

Extraordinary



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A BILL

FOR

AN ACT TO PROVIDE FOR ESTABLISHMENT OF THE CHARTERED INSTITUTE
OF ACTUARIES TO REGULATE, CONTROL AND DETERMINE THE
STANDARDS OF KNOWLEDGE TO BE ATTAINED BY PEOPLE SEEKING TO
BECOME CHARTERED ACTUARIES AND FOR RELATED MATTERS

Sponsored by Hon. Uzoma Nkem-Abonta

Hon. Tyough Robert A.

Hon. Magaji A. Gwama

- 1 I.-(1) There is established a body to be known as the Chartered Establishment of
2 Institute of Actuaries (in this Bill referred to as the Institute"). Chartered Institute
3 (2) The Institute: of Actuaries
4 (a) shall be a body corporate with perpetual succession and a
5 common seal;
6 (b) may sue and be sued in its corporate name; and may acquire,
7 hold and dispose of any property, movable and immovable; and
8 (c) shall be charged with the duty of determining standards and
9 practice for persons and organisations in the actuaries profession.
10 2. The Institute shall be charged with the following objectives, Objectives of the
11 that is to: Institute
12 (a) provide qualitative training, and re-training that will
13 professionally empower, efficiently facilitate operational compliance with
14 extant laws and to legally regulate the profession for best results, that
15 explicitly define professionalism of its practitioners;
16 (b) promote the status of the Actuarial profession;
17 (d) to regulate the practice by the members of the profession of
18 Actuary;
19 (e) to promote, in the public interest, knowledge and research in all
20 matters relevant to Actuarial science and its application; and

Ancillary
Objectives of
the Institute

1 (f) collaborate with regulatory authorities for full compliance with
2 extant laws as it affects the profession of actuary, in eliminating and
3 ameliorating consequential breaches;

4 (g) increase the real and perceived, or potential, collective capabilities
5 of individual members for enhanced group benefits;

6 (h) generate, collate and distribute information data, for vital decision
7 making, through a systematically designed and reliable database for industry
8 use of all stakeholders for effective planning and organisation;

9 (i) sponsor, support and pursue creative policies that will further
10 deepen the receivable benefits of joint efforts, through conferences, seminars,
11 workshops and other enlightenment activities for maximum impacts;

12 (j) significantly reduce the rates of poverty and unemployment, and
13 its ultimate impacts by deliberate actions of the Institute;

14 (k) collaborate with local, state, national and international agencies,
15 and organisations, for the achievement of objectives of the Institute; and

16 (l) foster industrial stability and social harmony for the actuary
17 profession to thrive.

18 **3. The Institute shall:**

19 (a) determine the standards of knowledge and skills to be attained by
20 persons seeking to become members of The Institute, review those standards,
21 from time to time, as circumstances may require;

22 (b) secure, in accordance with the provisions of this Bill, the
23 establishment and maintenance of a register of members of the Institute and the
24 publication, from time to time, of lists of those persons;

25 (c) conduct professional examinations leading to the award of
26 certificates as may be prescribed by The Institute;

27 (d) ensure the furtherance, maintenance and observance of ethical
28 standards, discipline and professionalism among practitioners within the not-
29 for-profit establishments as well as maintain a monitoring team to ensure
30 compliance;

1 (e) do such things as may impart, advance and promote positive
2 projection of The Institute in both the public and private sectors of the
3 economy; and

4 (f) perform, through the Governing Council, the functions
5 conferred on it by this Bill.

6 4.-(1) Membership of the Institute shall be in two categories of Membership of
7 individual and corporate. the Institute

8 (2) All persons, employed by or involved in activities of not-for-
9 profit establishments are eligible to be registered by the Institute in any of
10 the following categories, provided they meet the criteria set by the
11 Governing Council, from time to time, for registration in any of these
12 categories:

13 (a) Individual Members to include:

14 (i) Ordinary Member;

15 (ii) Student Member;

16 (iii) Graduate Member;

17 (iv) Junior Associate;

18 (v) Full Associate;

19 (vi) Honorary Senior Member;

20 (vii) Honorary Fellow;

21 (viii) Fellow;

22 (ix) Distinguished Fellow;

23 (x) Emeritus Fellow;

24 (b) Corporate Members to include:

25 (i) Regular Corporate Member or Special Corporate Member;

26 (ii) Junior Corporate Associate;

27 (iii) Full Corporate Associate;

28 (iv) Corporate Fellow;

29 (v) Distinguished Corporate Fellow.

Provisions relating
to Membership
of the Institute

1 5.-(1) An individual, or a corporate establishment registered under
2 this Bill, shall be enrolled into only one of the membership categories in Clause
3 4(2), at one time, as no member's name shall appear in more than one part of the
4 Institute's Membership Register.

5 (2) The Governing Council shall:

6 (a) set out the procedure for elevation of members to a higher status
7 and shall exercise the prerogative to determine such applications;

8 (b) from time to time, determine, for use, the suffixes applicable to
9 each class of membership which shall be affixed after the member's name;

10 (c) determine the nature and format of proof of membership
11 document to be issued and shall cause such to be issued as evidence to all
12 registered members of The Institute; and

13 (d) have the final say on all applications for membership of The
14 Institute and its decisions, on this matter, shall not form the subject of litigation
15 in any court of law.

16 (3) Pursuant to the provisions of Clause 5(1), any member who has
17 been enrolled in line with Clause 4(2) of this Bill shall be qualified for elevation
18 to a higher membership status if he has applied in the manner prescribed by and
19 satisfactory to the governing council, notifying of his eligibility for elevation.

20 (4) Application for higher membership status by a member shall be
21 denied, with reason(s) communicated in writing to that member, where the
22 governing council deems it fit and appropriate to do so.

23 (5) A member who has been previously denied elevation to a higher
24 membership status by the governing council may reapply, and shall not be
25 denied, if he has:

26 (a) made good the reason(s) for his previous denial; and

27 (b) met other conditions, if any, that may have become necessary
28 since his previous application was denied.

Election of
President, Vice-
Presidents, etc.

29 6.-(1) There shall be a President and Four Vice-Presidents who shall
30 be outstanding Fellows of the Institute and shall be elected at the Annual

1 General Meeting of the Institute and shall each hold office for a term of two
2 years, notwithstanding the provisions of paragraph 1 (1) of the First
3 Schedule of this Bill, from the date of their election.

4 (2) To qualify for election as President of the Institute, the member
5 shall subsist in the office of Vice-President at the time of contesting the
6 election;

7 (3) To qualify for election as Vice-President of the Institute, the
8 member shall subsist as a member of the council at the time of contesting the
9 election;

10 (4) Upon the emergence at election of a new President of the
11 Institute, the tenure of other three subsisting Vice-Presidents shall
12 automatically lapse and they shall step down from their offices and shall be
13 ineligible to recontest;

14 (5) Upon a candidate winning an election into the office of
15 President, he shall be immediately sworn in and shall, consequently, be
16 decorated as a distinguished Fellow of the Institute;

17 (6) The President shall preside at all meetings of the Institute, so
18 however that, in the event of the death, incapacity or inability for any reason
19 of the President, the First Vice- President shall act in his stead for the
20 unexpired portion of the term of office, or as the case may require, and
21 references in this Bill to the President shall be construed accordingly.

22 (7) In furtherance to the provisions of sub-Clause (2), a bye-
23 election within the Council shall be conducted to elect one of the Vice-
24 Presidents to serve as Acting President and the Council shall elect one of its
25 members to assume the vacant post of Vice-President for the period before
26 the next Annual General Meeting;

27 (8) The President shall be Chairman of the Council;.

28 (9) If the President, or the Vice-President, ceases to be a member of
29 the Institute, he shall ipso facto cease to hold any of the offices designated
30 under this Bill;

Membership of
the Governing
Council

1 (10) There shall be established a Body of Emeritus and Distinguished
2 Fellows of The Institute.

3 7.-(1) There is established for the Institute a Governing Council (in
4 this Bill referred to as "the Council") which shall be charged with the
5 responsibility of providing the guiding policy direction and administration of
6 the Institute, oversee activities of the Executive Committee and setting the
7 standards of education and training therein.

8 (2) The Council membership shall consist of the following:

9 (i) A Chairman, who shall be President of the Institute;

10 (ii) Four Vice-Chairmen, of equal number of male and female, who
11 shall be Vice- Presidents of The Institute;

12 (iii) Five members of the Institute who shall be elected at its Annual
13 General Meeting, one of who shall be the Treasurer and another, the Deputy
14 Secretary of the Institute;

15 (iv) Immediate past President of the Institute, upon successful
16 completion of his term of office;

17 (v) One member from the Body of Emeritus and Distinguished
18 Fellows of the Institute, other than the immediate past President;

19 (vi) A representative of units in each defined geographical area of the
20 Institute and such other units as may be created by the Council, from time to
21 time;

22 (vii) A representative of the Ministry of Finance who shall be
23 appointed by its Minister;

24 (viii) Registrar-General of the Corporate Affairs Commission or his
25 nominee, who shall not be below the rank of Assistant Director;

26 (ix) Two persons who are members of the Institute and appointed by
27 the Minister for Education to represent institutions of higher learning and
28 offering courses leading to an approved qualification, in rotation, so however
29 that the two shall not come from the same tertiary institution;

30 (x) A representative of the Ministry responsible for trade and

- 1 commerce, who shall be appointed by its Minister;
- 2 (xi) A representative each of the National Universities
- 3 Commission (NUC) and the National Board for Technical Education
- 4 (NBTE), not below the rank of Assistant Director;
- 5 (xiii) Four persons from the not-for-profit establishments, with one
- 6 each from Insurance, Loss Adjusters, research organisations, foundations;
- 7 (xiv) A representative of the National Insurance Commission, who
- 8 shall be appointed by its Director-General;
- 9 (xv) Two ex-officio members, appointed by Chairman of the
- 10 Council; and
- 11 (xvi) The Registrar/Chief Executive, who shall serve as Secretary.
- 12 (3) Regulations made by the Council, may provide for increasing
- 13 or reducing membership of the Council and appropriate amendments shall
- 14 be made as considered expedient, for the purpose of or in consequence of the
- 15 increase or reduction, and published in The Institute's journal.
- 16 (4) The provisions of the First Schedule to this Bill shall have effect
- 17 with respect to the qualifications and tenure of office for members of the
- 18 Council and other matters.
- 19 **8. The Council shall have power to:**
- 20 (a) organise, define and give directions on policies and its
- 21 implementation for The Institute;
- 22 (b) establish and maintain the Institute's vision, mission statement
- 23 and objectives;
- 24 (c) develop long-range strategic plans for the Institute;
- 25 (d) develop and maintain a broad Policy Manual to guide
- 26 administration of the Institute;
- 27 (e) evaluate institutional, presidential and committee
- 28 performances;
- 29 (f) approve employment, on full time basis, of the Registrar and
- 30 other senior level employees of The Institute;

Powers of the
Council

- 1 (g) authorise any additional or new positions at the Vice-President
2 level, subject to subsequent approval of the Annual General Meeting;
- 3 (h) approve and execute negotiated agreements with bargaining units;
- 4 (i) receive, consider, revise and approve the capital and operating
5 budgets of the Institute, from time to time;
- 6 (j) accept grants, conveyances, devices of real or personal property
7 from public and private sources and adopt regulations to govern the receipt and
8 expenditure of the proceeds, rents, profits and income thereof;
- 9 (k) authorise and approve, self-supporting facilities for members by
10 way of grants, loan requests or contract funding proposals;
- 11 (l) authorise and approve requests for the purchase of long-term lease,
12 for two years or more, of real property and leases involving new programmes
13 or new locations;
- 14 (m) enter into major contracts with persons and agreements with
15 public agencies on behalf of The Institute;
- 16 (n) borrow money, issue and sell financial bonds or other evidences of
17 indebtedness;
- 18 (o) approve the initiation or discontinuation of programmes being
19 funded by the Institute;
- 20 (p) retain the responsibility for the expenditure of third party funds by
21 the Institute, its agents and employees;
- 22 (q) adopt, amend or repeal some or all rules that are given in the
23 pursuit of objectives of The Institute;
- 24 (r) exercise all authority expressly reserved to the Council in rules
25 which have been, or are hereafter, adopted or amended, from time to time;
- 26 (s) retain all authority which may be hereafter delegated to the
27 Council under this Bill unless such authority is expressly delegated to the
28 President or his designee; and
- 29 (t) ensure that all statutory reports are prepared and filed with the
30 regulatory authorities, as and when due.

1	9. The Council shall meet every quarter to consider issues brought	Quarterly Meetings
2	before it by the Institute and other sundry bodies, etc.	of the Council
3	10.-(1) There shall be established and maintained a fund,	Financial
4	comprised of all bank accounts, cash and other assets held by the Institute,	Provisions
5	the management and control of which shall be in the hands of the Council,	
6	and into which shall be paid:	
7	(a) all subventions, fees, fines, penalties and charges for services	
8	rendered or publications made by The Council;	
9	(b) gifts, endowments, bequests, loans, donations, grants or aids;	
10	(c) foreign aids and assistance from bilateral and multilateral	
11	agencies such as affiliated bodies on actuaries; donations charges and	
12	monies payable to the Institute in pursuance of this Bill shall be without any	
13	conditions whatsoever and not inimical to the Institute, Nigerian	
14	government or its agencies; and	
15	(d) such other monies as may be received by the Institute in the	
16	course of its operations or in relation to the exercise of any of the functions	
17	under this Bill.	
18	(2) Signatories to bank accounts of the Institute shall be the:	
19	(a) Registrar and the Council Chairman, jointly, for amounts in	
20	excess of two million naira; or	
21	(b) Chairman of the Council, only, for amounts not exceeding two	
22	million naira.	
23	(3) There shall be paid out of the fund of the Institute:	
24	(a) the remuneration and allowances of the Institute's Council	
25	members and other employees of the Institute;	
26	(b) such reasonable travel and subsistence allowances of members	
27	of The Council in respect of the time spent on the business of the Institute as	
28	the Council may determine; and	
29	(c) any other expenses incurred by the Council in the discharge of	
30	its functions under this Bill.	

1 (4) the Council may invest monies from the fund in any security
2 created or insured by or on behalf of the Federal Republic of Nigeria or in any
3 other securities in Nigeria approved by The Council.

4 (5) The Council may, from time-to-time, borrow money for the
5 Institute and any interest payable on monies so borrowed shall be paid out of
6 the fund.

7 (6) All members of the Institute shall cause to be paid to the fund,
8 annual dues and levies as may be fixed by the Council, from time-to-time.

Proper accounts
keeping and the
Institute's audited
accounts

9 **11.**-(1) The Council shall, on behalf of the Institute, keep proper
10 books of accounts in respect of each year and proper records concerning these
11 accounts, and The Council shall cause the accounts to be audited by an external
12 auditor and, when audited, the accounts shall be submitted to members of The
13 Institute for approval at a General Meeting. Such audited accounts shall be
14 deemed to have fulfilled requirements of the Financial Reporting Standards.

15 (2) Audit of the Institute's books shall be in accordance with
16 provisions of the Constitution of the Federal Republic of Nigeria, 1999, as
17 amended.

Appointment
of Registrar

18 **12.**-(1) The Council shall appoint a fit and proper person who shall be
19 a member of the Institute as the Registrar, and such other persons as the Council
20 may, from time to time, deem necessary to assist the Registrar in the
21 performance of his functions under this Bill.

22 (2) The Registrar shall, in addition to his other functions, be the
23 Secretary to the Council and shall keep minutes of all its proceedings.

24 (3) The Registrar shall:

25 (i) be the Chief Executive and Accounting Officer of the Institute; and

26 (ii) be responsible for the day-to-day administration of the Institute
27 and responsible to the Council for execution of the policy directives thereof.

28 (4) The Registrar shall be appointed for a term of Three (3) years, in
29 the first instance and, upon satisfactory performance, may be reappointed for a
30 further term of three years, and no more.

1 (5) The Registrar shall be paid such remuneration as may be
2 specified in his letter of appointment or as determined by the Council, using
3 the Institute's established emoluments pay structure.

4 (6) The Registrar shall cease to hold office if any of the conditions
5 pertaining to cessation of membership of the Institute and the Council
6 applies to him.

7 (7) The Registrar may resign his appointment by a written notice
8 under his hand delivered to The Council Chairman.

9 (8) It shall be the duty of the Registrar to:

10 (a) prepare and maintain, in accordance with rules made by The
11 Council, a Register of names, addresses and approved qualifications and of
12 such other particulars, as may be specified in the rules, of all persons who are
13 entitled, in accordance with provisions of his Bill, to be registered as
14 members of the Institute;

15 (b) correct, in accordance with direction of the Council, any entry
16 in the Registers, which the Council directs him to correct as being, in the
17 opinion of the Council, an entry which was incorrectly made;

18 (c) make, from time to time, any necessary alterations to the
19 registered particulars of registered persons;

20 (d) record the names of members of the Institute who are in debt for
21 more than one year in the payment of annual subscription, or practicing fee,
22 and to take such action in relation thereto, including the removal of names of
23 defaulters from the Register, as the Council may direct or require;

24 (e) cause the Register to be printed, published and put out on sale to
25 members of the public not later than two years from commencement of this
26 Bill;

27 (f) remove from the Register the name of a deceased member;

28 (g) in each year after that in which a Register is first published
29 under paragraph (e) of this sub-clause, cause to be printed, published and put
30 on sale, as aforesaid, either a corrected edition of the Register or list of

Register

1 alterations made to the Register since it was last printed; and

2 (h) cause a print of each edition of the Register and of each list,
3 corrections to be deposited at the headquarters of the Institute, and it shall be
4 the duty of the Council to keep the Register and list so deposited, available at all
5 reasonable times for inspection by members of the public, for a fee to be
6 determined by the Council.

