Officer" refers to an Officer of the Department of	

1 Quality Assurance for Health Care Facilities of the Federal Ministry of Health;
2 "Unfit" a term used to describe a Health Care Facility that falls short of the
3 Minimum Standards for Health Care Facilities.
Short title 4 7. This Bill may be cited as the Minimum Standards for Health Care
5 Facilities Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Health Care Facilities Minimum Standards Act, so as to provide for the basic standards to be observed by operators of Health Care Facilities in Nigeria and empower the Federal Ministry of Health to enforce such regulations and ensure nationwide compliance.

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF AGRICULTURE (TECHNICAL) ENUGWU-UKWU, ANAMBRA STATE, TO PROVIDE FULL TIME COURSES, TEACHING INSTRUCTION AND TRAINING IN AGRICULTURAL TECHNOLOGY, AGRICULTURE, AND CARRY OUT ITS DUE ADMINISTRATION AND MANAGEMENT FOR RELATED MATTERS, 2021

Sponsored by Hon. Dozie Ferdinand Nwankwo

[] Commencement

ENACTED by the National Assembly of the Federal republic of Nigeria as follows;

- 1 1.-(1) There is hereby established a College to be known as the Establishment
2 Federal College of Agriculture (Technical), Enugwu-Ukwu, Anambra State and Objects
3 (in this Act referred to as "the College") which shall have such powers and
4 exercise such functions as are conferred on it by this Act.
- 5 (2)The College shall be a body corporate with perpetual succession
6 and a common seal and shall have power to acquire and dispose of interests
7 in moveable and immovable properties and may sue and be sued in its
8 corporate name.
- 9 (3) The objects of the College shall be:
- 10 (a) to encourage the advancement of learning and to hold out to all
11 persons without distinction of race, creed, sex or political conviction, the
12 opportunity of acquiring higher education in technical agriculture and
13 agriculture;
- 14 (b) to provide detailed identification of technical and skills
15 acquisition needs in technical modernized agriculture equipment's and
16 agriculture and develop training programmes to meet those needs;
- 17 (c) to develop and offer academic and professional programmes
18 leading to award of Professional certificates, Ordinary National Diplomas

1 and Higher National Diplomas which emphasise planning, adaptive, technical,
2 maintenance, developmental and production skills in agriculture, agricultural
3 equipment and technics, and contribute to the scientific transformation
4 Nigeria; with the aim of producing socially mature men and women with the
5 capacity not only to understand agriculture but to be apt in the use of
6 modernized technologies in Agriculture, and also develop these modern
7 technologies;

8 (d) to acts as agents catalysts, through training, research and
9 innovation for the effective and economic utilization, exploitation and
10 conservation of Nigeria's natural, technical agricultural, economic and human
11 resources;

12 (e) to be able to use modern technologies and tools in identifying the
13 agricultural problems and needs of Nigeria and to find solutions to them within
14 the context of overall national development;

15 (f) To establish appropriate relationships with other national
16 institutions involved in production, manufacturing, training of modern
17 agricultural tools and development of technologies in the Agricultural Sector;

18 (g) to provide and promote sound basic scientific technological
19 training as a foundation for the development of Agriculture in Nigeria, taking
20 into account indigenous of learning; and human endeavour.

21 (h) to organise research relevant to training in agricultural
22 technology;

23 (i) to organise extension services and out-reach programmes for
24 technology transfer;

25 (j) to establish institutional linkages in order to foster collaboration
26 and integration of training research, and extension activities; and

27 (k) to undertake any other activity appropriate for Technical College
28 of Agriculture.

Governing Council
of the College

29 **2.-(1)** The governance of the College and the direction of its affairs

1 shall vest in the Governing Council of the College (in this Act referred as the
2 "the Council").

3 (2) Without prejudice to the generality of subsection (1) of this
4 Section, it shall be the responsibility of the Council to consider and approve:

5 (a) the plan of activities of the College;

6 (b) the programme of studies, courses, and research to be
7 undertaken by the College;

8 (c) the annual estimates of the College; and

9 (d) the investment plans of the College.

10 (3) The provisions of the 1st part of this act shall have effect with
11 respect of the Council specified herein.

12 **3.-(1)** The Council shall consist of a chairman and the following Membership of
the Council
13 other members, to be appointed by the Minister of Education:

14 (a) a representative of the Federal Ministry of Education;

15 (b) a representative of the Federal Ministry of Agriculture;

16 (c) a representative of the Federal Ministry of National Board for
17 Technical Education;

18 (d) a representative of the Agricultural research Counsel of
19 Nigeria;

20 (e) a representative of the Federal Ministry of Science and
21 Technology;

22 (f) a representative of the alumni association of the College;

23 (g) two representatives of the Academic Board College;

24 (h) a representatives of the National Commission for Colleges;

25 (i) the Provost of the College.

