

*Extraordinary*



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FEDERAL COLLEGE OF MEDICAL LABORATORY SCIENCE AND  
TECHNOLOGY, EKA-MIDIM, AKWA-IBOM STATE  
(ESTABLISHMENT) BILL, 2022  
ARRANGEMENT OF SECTIONS

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THE FEDERAL COLLEGE OF MEDICAL LABORATORY SCIENCE AND  
TECHNOLOGY, EKA-MIDIM, AKWA-IBOM STATE

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# A BILL

## FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF MEDICAL  
LABORATORY SCIENCE AND TECHNOLOGY, EKA-MIDIM, AKWA-IBOM  
STATE TO PROVIDE FOR COURSES LEADING TO THE AWARD OF DIPLOMAS  
AND CERTIFICATES IN MEDICAL LABORATORY TECHNOLOGY AND OTHER  
RELATED COURSES; AND FOR RELATED MATTERS

*Sponsored by Hon. Aniekan Umana*

[ ] Commencement

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

1 PART I - ESTABLISHMENT, COMPOSITION OF GOVERNING COUNCIL OF  
2 THE FEDERAL COLLEGE OF MEDICAL LABORATORY SCIENCE AND  
3 TECHNOLOGY, EKA-MIDIM, AKWA-IBOM STATE

4 1.-(1) There is established the Federal College of Medical  
5 Laboratory Science and Technology, Eka-Midim, Akwa-Ibom State (in in  
6 this Act referred to as "the College").

Establishment  
of the College of  
Medical Laboratory  
Science and  
Technology, Eka-  
Midim, Akwa-Ibom  
State

7 (2) The College:

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

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

11 (c) may hold, acquire and dispose of any property movable or  
12 immovable.

13 2. The College shall consist of:

Composition of  
the College

14 (a) the Governing Council;

15 (b) the Academic Board;

16 (c) the Congregation; and

17 (d) the Convocation.

Establishment and Composition of the Governing Council	1	<b>3.-(1)</b> There is established the Governing Council of the College (in
	2	this Act referred to as "the Council").
	3	(2) The Council shall consist of:
	4	(a) a chairman who shall be:
	5	(i) a Fellow of the Medical Laboratory Science Council of Nigeria,
	6	and
	7	(ii) appointed by the President of the Federal Republic of Nigeria;
	8	(b) a representative each of the Federal Ministries of:
	9	(i) Health, and
	10	(ii) Education;
	11	(c) a representative of the Association of Medical Laboratory
	12	Scientists of Nigeria;
	13	(d) two persons, at least one of whom shall be a woman, selected on
	14	their personal merit, based on their contributions either to the development of
	15	medical laboratory science or their special interest in medical science
	16	education;
	17	(e) the Provost of the College; and
	18	(f) a representative of the Academic Board of the College.
Schedule	19	<b>(3)</b> The supplementary provisions set out in the Schedule to this Act
	20	shall have effect with respect to the proceedings of the Council and other
	21	matters contained in the Schedule.
Tenure of office of members of Council	22	<b>4.</b> A member of the Council (other than an ex-officio member) shall
	23	hold office for a term of three years and subject to subsection (2), may be
	24	eligible for re-appointment for another term of three years and no more.
Resolution of appointment or removal from office	25	<b>5.-(1)</b> A member of Council (other than an ex-officio member) may
	26	resign his appointment by notice in writing addressed to the Council.
	27	(2) The Minister may, in writing with the approval of the President,
	28	remove any member of the Council if he is satisfied that it is not in the interest
	29	of the College that the member concerned should continue in office.

1                   **6.** A member of the Council (other than ex-officio member) shall be     Remuneration  
2     paid such remuneration and allowances as may be determined by the  
3     President.