7 **13.**-(1) There shall be, for the purpose of this Bill, two Registers, of
8 which one shall be for individual members and the other for corporate
9 members as follows:

10 (a) The register of Individual Members, which shall consist of 10
11 classes, of which:

12 (i) The first part shall be for Ordinary members;

13 (ii) The second part shall be for Student members;

14 (iii) The third part shall be for Graduate members;

15 (iv) The fourth part shall be for Junior Associate members;

16 (v) The fifth part shall be for Full Associate members;

17 (vi) The sixth part shall be for Honorary Senior members;

18 (vii) The seventh part shall be for Honorary Fellows;

19 (viii) The eighth part shall be for Fellows;

20 (ix) The ninth part shall be for Distinguished Fellows; and

21 (x) The tenth part shall be for Emeritus Fellows.

22 (b) The register of Corporate Members, which shall consist of 5
23 classes, of which:

24 (i) The first part shall be for Regular Corporate Members and Special
25 Corporate Members;

26 (ii) The second part shall be for Junior Corporate Associates;

27 (iii) The third part shall be for Full Corporate Associates;

28 (iv) The fourth part shall be for Corporate Fellows; and

29 (v) The fifth part shall be for Distinguished Corporate Fellows.

30 (2) Subject to the provisions of this Clause, the Council shall make

1 rules with respect to the form and keeping of the Register and the making of
2 entries therein, and in particular:

3 (a) regulating the making of applications for enrolment,
4 registration or upgrading to a higher membership class, as the case may be,
5 and providing for the evidence to be produced in support of applications;

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

8 (c) authorising a registered person to have any qualification which
9 is, in relation to the relevant membership class of the profession, either an
10 approved qualification or an accepted qualification for purposes of this Bill,
11 registered in relation to his name in addition to or, as he may elect, in
12 substitution for any other qualifications so registered;

13 (d) specifying fees, including any annual subscription, to be paid to
14 The Institute in respect of the entry of names on the Register, and authorising
15 the Registrar to refuse to enter a name on the Register until any fee specified
16 for the entry has been paid;

17 (e) specifying anything failing to be specified under the foregoing
18 provisions of this Clause, but rules made for the purposes of paragraph (d) of
19 this sub-Clause shall not come into force until they are confirmed at a special
20 meeting of the Institute convened for the purpose thereafter, or at the next
21 Annual General Meeting, as the case may be.

22 (3) If the Registrar:

23 (a) sends, by post to any registered person, a letter addressed and
24 delivered to him at his address, usually on the Register, enquiring whether
25 the registered particulars relating to him are correct and receives no reply to
26 the letter within seven months from the date of posting it; and

27 (b) upon expiration of the period, sends, in like manner, to the
28 person in question, a second similar letter and receives no reply within three
29 months from the date of posting it, the Registrar may include the name of
30 such person in the list of special cases under this sub-Clause for the

1 Council's consideration and may, if directed by the Council, remove the
2 particulars relating to the person in question from the Register:

3 Provided that the Council may direct the Registrar to restore, to the appropriate
4 part of the Register, any particulars removed therefrom pursuant to this sub-
5 clause.

6 (4) A document purporting to be a print of an edition of a Register
7 published under this clause by authority of the Registrar, or documents
8 purporting to be prints of an edition of a Register so published and of the list of
9 corrections to that edition so published, shall, without prejudice to any other
10 means of proof, be admissible in any proceedings as evidence that any person
11 specified in the document, or the documents read together, as being registered
12 was so registered at the date of the edition or of the list of corrections, as the
13 case may be, and that any person not so specified was not so registered.

14 (5) Where, in accordance with sub-clause (4) of this clause, a person
15 is, in any proceeding, shown to have been or not to have been registered at a
16 particular date, he shall, unless the contrary is proved, be taken for the purposes
17 of those proceedings as having at all material times thereafter continued to be,
18 or not to be, so enrolled or so registered.

Registration of
members

19 **14.-(1)** An individual, other than the one whose membership has been
20 suspended by a directive of the Disciplinary Tribunal, shall be entitled to be
21 registered as a member of the profession if he satisfies the Council that:

22 (i) he has passed the prerequisite qualifying examinations accepted by
23 the Council and completed the prescribed practical training;

24 (ii) he holds a qualification, for the time being, accepted by the
25 Institute and is, by law, entitled to practice, for all purposes, as a professional in
26 which the qualification was granted and if The Council so requires, he satisfies
27 the Council that he has sufficient experience;

28 (iii) immediately before commencement of this Bill, he holds a
29 qualification, approved for membership by the Institute, of any professional
30 body, on recommendation of the Council;

1 (iv) before the 2nd day of May, 2020, he was a full graduate of a
2 recognised tertiary institution, with two years' post-qualification
3 experience;

4 (v) he is, immediately before commencement of this Bill, not
5 below the rank of Assistant Director in the public service, provided he
6 possesses a first degree, or its equivalent, in any discipline, or;

7 (vi) he is a lecturer or instructor in an educational institution, at the
8 tertiary level, with a minimum of 5 years post qualification experience, or 10
9 years at the secondary level;

10 (vii) he is of good character;

11 (viii) he has attained eighteen years in age; and

12 (ix) he has not been convicted of an offence involving fraud or
13 dishonesty.

14 (2) The Council may, in its sole discretion, provisionally accept a
15 qualification produced in respect of an application for registration, under
16 this clause, or direct that the application be renewed within such period as
17 may be specified in the discretion.

18 (3) Any entry directed to be made in the Register, under sub-
19 clause(2) of this clause, shall show that the registration is provisional and no
20 entry so made shall be converted to full registration without consent of the
21 council, signified in writing, in that behalf.

22 (4) The council shall, from time to time, publish in The Institute's
23 journal, particulars of qualifications, for the time being, accepted as
24 aforesaid.

25 (5) The council may approve any institution, for the purposes of
26 this Bill, and may, for those purposes, approve:

27 (a) any course of training, at any approved institution, which is
28 intended for persons seeking to become or are already members of the
29 profession and which, in the opinion of the council, is designed to confer on

1 persons completing it sufficient knowledge and skill for practice of the
2 profession;

3 (b) any qualification which, as a result of an examination taken in
4 conjunction with a course of training approved by the council, under this
5 clause, is granted to candidates reaching a standard at the examination
6 indicating, in the opinion of the council, that the candidates have sufficient
7 knowledge and skill for practice of the profession.

8 (6) The council may, if it thinks fit, withdraw any approval given,
9 under this clause, in respect of any course, qualification or institution; but
10 before withdrawing such an approval, the council shall:

11 (a) give notice that it proposes to do so to persons appearing to the
12 Council to be persons by whom the course is conducted, or the qualification is
13 granted, or the institution is controlled, as the case may be;

14 (b) afford such person an opportunity of making to the Council
15 representations with regard to the proposal; and

16 (c) take into consideration any representation made as respects the
17 proposal in pursuance of paragraph (b) of this sub-clause.

18 (7) A course, qualification or institution shall not be treated as
19 approved during any period the approval is withdrawn under sub-clause (8) of
20 this clause.

21 (8) Notwithstanding the provisions of sub-Clause (3) of this clause,
22 the withdrawal of an approval under sub-clause (7) of this clause shall not
23 prejudice the eligibility for registration of any person who, by virtue of the
24 approval, was registered or was eligible for registration, either unconditionally
25 or subject to his obtaining a certificate of experience, immediately before the
26 approval was withdrawn.

27 (9) The giving, or withdrawal, of an approval under this clause, shall
28 have effect from such date, either before or after the execution of the
29 instrument signifying the giving or withdrawal of the approval, as the council
30 may specify in the instrument and the council shall:

1 (a) as soon as may be possible, publish a copy of every such
2 instrument; and

3 (b) not later than seven days before its publication as aforesaid,
4 send a copy of the instrument to the affected institution.

5 (10) It shall be the duty of the council to keep itself informed of the
6 nature of:

7 (a) The instruction given at approved institutions to persons
8 attending approved courses of training; and

9 (b) the examinations as a result of which approved qualifications
10 are granted, and for the purposes of performing that duty, the council may
11 appoint, either from among its members or otherwise, persons to visit
12 approved institutions or to observe such examinations.

13 (11) It shall be the duty of a person appointed under this clause to
14 report to the council on:

15 (a) adequacy of the instruction given to persons attending
16 approved courses of training at institutions visited by him;

17 (b) adequacy of the examinations attended by him; and

18 (c) any other matters relating to the institutions, or examinations,
19 on which the Council may, either generally or in a particular case, request
20 him to report, but no such person shall interfere with the giving of any
21 instruction or the holding of any examination.

22 (12) On receiving a report made in pursuance of this clause, the
23 council may, if it thinks fit, and shall, if so required by the institution, send a
24 copy of the report to the person appearing to the council to be in charge of the
25 institution or responsible for the examination to which the report relates,
26 requesting that person to make an observation on the report to the council
27 within such period as may be specified in the request, not being less than one
28 month commencing from date of the request.

29 **15.-(1)** There shall be constituted a body known as the Chartered
30 Institute of Actuaries Investigation Panel (in this Bill referred to as

Establishment of
Investigation Panel
and Disciplinary
Tribunal

1 "Investigation Panel") which shall be charged with the duty to:

2 (a) conduct preliminary investigation into any case where it is alleged
3 that a member of the Institute has violated any of the provisions of the
4 Institute's Code of Conduct or shall, for any other reason, be the subject of
5 proceeding before the Disciplinary Tribunal; and

6 (b) decide whether the case should be referred to the Disciplinary
7 Tribunal, or not.

8 (2) The Investigation Panel shall be constituted by the Council and
9 shall consist of five members as follows:

10 (a) two members of the council, one of whom shall be the Chairman of
11 the Panel; and

12 (b) three members of the Institute who are not members of the
13 Council.

14 (3) All proceedings of the Investigation Panel shall be documented
15 and, for reference purpose, properly archived.

16 (4) The tenure of any member of the Investigation Panel shall be two
17 years and renewable only for a further period of two years.

18 (5) The Council may make rules not inconsistent with this Bill as
19 regard acts which constitute professional misconduct.

20 (6) The Investigation Panel shall act independently in the receiving
21 and investigation of allegations under sub-clause (1) (a) of this clause and shall
22 have the power to receive complaints directly from any individual or
23 organisation.

24 (7) There shall be established the Chartered Institute of Actuaries
25 Disciplinary Tribunal (in this Bill referred to as the Disciplinary Tribunal)
26 which shall be charged with the duty of considering and determining any case
27 referred to it by the Investigation Panel constituted.

28 (8) The Disciplinary Tribunal shall be appointed by the Council and
29 shall consist of a Vice-President of the Institute who shall be the Chairman,
30 three other members of the council and three members of the Institute who are

1 not members of the Council.

2 (9) Provisions of the Second Schedule to this Bill shall have effect,
3 so far as applicable to the Investigation Panel and Disciplinary Tribunal
4 respectively, with respect to all those bodies aforementioned.

5 **16.-(1) Where:**

Penalties for
Unprofessional
Conduct

6 (a) a person is adjudged by the Disciplinary Tribunal to be guilty of
7 misconduct in any professional respect; or

8 (b) a person is convicted, by any court or tribunal of competent
9 jurisdiction in Nigeria, or elsewhere, having the power to award
10 imprisonment for an offence, where or not punishment with imprisonment
11 which, in the opinion of the Disciplinary Tribunal is incompatible with the
12 conduct required of a member of the Actuary profession; or

13 (c) the Disciplinary Tribunal is satisfied that the name of a person
14 has been fraudulently registered, and the person involved has been given
15 opportunity for a fair hearing to defend himself before the Disciplinary
16 Tribunal, the Disciplinary Tribunal shall, after receiving the confirmation of
17 its decision from the Council, convey a direction to the person concerned,
18 reprimanding that person, or ordering the Registrar to strike his name off the
19 relevant part of the Register.

20 (2) A person who commits an offence and is found guilty by
21 decisions of the Disciplinary Tribunal shall be liable to the maximum
22 sanction of having his name being struck off the Register of members
23 provided such offence is related to the practice of the profession.

24 (3) The Disciplinary Tribunal may, if it deems fit, defer or further
25 defer its decision as to the giving of a direction under sub-clause (1) of this
26 clause until a subsequent meeting of the Disciplinary Tribunal, but:

27 (a) no decision shall be deferred under this sub-clause for periods
28 exceeding three months from the conclusion of proceedings in the case; and

29 (b) no person shall be a member of the Disciplinary Tribunal to
30 reach a decision which has been deferred or further deferred unless he was

1 present as a member of the Disciplinary Tribunal when the decision was
2 deferred.

3 (4) For sub-clause (1) (b) of this clause, a person shall be treated as
4 guilty as therein mentioned, unless the guilt stands at a time when no appeal or
5 further appeal is pending or may, without extension of time, be brought in
6 connection with the direction.

7 (5) When the Disciplinary Tribunal gives a direction under sub-
8 Clause (1) of this Clause, the Disciplinary Tribunal shall cause notice of the
9 direction to be served on the person to whom it relates.

10 (6) The person to whom such a direction relates may, at any time
11 within twenty-eight days from the date of service on him/her of the notice of the
12 direction, appeal against the direction to the Federal High Court and, where
13 necessary, to the Court of Appeal and the Disciplinary Tribunal shall appear as
14 the respondent to the appeal and, to enable directions to be given as to the costs
15 of the appeal and of proceeding before the Federal High Court of Appeal, the
16 Disciplinary Tribunal shall be deemed to be a party thereto, whether or not it
17 appeals the hearing of the appeal.

18 (7) A direction of the Disciplinary Tribunal given under sub-Clause
19 (1) of this Clause shall take effect where:

20 (a) no appeal under this clause is brought against the direction, within
21 the time limit for such an appeal, or on the expiration of that time;

22 (b) such an appeal is brought and is withdrawn or struck out for want
23 of prosecution, on the withdrawal, or striking out, of the appeal;

24 (c) such an appeal is brought and is not withdrawn or struck out as
25 aforesaid, if and when the appeal is dismissed and shall not take effect except in
26 accordance with the foregoing provisions of this sub-clause.

27 (8) A person whose name is struck off the Register in pursuance of a
28 direction of the Disciplinary Tribunal under this clause shall not be entitled to
29 be registered again, except, in pursuance of a directive in that behalf and a
30 direction under this clause for the striking off of a person's name from the

1 Register prohibit him from making an application for membership or
2 restoration of his membership until after the period specified by the
3 direction that his name should be struck off, and if he makes an application
4 during the currency of the prohibition such application shall be invalid.

5 **17.** A person who is not a member of the Chartered Institute of
6 Actuaries, before the commencement of this Bill, who but for this Bill is
7 qualified to apply for and obtain membership of the Institute, may apply for
8 membership of the Chartered Institute of Actuaries, established by this Bill,
9 in such manner as may be prescribed by rules made by the council and shall
10 be registered in the category of membership appropriate in the current
11 period for holders of the qualification he possesses.

Application of
this Bill to yet to
be Registered
Actuary

12 **18.-(1)** A person, other than a corporate member, shall be deemed
13 to practice as a member of the profession if, in consideration of
14 remuneration received, or to be received, and whether by himself or in
15 partnership with any other person:

Practice as a
Member of the
Actuary Profession

16 (a) he engages himself in practice within the not-for-profit
17 establishments or holds himself out to the public as a professional
18 practitioner within the 3rd Sector;

19 (b) he renders professional service or assistance in or about matters
20 or principles or details relating to not-for-profit establishment procedures;

21 (c) he renders any other service which may be, by regulations,
22 made by the Council, designated as service constituting practice as a
23 member of the not-for-profit establishments sector; or

24 (d) he is engaged to practice or provide services to organisations
25 within the not-for-profit sector, who but for this Bill, would have been
26 qualified to apply for and obtain membership of the Institute may, within the
27 period of six months beginning from the commencement of this Bill, apply
28 for membership of the institute in such manner as may be prescribed by rules
29 made by the council and, if approved, shall be registered according to his
30 qualification.

When persons
are deemed to
practice as
Professional
Members in the
Not-For-Profit
Establishment
Sector

1 (2) Nothing in this clause shall be construed as to apply to persons
2 who, while in the employment of any government, are required, under the
3 terms or in the course of such employment, to perform the duties or any of the
4 duties of a professional within the context of this Bill.

5 **19.-(1)** For the purposes of paragraph (b), a person shall be deemed to
6 practice as a professional member in the not-for-profit establishments sector if,
7 in consideration of remuneration received, or to be received, and whether by
8 himself or in partnership with any other persons, he:

9 (a) engages himself in services with the not-for-profit establishments
10 or holds himself out to the public as a professional within the 3rd Sector;

11 (b) renders professional service or assistance in, or about matters of
12 principles or details, relating to the not-for-profit establishments' management;

13 (c) describes himself as a professional, employee, manager or
14 administrator or such related nomenclature so construed within the 3rd Sector;

15 (d) renders any other service which may, by regulations made by the
16 Council and in consultation with the Registrar-General of the Corporate
17 Affairs Commission, be designated as service constituting practice as a
18 actuaries professional.

