

Extraordinary



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A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF CORPORATE MENTORING AND COACHING NIGERIA (CICMCN) TO BE CHARGED WITH THE RESPONSIBILITY FOR REGISTRATION, DISCIPLINE OF ITS MEMBERS TO REGULATE AND CONTROL THE PRACTICE OF MENTORING AND COACHING AND FOR RELATED MATTERS

Sponsored by Hon. Eta Mbora

[] Commencement

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

1 PART 1 - ESTABLISHMENT OF THE CHARTERED INSTITUTE OF
2 CORPORATE MENTORING AND COACHING NIGERIA (CICMCN)

3 1.-(a) There is hereby established a body to be known as the
4 Chartered Institute of Corporate Mentoring and Coaching Nigeria (in this
5 Bill referred to as "The Institute") which;

Establishment of
Chartered Institute
of Corporate
Mentoring and
Coaching Nigeria

6 (b) Shall be a body corporate with:

7 (i) Perpetual successions;

8 (ii) A common seal which shall be kept in such custody as the
9 Council direct.

10 (c) May sue and be sued in its corporate name, and may acquire,
11 hold and dispose of any property, movable and immovable.

12 2. -(a) The Institute shall have the general duty of:

Functions and
Objectives of the
Institute

13 (i) To develop and maintain high standard of professional
14 competence in mentoring and coaching in Nigeria both in public and private
15 sectors, conforms to the best professional standards;

16 (ii) To conduct research into and publish materials relating to
17 leadership, mentoring and coaching in Human Capital Development;

18 (iii) To provide certification, training mentorship and coaching

- 1 programs and award certificates;
- 2 (iv) To promote regulate and develop the science and practice of
- 3 mentoring and coaching in all its ramifications;
- 4 (v) To build individual with strong positive personality, resourceful,
- 5 goal oriented who readily would adapt to change in this dynamic changing
- 6 environment;
- 7 (vi) Arranging conferences, seminars, symposia and meeting for
- 8 discussion on mentoring, coaching and other related matters, delivery of
- 9 lectures, publishing copies of abridgement of papers, books, lectures, records
- 10 and other memoranda instilling high standard of professional ability and
- 11 knowledge by means of periodic issue of journals of the institute and to
- 12 organize post qualification courses for its members.
- 13 **3. Membership of the Institute is open to individuals who are**
- 14 **interested in developing their mentoring, coaching and leadership capacity,**
- 15 **and corporate organizations that wish to develop the leadership skills and**
- 16 **competencies of their staffs and such admitted persons may be registered as**
- 17 **members in any of the following categories:**
- 18 (a) Grand professional Mentor and Coach (GPMC);
- 19 (b) Fellow professional Mentor and Coach (FPMC);
- 20 (c) Member professional Mentor and Coach (MPMC);
- 21 (d) Associate professional Mentor and Coach (APMC);
- 22 (e) Chartered Professional Membership;
- 23 (f) Corporate Membership.

Membership of
the Institute

24 PART 2 - ELECTION OF PRESIDENT AND VICE PRESIDENT

25 OF THE INSTITUTE

- 26 **4.-(1) There shall be a President and Two Vice President of the**
- 27 **Institute who shall be fellow professional mentor and coach of the Institute.**
- 28 (2) The president and Vice-presidents shall be elected at the Annual
- 29 General Meeting of the Institute and each shall hold office for a term of two
- 30 years from the date of election.

1 (3) The president shall be the Chairman of the Governing Council
2 established by Section 1 of this bill and in his absence the First Vice-
3 president, shall be the Chairman of the Governing Council.

4 (4) The president shall preside at meetings of the Institute and in
5 the event of his absence, death, permanent incapacity or disability, the First-
6 Vice president or in the absence of the First Vice-President; the second Vice
7 president shall preside.

8 (5) The First Vice-president or Second Vice president shall in the
9 event of the death, resignation, removal from office or permanent incapacity
10 of the president or First Vice president in that order act for the unexpired
11 term of his office as the case may be and reference to the president of First
12 Vice president, shall be construed accordingly.

13 (6) If the president or any of the Vice-Presidents ceases to be a
14 member of the Institute, he shall ipso Facto cease to hold any of the offices
15 designated under this section.

16 PART 3 - GOVERNANCE COUNCIL OF THE INSTITUTE, ETC.

17 **5.-(1)** There is hereby established for the Institute of a Governing
18 Council (in this Bill referred to as "the Council") which shall be charged
19 with the responsibility for the administration and general management of
20 the Institute.

21 **6.-(1)** The Council shall consists of the following members:

- 22 (a) A Chairman who shall be President of the Institute;
23 (b) Two Vice-Chairmen who shall be the Vice Presidents of the
24 Institute;
25 (c) A treasurer who shall be elected by the Institute;
26 (d) One representative each of the following:
27 (i) Federal Ministry of Education;
28 (ii) Federal Ministry of Youth and Sport;
29 (iii) Two Board Members of the institute incorporated
30 (e) Ten persons elected by the Institute;

1 (f) All past Presidents of the Institute including the past presidents of
2 the incorporated Institute of Mentoring and Coaching Nigeria;

3 (g) Two persons to represent institutions of higher learning in Nigeria
4 offering courses leading to approved qualifications, to be appointed by the
5 Federal Ministry of Education on rotation, so, however that the two shall not be
6 from the same institution;

7 (h) The Director General.

8 (2) The Provision of First Schedule to this Act shall have effect with
9 respect to the qualifications and tenure of office of members of the Council and
10 the other matters therein mentioned.

11 7.-(1) Subject to the provisions of this paragraph, a member of the
12 Council shall hold office for a period of two years beginning with the date of his
13 election or appointment.

14 (2) Any member of the Institute who ceases to be a member thereof
15 shall, if he is also a member of the Council, cease to hold office of the council

16 (3) Any member of the Council may, by notice in writing under his
17 hand addressed to the President, resign his office.

18 (4) A person who retires from or otherwise ceases to be an elected
19 member of the Council shall be eligible to become a member of the council and
20 any appointed member may be reappointed.

21 (5) Members of the Council shall at their next meeting before the
22 annual general meeting of the Institute arrange for four members of the Council
23 appointed or elected and longest in office to retire at that general meeting.

24 (6) Elections to the Council shall be held in such a manner as may be
25 prescribed by rules made by the Council and until so prescribed, they shall be
26 decided by secret ballot.

27 (7) If for any reason a member of Council vacates office and:

28 (a) Such member was appointed by the Council or any other body, the
29 Council or that body may appoint another fit and proper person from the area in
30 respect of which the vacancy occurs;

1 (b) Such member was elected; the Council may, if the time between
2 the unexpired portion of the term of office and the next general meeting of
3 the Institute appears to warrant the carrying on of the activities of the
4 Institute.

5 **8.** The Council shall have power to do anything which in its opinion
6 is calculated to facilitate the carrying on of the activities of the Institute.

7 PART 4 - FINANCIAL PROVISIONS

8 **9.**-(1) There shall be established for the Institute a fund which shall
9 be managed and controlled by the Council.

10 (2) There shall be paid into the Fund established pursuant to
11 subsection (1) of this section:

12 (a) All fees and other moneys payable to the Institution in
13 pursuance of this Bill;

14 (b) Such other moneys as may be payable to the Institute in the
15 course of its operations or in relation to the exercise of any of its functions
16 under this Bill

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

18 (a) The remuneration and allowances of the Secretary and other
19 employees of the Institute;

20 (b) Such reasonable traveling and subsistence allowances of
21 members of the Council in respect of the time spent on the business of the
22 Council as the Council may determine; and

23 (c) Any other expense occurred by the Council in the discharge of
24 its functions under the Bill.

25 (4) The council may invest moneys from the fund in any security
26 created or issued by or on behalf of the Federal Government or in any other
27 securities in Nigeria approved by the Council.

28 (5) The Council may, from time to time, borrow money for the
29 purposes of the Institute and any interest payable on moneys so borrowed
30 shall be paid out of the fund.

(6) All the Institutional members in Nigeria shall cause to be paid to the fund, an annual subscription as may be determined by the Council from time to time.

(7) The Council shall on behalf of the Institute keep proper books of accounts in respect of each financial year and proper records in relation to those accounts and the Council shall cause the accounts to be audited by an external auditor and when audited, the accounts shall be presented to the members of the Institute for approval at a general meeting.

9 PART 5 - THE DIRECTOR GENERAL

10 **10.-(1)** The Council shall appoint a fit and proper person to be the
11 Director General for the purpose of this Act, and such other persons as the
12 Council may from time to time, deem necessary to assist the Director General
13 in the performance of his functions under this Bill.

(2) The Director General, shall in addition to his other functions under this Act, be the secretary to the Council and shall keep minutes of the proceedings of all meetings of the council and committees thereof.

(3) The Director General appointed under subsection (1) of this section shall be the Chief Executive of the Institute and shall report to the Council of the Institute.

20 (4) The Council shall appoint other principal officers such as:

21 (a) Director, Education and Training;

22 (b) Director, Finance and Administration;

23 (e) Director, Membership and Certification;

24 (c) Director, Research and Development;

25 (d) To any other position that it may be deemed necessary.

(5) Subject to the provisions of this Act, the Council shall make rules with respect to the form and keeping of registers and the making of entries thereon, and in particular:

29 (a) Regulate the making of applications for enrolment or registration,

1 as the case may be, and providing for the evidence to be produced in support
2 of the application;

3 (b) Provide for the notification to the Director General, by the
4 person to whom any registered particular relates or any change in those
5 particulars;

6 (c) Authorize an enrolled or registered person to have any
7 qualification;

8 (d) Which is in relation to the relevant division of the profession,
9 either an approved qualification or an accepted qualification, for the
10 purposes of this Bill registered in relation to his name in addition to, as he
11 may elect, in substitution for any other qualification so registered;

12 (e) Specify the fees, including any annual subscription, to be paid
13 to the institute in respect of the entry of names on the Register and
14 authorizing the registrar to refuse to enter a name on the Director General
15 until such fees specified for the entry has been paid;

16 (f) Specify the standards of conduct required of a member of the
17 institute and actions or omissions that amount to a misconducts; and

18 (g) Specify anything failing to be specified under the foregoing
19 provisions of this section; but rules made for the purpose of paragraph (d) of
20 this sub-section shall not come into force until they are confirmed at a
21 general meeting of the institute.

22 (6) The Director General shall:

23 (a) Correct, in accordance with the Council's directions, any entry
24 in the register which the Council directs him to correct as being in the
25 Council's opinion an entry which was incorrectly made;

26 (b) Make, from time to time, any necessary alterations in the
27 registered particulars of registered persons;

28 (c) Remove from the register the name of a deceased member or
29 members whose names he is directed to strike off as a result of disciplinary
30 action; and

1 (d) Record the names of members of the institute who are in the
2 default for more than one year in the payment of annual subscriptions, and to
3 take such action in relation thereto (including removal of the names of
4 defaulters from the register) as the Council may direct and any person whose
5 name is removed from the register for being in default of payment of any year
6 may be re-registered subject to payment of outstanding subscription and re-
7 registration fees as may be approved by the Council

8 (7) The rule made pursuant to subsection 6 of this section shall
9 provide for a procedure for updating members particularly in the register, and
10 conditions under which the registrar may remove the name of a member from
11 the list for failing to update his particulars, and the manner to cause a
12 restoration of such a member in the list.

13 (8) The Director General shall:

14 (a) Cause the register to be printed, published and put on sale to
15 members of the public not later than two years from the commencement of this
16 Act;

17 (b) Thereafter in each year, cause to be printed, published and put on
18 sale as aforesaid, either a corrected edition of the register or list of corrections
19 made to the register, since it was last printed;

20 (c) Cause a print of each edition of the register and of each list of the
21 corrections to be deposited at the principal office of the Institute; and

22 (d) Keep the register and list so deposited and make the register and
23 such lists available at all reasonable times for inspection by members of the
24 public, physically and through an internet portal.

Approval of
Qualification

25 11.-(1) The Council may approve any qualification for the purpose
26 Approval of this Bill and may for such purposes approve:

27 (a) Any course of training at any approved institution which is
28 intended for persons seeking to become or are already Mentor and Coach and
29 which the Council considers is designed to confer on persons completing it,
30 sufficient knowledge and skill for admission to the institute;

1 (b) Any qualification which as a result of the examination taken in
2 conjunction with a course of training, approved by the Council under this
3 section, is granted to candidates having reached a standard in the
4 examination, indicating in the opinion of the Council, that the candidates
5 have sufficient knowledge and skill to practice as Mentor and Coach.

6 (2) The Council may, if it deems fit, withdraw any approval given
7 under this section in respect of any course, qualification or institution, but
8 before withdrawing such an approval, the Council shall:

9 (a) Give notice that it proposes to do so to each person in Nigeria
10 appearing to the Council to be the person by whom the course is conducted
11 or the qualification is granted or the institution is controlled, as the case may
12 be;

13 (b) Afford each such person an opportunity to make to the Council
14 representations with regard to the proposal.

15 (3) A course, qualification or institution shall not be treated as
16 approved during any period if the approval is withdrawn under subsection
17 (2) of this section;

18 (4) Notwithstanding the provisions of subsection (3) of this
19 section, the withdrawal of approval under subsection (2) of this section shall
20 not prejudice the registration or eligibility for registration of any person
21 who, by virtue of the approval, was registered or was eligible for registration
22 (either unconditionally or subject to his obtaining a certificate or experience
23 immediately before the approval was withdrawn.

24 (5) The giving or withdrawal of an approval under this section shall
25 have effect from such date, either before or after the execution of the
26 instrument signifying the giving or withdrawal of the approval, as the
27 Council may specify in the instrument, and the Council shall:

28 (a) As soon as may be practicable, publish a copy of every such
29 instrument in the official newsletter and magazine of the institute;

30 (b) Not less than seven days before its publication as aforesaid,

Supervision
instruction

1 send a copy of the instrument to the institution affected.

2 **12.**-(1) It shall be the duty of this Council to keep itself informed of
3 Supervision of the content and methods of:

4 (a) The Instructions given at approved institutions to persons
5 attending approved courses of training;

6 (b) The examinations as a result of which approved qualifications are
7 granted and for the purposes of performing that duty the Council may appoint,
8 either from its own members or otherwise, persons to visit approved
9 institutions or observe such examinations.

10 (2) It shall be the duty of a person appointed under subsection (1) of
11 this section to report to the council on:

12 (a) The adequacy of the instructions given to persons attending
13 approved courses of training at institutions visited by him;

14 (b) The adequacy of the examination attended by him;

15 (c) Any other matter relating to the institution or examinations on
16 which the Council may, either generally or in particular cases, request them to
17 report, but no such person shall interfere with the giving of any instruction or
18 the holding of any examination.

19 (3) On receiving a report made pursuant to this section, the Council
20 may, if it deems fit, and shall, if so required by the instruction, send a copy of
21 the report to the person appearing to the Council to be in charge of the
22 Institution or responsible for the examinations to which the report relates,
23 requesting that person to make observations on the report to the Council within
24 such period as may be specified in the request, not being less than one month
25 beginning with the date of that request.