4                   PART II - FUNCTIONS OF THE COLLEGE AND GOVERNING COUNCIL

5                   **7.** The College shall:   Functions of the  
6                   (a) provide courses of instruction, training and research in:     College  
7                   (i) medical laboratory science, and  
8                   (ii) such other fields of applied learning relevant to the needs of the  
9     development of Nigeria in the areas of medical laboratory science courses,  
10    and for research in the development and adaption of techniques as the  
11    Council may determine;  
12                  (b) produce technical, professional and such other skilled  
13    personnel normally required for medical laboratory science;  
14                  (c) arrange conferences, seminars and study groups relevant to the  
15    fields of learning specified in paragraph (a); and  
16                  (d) perform such other functions as in the opinion of the Council  
17    may serve to promote the objectives of the College.

18                  **8.-(1)** Subject to the provisions of this Act, the Council shall be the     Functions of the  
19    governing body of the College and:     Council

20                  (a) shall be charged with the general control and management of  
21    the affairs of the College, in particular, the control of the property and  
22    finances; and

23                  (b) may facilitate carrying out the activities of the College and  
24    promote its best interests.

25                  (2) The Council may acquire and hold such movable or immovable  
26    property as may be necessary or expedient for carrying into effect the  
27    provisions of this Act and for the same purpose may sell, lease, mortgage or  
28    otherwise alienate any property so acquired.

29                  (3) The Council may enter into contracts as may be necessary or  
30    expedient for carrying into effect the provisions of this Act.

Powers of the College	1	<b>9.</b> The College shall have power to:
	2	(a) award diplomas and certificates for courses provided by it under
	3	section 7 this Act;
	4	(b) invest its funds in a manner and to such extent as it may deem
	5	necessary or expedient;
	6	(c) establish and maintain a library, containing such books, journals,
	7	records, reports and other publications and information systems as may be
	8	required for the performance of the functions conferred on the College by this
	9	Act; and
	10	(d) accept gifts of land, money or other property upon such terms and
	11	conditions, as may be specified by the person or organisation making the gift,
	12	but the College shall not accept any gift if the terms and conditions attached are
	13	inconsistent with its functions under this Act.
Directions by the Minister	14	<b>10.</b> The Minister may give the Council directions of a general
	15	character or relating to matters of policy with regard to the exercise by the
	16	Council of functions under this Act and the Council shall comply with such
	17	directions.
Appointment of Provost of the College	18	PART III - APPOINTMENT, QUALIFICATION, TENURE, DUTIES, ETC. OF
	19	PRINCIPAL OFFICERS AND OTHER STAFF OF THE COLLEGE
	20	<b>11.</b> -(1) There shall be for the College a Provost (in this Act referred to
	21	as "the Provost") who shall be:
	22	(a) a Fellow of Medical Laboratory Science Council of Nigeria;
	23	(b) appointed by the Council from a list supplied to it by the Academic
	24	Board, of three persons of high academic standing, proven administrative
	25	ability and good character; and
	26	(c) appointed on such terms and conditions of service as stipulated in
	27	his letter of appointment.
	28	(2) The Provost shall be the Chief Accounting and Administrative
	29	Officer of the College.