19 (2) Nothing in sub-Clause (1) of this Clause shall be construed as to
20 apply to persons who, while in the employment of any government, are
21 required, under the terms or in the course of such employment, to perform the
22 duties or any of the duties of a 3rd Sector professional.

Provision of
Library Facilities,
etc.

23 **20.** The Institute shall:

24 (a) provide and maintain a library comprising books and publications
25 across the spectrum of Actuary under the care of the Institute's Registrar until
26 such time when a professional librarian would be engaged for professional
27 service, and

28 (b) encourage research into Actuary and allied subjects to the extent
29 that the Council may, from time-to-time, consider necessary.

1 21.-(1) A person, for the purpose of procuring the registration of
2 any name, qualification or other matter who:

3 (a) makes a statement which he believes to be false in a material
4 particular; or

5 (b) recklessly makes a statement which is false in a material
6 particular, shall be guilty of an offence.

7 (2) If, on or after the relevant date, any person who is not a member
8 of the Institute practices or holds himself out to practice as an Actuary
9 practitioner for, or in expectation of, reward or takes or uses the name, titles,
10 addition or description implying that he is in practice as an Actuary
11 professional, he shall be guilty of an offence and be liable to prosecution
12 under this Bill.

13 Provided that, in the case of a person falling within clause 19 of this
14 Bill:

15 (a) this sub-clause shall not apply in respect of anything done by
16 him during the period of three months mentioned in that Clause; and

17 (b) If within that period he duly applies for membership of the
18 Institute then, unless within that period he is notified that his application has
19 not been approved, this sub-clause shall not apply in respect of anything
20 done by him between the end of that period and the date on which he is
21 enrolled or registered or is notified as aforesaid.

22 (3) The Registrar, or any other person, employed by or acting on
23 behalf of the Institute, who willfully makes any falsification in any matter
24 relating to the Register, shall be guilty of an offence.

25 (4) Where an offence under this clause, which has been committed
26 by a body corporate, is proved to have been committed with the consent or
27 connivance of or to be attributable to any neglect on the part of any Director,
28 Manager, Secretary or other similar officer of the body corporate or any
29 person purporting to act in any such capacity, he, as well as the body
30 corporate, shall be deemed to have committed the offence and liable, on

1 conviction by a court of competent jurisdiction, in the case of an individual to
2 the punishment prescribed in sub- clause (5) of this clause and in the case of a
3 body corporate, to a fine of not less than N500,000.

4 (5) A person, who shall be guilty of an offence under this clause, is
5 liable:

6 (i) on conviction, to imprisonment for a term not exceeding two years
7 or to a fine of not less than N200,000 or to both imprisonment and fine; or

8 (ii) on summary conviction, to a fine of an amount not less than
9 N50,000 but not exceeding N100,000.

10 (6) In this clause, "the relevant date" means the second anniversary of
11 the coming into force of this Bill or such earlier date as may be prescribed for
12 the purposes of this clause by order of the council and published in the official
13 journal of the Institute.

14 (7) Rules made by the Council, for the purposes of this Bill, shall be
15 subject to confirmation at the next Annual General Meeting or any Special
16 Meeting of the Institute convened for that purpose and, if annulled, shall cease
17 to have effect on the day after the date of annulment, but without prejudice to
18 anything done in pursuance or intended pursuance of any such rules.

Regulations

19 **22.**-(1) Any regulations made pursuant to this Bill shall be published
20 in the Institute's Journal.

21 (2) Regulations made for the purpose of this Bill shall be subject to
22 confirmation at the next Annual General Meeting or any Special Meeting of the
23 Institute convened for that purpose and, if annulled, shall cease to have effect
24 on the day after the date of annulment, but without prejudice to anything done
25 in pursuance or intended pursuance of any such regulations.

Interpretation

26 **23.** In this Bill:

27 "Chartered Actuary Practitioner" means a person, or body corporate, who has,
28 respectively, passed the professional competence examinations, or
29 evaluations, in Actuary, and has been so elected as Member of the Chartered
30 Institute of Actuaries;

1 "Certificate" means a certificate to practice as a Chartered Actuary
2 practitioner issued by the institute;

3 "The Council" means the Council established as the governing body of the
4 Institute under Clause 7;

5 "The Disciplinary Tribunal" means the Chartered Institute of Actuaries
6 Disciplinary Tribunal, established under Clause 15 (7);

7 "Fees" includes annual subscription and induction charges;

8 "Fit Person" means a person of good character, who is not an undischarged
9 bankrupt and has not been convicted in Nigeria, or elsewhere, of any offence
10 involving fraud or dishonesty or has not been so convicted since a period to
11 be specified, from time to time, by The Council.

12 "The Institute" means the Chartered Institute of Actuaries, established under
13 Clause 1;

14 "Investigation Panel" means the Chartered Institute of Actuaries
15 Investigation Panel, established under Clause 15;

16 "Member of the Actuary Profession" means a person registered by the
17 institute as a member in the categories provided under Clause 4 of this Bill;

18 "President", "Vice-President" and Treasurer" means the office holders under
19 those names in The Institute, respectively;

20 "Profession" means the Actuary profession;

21 "Registrar" means the Registrar appointed in Clause 8 of this Bill;

22 "Register" means the register kept in pursuance of Clause 13 of this Bill.

23 26. This Bill may be cited as the Chartered Institute of Actuaries Citation
24 Bill, 2021.

1 FIRST SCHEDULE

2 *[clause 7 (4)] d*3 *Qualifications and tenure of office of a member of the council*

4 1.-(1) Subject to the provisions of this paragraph, a member of the
5 council shall hold office for a period of two (2) years beginning with the date of
6 his appointment or election.

7 (2) A member of the institute who ceases to be a member thereof shall,
8 if he is also a member of the council cease to hold office in the council.

9 (3) A member of the council may, by notice in writing under his hand
10 addressed to the President resign his office.

11 (4) A person who retires from or otherwise ceases to be an elected
12 member of the council shall be eligible to become of the council and any
13 appointed member may be re- appointed.

14 (5) Member of the council shall at its meeting next before the general
15 meeting of the Institute, arrange for the replacement of elected members of the
16 council who are longest in office to retire at that general meeting.

17 (6) Election to the council shall be held in such manner as may be
18 prescribed by rules made by the council and until so otherwise decided, they
19 shall be decided by secret ballot

20 (7) If for any reason there is a vacation of office by a member and:

21 (a) Such member was appointed by the council or any other body, the
22 Council or that body may appoint another fit person from the area in respect of
23 which the vacancy occurs; or

24 (b) such member was elected, the Council may, if the time between
25 the unexpired term of office and the next general meeting of the Institute
26 appears to warrant the filling of the vacancy, co-opt some fit person for such
27 time as aforesaid.

28 *Power of the Council*

29 2. The Council shall have the power to do anything which in its

1 opinion is calculated to facilitate the carrying out of the activities of the
2 Institute.

3 *Standing Orders*

4 3.-(1) Subject to the provision of this Bill, the Council may in the
5 name of the Institute make standing orders regulating the proceedings of the
6 Institute or the Council, and in the exercise of its power under this Bill, may
7 set up committees in the general interest of the institute and make standing
8 orders thereof.

9 (2) Standing orders shall provide for the decision to be taken by a
10 majority of the members, and in the event of an equality of votes, the
11 President or the chairman, as the case may be, shall have a second or casting
12 vote.

13 (3) Standing orders made for a committee shall, provide for the
14 committee to report back to the council on any matter referred to it by the
15 council.

16 (4) The quorum of the Council shall be nine and the quorum of a
17 committee of the council shall be fixed by the council.

18 *General Meeting of the Institute*

19 4.-(1) The Council shall convene the annual general meeting of the
20 Institute on 12th May every year, or on such other day as the council may,
21 from time-to-time, appoint so however, that if the meeting is not held within
22 one year the previous meeting, no more than fifteen months shall elapse
23 between the respective dates of the two meetings;

24 Provided that, a notice of the annual general meeting shall be given
25 to all members at any time and if not later than twenty-one days from the date
26 of the meeting.

27 (2) A special general meeting of the Institute may be convened by
28 the council at any time and if not less than twenty members of the institute so
29 require, by notice in writing addressed to the chairman of the council setting
30 out the object of the proposed meeting, the chairman of the council shall

1 convene a special general meeting of the institute.

2 Provided that, a notice of the special general meeting shall be given to
3 all members of the institute not later than twenty -one days from the date of the
4 meeting.

(3) The quorum of any general meeting of the Institute and that of a special general meeting of the institute shall each be twenty members.

7 *Meeting of the Council*

8 5.-(1) Subject to the provisions of any standing order of the council,
9 the council shall meet whenever it is summoned by the council and it the
10 chairman is required to do so, by notice in writing given to him by no less than
11 five other members, he shall summon a meeting of the council to be held within
12 fourteen days from that date on which the notice is given.

(2) At the meeting of the council, the chairman or in his absence, the Deputy Chairman or anyone of the Vice - Chairman stated in clause 5 (2) (b) of this Act in the descending order of their status shall preside, but if the chairman, Deputy Chairman and the Vice-Chairmen are absent, the members present at the meeting shall appoint one of their member to preside at the meeting.

(3) Where the Council desires to obtain the service of any person on a matter, the council may co-opt him as a member for such period as the council may think fit, but a person who is a member under sub-paragraph shall not count towards a quorum.

22 *Committee*

23 6.-(1) The Council may appoint one or more committees to carry out
24 on behalf of the institute or council such function as the council may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the council, of whom not more than one-third may be the persons who are not members of the council and a person other than a member of the council shall hold office on the committee in accordance with the terms of the letter by which he/she is appointed.

30 (3) Decisions of a Committee of the council shall be of no effect until

1 it is confirmed by the Council.

2 *Miscellaneous*

3 7.-(1) The fixed of the seal of the institute shall be authenticated by
4 the signature of the chairman or some other member of the council
5 authorized generally or specially by the institute to act for that purpose.

6 (2) Any contract or instrument which, if made or executed by a
7 person not being a body corporate, would not be required to be under seal,
8 may be made or executed on behalf of the institute or of the council, as the
9 case may require, by any person generally or specially authorized to act for
10 that purpose by the council.

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

14 8. The validity of any proceedings of the institute or the councilor
15 of a committee of the council shall not be adversely affected by any vacancy
16 in membership or by any defect in the appointment of a member of the
17 institute or the council or of a person to serve on the committee or by reason
18 that a person not entitled to do so, took part in the proceeding.

19 9. Any member of the institute or of the councilor any person
20 holding office on a committee of the council, who has a personal interest in
21 any contract or arrangement entered into or proposed to be considered by the
22 council on behalf of the institute or by a committee of the council on behalf
23 of the council, shall forth with disclose his interest to the committee or the
24 council, as the case may be and shall not vote on any question relating to the
25 contract or arrangement.

26 10. A person shall not by reason only of his membership of the
27 institute be treated as holding an office in the public service of the
28 Federation.

1 SECOND SCHEDULE

2 *[clause 15(9)]*

3 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

4 TRIBUNAL AND INVESTIGATING PANEL

5 *The Disciplinary Tribunal*

6 1. The quorum of the Disciplinary Tribunal shall be five members

7 2-(1) The Attorney-General of the Federation shall make rules as to
8 the selection of members of the Disciplinary Tribunal for any proceedings and
9 as to the procedure to be followed and the rules of evidence to be observed in
10 proceedings before the Disciplinary Tribunal.

11 (2) The rules shall in particular provide:

12 (a) For securing that notice of the proceeding shall be given at such
13 time and in such manner, as may be specified by the rules, to the person who is
14 the subject of the proceedings.

15 (b) For determine who, in addition to the person who is the subject of
16 the proceedings;

17 (c) For securing that any party to the proceeding shall, if he so
18 requires, be entitled to be heard by the Tribunal.

19 (d) For securing that any party to the proceeding may be represented
20 by a legal practitioner;

21 (e) Subject to the provisions of clause 14 (6) of this Bill, as to the cost
22 of proceedings before the Disciplinary Tribunal;

23 (f) For requiring, in any case where it is alleged that the person who is
24 the subject of the proceedings involved himself in unprofessional conduct in
25 any professional respect, that where the Disciplinary Tribunal adjudges that the
26 alleged has not been provided, it shall record a finding that the person is not
27 guilty of such conduct in respect of the mater to which the allegation relates;
28 and

29 (g) For publishing notice of any direction of the Tribunal which has
30 taken effect, providing that a person's name shall be struck off a register.

1 3. For any proceedings before the Tribunal, any member of the
2 Tribunal may administer oaths and any party to the proceedings may issue
3 out of the registry of the Federal High Court writs of subpoena and
4 *testudinium* and *deuces tecum*, but no person appearing before the
5 Disciplinary Tribunal shall be compelled:

6 (a) To make any statement before the Tribunal tending to
7 incriminate himself; or

8 (b) To produce any document under such a writ which he could not
9 be compelled to produce at the trial of an action.

10 4.-(1) To advise the Tribunal on the question of law arising in the
11 proceedings before it, there shall in all such proceedings by an assessor to
12 the Disciplinary Tribunal who shall be appointed by the Council on the
13 nomination of the Attorney - General of the Federation and shall be a legal
14 practitioner of not less than seven years standing.

15 (2) The Attorney General of the Federation shall make rules as to
16 the functions of assessor appointed under this paragraph and in particular
17 such rules shall contain a provision for securing that:

18 (a) Where an assessor advises the Disciplinary Tribunal on any
19 question of law as to evidence, procedure or any other matters specified by
20 the rules, he shall do so in the presence of every party or a person
21 representing a party to the proceedings who appears there or if the advice is
22 tendered while the Tribunal is deliberating in private that every such party or
23 person as aforesaid shall be informed of the assessor on such a question as
24 aforesaid;

25 (b) Every such party or person as aforesaid shall be informed if in
26 any case the Tribunal does not accept the advice of the assessor on such a
27 question as aforesaid.

28 (3) An Assessor may be appointed under this paragraph either
29 generally or for any particular proceedings or class proceedings and shall

1 hold and vacate office in accordance with the terms of the letter by which he
2 was appointed.

3 *The Investigation Panel*

4 5. The quorum of the Investigation Panel shall be three

5 6.-(1) The Investigation panel may, at any of its meetings attended by
6 all the members of the investigating panel, make standing orders concerning
7 the Investigation Panel.

8 (2) Subject to the provisions of any such standing orders, the
9 Investigation Panel may regulate its proceeding.

10 *Miscellaneous*

11 7.-(1) A person ceasing to be a member of the investigation panel of
12 the Disciplinary Tribunal shall be eligible for re-appointment as a member of
13 the Investigation Panel or Disciplinary Tribunal as the case may be; however,
14 nobody shall serve in the Investigation Panel for more than two consecutive
15 terms totaling four years.

16 (2) A person may, if otherwise eligible, be a member of both the
17 Disciplinary Tribunal and the Investigating Panel, but no person who acted as a
18 member of the Investigating panel concerning any case shall act as a member of
19 the Disciplinary Tribunal with respect to that case.

20 8. The Investigating Panel or the Disciplinary Tribunal may act,
21 notwithstanding any vacancy in its membership, and the proceedings of either
22 body shall be invalidated by any irregularity in the appointment of a member of
23 that body or subject to paragraph 7 (2) of this schedule by reason of the fact that
24 any person who was not entitled to do so took part in the proceedings of that
25 body.

26 9. Any document authorized or required by virtue of this Act to be
27 served on the Disciplinary Tribunal or the Investigating Panel shall be served
28 on the Registrar.

29 10. Any expenses of the Disciplinary Tribunal or the Investigation
30 panel shall be defrayed by the Institute.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for establishment of the Chattered Institute of Actuaries to regulate, control and determine the standards of knowledge to be attained by people seeking to become Chartered Actuaries.

A BILL

FOR

AN ACT TO AMEND THE LABOUR 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 Labour Act 1971, Cap L1, Laws of the Federation of
2 Nigeria 2004 (in this Bill referred to as the “Principal Act”) is hereby
3 amended as set out in this Bill. Amendment of
the Labour Act
1971, Cap L1,
LFN 2004
- 4 **2.** Section 54 of the Principal Act is amended by inserting a new
5 subsection (5) just before the current subsection (5), while the current
6 subsection (5) now becomes subsection (6) as follows: Amendment of
Section 54 by
inserting a new
subsection (5)
- 7 “(5) It shall be the duty of every employer to provide a creche
8 facility within the precincts of the work place, where employees who are
9 breast-feeding and/or nursing mothers can keep their sucking children
10 within work hours under the watch of a nanny employed by the employer at
11 a reasonable fee.
- 12 (6) In subsection (1) (d) of this section, “child” includes both a
13 legitimate and an illegitimate child.
- 14 **3.** This Bill may be cited as the Labour Act (Amendment) Bill,
15 2021. Citation

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Labour Act, to make provision for the establishment of creches in every public or private (health, educational, industrial, or commercial, etc.) workplace, for employees who are breast-feeding/nursing mothers.

