

*Extraordinary*



# National Assembly Journal

No. 16

Abuja - 8th June, 2021

Vol. 18

## CONTENTS

### INDEX TO LEGISLATIVE INSTRUMENTS

<i>Bill No.</i>	<i>Long Title</i>	<i>Page</i>
HB. 1279	A Bill for an Act to Repeal and Re-enact the Nigerian Institute of International Affairs Act, Cap. N113, Laws of the Federation of Nigeria, to broaden the scope and functions or responsibilities of the Nigerian Institute of International Affairs, to add more value to the foreign mission and to provide for the power to conduct courses of instruction and learning and create an Academic Board to award Postgraduate Diploma (PGD) and Master Degrees in International Relations, Diplomatic Practices and for Related Matters, 2021 ....	C 1135 - 1160
HB. 1337	A Bill for an Act to Repeal the Nigerian Postal Service Act Cap N127 LFN 2004, and Establish the Nigeria Postal Commission to make comprehensive provisions for the Development and Regulation of Postal Services and for Related Matters ....	C 1161 - 1227
HB. 1381	A Bill for an Act to Provide for the Retirement Age of Teachers in Nigeria and for Related Matters, 2021 ....	C 1229 - 1232
HB. 1401	A Bill for an Act to Amend the Provisions of the Constitution of the Federal Republic of Nigeria to provide for the inclusion of Young persons and persons with disabilities in appointments in Nigeria and for Related Matters ....	C 1233 - 1234

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

**NASSP 16/86/2021/900**

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



# A BILL

## FOR

AN ACT TO REPEAL AND REENACT THE NIGERIAN INSTITUTE OF INTERNATIONAL AFFAIRS ACT, CAP. N113, LAWS OF THE FEDERATION OF NIGERIA, TO BROADEN THE SCOPE AND FUNCTIONS OR RESPONSIBILITIES OF THE NIGERIAN INSTITUTE OF INTERNATIONAL AFFAIRS, TO ADD MORE VALUE TO THE FOREIGN MISSION AND TO PROVIDE FOR THE POWER TO CONDUCT COURSES OF INSTRUCTION AND LEARNING AND CREATE AN ACADEMIC BOARD TO AWARD POSTGRADUATE DIPLOMA (PGD) AND MASTER DEGREES IN INTERNATIONAL RELATIONS, DIPLOMATIC PRACTICES AND FOR RELATED MATTERS, 2021

*Sponsored by Hon. Yusuf Buba Yakub*

[ ] Commencement

### 1 *Establishment, Objects and Functions of the Institute*

2 **1.**-(1) There is hereby established a body to be known as the Nigerian  
3 Institute of International Affairs (in this Act referred to as "the Institute")  
4 which shall have the functions assigned to it by this Act.

Establishment  
of the Nigerian  
Institute of  
International  
Affairs

5 (2) The Institute shall be a body corporate with perpetual succession  
6 and a common seal.

### 7 *The Institute's establishment as amended by adding:*

8 (a) The Institute shall be a centre of excellence for the scientific study  
9 of international affairs.

10 (3) Subject to paragraph 13 of the First Schedule to this Act the  
11 governance of the Institute and the management of its affairs shall vest in the  
12 Council of the Institute (in this Act referred to as "the Council").

First Schedule

13 (4) The provisions of the First Schedule to this Act relating to-

14 (a) the membership, powers and the proceedings of the Council;

15 (b) the committees of the Council; and

Objects

1 (c) the other matters there mentioned, shall have effect as therein  
2 prescribed.

3 (5) The Institute shall be exempted from stamp duties.

4 **2.** The objectives of the Institute shall be to-

5 (a) encourage and facilitate the understanding of international affairs and  
6 of the circumstances, conditions and attitudes of foreign countries and their  
7 peoples, and international organizations;

8 (b) provide and maintain means of information upon international  
9 questions and promote the study and investigation of international question by  
10 means of conferences, lectures and discussions, and by the preparation and  
11 publication of books, records, reports, or otherwise as may seem desirable so as  
12 to develop a body of informed opinions on world affairs;

13 (c) establish contacts with other organizations with similar objects.

14 *The objects of the Institute were amended by adding more objects to*  
15 *the institute sustainability:*

16 (i) to provide a nursery of ideas on what direction in international affairs  
17 Nigeria should take, as well as 'to provide a meeting ground for people of all  
18 nations and a rich soil for the cross-fertilization of their ideas', and to be  
19 accomplished through painstaking research, conferences, seminars,  
20 workshop, roundtable discussions, and public lectures on crucial issues in  
21 world affairs;

22 (ii) serving as national body of expertise for all matters relating to  
23 international affairs;

24 (iii) overseeing the implementation and monitoring of national standards  
25 for international affairs;

26 (iv) consulting with and making recommendations to the government,  
27 regulatory bodies, trade associations, academic community and other  
28 professional bodies on all matters relating to international affairs;

29 (v) encourage an open exchange of ideas, cooperation with individuals,  
30 corporate bodies and governments in the pursuit of its mandate;

(vi) focus on research such as international politics, international law and organizations ,international economic relations, security and strategic studies, as well as African politics and integration.

3.-(1) Subject to the provisions of this Act, the Institute is hereby charged with the general function of promoting the scientific study of international politics, international economic relations and international law and without prejudice to the generality of the foregoing provisions, the Institute shall-

(a) Provide such information to the Government of the Federation and members of the public with respect to matters concerning international affairs;

(b) provide facilities for the training of Nigerian diplomats and personnel and those of other countries whose vocations relate to international affairs;

(c) promote and encourage the study and research into all aspects of international affairs;

(d) from time to time organize international seminars and conferences on any matter relating to its objects;

(e) promote and undertake such other activities as may in the opinion of the Institute be deemed necessary for the attainment of the objects of the Institute;

*The functions of the institute were also amended by adding more responsibilities to enable the Institute performed more:*

(i) facilitate training and retraining of foreign service personnel to enable them develop capacity to represent Nigeria in such critical areas as diplomacy, trade, investment, security and other issues, thereby, strengthening her foreign policy for increased output and reciprocal gains in line with the object and mandate of the Institute.

(ii) be responsible for setting the policy agenda and foreign service goals in line with Nigeria's Foreign Policy Objectives, as stipulated in

1 Section 19 of the amended 1999 Constitution of the Federal Republic of  
2 Nigeria;

3 (iii) serves as an intellectual base upon which decision-makers rely for  
4 informed opinion and expert advice in order to make rational choices between  
5 contending policy options;

6 (iv) determine and establish national standards of knowledge,  
7 proficiency and achievement in international affairs management and  
8 administration, and provide a means for recognition of those who attain the  
9 standards from time to time, by the Institute;

10 (v) serves as a center of excellence in research, training, and  
11 enlightenment of the Nigerian public on issues concerning the country's  
12 foreign policy and general developments in world affairs;

13 (vi) consider and make recommendations on socio-economic issues that  
14 impact on international affairs in relation to overall national development;

15 (vii) examine, appraise and advise on the position of international  
16 relations and conditions of employment;

17 (viii) make recommendations to the Minister of Foreign Affairs on the  
18 formulation of any Regulations as may be required for the implementation of  
19 foreign affairs legislation in Nigeria;

20 (ix) co-operate with colleges and university schools of international and  
21 public affairs and other related professional schools and associations to  
22 develop and run programmes of study relating to international relations,  
23 international law and organizations, international economic relations, security  
24 and strategic studies, African studies, Asian studies and European studies.

25 (x) the Institute promotes competent and productive senior staff from one  
26 grade to another; and

27 (xi) carry out such other functions or responsibilities as may be  
28 conferred upon it by any other enactment or law or as the President or Minister  
29 may, from time to time, request.

30 (2) The Institute shall be the supervisory authority for this Act and shall

1 for that purpose-

2 (a) register and regulate international relationship professional  
3 practice activities, and control and supervise their activities with a view to  
4 maintaining proper standards of conduct and acceptable administration  
5 practices;

6 (b) make rules consistent with the provisions of this Act, for the proper  
7 functioning of institutions under this Act;

8 (c) take measures to protect the interests of foreign information  
9 subjects;

10 (d) protect the integrity of the international affairs system in Nigeria  
11 against any abuses;

12 (e) impose penalties for the breach of this Act and Regulations made  
13 hereunder;

14 (f) undertake such other activities as are necessary or expedient for  
15 giving full effect to the provisions of this Act;

16 (g) perform such other functions which, in the opinion of the Institute,  
17 may be required in ensuring the optimal efficiency and performance of the  
18 Institute;

19 (h) perform other function specified under this Act.

20 4. Except as otherwise provided in this Bill, this Bill shall apply to-

Scope of  
Application

21 *The Institute's scope and application was also added:*

22 (a) all matters relating to international affairs as well as African  
23 politics and integration;

24 (b) all persons, organisations and institutions relating to international  
25 affairs.

26 (c) all matters relating to research, training, and enlightenment of the  
27 Nigerian public on issues concerning the country's foreign policy and  
28 general developments in world affairs;

29 (d) all matters relating to the scientific study of international relations,  
30 economics and international law and without prejudice to the generality of

	1	the foregoing provisions.
Officers and Staff of the Institute	2	<b>5.-(1)</b> Subject to sections 5 and 6 of this Act, there shall be in the
	3	employment of the Institute, such number of officers and staff as may appear
	4	expedient and necessary to the Council, for the proper and efficient conduct of
	5	the functions of the Council.
	6	(2) Unless otherwise precluded by this Act, the Institute may exercise
	7	any of the powers and perform any of the functions and duties conferred on the
	8	Institute by this Act through or by any of its officers and staff duly authorized
	9	by the Council in that behalf.
	10	(3) Appointment of officers and staff of the Institute, other than those
	11	referred to in sections 5 and 6 of this Act, shall be made by an Appointments and
	12	Promotion Committee, which shall be set up by the Council after consultation
	13	with the Director-General.
	14	(4) The Appointments and Promotion Committee shall be presided over
	15	by the Director-General and shall comprise the following members-
	16	(a) A Professor of political science;
	17	(b) A Professor of history;
	18	(c) A Professor of law;
	19	(d) A Professor of Economics, to be drawn from Nigerian universities;
	20	and
	21	(e) A member of the Council, other than the Director-General, to be
	22	appointed by the chairman.
	23	(5) Officers and staff of the Institute shall be answerable directly to the
	24	Director-General and the power to appoint junior officers of grade level 07 and
	25	below shall be exercised by the Director-General.
Director-General of the Institute	26	<b>6.-(1)</b> There shall be an officer of the Institute to be known as the Director-
	27	General who shall be appointed by the President.
	28	[1986 No. 16.]
	29	(2) The Director-General shall be the chief executive of the Institute.



1           7.-(1) There shall be appointed by the Council, the following officers of  
2           the Institute-

Appointment of  
Directors of the  
Institute

3           (a) The Director of Administration, who shall be responsible to the  
4           Director-General for administrative work of the Institute and shall act as  
5           Secretary to the Council and where no other person is so designated, act as  
6           Secretary to any of its' committees; and

7           (b) The Director of Research, who shall be selected from within or  
8           outside the Institute and-

9           (i) Be responsible to the Director-General for co-ordinating the  
10          research staff and research projects of the Institute and the collection and  
11          publication of research materials; and

12          (ii) Hold office for one term of five years only;

13          (c) The Director of Library and Documentation Services, who shall be  
14          responsible to the Director-General for the activities and maintenance of the  
15          library of the Institute and hold office for one term of five years only;

16          (d) the Director of Finance who shall be responsible to the  
17          Director-General for the day-to-day administration and control of the  
18          financial affairs of the Institute and;

19          (i) hold office for one term of five years only;

20          (e) the Director of Studies who shall be responsible to the Director-  
21          General for the administration of the Postgraduate School of the Institute  
22          and;

23          (i) hold office for one term of five years only;

24          (f) the Director of International Corporation and Public Affairs  
25          who shall be responsible for the coordination of the Institute's engagements,  
26          with International partners and shall be responsible to the Director-General  
27          in the execution of such duties and;

28          (i) "hold office for one term of five years only;"

29           7A.-(1) The power to discipline, suspend, reprimand and interdict  
30          any officer or staff above grade level 07 shall be exercised by the

Discipline and  
termination of  
appointment of  
Officers and Staff

1 Appointments and Promotion Committee:

2           Provided that any officer or staff who is aggrieved by the decision of  
3 the Appointments and Promotion Committee may appeal to the Council  
4 through the Director-General

5           (2)The power to appoint and discipline junior officers of grade level  
6 07 and below shall be exercised by the Director-General.

Establishment  
of the Institute  
Postgraduate  
School and  
Functions

7 **7B.** -(1) The Postgraduate School of the Institute of International Affairs is  
8 established (in this Act to be referred to as (“the Postgraduate School”).

9           (2) The Postgraduate School shall consist of-

10           (a) an Academic Board;

11           (b) a Postgraduate Committee, and

12           (c) a Coordinator (in this Act to be referred to as “the Coordinator of  
13 Postgraduate School”).

14           (3) The Postgraduate School shall be responsible for coordinating and  
15 conducting courses of instruction for the award of Postgraduate Diploma  
16 (PGD) and Master Degrees in International Relations, Diplomatic Practices  
17 and other related matters.

Establishment  
of the Nigerian  
Institute of  
International  
Affairs Academic  
Board, Membership,  
Powers and  
Functions

18 **7C.**-(1) There is established an Academic Board of the Nigerian  
19 Institute of International Affairs (in this Act to be referred to as “the Academic  
20 Board”), the constitution and procedure of which shall, subject to the  
21 provisions of this Act be in accordance with such provisions as may be made by  
22 Council in that behalf.

23           (2) Membership of the Academic Board

24           The Academic Board shall consist of the following members-

25           (a) Director of Studies;

26           (b) Director of Research;

27           (c) Professors of the Institute;

28           (d) The Coordinator of the Postgraduate School;

29           (e) Two Senior Research Fellows to be appointed by the Director-  
30 General;

1 (f) Any other Research Fellow that the Director General may deem  
2 fit to appoint.

3 (3) Tenure of membership of the Board shall be for a term of four  
4 years.

5 (4) Powers of the Academic Board:

6 (a) The Academic Board shall be the Supreme Academic Authority  
7 of the Institute and shall be responsible for all academic matters relating to  
8 conduct of course of instructions and award of Postgraduate Diploma  
9 (PGD) and Master Degrees in International Relations, Diplomatic Practices  
10 and other related matters;

11 (b) The Academic Board may make regulations for the purpose of  
12 exercising any function conferred on it for the purpose of making provision  
13 for any matter authorized or required by this Act or by statute.

14 (5) Functions of the Academic Board:

15 (1) The functions of the Academic Board shall consist of the  
16 following-

17 (a) the establishment, organisation and control of quality of the  
18 courses of instruction by Departments, Tutors, and other teaching and  
19 research units of the Institute of International, Consular and Diplomatic  
20 Relations;

21 (b) the conduct of examinations, including the appointment of examiners,  
22 both internal and external;

23 (c) the award of Certificates, Diplomas, Degrees and Postgraduate  
24 Degrees, and such other qualifications as may be prescribed, in connection  
25 with examinations held;

26 (d) the making of recommendations to the Council with respect to  
27 the award to any person of an Honorary Fellowship or Honorary Degree;

28 (e) the supervision of the welfare of students at the Institute and the  
29 regulation of their conduct;

30 (g) the granting of fellowships, scholarships, prizes and similar

1 awards in so far as the awards are within the powers of the Institute; and

2 (h) To consider and prescribe the scope and content of courses of  
3 instruction leading to the award of degrees, diplomas, certificates or other  
4 distinction of the Institute on the recommendation of the Postgraduate  
5 Committee;

6 (i) To keep under review the Institute's academic programmes and  
7 ensure their quality and relevance in the fulfillment of the Institute's general  
8 mandate.

The Visitor and  
his functions

9 **7D.-(1)** The Visitor to the Institute of Postgraduate School shall be the  
10 President of the Federal Republic of Nigeria.

11 (2) The Visitor may from time to time conduct a visitation of the  
12 Institute in person, or after consultation with the Director - General, direct that  
13 the same shall be conducted by such person or persons as he may appoint in that  
14 behalf, for the purpose of advising on the effective fulfillment of the objects  
15 and the due exercise of the functions of the Institute as prescribed by law.

16 (3) It shall be the duty of all officers, members, authorities, employees of  
17 and persons otherwise connected with the Institute to make available to the  
18 Visitor, and to any other person or persons conducting a visitation in pursuance  
19 of this section, such facilities and assistance as he or they may reasonably  
20 require for the visitation.

Congregation

21 **7E.-(1)** Institute's Congregation shall consist of -

22 (a) the Director General;

23 (b) the Director of Studies;

24 (c) the Director of Research;

25 (d) the Director of Library and Documentation;

26 (e) the Director of Administration;

27 (f) the Director of International Cooperation and Public Affairs;

28 (g) the Coordinator of Postgraduate School;

29 (h) the Director of Finance;

30 (i) the full-time members of the academic staff; and

1 (k) every member of the administrative staff who holds a degree,  
2 other than an honorary degree, of any Institute recognised for the purposes  
3 of this Statute by the Director-General.

4 (2) the Director-General shall be the Chairman at all meetings of  
5 Congregation when the Director General is present; and absent any of the  
6 Directors of the Institute shall be the Chairman of the meeting.

7 (3) The quorum of Congregation shall be one third or the whole  
8 number nearest to one third of the total number of members of the  
9 Congregation.

10 7F.-(1) A Convocation for the conferment of degrees and other  
11 academic titles and distinctions of the Institute shall be held once every two  
12 (2) years at such time and place as shall be determined by the Council. The  
13 degrees, academic titles and distinctions shall be conferred by the person  
14 presiding at the Convocation.

Convocation-  
General Provisions

15 (2) A Convocation shall be presided over by the Chairperson of  
16 Council of the Institute or in the absence of the Chairperson by the Director-  
17 General or in the absence of both the chairperson and the Director-General  
18 by the Director of Studies.

19 (3) The procedure for summoning Convocation, for the  
20 presentation of graduates and other persons for awards and for the  
21 conferring of degrees, academic titles and distinctions in *absentia*, and all  
22 other matters relating to Convocation, shall be determined by the Council of  
23 the Institute.

24 7G.-(1) Convocation shall consist of -

Convocation

25 (a) the following statutory and designated officers of the Institute:

26 (i) the Chairperson of Council;

27 (ii) the Fellows of the Institute;

28 (iii) the Director-General;

29 (iv) the Director of Administration;

30 (v) the Director of Library and Documentation Services;

- 1 (vi) the Director of Finance;  
2 (vii) the Director of Studies;  
3 (viii) the Director of Research;  
4 (ix) the Director of International Cooperation and Public Affairs;  
5 (ix) the Coordinator of Postgraduate School.  
6 (b) all Research Fellows within the meaning of the Act;  
7 (c) all other persons whose names are registered in accordance with  
8 subsection (2) of this section.
- 9 (2) Persons shall be entitled to have their names registered as a  
10 member of Convocation if-
- 11 (a) the person is either a graduate of the Institute or a person satisfying  
12 such requirements as may be prescribed for the purposes of this subsection; and  
13 (b) applies for the registration of his name in the prescribed manner  
14 and pays the prescribed fees.
- 15 (3) Regulations shall provide for the establishment and maintenance  
16 of a register for the purpose of this paragraph and, subject to subsection (4) of  
17 this section may provide for the payment, from time to time, of further fees by  
18 persons whose names are on the register and for the removal from the register  
19 of the name of any person who fails to pay those fees.
- 20 (4) The person responsible for maintaining the register shall, without  
21 the payment of any fees, ensure that the names of all persons who are for the  
22 time being members of the Convocation by virtue of subsection(1) (a) or (b) of  
23 this section are entered and retained on the register.
- 24 (5) The quorum or Convocation shall be one third or the whole  
25 number nearest to one third or the whole number of members of convocation  
26 whichever is less.
- 27 (6) The Chairperson of Council shall be Chairperson of all meetings  
28 of convocation when the Chairperson is present, and in the absence  
29 Chairperson the Vice-Chancellor shall be the Chairperson at the meeting.
- 30 (7) Convocation shall have such functions, in addition to the function

1 of appointing a member of the Council, as may be provided by statute or  
2 regulations.