26 **4.-(1)** A member of the Council (other than an ex-officio member) Tenure of office
of Members of
the Council
27 shall hold office for a term of four years and shall be eligible for
28 reappointment for a further period of four years and no more.

29 (2) Any member of the Council other than an ex-officio member
30 may by notice to the Council resign its appointment.

Powers of the
Council

1 (3) Any vacancy occurring in the membership of the Council shall be
2 filled by the appointment of a successor who shall represent the same interest as
3 his predecessor for the remainder of the term of the predecessor.

4 **5.-(1)** For the carrying out of its objects as specified in Section 1 sub 3
5 of this Act, the Council shall have power to:

6 (a) hold examination and grant diplomas, professional certificates
7 and other distinctions to persons who have pursued a course of study approved
8 and accredited by the National Board for Technical Education (NBTE) and
9 have satisfied such other requirement as the Council may lay down;

10 (b) demand and receive from any student or any other person
11 attending the College for the purpose of instruction such fees as the Council
12 may, with the prior approval of the Minister, from time to time to determine;

13 (c) establish technical agricultural, agricultural and rural extension
14 services In various parts of Nigeria;

15 (d) hold public lectures and undertake printing, publishing and book
16 selling;

17 (e) provide amenities for and make such other provision for the
18 welfare of the staff of the College;

19 (f) invest the funds of the College in securities specified by law or in
20 such other securities in Nigeria as may be approved by the Minister;

21 (g) borrow money within Nigeria as may in such manner upon such
22 security as the Minister may from time to time authorise;

23 (h) enter into such contracts as may be necessary or expedient for
24 carrying into effect the objective of the College;

25 (i) recruit staff to the right calibre and determine the centre the career
26 structure of such staff;

27 (j) establish and maintain such schools, institutes, extramural
28 departments and other teaching and research units within the college as the
29 Council may from time to time, deem necessary;

1 (k) institute and award fellowships, scholarship, medals, prizes
2 and other titles;

3 (l) erect, provide, equip and maintain such educational,
4 recreational and residential facilities as the College may require from time to
5 time;

6 (m) accept gifts, legacies and donations, but without obligations to
7 accept the same for a particular purpose unless it approves the terms and
8 conditions attaching thereto;

9 (n) enter into contracts, establish trust, acts as trustee, solely or
10 jointly with any other person, and employ and act through agents; and

11 (o) do such acts and things whether or not incidental to foregoing
12 powers as may advance the objects of the College.

13 **6.** The functions of the College shall be:

Functions of the
College

14 (a) to provide full-time courses in teaching instruction and training
15 in;

16 (i) agriculture, agricultural technology, technology, applied
17 sciences, arts, social sciences, arts social science, humanities and
18 management; and

19 (ii) such other fields of applied learning relevant to the
20 development of needs in Nigeria.

21 (b) to conduct courses in agriculture, technical agriculture and
22 applied sciences for teachers;

23 (c) to arrange conferences, seminars and workshop relative to the
24 functions of the College; and

25 (d) to perform such other functions which, in the opinion of the
26 College may serve to promote the objectives of the College.

27 **7.-(1)** The Minister shall be the Visitor of the College.

The Visitor of
the College

28 (2) The Visitor shall not less than once in every five (5) years
29 conduct a visitation to the College or appoint a visitation panel to consist of
30 not less than 5 experts to conduct the visitation for:

	1	(a) the purpose of evaluating the academic and administrative
	2	performance of the College; or
	3	(b) such other purpose as the Visitor may deem fit.
The Academic Board of the College	4	8. There shall be established for the College a board to be known as
	5	the Academic Board which shall consist of the following members-
	6	(a) the provost of the College as the Chairman;
	7	(b) all heads of departments;
	8	(c) the College Bursar;
	9	(d) the College Librarian; and
	10	(e) not more than 3 members of the academic staff other than the
	11	heads of departments to be appointed by the Governing Council.
	12	(2) The Academic Board shall be responsible for-
	13	(a) the direction and management of academic matters of the College
	14	including regulation of admission of students, the award of certificates,
	15	scholarships, prizes and other academic distinction; and
	16	(b) discharging of any other function which the Governing Council
	17	may from time to time delegate it.
Directions	18	9. The Minister may give to the Governing Council directions of
	19	general Character relating generally to matters with regard to the exercise by
	20	the Council of its functions and it shall be the duty of the Governing Council to
	21	comply with such directions.
The Provost of the College	22	10.-(1) There shall be the Provost of the College (in this bill referred
	23	as the Provost) who shall be appointed by the President on the recommendation
	24	of the Minister.
	25	(2) where a vacancy occurs in the post of the Provost, the Governing
	26	Council shall \advertise the vacancy in a reputable widely read newspapers in
	27	Nigeria specifying the:
	28	(a) qualities of the person who may apply for the post, and
	29	(b) terms and condition of service applicable to the post, and
	30	thereafter draw up short list of suitable candidates for considerations.