26 PART 6 - PROFESSIONAL DISCIPLINE

Establishment
of Investigation
Panel and
Disciplinary
Tribunal

27 **13.**-(1) There shall be constituted a body to be known as the Chartered
28 mentor and coach investigating committee (in this Bill referred to as
29 "Committee") which shall be charged with the duty to Institute of Mentor and
30 Coach "The Investigating":

1 (a) Conduct a preliminary investigation into any case where it is
2 alleged that a member of the institute is involved in misconduct in his
3 capacity as a Mentor and Coach or shall for any other reason be the subject of
4 proceedings before the disciplinary panel;

5 (b) Decide whether the case should be referred to the disciplinary
6 panel or not.

7 (2) The investigating committee shall be appointed by the council
8 and shall consist of five members as follows:

9 (a) Two members of the Council, one of whom shall be Chairman
10 of the Committee;

11 (b) Three Members of the Institute who are not members of the
12 Council.

13 (3) The tenure of any member of the Investigating Committee shall
14 be two years' renewable for a further period of two years.

15 (4) The Council may make rules not inconsistent with this Bill as
16 regard acts, which constitute professional misconduct.

17 (5) The investigating Committee shall act independently in
18 receiving and investigating allegations under paragraph (a) of subsection (1)
19 of this section and shall have power to receive complaints directly from any
20 individual or organization.

21 (6) There shall be established a panel to be known as the Chartered
22 Institute of Mentor and Coach disciplinary panel (in this act referred to as
23 "the disciplinary panel"), which shall be charged with the duty of
24 considering and determining any case referred to it by the investigating
25 committee constituted under subsection (1) of this section.

26 (7) The disciplinary panel shall be appointed by the Council and
27 shall consist of two members of the Council, one of whom shall be the
28 Chairman, and three other members of the Institute who are not members of
29 the council.

30 (8) The Council shall have power to confirm, rescind or amend, as

	<p>1 the case maybe, any directive to be conveyed by the disciplinary panel, to any</p> <p>2 person, adjusted by the panel to be guilty of professional misconduct, in</p> <p>3 accordance with the provisions of section 15 of this act:</p> <p>4 Provided that, the council shall prior to taking any decision on the</p> <p>5 matter, first give to the person concerned the opportunity of being heard.</p>
Third Schedule	<p>6 (9) The provisions of Third Schedule to this act shall, so far as</p> <p>7 applicable to the investigating committee and disciplinary panel respectively,</p> <p>8 has effect with respect to those bodies.</p>
Penalties for professional misconduct	<p>9 14.-(1) (a) A member is adjusted by the Disciplinary Panel to be guilty</p> <p>10 of professional misconduct in any professional respect;</p> <p>11 (b) A member is convicted by any Court of law having power to award</p> <p>12 imprisonment for an offence (whether or not punishable with imprisonment),</p> <p>13 which in the opinion of the disciplinary Panel is incompatible with the conduct</p> <p>14 required of a member of the institute;</p> <p>15 (c) The Disciplinary Panel is satisfied that the name of any person has</p> <p>16 been fraudulently enrolled or registered; the disciplinary Panel shall order the</p> <p>17 Registrar to strike his name off the relevant part of the register.</p> <p>18 (2) A person who is found guilty of misconduct by the decision of the</p> <p>19 Disciplinary Panel shall have his name struck out from the Register of</p> <p>20 Members.</p> <p>21 (3) The Disciplinary Panel shall always give its decision and</p> <p>22 directions promptly, and in all cases within three months of conclusion of</p> <p>23 proceedings.</p> <p>24 (4) For the purpose of subsection (1) (b) subsection (i) of this section,</p> <p>25 a person shall not be treated as guilty as therein mentioned, unless the guilt</p> <p>26 stands at a time when no appeal or further appeal is pending or may, (without</p> <p>27 extension of time) be brought in connection with the directive.</p> <p>28 (5) The person to whom such a directive is given under subsection (4)</p> <p>29 of this section may, at any time within twenty-eight days from the date of</p> <p>30 service on him of notice of the direction, appeal against the direction to the</p>

1 Federal High court, and where necessary to the court of Appeal and the
2 Disciplinary Panel and complainant if any may appear as a respondent to the
3 appeal and for the purpose of enabling directions to be given as to the cost of
4 the appeal and of proceedings before the Federal High Court or Court of
5 Appeal, the disciplinary Panel and complainant shall be deemed to be a
6 party thereto, whether or not it appears on the hearing of the appeal.

7 (6) A direction of the Disciplinary Panel given under subsection (1)
8 of this section shall take effect where:

9 (a) No appeal under the section is brought against the direction
10 within the time limit for such an appeal, or on the expiration of that time;

11 (b) Such an appeal is brought and is withdrawn or struck out as for
12 want of prosecution, on the withdrawal or striking out of the appeal;

13 (c) Such an appeal is brought and is not withdrawn or struck out as
14 aforesaid, if and when the appeal is dismissed, and shall take no effect except
15 in accordance with the provisions of this subsection.

16 (7) A person whose name is struck off the Register in pursuance of a
17 direction of the disciplinary Panel under this section, shall not be entitled to
18 be enrolled or registered again, except in pursuance of a direction in that
19 behalf and a direction under this section for the striking off a person's name
20 from the register, may prohibit an application under this subsection, by that
21 person, until the expiration of such period from the date of the directive (and
22 where he has duly made such an application, from the date of his last
23 application), as may be specified in the direction.

24 PART 7 - MISCELLANEOUS

25 **15.** A person who is not a member of the incorporated Institute of
26 Mentor and Coach, established before the commencement of this Act, but it
27 is qualified to apply for and obtain membership if the Institute, may apply
28 for membership of the Chattered of Mentor and Coach, established by this
29 Act, in such a manner as may be prescribed by rules made by the Council and
30 shall be registered in the category of membership appropriate in the current

Application of
this Act to
unregistered
persons

Practice as a
Mentor and
Coach

1 period for holders of the qualification he possesses.

2 **16.-(1)** Subject to subsection (2) of this section, a person shall be
3 practice as a Mentor and Coach if in consideration of remuneration received or
4 to be received and whereby himself/herself or in partnership with any other
5 persons he:

6 (a) Engages himself in the practice of share registration or holds
7 himself out to the public as a Mentor and Coach;

8 (b) Renders professional service or assistance in, or about matters of
9 principles or details, relating to the practice of share registration;

10 (c) Renders any other service which may, by regulations made by the
11 Council, be designated as service constituting practice as a Mentor and Coach.

12 (2) Nothing in Subsection (1) of this section shall be construed as to
13 apply to persons who, while in the employment of any government, perform
14 the duties or any of the duties of a Mentor and Coach;

15 (3) Nothing in subsection (1) of this section shall be construed as
16 restricting registered stockbrokers from the performance of professional duties
17 to their clients.

Offences and
Penalties

18 **17.-(1)** A person who, for the purpose of procuring the registration of
19 any name, qualification or other matter:

20 (a) Make a statement which he believes to be false in any material
21 particular; and

22 (b) Recklessly makes a statement which is false in any material
23 particular; commits an offence.

24 (2) If on or after the coming into force of this Bill, a person who is not
25 member of the institute practices or holds himself out as a Mentor and Coach
26 for, or in expectation of reward or takes or uses any name, title, addition or
27 description, implying that he is in practice as a Mentor and Coach, commits an
28 offence.

29 (3) In the case of a person failing within section 16 of this Bill:

30 (a) The provision of subsection (2) of this section shall not apply in

1 respect of anything done by him during the period of three months;

2 (b) If within that period he duly applies for membership of the
3 Institute then unless within that period he is notified that his application has
4 not been approved, the provision of subsection (2) of this section shall not
5 apply in respect of anything done by him between the end of that period and
6 the date on which he is enrolled, or registered or notified as aforesaid.

7 (4) The registrar or any other person employed by or on behalf of
8 the Institute who willfully makes any falsification in any matter relating to
9 the register, commits an offence.

10 (5) A person who commits an offence under this section shall be
11 liable on conviction to a minimum fine of One Hundred Thousand Naira
12 (N100,000.00); or impoundment for a maximum term of two years, or to
13 both such fine and imprisonment.

14 (6) Where an offence under this section which has been committed
15 by a body corporate is proved to have been committed with the consent or
16 connivance of or be attributable to any neglect on the part of any director,
17 manager, secretary or other similar officer of the body corporate, or any
18 person purporting to act in any such capacity, he, as well as the body
19 corporate shall be deemed to have committed the offence and shall be liable
20 on conviction by court of competent jurisdiction in the case of an individual
21 to the punishment prescribed in subsection (5) of this section and in the case
22 of a body corporate, to a fine of N500,000 (Five Hundred Thousand Naira)
23 and or imposition of a ban on practice of share registration for a specific
24 period of time not less than five (5) years.

25 **18.-(1)** Any regulations, made pursuant to this Bill shall be Regulations
26 published in the Institute's journal.

27 (2) Rules made for the purpose of this Bill shall be subjected to
28 confirmation by the Institute at its next general meeting, and shall not have
29 effect until so confirmed.

Transfer to the Institute of certain properties	1	19. -(1) From the commencement of this Act:
	2	(a) Assets and liabilities held or incurred immediately before the
	3	commencement date, by or on behalf of the incorporated Institute shall, by
	4	Virtue of this subsection and without further assurance, vest in the Institute and
	5	be held by it for the purpose of the Institute;
	6	(b) Subject to subsection (2) of this section, any act, matter or thing
	7	made or done by the Incorporated Institute shall be deemed to have been done
	8	by the Institute except otherwise stated.
Second Schedule	9	(2) The provisions of the second schedule to this Bill shall have effect
	10	with respect to matters arising from the transfer of assets and liabilities of the
	11	incorporated to the institute with respect to other matters mentioned in that
	12	schedule.
Interpretation	13	20. In this Bill:
	14	"Mentor and Coach" means any person registered to practice mentoring and
	15	Coaching under this Bill;
	16	"Council" means the Governing Council Established for the Institute under
	17	section 5 of this Bill;
	18	"Disciplinary Panel" means the Chartered Institute of Mentoring and Coaching
	19	established under subsection (6) of section 14 of this Bill;
	20	"Fees" includes annual subscription, examination, annual conference, and
	21	specialized trainings fees;
	22	"Institute" means the Chartered Institute of Mentoring and Coaching
	23	established under section 1 of this Bill;
	24	"Investigation Committee" means the Chartered Institute of Mentoring and
	25	Coaching established under subsection (1) of section 14 of this Bill;
	26	"Members" means Grand, Fellow, Member, Associate Chartered and
	27	Corporate as the case maybe and membership of the institute shall be construed
	28	accordingly;
	29	"Minister" means the Minister for Education;
	30	"President" and "Vice President" respectively means the holder of offices

1 under those names in the institute;

2 "Director General means the register and secretary maintained pursuant to
3 section 9 of this Bill.

4 **21.** This Bill may be cited as the Chartered Instituted of Mentoring Short title
5 and Coaching Bill, 2021.

6 SCHEDULES

7 FIRST SCHEDULE

8 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

9 (1) Subject to the provisions of this Act, the Council may in the
10 name of the Institute, making standing orders, regulating its proceedings or
11 proceedings of any Committee of the councilor the institute thereof,
12 excepting rules of the Investigation Committee of the Disciplinary Panel.

13 (2) The standing orders shall provide for decisions to be taken by a
14 majority of the members and in the event of the equality of votes, the
15 President or the Chairman, as the case may be, shall have a second or casting
16 vote.

17 (3) The standing orders made for a committee of the Council shall
18 provide for the Committee to report to Council on any matter referred to it by
19 the Council.

20 (4) The quorum at any meeting of the Council shall be 10 and the
21 quorum of a Committee of the Council shall be determined by the Council.

22 *General Meeting of the Institute*

23 2.-(1) The Council shall convene the Annual General Meeting of
24 the Institute once a year, at such time and place as may be determined by the
25 Council, but, if the meeting is not held within one year after the previous
26 Annual General Meeting, not more than fifteen months shall elapse between
27 the respective dates of the two meetings;

28 Provided that, notice of the annual general meeting shall be given
29 to all members of the Institute, not later than Twenty-One days, from the date
30 of the meeting.

(2) A special general meeting of the Institute may be convened by the Council at any time if, not less than Thirty members of the Institute so require, by notice in writing, addressed to the chairman of the Council, setting out the objects of the proposed meeting, the chairman of the council shall convene a special general meeting of the institute.

6 Provided that, notice of the annual general meeting shall be given to
7 all members of the institute not later than twenty-one days, from the date of the
8 meeting.

9 (3) The quorum of any general meeting of the Institute and that of any
10 special meeting of the Institute shall be thirty-five members.

11 *Meeting of the Council*

12 3.-(1) Subject to the provisions of any standing orders of the Council,
13 the council shall meet quarterly in a year.

(2) At any meeting of the Council, the Chairman or in his absences, or in the absence of the first Vice-Chairman too, the second Vice-Chairman shall preside, but if the Chairman, the First Vice-Chairman and the second vice-chairman are absent, the members present at the meeting shall appoint one of their member to preside

(3) Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him as a member for such period as the Council deems fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the council, and shall not count towards a quorum.

(4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Council shall be summoned by the President of the Institute

27 Committees

28 4.-(1) The Council may appoint one of more Committees to carry out
29 on behalf of the Institute or the Council, such functions as the Council may
30 determine.

1 (2) A Committee appointed under this paragraph shall consist of
2 the number of the number of persons determined by the council of whom not
3 more than one-third may be persons who are not members of the Council
4 and a person other than a member of the Council shall hold office on the
5 Committee in accordance with the terms of his letter of appointment (3) A
6 decision a Committee of the Council shall be of no effect until it is confirmed
7 by the Council, except the council otherwise authorizes

8 *Miscellaneous*

9 5.-(1) The fixing of the seal of the institute shall be authenticated by
10 the signature of the Chairman or of some other members of the council
11 authorized generally or specifically by the institute to act for that purpose

12 (2) Any contract or instrument which if made or executed by a
13 person not being a body corporate, would not be required to be under seal,
14 may be made or executed on behalf of the institute or the Council, as the case
15 may require by an authorized to act for the purpose by the Council, person
16 generally or specifically.

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

20 *Validity of Proceedings*

21 6. The validity of any proceeding of the Institute' or the Council, or
22 of a Committee of the shall not be affected by any vacancy in the
23 membership or any defect in the appointment of a member of the Institute, or
24 of the Council, or of a person to serve on the committee, or by reason that a
25 person not entitled to do so took part in the proceedings.

26 7. Any member of the Institute or the Council, and any person
27 holding office on a Committee of the Council, who has a personal interest in
28 any contract arrangement entered into, or proposed to be considered by the
29 Council on behalf of the Institute or on behalf of the Council or a Committee
30 thereof, shall forthwith disclose his interest to the President or to the

1 Council, as the case may be and he shall not vote on any question relating to that
2 contract or arrangement.

3 8. A person shall not by reason only of his membership of the Institute
4 be treated as holding an office in the public service of the Federation.