3 7H.-(1) There is established a Postgraduate Committee.

Establishment of  
the Postgraduate  
Committee

4 (2) The Postgraduate Committee shall consist of-

5 (a) the Director General;

6 (b) the Director of Studies;

7 (c) the Coordinator of Postgraduate School;

8 (d) the persons or Tutors of courses of instruction of the  
9 Postgraduate School.

10 (3) The Postgraduate Committee shall advise the Director –  
11 General or the Academic Board on any matter referred to it by the Director –  
12 General or the Academic Board.

13 (4) The Postgraduate Committee shall perform the following  
14 functions-

15 (a) establish, organize, control and supervise halls of residence  
16 and similar facilities at the Institute;

17 (b) the supervision of the welfare of students at the Institute and  
18 the regulation of their conduct;

19 (c) determining what descriptions of dress shall be academic gown  
20 for the purposes of the Institute, and regulating the use of academic gown;

21 (d) To consider and approve the scope and funding of research  
22 projects submitted by Departments and members of academic staff  
23 commissioned by the Institute;

24 (e) To consider and prescribe the scope and content of courses of  
25 instruction leading to the award of diplomas, certificates and degrees or  
26 other distinction of the Institute and make recommendation to the  
27 Academic Board;

28 7I There shall be a Graduate Association of the Institute, the  
29 Constitution, functions and procedure of which shall subject to the

Graduate/Alumni  
Association

	1	provisions of this law, be such as may be prescribed by the Institute
	2	Regulations.
Mode of exercising power to make statutes	3	<b>7J</b> -(1) The power of the Institute to make statutes shall be exercised
	4	in accordance with the provisions of this section and not otherwise.
	5	(2) A proposed statutes shall not become law unless it has been
	6	approved-
	7	(a) at a meeting of the Institute Academic Board, by the votes of not
	8	less than two thirds of the members present and voting; and
	9	(b) at a meeting of the Council, by the votes of not less than two thirds
	10	of the members present and voting.
	11	(3) A proposed statute may originate either in the Institute Academic
	12	Board or in the Council, and may be approved as required by subsection (2) of
	13	this section by either one of those bodies before the other.
	14	(4) A statute which-
	15	(a) makes provision for or alters the composition or constitution of the
	16	Council, Institute Academic Board or any other authority of the Institute; or
	17	(b) provides for the establishment of a new Department or school or
	18	for the amendment or revocation of any statute whereby a Department or
	19	school is established,
	20	shall not come into operation unless it has been approved by the Council.
Pensions	21	<b>8</b> -(1) It is hereby declared, that service in the Institute shall be public
	22	service for the purposes of the Pensions Act and accordingly, pension is
	23	contributory and officers and staff are entitled to pensions, gratuities and other
	24	retirement benefits on pro rata basis as prescribed by the Pension Act.
	25	(2) Notwithstanding anything to the contrary in the Pensions Act, the
	26	compulsory retiring age of an academic staff of the Institute shall be sixty five
	27	years.
	28	(3) A law or rule requiring a person to retire from the public service
	29	after serving for thirty-five years shall not apply to an academic staff of the
	30	Institute.



1           **9.**-(1) Membership of the Institute shall be open only to persons who are      Membership of  
2           citizens of Nigeria and to non-Nigerians on the recommendation of the      the Institute  
3           Council and approval of the President and;

4                   (2) it shall be the duty of the members of the Institute generally, to  
5           promote and undertake such things as may be deemed necessary for the  
6           attainment of the objects of the Institute.

7                   (3) Subject to any regulations made in this Act, any person who  
8           immediately before the appointed day was a member of the Institute shall on  
9           that day become a member of the Institute under this Act.

10                                   *Financial provisions, etc.*

11           **10.**-(1) The Institute shall establish and maintain a specialized fund,      Financial  
12           which shall be applied towards the promotion of the objects of the Institute.      Provisions

13                   (2) There shall be paid and credited to the fund established pursuant to  
14           subsection (1) of this section-

15                   (a) such moneys as may be supplied to the Institute by the Federal  
16           Government or a State Government;

17                   (b) all moneys as may be raised for the purposes of the Institute, by  
18           way of gifts, loans, grants in aid, testamentary disposition or otherwise;

19                   (c) all interests received in respect of moneys invested by the Institute;  
20           and

21                   (d) all other assets, from time to time, accruing to the Institute.

22                   (3) The fund shall be managed in accordance with rules made by the  
23           Minister of Finance and without prejudice to the generality of the power to  
24           make rules under this sub-section, the rules shall in particular contain  
25           provisions-

26                   (a) specifying the manner in which the assets of the fund are to be held,  
27           and regulating the making of payments into and out of the fund;

28                   (b) requiring the keeping of proper accounts and records for the  
29           purposes of the fund in such form as may be specified in the rules;

30                   (c) for ensuring that the accounts are audited periodically by auditors

- 1 appointed from the list and in accordance with the guidelines supplied by the  
2 Auditor-General for the Federation; and  
3 (d) requiring copies of the accounts and of the auditor's report on them to  
4 be furnished to the President through the Ministry of Foreign Affairs.
- Power to accept  
gifts 5 **11.**-(1) Subject to subsection (2) of this section, the Institute may accept  
6 gifts of land, money or other property, upon such terms and conditions that are  
7 amicable with the person or corporate body and the Institute and the Institute  
8 shall not pay tax on any such gift or donation; and corporate bodies who give  
9 gifts or donations shall be exempted from tax on the gift or donations.  
10 *[1986 No. 16.]*
- 11 (2) The Institute shall not accept any gift if the conditions attached to  
12 such gift by the person or corporate body proposing to make the gift are,  
13 inconsistent with the functions of the Institute or the regulations of the  
14 government.
- Expenditure of  
the Institute 15 **12.**-(1) The Institute may, from time to time, as the Council may direct,  
16 apply the funds at its disposal-  
17 (a) to the cost of the administration of the Institute and for the purposes  
18 of any research under its administration;  
19 (b) the provision of fellowships and other awards, for the training of  
20 persons in international relations;  
21 (c) for reimbursing members of the Institute or members of any  
22 committee setup by the Council or the Director-General;  
23 (d) to the payment of the salaries, fees or other remuneration or  
24 allowances payable to the officers and staff of the Institute, so however that no  
25 payment of any kind under this paragraph (except such as may be expressly  
26 authorised by the Minister) shall be made to any person who is in receipt of  
27 emoluments from the Federal or a State Government;  
28 (e) for the maintenance of any property vested in the Institute or under its  
29 administration; and  
30 (f) for and in connection with all or any of the functions of the Institute

1 under this Act or any other enactment.

2 (2) Except as provided for in subsection 1) of this section, no other  
3 remuneration shall be paid to any member of the Council or of any  
4 committee.

5 **13.**-(1) The Council may, with the consent or in accordance with the Borrowing  
6 general authority given by the President, borrow by way of loan from any power, etc.  
7 source any moneys required by the Council for meeting its obligations and  
8 discharging the functions of the Institute under this Act.

9 (2) The Council may, subject to the provisions of this Act and the  
10 conditions of any trust created in respect of any property, invest all or any of  
11 its funds as may be approved by the President.

12 (3) The Minister may, with the approval of the President, issue  
13 directives to the Council as to the disposal of surplus funds of the Institute.

14 **14.** The Institute shall within six months after the end of each financial Annual report  
15 year, submit to the President, a report on the activities of the Institute and its  
16 administration during the last preceding year.

17 *Supplemental*

18 **15.**-(1) The Institute shall provide and maintain a digital library Provisions of  
19 comprising internet facilities, books, publications and E books/E Journals library facilities  
20 library as may be provided by the Council for the advancement of  
21 knowledge of international affairs and relations, for research purposes, and  
22 for other purposes concerned with the objects and functions of the Institute.

23 *[1986 No. 16.]*

24 (2) A certified true copy of every treaty entered into by the Federal  
25 Republic of Nigeria shall be deposited at the library of the Institute.

26 **16.**-(1) The Council may, subject to the provisions of this Act, make Regulations  
27 regulations generally for the purposes of this Act; and without prejudice to  
28 the generality of the foregoing regulations may provide for-

29 (a) The functions and responsibilities of the Director-General and the  
30 secretary;

- 1 (b) The disciplinary control of all officers and staff of the Institute;  
2 (c) Matters concerning-  
3 (i) Membership of the Institute;  
4 (ii) Annual subscriptions;  
5 (iii) annual general meetings and extraordinary general meetings of the  
6 members of the Institute, the regulations of the conduct of the meetings, and  
7 matters which may be dealt with at such meetings; and (iv) Appointment to  
8 the offices of Patron and Vice Patrons of the Institute; and  
9 (d) Such other matters as the Minister may approve.

10 (2) Notwithstanding anything in the foregoing provisions of this section,  
11 the first meeting of the Council shall be summoned by the Minister, on such day  
12 after the appointed day, as he may think fit.

13 (3) Regulations made under subsection (1) of this section shall not have  
14 effect until they are approved by the President, and when so approved they  
15 shall be published in the *Federal Gazette*.

Conditions of  
Service

16 **17.** *The Condition of Service was included as part of amendment to*  
17 *broaden the institute:*

18 The Institute shall operate under the terms of Federal Government Public  
19 Service Rules and the remuneration, tenure and conditions of service of  
20 employees of the Institute (including the Director-General) shall be as those  
21 applicable to staff in Nigerian Universities or otherwise as may be determined,  
22 from time to time, by the Federal Government.

Funds of the  
Institute

23 **18.** *The Institute's funds were also included as part of amendment made*  
24 *to institute's survival:*

25 (1) The Institute shall establish and maintain a Specialised Fund for  
26 research and its ancillary activities.

27 (2) The fund established under subsection (1) of this section shall consist  
28 of-

29 (a) The intervention grant from the Federal Government;

30 (b) Annual subvention from the Federal Government;

(c) Internally Generated Revenue from fees, commissions and dues charged by the Institute pursuant to its functions under this Bill or any other enactment or law;

(d) Gifts and grants-in-aid from any national or international organisation; and

(e) all sums of money accruing to the Institute by way of gifts, testamentary dispositions and endowments and contributions from any other sources whatsoever.

**19.** *The Institute's annual estimates are part of amendment made, to make the institute accountable in their finances:* Annual Budget

(1) The Institute shall cause to be prepared not later than 30 September in each year an estimate of the expenditure and income of the Institute during the next succeeding year and when prepared, they shall be submitted to the President.

(2) The Institute shall cause to be kept proper accounts of the Institute and proper records in relation thereto and when certified by the Institute, the accounts shall be audited by auditors appointed by the Institute from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation.

**20.-(1)** The trustees appointed by the Institute who for the purposes of the Companies and Allied Matters Act became an incorporated body under that Act with powers to accept, acquire and hold in trust all land belonging to the Institute shall, as from the appointed day, cease to be an incorporated body and to have or to exercise such power, and accordingly- Consequential provisions

(a) the certificate of registration of the said trustees granted under that Act shall as from that appointed day become null and void;

(b) the constitution and bye-laws and other instruments which may be in operation immediately before the appointed day and which, among other things, relate to the aims and objects of the Institute and deal with the appointment and powers of the trustees, membership of the Institute and the

1 proceedings of its annual general meetings shall no longer have effect; and

2 (c) Any holder of an office of the Institute who was or became by virtue of  
3 the said constitution and bye-laws, an officer of the Institute before the  
4 appointed day shall, as from that appointed day, vacate his office which shall  
5 there upon become vacant.

6 (2) Nothing in this section shall affect the appointment under this Act of  
7 any servant or other member of the staff of the Institute or his tenure of office.

Transition  
provisions

8 **21.**-(1) All property which immediately before the appointed day was  
9 held by the trustees of the Institute (hereby dissolved) or by some other body or  
10 person on behalf of or in trust for the Institute, shall on that appointed date, by  
11 virtue of this section and without further assurance vest in the Institute and be  
12 held by it on behalf of or, as the case may be, on the like trust for the  
13 benefit of the Institute.

Second  
Schedule

14 (2) The transitional provisions set out in the Second Schedule to this  
15 Act relating to the rights, liabilities and obligations arising out of any contract  
16 or other arrangement and other matters therein mentioned shall apply  
17 accordingly.

General restriction  
as to the powers  
of the Institute

18 **22.**-(1) Nothing in this Act shall be construed as permitting the Institute  
19 to express an opinion on any aspect of international affairs on behalf of the  
20 Federal Government.

Procedure in  
respect of suits  
against the  
Institute

21 **22A.**-(1) No suit against the Institute, a member of the council or any  
22 employee of the Institute for any of any public duties or in respect of any  
23 alleged neglect or default in the execution of such law duties shall lie or be  
24 instituted in any Court unless it is commenced within twelve months next after  
25 the act, neglect or default complained of or, in the case of a continuance of  
26 damage or injury within twelve months next after the leasing thereof.

27 (2) No suit shall be commenced against the Institute before the  
28 expiration of a period of the month after written notice of intention to  
29 commence the suit shall have been served upon the Institute by intending  
30 plaintiff or his agent, and the notice shall clearly and explicitly state-

- 1 (a) the cause of action;
- 2 (b) the particulars of the Claim;
- 3 (c) the name and place of abode of the intending plaintiff; and
- 4 (d) the relief which he claims.

5 **22B.** The notice referred to in subsection (2) of Section 22A of this Service of  
6 Act and any Summons, notice or other document required or authorised to documents  
7 be served upon the Institute under the provisions of this Act or any other law  
8 may be served by delivering the same to the Chairman, or the Director-  
9 General, or by sending it by registered post addressed to the Director-  
10 General at the Principal Office of the Institute.

11 **22C.** A new Section 22C should be inserted to read: Restriction  
12 “In any action or suit against the Institute no execution or  
13 attachment or process in the nature thereof shall be issued against the  
14 Institute but any sums of money which by judgment of the Court be awarded  
15 against the Institute shall, subject to any directions given by the Institute, be  
16 paid from the general reserve fund of the Institute”.

17 **22D.** Every member of the Council, agent or employee for the time Indemnity of  
18 being of the Institute shall be indemnified out of the assets of the Institute Members  
19 against any liability incurred by him in defending any proceeding whether  
20 civil or criminal, if any such proceeding is brought against him in his  
21 capacity as such member, agent or employee as aforesaid.

22 **23.** In this Act, unless the context otherwise requires- Interpretation  
23 "Council" has the meaning given to it in section 1 of this Act;  
24 "Institute" means the Nigerian Institute of International Affairs established  
25 by this Act;  
26 "Minister" means the Minister of Foreign Affairs; and  
27 "trustees" means the former trustees of the Institute incorporated before the  
28 appointed day under the Companies and Allied Matters Act.

29 **24.** This Bill may be cited as the Repeal and Re-enacted Nigerian Short title  
30 Institute of International Affairs Bill, 2021.

## 1 SCHEDULES

## 2 FIRST SCHEDULE

3 *[Section 1(3).]*4 *Membership of the Council*

5 1. Subject to this Act and notwithstanding anything in any other  
6 enactment, the Council shall consist of the following members to be appointed  
7 by the President, that is to say-

8 (a) A chairman;

9 (b) The Director-General;

10 (c) A representative of the Presidency;

11 (d) three persons from the Federal Universities in the Federation, so  
12 however that no two persons shall be appointed from the same University;

13 (e) six persons with special interest in international affairs.

14 2. The Council may appoint one of their members to act in the place of the  
15 chairman during a long absence or during a temporary incapacity from long  
16 illness of the chairman, and that person while so acting, shall exercise all the  
17 functions of the chairman of the Council under this Act.

18 3. The President may by order published in the *Federal Gazette*, increase  
19 the membership of the Council.

20 *Proceedings of the Council*

21 4. Subject to this Act, and to section 27 of the Interpretation Act (which  
22 provided for decisions of a statutory body to be taken by a majority of its  
23 members and for the chairman to have a second or casting vote) the Council  
24 may make standing orders regulating the proceedings of the Council or any  
25 committee thereof.

26 *[Cap. 123.]*

27 5. The quorum of the Council shall be one third of the number of its  
28 membership and the quorum of any committee of the Council shall be  
29 determined by the Council.

30 6. At any meeting of the Council, the chairman or any person appointed to



1 act in that behalf shall preside, but if neither is present, the members present  
2 at the meeting shall elect one of their members to preside at the meeting.

3 *Terms of service of members of the Council*

4 7. Subject to paragraph 9 of this Schedule, a member of the Council  
5 shall hold office for period of four years, from the date of his appointment  
6 and shall be eligible for re-appointment for one further period of three years;  
7 thereafter he shall no longer be eligible for re-appointment.

8 8. Any member may resign his appointment by a letter addressed to the  
9 President and that member's resignation shall have effect from the date of  
10 receipt of the letter by the President.

11 9. The provisions of paragraph 8 of this Schedule shall be without  
12 prejudice to section 11 of the Interpretation Act relating to appointments.

13 *[Cap.123.]*

14 *Committees of the Council*

15 10. The Council may, where appropriate, appoint a management  
16 committee to administer the Institute.

17 11. The Council may appoint such other standing and ad hoc  
18 committees as the Council thinks fit to consider and report on any matter  
19 with which the Council is concerned.

20 12. Every committee appointed under the provisions of paragraph of  
21 this Schedule shall be presided over by a member of the Council and shall be  
22 made up of such number of persons, not being necessarily members of the  
23 Institute, as the Council may determine in each case.

24 13. Every committee shall have the power to co-opt more than one-  
25 third of its number and such co-opted members shall have full voting rights.

26 *Meetings and membership of the Institute etc.*

27 14.-(1) Notwithstanding anything in this Act, the Council shall  
28 make regulations providing for the holding of meetings of members of the  
29 Institute, in conjunction with meetings of the Council; and at any such joint  
30 meeting, decisions may be taken with respect to the government of the

1 Institute and the management of its affairs; and in this paragraph, "meetings"  
2 include annual general meetings and extra-ordinary meetings.

3 (2) Anyone third of members of the Council may, in writing, demand a  
4 Council meeting and the chairman shall cause such a meeting to be summoned.

5 (3) Anyone third of the members of the Institute may, in writing, demand  
6 a general meeting and the chairman shall cause such a meeting to be  
7 summoned.

8 (4) The chairman shall preside over any joint meeting of the Council and  
9 members of the Institute.

10 (5) The chairman shall preside over any meeting of the members  
11 including the annual general meeting.

12 15.-(1)The Patron and the Vice-Patron of the Institute and members of  
13 the Council of the Institute, appointed pursuant to the foregoing provisions of  
14 this Act, shall be members of the Institute.

15 (2)The chairman shall preside over any joint meeting of the Council  
16 and members of the Institute or any meeting of the members, including the  
17 annual general meeting.