1	<b>12.</b> A person to be appointed Provost shall possess:	Qualification for the post of Provost
2	(a) a Post-Graduate Degree in medical laboratory science with	
3	evidence of publications in the relevant fields;	
4	(b) appropriate professional qualifications in medical laboratory	
5	science and be registered with the Medical Laboratory Science Council of	
6	Nigeria; and	
7	(c) at least, 10 years cognate experience in the field of medical	
8	laboratory science.	
9	<b>13.</b> The Provost shall be responsible for the:	Duties of the Provost
10	(a) day-to-day administration of the College;	
11	(b) exercise of general authority over the staff of the College; and	
12	(c) discipline of the students in the College.	
13	<b>14.</b> The Provost shall hold office for a term of four years and may	Tenure of office of the Provost
14	be re-appointed for another term of four years and no more.	
15	<b>15.</b> The Provost shall hold office on such terms and conditions as	Terms and conditions of office of the Provost
16	may be determined by the Minister as set out in his letter of appointment.	
17	<b>16.</b> Where the office or the Provost is vacant, the Council shall:	Vacancy or office of Provost
18	(a) advertise the vacancy in a reputable journal and widely read	
19	newspaper in Nigeria specifying:	
20	(i) the qualities of a person who may apply for the post, and	
21	(ii) the terms and conditions of service applicable to the post, and	
22	thereafter, draw up a short list of suitable candidates for consideration;	
23	(b) set up a Joint Committee of the Council and the Academic	
24	Board consisting of:	
25	(i) the Chairman of the Council, and	
26	(ii) two members of the Council not being members of the	
27	Academic Board and not below the rank of Chief Lecturer, to consider the	
28	candidates on the short list drawn up under paragraph (a) through an	
29	examination of their curriculum vitae and interaction with them and	
30	recommend the qualified candidates to the Council for its consideration.	

Registrar of the  
College

- 1 **17.-(1)** There shall be a Registrar for the College who shall:
- 2 (a) be responsible to the Provost for the day-to-day administration of
- 3 the College: and
- 4 (b) perform such other duties as the Councilor the Provost may
- 5 require him to do.
- 6 (2) The Registrar shall be the Secretary to the Council, the Academic
- 7 Board and any Committee of the Council and shall attend all the meetings of
- 8 those bodies unless excused for good cause or reason by the Chairman of the
- 9 Council.
- 10 (3) Where the Registrar is absent for a meeting of the Council, the
- 11 Chairman of the Council may, after consultation with the Provost, appoint a
- 12 suitable person to act as secretary for any particular meeting of the Council.
- 13 (4) The Secretary to the Councilor a person appointed to act under
- 14 subsection (3) shall not be entitled to vote on any question before the Council,
- 15 or be counted towards a quorum unless such a person is so entitled as a member
- 16 of the Council.

Tenure of office  
of the Registrar

- 17 **18.-(1)** The Registrar:
- 18 (a) shall hold office for a term of four years effective from the date of
- 19 his appointment and on such terms and conditions as may be specified in the
- 20 letter of his appointment; and
- 21 (b) may be re-appointed for another term off our years and no more.
- 22 (2) If, on the commencement of this Act, the Registrar had held office:
- 23 (a) for four years or less, he shall be deemed to be serving his first term
- 24 of office and may be re-appointed for another term of four years;
- 25 (b) for more than four years but less than eight years, he shall
- 26 complete the maximum period of eight years and thereafter relinquish his post
- 27 and be assigned other duties in the College; and
- 28 (c) for eight years or more, the Council may allow him to serve as
- 29 Registrar for a further period of one year only and thereafter he shall relinquish
- 30 his post and be assigned other duties in the College.

- 1                   **19.**-(1) There shall be for the College, the following two Deputy      Appointment of  
2                   Provosts who shall assist the Provost in the performance of his functions:      the Deputy Provosts
- 3                   (a) Deputy Provost I - Administration; and
- 4                   (b) Deputy Provost II - Academics.
- 5                   (2) Each Deputy Provost shall be a person of high academic and
- 6                   moral standing and manifest administrative experience, and shall be
- 7                   appointed by the Council on the recommendation of the Provost.
- 8                   (3) The Council shall appoint the Deputy Provosts from among the
- 9                   Chief Lecturers in the College:
- 10                  (a) from a list of three candidates, in order of preference, submitted
- 11                  by the Provost; or
- 12                  (b) on the recommendation of the Selection Board constituted for
- 13                  the College.
- 14                  (4) The Selection Board referred to in subsection (3) (b) shall
- 15                  consist of:
- 16                  (a) the Chairman of the Council;
- 17                  (b) the Provost;
- 18                  (c) two members of the Council not being members of the
- 19                  Academic Board; and
- 20                  (d) two members of the Academic Board,
- 21                  which may make inquiries as it deems fit before making the recommendation
- 22                  required under subsection (3) (b).
- 23                  (5) The Deputy Provosts shall:
- 24                  (a) assist the Provost in the performance of his functions;
- 25                  (b) act (in the case of the Deputy Provost I) in the place of the
- 26                  Provost when the office of the Provost is vacant or if the Provost is, for any
- 27                  reason, absent or unable to perform his functions as Provost; and
- 28                  (c) perform such other functions as the Provost or the Council may
- 29                  assign to them.
- 30                  (6) The Deputy Provost:

Other Principal  
Officers of the  
College

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

4 (b) may be re-appointed for another term of four years and no more.

5 **20.-(1)** There shall be for the College the following other Principal  
6 Officers in addition to the Registrar:

7 (a) the Bursar;

8 (b) the College Librarian;

9 (c) the Director of Works; and

10 (d) the Director of Medical and Health Services, who shall be  
11 appointed by the Council on the recommendation of the Selection Board  
12 constituted under section 19 (3) (b) of this Act.

13 (2) The Bursar shall be the Chief Financial Officer of the College and  
14 shall be responsible to the Provost for the day-to-day administration and  
15 control of the financial affairs of the College.

16 (3) The College Librarian shall be responsible to the Provost for the  
17 administration of the College Library and the co-ordination of the library  
18 services in the teaching units of the College.

19 (4) The Director of Works shall be responsible to the Provost for the  
20 maintenance of the College buildings, minor works, transport and supervision  
21 of the College's construction projects.

22 (5) The Director of Medical and Health Services shall be responsible  
23 to the Provost for the supervision of the medical and health services and  
24 facilities of the College.

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

26 (a) shall hold office for a term of four years in the first instance and on  
27 such terms and conditions as may be specified in their letters of appointment;  
28 and

29 (b) may be re-appointed for another term of four years and no more.

30 (7) Any question as to the scope of the responsibilities of the Principal

1 Officers shall be determined by the Provost.

2 (8) If on the commencement of this Act, the Bursar, Librarian,  
3 Director of Works or Director of Medical and Health Services had held  
4 office for:

5 (a) four years or less, he shall be deemed to be serving his first term  
6 of office and may be re-appointed for another term of four years;

7 (b) more than four years but less than eight years, he shall complete  
8 the maximum period of eight years and thereafter relinquish his post and be  
9 assigned other duties in the College;

10 (c) eight years or more, he shall relinquish his post and be assigned  
11 to other duties in the College.

12 **21.** A principal officer may resign his appointment:

Resignation of  
appointment by  
Principal Officers

13 (a) in the case of the Provost, by notice in writing to the Council and  
14 the Council shall forward it to the President; and

15 (b) in any other case, by notice in writing to the Provost who shall  
16 forward it to the Council,

17 **22.**-(1) The Council may appoint such other persons to be staff of  
18 the College as the Council may determine, to assist the Provost and the  
19 Principal Officers of the College in the performance of their functions under  
20 this Act.

Appointment of  
other employees  
of the College

21 (2) The power to appoint all other staff of the College apart from  
22 the Provost and the Principal Officers shall be exercised:

23 (a) in the case of a senior staff, by the Council on the  
24 recommendation of the Senior Staff Appointments and Promotions  
25 Committee set up under paragraph 2 (2) (a) of the Schedule to this Act; and

26 (b) in the case of a junior staff, by the Provost on the  
27 recommendation of the Junior.