5 SECOND SCHEDULE

6 TRANSITIONAL PROVISIONS AS TO PROPERTIES

7 *Transfer of Properties*

8 1. Every agreement to which the incorporated Institute was a part
9 immediately before the commencement of this Act, whether it be in writing or
10 not and whether or not of such nature that the rights, liabilities and obligations
11 there under could be assigned by the incorporated institute, shall have effect
12 from the appointed day so far as it relates to property transferred by this Act to
13 the institute as if:

14 (a) The Institute had been a party to the agreement;

15 (b) For any reference (however worded) and whether express or
16 implied to the incorporated institute, there were substituted as respects
17 anything failing to be done on or after the commencement of this act, a
18 reference to the institute;

19 (c) For any reference (however worded) and whether (express or
20 implied) to a member or members of the Council of the incorporated instituted
21 as respect anything failing to be done on or after the commencement of the Act,
22 a reference to a member or members of the Council under this Act.

23 2. Other documents referring to, whether specifically or generally to
24 the incorporated institute, shall construct in accordance with sub-paragraph (1)
25 of this paragraph so far as applicable.

26 3. Any legal proceedings or application to any authority pending on
27 the commencement of this by or against the incorporated institute maybe
28 continued on or after that day by or against the institute.

29 4. On the commencement of this Act, any person holding any paid
30 appointment in the incorporated institute shall hold corresponding

1 appointment in the institute on the same terms and conditions as already
2 exist.

3 5. However, on the commencement of this Act, primary, post
4 primary, tertiary and related educational institution started, established and
5 owned by incorporated institute shall not be transferred by Act to institute
6 during and after.

7 6. Any regulations, rules and similar instruments made for the
8 purpose of the incorporated institute and in force immediately before the
9 coming into force of this Bill shall, except in so far as they are subsequently
10 revoked or amended by any authority, having power in that behalf, have
11 effect with any necessary modifications as if daily made for the
12 corresponding purposes of the institute.

13 THIRD SCHEDULE

14 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

15 TRIBUNAL AND INVESTIGATION PANEL

16 *The Disciplinary Committee*

17 1. The quorum of the Disciplinary Panel shall be six members
18 inclusive of chairman of the governing council.

19 2.-(1) The Attorney-General of the Federation shall make rules as
20 to the selection of members of the Disciplinary Panel for the purpose or any
21 proceedings, the procedure to be followed and the rules of evidence to be
22 observed in the proceedings before the Disciplinary Panel.

23 (2) The rules shall in particular provide:

24 (a) For securing that any part to the proceedings shall be entitled to
25 be heard and given fair opportunity to defend the allegations against him
26 oilier by the Disciplinary Pane;

27 (b) For determining who, in addition to the person aforesaid, shall
28 be a party to the proceedings;

29 (c) For securing that any party to the, proceedings shall, if he so
30 requires, be entitled to be heard by the Disciplinary Panel;

1 (d) For securing that any party to the proceedings may be represented
2 by a legal practitioner;

3 (e) For requiring, in a case where it is alleged that the person who is
4 the subject of the proceedings is guilty of misconduct in any professional
5 respect, that where the Disciplinary Panel adjudges that the allegation has been
6 proved it shall record a finding that the person is guilty of such misconduct in
7 respect of the matters to which the allegation relates;

8 (f) Requiring that the registrar shall publish and carry out decisions
9 and directions of the Disciplinary Panel which has taken effect including
10 striking out a person's name off the register.

11 3. For the purposes of any proceeding before the Disciplinary Panel,
12 any member of the Disciplinary Panel may administer oaths, and any party to
13 the proceedings may issue out of the registry of The Federal High Court by
14 writs of "Subpoena ad testificandum and duces tecum" but no person appearing
15 before the Disciplinary Panel shall be compelled:

16 (a) To make any statement before the Disciplinary Panel tending to
17 incriminate himself;

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

20 *Assessor*

21 1.-(1) For the purpose of advising the disciplinary Panel on questions
22 of law, arising in proceedings before it, there shall in all such proceedings be an
23 assessor to the Disciplinary Panel, who shall be appointed by the Council, on
24 the nomination of the Attorney-General of the Federation, and he shall be a
25 legal practitioner of not less than ten year standing.

26 (2) The Attorney-General of the Federation shall make rules as to the
27 functions of the assessor appointed under this paragraph and in particular such
28 rules shall contain provisions for securing;

29 (a) That where an assessor advises the Disciplinary Panel on any
30 question of law as to evidence, procedure or any other matter specified by the

1 rules, he shall do so in the presence, of every party or a person representing a
2 party to the proceeding, who appear thereat or, if the advice is tendered while
3 the Disciplinary Panel is deliberating in private that every such party or
4 person as aforesaid shall be informed of what advice the assessor has given,
5 with any opportunity to respond to it;

6 (b) That every such party or person as aforesaid shall be informed if
7 in any case the Disciplinary Panel does not accept the advice of the assessor
8 on such a question as aforesaid.

9 (3) An assessor may be appointed under this paragraph wither
10 generally or for any particular proceedings or class of proceedings, and shall
11 hold and vacate office in accordance with (he terms of the letter by which he
12 is appointed).

13 *The Investigating Panel*

14 2. -(1) The quorum of the investigation Committee shall be three.

15 (2) The Governing Council may, at any of its meetings attended by
16 all members, make standing orders with respect to the investigation
17 committee.

18 (3) Subject to the provision of any such standing order, the
19 investigation committee may regulate its own proceedings.

20 *Miscellaneous*

21 3.-(1) A person whose tenure as a member of the Disciplinary
22 Panel, or the investigation committee has expired, shall be eligible for re-
23 appointment as a member of the Disciplinary Panel or investigation
24 committee, as the case may be, however, nobody shall serve in the
25 investigating Committee for more than two consecutive terms, totaling four
26 years.

27 (2) A person may, if otherwise eligible be a member of both the
28 Disciplinary Panel and investigation committee, but no person who acted as
29 a member of investigating committee with respect to any case, shall act as a
30 member of the disciplinary Panel with respect to that case.

1 4. The Disciplinary panel or the Investigation Panel may act
2 notwithstanding any vacancy in its membership and the proceedings of either
3 body shall not be invalidated by any irregularity in the appointment of a
4 member of that body or subject to Paragraph 7 (2) of this schedule, by reason of
5 the fact that any person who was not entitled to do so took part in die
6 proceedings of that body.

7 5. Any document authorized or required by virtue of this Act to be
8 served on the Disciplinary Panel or the investigation committee shall be served
9 on the Registrar.

10 6. All Expense of the disciplinary Panel or the investigation
11 Committee shall be defrayed by the institute.

EXPLANATORY MEMORANDUM

*(This note does not form a part of the above but is intended to
explain purpose)*

This Bill seeks to establish the Chartered Institute of Mentor and Coach, with the responsibility of developing and maintaining high standard of professional competence in mentoring and coaching in 'Nigeria.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF FEDERAL SCHOOL OF NURSING AND MIDWIFERY, MUSHIN, LAGOS STATE AND FOR RELATED MATTERS

Sponsored by Hon. Alli Adeyemi Taofeek

[] Commencement

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

1 PART I - ESTABLISHMENT, POWER AND FUNCTIONS OF THE SCHOOL

2 1.-(1) There is hereby established for the school to be known as Establishment
3 School of Nursing and Midwifery, Mushin, Lagos State.

4 2. The School shall:

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

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

9 2. The object of school shall be: Objects

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

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

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

18 3.-(1) the School shall be a teaching and examining body and shall Powers of the
19 subject to the provisions of this Bill and the regulations of the School have School
20 proven power to:

1 (a) Provide rules and conditions which persons may be admitted as
2 student for any particular courses of the study available in the School;

3 (b) Provide courses of instruction in the academics and Professional
4 programme for student;

5 (c) Make provisions for research and the dissemination of knowledge;

6 (d) Establish Departments and such other in units of learning and
7 research as the purpose of the school may require;

8 (e) Create such offices and posts as the object of the school may
9 require and to appoint person(s) to and remove person(s) from such offices or
10 posts and prescribe their condition of servile;

11 (f) Maintain Libraries, laboratories, workshops, lecture halls, hostels,
12 dining halls, sports centers and other buildings or facilities of the school.

13 (g) Provide for residence, recreation and welfare of members of staff
14 and Students of the School as may be deemed necessary;

15 (h) Demand and receive from students and other persons attending the
16 school for the purpose of instruction fees as the School may from time to time
17 determine;

18 (i) Prescribe rules for the discipline of students of the school;

19 (j) Conduct examinations and average for the award of certificates
20 and distinctions to person(s) who pursue courses of studies approved by the
21 School and who satisfy such other requirements as may from time to time
22 prescribe;

23 (k) Subject to specific limitations or conditions that may be improved
24 that may be imposed by extant Government regulations or circular, invest any
25 fund apportioned to the School by the way of endowment, whether for general
26 or specific purposes and such monies as may not be immediately be required
27 for current expenditure in any investment or securities;

28 (l) Print or publish work or undertake service as may be deemed
29 constituent with the object of the school;

30 (m) Do such other acts and things necessary under this Acts for the

1 attainment of the objects of the school or incidental to the powers of the
2 school; and

3 (n) Carry out any special or general directives Consistent with
4 Government policy as the Secretary of Health may give in writing.

5 (2) without prejudice to the generality of the provision of section 2
6 of this Act and subsection (I) this section, the School may by special
7 arrangement with the Nursing and Midwifery council of Nigeria or other
8 Examination bodies prepare its students for award of certificates or other
9 distinctions.

10 (3) Subject to the provisions of the Bill and of any other statute. The
11 powers conferred on the School by subsection (I) of this section shall be
12 exercised on behalf of the School by the Councils and Committees
13 established for the School or by such officers and other staff of the School as
14 may be authorized in that behalf and may also be exercised through schools
15 established under this Act.

16 (4) (1) The Provost shall here common seal of the school and shall
17 be responsible for affixing same to documents.

18 (2) The common seal of the School shall not be used save upon the
19 director of the Council shall be authenticated by the signature of the provost.

20 **PART II - GOVERNMENT COUNCIL OF THE SCHOOL**

21 **5.-(1)** There shall be established for the School, a Government
22 council to be known as the Governing Council of the Federal School of
23 Nursing and Midwifery Mushin, Lagos State.

Governing
Council

24 (2) The Council shall consist of:

25 (a) A Chairman who shall be appointed on part time basis by the
26 Minister on the recommendation of the secretary of health;

27 (b) A Representation of the Permanent Secretary of health;

28 (c) The Provost of the School;

29 (d) A Representation of the of National Association of Nigeria
30 Nurses and Midwiferies;

- 1 (e) Two Members to represent the interest of the public to be
- 2 appointed by the Minister on the recommendation of the Secretary of Health;
- 3 (f) A representative of Federal treasury;
- 4 (g) A representative of Federal Ministry of Justice;
- 5 (h) The Director, Finance and Administration, Ministry of Health;
- 6 (i) A representative of Ministry of Education;
- 7 (j) Director of Nursing, Lagos State Hospital Management Board;
- 8 (k) A retired Nursing Officer who left the service with not below the
- 9 Grade level fifteen from Lagos.

10 **6.-(1)** Members of the council other than them ex-officio members
11 shall hold office for a period of four years from the date of their appointment
12 and shall be eligible for reappointment or one further term of four years and no
13 more.

14 (2) Members of the Council other than ex-officio member may by
15 notice to the council resign his appointment.

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

Functions of
the Council

- 19 **7.-(1)** Subject the provisions of this Act, the Council shall;
- 20 (a) Be the Governing authority of the School;
 - 21 (b) Be charged with general control and superintendence of the
 - 22 policies, finances and properties of the school;
 - 23 (c) Make regulations for the day to day management of the school;
 - 24 (d) Draw other things necessary or incidental to attaining the objects
 - 25 of the school.

Functions of
the Academic
Committee

- 26 (2) Without prejudice to the provisions of subsection (1) of this
27 section, the council shall;
- 28 (a) Ensure that the courses and instructions provided by the School
 - 29 conform to the required standard laid down from time to time by the Nursing
 - 30 and Midwifery Council of Nigeria;

1 (b) Regulate the teaching of courses offered by the School, and also
2 the conduct of examination with respect to the School;

3 (c) Approve contracts for procurement of equipment, furniture and
4 other properties of the School;

5 (d) Approve contracts for maintenance of the premises and other
6 properties of the School;

7 (e) Formulate policies and initiate programmes in all field of
8 learning conducted by the School;

9 (f) Assess from time to time the course offered by the School; and

10 (g) Perform such other functions as may be necessary.

11 (3) The council may delegate any of its functions, other than the
12 power to regulate, to the Chairman or any other person(s) Board or
13 Committee it deems fit in that behalf, but no decision of such person or
14 Committee shall take effect unless ratified by the Council.

15 **8.** The Director, Nursing Service of the secretariat shall be the Secretary of the
16 Secretary to the Council, and for any particular meeting that he may be Council
17 absent, he shall send representatives in that behalf.

18 **9.-(1)** The Secretary of Health may give to the Council directions Directions
19 as to the discharge of its function in relation to matters appearing to the
20 Secretary of Health to affect public interest and the Council shall give reflect
21 to such directive.

22 (2) The Council shall afford the Secretary of Health facilities for
23 obtaining information with respect to the property of the School and the
24 functions of the Council and he shall be furnished with returns, accounts,
25 and facilities for verification of the information in such manner at such times
26 as he may require.

27 **10.** This Bill may be cited as the Federal School of Nursing and Citation
28 Midwifery Mushin, Lagos State Bill, 2021.

EXPLANATORY NOTE

This Bill seeks to provide for the establishment of the Federal School of Nursing and Midwifery Mushin, Lagos State, and to provide training and research in general Nursing, Midwifery and other Specialties of Nursing.

1 (c) provide and facilitate the training of otolaryngologists and
2 topologists;

3 (d) provide and facilitate the training of Ear, Nose and Throat
4 personnel; and dispensing Nurses, and technicians;

5 (e) provide and facilitate the training of Ear, Nose and Throat, related
6 courses at certificate and diploma levels;

7 (f) provide and facilitate other trainings, including residency, post
8 basic training;

9 (g) provide and facilitate research in all aspect of Otolaryngology
10 including Ear, Nose and Throat, Clinical and experimental;

11 (h) facilitate the training of specialists in Ear, Nose and Throat and
12 other supporting areas; and

13 (i) develop new diagnostic and therapeutic Ear, Nose and Throat
14 instruments and appliances better situated for the practice of otolaryngology in
15 Nigeria.

16 (2) For the purposes of the discharge of its functions under this Bill,
17 the Centre may:

18 (a) arrange periodic conferences, seminars, study groups and like
19 activities in Otolaryngology;

20 (b) advise the government of the Federation or of a State on all matters
21 relating to defects and diseases and other ailments of Ear, Nose and Throat and
22 the prevention of deafness;

23 (c) offer such assistance to Ear, Nose and throat hospitals or units in
24 various parts of the Federation, as the Board may deem necessary; and

25 (d) do anything in connection with or incidental to the functions
26 conferred on it in this Bill.

Constituent Parts
of the Centre

27 **3.** The Centre shall be constituted as follows:

28 (a) a Management Board;

29 (b) an Education Committee;

30 (c) the Clinical and other departments of the Centre;

1 (d) all members of the administrative, clinical and technical staff

2 and

3 (e) all students of the Centre.

4 4.-(1) There is established for the Centre, a body to be known as the

5 National Ear Care Centre Management Board (in this Bill referred to as the

6 "Board"), which shall have general responsibilities for the administration of

7 the Centre.