18 *Miscellaneous*

19 16. The fixing of the seal of the Institute shall be authenticated by the  
20 signature of the chairman of the Council and by that of the Director-General.

21 17. Any contract or instrument which, if made or executed by a person  
22 not being a body corporate, would not be required to be under seal may be made  
23 or executed on behalf of the Institute by the Director- General or any person  
24 generally authorized to act for that purpose by the Council.

25 18. Any document purporting to be a document duly executed under the  
26 seal of the Institute shall be received in evidence and shall, unless the contrary  
27 is proved, be presumed to be so executed.

28 19. The validity of any proceedings of the meetings of the Institute,  
29 Council or of any committee of the Council shall not be affected-

30 (a) By any vacancy in the membership of the Institute, Council or of any

1 such committee; or

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

3 (c) By reason that a person not entitled to do so, took part in the  
4 proceedings.

5 SECOND SCHEDULE

6 [Section 17(2).)

7 TRANSITIONAL PROVISIONS AS TO PROPERTY

8 *Transfer of property*

9 1. Every agreement which had been entered in to by the Institute  
10 immediately before the appointed day, whether in writing or not and  
11 whether or not of such a nature, that the rights, liabilities and obligations  
12 there under could be assigned, shall, unless its terms or subject matters  
13 make it impossible that it should have effect as modified in the manner  
14 provided hereunder, have effect from the appointed day, so far as it relates to  
15 property transferred by this Act to the Institute as if-

16 (a) The Institute has been a party to the agreement;

17 (b) For any reference (however worded and whether expressed or  
18 implied) to the trustees there were substituted, as respects anything failing to  
19 be done on or after the appointed day, a reference to the Institute; and

20 (c) for any reference (however worded and whether expressed or  
21 implied) to a member of the Institute or an officer thereof there were  
22 substituted, as respects anything failing to be done on or after the appointed  
23 day, a reference to a member or an officer of the Institute, as may be to the  
24 member or officer in question of the Institute, as established by this Act.

25 2. Other documents which refer, whether specially or generally, to the  
26 trustees or other persons, shall be construed in accordance with paragraph 1  
27 of this Schedule so far as applicable.

28 3. Without prejudice to the generality of the foregoing provisions,  
29 where, by the operation of any of them, any right, liability or obligation is  
30 vested in the Institute, the Institute and all other persons shall, as from the

1 appointed day, have the same rights, powers and remedies for ascertaining,  
2 perfecting or enforcing that right, liability or obligation, as they would have  
3 had if it had at all times been a right, liability or obligation of the Institute.

4 4. Any legal proceedings or application to any authority pending on the  
5 appointed day by or against the trustees and relating to property transferred by  
6 this Act to the Institute may be continued on or after that day by or against the  
7 Institute.

8 5. If the law in force, at the place where any property transferred by this Act  
9 is situated, provides for the registration of transfers of property of the kind in  
10 question (whether by reference to an instrument of transfer or otherwise), the  
11 law shall, so far as it provides for alternations of a register (but not for  
12 avoidance of transfers, the payment of fees or any other matter) apply with the  
13 necessary modifications to the transfer of the property aforesaid; and it shall be  
14 the duty of the Institute to furnish the necessary particulars of the transfer to the  
15 proper officer of the registration Authority and of that officer to register the  
16 transfer accordingly without payment of any fee by the Institute.

#### EXPLANATORY MEMORANDUM

This Bill seeks to repeal and reenact the Nigerian Institute of International Affairs Act, Cap. N113, Laws of the Federation of Nigeria, to broaden the scope and functions or responsibilities of the Nigerian Institute of International Affairs, to add more value to the Foreign Mission.

NIGERIAN POSTAL COMMISSION, 2021

ARRANGEMENT OF SECTIONS

*Section*

PART 1 - OBJECTIVES AND APPLICATION

1. Objectives and Scope of application.

PART II - ESTABLISHMENT OF THE NIGERIAN POSTAL SERVICE AND  
DESIGNATION AS PUBLIC POSTAL OPERATOR

2. Provision of Universal Postal Service
3. Establishment and Membership of the Governing Board of the Public Postal Operator
4. Tenure of office and removal from office of the Chairman, etc of the Board
5. Appointment of the Postmaster-General
6. Duties of the Postmaster General
7. Staff Regulations as to the Conditions of Service of Employees
8. Application of Pension Reform Act
9. Obligations Public Postal Operator
10. Exclusive Power of the Public Postal Operator
11. Exceptions of Powers
12. Mandatory Powers

PART III - PROVISIONS AS TO DENOTATION, AUTHENTICATION AND  
VALIDATION OF RECEIPTS ETC

13. Denotation, authentication and validation of receipts, documents and other instruments
14. Cancellation and penalties

PART IV - NATIONAL POSTCODE SYSTEM AND TECHNICAL STANDARDS

15. Administration and planning of the National Postcode System

PART V - OFFENCES, PENALTIES AND TRIAL OF OFFENCES

16. Postal offences
17. Breach of official duty

18. Penalties.
19. Jurisdiction
20. Cases in which compensation may be paid by the Public Postal Operator

PART VI - SPECIAL POWERS OF THE PUBLIC POSTAL OPERATOR

21. Power to intercept, detain, etc. of postal articles
22. Power to open postal articles

PART VII - LEGAL ACTIONS AGAINST THE PUBLIC POSTAL OPERATOR

23. Limitation of actions against the Public Postal Operator
24. Restriction on execution against the property of the Public Postal Operator.

PART VIII - FUNDING OF THE PUBLIC POSTAL OPERATOR

25. Funding

PART IX - ESTABLISHMENT OF THE NIGERIA POSTAL COMMISSION

26. Establishment of the Nigeria Postal Commission
27. Establishment and Membership of the Governing Board of the Commission.
28. Tenure of office
29. Allowances of Members
30. Cessation of Membership.

PART X - FUNCTIONS AND POWERS OF THE COMMISSION

31. Functions of the Commission.
32. Powers of the Commission
33. Transparency

PART XI - STAFF OF THE COMMISSION

34. Appointment of Director-General.
35. Appointment of Executive Directors
36. Appointment of Secretary
37. Other Staff of the Commission
38. Condition of Service and Pension

**PART XII - FINANCIAL PROVISIONS**

- 39. Fund of the Commission
- 40. Power to borrow and accept gifts
- 41. Budget and Expenditure
- 42. Financial Year and Audit of the Commission's Account
- 43. Exemption from taxation

**PART XIII - LICENSES**

- 44. Power to grant license
- 45. Operation of postal services
- 46. Assignment of licenses and compliance with license conditions

**PART XIV - RENEWAL AND REVOCATION**

- 47. Processing of applications
- 48. Renewal of license
- 49. Surrender of license
- 50. Suspension or revocation of license

**PART XV - REGULATIONS, GUIDELINES BY COMMISSION**

- 51. Regulations, guidelines etc. by the Commission

**PART XVI - MONITORING AND REPORTING**

- 52. Monitoring and reporting

**PART XVII - GENERAL COMPETITION PRACTICES**

- 53. Power of the Commission to regulate competition practice in the postal industry
- 54. Anti-competition practices.

**PART XVIII - TARIFF RATE REGULATION**

- 55. Approval of tariffs and charges by the Commission
- 56. Commission's intervention in the setting of tariff rates
- 57. Penalty for operating unapproved tariff, charges etc.

**PART XIX - OFFENCES**

- 58. Offences relating to licenses.

## PART XX - LEGAL ACTIONS AGAINST THE COMMISSION

- 59. Limitation of suit against the Commission
- 60. Service of court processes on the Commission
- 61. Restriction on execution against the Commission's property
- 62. Indemnity of the Commission's officials

## PART XXI - RESPONSIBILITIES OF THE MINISTER

- 63. Responsibilities of the Minister.

PART XXII - ESTABLISHMENT OF THE UNIVERSAL POSTAL SERVICE FUND  
AND UNIVERSAL POSTAL SERVICE FUND BOARD

- 64. Universal Postal Service Fund
- 65. Establishment of the Universal Postal Service Fund Board
- 66. Membership of the UPS Fund Board
- 67. Proceedings of the UPS Fund Board
- 68. Secretariat of the Universal Postal Service Fund
- 69. Universal Postal Service Fund Managers
- 70. Regulations on Contribution to the UPS Fund

## PART XXIII - MISCELLANEOUS

- 71. Repeal of Cap N127 LFN 2004
- 72. Interpretation
- 73. Short title

## SCHEDULES



# A BILL

## FOR

AN ACT TO REPEAL THE NIGERIAN POSTAL SERVICE ACT CAP N127 LFN 2004, AND ESTABLISH THE NIGERIA POSTAL COMMISSION TO MAKE COMPREHENSIVE PROVISIONS FOR THE DEVELOPMENT AND REGULATION OF POSTAL SERVICES AND FOR RELATED MATTERS

*Sponsored by Hon. Adeyemi Akeem Adeniyi*

[ ] Commencement

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

1 PART I - OBJECTIVES AND SCOPE

2 1.-(1) The objectives of this Bill are to:

Objectives and  
scope of application

3 (a) implement the National Postal Policy as may, from time to time,  
4 be modified or amended;

5 (b) establish a regulatory framework for the Nigerian postal  
6 industry and for this purpose, to create an effective, impartial and  
7 independent regulatory authority;

8 (c) promote the provision of a modern universal, efficient, reliable,  
9 affordable and easily accessible postal service with the widest range and  
10 coverage throughout Nigeria;

11 (d) encourage local and foreign investments in the Nigerian postal  
12 industry and the introduction of innovative services and practices, in  
13 accordance with international best practices and trends;

14 (e) ensure fair competition in all sectors of the Nigerian postal  
15 industry and encourage participation of Nigerians in the ownership, control  
16 and management of postal organizations;

17 (f) encourage the development of postal, manufacturing and  
18 supply sector within the Nigerian economy and promote effective research  
19 and development effort by all postal industry practitioners;

1 (g) protect the rights and interests of service providers and consumers  
2 within Nigeria;

3 (h) ensure that the needs of the disabled and elderly persons are taken  
4 into consideration in the provision of postal services;

5 (i) ensure efficient management, planning, coordination, allocation,  
6 assignment, registration, monitoring and use of national resources in the postal  
7 sub-sector while promoting and safeguarding national interest, safety and  
8 security;

9 (j) ensure greater access to basic services through the achievement of  
10 universal postal service, by providing an acceptable level of effective and  
11 regular postal services to all areas and small towns where post offices are not  
12 sustainable;

13 (k) contribute to community and rural education, through active  
14 participation in the development of the post office as an interface between  
15 Government and communities and provide a centre for community activities;

16 (l) promote small, medium and macro enterprises within the postal  
17 industry; and

18 (m) do such other things as may be incidental to the attainment of the  
19 above stated objectives.

20 (2) This Bill applies to all activities within or associated with the  
21 provision and use of all postal, logistics and postal related services and  
22 networks, in whole or in part within Nigeria.

23 PART II - ESTABLISHMENT OF THE NIGERIAN POSTAL SERVICE AND  
24 DESIGNATION AS PUBLIC POSTAL OPERATOR

Provision of  
Universal Postal  
Service

25 **2.-(1)** There is hereby established a body to be known as the Nigerian  
26 Postal Service (hereby designated as the Public Postal Operator) which shall be  
27 a body corporate with perpetual succession and a common seal, and may sue  
28 and be sued in its corporate name.

29 (2) The Public Postal Operator shall be charged with the  
30 responsibility of providing Universal Postal Services in Nigeria.

1 (3) In carrying out its Universal Postal Service Obligations, the  
2 provisions of any enactment, law or regulation relating to the taxation of  
3 companies, agencies or trust funds shall not apply to the Public Postal  
4 Operator.

5 3.-(1) There is hereby established for the Public Postal Operator, a  
6 Governing Board which shall be known as the Nigerian Postal Service  
7 Governing Board, in this Bill referred to as ("the Board") which shall have  
8 responsibility for:

Establishment  
and Membership  
of the Governing  
Board of the Public  
Postal Operator

9 (a) formulating policies and adopting strategies to promote the  
10 development and maintenance of efficient, co-ordinated and economic  
11 postal services for the Federation;

12 (b) borrowing or raising of money in such manner as the Board  
13 may deem fit, for and on behalf of the Public Postal Operator;

14 (c) establishing/incorporating subsidiaries or affiliated companies  
15 for the Public Postal Operator, which subsidiaries shall be governed in line  
16 with the provisions of the Companies and Allied Matters Act; and

17 (d) promoting the development of such other ancillary services as  
18 the Board may deem fit.

19 (2) (1) The Board shall consist of a part-time Chairman and the  
20 following other members-

21 (a) the Permanent Secretary of the Ministry of Communications  
22 who shall act as the alternate Chairman;

23 (b) a representative each of the following Federal Ministries, that  
24 is:

25 (i) Finance;

26 (ii) Interior;

27 (iii) Communications and Digital Economy.

28 (c) the Postmaster-General; and

29 (d) 2 (two) other members appointed by the President.

30 (3) The appointment of Board members in subsection (1) and (2)

1 (d) of this section shall be subject to confirmation by the National Assembly.

2 (4) There shall be appointed by the Board a Secretary, who shall keep  
3 record, conduct correspondences and perform such other duties as may be  
4 required of him by the Board or the Postmaster General.

5 (5) The Secretary shall be a Legal Officer of the Public Postal  
6 Operator, who shall have not less ten (10) years post call experience.

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

Tenure of office  
and removal  
from office of  
the Chairman,  
etc. of the Board

10 4.-(1) The Chairman shall hold office for a period of 4 (four) years and  
11 may be eligible for re-appointment for a further period of 4 (four) years and no  
12 more.

13 (2) Subject to this section, a member of the Board shall hold office for  
14 a period of 4 (four) years from the date of his appointment as a member and  
15 may be eligible for re-appointment for a further period of 4 (four) years and no  
16 more.

17 (3) The Minister may, with the approval of the President, at any time  
18 remove any member of the Board from office if the Minister is of the opinion  
19 that it is not in the interest of the Board or the Public Postal Operator for the  
20 member to continue in office and shall notify the member in writing to that  
21 effect.

22 (4) Where the Board is satisfied that the continued presence on the  
23 Board of any member is not in the national interest or the interest of the Board  
24 or the Public Postal Operator, it may recommend to the Minister that the  
25 member concerned be removed from office; and if the Minister, after making  
26 such inquiries as he considers necessary, approves of the recommendation, he  
27 may in writing with the approval of the President, declare the office of the  
28 member vacant.

Appointment  
of the Postmaster-  
General

29 5.-(1) There shall be appointed for the Public Postal Operator by the  
30 President, on the recommendation of the Minister, a Postmaster-General, who

1 shall be the Chief Executive and shall be responsible for the execution of the  
2 Policy of the Board relating to the Public Postal Operator and its day to day  
3 administration.

4 (2) The Postmaster-General shall hold office in the first instance  
5 for a period of 5 (five) years and may be eligible for re-appointment for a  
6 further term of 5 (five) years and no more.

7 (3) Subject to this section, the Postmaster-General shall hold office  
8 on such term as to emolument and otherwise as may be specified in his letter  
9 of appointment.

10 6.-(1) Subject to the provisions of this Bill, the administration and  
11 control of the Public Postal Operator shall vest in the Postmaster-General.

Duties of the  
Postmaster-General

12 (2) In carrying out the functions of the Public Postal Operator, the  
13 Postmaster-General may-

14 (a) establish post offices at such places as he may deem fit and may  
15 abolish any such post office;

16 (b) establish and operate facilities for the collection, despatch,  
17 delivery and distribution of domestic and international mail;

18 (c) provide and operate philatelic services within and outside  
19 Nigeria;

20 (d) plan and co-ordinate the entire postal network;

21 (e) negotiate and enter into agreement with any person or authority  
22 on matters relating to the postal system;

23 (f) provide on agency, basis such miscellaneous services as may be  
24 required of him by the Federal Government;

25 (g) represent Nigeria at proceedings of international organisations  
26 and fora on matters relating to Postal Services and matters ancillary and  
27 connected thereto;

28 (h) carry on all such other activities as are necessary or expedient  
29 for the discharge of his responsibilities under this Bill.

Staff Regulations  
as to Condition  
of Service of  
Employees

1                   7.-(1) The Board may, with the approval of the Minister, make  
2 regulations relating generally to the conditions of service of the employees of  
3 the Public Postal Operator and without prejudice to the generality of the  
4 foregoing, such regulations may provide for-

5                   (a) the appointment, promotion and disciplinary control of all  
6 employees of the Public Postal Operator; and

7                   (b) appeals by such employees against dismissal or other disciplinary  
8 measures, and until such regulations are made, any instrument relating to the  
9 conditions of service of employees or anybody dissolved or affected by this  
10 Bill, shall continue in force and have the same effect as if made under this  
11 Bill.

Application of  
Pensions Act

12                  8.-(1) It is hereby declared that service in the Nigerian Postal Service  
13 shall be pensionable under the extant Pensions law in Nigeria and accordingly  
14 employees of the Postal Service shall, in respect of their services in the Public  
15 Postal Operator, be entitled to pensions, gratuities and other retirement benefits  
16 as are prescribed there under.

17                  (2) Notwithstanding the provisions of subsection (1) of this section,  
18 nothing in this Bill shall prevent the appointment of a person to an office on  
19 terms which preclude the grant of a pension and gratuity in respect of that  
20 office.

21                  (3) For the purpose of the application of the provisions of the Pensions  
22 Reform Act, 2014, any power exercisable there under by a Minister or other  
23 authority of the Government of the Federation other than the power to make  
24 regulations under section 6 thereof is hereby vested in and shall be exercisable  
25 by the Board and not by any other person or authority.

26                  (4) Subject to subsection (2) of this section, the Pensions Reforms  
27 Act, 2014 shall in its application by virtue of subsection (3) of this section, have  
28 effect as if the officer were in the Civil Service of the Federation within the  
29 meaning of the Constitution of the Federal Republic of Nigeria 1999 (as  
30 amended).

- 1                   9.-(1) Subject to the provisions of this Bill, the Public Postal     Duties of Public  
2     Operator designated under subsection (1) of Section 2 of this Bill shall:     Postal Operator
- 3                   (a) take necessary steps to implement the minimum quality  
4     objective of the Public Postal Operator as may be defined from time to time  
5     by the Board;
- 6                   (b) offer products and services corresponding to the pricing  
7     conditions as may be defined from time to time so as to ensure access to  
8     postal service;
- 9                   (c) expand access to collection and delivery of Postal Service  
10    products and services to geographical areas in which postal service is non-  
11    existent;
- 12                  (d) develop products and services that meet the criteria for  
13    accessible affordable, good quality Postal Services;
- 14                  (e) authenticate electronic and internet-based receipts;
- 15                  (f) publish and disseminate the list of products and services  
16    provided as part of the Postal Service including their prices;
- 17                  (g) participate in projects on Universal Postal Service costing and  
18    pricing;
- 19                  (h) participate in Universal Postal Union and restricted Union  
20    activities;
- 21                  (i) maintain and review the Post Office Guide from time to time;
- 22                  (j) enter into any business partnerships or collaborate with  
23    governmental agencies, corporate organizations and individuals in the  
24    discharge of its obligations;
- 25                  (k) inspect, audit and recover monies due to the Public Postal  
26    Operator;
- 27                  (l) appoint auditors for the purpose of determining its total revenue  
28    collections from all transactions carried out on its behalf;
- 29                  (m) have power to borrow or raise money in such manner as it may  
30    deem fit;

1           (n) have power to conduct investigation of postal offences, and in  
2   doing so, an investigation officer or any other relevant officer of the Public  
3   Postal Operator may without warrant, enter and search a building or carrier  
4   including aircraft, vehicle or container or any other instrumentalities  
5   whatsoever, which he has reason to believe is connected with the commission  
6   of an offence;

7           (o) develop, promote and provide adequate and efficiently co-  
8   ordinated and economic postal service at fair and reasonable rates and fees;

9           (p) maintain an efficient system of collection, sorting and delivery of  
10   mail nationwide;

11          (q) provide various types of mail services to meet the needs of  
12   different categories of mail users;

13          (r) establish and maintain postal facilities of such character and in  
14   such location consistent with reasonable economics as will enable the  
15   generality of the public to have ready access to essential postal services;

16          (s) provide slogan for publicity services; and

17          (t) carry out such other activities as are necessary or expedient for the  
18   discharge of its responsibilities under this Bill, either directly or/and through its  
19   appointed agents/proxies.