28 Staff Appointments and Promotions Committee set up under paragraph 2 (2)  
29 (b) of the Schedule to this Act.

30 (3) The remuneration of staff of the College shall be determined by

	1	the Council with the approval of the Minister.
Staff regulations and conditions of service	2	<b>23.</b> -(1) The Council may, subject to the provisions of this Act, make
	3	staff regulations relating generally to the conditions of service of the staff of the
	4	College and without prejudice to the generality of the foregoing, such
	5	regulations may provide for:
	6	(a) the appointment, promotion and discipline of staff of the College;
	7	(b) appeals by staff against dismissal or other disciplinary measures,
	8	and until such regulations are made, any instrument relating to the conditions
	9	of service of public officers in the university system shall be applicable, with
	10	such modifications as may be necessary, to staff of the College; and
	11	(c) the rates of remuneration, scales of salary, contract conditions,
	12	super-annuations, arrangements and other conditions of service of members of
	13	the academic, administrative and technical staff as are determined by the
	14	Council.
	15	(2) The Provost and other academic staff shall retire on attainment of
	16	65 years of age, while non-academic staff shall retire on attainment of 60 years
	17	of age as applicable to other training or research institutions.
	18	(3) Staff regulations made under subsection (1) shall not have effect
	19	until approved by the Minister and when so approved, the regulations need not
	20	be published in the Federal Government Gazette but the Council shall cause
	21	them to be brought to the notice of all affected persons in such manner as it may
	22	determine,
Establishment of Academic Board	23	<b>24.</b> -(1) There shall be established for the College the Academic Board
	24	which shall consist of:
	25	(a) the Provost as the Chairman;
	26	(b) the Deputy Provosts;
	27	(c) all Heads of Departments;
	28	(d) the Librarian; and
	29	(e) not more than two members of the academic staff other than Heads
	30	of Departments who may be appointed by the Academic Board.

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

2 (a) the direction and management of academic matters of the  
3 College including the regulation of admission of students, the award of  
4 certificates in medical laboratory Science and Technology, based on agreed  
5 quota by the National Universities Commission (NUC) and Medical  
6 Laboratory Science of Nigeria (MLSCN), scholarships, prizes and other  
7 academic distinctions;

8 (b) presenting to the Council periodic reports on such academic  
9 matters as the Academic Board may deem fit or as the Council may direct;  
10 and

11 (c) the performance of any other functions which the Council may  
12 delegate to it.

13 **25.** Where it appears to the Council that the Provost should be  
14 removed from office on the grounds of:

Removal of the  
Provost from office

15 (a) misconduct;

16 (b) conviction from a court of competent jurisdiction (or panel of  
17 inquiry if not challenged in court); or

18 (c) inability to perform the functions of his office, the Council shall  
19 make a recommendation to that effect to the President and if the President,  
20 after making inquiries as he considers necessary, approves the  
21 recommendation, the President shall, in writing, declare the office of the  
22 Provost vacant.

23 **26.-(1)** Where it appears to the Council that there are reasons for  
24 believing that any person employed as a member of the academic,  
25 administrative or technical staff of the College other than the Provost,  
26 should be removed from office on the grounds of misconduct or inability to  
27 perform the functions of his office, the Council shall:

Removal of staff  
of the College from  
office

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

29 (b) afford him an opportunity to make representations in person on  
30 the matter to the Council; and

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

3 (i) if he is an academic staff: for a joint committee of the Council and  
4 the Academic Board to investigate the matter and report to the Council,

5 (ii) for a committee of the Council to investigate the matter, where it  
6 relates to any other member of staff of the College and report to the Council,  
7 and

8 (iii) for the person in question to be afforded an opportunity of  
9 appearing and making presentations, before the Investigating Committee set  
10 up for that purpose with respect to the matter, and if the Council, after  
11 considering the report of the Investigating Committee, is satisfied that the  
12 person in question should be removed from office, the Council may remove  
13 him by an instrument in writing signed on the directions of the Council.

14 (2) The Provost may, in the case of misconduct by a member of staff  
15 which, in the opinion of the Provost, is prejudicial to the interests of the College  
16 suspend the member of staff and the suspension shall be reported to the  
17 Council.