8 (2) The Board shall consist of:

9 (a) the Chairman;

10 (b) the Medical Director;

11 (c) six persons to represent the geo-political zones in Nigeria;

12 (d) two persons appointed by the consultant staff of the hospital

13 from or amongst their membership;

14 (e) the Permanent Secretary, Federal Ministry of Health, or his

15 representative; and

16 (f) the Permanent Secretary, Federal Ministry of Education, or his

17 representative.

18 (3) The President shall on the recommendation of the Minister of

19 Health appoint, apart from the ex-officio members the Chairman and other

20 members of the Board.

21 (4) The Chairman shall be a person of proven integrity, possess

22 cognate experience and outstanding ability in administration and

23 professional or technical education.

24 (5) The Members specified in subsection (2) (b), (d), (e) and (f) of

25 Section 4, are hereinafter referred to as "ex-officio members.

26 (6) The supplementary provisions as set out in the schedule to this

27 Bill shall have effect with respect to the proceedings of the Board and the

28 Education Committee and the other matters mentioned herein.

29 5.-(1) The Chairman and any other member of the Board (not being

30 an ex-officio member), shall hold office for a period of four years and shall

Establishment of
the Management
Board

Schedule

Tenure of Office
of Members of
the Board

1 be eligible for re-appointment for a further period of four years, and no more,
2 provided that members of the Board under paragraph (d) of the subsection (2)
3 of section 4 of this Bill, shall hold office for two years and shall not be eligible
4 for re- appointment.

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

8 (3) In the event of the death or resignation or incapacity of the
9 Chairman of the Board, or if for any reason other than lapse of time, the office
10 of the Chairman becomes vacant, the President shall, on the recommendation
11 of the Minister, appoint another person as Chairman for the residue of the term
12 of the Chairman of the Board.

13 (4) The office of a member of the Board shall become vacant if:

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

16 (b) the period of his appointment has expired; or

17 (c) by resolution of the Board;

18 (d) (i) that he has become unfit to continue as a member of the Board
19 by reason that the member has become incapable by reason of mental or bodily
20 infirmity of discharging his duties;

21 (ii) that he has been absent from three consecutive meetings of the
22 Board without leave of the Board; or

23 (iii) that he has been convicted of an offence involving dishonesty,
24 fraud or moral turpitude.

25 (5) Where the office of a member becomes vacant, another person
26 representing the same interest, shall be appointed for the remainder of the term
27 for which the vacating members was appointed.

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

Duties of the Board

22 The person for the time being holding such office in the Centre, as the
23 Medical Director may specify:

Functions of the Education Committee

30 (c) determining the duration of the training periods; and

	1	(d) effecting the affiliation of the Centre with Universities and
	2	Institutions, for the award of Degrees, Diplomas or Fellowship to Students, on
	3	the successful completion of the relevant courses.
Candidacy for Admission	4	8. Where a candidate offers himself for admission as a postgraduate
	5	medical student under this Bill, he shall satisfy the Board that he is a registered
	6	Medical Practitioner or that he is on the temporary or provisional Register of
	7	Medical Practitioners of the Nigeria Medical Council.
Power of the Minister to give Direction	8	9. The Minister may give to the Board, directions of a general
	9	character or relating generally to particular matters (but not to any individual
	10	person or case), with regard to the exercise by the Board of its functions under
	11	this Bill, and it shall be the duty of the Board to comply with the directions, but
	12	no direction shall be given which is inconsistent with the duties of the Board
	13	under this Bill.
Financial Provision: Fund of the Centre	14	10. The Board shall establish and maintain a fund into which it shall
	15	pay:
	16	(a) such sums as may be provided, from time to time, by the
	17	Government of the Federation or of a State for the Centre; and
	18	(b) all sums accruing to the Centre by way of fees, gifts, testamentary
	19	disposition, contributions from philanthropic persons or organizations or other
	20	entities.
Power to borrow	21	11. Except with the approval of the Minister, the Centre shall not have
	22	power to borrow money.
Annual Estimates and Expenditure	23	12. The Board shall prepare and submit to the Minister, not later than
	24	31st September in each financial year, and estimate of the income and
	25	expenditure of the Centre during the next succeeding financial year.
Accounts and Audit	26	13. The Centre shall keep proper accounts and audit in respect of each
	27	financial year and proper records in relation to those accounts and shall cause
	28	its account to be audited as soon as may be, after the end of the financial year to
	29	which the accounts relate by a firm of Auditors appointed, as respects that year,
	30	by the Board from the list and in accordance with guidelines supplied by the

1 Auditor-General of the Federation.

2 **14.** The Board may, with the approval of the Minister, prescribe Fees for Services
3 the scale of fees chargeable for hospital services and trainings and teachings
4 provided by the Centre.

5 **15.-(1)** The Centre may accept gifts of land, money or other Power to accept
6 property upon such terms and conditions, if any, as may be specified by the gifts
7 person or organization making the gift.

8 (2) The Board shall not accept any gift if the conditions attached by
9 the person making the gift are inconsistent with the functions of the Board
10 under this Act.

11 **16.-(1)** Subject to the provisions of this section, where it appears to Discipline of
12 the Medical Director that any student of the Centre has been guilty of Students
13 misconduct the Medical Director may, without prejudice to any other
14 disciplinary powers conferred on him under this Bill, or by the direction of
15 the Minister or the Board, or by regulations, direct that:

16 (a) the student shall not during such period as may be specified in
17 the direction, participate in such activities of the Centre or make use of such
18 facilities of the Centre as may be so specified; or

19 (b) the activities of the student shall, during such period as may be
20 specified in the direction, be restricted in such manner as may be so
21 specified; or

22 (c) the student be rusticated for such period as may be specified in
23 the direction; or

24 (d) the student shall be expelled from the Centre.

25 (2) Where a direction is given under subsection (1) (c) or (d) of this
26 section in respect of any student, the student may, within the prescribed
27 period and in the prescribed manner, appeal from the direction to the Board,
28 and where such an appeal is brought, the Board considers appropriate, either
29 confirm or set aside the direction or modify it in such manner as the Board
30 thinks fit.

1 (3) The fact that an appeal from a direction is brought in pursuance of
2 the foregoing subsection, shall not affect the operation of the direction while
3 the appeal is pending.

4 (4) The Medical Director may delegate his powers under this section
5 to a disciplinary committee consisting of such members of the centre as he may
6 nominate.

7 (5) Nothing in this section shall be construed as preventing the
8 restriction or termination of a student's activities at the Centre otherwise than
9 on the ground of misconduct.

10 (6) The power of the Medical Director to give direction under
11 subsection (1) (a) of this section may be combined with a direction under
12 subsection (1) (b) of this section.

13 (7) Nothing in this section shall affect the provisions of any enactment
14 relating to the discipline of Medical Practitioners, Pharmacists, Nurses or
15 members of any other profession or field.

Removal and
Discipline of
Clinical,
Administrative
and Technical
Staff

16 17.-(1) If it appears to be Board that there are reasons for believing
17 that any person employed as a member of the clinical, administrative or
18 technical staff of the centre, other than the Medical Director should be removed
19 from his office or the employment, the Board shall require the Medical
20 Director to:

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

22 (b) afford him an opportunity of making representations in person on
23 the matter to the Board; and

24 (c) if the person in question so request within the period of one month
25 beginning with the date of notice, make arrangement:

26 (i) for a Committee to investigate the matter and to report on it to the
27 Board; and

28 (ii) for the person in question to be afforded an opportunity of
29 appearing before and being heard by the investigating committee with respect
30 to the matter, and if the Board, after considering the report of the investigating

1 committee, is satisfied that the person in question should be removed, the
2 Board may so remove him by a letter signed on the direction of the Board.

3 (2) The Medical Director may, in a case of misconduct by a
4 member of staff, which in the opinion of the Medical Director is prejudicial
5 to the interest of the Centre suspend any such member and any such
6 suspension shall forthwith be reported to the Board.

7 (3) For good cause, any member of staff may be suspended from
8 his duties or his appointment may be terminated by the Board; and for the
9 purposes of this section;

10 "Good Cause" means:

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

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

17 (c) conduct of a scandalous or other disgraceful nature which the
18 Board considers to be such as to render the person concerned unfit to
19 continue to hold his office; or such as to render the person concerned unfit to
20 continue to hold his office; or

21 (d) conduct which the Board considers to be such as to constitute
22 failure discharge the functions of his office or to comply with the terms and
23 conditions of his service.

24 (4) Any person suspended shall, subject to subsections (2) and (3)
25 of this section be on half pay and the Boar shall before the expiration of a
26 period of three months after the date of such suspension, consider the case
27 against that person and come to a decision as to:

28 (a) whether to continue such person's suspension and if so, on what
29 terms (including the proportion of his emolument to be paid to him);

30 (b) whether to reinstate such person, in which case the Board shall

1 restore his full emolument to him with effect from the date of the suspension;

2 (c) whether to terminate the appointment of the person concerned, in
3 which case such person, will not be entitled to the proportion of his emolument
4 withheld during the period of suspension; or

5 (d) whether to take such lesser disciplinary action against such person
6 (including restoration of his emolument that might have been withheld), as the
7 Board may determine and in any case where the Board, pursuant to this section,
8 decides to continue a person's suspension or decides to take further disciplinary
9 action against a person, the Board shall, before the expiration of a period of
10 three months from such decision, come to a final determination in respect of the
11 case concerning any such person.

12 (5) It shall be the duty of the person by whom a letter of removal is
13 signed in pursuance of subsection (1) of this section, to use his best endeavour
14 to cause a copy of the letter to be served as soon as reasonably practicable on the
15 person to whom it relates.

16 (6) Nothing in the foregoing provisions of this Section shall prevent
17 the Board from making regulations for the discipline of students and all other
18 categories of employees of the Centre, as the Board may prescribe.

19 (7) Regulations made under subsection (5) of this section, need not to
20 be published in the Federal Gazette, but the Board shall bring them to the notice
21 of all affected persons in such manner as it may, from time to time, determine.

Discipline of
Junior Staff

22 **18.-(1)** If any junior staff is accused of misconduct or inefficiency, the
23 Medical Director may suspend him for not more than three months and
24 forthwith shall direct the Junior Staff Appointments and Promotions
25 Committee appointed under the provisions of paragraph (3) (b) of the Schedule
26 to this Act:

27 *[Schedule]*

28 (a) to consider the case; and

29 (b) to make recommendations as to the appropriate action to be taken
30 by the Medical Director.

1 (2) In all cases under this section, the officer shall be informed of
2 the charge against him and shall be given reasonable opportunity to defend
3 himself.

4 (3) The Medical Director may, after considering the
5 recommendation made pursuant to subsection (1) of this section, dismiss,
6 terminate, retire or down-grade the officer concerned.

7 (4) Any person aggrieved by the Medical Director's decision under
8 subsection (3) of this section may, within a period of 21 days from the date of
9 the letter communicating the decision to him, address a petition to the Board
10 to re- consider his case, and the Board's decision thereon shall be final.

11 *Miscellaneous*

12 **19.** No person shall be required to satisfy requirements as to any of
13 the following matters, that is to say, race (including ethnic grouping), sex,
14 place of birth or of family origin, or religious or political persuasion, as a
15 condition to becoming or continuing to be a student at the centre, the holding
16 of any appointment or employment at the Centre or a member or anybody
17 established by virtue of this Act, and no person shall be subjected to any
18 disadvantage or accorded any advantage in relation to the Centre by
19 reference to any of those matters;

Exclusion of
Discrimination
Account of
Religion, Race,
etc.

20 provided that nothing in this section shall be construed as preventing the
21 Centre from imposing any disability or restriction on any of the
22 aforementioned persons, where such person willfully refuses or fails, on
23 grounds of religious belief to undertake any duty generally and uniformly
24 imposed on all such persons or any group of them which duty, having regard
25 to its nature and the special circumstances pertaining thereto, is in the
26 opinion of the Centre reasonably justifiable in the National interest.

27 **20.** The Board shall prepare and submit to the President, through
28 the Minister, not later than so" June in each year, a report in such form as the
29 Minister may direct on the activities of the Board during the immediately
30 preceding year and shall include in such report, a copy of the audited

Annual Report

	1	accounts of the Centre for that year and of the auditor's report thereon.
Interpretation	2	21. In this Act:
	3	"Board" means the governing Board of the Centre, established under section 4
	4	(1) of this Bill;
	5	"Centre" means the National Ear Care Centre established under section 1 of
	6	this Bill;
	7	"Functions" means includes powers and duties;
	8	"Minister" means the Minister responsible for health matters in Nigeria;
	9	"Student" means a person enrolled at an institution controlled by the Board, for
	10	the purpose of pursuing a course of instruction at the institution established
	11	under this Bill.
Citation	12	22. This Bill may be cited as the National Ear Care Centre, Ideato, Imo
	13	State (Establishment, Etc.) Bill, 2021.
	14	SCHEDULE
	15	SUPPLEMENTARY PROVISION RELATING TO THE BOARD
	16	THE EDUCATION COMMITTEE ETC
	17	(Section 4(6))
	18	<i>Proceedings of the Board</i>
	19	1. Subject to the provisions of this Bill and Section 27 of the
	20	Interpretation Act (which provides for decisions of a statutory body and for the
	21	person presiding to have a second or casting vote), the Board may make
	22	standing orders regulating the proceedings of the Board or any Committee
	23	thereof.
	24	2. The quorum of the Board shall be three which shall include the
	25	Chairman and two other members, and the quorum of any Committee of the
	26	Board shall be determined by the Board.
	27	3.-(1) Subject to the provisions of any Standing Orders of the Board,
	28	the Board, the Board shall meet whenever it is summoned by the Chairman;
	29	and if the Chairman is required so to do by notice given to him by not less than
	30	four other members, he shall summon a meeting of the Board to be held within

1 fourteen days of the date of the receipt by him of the notice.

2 (2) At any of the Board, the Chairman of the Board shall preside
3 and if the Chairman is absent, the member present shall nominate one of
4 their numbers to preside at the meeting.

5 (3) Where the Board desires to obtain the advice of any person on
6 any particular matter, the Board may co-opt him as a member for such period
7 as it thinks fit, but a person who is a member by virtue of this sub-paragraph,
8 shall not be entitled to vote, and shall not count towards a quorum.

9 (4) Notwithstanding anything in the foregoing provisions of this
10 paragraph, the first meeting of the Board shall be summoned by the Minister,
11 who may give such directions as he thinks fit as to the procedure which shall
12 be followed at that meeting.

13 *Committees of the Board and Education Committee*

14 4.-(1) The Board may appoint one or more Committees to carry out
15 on behalf of the Board, such of its functions as the Board may determine, but
16 a decision of a Committee shall be of no effect until it is confirmed by the
17 Board.

18 (2) The Education Committee may appoint one or more
19 Committees to carry out on behalf of the Education Committee, such of its
20 functions as the Education Committee may determine, by a decision of a
21 Committee shall be of no effect until it is confirmed by the Education
22 Committee.

23 (3) Without prejudice to the generality of sub-paragraph (1) and (2)
24 of this Schedule the Board shall appoint the following Committees:

25 (i) consist of not less than five members, including the Medical
26 Director who shall be the Chairman of the Committee;

27 (ii) be charged with the responsibility for making
28 recommendations to the Board on the appointments and promotions of
29 clinical, administrative and technical staff of the Centre and have a quorum
30 of three members.