20          (2) The contents of the Post Office Guide shall include the following:

21          (a) statement of the rates of Postage that may from time to time be  
22   fixed for postal services;

23          (b) conditions regarding the payment of compensation for loss or  
24   damage to postal articles;

25          (c) conditions for the issuance and payment of Money Orders and  
26   Postal Orders including the rates of commission thereon;

27          (d) conditions under which and the manner in which special services  
28   will be performed for the convenience of individuals;

29          (e) the rules for the guidance, conduct and discipline of officers and



1 servants of the Public Postal Operator and the performance of their several  
2 duties;

3 (f) the statement of hours during which the Post Offices will be  
4 opened for the transaction of the various classes of public business;

5 (g) the statement of hours for the posting of postal articles and the  
6 late fee charges for postal articles;

7 (h) the list of officers who may frank postal articles sent by a public  
8 department;

9 (i) stamping list for the purpose of denoting, authenticating and  
10 validating receipts, documents and other instruments;

11 (j) the statement of the manner in which amendments of the Post  
12 Office Guide will be carried out and published; and

13 (k) such other information as the Postmaster General may deem fit  
14 to include.

15 **10.-(1)** The Public Postal Operator shall have and exercise power  
16 to the exclusion of any other person to:

Exclusive Powers  
of the Public Postal  
Operator

17 (a) collect, accept, process, convey and deliver postal articles  
18 weighing up to 1 kg including such postal articles addressed to different  
19 recipients with each weight class 'not more than 1kg' whether enclosed in an  
20 envelope, sack, collector or any form of container;

21 (b) collect, accept, process, convey and deliver postal articles with  
22 tariff of less than five times the rate of postage applicable to the particular  
23 weight class or as may be revised from time to time by regulations made  
24 pursuant to this Part;

25 (c) design, print, produce, issue and retail electronic and adhesive  
26 stamps;

27 (d) at its discretion, authorise by way of a franchise or license or as  
28 may be otherwise determined, any individual or group to design, print,  
29 produce, retail and issue electronic and adhesive stamp for specified  
30 purposes:

- 1 (e) produce philatelic products, pre-stamped envelopes, pre-stamped  
2 postcards, aerogrammes and international reply coupons;
- 3 (f) provide and maintain private letters boxes and bags for mail  
4 delivery, letter posting boxes, and to establish post offices throughout Nigeria  
5 and the use of post office or postal service on such boxes, equipment and  
6 offices;
- 7 (g) authorize the use of franking meter machine to record prepaid  
8 postage charges by any person;
- 9 (h) authenticate documents and internet mail related transaction  
10 receipts and documents;
- 11 (i) issue and pay domestic and international postal and money orders;
- 12 (j) verify, authenticate and validate addresses nationwide;
- 13 (k) provide and establish non postal or similar services;
- 14 (l) issue, prescribe and approve stamp for denotation, authentication  
15 and validation of receipts, documents and other instruments required to be  
16 denoted;
- 17 (m) review from time to time the value of threshold of receipts and  
18 other instruments required to be denoted;
- 19 (n) determine modalities for the issuance and production of electronic  
20 stamps;
- 21 (o) establish/incorporate subsidiaries or affiliated companies and act  
22 as a holding and parent company to oversee and supervise its  
23 established/incorporated subsidiaries or affiliated companies;
- 24 (p) accredit e-sat certificate and digital signature in Nigeria for  
25 verification and authentication of electronic documents including but not  
26 limited to financial statements, utility bills, e-mails, government documents, e-  
27 dividend warrants, etc.
- 28 (q) explore additional sources of postal revenue;
- 29 (r) subject to the approval of the appropriate authority, receive,  
30 dispatch, transport, distribute and deliver electoral materials, palliatives and

1 other relief materials and products during national emergencies and be given  
2 free access at all times during periods of restriction of movements;

3 (s) provide for such miscellaneous services as may be authorized  
4 by the Federal Government;

5 (2) In this section "postal articles" includes any letter, postcard,  
6 newspaper, book, document, pamphlet, pattern or sample packet, parcel or  
7 package, goods or other items whatsoever transmissible by post, courier or  
8 electronic means.

9 **11.** The exclusive powers conferred on the Public Postal Operator  
10 by subsection (1) of Section 10 of this Bill shall not extend to: Exceptions to  
Powers

11 (a) letters sent through a messenger on purposes concerning the  
12 private affairs or business of the sender or receiver;

13 (b) letters concerning goods or merchandise sent by common  
14 carriers to be delivered with the goods without conferring any reward, profit  
15 or advantage for receiving or delivering of the letter;

16 (c) letters from merchants, owners of vessels of merchandise or the  
17 cargo or loading therein, sent by the vessels of merchandise, or by any  
18 person employed by the owners for the carriage of the letters, according to  
19 their respective directions and delivered to the respective persons to whom  
20 they are directed without paying or receiving fees or reward, advantage or  
21 profit for the same in any way;

22 (d) letters sent between individuals on private journey or travel  
23 without reward for the letters to be delivered to the party to whom they are  
24 directed; and

25 (e) letters carried to the premises of a provider of electronic mail  
26 service for the purposes of transmission by electronic mail.

27 **12.** The Public Postal Operator, shall in addition to the services Mandatory Postal  
Services  
28 exclusively reserved under section 10 of this Bill, provide:

29 (a) basic postal services that include acceptance, conveyance,  
30 transportation and delivery of postal articles nationwide, including but not

1 limited to packets, parcels and goods under terms and conditions as may be  
2 determined from time to time by regulations made by the Commission;

3 (b) basic financial services, including but not limited to money  
4 transfer (acceptance and payment) travellers' cheques, savings, operation of  
5 giro account, Bank deposits and withdrawals either directly or on agency basis;

6 (c) postal insurance services, electronic postal services and other  
7 information communication technology services;

8 (d) such other financial services as may be determined from time to  
9 time by the Public Postal Operator.

10 PART III - PROVISIONS AS TO DENOTATION, AUTHENTICATION AND  
11 VALIDATION OF RECEIPTS ETC

Denotation,  
Authentication  
and Validation  
of receipts,  
documents and  
other instruments

12 **13.-(1)** As from the commencement of this Bill, notwithstanding  
13 anything contained in any enactment whatsoever:

14 (a) all receipts, documents and other instruments shall be denoted,  
15 authenticated and validated with adhesive and or electronic stamp of the Postal  
16 Service for the purpose of denoting, authenticating and validating receipts,  
17 documents and other instruments in accordance with the "Stamping Protocol";

18 (b) the Public Postal Operator shall be the only competent authority to  
19 charge and collect proceeds from the sale of adhesive and or electronic stamp  
20 for the purposes of denoting, authenticating and validating receipts, documents  
21 and other instruments.

22 (2) For the purposes of this Bill, the expression "receipts" includes  
23 any written, printed, or electronic notes or memorandum, transaction or  
24 notification, or any bill of exchange or promissory note for money which is  
25 acknowledged or expressed to have been received or deposited or paid, or  
26 whereby any debt or demand, or any part of a debt or demand of money is  
27 acknowledged to have been settled, satisfied, or discharged, or which signifies  
28 or imports any such acknowledgement, and whether the same is or is not signed  
29 with the name of any person.

30 (3) The expression "document" includes any written, printed or

1 electronic notes, memorandum, or piece of matter that provides information  
2 or evidence or memorialize representation of thoughts or drafts or  
3 agreements or proofs or copies or statements or application that serves as an  
4 official record between two parties or more.

5 (4) The expression "instrument" includes any written, printed or  
6 electronic matter formally attributed to its author, which records, and  
7 formally expresses a legally enforceable act, process, contract, obligation,  
8 or rights, and therefore evidences that act, process, or contract, obligations  
9 or rights, or documents with value, or can be traded, or contractual rights to  
10 deliver or receive cash of any money or asset is acknowledged or expressed  
11 to have been received or deposited or paid, or whereby any debt or demand,  
12 or any part of a debt or demand is acknowledged to have been settled,  
13 satisfied, or discharged, or which signifies or imports any such  
14 acknowledgement, and whether the same is or is not signed with name of  
15 any person.

16 (5) For the purposes of denotation, authentication and validation of  
17 receipts, documents and other instruments, the value of the adhesive and  
18 electronic postage stamp shall be the prevailing minimum postage rate.

19 **14.-(1)** The denotation, authentication and validation upon  
20 receipts, documents or other instruments shall be made with adhesive or  
21 electronic postage stamp which is to be cancelled by the person by whom the  
22 receipt is given before it is delivered. Every person who, being required by  
23 law to cancel as herein provided, neglects or refuses duly and effectively to  
24 do so in the manner aforesaid, shall be guilty of an offence and liable on  
25 conviction to a fine of N100, 000.00 (One Hundred Thousand Naira).

Cancellation  
and penalties

26 (2) Where in any legal proceedings or before any arbitrator or  
27 referee a receipt, document, or other instrument is inadmissible by reason of  
28 it not being duly stamped, the officer presiding over the court, the arbitrator,  
29 or the referee may, having regard to the illiteracy and ignorance of the party  
30 tendering the receipt, document or instrument in evidence, admit the receipt

1 upon the payment of a penalty of N100, 000.00 (One hundred thousand Naira)  
2 and the officer presiding over the court, the arbitrator or referee, as the case  
3 may be, shall note the payment of the penalty upon the face of the receipt,  
4 document or instrument so admitted and a receipt shall be given for the same.

5 (3) A receipt, document or instrument so admitted in evidence shall  
6 not be deemed to be duly stamped but shall be admissible for the purposes of  
7 the suit in which it is tendered in evidence and for that purpose only.

8 (4) Where a person has been permitted under this section to tender a  
9 receipt, document or instrument not duly stamped upon payment of the penalty  
10 of N100,000.00 (One hundred thousand Naira), such person may recover the  
11 said sum of N100,000.00 (One hundred thousand Naira) from the person  
12 whose duty it was to stamp the receipt, document or instrument at the time  
13 when it was first issued.

14 (5) Nothing contained in this section shall relieve any person from  
15 any other penalty incurred by him in relation to such receipt, document or  
16 Instrument.

17 (6) If any person-

18 (a) gives a receipt, document or instrument liable to be stamped and  
19 not duly stamped; or

20 (b) in any case where a receipt, document or instrument would be  
21 liable to being stamped, refuses to give a receipt, document or instrument duly  
22 stamped; such a person shall be guilty of an offence and liable on conviction to  
23 a fine of N100, 000.00 (One hundred thousand Naira) per receipt, document or  
24 instrument.

25 PART IV - NATIONAL POSTCODE SYSTEM AND TECHNICAL STANDARDS

Administration  
and Planning of  
the National  
Postal Code  
System etc.

26 **15.-(1)** (a) The Public Postal Operator is solely and exclusively vested  
27 with the control, planning, administration, management and assignment of the  
28 National Postcode System (hereinafter referred to as, "the Postcode System");

29 (b) The Public Postal Operator shall develop a Postcode System for  
30 effective and efficient mail delivery, taking into account the modern global

1 addressing standards;

2 (c) In developing the Post Code System, the Public Postal Operator  
3 may liaise with any relevant government authority or agency in the naming  
4 and numbering of streets and houses, and may further divide the entire  
5 Country into post code zones and areas;

6 (d) The Public Postal Operator shall maintain and manage the  
7 integrated post code database and make post code information available to  
8 the public for such a fee as it may prescribe from time to time, in a non-  
9 discriminatory manner;

10 (e) Notwithstanding the provisions of subsection (1)(b) of this  
11 section, the Public Postal Operator may enter into a Public Private  
12 Partnership arrangement or other similar arrangement to carry out any of its  
13 obligations under this section.

14 (2) (a) Subject to the provision of subsection (2)(b) of this section,  
15 the Public Postal Operator shall specify and publish for the information of  
16 the general public, technical codes and specifications in respect of postal  
17 services;

18 (b) The technical codes and specifications prepared by the Public  
19 Postal Operator under this section shall include:

20 (i) list of prohibited or restricted postal articles;

21 (ii) requirements for transit and delivery times;

22 (iii) terms and conditions of carriage including liability and  
23 restriction or exemption clauses, amount and condition of payment of  
24 compensation’

25 (iv) requirements for operational offices, infrastructure and  
26 warehouses;

27 (v) requirements for information on its products and services;

28 (vi) provision of register of daily shipment indicating weight of  
29 each postal item, destination, acceptance and delivery terms;

1 (vii) provision for mail bags, waybills, labels, receipts, and proof of  
2 delivery;

3 (viii) requirement for safe and -efficient system of custody and  
4 transportation of postal articles; and

5 (ix) requirement for examination of postal articles before, during or  
6 after transmission.

7 (c) Prior to specifying and publishing any technical code and  
8 specifications under this Bill, the Public Postal Operator shall first conduct an  
9 inquiry in the manner specified in Part XI of this Bill on the proposed code or  
10 specification, provided that such prior inquiry may not be required with regard  
11 to technical code or specifications that are mandatorily prescribed by  
12 international organizations to which Nigeria is a member such as the Universal  
13 Postal Union;

14 (d) In making the technical codes and specifications, the Public Postal  
15 Operator shall take into consideration the findings of the inquiry under  
16 subsection (2)(c) of this section.

17 PART V - OFFENCES, PENALTIES AND TRIAL OF OFFENCES

Postal offence

18 **16.-(1)** A person who without lawful authority or with intent to  
19 defraud:

20 (a) stops, dumps, intercepts or in any way not otherwise specified in  
21 any section of this Bill, tampers or meddles with, or otherwise retards the  
22 delivery of any postal matter or electronic mail;

23 (b) stops, delays, intercepts, tampers or meddles with any postal  
24 matter or electronic mail with intent to steal or pilfer it; or

25 (c) secretes, destroys or defaces any postal matter, electronic mail or  
26 any part thereof or evidence of the existence of the postal matter, electronic  
27 mail or part thereof, whether or not the postal matter, electronic mail or part  
28 thereof so secreted, destroyed or defaced, contains money or other thing  
29 whatsoever, commits an offence under this Bill.



- 1                   (2) A person shall be deemed to commit an offence under this Bill  
2       where he:
- 3                   (a) steals any postal matter or electronic mail;
- 4                   (b) being charged with the delivery of any postal matter or  
5       electronic mail, without lawful authority, fraudulently, willfully or  
6       maliciously dumps it or delivers it to person or an address other than the  
7       person or address stated on the postal matter or electronic mail;
- 8                   (c) sells, offers for sale any stamp, postal order, money order or  
9       other postal item at an amount not approved by the Public Postal Operator;
- 10                  (d) without lawful authority, communicates or attempts to  
11       communicate to an unauthorized person, any information relating to the  
12       movement of any mail bag or postal matter or electronic mail;
- 13                  (e) being the landlord, tenant, occupier or is concerned with the  
14       management of any premises, causes or knowingly permits the premises to  
15       be used for any purposes which constitutes an offence under this Bill;
- 16                  (f) fraudulently, or by means of a false pretense, obtains from any  
17       employee of a postal operator or any other person, any postal matter or  
18       electronic mail which is not addressed to him with intent to defraud;
- 19                  (g) falsely represents himself as an employee of a postal operator or  
20       that he is for the time being employed by a postal operator or authorized to  
21       render a service on behalf of the operator;
- 22                  (h) being an employee of a postal operator, with intent to defraud,  
23       receives, gives, delivers, transmits or is in possession of any postal matter by  
24       false pretense;
- 25                  (i) being an employee of a postal operator or any other person, aids,  
26       abets, counsels, procures, attempts or conspires with any other person to  
27       commit an offence under this Bill;
- 28                  (j) without lawful authority, prints, produces, retails and issues or  
29       otherwise deals in any stamp, whether electronic or adhesive;
- 30                  (k) prints, sells, supplies, recycles, offers for or otherwise deals in

- 1 any postage stamp or any postal matters;
- 2 (l) prints, sells, supplies, recycles, offers for sale counterfeit postage  
3 stamps, postal matter, and/or postal payment imprints;
- 4 (m) removes cancelled stamps or makes from bonafide postage stamp  
5 or postage payment imprints for purposes of falsification or re-use;
- 6 (n) being employee of the Public Postal Operator or any other person  
7 authorized by the Public Postal Operator to sell postage stamps or other postal  
8 items, without lawful excuse fraudulently, willfully or maliciously, refuses to  
9 do so or fraudulently, willfully or maliciously does any act that causes a  
10 scarcity of postage stamps or postal items;
- 11 (o) lawfully or unlawfully obtains a postal service and then abandons  
12 or gives up the service without settling any debt or charge incurred by him on  
13 the service;
- 14 (p) engages in any conduct designed to perpetrate postal fraud  
15 schemes;
- 16 (q) refuses to supply or convey information where disclosure or  
17 submission is required under the provisions of this Bill or any other written  
18 law;
- 19 (r) refuses to submit to inspection or obstructs or resists inspection  
20 activities by law enforcement agencies or the Commission;
- 21 (s) arranges for permits or transmits banned or prohibited article or  
22 item under this Bill, subsidiary legislation or any other written law;
- 23 (t) without lawful authority, offers or is engaged in any of the services  
24 exclusively reserved for the Public Postal Operator;
- 25 (u) colludes with a licensed operator to undercut price, dump items  
26 and/or does not comply with the provisions of this Bill and regulations made  
27 under this Bill;
- 28 (v) patronizes an unlicensed operator; or
- 29 (w) being a licensed operator, partners with unlicensed operators to  
30 transact postal or express business.

1	<b>17.</b> A person who, being an employee of the Public Postal	Breach of official duty
2	Operator or is for the time being under a duty to discharge any function	
3	assigned to him by the Public Postal Operator:	
4	(a) negligently and fraudulently fails to perform or discharge that	
5	duty;	
6	(b) performs that duty fraudulently, negligently, perversely or	
7	recklessly; or	
8	(c) commits an act or omission in breach of that duty, commits an	
9	offence under this Bill.	
10	<b>18.-(1)</b> A person, whether an individual or body corporate, who	Penalties
11	commits an offence under this Bill is liable on conviction, where no penalty	
12	is otherwise specified, in case of:	
13	(a) an individual, to imprisonment for a term of 5 (five) years	
14	without an option of fine;	
15	(b) a body corporate, to a fine of N5, 000, 000.00 (five million	
16	naira) only;	
17	(2) Notwithstanding the provision of subsection (1)(b) of this	
18	section, where an offence under this Bill is committed by a body corporate,	
19	firm or other association, any:	
20	(a) director, manager, secretary or other similar officers of the body	
21	corporate;	
22	(b) partner or officer of the firm;	
23	(c) person concerned in the management of the affairs of the	
24	association; or	
25	(d) person who was purporting to act in any such capacity as	
26	aforesaid; shall be severally liable for the offence and shall be prosecuted	
27	and punished for the offence in like manner as if he had himself committed	
28	the offence in an individual capacity, unless he proves that the act or	
29	commission constituting the offence took place without his knowledge;	
30	consent or connivance.	