1 (3) The President shall appoint as Provost one of the candidates
2 recommended to him by the Minister.

3 (4) subject to this Act and the general control of the Council, the
4 Provost shall be the chief executive of the College and shall be charged with
5 the general responsibility for matters relating to the day-day management of
6 the College.

7 (5) The Provost:

8 (a) shall hold office for a period of four years beginning with
9 effective date of his appointment and on such terms and conditions as may
10 be specified in his letter of appointment;

11 (b) may be reappointed for one further period of 4years and no
12 more.

13 **11.-(1)** There shall be for the College 2 Deputy Provost namely- Deputy Provost

14 (a) Deputy Provost (Academics); and

15 (b) Deputy Provost (Administration).

16 (2) The Governing Council shall appoint the Deputy Provosts from
17 among the Chief Lecturers in the College in any of the following ways that
18 is-

19 (a) from a list of 5 candidates in order of preference, submitted by
20 the Provost;

21 (b) on the recommendation of a Selection Board constituted for the
22 purpose; or

23 (c) on the nomination of the Provost.

24 (3) The Deputy Provost (Academics) shall-

25 (a) assist the Provost in the performance of his functions in
26 academic matters of the College; and

27 (b) act as the Provost when the post of the Provost is vacant or if the
28 Provost is, for any reason, absent or unable to perform his functions.

29 (4) The Deputy Provost (Administration) shall-

30 (a) assist the Provost in administrative matters of the College; and

1 (b) perform such other function as the Provost or the Governing
2 Council shall from time to time assign to him.

3 (5) Each of the Deputy Provosts:

4 (a) shall hold office for a period of two years beginning with effective
5 date of his appointment and on such terms and conditions as may be specified
6 in his letter of appointment;

7 (b) may be reappointed for one further period of 2 years and no more.

Register of the
College

8 **12.**-(1) There shall be a Registrar for the College to be appointed by
9 the Governing Council.

10 (2) The Registrar shall keep the records and conduct the
11 correspondence of the Council.

12 (3) The Registrar shall be the Secretary to-

13 (a) the Governing Council;

14 (b) the Academic Board; and

15 (c) any committee of the Governing Council.

16 (4) The Registrar may perform any duty as may be assigned to him by
17 the Governing Council or the Provost.

18 (5) The Registrar shall:

19 (a) shall hold office for a period of two years beginning with effective
20 date of his appointment and on such terms and conditions as may be specified
21 in his letter of appointment;

22 (b) may be reappointed for one further period of 2 years and no more.

Bursar and
Librarian of
the College

23 **13.**-(1) There shall be for the College in addition to the Registrar, the:

24 (a) Bursar; and

25 (b) College Librarian who shall be appointed by the Governing
26 Council.

27 (2) The Bursar shall be the chief financial officer of the College and be
28 responsible to the Provost for the day-to-day administration and control of the
29 financial affairs of the College.

30 (3) The College Librarian shall be responsible to the Provost for the

1 administration and control of the financial affairs of the College.

2 (4) The Bursar and the College Librarian:

3 (a) shall each hold office for a period of 4 years beginning with
4 effective date of his appointment and on such terms and conditions as may
5 be specified in his letter of appointment; and

6 (b) may be reappointed for one further period of 4 years and no
7 more.

8 **14.** A Principal Officer of the College may resign his appointment:

Resignation of
Principal Officers

9 (a) in the case of the Provost, by notice to the Visitor; and

10 (b) in any other case, by notice to the Governing Council.

11 **15.**-(1) The Governing Council may appoint other persons to be
12 employees of the College as they deem it fit to assist the Provost and the
13 Principal Officer in the performance of their functions.

Other Employees
of the College

14 (2) The remuneration, tenure of office and condition of service of
15 the employees of the College shall be determined by the Governing Council
16 in consultation with the Federal Civil Service Commission.