A BILL

FOR

AN ACT TO AMEND THE CONSTITUTION OF THE FEDERAL REPUBLIC OF
NIGERIA 1999 SO AS TO INCORPORATE ROYAL FATHERS IN CONSTITUTION;
AND FOR RELATED MATTERS

Sponsored by *Hon. Yakubu Shehu Abdullahi*

[] Commencement

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

- | | | |
|----|---|-------------------|
| 1 | 1. The Constitution of the Federal Republic of Nigeria (hereinafter | Amendment of |
| 2 | in this Act referred to as "the Constitution") is amended as set out in this Act. | 1999 Constitution |
| 3 | 2. Insert a new Section immediately after Section 8 (6)- | Royal Fathers |
| 4 | "8A-(1) Subject to the peculiarities of each State, the House of | |
| 5 | Assembly of the State may enact a law for the incorporation of Royal | |
| 6 | Fathers for the State, a Local Government Area or a group of Local | |
| 7 | Government Areas. | |
| 8 | (2) The consent of the Royal Fathers shall be sought in matters of | |
| 9 | creating new position or upgrading of any law which may improve the | |
| 10 | dignity of Royal Fathers. | |
| 11 | 3. The Fourth Schedule of the Constitution is amended by | Amendment of |
| 12 | inserting: | Fourth Schedule |
| 13 | (a) the words "Part I" shortly below the "FOURTH SCHEDULE", | |
| 14 | and | |
| 15 | (b) Part II | |
| 16 | (1) The functions of Royal Fathers shall consist of: | Functions of |
| 17 | (a) giving general advice to the State or Local Government Council | Royal Fathers |
| 18 | concerned as it affects traditional institutions; | |
| 19 | (b) advising the Local Government Council concerned on | |

- 1 proposed development plans particularly relating to traditional institution
2 matters;
- 3 (c) assisting in the collection of taxes as it may be required;
- 4 (d) advising on religious matters where appropriate;
- 5 (e) promoting and advising on Arts and Culture;
- 6 (f) advising on chieftaincy matters and traditional titles and offices;
- 7 (g) deliberating and expressing opinions to any organisation on any
8 matter which it deems to be of importance to the area as a whole or which may
9 be referred to it by the government or other organisation;
- 10 (h) assisting in the mobilisation of human and material resources
11 towards self-reliance, community development and welfare within the area;
12 and
- 13 (i) such other functions as the State and Local Government Council
14 may from time to time refer to it.
- 15 **4.** Nothing in this Schedule shall be construed as conferring any
16 executive, legislative or judicial powers on Royal Fathers.
- 17 **5.** The Fourth Schedule of the Constitution is further amended by
18 deleting side note, "Section 7", and inserting therein, "Sections 7" and "8A".
- 19 **6.** This Bill may be cited as the Constitution of the Federal Republic of
20 Nigeria 1999 (Amendment) Bill, 2021.

Further Amendment
of Fourth Schedule

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Constitution of the Federal Republic of Nigeria 1999 so as to incorporate Royal Fathers in Constitution. The Bill further makes provisions for the functions of Royal Fathers in traditional institutions. The functions of the Royal Fathers are however restricted of advisory capacity.

A BILL

FOR

AN ACT TO ALTER THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC
OF NIGERIA (WITH ALTERATIONS) 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 Constitution of the Federal Republic of Nigeria, 1999 (With
2 Alterations) (in this Bill referred to as the "Principal Act") is hereby
3 amended as set out hereunder.

Amendment of
the 1999
Constitution

4 **2.** Section 6 (6) (c) of the Principal Act is amended by granting
5 judicial powers to the courts to inquire into whether the fundamental
6 objectives and directive principles of state policy as enshrined in section two
7 of the 1999 Constitution have been or are being adhered to or otherwise, by
8 the respective organs of government as follows:

Amendment of
Section 6 by
altering paragraph
(c) of subsection 6

9 "The judicial powers vested in accordance with the foregoing
10 provisions of this section (c) shall extend to any issue or question as to
11 whether any act of omission by any authority or person or as to whether any
12 law or any judicial decision is in conformity or otherwise with the
13 Fundamental Objectives and Directive Principles of State Policy set out in
14 Chapter II of this Constitution",

15 **3.** This Bill may be cited as the 1999 Constitution of the Federal
16 Republic of Nigeria (Alteration) Bill, 2021.

Citation

EXPLANATORY MEMORANDUM

This bill seeks to amend the 1999 Constitution of the Federal Republic of
Nigeria (with Alterations) in order to make justiceable the fundamental
objectives and directive principles of state policies enshrined in the 1999
Constitution.

FEDERAL INSTITUTE OF VOCATIONAL AND TECHNICAL EDUCATION,
ABAK, AKWA IBOM STATE (ESTABLISHMENT, ETC) BILL 2021

ARRANGEMENT OF SECTIONS

Section

PART I - ESTABLISHMENT OF FEDERAL INSTITUTE OF VOCATIONAL AND
TECHNICAL EDUCATION, ETC.

1. Establishment of Federal Institute of Vocational and Technical Education, Abak, Akwa Ibom State
2. Establishment and composition of the Governing Board of the Institute, etc.
3. Functions and Powers of the Board
4. Tenure of office of members of the Board
5. Resolution of appointment or removal from office
6. Remuneration

PART II - FUNCTIONS OF THE INSTITUTE

7. Functions of the Institute
8. Powers of the Institute
9. Establishment of Academic Board

PART III - APPOINTMENT, QUALIFICATION, TENURE, ETC OF PRINCIPAL
OFFICERS AND OTHER STAFF OF THE INSTITUTE

10. Appointment of the Director of the Institute
11. Duties of the Director
12. Tenure of office of the Director
13. Terms and conditions of office of the Director
14. Removal of Director from office
15. Registrar of the Institute
16. Tenure of office of Registrar
17. Appointment of the Deputy Director
18. Other principal officers of the Institute
19. Resignation of appointment by principal officers

- 20. Appointment of other employees of the Institute
- 21. Staff regulation
- 22. Removal of staff from office

PART IV - FINANCIAL PROVISIONS

- 23. Establishment of funds for the Institute
- 24. Donations for particular purposes
- 25. Payment into Bank
- 26. Powers to accept gift
- 27. Expenditure of the Institute
- 28. Power to borrow
- 29. Annual estimates and expenditure
- 30. Annual report

PART V - MISCELLANEOUS PROVISIONS

- 31. Discipline of students
- 32. Transitional provisions
- 33. Exclusion or discrimination on account of race or religion
- 34. Interpretation
- 35. Citation

A BILL

FOR

AN ACT TO PROVIDE FOR THE LEGAL FRAMEWORK TO ESTABLISH THE
FEDERAL INSTITUTE OF VOCATIONAL AND TECHNICAL EDUCATION, ABAK,
AKWA IBOM STATE AND FOR RELATED MATTERS

Sponsored by Hon. Aniekan Umanah

[] Commencement

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

- 1 1.-(1) There is hereby established a body to be known as the Establishment
2 Federal Institute of Vocational and Technical Education, Abak, Akwa Ibom of Federal Institute
3 State (in this Act referred to as "the Institute") which shall have the functions of Vocational
4 assigned to it by this Act. and Technical
5 Education, Abak,
6 Akwa Ibom State
- 7 (2) The Institute shall be a body corporate with perpetual
8 succession and a common seal and shall have power to acquire and dispose
9 of interests in movable and immovable property and may sue and be sued in
10 its corporate name.
- 11 (3) The Institute shall consist of the following departments:
12 (a) business education;
13 (b) agricultural education;
14 (c) technical education;
15 (d) computer education;
16 (e) home economics;
17 (f) music and arts;
18 (g) general studies department;
19 (h) such other educational units or departments or variations of the
 above as may, subject to this Act be established from time to time by the
 Board.

Establishment and composition of the Governing Board of the Institute	1	2- (1) The affairs and running of the Institute shall vest in the
	2	Governing Board of the Institute (in this Act referred to as the Board)
	3	(2) Without prejudice to the generality of subsection (1) of this
	4	section, it shall be the responsibility of the Board to consider and approve:
	5	(a) the objectives and plan of activities of the Institute;
	6	(b) the programme of studies, courses and research to be undertaken
	7	by the Institute;
	8	(c) the annual estimates of the Institute;
	9	(d) the investment plan of the Institute.
	10	(3) The Board shall consist of:
	11	(a) a Chairman who shall be appointed by the President;
	12	(b) the Director of the Institute appointed under section 9 of this Act;
	13	(c) one representative of the National Board for Technical Education;
	14	(d) three members to be nominated by each of the Ministries
	15	responsible for Industries, Education and Labour;
	16	(e) one representative of the Manufacturers Association of Nigeria
	17	(MAN);
	18	(f) one person of standing in the community where the Institute is
	19	located;
	20	(g) one representative of the Academic Board of the Institute;
	21	(h) one representative of state commissioner of education;
	22	(i) one person to represent professional bodies whose discipline are
	23	taught in the Institute.
Functions and powers of the Board	24	3. (1) Subject to the provisions of this Act, the Board shall have
	25	responsibility for the general management of the affairs of the Institute and, in
	26	particular, the general control of the Institute.
	27	(2) Without prejudice to the generality of the provisions of section (3)
	28	of this Act, the Board shall have power:
	29	(a) to create lectureships and other posts and offices and to make
	30	appointments thereto;

1 (b) to appoint such administrative and other members of staff of the
2 Institute as may appear necessary or expedient;

3 (c) to exercise disciplinary control over members of the staff of the
4 Institute;

5 (d) to prescribe the terms and conditions of service including
6 salaries, allowances, pensions and other remunerations, for all members of
7 the staff of the Institute;

8 (e) to encourage and make provisions for research in the Institute;

9 (f) to erect, provide, equip and maintain libraries, lecture halls, hall
10 of residence, refectories, sports grounds, playing fields and such other
11 buildings or things as may be necessary, suitable or required;

12 (g) to enter into such contracts as may be necessary or expedient for
13 carrying into effect the provisions of this Act;

14 (h) to acquire and hold such movable or immovable property as
15 may be necessary or expedient for carrying into effect the provisions of this
16 Act and for the same purpose may sell, lease, mortgage or otherwise alienate
17 or dispose of any property acquired; and

18 (i) to do anything which in its opinion is calculated to facilitate the
19 carrying out of the objects of the Institute and to promote its best interest.

20 **4.** A member of the Board (other than an ex-officio member) shall
21 hold office for a term of four years and may be eligible for reappointment for
22 another term of four years and no mores.

Tenure of office
of members of
the Board

23 **5.-(1)** A member of the Board (other than an ex-officio member)
24 may resign his appointment by notice in writing addressed to the President

Resolution of
appointment or
removal from
office

25 (2) The President may remove any member of the Board if he is
26 satisfied that it is not in the interest of the Institute that the member
27 concerned should continue in office.

28 **6.** A member of the Board (other than an ex-officio member) shall
29 be paid such remuneration and allowances as may be determined by the
30 President.

Remuneration

	1	PART II - FUNCTIONS OF THE INSTITUTE
Functions of the Institute	2	7.-(1) The functions of the Institute shall be:
	3	(a) to provide detailed identification of technical and skills
	4	acquisition needs for the economy in training and development training
	5	programmes to meet those needs;
	6	(b) to establish a vocational education and training system which
	7	includes basic and specialized training to meet the needs of both the formal and
	8	informal sectors;
	9	(c) to carry out training of students and artisans and retraining of
	10	professionals to meet newest requirement identified in paragraph (a);
	11	(d) to satisfy the demands of the labour market for employees with
	12	trade skills in order to improve production and productivity of the economy;
	13	(e) to promote the balancing of supply and demand for skilled labour
	14	in both wage employment and for skills needed for self-employment in rural
	15	and urban areas;
	16	(f) to promote on the job training in industry for both apprenticeship
	17	training and for skills updating and upgrading;
	18	(g) to promote and undertake any other activity that in the opinion of
	19	the management is calculated to help achieve the purposes of the Institute.
	20	(2) The Institute shall ensure that the training approach to be followed
	21	shall be highly job specific and practical and shall utilize modern methods of
	22	management skills development usually utilized by similar establishments in
	23	order to attain the highest standards.
Powers of the Institute	24	8. The Institute shall have power to:
	25	(a) award diplomas and certificates for courses provided by it under
	26	section 1 of this Act;
	27	(b) invest its funds in a manner and to such an extent as it may deem
	28	necessary or expedient;
	29	(c) establish and maintain a library, comprising such books, journals,
	30	records, reports and other publications and information systems as may be

1 required for the performance of the functions conferred on the Institute by
2 this Act;

3 (d) accept gifts of land, money or other property upon such terms
4 and conditions, as may be specified by the person or organization making
5 the gift, but the Institute shall not accept any gift if the terms and conditions
6 attached are inconsistent with its functions under this Act.

7 **9.-(1)** There shall be established for the Institute the Academic Establishment
8 Board which shall consist of the following members: of the Academic
Board

- 9 (a) the Director of the Institute who shall be the Chairman;
10 (b) the Deputy Director;
11 (c) all Heads of Departments;
12 (d) the Librarian;
13 (e) not more than two members of the academic staff other than
14 Heads of Departments to be appointed by the Board.

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

- 16 (a) the direction and management of academic matters of the
17 Institute including the regulation of admission of students, the award of
18 certificates, scholarships, prizes and other academic distinctions;
19 (b) making periodic reports on such academic matters to the
20 Academic Board as the Board may from time to time direct;
21 (c) discharging any other functions which the Board may delegate
22 to it.

23 **PART III - APPOINTMENT, TENURE, DUTIES, ETC. OF PRINCIPAL**

24 **OFFICERS AND OTHER STAFF OF THE INSTITUTE**

25 **10.-(1)** There shall be for the Institute a Director (in this Act Appointment
26 referred to as the Director) who shall: of Director of
the Institute

- 27 (a) be appointed by the President;
28 (b) have such qualification and experience as are appropriate for a
29 person required to perform the functions of those offices under this Act;
30 (c) hold office on such terms and conditions of service as stipulated

	1	in his letter of appointment.
Duties of the Director	2	11. Subject to the provisions of this Act, the Director shall be the chief
	3	executive officer of the Institute and shall be charged with the general
	4	responsibility for the management of the educational affairs and academic
	5	matters of the Institute and shall in particular:
	6	(a) direct and regulate the programme of work of the Institute;
	7	(b) promote research within the Institute;
	8	(c) award certificates or diplomas;
	9	(d) keep in safe custody all records of the Institute;
	10	(e) demand and receive from any student or any other person
	11	attending the institute, such fees as the Board may, from time to time,
	12	determine;
	13	(f) exercise and perform such other powers and duties as may be
	14	conferred or imposed upon him by the Board.
Tenure of office of the Director	15	12. The Director shall hold office for a term of four years and may be
	16	reappointed for another term of four years and no more.
Terms and Conditions of Office of the Directors	17	13. The Director shall hold office on such terms and conditions as
	18	may be determined by the Board as set out in his letter of appointment.
Removal of the Director from office	19	14. Where it appears to the Board that the Director should be removed
	20	from office on the grounds of:
	21	(a) misconduct;
	22	(b) conviction from a court of competent jurisdiction (or panel of
	23	inquiry if not challenged in court);
	24	(c) inability to perform the functions of his office, the Board shall
	25	make a recommendation to that effect to the President and if the President, after
	26	making inquiries as he considers necessary, approves the recommendation, the
	27	President shall, in writing, declare the office of the Director vacant.
Registrar of the Institute	28	15.-(1) There shall be a Registrar for the Institute who shall:
	29	(a) be responsible to the Director for the day to day administration of
	30	the Institute;

1 (b) perform such other duties as the Board or the Director may
2 require him to do.

3 (2) The Registrar shall be the Secretary to the Board and any other
4 Committee and shall attend meetings unless excused for good cause or
5 reason by the Chairman of the Board.

6 (3) Where the Registrar is absent from a meeting of the Board, the
7 Chairman may, after consultation with the Director, appoint a suitable
8 person to act as Secretary for any particular meeting of the Board

9 (4) A person so appointed to act under subsection (3) shall not be
10 entitled to vote on any issue before the Board, or be counted towards a
11 quorum unless such a person is so entitled as a member of the Board.

12 **16.-(1)** The Registrar:

Tenure of office
of the Registrar

13 (a) shall hold office for a term of four years effective from the date
14 of his appointment and on such terms and conditions as may be specified in
15 his letter of appointment;

16 (b) may be reappointed for another term of four years and no more.

17 **17.-(1)** There shall be for the Institute a Deputy Director.

Appointment of
the Deputy Director

18 (2) The Deputy Director shall be a person of high academic and
19 moral standing and manifest administrative experience, and shall be
20 appointed by the Board on the recommendation of the Director.

21 (3) The Board shall appoint the Deputy Director from among the
22 Chief Lecturers in the Institute:

23 (a) from a list of three candidates, in order of preference, submitted
24 by the Director;

25 (b) on the recommendation of the Selection Board constituted for
26 the Institute.

27 (4) The Selection Board referred to in subsection (3) (b) of this
28 section shall consist of:

29 (a) the Chairman of the Board;

30 (b) the Director;

1 (c) two members of the Board not being members of the Academic
2 Board;

3 (d) two members of the Academic Board;
4 which may make inquiries as it deems fit before making the
5 recommendation required under subsection (3) (b).