	<p>1 (3) In addition to the penalties specified in this Part of this Bill, any</p> <p>2 article, property, facility, equipment, vehicle or other things used in the</p> <p>3 commission of or in connection with the offence shall be forfeited to the</p> <p>4 Federal Government.</p>
Jurisdiction to try Offences	<p>5 19. The Federal High Court shall have exclusive jurisdiction over all</p> <p>6 matters, suits and cases arising from this Bill or any regulations made under</p> <p>7 this Bill, and all references to 'Court' or 'Judge' in this Bill means the Federal</p> <p>8 High Court or a judge of the Federal High Court.</p>
Cases in which compensation may be paid by the Public Postal Operator	<p>9 20.-(1) Subject to the provisions of this section, compensation may be</p> <p>10 paid voluntarily and as act of grace, if it is proved to the satisfaction of the</p> <p>11 Postmaster-General of the Public Postal Operator that a letter or packet duly</p> <p>12 admitted by the Public Postal Operator for registration has been entirely lost</p> <p>13 whilst in his custody, except where such loss occurs as a result of tempest,</p> <p>14 shipwreck, fire outbreak, earthquake, war or such similar causes beyond the</p> <p>15 reasonable control of the Public Postal Operator.</p> <p>16 (2) The final decision on all questions of compensation in respect of</p> <p>17 postal articles transmitted through the post shall vest with the Postal</p> <p>18 Administration of the Country in which the loss has occurred, but no</p> <p>19 compensation shall be payable except in the loss of the entire letter or packet;</p> <p>20 and no claim shall be admitted if made more than a year after the letter or packet</p> <p>21 was posted.</p> <p>22 (3) In the case of a packet posted in Nigeria and addressed to a place in</p> <p>23 Nigeria through the Public Postal Operator, the compensation paid shall not</p> <p>24 exceed the value of the article lost, and compensation may be paid for the loss</p> <p>25 of the contents of any packet if -</p> <p>26 (a) It is proved to the satisfaction of the Postmaster-General that the</p> <p>27 loss occurred in the post and that the packet and securing of the cover were</p> <p>28 adequate; and</p> <p>29 (b) In the case of the loss of Money Orders, Postal Order, Coupons,</p> <p>30 Bonds, and similar documents which are enclosed in one of the registered</p>

1 envelopes supplied by the Post Office, that particulars sufficient for the  
2 identification of those documents have been furnished.

3 (4) No compensation shall be paid in any circumstance for the loss  
4 of a postal packet, unless the name of the payee and of the office at which  
5 payment is to be made has been filed in.

6 (5) No claim for compensation for the loss of any of the contents of  
7 a packet shall be entertained if delivery of the packet has been accepted  
8 without objection provided that such objection shall be made in writing at  
9 the nearest or delivering post office, no later than 72 hours after delivery of  
10 the postal packet.

11 (6) Compensation payable for loss or damage of an insured letter or  
12 parcel transmitted by the Public Postal Operator-

13 (a) shall not exceed the amount of the actual loss or damage;

14 (b) shall not be paid for a packet containing a prohibited article or  
15 for a packet which has been delivered without external trace or injury and  
16 has been accepted without remark;

17 (c) shall not be paid if arising from tempest, shipwreck,  
18 earthquake, fire outbreak, war, insurgence or other cause beyond the  
19 reasonable control of the Public Postal Operator;

20 (d) shall not be paid for delay in the delivery of such packet, letter,  
21 parcel or postal article.

22 (7) No legal liability to give compensation in respect of any packet  
23 for which an insurance fee has been paid shall attach to the Postmaster  
24 General either personally or in his official capacity or to the Public Postal  
25 Operator, member or an officer of the Public Postal Operator.

26 (8) Compensation shall not be paid for the delay, loss or damage of  
27 an uninsured parcel, packet, letter or postal article under any circumstance.

28 (9) No compensation shall be paid-

29 (a) For damage to fragile article, whether sent by letter or parcel  
30 post;

1 (b) For damage by water in any case where a parcel was transported  
2 for any portion of its journey by carrier, runner or canoe;

3 (c) In the case of accident or in respect of an article which cannot be  
4 accounted for in consequence of the destruction of official document through a  
5 cause beyond control.

6 (10) The sender of the parcel, letter, packet or postal article may waive  
7 his claim for compensation in favour of the addressee.

8 PART VI - SPECIAL POWERS OF THE PUBLIC POSTAL OPERATOR

Power to intercept,  
detain, etc. of  
postal articles

9 **21.** The Public Postal Operator shall have the following specific  
10 powers:

11 (a) to intercept, detain, open, inspect, return, deliver to or deal in such  
12 manner as may be prescribed, where postal articles:

13 (i) have been posted contrary to the provisions of this Bill or  
14 regulations made pursuant to this Bill;

15 (ii) are suspected or found to be of a fraudulent nature; or

16 (iii) contain goods in respect of which an offence is being committed  
17 or is being attempted to be committed; or

18 (iv) contain any fictitious stamp whether electronic or adhesive or  
19 bearing any stamp, on the surface of which is smeared or coated with any  
20 stamp, which has been previously used to prepay the postage in any other  
21 postal article or for the payment of any revenue, duty or tax;

22 (b) to intercept, detain, open, inspect, return, deliver to an officer of  
23 the Government, a postal article or class or description of postal articles on the  
24 occurrence of public emergency or in the interest of public safety, peace or  
25 welfare; and

26 (c) take all necessary preventive measures in situations in which their  
27 implementation cannot be postponed.

Power to open  
postal articles

28 **22.-(1)** Where the Public Postal Operator has reason to suspect that a  
29 postal article contains anything in respect of which an offence is being  
30 committed or attempted to be committed, it shall, by notice in writing, require

1 the attendance at the office of the postal operator where the article was  
2 received for conveyance or delivery, and the addressee or sender, as the case  
3 may be and thereafter the article shall be opened by the addressee or sender  
4 or his agent.

5 (2) Where the addressee or sender or his agent fails or refuses to  
6 attend in pursuance of the notice given under subsection (1) of this section or  
7 refuses to open the article, the article shall be opened by authorized officer of  
8 the Public Postal Operator in the presence of another officer of the Public  
9 Postal Operator and of any other person named or referred to in the notice  
10 present.

11 (3) In all cases where an article is opened under this section, it shall  
12 be given to the addressee or sender as the case may be unless it is otherwise  
13 required for the purpose of any proceedings under this Bill or any other  
14 enactment for the time being in force.

15 PART VII - LEGAL ACTIONS AGAINST THE PUBLIC POSTAL OPERATOR

16 23.-(1) Notwithstanding anything contained in any enactment  
17 whatsoever, no action shall lie or be instituted in any Court against the  
18 Public Postal Operator, a member or an officer of the Public Postal Operator  
19 for any act done in pursuance of or execution of its Universal Postal Service  
20 obligations under this Bill or any enactment or law or public duty or  
21 authority or in respect of any alleged default in the execution of its Universal  
22 Postal Service obligations, or any enactment or law or duty or authority,  
23 unless it is commenced within 3 (three) months after the act, neglect or  
24 default complained of or, in the case of a continuous damage or injury,  
25 within 3 (three) months next after the ceasing thereof.

Limitation of  
actions against  
the Public Postal  
Operator

26 (2) No suit shall be commenced against the Public Postal Operator,  
27 member, Postmaster General, Secretary or any officer or employee of the  
28 Public Postal Operator before the expiration of a period of one month after a  
29 written notice of intention to commence the suit shall have been served on  
30 the Public Postal Operator by the intending Plaintiff or his agent.

1 (3) Subject to the provisions of Section 160 of the Constitution of the  
2 Federal Republic of Nigeria 1999 (as amended), a law officer employed in the  
3 business of the Public Postal Operator, may conduct prosecutions in respect of  
4 offences related to and connected with the Postal Service committed under this  
5 Bill.

6 (4) A law officer may with consent of the Attorney General of the  
7 Federation conduct civil proceedings under or in relation to or in connection  
8 with an enactment relating to the Public Postal Operator.

Restriction on  
execution against  
Property of the  
Public Postal  
Operator

9 **24.** Notwithstanding anything contained in any enactment  
10 whatsoever, in any action or suit against the Public Postal Operator, no  
11 execution or attachment of process in the nature thereof shall be issued against  
12 the Public Postal Operator but any sum of money which may, by the judgment  
13 of the Court, be awarded against the Public Postal Operator shall, subject to any  
14 directive by the Court where notice of appeal has been given by the Public  
15 Postal Operator in respect of the said judgment, be paid from the Public Postal  
16 Operator's Fund.

17 **PART VIII - FUNDING OF THE PUBLIC POSTAL OPERATOR**

Funding

18 **25.-(1)** The Public Postal Operator shall establish and maintain a  
19 Fund (hereinafter referred to as 'the Fund') from which all expenditures  
20 incurred by the Public Postal Operator shall be defrayed.

21 (2) The Fund shall consist of:

22 (a) such monies as may be appropriated to the Public Postal Operator  
23 from time to time by the National Assembly;

24 (b) fees charged by the Public Postal Operator under this Bill or  
25 regulations issued pursuant to this Bill or under any franchise issued under the  
26 provisions of this Bill;

27 (c) such monies as may be received by the Public Postal Operator by  
28 way of gifts, loans, grants, aids, etc.;

29 (d) all other assets that may, from time to time, accrue to the Public  
30 Postal Operator;



1 (f) such monies as may accrue to the Public Postal Operator from  
2 the Universal Postal Service fund for the deployment of postal services to  
3 the unserved and underserved areas; and

4 (g) all other monies which may from time to time accrue to the  
5 Public Postal Operator.

6 (3) The proceeds of the Funds of the Public Postal Operator shall be  
7 applied:

8 (a) to meet the administrative and operating costs of the Public  
9 Postal Operator;

10 (b) for the payment of salaries, wages, fees, allowances, retirement  
11 benefits including pensions and any other remuneration payable to the staff  
12 of the Public Postal Operator;

13 (c) for the purchase or acquisition of property or other equipment  
14 and other capital expenditure and for maintenance of any property, acquired  
15 or vested in the Public Postal Operator under this Bill or any order, rules and  
16 regulation made pursuant to this Bill;

17 (d) for purposes of investment; and

18 (e) for or in connection with all or any of the functions of the Public  
19 Postal Operator under this Bill or under any order, rule or regulations made  
20 pursuant to this Bill.

21 (4) Any excess of the Public Postal Operator's revenue for any year  
22 over the approved expenditure for that year shall be remitted to the  
23 Consolidated Revenue Fund.

24 (5) The provisions of any enactment relating to the taxation of  
25 companies or trust Funds shall not apply to the Public Postal Operator.

26 **26.-(1)** The Public Postal Operator shall not later than 30th  
27 September of each financial year, prepare and present to the National  
28 Assembly through the President for approval, a statement of estimated  
29 Income and Expenditure for the following financial year.

30 (2) Notwithstanding the provisions of subsection (1) of this

1 section, the Public Postal Operator may, in any financial year, submit  
 2 supplementary or adjusted statements of estimated income and expenditure to  
 3 the National Assembly through the President for approval.

4 (3) The Public Postal Operator shall prepare and submit to the  
 5 National Assembly annually, through the President, not later than 6 months  
 6 after the end of its financial year, a report on its activities for the preceding  
 7 financial year and shall include therein the Public Postal Operator's audited  
 8 accounts for the year under review together with the auditor's report  
 9 thereon.

#### 10 PART IX - ESTABLISHMENT OF THE NIGERIAN POSTAL COMMISSION

Establishment  
of the Nigeria  
Postal  
Commission

11 **27.-(1)** There is hereby established a body to be known as the Nigeria  
 12 Postal Commission (in this Bill, referred to as "the Commission").

13 (2) The Commission:

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

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

17 (c) shall do all such things as are necessary for or incidental to the  
 18 carrying out of its functions and duties under this Bill; and

19 (d) shall be structured into Departments as the Commission may,  
 20 from time to time, deem appropriate for the effective discharge of its functions.

Establishment  
and Membership  
of the Governing  
Board of the  
Commission

21 **28.-(1)** There is hereby established for the Commission a Governing  
 22 Board (in this Bill referred to as "the Board").

23 (2) The Board shall consist of the following:

24 (a) a part time Chairman;

25 (b) 2 (two) Executive Directors;

26 (c) 5 (five) Non-Executive Directors including:

27 (i) 1 (one) representative of the Federal Ministry of Communications  
 28 and Digital Economy

29 (ii) 1 (one) representative of the Federal Ministry of Finance;

30 (iii) 1 (one) representative of the Federal Ministry of Interior;

1 (iv) 1 (one) representative of the Public Postal Operator;

2 (v) 1 (one) representative of the courier association; and

3 (d) the Director-General of the Commission.

4 (3) The Chairman and members of the Board shall be appointed by  
5 the President, on the recommendation of the Minister, from the 6 (six) geo-  
6 political zones of Nigeria.

7 (4) Members of the Board shall be persons with recognized  
8 qualification and experience in the field of postal matters, transport and  
9 logistics management, law, accountancy, economics, finance, social  
10 sciences or administration.

11 (5) The appointment of Board members in subsection (2)(a), (b)  
12 and(d) of this section shall be subject to confirmation by the National  
13 Assembly.

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

17 (7) Notwithstanding any other provision of this Bill, the President  
18 shall ensure at all times that there is a duly constituted Board and that there  
19 are a minimum of five (5) serving Directors on the Board at any and all  
20 times, made up of:

21 (a) the Director General of the Commission;

22 (b) 2 (two) Executive Directors; and

23 (c) 2 (two) non-Executive Directors.

24 (8) The Board shall have capacity to make standing orders for the  
25 regulation of its proceedings and meetings howsoever, and acts of the Board  
26 shall be deemed to be acts of the Commission.

27 (9) The conflict of interest provisions contained in the Third  
28 Schedule to this Bill shall apply to the Members of the Board.

29 **29.** Members of the Board shall be appointed for a term of 4 (four) Tenure of office  
30 years in the first instance and may be reappointed for another term of 4 (four)

	1	years and no more.
Allowances of Members	2	<b>30.</b> The remunerations and allowances, payable to the Members of the
	3	Board, including the Director General and the Executive Directors, shall at the
	4	instance of the Board be determined and reviewed from time to time by the
	5	National Salaries, Incomes and Wages Commission.
Cessation of Membership	6	<b>31.-(1)</b> The office of a member of the Board shall become vacant
	7	where-
	8	(a) his term of office expires;
	9	(b) he resigns his office by a notice in writing under his hand
	10	addressed to the President;
	11	(c) he is incapable of performing the functions of his office due to
	12	mental or physical illness;
	13	(d) he becomes bankrupt;
	14	(e) he has been convicted of a felony or any offence involving
	15	dishonesty;
	16	(f) he is guilty of gross misconduct relating to his duties;
	17	(g) in the case of a person who possesses professional qualification,
	18	he is disqualified or suspended from practicing his profession in Nigeria by an
	19	order of a competent authority; or
	20	(i) he dies.
	21	(2) Notwithstanding the provisions of subsection (1) of this section,
	22	the President may remove or suspend a member of the Board if he is satisfied
	23	that it is not in the interest of the Commission or of the public for the member to
	24	continue in office.
	25	(3) Where a vacancy occurs in the membership of the Board, the
	26	President shall appoint a successor to hold office for the unexpired term of his
	27	predecessor and the successor shall be from the same geographical zone as that
	28	member whose exit created the vacancy.
Functions of the Commission	29	PART X - FUNCTIONS AND POWERS OF THE COMMISSION
	30	<b>32.</b> The Commission:

1 (a) shall have the sole and exclusive responsibility for the  
2 regulation and supervision of the postal sector which includes Postal  
3 Services, Cargo and Logistics, E-Commerce Services and Courier/Express  
4 Services;

5 (b) shall consider, design, determine and ensure a system which  
6 shall promote the widespread availability and usage of network of basic  
7 postal services to all segments of the population on a continuing basis with  
8 specific standard of quality at affordable prices;

9 (c) shall from time to time, make regulations under this Part which  
10 shall include:

11 (i) the scope of service required to be rendered under this Part;

12 (ii) the standards of the services;

13 (iii) remuneration for services rendered;

14 (iv) bonus or dividends;

15 (v) penalties as may be applicable for the provision of universal  
16 postal products and services;

17 (vi) the disposal of undeliverable postal articles;

18 (vii) the articles that may or may not be transmitted as postal  
19 articles;

20 (viii) the classification of postal articles for postal charges; and

21 (ix) the adoption of the regulations agreed upon by the Universal  
22 Postal Union in relation to the transmission of postal matter and that same or  
23 any part or modification thereof shall be in force within Nigeria;

24 (d) may also make rules, guidelines and regulations, for the  
25 implementation of the Universal Postal Service Regulations as may be  
26 agreed and ratified in accordance with the requirement of any law in force in  
27 Nigeria in respect of the transmission of postal matters;

28 (e) shall facilitate investments in and entry into the Nigerian  
29 market for the provision and supply of postal services, equipment and  
30 facilities;

1 (f) shall protect and promote the interests of consumers against unfair  
2 practices including but not limited to matters relating to tariffs and charges for  
3 and the availability and quality of postal services;

4 (g) shall ensure that licensees implement and operate at all times the  
5 most efficient and accurate tariff system;

6 (h) shall promote fair competition in the postal industry and  
7 protection of postal services and facilities providers from misuse of market  
8 power or anti-competitive and unfair practices by other service or facilities  
9 providers or equipment suppliers;

10 (i) shall grant and renew postal licenses in accordance with the  
11 provisions of this Bill and monitor and enforce compliance with license terms  
12 and conditions by licensees;

13 (j) shall propose and effect amendments to license conditions in  
14 accordance with the objectives and provisions of this Bill;

15 (k) shall undertake general responsibility for economic and technical  
16 regulation of the postal industry;

17 (l) shall ensure efficiency and effectiveness of the postal sector;

18 (m) shall undertake such other activities as may be necessary or  
19 convenient for the enhanced performance of the objectives of this Bill and the  
20 functions of the Commission.