17 **16.** Service in the College shall be approved service for the
18 purpose of the Pension Reform Act and accordingly, officers and other
19 persons employed in the College shall be entitled to pensions, gratuity and
20 other retirement benefits as may be prescribed in their respective letters of
21 appointment.

Pension

22 **17.**-(1) There shall be a Selection Board for the College which shall
23 consist of-

Selection Board

24 (a) the Chairman of the Governing Council;

25 (b) the Provost of the College;

26 (c) 4 members of the Governing Council not being members of the
27 Academic Board; and

28 (d) 3 members of the Academic Board.

29 (2) The functions, procedure and other matters relating to the
30 Selection Board constituted under subsection (1) of this section shall be

	1	determined from time to time by the Governing Council.
Fund of the College	2	18. -(1) The College shall establish and maintain a fund which shall be
	3	applied towards the promotion of the objective of this Bill.
	4	(2) There shall be paid and credited to the fund established under
	5	subsection (1) of this section-
	6	(a) such sums as may from time to time be granted by the Federal
	7	Government;
	8	(b) all monies raised by the Governing Council by way of gifts,
	9	grants-in-aid and monetary depositions; and
	10	(c) all subscription, fee and charges for services rendered by the
	11	College and all other sums that may accrue to the College from any source.
	12	(3) The Governing Council shall submit to the Minister, through the
	13	National Commission for College of Education not later than three months
	14	before the end of each financial year or at such other time as he may direct an
	15	estimate of its revenue and expenditure for the next succeeding financial year.
Power to accept gifts	16	19. -(1) The College may accept gifts, money or of other property and
	17	upon such terms and conditions, if any, as may be specified by the person
	18	making the gifts.
	19	(2) The College shall not accept any gift if the conditions attached in
	20	the gifts are inconsistent with the functions of the College.
Accounts and audit	21	20. The College shall keep proper accounts of its receipts, payment
	22	assets and liabilities and shall in respect of each year cause the accounts to be
	23	audited.
Annual reports	24	21. The Governing Council shall as soon as may be after the
	25	expiration of each financial year, prepare and submit to the Minister a report of
	26	its activities during the immediate preceding financial year and shall include in
	27	the report a copy of the audited accounts of the College for that year and of the
	28	auditor's report of the accounts.
Interpretation	29	22. In this bill-
	30	"Chairman" means the Chairman of the Governing Council;

2 Ukwu established under section (1) of this Bill;

4 section 2 of this Bill;

5 "Functions" includes powers and duties;

6 "Minister" means the Minister charged with responsibility for education;

8 Chairman;

10 this Bill.

12 Agriculture Eungwu- Ukwu (Establishment, etc) Bill, 2021.

13 SCHEDULE

14 (Section 2(3))

15 SUPPLEMENTARY PROVISION RELATING TO THE GOVERNING

16 COUNCIL ETC

17 *Terms of Service*

19 any committee, other than ex-officio members, such remuneration and
20 allowances as may from time to time be determined by the President.

in section 3, it shall be filled by the appointment of a successor to hold office
for the remainder of the term of his predecessor in office and such successor
shall represent the same interest as his predecessor.

26 in its membership or any defect in the appointment of a member or the
27 absence of a member.

28 *Proceedings*

30 business at such times, places and such days as the Chairman may appoint

1 but shall meet not less than once every four months.

(2) The Chairman may at any time and shall, at the request in writing of not less than five members, convene a meeting of the Governing Council.

4 (3) At any meeting of the Council the Chairman shall preside; but in
5 his absence, members present shall elect one of their members to preside at the
6 meeting.

(4) Where the Governing Council desires to obtain the advice of any person on any particular matter, the Council may co-opt persons who are not members of the Governing Council but the person shall not be entitled to vote at a meeting of the Governing Council.

(5) The Quorum of the Governing Council shall be one and half of the total members of the Governing Council, at least one of whom shall be a member appointed by the Minister.

14 (6) Decisions of the Council shall be made on approval by a simple
15 majority of members.

16 *Miscellaneous*

17 5.-(1) The fixing of the seal of the College shall be authenticated by
18 the signature of the Chairman, Provost and of some other members of the
19 Governing Council authorized generally or specially by the Governing
20 Council to act for that purpose.

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

25 (3) Any document purporting to be duly executed under the seal of the
26 College shall be received in evidence and shall, unless the contrary is proved
27 presumed to be so executed.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Federal College of Agriculture (Technical) Enugwu-Ukwu, Anambra State, to provide full time courses, teaching instructions and training in Agriculture and carry out its due Administration and Management.