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

21 (a) any physical or mental incapacity which the Council, after  
22 obtaining advice from a panel of two medical experts constituted by the  
23 Council, considers to be such as to tender the person concerned unfit for the  
24 performance of the functions of his office;

25 (b) any physical or mental incapacity which the Council, after  
26 obtaining medical advice from a panel of two medical experts constituted by  
27 the Council, considers to be such as to render the person concerned unfit to  
28 continue to hold his office;

29 (c) conduct of a scandalous or disgraceful nature which the Council

1       considers to be such as to render the person concerned unfit to continue to  
2       hold his office; or

3               (d) conduct which the Council considers to be such as to constitute  
4       failure or inability of the person concerned to discharge the functions of his  
5       office or to comply with the terms and conditions of service.

6               (4) Any person suspended under subsection (2) or (3), shall be  
7       placed on half pay and the Council shall, before the expiration of three  
8       months after the date of the suspension, consider the case against that person  
9       and come to a decision as to whether to:

10              (a) continue the person's suspension and if so on what terms  
11       (including the proportion of the emoluments to be paid to him);

12              (b) reinstate the person, in which case the Council shall restore his  
13       full emoluments to him with effect from the date of suspension;

14              (c) terminate the appointment of the person in question, in which  
15       case the person, shall not be entitled to the proportion of his emoluments  
16       withheld during the period of suspension; and

17              (d) take lesser disciplinary action against the person (including the  
18       restoration of such proportion of his emoluments that might have been  
19       withheld), and in any case where the Council, under this section, decides to  
20       continue a person's suspension or decides to take further disciplinary action  
21       against a person, the Council shall, before the expiration of a period of three  
22       months from such decision, come to a final determination in respect of the  
23       case concerning any such person.

24              (5) The person by whom an instrument of removal is signed under  
25       subsection (1) shall use his best endeavours to cause a copy of the instrument  
26       to be served as soon as reasonably practicable on the person to whom it  
27       relates.

28              (6) Nothing in this section shall prevent the Council from making  
29       such regulations for the discipline of other categories of staff and workers of  
30       the office as it may deem fit.

	1	PART IV - MISCELLANEOUS AND GENERAL PROVISIONS
Discipline of students	2	27.-(1) The Council may make rules providing for the Provost to
	3	conduct enquiries into alleged acts Of misconduct (including lack of
	4	discipline) by students and such rules may make different provisions for
	5	different circumstances.
	6	(2) The rules shall provide for the procedure and rules of evidence to
	7	be followed at enquiries under this section.
	8	(3) Subject to the provisions of this section, where it appears to the
	9	Provost that any student of the College is guilty of misconduct, the Provost
	10	may, without prejudice to any other disciplinary powers conferred on him by
	11	this Act or regulations made under this Act, direct that:
	12	(a) the student shall not, during the period specified in the direction,
	13	participate in the activities of the College or make use of the facilities of the
	14	College as he may specify;
	15	(b) the activities of the students shall during the period as may be
	16	specified in the direction, be restricted in the manner specified:
	17	(c) the student be suspended for such period as may be specified in the
	18	direction: or
	19	(d) the student be expelled from the College.
	20	(4) Where the post of the Provost is vacant or where the Provost
	21	refuses to apply any disciplinary measures, the Council may either directly or
	22	through some other staff apply such disciplinary actions as are specified in
	23	subsection (1) to any student of the College who is considered guilty of
	24	misconduct.
	25	(5) Where a direction is given under subsection (3) ( c) or (d) in
	26	respect of any student, the student may, within a period of twenty one days from
	27	the date of the letter communicating the decision to him appeal against the
	28	direction to the Council, and where such an appeal is brought, the Council
	29	shall, after causing an inquiry to be made in the matter as the Council considers
	30	just, either confirm or set aside the direction or modify it in the manner the

1 Council may deem fit.

2 (6) The fact that an appeal from a direction is pending under  
3 subsection (5) shall not affect the operation of the direction while the appeal  
4 is pending.

5 (7) The Provost may delegate his powers under this section to a  
6 disciplinary committee of such members of the College as he may nominate.