1 (b) The Junior Staff Appointments and Promotions Committee,
2 which shall have the powers set out in Section 18 of this Bill.

3 *Employees of the Centre*

4 5. Subject to the provisions of this Act, the Board shall have power:

5 (a) to pay the employees of the Centre, such remuneration and
6 allowances as the Board may with the approval of the Minister, determine;

7 (b) to pay any person appointed to a Committee of the Board, such
8 remuneration (whether by way of fees or otherwise in respect of the
9 performance of his functions under this Bill, and such travelling and
10 subsistence allowances while on the business of the Board, as the Board may
11 determine;

12 (c) to establish for the employees of the Centre, such superannuation
13 scheme (whether contributory or not), as the Board may determine; and

14 (d) to give loans to its employees for purposes approved by the Board.

15 *Miscellaneous*

16 6.-(1) The fixing of the seal of the Board shall be authenticated by the
17 signature of the Chairman or of some other member, authorized generally or
18 specially by the Board for that purpose.

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

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

26 7. The validity of any proceeding of the Board or a Committee
27 thereof, shall not be affected by any vacancy in the membership of the Board or
28 Committee or by any defect in the appointment of a member of the Board or of
29 any other person on the Committee.

30 8. Any member or any person holding office on a Committee of the

1 Board, who has a personal interest in any contract or arrangement entered
2 into or proposed to be considered by the Board, shall forthwith disclose his
3 interest to the Board and shall not vote on any question relating to the
4 contract or arrangement.

5 *Education Committee*

6 9. The provisions of this Schedule shall apply mutatis mutandis to
7 the Education Committee; but in relation to the quorum thereof, it shall be as
8 may be determined by the Education Committee.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Ear Care Centre, Ideato, Imo State,
for the Prevention, Diagnosis, and Treatment of Ear, Nose and Throat
Disease in Nigeria.

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF NURSING AND MIDWIFERY, IDEATO, IMO STATE; FOR THE TEACHING AND TRAINING OF NURSES AND MIDWIVES AND OTHER CATEGORIES OF HEALTH WORKERS; AND TO PROVIDE FOR A BOARD TO GOVERN THE INSTITUTION AND AN ACADEMIC COMMITTEE TO TAKE CHARGE OF THE ACADEMIC ACTIVITIES AND AFFAIRS AND FOR RELATED MATTERS

Sponsored by Hon. Paschal C. Obi

[] Commencement

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

1 1.-(1) There shall be established at Ideato, Imo State, a teaching and
2 training institution to be known as the Federal College of Nursing and
3 Midwifery (in this Bill referred to as the "College") which shall be a body
4 corporate under that name and subject to the provisions of this Bill, the
5 college shall be charged with the general duty of providing:

Establishment
of the Federal
College of Nursing
and Midwifery
Ideato, Imo State

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

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

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

17 (d) equipment and necessary facilities for technical research or

1 normal use by approved persons at the college as may from time to time be
2 authorized by the Board under this Bill.

3 *[CAP N143]*

4 (2) Courses provided for the purposes of subsection (1) of this section
5 shall include the organization of incidental study groups and the delivery of
6 necessary series of lectures; and if approved, fees may be calculated and be
7 charged at such rate not exceeding the estimated cost of the course as may be
8 prescribed under this Bill.

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

14 (4) The college as a body corporate shall have perpetual succession
15 and a common seal which shall be kept in the custody of the Provost of the
16 College; and the college shall hold or acquire property, movable or immovable,
17 but shall not mortgage, charge or dispose of any property held by it over the
18 value of N10m without the consent of the Minister in writing.

Power to appoint
a Provost for the
College

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

Governing Board

24 **3.-(1)** There shall be a Governing Board (in this Bill referred to as the
25 "Board") as members of the College charged with responsibility for the
26 organization, administration and policy making and planning of the College;
27 and the Board shall consist of the following members:

28 (a) The Chairman;

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

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

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

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

5 (f) The Provost;

6 (g) A representative of the Nursing and Midwifery Union of the
7 College.

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

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

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

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

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

23 (c) prescribe the duties of the Provost of the College and any other
24 members of staff;

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

27 (e) make provision for pension schemes for members of staff of the
28 college;

29 (f) approve annual accounts and estimates;

30 (g) as and when required, make any necessary contract between the

1 college and any person not connected therewith; and

2 (h) submit annual reports to the Minister.

3 (5) The provisions of the First schedule to this Bill shall have effect
4 with respect to the tenure of office of members of the Board and the Provost and
5 other matters thereto mentioned.

6 *[First Schedule]*

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

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

10 4.-(1) The members of the Board shall hold office for a period of four
11 years and renewable for a final term of four years and no more save for the
12 members under section 3 (1) (d) (e) of this Bill.

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

Cessation of the
Membership of
the Board and
the Provost

17 5.-(1) In the event of the death or incapacity of the Chairman of the
18 Board or if for any reason other than lapse of time, the office of the Chairman
19 becomes vacant, the President shall on the recommendation of the Minister,
20 appoint another person as the Chairman for the residue of the term of the
21 Chairman of the Board.

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

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

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

27 (c) by the resolution of the Board;

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

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

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

5 (3) Where the office of a member becomes vacant, another person
6 representing the same interest shall be appointed for the remainder of the
7 term for which the vacating member was appointed.

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

10 **6.-(1)** There shall be established for the College, the Provost and
11 the Deputy Provost, the Registrar and the Deputy Registrar, and other
12 categories of Staff.

Appointments
of the Provost and
Deputy Provost;
the Registrar and
Deputy Registrar
and other members
of Staff

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

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

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

19 (5) The College shall employ as many persons as are required for
20 the administration and management of the College; and such persons so
21 employed shall be entitled to such emolument, allowances terms and
22 conditions as applicable in the Public Service of the Federation, including
23 pension and gratuity.

24 **7.-(1)** There shall be established for the College, certain numbers
25 of departments and units for the realization of the mandates and purposes for
26 the establishment of the College.

Department and
Units of the College

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

30 (3) Such numbers of departments and units shall be headed by the

Employments,
Appointments
and Discipline
of Staff

1 personnel of the college, and their respective designations shall be determined
2 and approved by the Board.

3 **8.-(1)** The College, through the Board shall be responsible for all
4 employments, appointments as well as the discipline of all categories of staff.

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

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

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

Financial
Provisions

16 **9.-(1)** The funds of the College shall comprise:

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

20 (b) Donations and Subsidies;

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

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

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

30 (3) The Board shall prepare and submit to the Minister not later than

1 the last day of October in each and every year after the commencement of
2 this Bill an estimate of the expenditure and income during the next financial
3 year.

4 **10.-(1)** The Board shall in every year furnish half-yearly reports to Report of the
College in each
year
5 the Minister and while the special fund continues to operate in Nigeria, to
6 both the representatives of the executing agency and of the special fund, on
7 the activities of the College, so however that the first of such reports shall be
8 furnished not later than 15 July, and subsequent reports as nearly as may be
9 on or after is" January and is" July in each year thereafter; and every report
10 shall be accompanied by a copy of the audited accounts of the College and of
11 the report (if any) by the auditor on the accounts as audited by him.

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

14 **11.** Members of the Board shall be paid such travelling and other Travelling
allowances, etc
to Members of
the Board
15 allowances at such rate as the Minister may, from time to time approve, after
16 consultation with the Minister of the Government of the Federation charged
17 with the responsibility for Finance.

18 **12.-(1)** There shall be for the College a General Council consisting General Council
19 of the Provost as Chairman, the Deputy Provost, the Registrar, the Deputy
20 Registrar, the Heads of Departments and Units and such other members as
21 the Board approves or may from time to time review and approve.

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

25 (3) It shall be the duty of the General Council to make suggestions
26 to the Board relative to courses of instructions provided or to be provided by
27 the College, and to make recommendations to the Minister through the
28 Board for the holding of conferences and meetings at the College which
29 members of the General Council consider suitable or necessary.

30 (4) The Board shall consider all suggestions offered to it by the

1 General Council under subsection (3) of this section and shall give effect to
2 them as far as is practicable.

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

6 (6) The Registrar or in his absence, the Deputy Registrar shall attend
7 meetings of the General Council and provide any necessary assistance of a
8 secretarial nature and any person attending under this subsection may take part
9 in deliberations of the General Council, but shall not vote on any subject.

Pensions in
special cases

10 **13.**-(1) Service in the College shall be approved service for the
11 purposes of the Pensions Act.

12 (2) The Federal Civil Service Commission may by order published in
13 the Federal Gazette, declare that certain special cases of service in the College
14 shall be approved Service for the purposes of the Pension Act.

Regulations

15 **14.**-(1) Where any act, matter or thing fails to be prescribed under this
16 Bill, any such act, matter or thing may be prescribed by regulations made on
17 behalf of the College by the Board.

18 (2) Regulations made under this section shall when approved by the
19 Minister be published in the Federal Gazette.

Validation of
past Acts, etc.

20 **15.** It is declared for the avoidance of doubt, that where any person(s)
21 has/have before the commencement of this Bill been appointed or have
22 purported to act under powers, however conferred, incidental to the acquisition
23 of land for or incidental to the erection, supervision or control of the College
24 hereby established, such person(s) shall be deemed always to have been
25 lawfully appointed or to have validly exercised the powers, as the case may be.

Disposal of
property of the
Special Fund

26 **16.**-(1) The President may after consultation with the executing
27 agency and of the special fund, prescribe a date not earlier than five years after
28 the commencement of this Bill for the preparations of a schedule (in this
29 section referred to as "the Transfer Schedule") of the assets in Nigeria of the
30 special fund, and the Accountant-General of the Federation shall, when so

1 directed and acting in collaboration with the executing agency, the special
 2 fund and the Board, prepare the transfer schedule accordingly, and the
 3 transfer schedule shall be certified to, by the persons so collaborating and a
 4 copy shall be supplied by the Provost of the College through the Chairman
 5 of the Board to the Minister.

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

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

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

16 "Appointed transfer day" means the day appointed for the purpose of section
 17 16 of this Bill for the vesting of certain property of the special fund in the
 18 College;

19 "Approved" means approved by the Minister;

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

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

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

25 "Minister" means the Minister of the Government of the Federation charged
 26 with the responsibility for health;

27 "Prescribed" means Prescribed on behalf of the College with the approval of
 28 the Minister;

29 "Provost" means the Provost of the College;

30 "Special Fund" means such fund or grants which the Government of the

1 Federation or such foreign donors donate or grant to the College.
Short title 2 **18.** This Bill may be cited as the Federal College of Nursing and
3 Midwifery, Ideato, Imo State (Establishment, Etc.) Bill, 2021.

4 FIRST SCHEDULE

5 *Supplementary provisions relating to the Board, qualifications*
6 *and tenure of office of members*

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

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

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

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

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

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

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

29 *Powers of the Board*

30 2. Unless otherwise prescribed by this Bill, the Board shall power to

1 do anything which in the opinion of the members is calculated to facilitate
2 the carrying on of the activities, purposes and mandates of the College.

3 *Proceedings of the Board*

4 3.-(1) Subject to the provisions of this Bill, the Board may, in the
5 name of the College, make standing orders regulating the proceedings of the
6 College or of the Board; and in the exercise of its powers under this Bill, may
7 set out committees in the general interest of the College, and make standing
8 orders therefor;

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

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

17 5.-(1) Subject to the provisions of this Bill and any standing orders
18 of the Board, the Board shall meet whenever it is summoned by the
19 Chairman; and if the Chairman is required to do so by notice given to him by
20 the Minister, he shall summon a meeting of the Board to be held within seven
21 days from the date on which the notice was given.

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

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

29 *Committees*

30 6.-(1) The Board may appoint one or more committees to carry out

1 on behalf of the Board such functions as the Board may determine,

2 (2) A committee appointed under this paragraph shall consist of the
3 number of persons determined by the Board.

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

6 *Miscellaneous*

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

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

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

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

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

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

1 SECOND SCHEDULE

2 [Section 16(3)]

3 TRANSITIONAL PROVISIONS AS TO PROPERTY ETC.

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

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

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

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

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

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

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

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

EXPLANATORY MEMORANDUM

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

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE
FEDERAL REPUBLIC OF NIGERIA, 1999 (WITH THE ALTERATIONS) TO
PROVIDE FOR DEFINITE AND CERTAIN PERIOD FOR THE REVIEW OF
SENATORIAL DISTRICTS AND FEDERAL CONSTITUENCIES AND STATES'
CONSTITUENCIES IN THE FEDERATION, AND FOR RELATED MATTERS

Sponsored by Hon. Paschal C. Obi

[] Commencement

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

- 1 **1.** The Constitution of the Federal Republic of Nigeria, 1999 (in Alteration of
2 this Bill referred to as the ("Principal Act") is altered as set out in this Bill. Constitution 1999
- 3 **2.** Periodical Review of Senatorial Districts and Federal
4 Constituencies: Section 73:
5 Section 73:
6 (1) The Independent National Electoral Commission shall review
7 the division of States and of the Federation into Senatorial Districts and
8 Federal Constituencies at intervals of not less than ten years, and may alter
9 the districts or constituencies in accordance with the provisions of this
10 section to such extent as it may consider desirable in the light of the review.
11 (2) Notwithstanding subsection (1) of this section, the independent
12 National Electoral Commission may at any time carry out such a review and
13 alter the districts or constituencies in accordance with the provisions of this
14 section to such extent as it considers necessary, in consequence of any
15 amendment to section 3 of this Constitution or any provision replacing that
16 section or by reason of the holding of a Census of the population or pursuant
17 to an Act of the National Assembly.
18 Proposed Alterations to Section 73

1 Section 73 to read now as Section 73:

2 (1) "The Independent National Electoral Commission shall review
3 the division of States and of the Federation into Senatorial Districts and Federal
4 Constituencies at intervals of twelve years and shall alter the Districts or
5 Constituencies in accordance with the p-provisions of this section to such
6 extent as it shall consider desirable in the light of the review".

7 (2) "Notwithstanding subsection (1) of this section, the Independent
8 National Electoral Commission, shall at any time carry out such a review and
9 alter the Districts or Constituencies in accordance with the provisions of this
10 section to such extent as it shall consider necessary and expedient in
11 consequence of any alteration to section 3 of this Constitution or any provision
12 replacing that section, or by reason of the holding of a census of the population
13 of the Federation of Nigeria, or pursuant to an Act of the National Assembly".

14 **3. Periodical Review of States' Constituencies:**

15 Section 114:

16 (1) "The Independent National Electoral Commission shall review
17 the division of every State into constituencies at intervals of not less than ten
18 years, and may alter such constituencies in accordance with the provisions of
19 this section to such extent as it may consider desirable in the light of the review.

20 (2) "The independent National Electoral Commission may at any
21 time carry out such a review and alter the constituencies in accordance with the
22 provisions of this section to such extent as it considers necessary and expedient
23 in consequence of any adjustment to the boundaries of the State or by reason of
24 the holding of a census of the population of Nigeria or in pursuance of an Act of
25 the National Assembly.

26 Proposed Alterations to Section 114:

27 Proposed Section 114 to now read as:

28 Section 114:

29 (1) "The Independent National Electoral Commission shall review
30 the division of every State of the Federation into Constituencies at intervals of

1 twelve years, and shall alter such constituencies in accordance with the
2 provisions of this section to such extent as it shall consider desirable in the
3 light of the review."