Powers of the  
Commission

21 **33.** In carrying out its functions under this Bill, the Commission shall  
22 have power to:

23 (a) fix and collect fees for grant of postal licenses and for other  
24 regulatory services provided by it under this Bill;

25 (b) develop and monitor performance standards and indices relating  
26 to the quality of postal services and facilities supplied to consumers in Nigeria,  
27 having regard to the best international performance indicators;

28 (c) make and enforce regulations and guidelines in accordance with  
29 Part XV of this Bill as may be necessary to give effect to the objectives of this  
30 Bill;

- 1 (d) work in conjunction with any relevant government authority or  
2 agency in the naming and numbering of streets buildings and facilities;
- 3 (e) formulate and manage Nigerian inputs into the setting of  
4 international technical standards for postal services and equipment;
- 5 (f) encourage and promote infrastructure sharing amongst  
6 licensees and provide regulatory guidelines thereon;
- 7 (g) examine and resolve complaints, objections and disputes  
8 between licensed operators, consumers or any other person involved in the  
9 postal industry, using such dispute resolution methods as the Commission  
10 may determine from time to time, including mediation and arbitration;
- 11 (h) prepare and implement programmes and plans that promote  
12 and ensure the development of the postal industry and the provision of postal  
13 services in Nigeria;
- 14 (i) design, manage and implement universal postal service  
15 strategies and programme in accordance with the Federal Governments  
16 general policy and objectives thereon;
- 17 (j) advise the Minister on the formulation of the general policies for  
18 the postal industry and generally on matters relating to the postal industry in  
19 the exercise of the Minister's functions and responsibilities under this Bill;
- 20 (k) implement Governments general policies in the postal industry  
21 and the execution of all such other functions and responsibilities as may be  
22 conferred on the Commission under this Bill or are incidental or related  
23 thereto;
- 24 (l) advise and assist the postal industry stakeholders and  
25 practitioners with a view to the development of the industry and attaining the  
26 objectives of this Bill and its subsidiary legislation;
- 27 (m) represent Nigeria at proceedings of international organizations  
28 and fora on matters relating to regulation of postal services and matters  
29 ancillary and connected thereto;
- 30 (n) conduct market research on the following and other related

- 1 matters: including;
- 2 (i) the extent of the development of Nigerian postal industry;
- 3 (ii) Public Postal Operator needs;
- 4 (iii) quantitative and qualitative characteristics of demand for postal
- 5 service;
- 6 (iv) economic, operational and labour related data on postal
- 7 operators;
- 8 (v) the level of technological development of postal operators;
- 9 (vi) an analysis of the current legal framework for the postal sector,
- 10 including provisions with respect to competition and consumers;
- 11 (vii) the technical and economic viability of postal service
- 12 enterprises;
- 13 (viii) the quality of postal services rendered by the different service
- 14 providers doing business in the postal market;
- 15 (ix) universal postal service standards;
- 16 (x) the scope of universal postal services rendered by the Public
- 17 Postal Operator;
- 18 (xi) supply and demand for universal services;
- 19 (xii) standards of quality and prices in the postal market;
- 20 (xiii) the level of investment in the postal sector;
- 21 (xiv) development plans and the level of investment by the universal
- 22 service operator; and
- 23 (xv) publishing the result of the market study;
- 24 (o) establish and administer an appropriate pricing system for service
- 25 offerings on the postal market including:
- 26 (i) Universal Postal Services provided by the Public Postal Operator,
- 27 and
- 28 (ii) service open to competition provided by all postal operators
- 29 including the Public Postal Operator.
- 30 (p) define, delimit and design the content and scope of measures and



1 activities required for the provision of Universal Postal Services;

2 (q) participate in Universal Postal Union activities and projects  
3 aimed at developing Universal Postal Service costing and pricing  
4 methodologies;

5 (r) sanction any inappropriate postal practices by postal operators  
6 in the industry contrary to the provisions of this Bill; and

7 (s) Conduct and investigate into postal offences in the postal  
8 industry.

9 **34.** The Commission shall at all times carry out its functions and Transparency  
10 duties and exercise its powers under this Bill efficiently, effectively and in a  
11 non-discriminatory and transparent manner and in a way that is best  
12 calculated to ensure that they are provided throughout Nigeria, subject to the  
13 regulatory controls as specified in this Bill, all forms of postal services,  
14 facilities and equipment on such terms and subject to such conditions as the  
15 Commission may, from time to time specify.

16 **PART XI - STAFF OF THE COMMISSION**

17 **35.**-(1) There shall be appointed for the Commission by the Appointment  
of the Director-  
General  
18 President on the recommendation of the Minister, subject to confirmation by  
19 the National Assembly, a Director-General, who shall:

20 (a) be the Chief Executive and Accounting officer of the  
21 Commission;

22 (b) be responsible for the execution of the policies and decisions of  
23 the Commission;

24 (c) be responsible for the day-to-day management and supervision  
25 of the activities of the Commission; and

26 (d) hold office:

27 (i) for a term of 4 (four) years in the first instance and may be re-  
28 appointed for another term of 4 (four) years and no more; and

29 (ii) on such terms and conditions as may be specified in his letter of  
30 appointment.

	1	(2) The Director-General shall be a professional with recognized
	2	qualification and experience in the field of postal matters, transport and
	3	logistics management, law, accountancy, finance, social sciences or
	4	administration.
Appointment of Executive Directors	5	<b>36.-(1)</b> There shall be for the Commission, two Executive Directors to
	6	be appointed by the President on the recommendation of the Minister, subject
	7	to confirmation by the National Assembly.
	8	(2) The Executive Directors shall-
	9	(a) be professionals with recognized qualification and experience in
	10	the field of postal matters, transport and logistics management, law,
	11	accountancy, finance, social sciences or administration;
	12	(b) perform such duties as the Commission or Director-General may
	13	from time to time assign to them; and
	14	(c) hold office:
	15	(i) for a term of 4 (four) years in the first instance and may be re-
	16	appointed for another term of 4 (four) years and no more; and
	17	(ii) on such terms and conditions as maybe specified in their letters of
	18	appointment.
Appointment of Secretary	19	<b>37.-(1)</b> There shall be for the Commission, a Secretary to be
	20	appointed by the Board of the Commission.
	21	(2) The Secretary shall:
	22	(a) be a legal practitioner with at least 10 (ten) years post call
	23	experience;
	24	(b) keep the corporate records of the Commission;
	25	(c) conduct the correspondence of the Commission; and
	26	(d) perform such other duties as the Chairman or the Commission
	27	may from time to time assign to him.
Other Staff of the Commission	28	<b>38.-(1)</b> The Commission may appoint either directly, on secondment
	29	or transfer, such number of employees as it considers expedient for the carrying
	30	out of its functions.

1 (2) The members of staff of the Commission shall be public  
2 officers as defined in the Constitution of the Federal Republic of Nigeria,  
3 1999 (as amended).

4 **39.-(1)** The Commission may make regulations relating generally Conditions of  
Service and  
Pension  
5 to the conditions of service of the employees of the Commission, Such  
6 regulations may provide for the appointment, promotion, termination,  
7 dismissal and discipline of the employees of the Commission.

8 (2) The Commission shall in consultation with the National  
9 Salaries, Incomes and Wages Commission determine and review from time  
10 to time, the remunerations and allowances, payable to the staff of the  
11 Commission.

12 (3) The Conflict of Interest provisions contained in the Third  
13 Schedule to this Bill shall apply to all employees of the Commission.

14 (4) Service in the Commission shall be approved service for the  
15 purposes of the extant Pension law in Nigeria and accordingly, officers and  
16 other persons employed in the Commission shall in respect of their services  
17 in the Commission, be entitled to pensions and other retirement benefits as  
18 are enjoyed by persons holding equivalent grades in the Civil Service of the  
19 Federation.

20 (5) Nothing in this Bill shall prevent the appointment of a person to  
21 any office on terms which preclude the grant of pension and gratuity in  
22 respect of that office.

23 (6) For the purposes of the application of the Pensions Reform Act,  
24 any power exercisable there under by a Minister or other Authority of the  
25 Federal Government, other than the power to make regulations under  
26 section 51 thereof, is hereby vested in and shall be exercisable by the  
27 Commission and not by any other person or authority.

28 **PART XII - FINANCIAL PROVISIONS**

29 **40.-(1)** The Commission shall establish and maintain a Fund of the  
Commission  
30 Consolidated Revenue Fund (hereinafter referred to as 'the Fund') from

1 which all expenditures incurred by the Commission shall be defrayed.

2 (2) The Fund shall consist of:

3 (a) such monies as may be appropriated to the Commission from time  
4 to time by the National Assembly;

5 (b) fees charged by the Commission under this Bill or regulations  
6 issued pursuant to this Bill or under any license issued under the provisions of  
7 this Bill;

8 (c) such monies as may be received by the Commission by way of  
9 gifts, loans, grants, aids, etc;

10 (d) all other assets that may, from time to time, accrue to the  
11 Commission;

12 (e) fines and administrative charges; and

13 (f) all other monies which may from time to time accrue to the  
14 Commission.

15 (3) The proceeds of the Funds of the Commission shall be applied:

16 (a) to meet the administrative and operating costs of the Commission;

17 (b) for the payment of salaries, wages, fees, allowances, retirement  
18 benefits including pensions and any other remuneration payable to the  
19 Commissioners and staff of the Commission;

20 (c) for the purchase or acquisition of property or other equipment and  
21 other capital expenditure and for maintenance of any property, acquired or  
22 vested in the Commission under this Bill or any order, rules and regulation  
23 made pursuant to this Bill;

24 (d) for purposes of investment; and

25 (e) for or in connection with all or any of the functions of the  
26 Commission under this Bill or under any order, rule or regulations made  
27 pursuant to this Bill.

28 (4) Any excess of the Commission's revenue for any year over the  
29 approved expenditure for that year shall be remitted to the Consolidated  
30 Revenue Fund.

1 (5) The Commission shall pay all monies accruing from sale of  
2 licenses into the Consolidated Revenue Fund.

3 41.-(1) The Commission may, with the approval of the Minister, Power to borrow  
4 borrow by way of loan or over draft such monies as the Commission may and accept gifts  
5 require in the exercise of its functions.

6 (2) The Commission may accept gifts or grants of money or aids or  
7 other property from national, bilateral and multi-lateral organizations and  
8 upon such terms and conditions, if any, as may be agreed upon between the  
9 donor and the Commission provided that such gifts are not inconsistent with  
10 the objectives and functions of the Commission under this Bill.

11 42.-(1) The Commission shall not later than 30th September of Budget and  
12 each financial year, prepare and present to the National Assembly through Expenditure  
13 the President for approval, a statement of estimated Income and Expenditure  
14 for the following financial year.

15 (2) Notwithstanding the provisions of subsection (1) of this  
16 section, the Commission may, in any financial year, submit supplementary  
17 or adjusted statements of estimated income and expenditure to the National  
18 Assembly through the President for approval.

19 (3) The Commission shall prepare and submit to the National  
20 Assembly annually, through the President, not later than 6 months after the  
21 end of its financial year, a report on the activities of the Commission for the  
22 preceding financial year and shall include therein the Commission's audited  
23 accounts for the year under review together with the auditor's report  
24 thereon.

25 43.-(1) The financial year of the Commission shall commence on Financial Year  
26 1st January of each year and end on 31st December of the same year. and Audit of the  
Commission's  
Account

27 (2) The Commission shall keep proper records of its accounts for  
28 each year and shall cause its accounts to be audited within 6 (six) months  
29 from the end of each financial year by auditors whose appointment shall be  
30 approved by the Commission and are on the list of auditors approved from

	1	time to time by the Auditor-General of the Federation.
Exemption from taxation	2	<b>44.</b> The provisions of any enactment relating to the taxation of
	3	companies or trust Funds shall not apply to the Commission.
	4	PART XIII - LICENCES
Power to grant license	5	<b>45.</b> Subject to the provisions of this Bill, the Commission shall be
	6	responsible for granting licenses for the carrying on of postal services, cargo,
	7	E-commerce, courier express services and logistics under this Bill and for the
	8	period specified in the licenses.
Operation of postal services	9	<b>46.-(1)</b> A person other than the Public Postal Operator shall not:
	10	(a) operate a postal system or facility; or
	11	(b) provide and/or operate postal service, cargo, E-commerce,
	12	express/courier service and/or logistics in Nigeria; unless it is registered as a
	13	company and holds a license under this Bill.
	14	(2)Notwithstanding the provisions of subsection (1) of this section, a
	15	company operating a postal service, cargo, E-commerce, express/courier
	16	service and /or logistics may apply to the Commission within 6 (six) months of
	17	the commencement of this Bill to be licensed under the provisions of this
	18	Part.
Assignment of licenses and compliance with license conditions	19	<b>47.-(1)</b> The grant of a license shall be personal to the licensee and a
	20	license shall not be operated, assigned, charged, sub-licensed or transferred to
	21	any other person without the prior written approval of the Commission.
	22	(2)A licensee shall at all times comply with the terms and conditions of the
	23	license and the provisions of this Bill or regulations made under this Bill.
	24	PART XIV - RENEWAL AND REVOCATION
Processing of applications	25	<b>48.</b> The Commission shall, within 90 (ninety) days of receiving an
	26	application for a license under this Bill, inform the applicant by written notice:
	27	(a) whether or not the license has been granted;
	28	(b) in the event of a grant, of any special or additional conditions that
	29	apply to the license; and

1 (c) in the event that the application has been refused, the reasons for  
2 the refusal.

3 **49.**-(1) The licensee may apply for the renewal of a license at least Renewal of  
4 6 (six) months prior to its expiration and the renewal fee, to be determined by license  
5 the Commission, shall be payable upon approval of the application.

6 (2) The Commission may refuse an application for the renewal of a  
7 license if the licensee has failed to comply with:

8 (a) the terms and conditions of the license;

9 (b) the provisions of this Bill or regulations made pursuant to this  
10 Bill; or

11 (c) any instrument issued, made or given by the Commission in  
12 connection with the license, its terms and conditions.

13 (3) Where the Commission has no intention of renewing the  
14 license, the Commission shall:

15 (a) inform the licensee by notice in writing not later than 3 (three)  
16 months from the date of receipt of the application for renewal of the license  
17 of its intention not to renew the license; and

18 (b) publish such intention at least 30 (thirty) days before the expiry  
19 of the license.

20 (4) The Commission shall give the affected licensee a reasonable  
21 opportunity to make written submissions to it within the time period  
22 specified in the notice and such time period shall not be less than 14  
23 (fourteen) days from the date of receipt of notice.

24 (5) The affected licensee may within the time period specified in  
25 the notice forward a written submission to the Commission for  
26 consideration.

27 **50.**-(1) A licensee may, by a written notice, surrender his license to Surrender of  
28 the Commission at any time in accordance with the requirements set out in license  
29 the individual license.

30 (2) The surrender shall take effect on the date the Commission

Suspension or  
revocation of  
license

1 receives the license under subsection (1) of this section, or where a later date is  
2 specified in the notice, on the date specified in the notice.

3 (3) The surrender of a license shall be irrevocable unless it is  
4 expressed to take effect on a later date and before that date the Commission, by  
5 notice in writing to the licensee, allows the surrender to be withdrawn.

6 **51.-(1)** The Commission may, by declaration suspend or revoke a  
7 license granted under this Bill where the:

8 (a) Licensee has failed to pay any amount or fine required by or  
9 imposed on the licensee under this Bill;

10 (b) Licensee has failed to comply with the provisions of this Bill or  
11 regulations made pursuant to this Bill or the terms and conditions of the  
12 license:

13 (c) Licensee has contravened the provisions of any other law relevant  
14 to the postal industry;

15 (d) Licensee has failed to comply with any instrument issued, made or  
16 given by the Commission;

17 (e) Licensee has ceased to be a person qualified to hold the license;

18 (f) Licensee is adjudged to have committed fraud or intentional  
19 misrepresentation at the time of applying for the license;

20 (g) suspension or revocation is in the public interest.

21 (2) Notwithstanding any other provisions contained in this Bill, a  
22 license may be suspended or revoked under subsection (1) of this section only  
23 after:

24 (a) the Commission has, by written notice, informed the licensee of  
25 the breach of the provision of subsection (1) of this section and demanded that  
26 the breach be rectified, if it is capable of rectification, within 60 (sixty) days  
27 from the date of the notice; and

28 (b) the licensee has failed to rectify the breach within the time frame  
29 stipulated in paragraph (a) of this subsection.

30 (3) Prior to the suspension or revocation of a license under subsection



1 (1) of this section, the Commission shall inform the licensee by written  
2 notice, as soon as practicable, of its intention to suspend or revoke the  
3 license and the Commission shall give reasons for the decision taken in this  
4 respect.

5 (4) The Licensee concerned shall be given reasonable opportunity  
6 to make written submission to the Commission within a time period  
7 specified in the notice, and such time period shall not be less than 14  
8 (fourteen) days from the date of the notice.

9 (5) The affected licensee may, within the time period specified in  
10 the notice, forward a written submission and the Commission shall consider  
11 the submission in making its final determination and declaration on the  
12 suspension or revocation of the license.

13 (6) Subject to subsections (4) and (5) of this section, the suspension  
14 or revocation of the license shall take effect upon the expiration of 30 (thirty)  
15 days from the date on which the notice of the Commission's declaration  
16 under subsection (3) of this section in respect of the suspension or  
17 revocation is served on the licensee.

18 (7) Where the suspension or revocation of a license has taken  
19 effect, the Commission shall, as soon as practicable, cause the suspension or  
20 revocation to be published in at least 2 (two) widely circulated national daily  
21 newspapers.

22 (8) Any delay or failure to publish the notice of suspension or  
23 revocation shall not in any manner affect the validity of the suspension or  
24 revocation.

25 (9) (1) A Licensee shall have the right of appeal to the Minister  
26 within thirty (30) days of notice of the Commission's declaration under  
27 subsection (3) of this section in respect of the suspension or revocation of the  
28 License.

29 (2) The Minister's decision on this issue shall be final.

	1	PART XV - REGULATIONS, GUIDELINES BY COMMISSION
Regulations, guidelines etc. by the Commission	2	<b>52.</b> -(1) The Commission shall in consultation with the postal
	3	operators issue, and publish regulations covering all or any of the following
	4	matters:
	5	(a) written authorizations, permits, assignments and licenses granted
	6	or issued under this Bill;
	7	(b) fees, charges, rates or fines to be imposed under this Act or
	8	regulations issued pursuant to this Bill;
	9	(c) quality of service;
	10	(d) postal related offences and penalties;
	11	(e) any matter for which this Bill makes express provision; and
	12	(f) such other matters as are necessary for giving full effect to the
	13	provisions of this Bill and for its due administration.
	14	(2) The Commission may make and publish guidelines on any matter
	15	for which this Bill makes express provision and such other matters as are
	16	necessary for giving full effect to the provisions of this Bill and for their due
	17	administration.
	18	PART XVI - MONITORING AND REPORTING
Monitoring and reporting	19	<b>53.</b> -(1) The Commission shall monitor all matters relating to the
	20	performance of all licensees and publish annual reports thereon at the end of
	21	each financial year.
	22	(2) In performing its functions under subsection (1) of this section, the
	23	Commission shall have regard to the established industry performance
	24	indicators as the Commission considers appropriate.
	25	(3) Matters upon which the Commission shall monitor and report
	26	include:
	27	(a) the operation and administration of this Bill and rules and
	28	regulations made under this Bill;
	29	(b) the efficiency with which licensees provide facilities and services;
	30	(c) the quality of services;

- 1 (d) industry statistics generally, including but not limited to the  
 2 provision of services, traffic patterns or industry operators;  
 3 (e) the tariff rate and charges paid by consumers for services;  
 4 (f) the development of industry self-regulation;  
 5 (g) the adequacy and availability of postal services in all parts of  
 6 Nigeria;  
 7 (h) any deficiencies in the scope or operation of this Bill and  
 8 regulations made under this Bill;  
 9 (i) other matters as deemed appropriate by the Commission.

10 (4) The Commission shall publish reports under this section in a  
 11 manner it deems appropriate.

12 PART XVII - GENERAL COMPETITION PRACTICES

13 **54.** The Commission shall have the power to determine, pronounce  
 14 upon, administer, monitor and enforce compliance by all persons with  
 15 competition laws and regulations, whether of a general or specific nature, as  
 16 it relates to Nigerian postal industry.

Power of the  
Commission to  
regulate competition  
practice in the  
Postal Sector

17 **55.**-(1) A licensee shall not engage in any conduct which has the  
 18 purpose or effect of substantially lessening competition in any aspect of the  
 19 Nigerian postal industry.