6 (5) The Deputy Director shall:

7 (a) assist the Director in the performance of his functions;

8 (b) act in the place of the Director when the office of the Director is
9 vacant or if the Director is, for any reason, absent or unable to perform his
10 functions as Director;

11 (c) perform such other functions as the Director or the Board may
12 from time to time assign to him.

13 (6) The Deputy Director:

14 (a) shall hold office for a term of four years effective from the date
15 of his appointment and on such terms and conditions as may be specified in
16 his letter of appointment;

17 (b) may be reappointed for another term of four years and no more.

Other principal
officers of the
Institute

18 **18.**-(1) There shall be for the Institute the following Principal
19 Officers in addition to the Registrar:

20 (a) the Bursar;

21 (b) the Librarian;

22 (c) the Head of Works;

23 (d) the Head of Medical and Health Services.

24 (2) The Bursar shall be the Chief Financial Officer of the Institute
25 and shall be responsible to the Director for the day to day administration and
26 control of the financial affairs of the Institute.

27 (3) The Librarian shall be responsible to the Director for the
28 administration of the Library and the coordination of the library services in
29 the teaching units of the Institute.

30 (4) The Head of Works shall be responsible to the Director for the

1 maintenance of the Institute's buildings, minor works, transport and
2 supervision of the construction projects.

3 (5) The Head of Medical and Health Services shall be responsible
4 to the Director for the supervision of the medical and health facilities of the
5 Institute

6 (6) The Principal Officers mentioned in subsection (1):

7 (a) Shall hold office for a term of four years in the first instance and
8 on such terms and conditions as may be specified in their letters of
9 appointment;

10 (b) May be reappointed for another term of four years and no more.

11 (7) Any question as to the scope of the responsibilities of the
12 Principal Officers shall be determined by the Director.

13 **19.** A Principal Officer may resign his appointment:

Resignation of
appointment by
Principal Officers

14 (a) in the case of the Director, by notice in writing to the Board and
15 the Board shall forward it to the President;

16 (b) in any other case, by notice in writing to the Director who shall
17 forward it to the Board.

18 **20.-(1)** The Board may appoint such other persons to be staff of the
19 Institute as the Board may determine, to assist the Director and the Principal
20 Officers in the performance of their functions under this Act.

Appointment of
other employees
of the Institute

21 (2) The remuneration of the staff of the Institute shall be
22 determined by the Board.

23 **21.** Staff regulations shall be in line with the existing Public
24 Service Rules and Regulations.

Staff Regulation

25 **22.-(1)** If it appears to the Board that there are reasons for believing
26 that any person employed as a member of the academic, administrative or
27 technical staff of the Institute other than the Director, should be removed
28 from office on grounds of misconduct or inability to perform the functions
29 of that office, the Board shall:

Removal of staff
of Institute from
office

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

1 (b) afford him an opportunity to make representations in person on the
2 matter to the Board;

3 (c) if he or any three members of the Board so request within the
4 period of one month beginning with the date of the notice, make arrangements:

5 (i) a committee to investigate the matter and report on it to the Board;

6 (ii) the person in question be afforded an opportunity of appearing
7 before and being heard by an investigating committee set up with respect to the
8 matter, and if the Board after considering the report of the investigating
9 committee, is satisfied that the person in question should be removed as
10 aforesaid, the Board may so remove him by a letter signed on the direction of
11 the Board.

12 (2) The Director may, in the case of misconduct by a member of staff
13 which, in the opinion of the Director, is prejudicial to the interests of the
14 Institute, suspend any such member and any such suspension shall forthwith be
15 reported to the Board.

16 (3) A member of staff may be suspended from office for good cause,
17 or his appointment may be terminated by the Board, and for the purpose of this
18 subsection, "good cause" means:

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

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

25 (c) conduct of a scandalous or disgraceful nature which the Board
26 considers to be such as to render the person concerned unfit to continue to hold
27 his office;

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

23.-(1) The Institute shall establish and maintain a fund (the Fund) from which shall be defrayed all expenditure incurred by the Institute in the performance of its functions under this Act.

	1	(2) There shall be paid into the Fund:
	2	(a) all subventions and budgetary allocation from the Federal
	3	Government of Nigeria;
	4	(b) fees charged and payable to the Institute by the students;
	5	(c) any other amount charged or dues recoverable by the Institute;
	6	(d) revenue accruing to the Institute by way of subvention, grants-in-
	7	aid, endowment or otherwise;
	8	(e) interest on investments;
	9	(f) donations and legacies accruing to the Institute from any source,
	10	for the general or special purpose of the Institute.
Donations for particular purposes	11	24. -(1) Donations of money to be applied to any particular purpose
	12	shall be placed to the credit of a Special Reserve Account approved by the
	13	Board until such a time as they may be expended in fulfillment of such purpose
	14	(2) The Board is not obliged to accept a donation of land, money and
	15	any other property for a particular purpose if the terms and conditions are
	16	contrary to the functions of the Institute.
Payment into Bank	17	25. All sums of money received on account of the Institute shall be
	18	paid into the bank as may be approved for the credit of the Institute's general
	19	current and deposit accounts.
Powers to accept gifts	20	26. -(1) The Institute may accept gifts of land, money or other property
	21	on such terms and conditions, if any as may be specified by the person or
	22	organization making the gift.
	23	(2) The Institute shall not accept gifts if the conditions attached by the
	24	person or the organization making the gift are inconsistent with the functions of
	25	the Institute under this Act.
Expenditure of the Institute	26	27. The Institute shall from time to time apply the fund at its disposal
	27	to:
	28	(a) the cost of administration and maintenance of the Institute;
	29	(b) publicize and promote the activities of the Institute;
	30	(c) pay allowances, expenses and other benefits of members of the

1 Board and Committees of the Board;

2 (d) pay the salaries, allowances and benefits of employees of the
3 Institute;

4 (e) pay other overhead allowances, benefits and other
5 administrative costs of the Institute;

6 (f) undertake such other activities as are connected with all or any
7 of the functions of the Institute under this Act.

8 **28.**-(1) The Institute may, from time to time, borrow by overdraft or Power to borrow
9 otherwise such sums as it may require for the performance of its functions
10 under this Act.

11 (2) The Institute shall not, without the approval of the President,
12 borrow money which exceeds, at any time, the limit set by the President.

13 (3) Notwithstanding subsection (1) of this section, where the sum
14 to be borrowed is in foreign currency, the Institute shall not borrow the sum
15 without the prior approval of the President.

16 **29.**-(1) The Board shall not later than 30 September in each year, Annual estimates
and expenditure
17 submit to the President an estimate of the expenditure and income of the
18 Institute during the next succeeding year.

19 (2) The Board shall cause to be kept proper accounts of the Institute
20 in respect of each year and proper records in relation thereto and shall cause
21 the accounts to be audited not later than six months after the end of each year
22 by auditors appointed from the list in accordance with the guidelines
23 supplied by the Auditor - General of the Federation.

24 **30.** The Board shall prepare and submit to the President, not later Annual report
25 than 31 December in each year, a report in such form as the President may
26 direct on the activities of the Institute during the immediately preceding
27 year, and shall include in the report a copy of the audited accounts of the
28 Institute for that year and the auditor's report thereto.

29 **PART V - MISCELLANEOUS PROVISIONS**

30 **31.**-(1) The Board may make rules providing for the Director to Discipline of
Students

1 conduct enquiries into alleged acts of misconduct (including lack of discipline)
2 by students and such rules may make different provisions for different
3 circumstances.

4 (2) The rules shall provide for the procedure and rules of evidence to
5 be followed at enquiries under this section.

6 (3) Notwithstanding anything to the contrary contained in any other
7 enactment, where it appears to the Board that any student of the Institute has
8 been guilty of misconduct, the Board may, without prejudice to any other
9 disciplinary powers conferred on it by regulations direct that:

10 (a) the student shall not during the period specified in the direction,
11 participate in the activities of the Institute or make use of the facilities of the
12 Institute as may be specified;

13 (b) the activities of the student shall during the period as may be
14 specified in the direction, be restricted in the manner specified;

15 (c) the student be suspended for such period as may be specified in the
16 direction;

17 (d) the student be expelled from the Institute.

18 (4) Where the post of the Director is vacant or where the Director
19 refuses to apply any disciplinary measures, the Board may either directly or
20 through some other staff apply such disciplinary actions as are specified in
21 subsection (1) to any student of the Institute who is considered guilty of
22 misconduct.

23 (5) Where a direction is given under subsection (3) (c) or (d) in respect
24 of any student, the student may, within a period of twenty one days from the
25 date of the letter communicating the decision to him appeal against the
26 direction to the Board, and where such appeal is brought, the Board shall, after
27 causing an inquiry to be made in the matter as the Board considers just, either
28 confirm or set aside the direction or modify it in the manner the Board may
29 deem fit.

30 (6) The fact that an appeal from a direction is pending under

1 subsection (5) shall not affect the operation of the direction while the appeal
2 is pending.

3 (7) The Director may delegate his powers under this section to a
4 disciplinary committee of such members of the Institute as he may
5 nominate.

6 (8) Nothing in this section shall be construed as terminating a
7 student's activity in the Institute except on the grounds of misconduct.

8 (9) The direction under subsection (3) (a) may be combined with a
9 direction under subsection (3) (b).

10 (10) In all cases under this section, the decision of the Board shall
11 be final.

12 **32.**-(1) On the commencement of this Act, any person employed by
13 or serving in the Institute shall be deemed to have been employed or serving
14 in the Institute under this Act.

Transitional
Provisions

15 (2) All assets or liabilities belonging to the Institute shall be
16 deemed to belong to the Institute established under this Act.

17 **33.**-(1) No person shall be:

18 (a) Required to satisfy requirements as to race (including ethnic
19 groupings), sex, place of birth, family origin, religious or political
20 persuasion as a condition for:

Exclusion or
discrimination
on account of
race, religion etc.

21 (i) becoming or continuing to be a student of the Institute;

22 (ii) being a holder of any certificate of the Institute or any
23 appointment or employment at the Institute;

24 (iii) being a member of any body established under this Act.

25 (b) Subjected to any disadvantage or accorded any advantage in
26 relation to the Institute by reference to any of the matters mentioned in this
27 subsection.

28 (2) Nothing in this section shall be construed as preventing the
29 Institute from imposing any disability or restriction on any person where
30 such person willfully refuses or fails on grounds of religious belief to

	1	undertake any duty generally or uniformly imposed on all persons or any group
	2	of them which duty, having regards to its nature and the special circumstance
	3	pertaining to it, is in the opinion of the Institute, reasonably justifiable in the
	4	national interest.
Interpretation	5	34. In this Act, unless otherwise requires:
	6	"institute" means the Federal Institute of Vocational and Technical Education,
	7	Abak, Akwa Ibom State established by section 1 of this Act;
	8	"board" means the governing body of the Institute;
	9	"chairman" means Chairman of the Governing Board;
	10	"director" means Director of the Institute;
	11	"government" means government of the Federal Republic of Nigeria;
	12	"president" means President of the Federal Republic of Nigeria
Citation	13	35. This Bill may be cited as the Federal Institute of Vocational and
	14	Technical Education, Abak, Akwa Ibom State (Establishment) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the Legal Framework to establish the Federal Institute of Vocational and Technical Education, Abak, Akwa Ibom State.

A BILL

FOR

AN ACT TO AMEND THE CHILD'S RIGHT 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 Child's Right Act, 2003, Official Gazette No. 116, Vol. 90 Amendment of
2 (in this Bill referred to as the "Principal Act") is hereby amended as set out the Child's Right
3 hereunder. Act, 2003
- 4 **2.** Section 14 of the Principal Act is amended by inserting a new Amendment of
5 subsection (3) immediately after the subsisting subsection (2), as follows: Section 14 by
6 1."(3) Subject to the provisions of this Act, no child shall be inserting a new
7 abandoned at the time or place of his birth, the conditions of his birth subsection (3)
- 8 notwithstanding-
- 9 (a) Where a parent abandons a child at the time or place of his birth,
- 10 he shall be guilty of an offence and upon conviction be liable to fine of two
- 11 hundred thousand naira or imprisonment for six months or to both such term
- 12 and imprisonment".
- 13 **3.** This Bill may be cited as the Child's Right Act (Amendment) Citation
- 14 Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Child's Right Act, to impose sanction on any parent who abandons a new born child and absconds, after the birth of such child notwithstanding the reason whatsoever.

A BILL

FOR

AN ACT TO AMEND THE NIGERIAN NATIONAL HEROS 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.
- Amendment of Nigerian National Heroes Register Act, Cap. N211, LFN 2004

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 NATIONAL CENTRE FOR AGRICULTURAL
MECHANIZATION ACT AND FOR RELATED MATTERS

Sponsored by Hon. Sergius Ogun

[] Commencement

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

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21 | <p>1. The National Centre for Agricultural Mechanization Act, Cap. N13, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as the Principal Act) is hereby amended as set out in this Bill.</p> <p>2. Section 2 of the Principal Act is amended by subsisting for the existing sub section 2, a new sub-section 2(a) to (o):</p> <p>"(a) to promote the carrying out of applied research designed to facilitate the designing, adaptation and development of machinery and equipment suitable for use in agricultural and rural development;</p> <p>(b) to develop and manufacture approved prototypes, components and cultural techniques and technologies, and evaluate their suitability for adaptation and alternative use in rural agricultural production;</p> <p>(c) to adapt foreign designs of agricultural machinery and equipment to suit local conditions of manufacture and maintenance, for use in rural agriculture;</p> <p>(d) to develop and manufacture approved prototypes, components and spare-parts of agricultural machinery and equipment which are not available in large quantities in the Federal Republic of Nigeria;</p> <p>(e) to perform tests on all types of machinery and equipment intended for use in agricultural and rural development in the Federal Republic of Nigeria, and to publish the results of each such test;</p> <p>(f) to formulate and conduct short courses designed to provide</p> | <p>Amendment of National Centre for Agricultural Mechanization Act, Cap. N13, LFN, 2004</p> <p>Amendment of Section 2</p> |
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1 practical training and further knowledge to vii/age and other artisans in the use
2 and maintenance of agricultural machinery and other appropriate technology
3 machinery and equipment;

4 (g) to advise and provide support services to organizations and
5 persons undertaking the extension and implementation of programmes and
6 projects resulting from the work of the Centre;

7 (h) to offer consultancy services on the designing, testing and other
8 technical aspects of agric and other machinery and equipment for use in rural
9 development;

10 (i) to offer consultancy services relating to the marketing, financial
11 and other managerial aspects of agricultural and rural development through the
12 adaptation and use of appropriate technology;

13 (j) to provide relevant information and advice to the agricultural
14 sector relating to design, production marketing, supply, use and maintenance
15 of agricultural and other appropriate technology machinery and equipment;

16 (k) to ensure effective and timeous repairs and maintenance of all
17 agricultural equipment under the ownership and care of the federal
18 government;

19 (l) to formulate and execute projects and programmes designed to
20 encourage or facilitate the establishment and development of village
21 workshops and other rural production and maintenance facilities;

22 (m) to act as the national link with other national and international
23 institutions engaged in the activities related or similar to the functions of the
24 Centre;

25 (n) to create an enabling environment for individuals, firms private
26 sector participation in all programmes of the Centre for the promotion of
27 Agricultural Mechanization and Rural Technology for national development;

28 (o) to do anything which may be necessary to uphold and support the
29 credit of the Centre, to obtain and justify public confidence, to avert or
30 minimize any loss to the Centre and to facilitate the proper and efficient

1 performance of its functions.

2 **3.** Section 21 of the Principal Act is amended by inserting a new Amendment of
3 interpretation provision: Section 21

4 "Equipment includes: tractor, cultivator, tiller, cult packer, chisel
5 plow, harrow, broadcast seeder/spreader, planter seed driller, transplanter,
6 mulch layer, spreader, sprayer, drip irrigation/micro spray heads, sprinkler,
7 hydroponics, sorter, harvester and any other agricultural equipment that
8 may be acquired by the federal government to boost mechanization.

9 **4.** This Bill may be cited as National Centre for Agricultural Citation
10 Mechanisation Act (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Centre for Agricultural
Mechanization Act Cap N13, LFN, 2004, to expand its scope to include the
maintaining and repairing of agricultural equipment by the government.