4 (2) "The Independent National Electoral Commission shall at any
5 time, carry out such a review, and alter the Constituencies in accordance
6 with the provisions of this Section to such extent as it shall consider
7 necessary and expedient in consequence of any adjustment to the
8 boundaries of the State or by reason of the holding of a Census of the
9 Population of Nigeria or in pursuance of an Act of the National Assembly."

10 4. This Bill may be cited as the Constitution of the Federal Citation
11 Republic of Nigeria, 1999, (Alteration) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to alter section 73 and Section 114 of the Constitution of the Federal Republic of Nigeria, 1999 to provide for definite and certain period for the periodical review of the Senatorial Districts and Federal Constituencies and States Constituencies.

A BILL

FOR

AN ACT TO AMEND THE NIGERIAN OIL AND GAS INDUSTRY CONTENT DEVELOPMENT ACT, CAP. N124A, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE FOR STATE OFFICES, ENHANCEMENT OF THE BOARD AND FOR RELATED MATTERS

Sponsored by Hon. Paschal C. Obi

[] Commencement

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

1 **1.** The Nigerian Oil and Gas Industry Content Development Act,
2 (in this BILL referred to as the "Principal Act") is amended as set out.

Amendment of
Nigerian Oil and
Gas Industry Content
Development Act,
Cap. N124A,
LFN 2004

3 **2.** Section 71:

Establishment
of the Governing
Council of the
Board: Section 71

4 (1) There is established for the Board the Governing Council (in
5 this Act referred to as the "Council") which shall conduct the affairs of the
6 Board.

7 (2) The Head Office of the Council and the Board shall be located
8 in any of the oil or gas producing States of the Federation.

9 (3) The Council may establish branch offices of the Board in any of
10 the gas or oil producing States of the Federation.

11 PROPOSED AMENDMENTS TO SECTION 71

12 Proposed Section 71 to now read as:

13 (1) Retained

14 (2) "The Head Office of the Council and of the Board, shall be
15 located in Bayelsa State of Nigeria.

16 (3) "The Council shall establish and maintain offices in all the oil
17 and gas producing States to be known as States' Offices."

18 (4) The oil and gas producing States of the Federation for the
19 purpose of the statutory requirement in subsection 3 of this section are:

	1	(a) Abia State;
	2	(b) Akwa Ibom State;
	3	(c) Bayelsa State;
	4	(d) Cross River State;
	5	(e) Delta State;
	6	(f) Edo State;
	7	(g) Imo State;
	8	(h) Ondo State; and
	9	(i) Rivers State.
Composition of the Council; Section 72	10	3. Section 72:
	11	The Council shall consist of:
	12	(a) a Chairman who shall be the Minister of Petroleum Resources;
	13	(b) a representative of:
	14	(c) Executive Secretary who shall be the Secretary of the Council.
	15	PROPOSED AMENDMENTS TO SECTION 72 ON THE COMPOSITION
	16	OF THE COUNCIL
	17	Proposed Section 72 to read now as:
	18	Section 72:
	19	The Council shall consist of:
	20	(a) The Chairman, who shall be an indigene of the oil and gas
	21	producing States;
	22	(b) a representative of:
	23	(i) Nigerian National Petroleum Corporation;
	24	(ii) the agency in charge of technical regulation of the industry;
	25	(iii) Ministry of Petroleum Resources;
	26	(iv) Petroleum Technology Association of Nigeria;
	27	(v) Nigeria Content Consultative Forum;
	28	(vi) Council of Registered Engineers of Nigeria;
	29	(vii) National Insurance Commission; and
	30	(viii) National Environmental Standards and Regulations

1 Enforcement Agency;
2 (ix) National Oil Spill Detection Response Agency; and
3 (x) Niger Delta Development Commission;
4 (c) a representative of the oil and gas producing States:
5 (i) Abia State;
6 (ii) Akwa Ibom State;
7 (iii) Bayelsa State;
8 (iv) Cross River State;
9 (v) Delta State;
10 (vi) Edo State;
11 (vii) Imo State;
12 (viii) Ondo State; and
13 (ix) Rivers State:
14 Provided that the chairmanship of the Council shall be rotated
15 amongst the oil and gas producing States in alphabetical order;
16 (d) The Executive Secretary; and
17 (e) The Director of Legal Services of the Board, not being a
18 member of the Council shall serve and function as the Secretary of the
19 Council.

20 **4.** This Bill may be cited as the Nigerian Oil and Gas Industry Citation
21 Content Development Act, (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM:

This Bill seeks to amend the Nigerian Oil and Gas Industry Content Development Act in order to review the institutional framework of the Board, and for other related matters, for greater results and performance.

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE
FEDERAL REPUBLIC OF NIGERIA, 1999 (WITH THE ALTERATIONS) FOR THE
PROVISIONS OF MEASURES AND CONDITIONS; TO STRENGTHEN THE
LOCAL GOVERNMENT SYSTEM IN NIGERIA, AND FOR RELATED MATTERS

Sponsored by Hon. Paschal C. Obi

[] Commencement

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

- 1 **1.** The Constitution of the Federal Republic of Nigeria, 1999 (in
2 this Bill referred to as the "Principal Act") is altered as set out in this Bill. 1999 Constitution
Alteration
- 3 **2.** Local Government System:
- 4 Section 7 Of The Constitution:
- 5 (1) The system of local government by democratically elected
6 local government councils is under this Constitution guaranteed; and
7 accordingly, the Government of every state shall subject to section 8 of this
8 Constitution, ensure their existence under a Law which provides for the
9 establishment, structure, composition, finance, and functions of such
10 councils.
- 11 (2) The person authorized by law to prescribe the area over which a
12 local government may exercise authority shall:
- 13 (a) define such area as clearly as practicable; and
- 14 (b) ensure, to the extent to which it may be reasonably justifiable,
15 that in defining such area regard is paid to:
- 16 (i) the common interest of the Community in the area;
- 17 (ii) traditional association of the community;
- 18 (iii) administrative convenience.
- 19 (3) It shall be the duty of a local government council within the

1 state to participate in economic planning and development of the area referred
2 to in subsection (2) of this section and to this end, an economic planning board
3 shall be established by a Law enacted by the House of Assembly of the State.

4 (4) The Government of a State shall ensure that every person who is
5 entitled to vote or be voted for at an election to a House of Assembly shall have
6 the right to vote or to be voted for at an election to a local government council.

7 (5) The functions to be conferred by Law upon local government
8 councils shall include those set out in the Fourth schedule to this constitution.

9 (6) Subject to the provisions of this Constitution:

10 (a) The National Assembly shall make provisions for statutory
11 allocation of public revenue to local government councils in the Federation;
12 and

13 (b) The House of Assembly of a State shall make provisions for
14 statutory allocation of public revenue to local government councils within the
15 state.

16 PROPOSED ALTERATIONS TO SECTION 7 OF THE CONSTITUTION

17 Section 7:

18 (1) The system of local government by democratically elected local
19 government councils is under this Constitution guaranteed; and accordingly:
20 the Constitution forbids any form of caretaker or interim system for the
21 purpose of administering and managing the local government councils in the
22 Federation of Nigeria".

23 (2) The person authorized by law to prescribe the area over which a
24 local government council may exercise authority shall:

25 (a) define such area as clearly as practicable;

26 (b) ensure, to the extent to which it may be reasonably justifiable that
27 in defining such area, regard is paid to:

28 (i) the common interest of the communities in the area;

29 (ii) traditional association of the communities in the area;

30 (iii) Retained

1 (iv) "ensure their existence under a Law which provides for their
2 establishment, structure, composition, finance, and functions of each
3 council.

4 (3) Retained

5 (4) "The rights of participations and qualifications for elections
6 into the local government councils shall be as guaranteed in this
7 Constitution, and shall remain for all adults of eighteen years and above as
8 voters; twenty-five years and above for councilors; and thirty years and
9 above for the position of a Chairman of a local government council".

10 (5) Retained

11 (6) subject to the provisions of this Constitution:

12 (a) "The National Assembly shall make provisions for statutory
13 allocation of public revenue to local government councils in the Federation:

14 Provided that such allocation of public revenue shall not be
15 released to such local government councils administered and managed
16 otherwise by a democratically elected system."

17 (b) the House of Assembly of a State shall make provisions for
18 statutory allocation of public revenue to local government councils within
19 the State:

20 Provided that such allocation of public revenue shall not be
21 released to such local government councils administered and managed
22 otherwise by a democratically elected system.

23 (c) "such allocation of public revenue to local government councils
24 administered and managed otherwise by a democratically elected system by
25 a Governor of a State shall amount to gross misconduct with the attendant
26 constitutional actions by the House of Assembly of such a State."

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

EXPLANATORY MEMORANDUM

This Bill seeks to alter Section 7 of the Constitution of the Federal Republic of Nigeria, 1999 (with the Alterations) to provide for stringent measures and democratic conditions for the administration and management of the local government councils in Nigeria.

A BILL

FOR

AN ACT TO AMEND THE DANGEROUS DRUGS ACT, CAP. D1, LAWS OF THE
FEDERATION OF NIGERIA, 2004 IN ORDER TO REVIEW THE POWERS OF
THE MINISTER; POWERS OF ARREST; AND TO PROVIDE FOR PENALTIES
FOR OFFENCES, AND FOR RELATED MATTERS

Sponsored by Hon. Paschal C. Obi

[] Commencement

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

1 1. The Dangerous Drugs Act, Cap D1, Laws of the Federation of
2 Nigeria, 2004 in this BILL referred to as ("The Principal Act") is amended as
3 set out in this Bill.

Amendment of
Dangerous Drugs
Act, Cap. D1,
LFN, 2004

4 2. Section 9: Prohibition of Trade in new Drugs, and Power to
5 apply Part III with or without modifications to certain Drugs.

6 Section 9:

7 (1) It shall not be lawful for any person in Nigeria to trade in or
8 manufacture for the purpose of trade any products obtained from any of the
9 Phenanthrene alkaloids of opium or from ecgonine alkaloids of the coca
10 leaf, not being a product which was on the 13th day of July, 1931, being used
11 for medical or scientific purposes:

12 Provided that if the President is at any time satisfied as respects any
13 such product that it is of medical or scientific value, he may by order direct
14 that this section shall cease to apply to that product.

15 (2) If any person acts in contravention of the provisions of
16 subsection (1) of this section, he shall be guilty of an offence against this Act.

17 (3) If it is made to appear to the President that a decision with
18 respect to any such product as is mentioned in subsection (1) of this section
19 has in pursuance of Article II of the Geneva Convention (No.2) been

1 communicated by the Secretary-General of the United Nations to the parties to
2 the said convention, the President may by order, as the case requires, either
3 declare the provisions of the said Part III shall apply to that product in the same
4 manner as they apply to the drugs mentioned in subsection (1) of section 9 of
5 this Act, or apply the said part III to that product with such modifications as
6 may be specified in the order.

7 (4) The President may by order apply Part III of this Act with such
8 modifications as may be specified in the order, to any of the following drugs,
9 that is to say, methyilmorphine (commonly known as codeine) ethylmorphine
10 (commonly known as dionin) and their respective salts.

11 PROPOSED AMENDMENTS TO SECTION 9:

12 Section 9:

13 (1) "It shall not be lawful for any person in Nigeria to trade in or
14 manufacture for the purpose of trade, any product obtained from any of the
15 phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca
16 leaf, not being a product which was on the 13th Day of July, 1931, being used
17 for medical or scientific purposes:

18 Provided that if the President, on the written advice or
19 recommendation of the Minister of Health, is at any time satisfied as respects
20 any such product that it is of medical or scientific value, he shall by order direct
21 that this section shall cease to apply to that product".

22 (2) "If any person acts in contravention of the provisions of subsection
23 (1) of this section, he shall be guilty of an offence against this Act, and the
24 person shall upon conviction by a competent court be liable to imprisonment
25 for a term not less than fifteen years without option of fine".

26 (3) "If it is made to appear to the President on the written advice or
27 recommendation of the Minister of Health that a decision with respect to any
28 such product as is mentioned in subsection (1) of this section has in pursuance
29 of Article II of the Geneva Convention (No.2) been communicated by the
30 Secretary-General of the United Nations to the parties to the said convention,

1 the President may by order, as the case requires, either declare that the
2 provisions of the said Part III shall apply to that product in the same manner
3 as they apply to the drugs mentioned in subsection (1) of section 9 of this Act,
4 or apply the said part III to that product with such modifications as may be
5 specified in the order".

6 (4) "The President may by order, on the written advice or
7 recommendation of the Minister of Health, apply part III of this Act, with
8 such modifications as may be specified in the order, to any of the following
9 drugs, that is to say methyldorphine (commonly known as codeine),
10 ethyldorphine (commonly known as dionin) and their respective salts".

11 3. Section 10: Definitions of Purposes of Part V

12 Section 10:

13 For the purposes of this part:

14 "Conveyance" includes ship, motor, aircraft, train, and any other means of
15 transport by which goods may be brought into or taken from Nigeria".

16 PROPOSED AMENDMENT TO SECTION 10 ON CONVEYANCE:

17 Section 10:

18 For the purposes of this part:

19 "Conveyance" includes ship, motor, aircraft, train, vehicle, motorcycle,
20 tricycle, bicycle, horse, camel, and such other means of transport by which
21 goods may be brought into Nigeria, including circulations and distributions
22 or taken from Nigeria".

23 4. Section 19: Offences and Penalties

24 Section 19:

25 (1) Any person:

26 (a) who does any act declared by this Act or by any regulation
27 hereunder not to be lawful or who acts in contravention of, or fails to comply
28 with, any of the provisions of this Act or of any regulation hereunder; or

29 (b) who acts in contravention of, or fails to comply with, the

1 conditions of any license issued or authority granted under or in pursuance of
2 this Act; or

3 (c) who for the purpose of obtaining, whether for himself or for any
4 other person, the issue, grant or renewal of any such license or authority as
5 aforesaid, makes any declaration or statement which is false in any particular,
6 or knowingly utters, produces or makes use of any such declaration or
7 statement or any document containing the same; or

8 (d) who in Nigeria aids, abets, counsels or procures the commission in
9 any place outside Nigeria of any offence punishable under the provisions of
10 any corresponding law in force in that place, or does any act preparatory to, or
11 in furtherance of, any act which if committed in Nigeria would constitute an
12 offence under this Act.

13 (2) Every person guilty of an offence under this Act, shall in respect of
14 each offence, be liable to a fine of two thousand naira or to be imprisoned for a
15 term of ten years, or to both; and shall, in every case on conviction for the
16 offence, forfeit all articles in respect of which the offence was committed, and
17 the court before which the offender was convicted may order any forfeited
18 articles to be destroyed or otherwise disposed of as the court deems fit.

19 (3) No person shall, on conviction for any offence of contravening or
20 failing to comply with any regulation under this Act relating to the keeping of
21 books or the issuing or dispensing of prescriptions containing drugs to which
22 this Act applies, be sentenced to imprisonment without the option of a fine or to
23 pay a fine exceeding one hundred naira, if the court dealing with the case is
24 satisfied that the offence was committed through inadvertence and was not
25 preparatory to, or in, connection with, the commission or intended commission
26 of any other offence under this Act

27 (4) if any person attempts to commit an offence against this Act, or
28 solicits or incites another person to commit such an offence, he shall without
29 prejudice to any other liability, be liable to the same punishment and forfeiture
30 as if he had committed an offence under this Act.