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

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

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

13 **28.**-(1) The Council shall keep proper records and accounts of its Financial  
14 activities and shall cause to be prepared not later than 1 st October in each provisions  
15 financial year an estimate of its revenue and expenditure for the ensuing  
16 financial year and when prepared, the estimates shall be submitted to the  
17 Minister for approval.

18 (2) At the end of each financial year but not later than 30th June, the  
19 Council shall cause to be prepared a statement of its income and expenditure  
20 during the previous financial year.

21 (3) The statement referred to in subsection (2) shall, when certified  
22 by the Provost, be audited by a firm of auditors appointed by the Council  
23 from a list of four firms in accordance with the guidelines supplied by the  
24 Auditor-General for the Federation and shall be published in the annual  
25 report of the College.

26 **29.**-(1) The College shall establish and maintain a fund (the Fund) Establishment  
27 from which shall be defrayed all expenditure incurred by the College in the of fund for the  
28 performance of its functions under this Act. College

29 (2) There shall be paid into the Fund:

30 (a) such sums as may be granted to the College by the Federal

	1	Government of Nigeria;
	2	(b) fees charged and payable to the College by the students;
	3	(c) any other amount charged or dues recoverable by the College;
	4	(d) revenue accruing to the College by way of subvention, grants-in-
	5	aid, endowment or otherwise;
	6	(e) interest on investments; and
	7	(f) donations and legacies accruing to the College from any source,
	8	for the general or special purpose of the College.
Donations for particular purposes	9	<b>30.</b> -(1) Donations of money to be applied to any particular purpose
	10	shall be placed to the credit of a Special Reserve Account approved by the
	11	Council until such time as they may be expended In fulfilment of such purpose,
	12	(2) The Council is not obliged to accept a donation of land money and
	13	other property for a particular purpose if the terms and conditions are contrary
	14	to the functions of the College.
Payment into bank	15	<b>31.</b> All sums of money received on account of the College shall be
	16	paid into the bank as may be approved for the credit of the College's general
	17	current or deposit account.
Annual report	18	<b>32.</b> The Council shall, on or before 31st December in each year,
	19	prepare and submit to the President through the Minister, a report of its
	20	activities during the preceding financial year and shall include in the report, the
	21	audited accounts of the College in respect of that financial year and the
	22	auditor's comments on the account.
Powers to make Regulations Schedule	23	<b>33.</b> -(1) The Council may make Regulations relating to any matter
	24	within its competence under this Act other than matters for which provision is
	25	to be made by standing orders under paragraph 5 of the Schedule to this Act.
	26	(2) All Regulations shall come into force when sealed with the seal of
	27	the Council unless some other date for their commencement is prescribed.
	28	(3) Nothing in subsection (2) shall make it obligatory for the Council
	29	to publish any of the Regulations in the Federal Government Gazette but the
	30	Council shall bring such Regulations to the notice of all affected persons.

- 1                   **34.-(1)** No person shall be:
- 2                   (a) required to satisfy requirements as to race (including ethnic
- 3                   grouping), sex, place of birth, family origin, religious or political persuasion
- 4                   as a condition for:
- 5                   (i) becoming or continuing to be a student at the College,
- 6                   (ii) being a holder of any certificate of the College or any
- 7                   appointment or employment at the College, or
- 8                   (iii) being a member of anybody established under this Act, and
- 9                   (b) subjected to any disadvantage or accorded any advantage in
- 10                  relation to the College by reference to any of the matters mentioned in this
- 11                  subsection.
- 12                  (2) Nothing in this section shall be construed as preventing the
- 13                  College from imposing any disability or restriction on any person where
- 14                  such person wilfully refuses or fails on grounds of religious belief to
- 15                  undertake any duty generally and uniformly imposed on all persons or any
- 16                  group of them which duty, having regard to its nature and the special
- 17                  circumstance pertaining to it, is in the opinion of the College, reasonably
- 18                  justifiable in the national interest.
- 19                  **35.** In this Act:
- 20                  "Academic Board" means the board established under section 24;
- 21                  "Junior Staff Appointments and Promotions Committee" means a body by
- 22                  that name mentioned under paragraph 2 (2)(b) of the Schedule to this Act;
- 23                  "Minister" means the Minister charged with responsibility for matters
- 24                  relating to Health;
- 25                  "Registrar" means the Registrar of the College appointed under section 17
- 26                  (1); and
- 27                  "Senior Staff Appointments and Promotions Committee" means a body by
- 28                  that name mentioned under paragraph 2 (2)(a) of the Schedule to this Act.