FEDERAL CAPITAL TERRITORY PROPERTY AND LAND USE

CHARGE BILL, 2021

ARRANGEMENT OF SECTIONS

Section:

PART I - IMPOSITION OF PROPERTY AND LAND USE CHARGE

1. Property and Land Use Charge
2. Collecting Authority
3. Power to Delegate
4. Power of Collecting Authority
5. Property Liable to Charge

PART II - APPRAISERS AND ASSESSORS

6. Appraisers and Assessors
7. The Service and Land use Charge Office
8. Forms
9. Power to enter
10. Persons Liable to pay Property and Land Use Charge
11. Valuation
12. Properties exempted or Granted Partial Relief from payment of
Property and Land Use Charge
13. Forfeiture of Exemption

PART III - ASSESSMENT AND DEMAND NOTICE

14. Property Assessment
15. Issuance of Demand Notice
16. Service of Demand Notice
17. Payment of Property and Land Use Charge
18. Discount for early payment of Property and Land Use Charge
19. Power to Appoint Agent(s)

PART IV - OBJECTION TO ASSESSMENT

20. Objection to Assessment
21. Appeal Against Assessment

PART V - PROPERTY AND LAND USE CHARGE COLLECTION FUND

22. Property and Land Use Charge Collection Fund

PART VI - ENFORCEMENT AND RECOVERY

23. Power to Distrain

PART VII - OFFENCES AND PENALTIES

24. Offences and Penalties
25. Penalty for inciting a Person to Refuse to Pay Charge
26. Failure to Remit Property and Land Use Charge Collected
27. Penalty for General Offences

PART VIII - OTHER PROVISIONS

28. Power to make Regulations
29. Applications of other Acts
30. Interpretation
31. Citation

SCHEDULES

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

FOURTH SCHEDULE

Land Use Charge Formula

Land Use Charge Annual Relief Rate

Land Use Charge Annual Rate

Property and Land Use Charge (Depreciation Rate)

A BILL

FOR

AN ACT TO PROVIDE FOR THE CONSOLIDATION AND ADMINISTRATION OF
ALL PROPERTY AND LAND BASED RATE AND CHARGES IN THE FEDERAL
CAPITAL TERRITORY AND FOR RELATED MATTERS

Sponsored by Hon. Abdullahi Garba Idris, Hon. Ossai Nicholas Ossai

Co-sponsors: Hon. Blessing Onuh

Hon. Sookpo Kpam Jimin	Hon. Usman Hassan Sokodobo
Hon. Abdullahi Hassan	Hon. Alajagusi Abdulyekeen Sadiq
Hon. Ari Abdulmumin M.	Hon. Abdullahi Saidu Musa
Hon. Maitala Horuna	Hon. Magaji Ja'afar Abubakar
Hon. Abubakar Faggo Kani	Hon. Aliyu Muktar Betara
Hon. Bello Usman Kumo	Hon. Danladi Tijo Baido
Hon. Ali Ikwai Shettima	Hon. Aliyu Magaji Dau
Hon. Hamza Ibrahim	Hon. Nasiru Abduwa Gabasawa
Hon. Sani Maaruf Nass	Hon. Dalhatu Hamza Batagarawa
Hon. Abdullahi Umar Kamba	Hon. Kokani Ibaia
Hon. Nkole Uko Ndukwe	Hon. Igariwey Iduma Enwo
Hon. Nnaji P. C. Nwaedezie	Hon. Ukpong-Udo Emmanuel Effiong
Hon. Oseke P. I. Goodluck	Hon. Ayi Essien Ekpenyong
Hon. Mutu Nicholas Ebomo	Hon. Ogbuide-Ihama Omoregie
Hon. Igwe Chinyere Emmanuel	Hon. Adaramodu Yernl
Hon. Kolawole Taiwo Musibau	Hon. Ojugbele Jimoh Olusola
Hon. Akinfolarin M. Samuel	Hon. Oke Busoyo Oluwale
Hon. Adigun Abass Adekunle	Hon. Ada Sani Kiri
Hon. Jaafar Ribadu	Hon. Sada Sali
Hon. Usman Ibrahim	Hon. Zakariyau M. Galadima
Hon. Darlington Nwakocho	Hon. Dolapo Badru
Hon. Julius Ihenvbere	Hon. Sarkin Adar Musa
Hon. Yusuf A. Gagdi	Hon. Ogunlola Omowumi Olubunmi
Hon. Obinna Chidoka	Hon. Abiola Peter Makinde
Hon. Akintola Oluakun George	Hon. Princess Miriam O. Onuoha
Hon. Aliyu Datti Yako	Hon. Ademorin A. Kujye
Hon. Ajieroso T. Abimbola	Hon. Kabiru Idris
Hon. Lynda Chuba Ikpeazu	Hon. Zainab Gimba
Hon. Gaza G. Jonathan	Hon. Ossai Nicholas Ossai
Adanko Mukkai Kusari	

[] Commencement

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

1 PART I - IMPOSITION OF PROPERTY AND LAND USE CHARGE

2 1.-(1) There is hereby imposed a consolidated Land based charge
3 to be called Property and Land Use Charge, which shall be payable on all
4 real properties situate in the Federal Capital Territory; and

Property and
Land Use Charge

	1	(2) From the commencement of this Act, the levy and collection of
	2	Property Tax, Tenement Rates, Ground Rents and any amendments made
	3	pursuant to them is hereby consolidated.
Collecting Authority	4	2. Pursuant to this Act:
	5	(i) The Federal Capital Territory Administration (FCTA) is the
	6	Collecting Authority, and shall be the only body empowered to levy and collect
	7	Ground Rent in the Federal Capital Territory;
	8	(ii) Each Area Council is the Collecting Authority and the only body
	9	empowered to levy and collect tenement rates in respect of its area of
	10	jurisdiction;
	11	(iii) Federal Capital Territory Internal Revenue Service is the only
	12	body empowered to levy and collect Property tax in the Federal Capital
	13	Territory.
Power to Delegate	14	3. The Collecting Authorities (the Area Councils and FCT A) may
	15	delegate to the Federal Capital Territory Internal Revenue Service by a written
	16	agreement, with respect to the assessment of Tenement Rate and Ground Rent
	17	respectively, for the purpose of consolidating the levying and collection of such
	18	rates as may be prescribed under this Act .
Power of Collecting Authority	19	4. The Collecting Authority may:
	20	(a) Demand and collect Property and Land Use Charge from owners
	21	or occupiers of buildings after due notice of demand has been sent to them;
	22	(b) Call upon any person liable to pay any Ground Rent, Tenement
	23	Rate and Property Tax under the Property and Land Use Charge to exhibit the
	24	receipts for charges; and
	25	(c) Call on the occupier if he or she is not the owner to furnish the
	26	name and address of the owners
Property liable to Charge	27	5. Property and Land Use Charge shall be payable in respect of any
	28	property that is not exempted under Section 15 of this Act.
	29	PART II - APPRAISERS AND ASSESSORS
Appraisers and Assessors	30	6.-(1) The Service shall appoint for each Property and Land Use

1 Charging unit at least three appraisers.

2 (2) Each Appraiser appointed under this section shall be a member
3 of the Nigerian Institute of Estate Surveyors and Valuers and shall be a
4 person with sound knowledge and experience of the property market.

5 (3) Assessors shall be staff of the Federal Capital Territory Internal
6 Revenue Service and shall be persons knowledgeable and experienced in
7 matters of Property and Land Use Charge assessment.

8 7.-(1) The Service shall maintain a Property and Land Use Charge
9 Register on which shall be listed all chargeable Properties in the FCT.

The Service and
Land Use Charge
Office

10 (2) The Property and Land Use Charge Register shall contain such
11 information as may be prescribed by the Service, including the name and
12 address of the owner of any chargeable property listed therein.

13 (3) Where by reason of transmission upon death or any other
14 transfer, any person other than the person in whose name a real property is
15 listed in the Property and Land Use Charge register becomes beneficially
16 entitled thereto, such person shall within thirty (30) days of becoming
17 entitled to the property, deliver a notice of his entitlement, together with the
18 relevant documentary evidence of his title to the Service who shall cause the
19 Property and Land Use Charge register to be amended accordingly.

20 (4) Such portion of the Property and Land Use Charge register as
21 may be prescribed by regulations shall be open to public inspection during
22 reasonable office hours at such places as shall be designated in such
23 regulations.

24 8. The Service may from time to time, prescribe the forms for
25 assessments, notices and other documents required to be issued pursuant to
26 this Act.

Forms

27 9. For the purpose of carrying out the identification, appraisal and
28 valuation of a property; an Appraiser, Valuer and a duly authorized officer
29 may, on any day between the hours of 7.00 am and 5.00pm:

Power to enter

30 (a) enter, inspect, survey and assess the Property;

	1	(b) request for documents or other information to be produced;
	2	(c) take photographs; and
	3	(d) make copies of necessary documents.
Persons Liable to pay Property and Land Use Charge	4	10. -(1) The owner of a property or occupier of a lease of more than ten
	5	(10) years is liable to pay Property and Land Use Charge in respect of a
	6	chargeable property.
	7	(2) The owner of a property shall give notice to transfer or Sale of the
	8	property to the Service, or he will continue to be liable.
	9	(3) The occupier of a lease of more than ten (10) years of a chargeable
	10	property shall give notice of his moving out of the property to the Service, or he
	11	will continue to be liable.
Valuation	12	11. -(1) As from the commencement of this Act; the annual amount of
	13	the Property and Land Use Charge payable on any Property shall be arrived at,
	14	by multiplying the Market Value of the Property by the applicable Relief Rate
	15	and Annual Charge Rate using the prescribed formulae outlined below and
	16	more particularly described in the Schedule to this Act. (Land Value T Building
	17	Development Value) x Relief Rate x Annual Charge Rate.
	18	(2) The land value and building value rates constituting the Market
	19	Value of the Property shall be reviewed at least once in every five (5) years on
	20	the basis of information available to the Service and may vary from area to
	21	area.
	22	(3) Notwithstanding the periodic reviews in sub paragraph (2), the
	23	land value rates and building value rates may be set to rise in line with the rate
	24	of inflation as may be determined by the Minister.
	25	(4) The Relief Rate shall be set by the Minister and may be subject to
	26	review and published in the Official Gazette which may vary from person to
	27	person or area to area and may reflect one or more factors including but not
	28	limited to:
	29	(a) status of the owner (the age and retirement);
	30	(b) depreciation rate of the property;

- 1 (c) whether or not the owner is physically challenged;
2 (d) the length of time for which an owner has been resident in the
3 property in question;
4 (e) the speed and efficiency with which the owner pays the
5 property and land use charge; and
6 (f) location of the property.

7 (5) The value of the annual charge rate for the financial year in
8 which the Act comes into effect, and every five years shall be set by the
9 Minister and shall be published in the Official Gazette and in one or more
10 newspapers circulating within the Federal Capital Territory.

11 12.-(1) The following categories of Properties shall be exempted
12 from payment of Property and Land Use Charge:

Properties exempted
or Granted partial
relief from payment
of Property and
Land Use Charge

13 (a) Property owned and occupied by a religious body and used
14 exclusively as a place of worship or religious education;

15 (b) Government properties including public utilities, hospitals, etc
16 which are not used for commercial purposes.

17 (c) Public cemeteries and burial grounds excluding profit-oriented
18 cemeteries and burial grounds;

19 (d) Property used as a registered educational institution certified by
20 the Minister to be non-profit making;

21 (e) Property used as a public library or as a private library certified
22 by the Minister to be non-profit making;

23 (f) All palaces of Graded Chiefs in the Federal Capital Territory

24 (g) All Diplomatic properties;

25 (h) All land used exclusively for farming purposes;

26 (i) Any Property specifically exempted by the Minister by notice
27 published in the Official gazette;

28 (j) Properties owned and occupied by a Pensioner above the age of
29 60 years .

30 Provided that any part of the exempted property is leased out for

1 commercial purpose, that pan shall not be covered by the exemption.

2 (2) The Minister may, by notice published in the Official Gazette
3 grant partial relief for a property that is:

4 (i) Occupied by a non-profit making organization;

5 (ii) Used solely for community games, sports, athletics or recreation
6 for the benefit of the general public, and;

7 (iii) Used for a charitable or benevolent purpose for the benefit of the
8 general public and owned by the Federal Capital Territory, Area Council
9 Councils and Federal Government.

10 Provided that any part of the exempted property is leased out to a
11 private entity for revenue generation, shall not be covered by exemption.

Forfeiture of
Exemption

12 **13.**-(1) An exempted Property or part of an Exempted Property shall
13 become liable for Property and Land Use Charge if the:

14 (a) Use of such Property changes to one that does not qualify for the
15 exemption;

16 (b) Owner of the Property changes the use of the property to one that
17 does not qualify for the exemption.

18 (2) If the status of a property changes, a Property and Land Use
19 Charge imposed in respect of that property shall be pro-rated so that the
20 Property and Land Use Charge is payable only for that part of the year in which
21 the Property, or part of it is not exempted.

22 (3) The owner or a person liable to pay Property and Land Use Charge
23 under the provisions of this Act shall notify the Minister in writing promptly
24 upon the forfeiture of an exemption which the Owner had enjoyed.

25 (4) Failure to make the notification in subsection (3) above shall be an
26 offence punishable with a fine of up to three (3) times the value of the
27 exemption in issue.

28 PART III - ASSESSMENT AND DEMAND NOTICE

Property
Assessment

29 **14.**-(1) The Service shall in each financial year, undertake or cause to
30 be undertaken an assessment of chargeable properties in Federal Capital

1 Territory in accordance with S.14 of this Act.

2 (2) For the purpose of subsection (1) of this section, the Service may
3 appoint such Property Identification Officers, Qualified Assessors and other
4 persons as may be necessary to undertake the assessment.

5 **15.** The Service shall issue in each financial Year a Property and
6 Land Use Charge Demand Notice in respect of every chargeable property
7 that has been assessed in accordance with the provisions of this Act.

Issuance of
Demand Notice

8 **16.-(1)** The Property and Land Use Charge Demand Notice may be
9 delivered to the Owner or Occupier by hand, mail or via electronic platform,
10 or on request by either the Owner, Occupier or authorized agent of the
11 Property at any of the Property and Land Use Charge offices.

Service of Demand
Notice

12 (2) If there is no Owner or Occupier or Agent available to take
13 delivery, the Property and Land Use Charge Demand Notice shall be posted
14 on the Property and such posting shall be deemed sufficient delivery of the
15 Notice.

16 **17.-(1)** The person liable to pay Property and Land Use Charge on
17 the Demand Notice shall within thirty (30) calendar days after the date of
18 delivery of the Demand Notice pay that amount at one of the collecting
19 banks specified in the Demand Notice.

Payment of
Property and Land
Use Charge

20 **18.** Payment of the amount in the demand notice by an owner or an
21 authorized agent in respect of any chargeable property within (15) fifteen
22 days of the issuance shall attract a discount on the ordinary charge payable at
23 the rate specified in the Demand Notice.

Discount for early
payment of Property
and Land Use
Charge

24 **19.** The Service may by notice in writing appoint any person
25 including any Occupier of a Chargeable Property to be an Agent of the
26 Owner and the person declared an Agent of the Owner, may be required to
27 pay the Property and Land Use Charge which is or will be payable by the
28 Owner from any money held by the Agent for or due to the Owner and in
29 default of such payment the charges shall be recoverable from the Agent.

Power to appoint
Agent(s)

	1	PART IV - OBJECTION TO ASSESSMENT
Objection to Assessment	2	20.-(1) Any person in whose name Property and Land Use Charge is
	3	levied may object thereto if he is aggrieved with the assessment on the grounds
	4	that:
	5	(a) the decision that a property which he owns is a chargeable
	6	property; or
	7	(b) the decision that he is the person in whose name the property
	8	should be assessed for Property and Land Use Charge; or the calculation of the
	9	amount which he is liable to pay in respect of such property.
	10	(2)An objection under this section shall be made in writing to the
	11	Chairman within 30 days of receipt of the demand notice.
	12	(3)The notice of objection must state fully, the grounds upon which
	13	the objection is made.
	14	(4) Notwithstanding any objection under this section, if the ground of
	15	objection is not made pursuant to paragraph (a) or (b) of subsection (1) of this
	16	section, the person in whose name the Property and Land Use Charge is levied
	17	must pay 50% of the amount of Property and Land Use Charge stated in the
	18	demand notice pending the determination of the objection by the Chairman.
	19	(5) On receipt of a notice of objection, the Chairman may require the
	20	person making the objection to furnish such particulars in relation to real
	21	property in respect of which the assessment was made, as the Chairman may
	22	deem necessary for the proper resolution of the objection.
	23	(6) The Chairman shall reconsider any assessment referred to him
	24	under subsection (1), and may vacate, confirm or vary such assessment, and
	25	shall communicate his decision and his reasons thereof to the person who made
	26	the objection within fourteen (14) days of the receipt thereof.
Appeal against Assessment	27	21. All grievances arising from the administration of Property and
	28	Land Use Charge under this Act, shall upon exhaustion of all administrative
	29	processes, lie to the Tax Appeal Committee established pursuant to the FCT
	30	Internal Revenue Service Act No. 10 of 2015.

1 PART V - PROPERTY AND LAND USE CHARGE COLLECTION FUND

2 22.-(1) The Federal Capital Territory Administration shall Property and Land
Use Charge
Collection Fund
3 establish and maintain a fund to be known as the "Property and Land Use
4 Charge Collection Fund", consisting of all Property and Land Use Charge
5 payments deposited in the designated bank in accordance with this Act.

6 (2) At the beginning of each month, the FCT A shall determine the
7 total amount of Property and Land Use Charge payments deposited in the
8 designated bank account.

9 The sharing and payment should follow the process presently followed by
10 JAC

11 (4) The share to be paid by the FCT A to each Area Council and the
12 Federal Capital Territory Administration shall be such percentage of the Net
13 Property and Land Use Charge on deposit at the end of each month as agreed
14 between the Federal Capital Territory Administration and all the Area
15 Councils.