1 (5) Where a person convicted of an offence under this Act is a
2 Company, the Chairman and every other director and every other officer
3 concerned in the management of the company shall be guilty of the like
4 offence unless he proves that the act constituting the offence took place
5 without his knowledge or consent.

6 (6) Every Magistrate, whether in Federal Capital Territory, Abuja
7 or in any state, shall notwithstanding anything contained in any enactment
8 have jurisdiction for the summary trial of any offence under this Act and
9 may impose the punishment provided by this section for that offence.

10 PROPOSED AMENDMENTS TO SECTION 19

11 Section 19 (2):

12 (2) Every person guilty of an offence under this Act, shall in respect
13 of each offence be liable to imprisonment for not less than fifteen years or to
14 a fine not less than five hundred thousand naira for individual or five million
15 naira for company or to both imprisonment and fine; and shall in every case
16 on conviction for the offence, forfeit all articles and property (movable or
17 immovable) in respect of which the offence was committed and the court
18 before which the offender was convicted shall order any forfeited article or
19 property (movable or immovable) to be destroyed or otherwise disposed of
20 as the court deems fit".

21 (3) "No person shall on conviction for any offence of contravening
22 or failing to comply with any regulation under this Act relating to the
23 keeping of books or the issuing or dispensing of prescriptions containing
24 drugs to which this Act applies, be sentenced to imprisonment without the
25 option of a fine or to pay a fine not less than five hundred thousand naira, if
26 the court dealing with the case is satisfied that the offence was committed in
27 the course of or in connection with the commission or intended commission
28 of any other offence under this Act".

29 (5) "Where person convicted of an offence under this Act is a
30 company, the Chairman and every director and every officer concerned in

1 the management of the company shall be guilty of the like offence unless he
2 and they proves or prove that the act constituting offence took place without his
3 and their knowledge or consent".

4 (5) "Every High Court (Federal, States and FCT) in Nigeria, shall
5 notwithstanding anything contained in any enactment, has jurisdiction for the
6 trial of any offence or all offences under this Act and shall impose the
7 punishment(s) provided by this section for that offence or offences".

8 **5. Section 21: Power of Arrest**

9 Section 21:

10 Any police officer may arrest without warrant any person who has committed,
11 or attempted to commit, or is reasonably suspected by the police office of
12 having committed or attempted to commit an offence under this Act.

13 **PROPOSED AMENDMENT TO SECTION 21**

14 Section 21:

15 "Any police officer or private person may arrest without warrant any person
16 who has committed, or attempted to commit, or is reasonably suspected by the
17 police officer or private person of having committed or attempted to commit an
18 offence under this Act"

Citation

19 **6.** This Bill may be cited as the Dangerous Drugs Act (Amendment)
20 Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Dangerous Drugs Act, CAP DI, Laws of the Federation of Nigeria, 2004 in order to enhance the advisory and supervisory roles of the Minister of Health, allow for arrest by private person(s), and review penalties and punishments as provided for under this Act.

A BILL

FOR

AN ACT TO AMEND THE NIGER DELTA DEVELOPMENT COMMISSION (ESTABLISHMENT, ETC) ACT, CAP N86, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO STRENGTHEN THE LAW; STREAMLINE THE EXECUTIVE POSITIONS AND APPOINTMENTS AND FOR RELATED MATTERS

Sponsored by Hon. Paschal C. Obi

[] Commencement

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

- 1 1. The Niger Delta Development Commission (Establishment,
2 Etc) Act (in this Bill referred to as the "Principal Act") is amended as set out. Amendment of
Niger Delta
Development
Commission Act
3 2. Establishment of the Governing Board of the Commission:
4 Section 2:
5 Section 2:
6 (1) There is hereby established for the Commission a governing
7 Board (in this Act referred to as "the Board") which shall consist of:
8 (a) A Chairman;
9 (b) One person who shall be an indigene of an oil producing area to
10 represent each of the following member State, that is:
11 (i) Abia State;
12 (ii) Akwa Ibom State;
13 (iii) Bayelsa State;
14 (iv) Cross River State;
15 (v) Delta State;
16 (vi) Edo State;
17 (vii) Imo State;
18 (viii) Ondo State; and
19 (ix) Rivers State.

1 (c) Three persons to represent non-oil producing States provided that
2 such membership should be drawn from the remaining geo-political zones
3 which are not represented in the Commission;

4 (d) One representative of oil producing companies in the Niger Delta
5 nominated by the oil producing companies;

6 (e) One person to represent the Federal Ministry of Finance;

7 (f) One person to represent the Federal Ministry of Environment;

8 (g) The Managing Director of the Commission; and

9 (h) Two Executive Directors.

10 PROPOSED AMENDMENTS TO SECTION 2

11 Proposed Section 2 to now read as:

12 Section 2:

13 (l) There is hereby established for the Commission a Governing
14 Board (in this BILL referred to as "the Board") which shall consist of:

15 (a) The Chairman;

16 (b) One person who shall be an indigene of an oil producing area to
17 represent each of the following member State that is:

18 (i) Abia State;

19 (ii) Akwa Ibom State;

20 (iii) Bayelsa State;

21 (iv) Cross River State;

22 (v) Delta State;

23 (vi) Edo State;

24 (vii) Imo State;

25 (viii) Ondo State; and

26 (ix) Rivers State.

27 (c) Three persons to represent the non-oil producing Geo-political
28 zones of Nigeria that is:

29 (i) North Central;

30 (ii) North East; and

- 1 (iii) North West.
2 (d) Retained
3 (e) Retained
4 (f) Retained
5 (g) the Managing Directors; and
6 (h) the two Executive Directors.
7 (i) "the Director of Legal Services, not a member of the Board,
8 shall serve and function as the Secretary of the Board".

9 **3. Establishment of the Niger Delta Development Advisory**
10 **Committee: Section 11:**

11 **Section 11:**

12 (1) There is hereby established for the Commission a Niger-Delta
13 Development Advisory Committee (In this BILL referred to as the
14 "Advisory Committee") which shall consist:

- 15 (a) The Governors of the member States of the Commission; and
16 (b) Two other persons as may be determined, from time to time, by
17 the President.

18 (2) The Advisory Committee shall be charged with the
19 responsibility of advising the Board and monitoring the activities of the
20 Commission, with a view to achieving the objectives of the Commission.

21 (3) The Advisory Committee may make rules regulating its own
22 proceedings.

23 **PROPOSED AMENDMENTS TO SECTION 11**

24 **Proposed Section 11 to now read as:**

25 **Section 11:**

26 (1) There is hereby established for the Commission, a Niger Delta
27 Development Advisory Committee (in this BILL referred to as the
28 "Advisory Committee") which shall consist:

- 29 (a) The Governors of the member States of the Commission;
30 (b) Nine persons who shall be Traditional Rulers of the oil

1 producing areas representing the member States of the Commission; and

2 (c) Nine persons who shall be professionals of different fields, not
3 above 50 years representing the member States of the Commission.

4 (2) The Advisory Committee shall be charged with the responsibility
5 of advising the Board and suggesting critical projects and programmes, and
6 monitoring the activities of the Commission, with a view to achieving the
7 objectives of the Commission.

8 (3) Retained

9 **4. Appointment of Managing Director Etc:**

10 **Section 12:**

11 (1) There shall be for the Commission, a Managing Director, and two
12 Executive Directors who shall be indigenes of oil producing areas starting with
13 the member States of the Commission with the highest production quantum of
14 oil and shall rotate amongst member States in order of production, and shall:

15 (a) have such qualification and experience as are appropriate for a
16 person required to perform the functions of those offices under this Act;

17 (b) the Managing Director shall be the chief executive and accounting
18 officer of the commission;

19 (c) be appointed by the President and confirmed by the Senate in
20 consultation with the House of Representatives;

21 (d) hold office on such terms and conditions as to emolument ,
22 conditions of service as may be specified in his letter of appointment and
23 subject to the provisions of Section 3 of this Act.

24 (2) The Managing Director shall, subject to the general direction of
25 the Board, be responsible:

26 (a) for the day-to-day administration of the Commission;

27 (b) for keeping the books and proper records of the proceedings of the
28 Board; and

29 (c) for:

30 (i) the administration of the Secretariat of the Board; and

1 (ii) The general direction and control of all other employees of the
2 Commission.

3 (3) The Board shall have power to:

4 (a) employ either directly or on secondment from any civil or
5 public service in the Federation or a State such number of employees as may,
6 in the opinion of the Board, be required to assist the Board in the discharge of
7 any of its functions under this Act; and

8 (b) pay to persons so employed such remuneration (including
9 allowances) as the Board may determine.

10 PROPOSED AMENDMENTS TO SECTION 12

11 Proposed Section 12 to now read as:

12 Section 12:

13 (1) "There shall be for the Commission, a Managing Director, and
14 two Executive Directors who shall be indigenes of oil and gas producing
15 areas of the member States of the Commission:

16 Provided that no person or an indigene of a member State shall be
17 so appointed for more than two terms for the positions of the Managing
18 Director and the two Executive Directors until the positions have rotated
19 fully and completely amongst the member States":

20 (a) The Managing Director and the two Executive Directors shall
21 have such qualification and experience as are appropriate for a person
22 required to perform the functions of those offices under this Bill.

23 (b) The Managing Director shall be the Chief Executive and
24 Accounting Officer of the Commission;

25 (c) "the two Executive Directors shall be appointed to be in charge
26 of Finance and Administration; and Projects respectively" .

27 (d) "The Managing Director and the two Executive Directors shall
28 be appointed by the President and confirmed by the Senate in consultation
29 with the House of Representatives;

30 (e) The Managing Director and the two Executive Directors shall

1 hold office for four years, and renewable for a final term of four years on such
2 terms and conditions as to emolument, conditions of service as may be
3 specified in their letters of appointment and subject to the provisions of Section
4 3 of this Bill.

5 (2) Retained.

6 (3) "The Board shall have power to:

7 (a) employ either directly or on secondment from the Civil or Public
8 Service of the Federation or of the States or from the Private Sector, such
9 number of employees as may, in the opinion of the Board, be required to assist
10 the Board in the discharge of any of its functions under this Bill; and

11 (b) Retained."

Citation

12 **5.** This Bill may be cited as the Niger Delta Development
13 Commission (Establishment, Etc) Act (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Niger Delta Development Commission (Establishment, Etc) Act in order to strengthen the Law with respect to the administration and appointments.

A BILL

FOR

AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 (WITH ALTERATIONS) TO PROVIDE FOR HIGHER AND STRONGER QUALIFICATIONS FOR ELECTIONS INTO THE NATIONAL ASSEMBLY AND FOR THE OFFICE OF THE PRESIDENT; THE HOUSE OF ASSEMBLY OF A STATE AND FOR THE OFFICE OF THE GOVERNOR; AND FOR RELATED MATTERS

Sponsored by Hon. Paschal C. Obi

[] Commencement

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

- 1 **1.** The Constitution of the Federal Republic of Nigeria, 1999 (in Alteration of
2 this Bill referred to as the "Principal Act") is altered as set out in this Bill. Constitution, 1999
- 3 **2.** Section 65:
4 (1) Subject to the provisions of section 66 of this Constitution, a Qualifications for
5 person shall be qualified for election as a member: Membership of
6 (a) the Senate, if he is a citizen of Nigeria and has attained the age of National Assembly
7 thirty -five years; and and Right of
8 (b) the House of Representatives, if he is a citizen of Nigeria and Attendance
9 has attained the age of thirty- five years;
- 10 (2)A person shall be qualified for election under subsection (1) of
11 this section if:
12 (a) he has been educated up to at least school certificate level or its
13 equivalent; and
14 (b) he is a member of a political party and is sponsored by that
15 party.
- 16 PROPOSED ALTERATIONS TO SECTION 65
17 Proposed Section 65 to now read as:

1 Section 65:

2 (1) Subject to the provision of section 66 of this Constitution, a person
3 shall be qualified for election as a member of:

4 (a) the Senate, if he is a citizen of Nigeria and has attained the age of
5 forty-five years; and

6 (b) the House of Representatives, if he is a citizen of Nigeria and has
7 attained the age of forty years.

8 (2) A person shall be qualified for election under subsection (1) of this
9 section if:

10 (a) he has been educated up to at least university first degree or its
11 equivalent; and

12 (b) Retained.

Qualification
for Elections as
President

13 **3. Section 131:**

14 A person shall be qualified for election to the office of the President if:

15 (a) he is a citizen of Nigeria by birth;

16 (b) he has attained the age of thirty-five years;

17 (c) he is a member of a political party and is sponsored by that political
18 party;

19 (d) he has been educated up to at least school certificate level or its
20 equivalent.

21 PROPOSED ALTERATIONS TO SECTION 131

22 Proposed Section 131 to now read as:

23 Section 131:

24 A person shall be qualified for election to the office of the President if:

25 (a) Retained;

26 (b) he has attained the age of fifty years;

27 (c) Retained;

28 (d) he has been educated up to at least university first degree or its
29 equivalent.

1	4. Section 106:	Qualifications for Election into the House of Assembly of State
2	Subject to the provisions of Section 107 of this Constitution, a	
3	person shall be qualified for elections as a member of a House of Assembly	
4	if:	
5	(a) he is a citizen of Nigeria;	
6	(b) he has attained the age of thirty-five years;	
7	(c) he has been educated up to at least the school certificate level or	
8	its equivalent; and	
9	(d) he is a member of a political party and is sponsored by that	
10	party.	
11	PROPOSED ALTERATIONS TO SECTION 106	
12	Proposed section 106 to now read as:	
13	Section 106:	
14	Subject to the provisions of Section 107 of this Constitution, a	
15	person shall be qualified for election as a member of a House of Assembly of	
16	a State if:	
17	(a) Retained;	
18	(b) he has attained the age of forty years;	
19	(c) he has been educated up to at least University First Degree or its	
20	equivalent; and	
21	(d) and he is a member of a Political Party and is sponsored by that	
22	Political Party.	
23	5. Section 177:	Qualifications for Election as Governor
24	A person shall be qualified for election to the Office of Governor of	
25	a State if:	
26	(a) he is a citizen of Nigeria by birth;	
27	(b) he has attained the age of thirty-five years;	
28	(c) he is a member of a political party and IS sponsored by that	
29	political party; and	

1 (d) he has been educated up to at least School Certificate level or its
2 equivalent.

3 PROPOSED ALTERATIONS TO SECTION 177

4 Proposed Section 177 to now read as:

5 Section 177:

6 A person shall be qualified for election to the Office of Governor of a
7 State if:

8 (a) Retained;

9 (b) he has attained the age of forty-five years;

10 (c) Retained;

11 (d) he has been educated up to at least University First Degree or its
12 equivalent.

Interpretation
of the Provisions
of Constitution

13 **6. Section 318:**

14 School Certificate or its equivalent is deleted as the basic or minimum
15 academic qualification for membership of the National Assembly;
16 Office of the President; membership of the House of Assembly of a
17 State; and the Office of Governor of a State.