Anti-competition  
practices

20 (2) A licensee shall not enter into any understanding, agreement or  
 21 arrangement whether legally enforceable or not, which has the tendency of  
 22 limiting competition and which provides for:

- 23 (a) rate fixing;  
 24 (b) market sharing;  
 25 (c) boycotting of another competitor;  
 26 (d) boycotting of a supplier of apparatus or equipment; or  
 27 (e) boycotting of any other licensee.

28 (3) Where the Commission finds that a licensee is engaged, has  
 29 been engaged or is likely to engage in any anti-competitive activity, the  
 30 Commission shall have the power to issue a direction requiring such

1 licensee to desist from such practices or methods of competition.

2 (4) Failure to comply with a direction issued pursuant to subsection  
3 (2) of this section shall constitute an offence punishable in the case of a:

4 (a) first offender, by a fine not exceeding N2, 000, 000.00 (Two  
5 Million Naira);

6 (b) second time offender, by a fine not exceeding 10% (ten percent) of  
7 the annual turnover of the Licensee; and

8 (c) third time offender, by the revocation of the relevant license.

9 (5) A direction shall not be issued nor a penalty imposed where the  
10 licensee is able to demonstrate to the satisfaction of the Commission that it has  
11 not engaged or has not been engaged or is not likely to be engaged in any anti-  
12 competitive activity.

13 (6) For the purpose of paragraph (b) of subsection 4 of this section,  
14 "annual turnover" shall mean the annual turnover for the financial year of the  
15 licensee preceding the year in which the offence was committed.

16 PART XVIII - TARIFF RATE REGULATION

Approval of  
tariffs and charges  
by the Commission

17 **56.-(1)** A licensee shall not impose any tariff or charges for the  
18 provision of any service under this Bill until the Commission has approved  
19 such tariff rates and charges except as otherwise provided in this Part.

20 (2) The Commission shall review and fix minimum tariff for  
21 competitive products, cost coverage plus a reasonable contribution to overhead  
22 costs, from time to time in the interest of efficient and reliable service.

23 (3) The Licensees referred to in subsection (1) of this section shall  
24 provide services at the tariff rates and charges as approved by the Commission  
25 and shall not depart from the approved tariff rates and charges without prior  
26 written approval of the Commission.

27 (4) The tariff established by a licensee referred to in subsection (1) of  
28 this section shall be on the basis of such principles as the Commission may,  
29 from time to time, stipulate in its guide lines or regulations.

30 (5) The principles referred to in subsection (4) of this section include

1 those requiring that:

2 (a) tariff rates shall be fair and, for similarly situated persons, not  
3 discriminatory;

4 (b) tariff rates shall be cost-oriented and, in general, cross  
5 subsidisation shall be eliminated;

6 (c) tariff rate shall not contain discounts that unreasonably  
7 prejudice the competitive opportunities of other providers;

8 (d) tariff rates shall be structured and levels set to attract  
9 investments in to the postal industry; and

10 (e) tariff rates shall take account of the regulations and  
11 recommendations of the international organizations of which Nigeria is a  
12 member.

13 **57.** Notwithstanding the provisions of this Bill, the Commission  
14 may intervene in such manner as it deems appropriate in determining and  
15 setting the tariff rates for any non-competitive services provided by a  
16 provider mentioned in this Bill as the public interest may require.

Commission's  
Intervention in  
the setting of  
tariff rates

17 **58.** Notwithstanding any other provision of this Bill, the  
18 Commission shall prescribe and enforce appropriate financial penalties  
19 upon any licensee that exceeds the tariff rates duly approved by the  
20 Commission for the provision of its services.

Penalty for  
operating  
unapproved tariff,  
charges etc.

21 **PART XIX - OFFENCES**

22 **59.-(1)** Subject to such exemptions as are contained in this Bill, or  
23 as may be determined by the Commission from time to time, a person who  
24 operates a postal service:

Offences relating  
to licenses

25 (a) without a licence issued under this Bill;

26 (b) outside the terms and conditions of the licence; or

27 (c) in contravention of the provisions of this Bill or regulation or  
28 guidelines made pursuant to this Bill; commits an offence.

29 (2) A person who for the purpose of securing a licence under this  
30 Bill, makes a statement or provides information which he knows to be false

Limitation of  
Suits against  
the Commission

1 or does not have reason to believe to be true, commits an offence.

2 PART XX - LEGAL ACTIONS AGAINST THE COMMISSION

3 **60.**-(1) Subject to the provisions of this Bill, the provisions of the  
4 Public Officers Protection Act shall apply in relation to any suit instituted  
5 against an Official or employee of the Commission.

6 (2) Notwithstanding anything contained in any other law or  
7 enactment, no suit shall lie against a Commissioner, the Secretary or any other  
8 official or employee of the Commission for any act done under this Bill or any  
9 other law or enactment or in respect of any public duty or authority or any  
10 alleged neglect or default in the execution of this Bill or any other law or  
11 enactment, duty or authority, or be instituted in any court unless it is  
12 commenced:

13 (a) within 3 (three) months after the act, neglect or default complained  
14 of; or

15 (b) in the case of continuation of damage or injury, within 6 (six)  
16 months next after the ceasing thereof.

17 (3) No suit shall be commenced against a member of the Commission,  
18 the Secretary or any official or employee of the Commission before the  
19 expiration of a period of 1 (one) month after written notice of the intention to  
20 commence the suit shall have been served on the Commission by the intending  
21 plaintiff or his agent.

22 (4) The notice referred to in subsection (3) of this section shall clearly  
23 and explicitly state the cause of action, the particulars of the claim, the name  
24 and place of abode of the intending plaintiff and the relief sought.

Service of Court  
Processes on the  
Commission

25 **61.** A notice, summons or other documents required or authorized to  
26 be served on the Commission under the provisions of this Bill or any other law  
27 or enactment, may be served by delivering it to the Commission or by sending  
28 it via registered post addressed to the Director General of the Commission at  
29 the principal office of the Commission.

1	<b>62.</b> -(1) In any action against the Commission, no execution or	Restriction on Execution against the Commission's Property
2	attachment of any nature thereof shall be issued against the Commission	
3	unless at least 3 (three) months' notice of the intention to execute or attach	
4	the Commission's property has been given to the Commission.	
5	(2) Any sum of money which may by judgment of any Court be	
6	awarded against the Commission shall, subject to any direction given by the	
7	Court where notice of appeal against the judgment has been given, be paid	
8	from the Commission's Fund.	
9	<b>63.</b> A member of the Commission or any official or employee of	Indemnity of the Commission's Officials
10	the Commission shall be indemnified out of the assets of the Commission	
11	against any liability incurred by him in defending any proceeding, whether	
12	civil or criminal, if the proceeding is brought against him in his capacity as a	
13	member of the Commission, Officer or employee of the Commission.	
14	PART XXI - RESPONSIBILITIES OF THE MINISTER	
15	<b>64.</b> The Minister shall:	Responsibilities of the Minister
16	(a) formulate, determine and monitor the general policy of the	
17	postal sector in Nigeria to ensure, amongst other things, the utilization of the	
18	sector as a platform for the economic and social development of Nigeria;	
19	(b) be responsible for the negotiation and execution of	
20	international postal treaties and agreements, on behalf of Nigeria, between	
21	sovereign countries and international organizations and bodies;	
22	(c) represent Nigeria, in conjunction with the Commission and the	
23	designated postal operator at proceedings of international organizations and	
24	fora on matters relating to postal industry;	
25	(d) establish the broad policy framework for universal service with	
26	respect to basic and advanced postal services;	
27	(e) formulate and review broad structural and institutional	
28	frameworks for the postal industry;	
29	(f) support the applications by postal sector operators seeking for	
30	exemption from the use of any Form which exemption is allowed and Risk	

1 Assessment Report (RAR) and other similar requirements from the  
2 appropriate institution to expedite the timely delivery of express cargo or  
3 courier items; and

4 (g) upon being satisfied that express or courier items have been  
5 inspected by relevant law enforcement agencies at designated sheds, bonded  
6 warehouses and other such inspection centres, support the application by  
7 postal sector operators to the appropriate authorities from inspection by law  
8 enforcement agencies, State and Local Government operators.

9 PART XXII - REVIEW OF DECISIONS

10 **65.**-(1) A person or postal operator who is aggrieved or whose interest  
11 is adversely affected by any decision of the Commission made pursuant to the  
12 exercise of the powers and functions under this Bill or its subsidiary legislation  
13 ("aggrieved person") may request in writing to the Commission for a statement  
14 of the reasons for the decision.

15 (2) The Commission shall, upon such written request by an aggrieved  
16 person, provide a copy of a statement of reasons for the decision and any  
17 relevant information taken into account in making the decision

18 (3) In this part, "decision" includes any action, order, report,  
19 direction.

20 **66.**-(1) An aggrieved person may at any time within but not later than  
21 30 days after the date of receipt of the Commission's statement of reasons  
22 specified in section 65(2) of this Bill request the Commission in writing for a  
23 review of the Commission's decision and specify therein the reasons and basis  
24 for his request.

25 (2) upon receipt of the aggrieved person's written submissions, the  
26 Commission shall meet to review its decision, taking into consideration the  
27 submissions of the aggrieved person under subsection (1) of this section.

28 (3) The Commission may, in carrying out the review of its decision  
29 under this Part, use and exercise any of its powers.

30 (4) The Commission shall not later than 60 days from the date of



1 receipt of the aggrieved person's written submissions, conclude its review of  
2 the decision and inform the aggrieved person in writing of its final decision  
3 thereon and the reasons therefor.

4 **67.**-(1) Subject to section 66 of this Bill and subsections (2) and (3)  
5 of this section, an aggrieved person may appeal to the Court for a judicial  
6 review of the Commission's decision or other action.

7 (2) The decision or direction of the Commission that is the subject  
8 matter of an application for judicial review shall subsist and remain binding  
9 and valid until it is expressly reversed in a final judgement or order of the  
10 Court.

11 (3) A person shall not apply to the Court for a judicial review unless  
12 that person has first exhausted all other remedies provided under this Act.

13 PART XXIII - ESTABLISHMENT OF THE UNIVERSAL POSTAL SERVICE  
14 FUND AND UNIVERSAL POSTAL SERVICE FUND BOARD

15 **68.**-(1) There is established under this Part, a Universal Postal  
16 Service Fund in this Bill referred to as "the UPS Fund" which shall be  
17 controlled and managed in accordance with the provisions of this Part.

Universal Postal  
Service Fund

18 (2) The UPS Fund established pursuant to subsection (1) of this  
19 section shall consist of -

20 (a) monies as may be specifically made available to the UPS Fund,  
21 from time to time, through the annual budgetary process appropriate by the  
22 National Assembly;

23 (b) contributions to the fund by the licensees which shall be two  
24 percent (2%) of their annual turnover as their annual levies;

25 (c) gifts, loans, aids and assistance from donor agencies; and

26 (d) such other monies which may from time to time accrue to the  
27 UPS Fund.

28 (3) The proceeds of the UPS Fund shall be applied-

29 (a) to the payment of compensation and incentives to the Public  
30 Postal Operator;

Establishment  
of the Universal  
Service Fund  
Board

- 1 (b) to the cost of administration of the UPS Fund Board; and  
2 (c) for the deployment of Postal Services to the unserved and  
3 undeserved areas by the Public Postal Operator.

4 **69.**-(1) There is established for the UPS Fund, a Board (in this Bill  
5 referred to as "the UPS Fund Board").

6 (2) The UPS Fund Board established under subsection (1) of this  
7 section shall:

8 (a) supervise and provide broad policy direction for the management  
9 of the UPS Fund;

10 (b) apply the fund to the provision of compensation and incentives for  
11 the Universal Postal Service provider where such services are not  
12 commercially viable;

13 (c) make appropriate recommendations to the Federal Government  
14 and its Agencies on Universal Service Development Policy.

Membership  
of the UPS  
Fund Board

15 **70.**-(1) The UPS Fund Board shall consist of:

16 (a) the Minister, who shall be the Chairman;

17 (b) the Chairman of the Commission, who shall be the Vice  
18 Chairman;

19 (c) the Director General of the Commission;

20 (d) a representative of the Federal Ministry of Communications and  
21 Digital Economy;

22 (e) a representative of the Federal Ministry of Finance not below the  
23 directorate cadre;

24 (f) a representative of the National Planning Commission not below  
25 the directorate cadre;

26 (h) a representative of the private sector; and

27 (i) the Chief Executive Officer of the Public Postal Operator.

28 (2) A member of the UPS Fund Board shall be appointed on such  
29 terms and conditions as may be indicated in his letter of appointment.

30 (3) The organizations that are represented on the UPS Fund Board

1 may at any time, at their discretion or at the instance of the UPS Fund Board,  
2 replace any member who is representing their organizations with another  
3 person.

4 **71.**-(1) The UPS Fund Board shall make standing orders for the  
5 regulation of its meetings and proceedings and may establish standing or ad-  
6 hoc Committees to assist it in exercising its functions under this Bill.

Proceeding of  
the UPS Fund  
Board

7 (2) The UPS Fund Board may establish Committees and co-opt  
8 other persons including representatives of organizations that are in the UPS  
9 Fund Board's opinion, capable of assisting the Commission and the UPS  
10 Fund Board in the discharge of the functions under this Bill, provided that  
11 such Committees shall, at all times, be chaired by a member of the UPS Fund  
12 Board.

13 (3) Decisions of any Committee established by the UPS Fund  
14 Board shall not be binding and valid until ratified by the UPS Fund Board.

15 **72.**-(1) There shall be for the UPS Fund, a Secretariat responsible  
16 for the day to day administration of the UPS Fund established pursuant to  
17 Section 64 of this Bill.

Secretariat of the  
Universal Postal  
Service Fund

18 (2) The functions of the Secretariat shall include:

19 (a) evaluation of project performance and effecting such actions as  
20 may be necessary to ensure that the Fund meets the objectives for postal  
21 expansion and provision of service;

22 (b) enforcing standards for quality of service set by the Board in  
23 rural and underserved areas;

24 (c) evaluation of the effectiveness of the Universal Postal Service  
25 in meeting policy goals as set by the Federal Government and the UPS Fund  
26 Board;

27 (d) liaising with the UPS Fund Board and the Universal Service  
28 Fund Managers appointed pursuant to the provision of Section 69 of this  
29 Bill.

30 (3) There shall be for the UPS Fund, a Head of the Secretariat,

	1	known as the Secretary, UPSF to be appointed by the UPS Fund Board.
	2	(4) The UPS Fund Board shall ensure that the Secretariat is staffed
	3	with suitably qualified and experienced personnel.
Universal Postal Service Fund Managers	4	<b>73.-(1)</b> The UPS Fund Board shall appoint an independent and
	5	competent investment management firm as Universal Postal Service Fund
	6	Manager (in this Bill referred to as the UPS Fund Manager) whose
	7	responsibilities are to:
	8	(a) maintain the UPS Fund financial accounts and records;
	9	(b) estimate the amount needed annually to sustain the rate of network
	10	expansion determined by the Commission as appropriate to meet policy
	11	objectives;
	12	(c) determine, in consultation with the Commission, the amount of
	13	annual revenue required to ensure that the UPS Fund remains fiscally sound
	14	and calculation of the corresponding rate of assessment;
	15	(d) disburse monies upon approval by the UPS Fund Board;
	16	(e) prudently investing monies in the UPS Fund or cash reserves
	17	under directions from the UPS Fund Board and establishing cash management
	18	procedures to ensure maximum return on investments while meeting short-
	19	term cash requirements for disbursements;
	20	(f) regularly report to the UPS Fund Board on the financial
	21	performance of the Fund.
	22	(2) The UPS Fund Board shall determine the terms of engagement
	23	and the remuneration package for the UPS Fund Managers.
Regulations on contributions to the UPS Fund	24	<b>74.</b> The UPS Fund Board may make regulations on matters related to
	25	or incidental to the UPS Fund and operation of the UPS Fund.
	26	PART XXIV - MISCELLANEOUS
Repeal of Cap N127 LFN 2004	27	<b>75.-(1)</b> The Nigerian Postal Service Act, Cap N127 Laws of the
	28	Federation of Nigeria, 2004 is hereby repealed.
	29	(2) Without prejudice to the provisions of the Interpretation Act,
	30	nothing in this Bill shall invalidate or otherwise prejudicially affect anything

1 done or purported to be done under the repealed Act.

2 (3) Notwithstanding the repeal of the Nigerian Postal Service Act  
3 Cap N127 LFN 2004, there shall be vested in the Public Postal Operator  
4 from the commencement of this Bill and without any further assurance, all  
5 assets, funds, resources and other movable or immovable property which  
6 immediately before the commencement of this Bill were vested in the  
7 Nigerian Postal Service.

8 **76.** In this Bill:

Interpretation

9 "access" means making available postal facilities and services from one  
10 licensee to another for the purposes of providing services and access to  
11 physical infrastructure, including but not limited to buildings;

12 "Agreement" means an agreement, whether formal or informal, oral or  
13 written, express or implied;

14 "annual levies" means 2% of the annual turnover of the licensees;

15 cargo" means any goods transported by air, sea etc. and in this Bill "express  
16 cargo or courier items" refer to time sensitive goods conveyed by means of  
17 transportation, including road, sea, air;

18 "category of licence" means a licence for any person to operate specified  
19 postal services and may include conditions to which the conduct of the  
20 service shall be subject;

21 "Commission" means the Nigerian Postal Commission established under  
22 section 26 of this Bill;

23 "consumer" means any person who uses a postal service; courier/express  
24 service, cargo, logistics or E-commerce service;

25 "courier service" means door-to-door, time-sensitive and secured service;

26 "cross subsidization" means the practice of using surplus revenues  
27 generated from one product or service to support another service which is  
28 priced at a rate that is less than full compensation;

29 "e-commerce" means business transactions conducted over the internet;

30 "equipment" means any equipment or apparatus used or intended to be used

- 1 for postal purposes and that is part of, connected to or comprises postal system;
- 2 "false pretence" has the meaning assigned to it under the Administration of  
3 Criminal Justice Act 2015;
- 4 "fictitious or counterfeit stamp" means any facsimile or imitation or  
5 representation whether on paper or otherwise, of any stamp or stamped  
6 impression, for denoting any rate of postage, duty, authentication, validation of  
7 any receipt, document or instrument in any part of Nigeria;
- 8 "intercept"/ "interception" means the acquisition of the contents of any postal  
9 article by the Commission, Public Postal Operator or any person;
- 10 "lawful authority" means the official procedure as it relates to dealing in postal  
11 services;
- 12 "letter" means a communication in writing which is directed to a specific  
13 person or address or relates to the personal, private or business affairs of an  
14 individual or any employer and includes a packet containing such  
15 communication and electronic mail;
- 16 "license" means an authorization granted by the Commission to an operator for  
17 the provision of postal services;
- 18 "Licensee" means a person who holds a licence granted under this Bill;
- 19 "logistic services" means services which include haulage, conveyance,  
20 dispatch or delivery of items or goods weighing not less than 50kg;
- 21 'Mandatory Postal Services' means postal services that are required to be  
22 provided by the Public Postal Operator under Section 12 of this Bill;
- 23 "Minister" means the Minister for the time being charged with the  
24 responsibility for the postal industry;
- 25 "Ministry" means the Federal Ministry for the time being charged with the  
26 responsibility for the postal industry;
- 27 "monitoring" refers to the function of comprehensive and continuous review of  
28 the operations and adequacy of postal networks, facilities and service and the  
29 reasonableness of charges imposed for services;
- 30 "operator" means a person that operates postal/cargo/logistics/E-

1 commerce/courier/express services or a postal services provider in  
2 accordance with this Bill;

3 "person" includes natural and artificial person such as a body corporate or  
4 partnership and where an individual is required to represent a corporate  
5 body or partnership in any circumstance pursuant to this Bill or any  
6 subsidiary legislation, it shall be sufficient if in the case of:

7 (a) corporate body, it is represented by its competent officer; and

8 (b) Partnership, it is represented by a partner in the partnership or a  
9 competent employee of the partnership.