16 PART VI - ENFORCEMENT AND RECOVERY

17 23.-(1) Without prejudice to any other power conferred on the Power to Distrain
18 Service for the enforcement of payment of Property and Land Use Charge
19 due from a chargeable person served with an assessment which had become
20 final or if payment of the Property and Land Use Charge is not made within
21 the time specified by the demand notice, the Service may, in the prescribed
22 form for the purpose of enforcing the payment due:

23 (a) distrain the person by his goods, other chattels, bond or other
24 securities or

25 (b) distrain plant, tools, vehicle, and effects in the possession, in
26 respect of which the person chargeable is the owner and, subject to the
27 provision of this section, recover the amount of Property and Land Use
28 Charge due by sale of anything so distrained.

29 (2) The authority to distrain under this section shall be in such form
30 as may be prescribed by the Service, which shall be sufficient warrant and

1 authority to levy by distrain the amount of revenue due.

2 (3) For the purpose of levying any distrain, under this Section, an
3 officer duly authorized by the Service may apply to a judge of the Court sitting
4 in Chambers, under oath for the issue of a warrant under this Section.

5 (4) The judge may, on application made ex-parte, authorize such
6 officer, referred to in subsection (3) of this Section, in writing to execute any
7 warrant of distrain, and if necessary, break open any building or place in the
8 daytime for the purpose of levying such distrain and he may call to his
9 assistance any police officer and it shall be the duty of any police officer when
10 so required to aid and assist in the execution of any warrant of
11 distrain and in levying the distrain.

12 (5) Properties distrained pursuant to this section may at the expense of
13 defaulter be kept for fourteen (14) days at the end of which time, if the, amount
14 due in respect of the Property and Land Use Charge, and the cost and charges
15 incidental to the distrain are not paid, the same may be sold.

16 (6) There shall be paid out of the proceeds of sale under this section,
17 the cost or charge incidental to the sale and keeping of the distrain and the
18 residue, if any after the recovery of the Property and Land Use Charge, shall be
19 payable to the owner of the properties distrained or to the appropriate court
20 where the owner cannot be traced, within thirty (30) days of such sale.

21 (7) In exercise of the power of distrain conferred by this Section, the
22 person to whom the authority is granted under subsection (3) of this section
23 may distrain upon all goods, chattels and effects belonging to the debtor
24 wherever the same may be found in Nigeria.

25 (8) Nothing in this Section shall be construed as authorizing the sale of
26 any immovable property without an order of a Court of competent jurisdiction.

27 PART VII - OFFENCES AND PENALTIES

Offences and
Penalties

28 24. Any person who:

29 (a) refuses or neglects to comply with any provision of this Act when
30 required to do so by the Property Appraiser or an Assessor;

1 (b) prevents, hinders, or obstructs any Property Appraiser or an
2 Assessor in the course of lawful duty.

3 (c) Removes, damages or destroys a property Identification
4 Number on any Property or building.

5 Commits an offence and shall be liable on conviction to a
6 maximum fine of N100,000.00 (One Hundred Thousand Naira only) or to a
7 maximum term of imprisonment for a period of three (3) months or both.

8 **25.** Any person who:

9 (a) Incites, aids or abets another person to refuse to pay any charge
10 under this Act on or before the day on which it is payable, or

11 (b) incites or assists any person to misrepresent in any way the
12 person's chargeable property.

13 Commits an offence and shall on conviction be liable to a
14 maximum fine of N100,000.00 (One Hundred a Thousand Naira only) or to
15 a maximum term of imprisonment for a period of three (3) months or both.

16 **26.** A person appointed as a collecting Agent in accordance with
17 this Act who fails to remit Property and Land Use Charge collected, commits
18 an offence and shall be liable to refund the amount due and in addition, a sum
19 equivalent to twenty-five percent (25%) of the amount. Upon conviction,
20 the defaulter may further be liable to imprisonment for a term of three (3)
21 months.

22 **27.** Any person who contravenes any of the provisions of this Act
23 or any Regulation made pursuant thereunder commits an offence and, where
24 no specific penalty is provided, shall be liable on conviction to a fine of
25 N100,000.00 (One Hundred Thousand Naira only) or imprisonment for a
26 term not exceeding three (3) months or to both such fine and imprisonment.

27 PART VIII - OTHER PROVISIONS

28 **28.** The Minister may make regulations for carrying into effect the
29 purposes of this Act.

Penalty for inciting
a person to refuse
to pay Charge

Failure to remit
Property and
Land Use Charge
Collected

Penalty for
General Offences

Power to make
Regulations

Application of
other Acts

1 **29.**-(1) Nothing in this Act shall affect any order, rule, regulation,
2 appointment, direction given, proceeding taken, instrument or thing if in force
3 immediately before the commencement of this Act to continue in force, and so
4 far as it could have been made, given, taken, issued or done.

5 (2) Nothing in this Act shall be construed as to prohibit the
6 continuation of an inspection by Property Identification Officers or
7 Professional Valuers, Appraisers, Assessors or any other person appointed
8 under the other existing laws or regulation before the commencement of this
9 Act.

Interpretation

10 **30.** In this Bill:

11 "Area Council" means any of the Area Councils in the Federal Capital
12 Territory;

13 "authorized officer" means any person employed by the Service or for the time
14 being performing duties in relation to property and Land Use Charge;

15 "Annual Charge Rate" means the percentage of the assessed value of the
16 Property over a period of Twelve (12) months;

17 "Building" includes any improvement or anything constructed, placed on, or
18 over land but does not include a highway, road or a bridge that forms part of a
19 highway or road;

20 "Chairman" means Chairman of the Federal Capital Territory Internal Revenue
21 Service;

22 "Charge" means an assessed amount on property and land use charge payable
23 under this Act;

24 "Chargeable Person" means a person liable to pay Property and Land Use
25 Charge on a chargeable Property or the person's successors-in-title, assigns,
26 Legal representatives, executors or administrators; it includes individual (s) or
27 family, corporation, trustee or executor;

28 "Chargeable Property" means any property in respect of which Property and
29 Land Use Charge is payable;

- 1 "Committee" means Tax Appeal Committee established pursuant to the
2 FCT-IRS Act 2015;
- 3 "Commercial Property" means any Property or any part thereof that is used
4 for business activities;
- 5 "Court" means the Federal High Court, High Court of the Federal Capital
6 Territory, or the Magistrate Court within the Federal Capital Territory;
- 7 "Collecting Bank" means a financial institution licensed by the Central
8 Bank of Nigeria to carry out banking activities as provided for under the
9 provisions of this Act and listed as a bank that may collect on behalf of the
10 Federal Capital Territory Internal Revenue Service any Property and Land
11 Use Charge payable under this Act;
- 12 "Designated Bank" means the bank where all the Property and Land Use
13 Charge funds are domiciled;
- 14 "Document" includes any record of information, supporting accounts and
15 accounting records. including reports or correspondences or memoranda or
16 minutes of meeting, however compiled, recorded or stored, whether in
17 written or printed form or micro-film, digital, magnetic, electronic or optical
18 form or otherwise and all types of information stored in computer and any
19 other similar equipment;
- 20 "Exempted Property" means any Property of a class described under Section
21 14;
- 22 "Farming Purpose" is an activity that involves crop cultivation and rearing
23 of animals for food and raw materials;
- 24 "Federal Capital Territory" means Federal Capital Territory of Nigeria;
- 25 "Financial Year" means a period of twelve (12) months beginning from the
26 1st day of January and ending on the 31st day of December;
- 27 "Ground Rent" is an annual tax charged and collected by the FCT
28 Administration on a piece of land (both developed and undeveloped) with a
29 Certificate of Occupancy and to be paid by the land/property owner;
- 30 "Industrial Property" means a Property used for manufacturing, processing,

- 1 warehousing or retail purposes;
- 2 "Improvement to Property" includes a building, structure, fixture or fence
3 erected on or affixed to land or a moveable structure that is designed to be
4 occupied for residential or business purposes whether or not affixed to the
5 Land;
- 6 "Market Value" means the most probable price that a property should bring in a
7 competitive and open market under all conditions requisite to a fair sale.;
- 8 "Minister" means the Minister in charge of the Federal Capital Territory;
- 9 "Occupier" in relation to a property, shall include not only the person in actual
10 occupation of the whole or part of such property but any person in beneficial
11 occupation whether or not of pecuniary benefit and it does not include a lodger;
- 12 "Officer" means any person employed in the Service of the Federal Capital
13 Territory Internal Revenue Service;
- 14 "Owner" in relation to any Property shall include the person for the time being
15 receiving the proceeds in connection with which the word is used, whether on
16 the owner's account or as an agent or trustee for any other person who would
17 receive the sum if such Property were let to a tenant, and the holder of a
18 Property directly from the Federal Capital Territory Administration whether
19 under lease, licence or otherwise;
- 20 "Partial Relief" means a reduction of the amount of Land Use Charge to be paid
21 on a property;
- 22 "Person" includes an individual, a company or body corporate and any
23 unincorporated body of persons;
- 24 "Pensioner" means a person above the age of 60 years who retires from the
25 Service of the Federation, the Federal Capital Territory or a government of a
26 State of Nigeria, Area Councilor Local Government Councilor private
27 company or organisation or Firm and has ceased to be actively engaged in any
28 activity or business for remuneration or any mcome;
- 29 "Ser-ice" means the Federal Capital Territory Internal Revenue Service;
- 30 "Property" means real properties, it includes:

- 1 (i) a building;
2 (ii) any improvement on land;
3 (iii) a parcel of land; or
4 (iv) a port or pier

5 "Property and Land Use Charge (P&LUC)" includes all Property and Land
6 Based Charges payable under the Land Use Act and includes, Property Tax,
7 Ground Rent and Tenement Rates as may be computed on the basis of the
8 Schedule to this Act;

9 "Property and Land Use Charging Unit" is a unit under the Tax Office in-
10 charge of enumeration, valuation, appraisal and assessment of property;

11 "Property Tax" means taxes and rates levied on real property within
12 designated areas in the Federal Capital Territory and to be paid by the
13 property owner;

14 "Structure" includes a building or any other thing erected or placed on la.id.
15 whether or not it is affixed to the land;

16 "Third Party" includes a person in beneficial occupation of a property with
17 or without pecuniary interest;

18 "Tax Appeal Committee" shall mean Appeal Committee established
19 pursuant to the FCT Internal Revenue Service Act No. 10 of 2015;

20 "Tax Office" is an office within the FCT Internal Revenue Service that
21 assess, collect, recover and pay to the designated account any taxes or levies
22 including P&LUC due to the FCT; and

23 "Tenement Rate" is an annual tax imposed on occupiers of a developed
24 property within the FCT by the Area Councils.

25 **31.** This Bill may be cited as the Federal Capital Territory Property Citation
26 and Land Use Charge Bill, 2021.

1 FIRST SCHEDULE

2 LAND USE CHARGE FORMULA

3 The following formula shall be used to determine the annual amount of the
4 Property and Land Charges payable under the Law:

5 $(\text{Land Value} + \text{Building Developments Value}) \times \text{Relief Rate} \times \text{Charge Rate}$

6 Interpreted as,

7 $\text{P\&LUC} = [(\text{LA} \times \text{LR}) + (\text{BA} \times \text{BR} \times \text{DR})] \times \text{RR} \times \text{CR}$

8 P&LUC annual amount of Land Use Charge in Naira

9 LA = the area of the land parcel in square metres (sqm).

10 LR = the average Market Value of a land parcel in the neighbourhood, district,
11 on a per square metre basis in Naira based on the market value of the Property
12 as determined by professional valuers appointed by the Chairman for that
13 purpose.

14 BA = the total developed floor area of a building on the plot of land in square
15 metres, or the total floor area of apartment unit in a building where the
16 apartment has a separate ownership title.

17 BR = the average construction value of; medium quality buildings and
18 improvements in the neighbourhood, on a per square metre basis in Naira based
19 on the market value of the property as determined by professional valuers
20 appointed by the Chairman for that purpose.

21 DR = the Depreciation Rate for the buildings and improvements of land which
22 accounts for the building being of higher or lower value than the average
23 buildings in the neighbourhood and which also accounts for the degree of
24 completion of construction of the building.

25 RR = the rate of relief from tax (if any) applicable to the Owner Occupier in the
26 circumstances shall be determined by the Minister and shall be published in the
27 Federal Capital Territory Official Gazette and in one or more newspapers
28 circulating within the Federal Capital Territory and reviewed by the Minister
29 once every ten (10) years.

30 CR = The annual Charge rate expressed as a percentage of the assessed Market

- 1 Value of the Property and which may at the Federal Capital Territory
 2 Administration's discretion, vary between:
 3 (a). owner-occupied and other property;
 4 (b). residential property and commercial (revenue- generating)
 5 property;
 6 (c). physically challenged persons; and
 7 (d). persons who have been resident at the same location for more
 8 than 12 years, minor and retired Owners and Occupiers, on the one hand and
 9 other Owners and Occupiers on the other
 10 LV = The area of the land (in sqm) by the rate charged on the land in Naira
 11 based on the market value of the Property as determined by professional
 12 valuers appointed by the Chairman for that purpose. (LA x LR)
 13 BV = The area occupied by the building (in sqm) by the rate of the building
 14 and by the depreciation rate. (BA x BR x DR)
 15 AV = Assessed Value: The Land Value and the Building Value, less the
 16 Relief Allowances
 17 P&LUC = [(LA x LR) + (BA x BR x DR)] x RR = the assessed value of the
 18 property.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the administration of land based charge called Property and Land Use Charge in the Federal Capital Territory which involves levying and collection of Ground Rent, Tenement Rate and Property Tax.

The Bill primarily took cognizance of item 1(j) of the Fourth Schedule to the 1999 Constitution of the Federal Republic of Nigeria (as amended) which empowers the National Assembly (who are the House of Assembly of FCT) to prescribe and make law regarding the privately owned houses and the tenement rates to be paid by owners and occupiers of property in the FCT.

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:

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1. The National Identity Management Commission Act, Cap.

N154, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as the

Principal Act) is hereby amended as set out in this Bill.

2. Section 27 of the Act is amended by inserting a new paragraph

(k) after the subsisting paragraph (j) and renumbering the subsection

accordingly as follows:

"(k) registration of subscriber identity module (SIM) card by all

mobile telecommunication network operators;"

3. Section 27 of the Act is amended by renumbering the other

paragraphs after the new paragraph (k) accordingly.

4. This Bill may be cited as the National Identity Management

Commission Act (Amendment) Bill, 2021.
- National Identity
Management
Commission Act,
Cap. N154, LFN,
2004

Amendment of
Section 27

Citation

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 ESTABLISH THE FEDERAL COLLEGE OF NURSING AND
MIDWIFERY, ABIUGBORODO, DELTA STATE; AND FOR RELATED MATTERS

Sponsored by Hon. Thomas Ereyitomi

[] Commencement

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

1 **1.-(1)** There is hereby established the Federal College of Nursing
2 and Midwifery Abiugborodo, Delta State (in this Bill referred to as the
3 "College") which shall be a body corporate under that name and subject to
4 the provisions of this Bill, the college shall be charged with the general duty
5 of providing:

Establishment
of the Federal
College of Nursing
and Midwifery
Abiugborodo,
Delta State

(a) Nursing and Midwifery courses and programmes, standard or special, designed for use in Nursing and Midwifery operations and management as may from time to time be prescribed under this Bill for approved persons;

(b) teaching of approved courses and persons on the performance, operations and management as the case may be, of technical equipment the use of which is calculated or likely to increase the margin of performance and operational safety of the students and of all health activities;

(c) training of approved persons in standard or special programs designed to inculcate professionalism in the practice of Nursing and Midwifery and other related fields.

(d) equipment and necessary facilities for technical research or normal use by approved persons at the college as may from time to time be authorized by the Board under this Bill.

20 [CAP N143]

21 (2) Courses provided for the purposes of subsection (1) of this

1 section shall include the organization of incidental study groups and the
2 delivery of necessary series of lectures; and if approved, fees may be calculated
3 and be charged at such rate not exceeding the estimated cost of the course as
4 may be prescribed under this Bill.

5 (3) Courses on teachings and trainings in standard or special shall be
6 of such a nature as to qualify the recipient or student or trainee to be registered
7 under the Nurses and Midwifery Act, Cap N143, Laws of the Federation of
8 Nigeria, and for qualifications and registrations under similar Regulatory
9 Agencies or Bodies for other categories of Health workers or fields.

10 (4) The college as a body corporate shall have perpetual succession
11 and a common seal which shall be kept in the custody of the Provost of the
12 College; and the college shall hold or acquire property, movable or immovable,
13 but shall not mortgage, charge or dispose of any property held by it over the
14 value of N 10m without the consent of the Minister in writing.

Power to appoint
a Provost for the
College

15 2. The President on the advice and recommendation of the Minister,
16 shall appoint a qualified and fit person as the Head of the college as its Provost;
17 and the Provost shall be responsible to the Board under this Bill for the day-to-
18 day administration and control of the college and shall perform such other
19 duties as may, from time to time, be prescribed under this Bill.