18 PROPOSED ALTERATION TO SECTION 318 ON ACADEMIC QUALIFICATIONS

19 FOR ELECTIONS UNDER THIS CONSTITUTION

20 Section 318 to now read as:

21 Section 318-

22 "University first Degree or its equivalent means:

23 (a) a University first degree;

24 (b) a degree from Polytechnic or similar Institutions in Nigeria or
25 abroad;

26 (c) a degree from other Degree-Awarding institutions other than (a)

27 (b) and

28 (d) of this subsection in Nigeria or abroad;

29 (e) a degree from the Nigerian Defence Academy or such other
30 similar institutions in Nigeria or abroad; and

1 (f) such other qualifications, which in the opinions and approval of
2 the National Universities Commission and the Independent National
3 Electoral Commission, are equivalent of a University first degree."

4 7. This Bill may be cited as the Constitution of the Federal Citation
5 Republic of Nigeria, 1999 (Alterations) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to alter sections 65, 131, 106 and 177 of the Constitution with
respect to general qualifications for elections.

A BILL

FOR

AN ACT TO AMEND THE COMPULSORY, FREE UNIVERSAL BASIC EDUCATION ACT, CAP C52, LAWS OF THE FEDERATION OF NIGERIA 2004, TO INCLUDE ENTREPRENEURIAL, VOCATIONAL AND TECHNICAL EDUCATION/TRAINING AND SKILLS IN THE PRIMARY, JUNIOR AND SECONDARY SCHOOL CURRICULUM AND FOR RELATED MATTERS, 2021

Sponsored by Hon. Francis Ejiroghene Waive

[] Commencement

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

- | | |
|---|---|
| <p>1 1. The Compulsory, Free Universal Basic Education Act, CAP</p> <p>2 C52, Laws of the Federation of Nigeria, 2004 (hereinafter referred to as the</p> <p>3 "Principal Act") is amended as set out in this Bill.</p> | <p>Amendment of
Compulsory,
Free Universal
Basic Education
act, Cap. C52,
LFN, 2004</p> |
| <p>4 2. Section 9 Paragraph (e) of the Principal Act is amended to</p> <p>5 include a new paragraph (iv) and shall be read as follows:</p> <p>6 (iv) Ensure that the curriculum for pupil for each term includes</p> <p>7 Entrepreneurial, Vocational and Technical Education/Training and Skills</p> <p>8 for primary, junior and secondary school.</p> | <p>Amendment of
Section 9</p> |
| <p>9 3. The Bill may be cited as the Compulsory, Free Universal Basic</p> <p>10 Education (Amendment) Bill, 2021.</p> | <p>Citation</p> |

EXPLANATORY MEMORANDUM

This Bill seek to amend the Compulsory, Free Universal Basic Education CAP C52 Laws of the Federation of Nigeria 2004, to include Entrepreneurial, vocational and Technical Education/Training and skills, in the Primary, Junior and Secondary School Curriculum.

A BILL

FOR

AN ACT TO AMEND THE CRIMINAL CODE ACT CAP C38 LFN 2004, TO
PROVIDE STIFFER PENALTIES TO SELECTED SECTIONS OF THE ACT AND
FOR RELATED MATTERS

Sponsored by Hon. Francis Ejiroghene Waive

[] Commencement

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

1 **1.** The Criminal Code Act Cap C38, LFN, 2004 (hereinafter
2 referred to as "the Principal Act) is amended as follows-

3 **2.** Section 226sub section 2 of the Principal Act is hereby amended
4 by removing the term "is guilty of a misdemeanor and is liable to
5 imprisonment for two years" and replace same with is guilty of a felony and
6 is liable to imprisonment for five years.

7 Section 226 of the Principal Act will now be read as follows:

8 226. Any person who-

9 (1) detains a woman or girl against her will in or upon any premises
10 in order to her being unlawfully carnally known by any man, whether a
11 particular man or not; or

12 (2) detains a woman or girl against her will in a brothel,
13 is guilty of a felony and is liable to imprisonment for five years.

14 **3.** Section 227 of the Principal Act is hereby amended by removing
15 the term "and is liable to imprisonment for three years and replaced with the
16 term, "and is liable to imprisonment for five years".

17 Section 227 of the Principal Act will now be read as follows:

18 227. Any person who conspires with another to induce any woman
19 or girl, by means of any false pretence or other fraudulent means, to permit
20 any man to have unlawful carnal knowledge of her, is guilty of a felony, and

Unlawful detention
with intent to defile,
or in a brothel

Conspiracy to
defile

1 is liable to imprisonment for five years.

2 The offender cannot be arrested without warrant.

3 4. Section 230 of the Principal Act is hereby amended by removing
4 the term "is guilty of a felony and is liable to imprisonment for three years" and
5 replaced with the term, "is guilty of a felony and is liable to imprisonment for
6 three years"

7 Section 230 of the Principal Act will now be read as follows:

Supplying drugs
or instruments to
procure abortion

8 230. Any person who unlawfully supplies to or procures for any
9 person anything whatever, knowing that it is intended to be unlawfully used to
10 procure the miscarriage of a woman, whether she is or is not with child is guilty
11 of a felony and is liable to imprisonment for five years.

12 The offender cannot be arrested without warrant.

13 5. Section 329A sub section (1) of the Principal Act is hereby
14 amended by removing the term "is guilty of a felony and is liable to
15 imprisonment for five years and replace same with "is guilty of a felony and is
16 liable to imprisonment for ten years".

17 Section 329A sub section (1) of the Act will now be read as follows:

Unlawful
possession of
human head

18 329A. "(1) Any person who receives or has in his possession a human
19 head or skull within six months of the same having been separated from the
20 body or skeleton with the intention that such head or skull shall be possessed by
21 himself as a trophy, juju or charm or transferred by him to any other person as
22 atrophy, juju or charm, is guilty of a felony and is liable to imprisonment for ten
23 years".

24 6. Section 340 of the Principal Act is hereby amended by removing
25 the term "is guilty of a felony and is liable to imprisonment for three years and
26 replace same with "is guilty of a felony and is liable to imprisonment for five
27 years.

28 Section 340 of the Principal Act will now be read as follow:

Endangering life
or health of
apprentices of
servants

29 340. "Any person who, being charged as a master or mistress with the
30 duty of providing necessary food, clothing, or lodging, for a servant or

1 apprentice under the age of sixteen years, unlawfully fails to perform that
2 duty, or in any other manner does any harm or causes any harm to be done to
3 such servant or apprentice, whereby, in either case, the life of such servant or
4 apprentice is or is likely to be endangered, or his health is likely to be
5 permanently injured, is guilty of a felony and is liable to imprisonment for
6 five years".

7 7. Section 362 of the Principal At is hereby amended by removing
8 the term "and is liable to imprisonment for two years" and replace same with
9 ten years imprisonment.

10 Section 362 of the Principal Act will now be read as follows:

11 "Any person who unlawfully takes an unmarried girl under the age
12 of sixteen years out of the custody or protection of her father or mother or
13 other person having the lawful care or charge of her, and against the will of
14 such father or mother or other person, is guilty of a felony, and is liable to
15 imprisonment for ten years".

16 8. The Bill may be cited as the Criminal Code Act (Amendment)
17 Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Criminal Code Act Cap C38 LFN 2004 to provide a stiffer penalty for offences under the Act. The Criminal Code Act is an old Law enacted in 1916 and as such, most of the penalties prescribed to offenders are not in tandem with the current social and economic realities, this amendment will cure that defect.

A BILL
FOR

AN ACT TO AMEND THE COMPANIES AND ALLIED MATTERS ACT CAP. C20
LAWS OF THE FEDERATION OF NIGERIA, 2004, TO ENABLE COMPANIES
ESTABLISHED UNDER COMPANIES AND ALLIED MATTERS ACT AND
REGISTRARS LICENSED BY SECURITY AND EXCHANGE COMMISSION, TO
TRANSFER UNCLAIMED DIVIDENDS TO SECURITY INTERVENTION
PROGRAMME WHICH CAN BE USED TO INTERVENE IN COMBATING
SECURITY CHALLENGES IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Francis E. Waive

[] Commencement

8E IT ENACTED by the National Assembly of the Federal
Republic of Nigeria as follows:

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1. The Companies and Allied Matters Act Cap. C20 Laws of the

Federation of Nigeria, 004, (in this bill referred to as "the Principal Act") is

amended as set out in this Bill.

2. Section 382 of the Principal Act is amended by substituting the

existing subsection (2) for new subsection "(2):

“After the expiration of three years of the notice mentioned in

subsection (1) of this section, the Company or the Registrar managing the

unclaimed dividend shall transfer the total sum to institution responsible for

security intervention programme”.

3. This Bill may be cited as the Companies and Allied Matters Act

(Amendment) Bill, 2021.
- Amendment of

the Principal Act

Substitution of

the section 382(2)

of the Principal

Act

Citation

1 PART XIII

2 *Dividends and profits*

3 379. Declaration of dividends and payment of interim dividend:

4 (1) A company may, in general meeting, declare dividends in respect
5 of any year or other period only on the recommendation of the directors,

6 (2) The company may from time to time pay to the members such
7 interim dividends as appear to the directors to be justified by the profits of the
8 company.

9 (3) The general meeting shall have power to decrease the amount of
10 dividend recommended by the directors, but shall have no power to increase
11 the recommended amount.

12 (4) Where the recommendation of the directors of a company with
13 respect to the declaration of a dividend is varied in accordance with subsection
14 (3) of this section by the company in general meeting, a statement to that effect
15 shall be included in the relevant annual return.

16 (5) Subject to the provisions of this Act, dividends shall be payable to
17 the shareholders only out of the distributable profits of the company.

18 380. Distributable profits:

19 Subject to the company being able to pay its debts as they fall due, the company
20 may pay dividends out of the following profits:

21 (a) profits arising from the use of the company's property although it
22 is a wasting asset;

23 (b) revenue reserves;

24 (c) realised profit on a fixed asset sold, but where more than one asset
25 is sold, the net realised profit on the assets sold.

26 381. Restriction on declaration and payment of dividends:

27 A company shall not declare or pay dividend if there are reasonable grounds for
28 believing that the company is or would be, after the payment, unable to pay its
29 liabilities as they become due.

30 382. Unclaimed dividends:

1 (1) Where dividends are returned to the company unclaimed, the
2 company shall send a list of the names of the persons entitled with the notice
3 of the next annual general meeting to the members.

4 (2) After the expiration of three months of the notice mentioned in
5 subsection (1) of this section, the company may invest the unclaimed
6 dividend for its own benefit in an investment outside the company and no
7 interest accrue on the dividends against the company.

8 (3) Where dividends have been sent to members and there is an
9 omission to send to some members due to the fault of the company, the
10 dividends shall earn interest at the current bank rate from three months after
11 the date on which they ought to have been posted.

12 (4) For the purpose of liability, the date of posting the dividend
13 warrant shall be deemed to be the date of payment and proof of whether it
14 has been sent is a question of fact.

15 383. Reserve and capitalisation:

16 (1) The directors may, before recommending any dividend, set
17 aside out of the profits of the company such sums as they think proper as a
18 reserve or reserves which shall, at the discretion of the directors, be
19 applicable for any purpose to which the profits of the company may be
20 properly applied and pending such application may, at the like discretion,
21 either be employed in the business of the company or be invested in such
22 investments (other than shares of the company) as the directors may from
23 time to time think fit; and the directors may also, without placing the same to
24 reserve, carry forward any profits which they may think prudent not to
25 distribute.

26 (2) The company in general meeting may upon the
27 recommendation of the directors resolve that it is desirable to capitalise any
28 part of the amount for the time being standing to the credit of any of the
29 company's reserve accounts or to the credit of the profit and loss account or
30 otherwise available for-distribution.

1 (3) Such sum may be set free for distribution among the members who
2 would have been entitled to dividends in the same proportions on condition that
3 the same be not paid in cash but be applied either on or towards paying up any
4 amounts for the time being unpaid on any shares held by such members
5 respectively or paying up in full unissued shares or debentures of the company
6 to be allotted and distributed to creditors as fully paid up.

7 (4) The company may decide by a resolution what part is to be
8 distributed in cash or in shares and the directors shall give effect to such
9 resolution.

10 (5) Share premium account and a capital redemption reserve fund
11 may, for the purposes of this subsection only be applied in the paying up of
12 unissued shares to be issued to members of the company as fully paid bonus
13 shares.

14 (6) Where a resolution is under subsections (2) to (5) of this section
15 passed, the directors shall make all appropriations and applications of the
16 undivided profits resolved to be capitalised thereby, and all allotments and
17 issues of fully-paid shares or debentures, if any, and generally do all acts and
18 things required to give effect to it.

19 (7) The directors shall have power to make such provision by the issue
20 of fractional certificates or by payment in cash or otherwise as they think fit in
21 the case of shares' or debentures becoming distributable in fractions.

22 (8) Any person may be authorised by the directors to enter on behalf of
23 all the members entitled under this section into an agreement with the company
24 to provide for the allotment to them respectively, credited as fully paid up, of
25 any further shares or debentures to which they may be entitled upon such
26 capitalisation, or (as the case may require) for the payment up by the company
27 on their behalf, of the amounts or any part of the amounts remaining unpaid on
28 their existing shares, and any agreement made under such authority shall be
29 effective and binding on all such members.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Companies and Allied Matters Act Cap. C20 Laws of the Federation of Nigeria, 2004, to enable companies established under companies and Allied Matters Act and Registrars licensed by Security and Exchange Commission, to transfer unclaimed dividends to security intervention programme which can be used to intervene in combating security issues in Nigeria.

A BILL

FOR

AN ACT TO AMEND THE LEGAL PRACTITIONER ACT, CAP L11, LFN 2004,
TO ADD CERTAIN RESPONSIBILITY TO THE CATEGORY TO PERSONS TO BE
QUALIFIED FOR THE POSITION OF SENIOR ADVOCATE OF NIGERIA AND
FOR RELATED MATTERS, 2021

Sponsored by Hon. Francis Ejiroghene Waive

[] Commencement

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

- 1 **1.** The Legal Practitioner Act (hereinafter referred to as the Amendment of
2 "Principal Act") is amended as set out in this Bill. Legal Act
- 3 **2.** Section 5 sub section 2 of the Principal Act is amended as Amendment of
4 follows: Section 5
- 5 "(2) A person shall not be conferred with the rank of Senior
6 Advocate of Nigeria unless he has been qualified to practise as a legal
7 practitioner in Nigeria for not less than ten years and has employed not less
8 than 10 young lawyers (1-5 years post call) on payroll and has achieved
9 distinction in the legal profession in such manner as the Committee may,
10 from time to time, determine".
- 11 **3.** Section 8 sub section 2 paragraph (e) is amended as follows:
12 "(e) Legal Practitioner of 1-5 years post call is hereby exempted
13 from the payment of practising fee and is entitled to practise in any court of
14 law in Nigeria within the time range, provided his call to bar certificate
15 shows that he is less than 5 years at the Bar".
- 16 **4.** This Bill may be cited as the Legal Practitioner Act Citation
17 (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seek to amend the Legal Practitioner Act 1990, to add certain responsibility to the category to persons to be qualified for the position of senior advocate of Nigeria and also exempt lawyers who are 1-5 years post call from payment of practising fee.