10 "postal articles" include any letter, postcard, newspaper, book, document,  
11 pamphlet, patent or sample packet, parcel or package or other article  
12 whatsoever transmissible through postal operators;

13 "postal facilities" include a house, building, premises, room, vehicles,  
14 vessel carriage or place used for the purpose of providing postal service and  
15 every letter box, post office provided by the public postal operator for the  
16 receipt of postal articles;

17 "postal industry" means the sector of the economy where  
18 postal/courier/express services, cargo, logistics and E-commerce services  
19 are being carried out;

20 "postal matter" includes a letter, stamp, postal order, money order, mail bag,  
21 seal or any other postal item;

22 "Post Office Guide" means a guide issued by the Public Postal Operator to  
23 ensure safe, reliable and efficient operation of the post offices;

24 "Postal Sector" means operators in the Postal Industry providing either or  
25 and both postal and courier/express services;

26 "Postal Services" include conveying all mail, letters, items, goods, articles  
27 and like materials through the post from one place to another and performing  
28 all incidental services of receiving, collecting, sending, dispatching and  
29 delivering written and printed matters, parcel, goods and like material from  
30 one place to another;

- 1 "PPP" means Public Private Partnership;
- 2 "Private Postal Operator" means any postal operator other than the Public  
3 Postal Operator;
- 4 "Public Postal Operator" means the Nigerian Postal Service designated for the  
5 provision of universal service under Section 2(1) of this Bill;
- 6 "President" means the President of the Federal Republic of Nigeria;
- 7 "Reserved Postal Service" means postal services within the exclusive power of  
8 the public postal operator under section 10 of this Bill;
- 9 "Stamp" means any label, stamp or stamp impression for denoting any rate of  
10 postage payable in respect of postal articles and includes adhesive stamps,  
11 electronic stamps and stamps printed, embossed, or otherwise indicated on any  
12 envelope, wrapper, postcard, documents, receipts or other articles whether  
13 such stamp is issued by the public postal operator or by the Government of any  
14 foreign country. It also includes stamps issued by the Public Postal Operator for  
15 denoting and authenticating documents, activities of members of different  
16 professional bodies such as but not limited to receipts, agreements, bank notes,  
17 etc. at the prevailing minimum postage rates;
- 18 "stamping protocol" means the entire process of implementing and enforcing  
19 the denoting, authenticating and validating of receipts, documents,  
20 instruments, forms, deeds, agreements, and relevant written documents with  
21 electronic or adhesive stamp, or internet generated stamps as well as the act of  
22 cancelling out same by signing across using a stamp impression or seal to  
23 cancel same;
- 24 "Universal Postal Service" refers to the obligations by the Public Postal  
25 Operator for the deployment of affordable postal services to the unserved and  
26 underserved areas including rural areas;
- 27 "Unlicensed Postal Operator" means a person who operates a postal service  
28 without being licensed under this Bill;
- 29 "UPS Fund Board" means the Board established under section 65 of this Bill;
- 30 "UPS Fund" means Universal Postal Service Fund;



1 "UPU" means the Universal Postal Union.

2 73. This Bill may be cited as the Nigeria Postal Services Bill, Short title  
3 2021.

4 FIRST SCHEDULE

5 *Section 3(5)*

6 SUPPLEMENTARY PROVISIONS RELATING TO THE PUBLIC

7 POSTAL OPERATOR

8 *Proceedings of the Board of the Public Postal Operator*

9 1.-(1) The Board shall meet for the conduct of its business at such  
10 time, place and on such day as the chairman may appoint, but shall meet not  
11 more than 4 (four) times in a year.

12 (2) The chairman may, at any time and shall, at the request in  
13 writing of not less than 5 (five) members summon a meeting of the Board.

14 (3) Particulars of the business to be transacted at any meeting shall  
15 be circulated to members, with the notice of the meeting of the Board.

16 (4) Every question put before the Board at a meeting shall be  
17 decided by a majority of the votes of the members present and voting.

18 (5) 4 (four) members of the Board shall form a quorum at any  
19 meeting of the Board.

20 (6) The chairman shall preside at all meetings of the Board and in  
21 the absence of the Chairman; the alternate Chairman shall preside at that  
22 meeting.

23 (7) The chairman shall at any meeting, have a vote and in the case  
24 of an equality of votes, may exercise a casting vote.

25 (8) Subject to the provisions of this Bill, the Board may make  
26 standing orders with respect to the holding of meetings, the nature of notice  
27 to be given, the proceedings thereto, the keeping of minutes of such  
28 proceedings and the custody and

29 *Committees*

30 2.-(1) The Board may appoint 1 (one) or more committees to advise

1 it on the exercise and performance of its functions under this Bill.

2 (2) Every committee shall consist of-

3 (a) a chairman, who shall be appointed by the Board from among the  
4 members of the Board;

5 (b) not more than 5 (five) persons (who may or may not be members  
6 of the Board), so however that any non-member of the Board co-opted to serve  
7 on any committee shall enjoy all the rights and privileges of a member except  
8 the right to vote and be counted towards a quorum.

9 (3) In this paragraph, "chairman" means the chairman of a committee.

10 *Miscellaneous*

11 3.-(1) Any contract or instrument which, if entered into or executed by  
12 a person not being a body corporate, would not be required to be under seal,  
13 may be entered into or executed on behalf of the Board by any person generally  
14 or specifically authorized in that behalf by the Board.

15 (2) Any member of the Board or of a committee thereof, who has a  
16 personal interest in any contract or arrangement entered into or proposed to be  
17 considered by the Board or a committee thereof, shall forthwith disclose his  
18 interest to the Board or the Committee, as the case may be, and shall not vote on  
19 any question relating to such contract or arrangement.

20 4.-(1) The common seal of the Board shall not be used or affixed to  
21 any document, except in pursuance of a resolution duly passed at a properly  
22 constituted meeting of the Board and recorded in the minutes of the meeting.

23 (2) The fixing of the seal of the Board shall be authenticated by the  
24 signature of the chairman or some other members authorized generally or  
25 specifically by the Board, to act for that purpose.

26 (3) A document purporting to be a document duly executed under the  
27 seal of the Board shall be received in evidence and shall, unless the contrary is  
28 proved, be deemed to be so executed.

## 1 SECOND SCHEDULE

2 *Section 28(5)*

## 3 SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION

4 *Proceedings of the Commission*

5 1. Subject to the provisions of this Bill, the Board may make  
6 standing orders regulating its proceedings or that of any of its Committees.

7 2. The Chairman shall preside at every meeting of the Board and in  
8 his absence, the Director General shall preside at the meeting and in the  
9 absence of the Chairman and Director General, the members present at that  
10 meeting shall appoint one of their members to preside at the meeting.

11 3. The quorum for any meeting of the Board shall be a simple  
12 majority of the members for the meantime constituting the Board.

13 4. The Board shall meet to transact its business pursuant to this Bill  
14 whenever it is summoned by the Chairman and if so required by notice given  
15 to him by not less than four other members of the Board specifying, amongst  
16 others, an agenda for the meeting, the Chairman shall summon a meeting of  
17 the Board that shall be held within fourteen days from the date on which the  
18 notice is served on him to discuss the items specified in the notice; provided  
19 that the Board shall for the purposes of this Bill meet not less than four times  
20 in each calendar year.

21 5. A member of the Board who directly or indirectly has an interest  
22 of a personal nature (including but not limited to financial interests in any  
23 matter being deliberated upon by the Board, or is personally interested in  
24 any contract made or proposed to be made by the Commission, shall so soon  
25 after the facts of the matter of his interests have come to his knowledge  
26 disclose his interest and the nature thereof at a meeting of the Board.

27 6. A disclosure under sub-paragraph 5 of this paragraph shall be  
28 recorded in the minutes of meetings of the Board and the member  
29 concerned:

30 (a) shall not, after the disclosure, take part in any deliberation or

1 decision of the Board or vote on the matter; and

2 (b) shall be excluded for the purpose of constituting a quorum at any  
3 meeting of the Board for any deliberation or decision, with regard to the subject  
4 matter in respect of which his interest is so disclosed.

5 *Committees*

6 2.-(1) Subject to its standing orders, the Board may appoint such  
7 number of standing or ad hoc Committees as it thinks fit to consider and or on  
8 any matter with which the Commission is concerned.

9 (2) A Committee appointed under subparagraph (1) of this paragraph  
10 shall consist of such number of persons, who may not necessarily be members  
11 of the Board, provided that the appointment of a non-Board member as a  
12 Committee member shall be subject to such terms and conditions as the Board  
13 may determine.

14 (3) The quorum of any Committee set up by the Board shall be as may  
15 be determined from time to time by the Board.

16 (4) A decision of a Committee of the Board shall be of no effect until it  
17 is confirmed by the Board.

18 *Miscellaneous*

19 3.-(1). The fixing of the seal of the Commission shall be authenticated  
20 by the signature of the Secretary and that of the Chairman or any other member  
21 of the Board generally or specifically authorized by the Board to act for that  
22 purpose.

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

27 (3) Any document purporting to be a contract, instrument or other  
28 document duly signed or sealed on behalf of the Commission shall be received  
29 in evidence and shall, unless the contrary is proved, be presumed without  
30 further proof to have been so signed or sealed.

1 (4) Subject to the provisions of this Bill, the validity of any  
2 proceedings of the Board or of any of its Committees shall not be affected  
3 by:

4 (a) any vacancy in the membership of the Board or Committee;

5 (b) any defect in the appointment of a member of the Board or  
6 Committee; or

7 (c) reason that any person not entitled to do so took part in the  
8 proceedings of the Board or Committee.

9 (5). A member of the Board or Board's Committee shall not be  
10 personally liable for any act or omission done or made in good faith while  
11 engaged on the business of the Commission.

12 THIRD SCHEDULE

13 *Sections 28(8)*

14 CONFLICT OF INTEREST

15 1. Subject to the provisions of this Schedule, a member of the  
16 Board or staff of the Commission shall not have a direct or indirect financial  
17 interest or investment in any Nigerian postal company throughout the tenure  
18 of his office or his employment with the Commission.

19 2. Subject to paragraphs 3 and 4 of this Schedule, a member of the  
20 Board or staff of the Commission shall annually, present a written  
21 declaration affirming the non-existence of any such interest as is specified in  
22 paragraph 1 of the Schedule and shall pledge to disclose and inform the  
23 Board of any such relationship or interest that arises or is likely to arise  
24 during his tenure or employment with the Commission.

25 3. Members of the Board and staff of the Commission as at the  
26 commencement date of this Bill shall be entitled to a maximum of 6 (six)  
27 months from the said commencement date within which to divest  
28 themselves of their direct or indirect financial interests or investment in any  
29 Nigerian postal company, if any.

30 4. All newly appointed members of the Board and staff of the

1 Commission shall after the commencement of this Bill be entitled to a  
2 maximum of 6 (six) months from their respective dates of appointments within  
3 which they may divest themselves of their direct or indirect financial interests  
4 or investments in any Nigerian postal company, if any.

5 5. Each member of the Board and staff of the Commission shall  
6 declare on appointment or at the commencement of employment and annually  
7 thereafter, for as long as he serves the Commission, any interest or investment  
8 that he:

9 (a) knowingly has; or

10 (b) knows any member of his immediate family to have in any aspect  
11 of the Nigerian postal industry.

12 6. If any member of the Board or staff of the Commission contravenes  
13 the provisions of paragraphs 1 and 2 of this Schedule, or gives false  
14 information under paragraphs 5 of this Schedule, he shall on conviction be  
15 liable to a fine not exceeding N100,000.00 (One Hundred Thousand Naira) or  
16 imprisonment not exceeding 1 (one) year or both.

17 7. Subject to paragraph 8 of this Schedule, the Board may, from time  
18 to time, waive the application of the provisions specified in paragraphs 1 and 2  
19 of this Schedule in respect of any member of the Board or staff of the  
20 Commission if the Board determines that the financial interest of the member  
21 of the Board or staff of the Commission is not of a material nature or is minimal.

22 8. The Board, in determining whether or not the interest of a member  
23 of the Board or staff of the Commission is not of a material nature will consider  
24 factors including but not limited to the following:

25 (a) the revenues, investments, profits and managerial efforts of the  
26 company or other entity in regard to its postal activities compared with other  
27 aspects of the company's or such entity's businesses;

28 (b) the extent to which the Commission regulates and oversees the  
29 activity of such company or entity;

30 (c) the degree to which the economic interests of such company or

- 1 other entity may be affected by an action of the Commission; and  
2 (d) the perceptions held or likely to be held by the public regarding  
3 the relevant holding or interest and issues at stake.
- 4 9. The Board may at any time review and reverse its determination  
5 under paragraph 7 of this Schedule and direct the application of the  
6 prohibitions contained in these provisions.
- 7 10. In any case in which the Board exercises the waiver authority or  
8 the review thereof as specified in paragraphs 7 and 8 of this Schedule, the  
9 Board shall so soon thereafter publish the details thereof and such  
10 publication shall include information regarding the identity of the person  
11 who has been granted the waiver or whose waiver grant has been reviewed,  
12 the position held by such person and the nature of the financial interest  
13 which is the subject of the waiver or the review thereof.
- 14 11. For the purposes of this Schedule:  
15 (a) "Company" includes partnerships;  
16 (b) "Immediate family" means a person's spouse and children who  
17 are under the age of 18 years.

#### EXPLANATORY MEMORANDUM

*(This note does not form part of the above Bill but is intended  
to explain its purport)*

This Bill seeks to repeal the Nigerian Postal Service Act, CAP N127, Laws of the Federation of Nigeria, 2004, and enacts the Nigerian Postal Commission Act to provide for the Establishment of the Nigerian Postal Commission, the introduction of private sector participation in the provision of postal services and the regulation of the postal sector.





HARMONISED RETIREMENT AGE FOR TEACHERS IN NIGERIA BILL, 2021

ARRANGEMENT OF SECTIONS

*Sections:*

1. Application
2. Compulsory Retirement of Teachers in Nigeria
3. Non-application of Public Service Rules
4. Interpretation
5. Short Title



# A BILL                      EXECUTIVE

## FOR

AN ACT TO PROVIDE FOR THE RETIREMENT AGE OF TEACHERS IN NIGERIA  
AND FOR RELATED MATTERS, 2021

[       ] Commencement

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

- |    |  |  |
|----|--|--|
| 1  | <p><b>1.</b> The provisions of this Act shall apply throughout the Federal</p>           | Application                                  |
| 2  | <p>Republic of Nigeria.</p>  |  |
| 3  | <p><b>2.</b> Teachers in Nigeria shall compulsorily retire on attainment of</p>          | Compulsory Retirement of Teachers in Nigeria |
| 4  | <p>65 years of age or 40 years of pensionable service, whichever is earlier.</p>         |  |
| 5  | <p><b>3.</b> The Public Service Rules or any legislation that requires a</p>             | Non-application of Public Service Rules      |
| 6  | <p>person to 'retire from the Public Service at 60 years of age or after 35 years of</p> |  |
| 7  | <p>service shall not apply to Teachers in Nigeria.</p>                                   |  |
| 8  | <p><b>4.</b> In this Act-</p>  | Interpretation                               |
| 9  | <p>"Teacher" means-</p>  |  |
| 10 | <p>(a) an education officer, or someone engaged in teaching,</p>                         |  |
| 11 | <p>including a technical instructor who teaches trade, technical or a vocational</p>     |  |
| 12 | <p>subject, in a secondary school, college or professional department; and</p>           |  |
| 13 | <p>(b) a teacher; headmaster or headmistress .in a primary school who</p>                |  |
| 14 | <p>possesses requisite teaching qualification recognised by the Teachers</p>             |  |
| 15 | <p>Registration Council of Nigeria.</p>  |  |
| 16 | <p>"Public Service" has the meaning ascribed to it under the Constitution of</p>         |  |
| 17 | <p>Federal Republic of Nigeria, 1999 (as amended).</p>                                   |  |
| 18 | <p><b>5.</b> This Bill may be cited as the Harmonised Retirement Age for</p>             | Short title                                  |
| 19 | <p>Teachers in Nigeria Bill, 2021.</p>   |  |

## EXPLANATORY MEMORANDUM

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

This Bill makes provision for the compulsory retirement age and years of service of teachers in Nigeria.

A BILL

FOR

AN ACT TO AMEND THE PROVISIONS OF THE CONSTITUTION OF THE  
FEDERAL REPUBLIC OF NIGERIA TO PROVIDE FOR THE INCLUSION OF  
YOUNG PERSONS AND PERSONS WITH DISABILITIES IN APPOINTMENTS IN  
NIGERIA AND FOR RELATED MATTERS

*Sponsored by Rt. Hon. Femi Gbajabiamila*

[ ] Commencement

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

- 1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19
1. The Constitution of the Federal Republic of Nigeria, 1999 (as amended) (herein referred to as the "Principal Act") is further amended as set out in this Bill;

2. Section 147 is amended by including the word "and shall include young persons and persons with disabilities" after the last word "state" in the last paragraph of Sub-Section 3:

(3) any appointment under Sub-section (2) of this section by the President shall be in conformity with the provisions of sub-section 14(3) of this Constitution. Provided that in giving effect to the provisions aforesaid the President shall appoint at least one Minister from each State, who shall be an indigene of such State and shall include young persons and persons with disabilities.

3. Section 151 is amended by including a new sub-section (4) to read:

(4) The President while exercising the power conferred in sub-section (1) of this section, shall include young persons and persons with disabilities.

4. Section 192 is amended by including a new sub-section (6) to read:
- Amendment of  
Principal Act

Appointment of  
Ministers

Appointment of  
Special Advisers

Appointment of  
Commissioner

	1	(6) In the exercise of the powers conferred on the Governor of a state
	2	in this section, the appointment of person(s) shall include young persons and
	3	persons with disabilities.
Appointment of Special Advisers	4	<b>5.</b> Section 196 is amended by including a new sub-section (5) to read:
	5	(5) The Governor while exercising the power conferred in sub-section
	6	1 of this section shall include young persons and persons with disabilities.
Inclusion of Young Persons	7	<b>6.</b> Section 318 is amended by including a new item for interpretation
	8	to read;
	9	"Young Persons" - Means Nigerians between the age of 15 to 35
	10	years.
Persons with Disabilities	11	<b>7.</b> Amendment of Part II: Concurrent Legislative List, of the Second
	12	Schedule (Legislative Powers), is amended by including a new item 31 to read:
	13	(1) The National Assembly may make laws for the federation with
	14	respect to the welfare of persons with disabilities and disability matters.
	15	(2) Nothing in Paragraph 31 hereof shall preclude a House of
	16	Assembly from making laws with respect to the welfare of persons with
	17	disabilities and disability matters provided it shall not be inconsistent with any
	18	law made by the National Assembly.
Citation	19	<b>8.</b> This Bill may be cited as the Constitution of the Federal Republic of
	20	Nigeria (Amendment) Bill, 2021.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Constitution of the Federal Republic of Nigeria to provide for inclusion and protection of young persons and Persons with Disabilities.