Governing
Board

20 3.-(1) There shall be a Governing Board (in this Bill referred to as the
21 "Board") as members of the College charged with responsibility for the
22 organization, administration and policy making and planning of the College;
23 and the Board shall consist of the following members:

24 (a) The Chairman;

25 (b) Six Persons broadly representative of the whole Federation that is
26 to say the six Geo-political zones of Nigeria;

27 (c) Two persons appointed to represent the consultant staff of the
28 College from among their number;

29 (d) The representative of the Federal Ministry of Health;

30 (e) The representative of the Federal Ministry of Education;

1 (f) The Provost;

2 (g) A representative of the Nursing and Midwifery Union of the
3 College;

4 (2) The Registrar of the College, not being a member of the Board,
5 shall serve as the Secretary of the Board and in his absence, the Deputy
6 Registrar shall act as Secretary at meetings, but neither the Registrar serving
7 as the Secretary nor his Deputy acting for him in that capacity shall have a
8 vote in meetings of the Board.

9 (3) The Minister may give to the Board directions of a general
10 nature or relating generally to particular matters and in any event while it
11 continues to operate and exist not inconsistent with the objects of the special
12 fund, or of the executing agency; and the Board shall comply with any such
13 directions given by the Minister.

14 (4) Subject to the provisions of subsection (3) of this section, the
15 Board may:

16 (a) prescribe the general policy of the college in consultation with
17 the Provost of the College and the fees to be charged in respect thereof;

18 (b) regulate the organization and management of the college;

19 (c) prescribe the duties of the Provost of the College and any other
20 members of staff;

21 (d) provide for the appointment, promotion, dismissal and transfer
22 of members of staff at the college and for their salaries;

23 (e) make provision for pension schemes for members of staff of the
24 college;

25 (f) approve annual accounts and estimates;

26 (g) as and when required, make any necessary contract between the
27 college and any person not connected therewith; and

28 (h) submit annual reports to the Minister.

29 (5) The provisions of the First schedule to this Bill shall have effect First Schedule
30 with respect to the tenure of office of members of the Board and the Provost

1 and other matters thereto mentioned.

2 In this section "Staff includes personnel of the College other than
3 those employed by the executing agency or by the special fund, or by any other
4 approved foreign agency or organization.

Tenure and term
of office of the
Board, the Provost
and other Staff

5 **4.-(1)** The members of the Board shall hold office for a period of four
6 years and renewable for a final term of four years and no more save for the
7 members under section 3 (1) (d) (e) of this Bill.

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

Cessation of the
Membership of
the Board and
the Provost

12 **5.-(1)** In the event of the death or incapacity of the Chairman of the
13 Board or if for any reason other than lapse of time, the office of the Chairman
14 becomes vacant, the President shall on the recommendation of the Minister,
15 appoint another person as the Chairman for the residue of the term of the
16 Chairman of the Board.

17 (2) The office of a member of the Board or the provost shall become
18 vacant if:

19 (a) he resigns his office by notice in writing under his hand, addressed
20 to the President through the Minister;

21 (b) the period of his tenure has elapsed;

22 (c) by the resolution of the Board;

23 (d) that he has become unfit to continue as a member of the Board by
24 reason that the member has become incapable by reason of mental or bodily
25 infirmity to discharge his duties; or

26 (i) that he has been absent from three consecutive meetings of the
27 Board without the leave of the Board: or

28 (ii) he has been convicted of an offence involving dishonesty, fraud or
29 moral turpitude.

30 (3) Where the office of a member becomes vacant, another person

1 representing the same interest shall be appointed for the remainder of the
2 term for which the vacating member was appointed.

3 (4) Any member of the Board other than an ex-officio member
4 may, by notice to the Board, resign his appointment.

5 **6.-(1)** There shall be established for the College, the Provost and
6 the Deputy Provost, the Registrar and the Deputy Registrar, and other
7 categories of Staff.

Appointment of
the Provost and
Deputy Provost;
the Registrar and
Deputy Registrar
and other member
of Staff

8 (2) The Provost/Deputy and the Registrar/Deputy shall be
9 appointed for a period of four years, renewable for a final term of four years.

10 (3) The Provost shall be appointed by the President on the
11 recommendation of the Minister.

12 (4) The Registrar and Deputy shall be appointed by the Board on
13 the recommendation of the Provost.

14 (5) The College shall employ as many persons as are required for
15 the administration and management of the College; and such persons so
16 employed shall be entitled to such emolument, allowances terms and
17 conditions as applicable in the Public Service of the Federation, including
18 pension and gratuity.

19 **7.-(1)** There shall be established for the College, certain numbers
20 of departments and units for the realization of the mandates and purposes for
21 the establishment of the College.

Department and
Units of the College

22 (2) Such numbers of departments and units shall be established by
23 the Board on the recommendation of the Provost or as applicable in similar
24 institutions in Nigeria or elsewhere.

25 (3) Such numbers of departments and units shall be headed by the
26 personnel of the college, and their respective designations shall be
27 determined and approved by the Board.

28 **8.-(1)** The College, through the Board shall be responsible for all
29 employments, appointments as well as the discipline of all categories of
30 staff.

Employments,
Appointments
and Discipline
of Staff

1 (2) The Board in the exercise of its statutory powers and functions
2 under this Bill shall provide and prescribe the modalities, terms and conditions
3 for employments, appointments and discipline of staff.

4 (3) Such employments or appointments made under this section shall
5 be in consonance with existing standards and approved structures and systems
6 within the Public Service of the Federation.

7 (4) Nothing in this Bill shall invalidate such actions by the Board or
8 any organ of the College in the employments or appointments or discipline of
9 staff save for inconsistency with the provisions of the constitution of the
10 Federal Republic of Nigeria, 1999 or such other enabling enactments in the
11 Federation.

Financial
Provisions

12 **9.-(1)** The funds of the College shall comprise:

13 (a) Money allocated to it in each year by the Government of the
14 Federation and while it continues to operate and exist in Nigeria by the special
15 fund in such shares as may be agreed from time to time;

16 (b) Donations and Subsidies;

17 (c) Fees for teaching and training from the College;

18 (d) Monies from such other sources as may from time to time be
19 approved by the Board on behalf of the College.

20 (2) The Board shall cause accounts to be kept at all times of the
21 income and expenditure of the College and proper records in relation to those
22 accounts; and the accounts of the College shall be audited as soon as may be
23 after the end of the financial year to which the accounts relate by an auditor
24 appointed from the list and in accordance with the guidelines supplied by the
25 Auditor-General for the Federation.

26 (3) The Board shall prepare and submit to the Minister not later than
27 the last day of October in each and every year after the commencement of this
28 Bill an estimate of the expenditure and income during the next financial year.

Report on the
College in each
year

29 **10.-(1)** The Board shall in every year furnish half-yearly reports to the
30 Minister and while the special fund continues to operate in Nigeria, to both the

1 representatives of the executing agency and of the special fund, on the
2 activities of the College, so however that the first of such reports shall be
3 furnished not later than 15 July, and subsequent reports as nearly as may be
4 on or after is" January and is" July in each year thereafter; and every report
5 shall be accompanied by a copy of the audited accounts of the College and of
6 the report (if any) by the auditor on the accounts as audited by him.

7 (2) Copies of the report when made shall be printed and submitted
8 to the President through the Minister.

9 **11.** Members of the Board shall be paid such travelling and other
10 allowances at such rate as the Minister may, from time to time approve, after
11 consultation with the Minister of the Government of the Federation charged
12 with the responsibility for Finance.

Travelling
allowances, etc
to Members of
the Board

13 **12.-(1)** There shall be for the College a General Council consisting
14 of the Provost as Chairman, the Deputy Provost, the Registrar, the Deputy
15 Registrar, the Heads of Departments and Units and such other members as
16 the Board approves or may from time to time review and approve.

General Council

17 (2) Meetings of the General Council shall be convened by the
18 Provost as and when necessary, so however that the General Council shall
19 meet at least four times in each calendar year.

20 (3) It shall be the duty of the General Council to make suggestions
21 to the Board relative to courses of instructions provided or to be provided by
22 the College, and to make recommendations to the Minister through the
23 Board for the holding of conferences and meetings at the College which
24 members of the General Council consider suitable or necessary.

25 (4) The Board shall consider all suggestions offered to it by the
26 General Council under subsection (3) of this section and shall give effect to
27 them as far as is practicable.

28 (5) Members attending a meeting of the General Council shall
29 nominate a chairman in the absence of the Provost or his Deputy for the
30 meeting and may regulate its own proceedings thereof.

	1	(6) The Registrar or in his absence, the Deputy Registrar shall attend
	2	meetings of the General Council and provide any necessary assistance of a
	3	secretarial nature and any person attending under this subsection may take part
	4	in deliberations of the General Council, but shall not vote on any subject.
Pensions in special cases	5	13. -(1) Service in the College shall be approved service for the
	6	purposes of the Pensions Act.
	7	(2) The Federal Civil Service Commission may by order published in
	8	the Federal Gazette, declare that certain special cases of service in the College
	9	shall be approved Service for the purposes of the Pension Act.
Regulations	10	14. -(1) Where any act, matter or thing fails to be prescribed under this
	11	Bill, any such act, matter or thing may be prescribed by regulations made on
	12	behalf of the College by the Board.
	13	(2) Regulations made under this section shall when approved by the
	14	Minister be published in the Federal Gazette.
Validation of past Acts, etc.	15	15. It is declared for the avoidance of doubt, that where any person(s)
	16	has/have before the commencement of this Bill been appointed or have
	17	purported to act under powers, however conferred, incidental to the acquisition
	18	of land for or incidental to the erection, supervision or control of the College
	19	hereby established, such person(s) shall be deemed always to have been
	20	lawfully appointed or to have validly exercised the powers, as the case may be.
Disposal of property of the Special Fund	21	16. -(1) The President may after consultation with the executing
	22	agency and of the special fund, prescribe a date not earlier than five years after
	23	the commencement of this Bill for the preparations of a schedule (in this
	24	section referred to as "the Transfer Schedule") of the assets in Nigeria of the
	25	special fund, and the Accountant-General of the Federation shall, when so
	26	directed and acting in collaboration with the executing agency, the special fund
	27	and the Board, prepare the transfer schedule accordingly, and the transfer
	28	schedule shall be certified to, by the persons so collaborating and a copy shall
	29	be supplied by the Provost of the College through the Chairman of the Board to
	30	the Minister.

1 (2) On a day to be appointed by the Minister (hereinafter in this Bill
2 referred to as "the appointed transfer day") the College shall have and may
3 exercise administrative control on behalf of the Government of the
4 Federation over all property shown in the transfer schedule and such assets
5 shall vest in the College accordingly.

6 Second Schedule

7 (3) The provisions of the Second Schedule to this Bill shall have
8 effect with respect to any matter arising from the transfer by this section to
9 the College of the assets in Nigeria of the special fund and with respect to the
10 other matters mentioned in that Schedule.

11 **17.** In this Bill unless the context otherwise requires:

Interpretation

12 "Appointed transfer day" means the day appointed for the purpose of section
13 16 of this Bill for the vesting of certain property of the special fund in the
14 College;

15 "Approved" means approved by the Minister;

16 "Board" means the Governing Board under section 3 of this Bill;

17 "College" means the Federal College of Nursing and Midwifery established
18 under Section 1 of this Bill;

19 "Executing Agency" means such authorized body under the Laws of the
20 Federation of Nigeria, 2004 CAP.N143;

21 "Minister" means the Minister of the Government of the Federation charged
22 with the responsibility for health;

23 "Prescribed" means Prescribed on behalf of the College with the approval of
24 the Minister;

25 "Provost" means the Provost of the College;

26 "Special Fund" means such fund or grants which the Government of the
27 Federation or such foreign donors donate or grant to the College.

28 **18.** This Bill may be cited as the Federal College of Nursing and
29 Midwifery, Abiugborodo, Delta State (Establishment, Etc.) Bill, 2021.

Short title

1 FIRST SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, QUALIFICATIONS
3 AND TENURE OF OFFICE OF MEMBERS

4 1.-(1) Subject to the provisions of this paragraph, a member of the
5 Board shall hold office for such period not exceeding four years as may be set
6 out in the instrument of appointment or if he is a member by office or in a
7 representative capacity, he shall be a member while he continues to hold that
8 particular office or be the representative, as the case may be.

9 (2) Any member of the Board who ceases to be a member thereof, if he
10 is also a member of a committee thereof, ceases to hold office on the
11 committee.

12 (3) Any member appointed by the Government of the Federation may
13 by notice in writing under his hand addressed to the President through the
14 Minister and with his consent, resign his office, and any member appointed by
15 office or in representative capacity may with the consent of the person or body
16 appointing him resign his office by notice in writing addressed to the President
17 through the Minister.

18 (4) A person who has ceased to be a member of the Board shall be
19 eligible for re-appointment.

20 (5) If for any reason there is a vacation of office by a member and:

21 (a) such member was appointed on behalf of the Government of the
22 Federation, another fit person shall be appointed either permanently or
23 temporarily in his stead to be a member of the Board; and

24 (b) in any other case, the vacancy shall be filled by appointment as the
25 circumstances may require.

26 *Powers of the Board*

27 2. Unless otherwise prescribed by this Bill, the Board shall power to
28 do anything which in the opinion of the members is calculated to facilitate the
29 carrying on of the activities, purposes and mandates of the College.

Proceedings of the Board

3.-(1) Subject to the provisions of this Bill, the Board may, in the name of the College, make standing orders regulating the proceedings of the College or of the Board; and in the exercise of its powers under this Bill, may set out committees in the general interest of the College, and make standing orders therefor;

(2) Standing orders shall provide for decisions taken to be unanimous and accordingly the Chairman shall have a second vote. Standing orders made for a committee shall provide that the committee reports back to the Board on any matter not within or within its competence under this Bill to decide.

4. The quo rum of the Board shall be five of whom one shall be the representative of the executing agency or the special fund; and the quorum of a committee of the Board shall be fixed by the Board itself.

5.-(1) Subject to the provisions of this Bill and any standing orders of the Board, the Board shall meet whenever it is summoned by the Chairman; and if the Chairman is required to do so by notice given to him by the Minister, he shall summon a meeting of the Board to be held within seven days from the date on which the notice was given.

(2) At any meeting of the Board, the Chairman shall preside and if he is not present, one of their numbers to be chairman for the meeting only.

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

Committees

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

(2) A committee appointed under this paragraph shall consist of the

1 number of persons determined by the Board;

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

4 *Miscellaneous*

7.-(1) the fixing of the seal of the College shall be authenticated by the signature of the Board or of the Provost if authorized by the Board for that purpose.

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

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

15 8. The validity of any proceedings of the Board shall not be affected
16 by any defect in the appointment of a member of the Board or of a person to
17 serve on the committee, or by reason that a person not entitled to do so took part
18 in the proceedings.

19 9. Any member of the Board and any person holding office on a
20 committee who has a personal interest in any contract or arrangement entered
21 into or proposed to be considered by the Board on behalf of the College or a
22 committee thereof shall forthwith disclose his interest to the Minister in the
23 case of the College or to the Chairman of the Board as the case may be, and
24 shall not vote on any question relating to the contract or arrangement.

25 10. A person shall not by reason only of his membership of the Board
26 be treated as holding an office of emolument in the Federation or of a State.

1 SECOND SCHEDULE

2 *[Section 16(3)]*

3 TRANSITIONAL PROVISIONS AS TO PROPERTY ETC.

4 1.-(1) Every agreement to which the executing agency or the
5 special fund under this Bill was a part immediately before the appointed
6 transfer date, whether in writing or not and whether or not of such a nature
7 that the rights, liabilities and obligations hereunder could be assigned by the
8 said executing agency shall, unless its terms or subject matter make it
9 impossible that it should have effect as modified in the manner provided by
10 this sub- paragraph, have effect from the appointed transfer day or date, so
11 far as it relates to property transferred by this Bill to the College as if:

12 (a) The college has been a party to the agreement on behalf of the
13 Government of the Federation;

14 (b) For any reference (however worded and whether express or
15 implied) to the said executing agency or to the special fund there were
16 substituted, in respect of anything failing to be done on or after the appointed
17 day or date, a reference to the College.

18 (2) Other documents which refer, whether specially or generally, to
19 the executing agency or to the special fund shall be construed in accordance
20 with sub-paragraph (1) of this paragraph so far as applicable.

21 2. Without prejudice to the generality of the foregoing provisions
22 of this Schedule, where by the operation of any of them or of section 16 of
23 this Bill, any right, liability or obligation vests in the College, the College
24 and all other persons shall, as from the appointed transfer day or date, have
25 the same rights, powers and remedies (and in particular, the same rights as to
26 the taking or resisting of legal proceedings or the making or resisting of
27 applications to any authority) for ascertaining, perfecting or enforcing that
28 right, liability or obligation as they would have had if it had at all times been
29 a right, liability or obligation of the College.

30 3. Any application to any authority pending on the appointed

1 transfer day or date by or against the executing agency under this Bill and
2 relating to property transferred by this Bill may be continued on or after that
3 day or date by or against the College.

4 4. If the law in force at the place where any property transferred by
5 this Bill is situated provides for the registration of transfers of property of the
6 kind in question (whether by reference to an instrument of transfer or
7 otherwise), the law shall, so far it provides for alterations of a register (but not
8 for avoidance of transfers, the payment of fees or any other matter) apply with
9 the necessary modifications to the transfer of the property aforesaid; and it
10 shall be the duty of the Provost to furnish the necessary particulars of the
11 transfer to the proper officer of the registration authority, and of that officer to
12 register the transfer accordingly, and notwithstanding the disclosure of a trust.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Nursing and Midwifery, Abiugborodo, Delta State, and to provide for the organizational framework in administration and control.