Exclusion or  
discrimination  
on account of race,  
religion

Interpretation

Citation

## 4

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1 (i) a chairman who shall be appointed by the Provost from among  
2 the senior staff of the College,

3 (ii) one member of the Council,

4 (iii) two members of the academic staff of the College, and

5 (iv) four students of the College.

6 (3) The Committee on Student's Affairs shall be charged with the  
7 duty of considering any:

8 (a) matter which relates to the welfare of students,

9 (b) other matter referred to it by either the Council or students of the  
10 College, and

11 (c) matter that the students refer to the Council which shall be  
12 referred to the Committee on Students' Affairs in the first instance.

13 (4) No decision of a committee shall have effect unless it is  
14 confirmed by the Council.

15 3.-(1) The Council shall meet for the conduct of business at such  
16 times as the Chairman of the Council may appoint but the meetings of the  
17 Council shall hold at least twice in a year.

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

21 (3) Particulars of the business to be transacted by the Council shall  
22 be circulated to members with the notice of the meeting at least two weeks  
23 before the date of the meeting.

24 4.-(1) Where the Council desires to obtain the advice of any person  
25 on any particular matter, it may co-opt the person as a member for a meeting  
26 whether or not expressly convened for the purpose of considering the  
27 particular matter but no co-opted member is entitled to vote or considered as  
28 part of the quorum.

29 (2) Every question put before the Council at a meeting shall be  
30 decided by a simple majority of the members present and voting.

2 Council.

4 in the case of an equality of votes, may cast a deciding vote.

inspection of such minutes.

11 Chairman for the purpose of that meeting.

12 *Miscellaneous*

generally or specifically authorised by it for that purpose.

meeting.

22 generally or specifically by the Council to act for that purpose.

25 contrary is proved, be deemed to be so executed.

30 arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Medical Laboratory Science and Technology, Eka-Midirn, Akwa-Ibom State to provide for courses leading to the award of diplomas and certificates in medical laboratory technology.



NIGERIA DIASPORA INTERVENTION TRUST FUND  
(ESTABLISHMENT) BILL 2022  
ARRANGEMENT OF SECTIONS

*Section:*

PART I - OBJECTIVE AND SCOPE AND DURATION

1. Objective
2. Scope

PART II - ESTABLISHMENT AND MANAGEMENT OF THE NIGERIA  
DIASPORA INTERVENTION TRUST FUND

3. Establishment of the Nigeria Diaspora Intervention Trust Fund
4. Financial Provision
5. Purposes of the Trust Fund
6. Functions of the Trust Fund
7. Establishment and Composition of the Board of the Trust Fund
8. Resignation by a member
9. Cessation of office
10. Removal from office of a member
11. Functions of the Board of Trustees
12. Powers of the Board of Trustees
13. Establishment of the Trust Fund Project Monitoring and  
Implementation Committee.

PART III - EXECUTIVE SECRETARY AND STAFF OF THE TRUST FUND

14. Appointment of the Executive Secretary and other staff of the Trust  
Fund.

PART IV - FINANCIAL PROVISIONS

15. Fund of the Trust Fund
16. Accounts of the Trust Fund
17. Estimates of expenditure
18. Account and audit
19. Exemption from tax.

PART V - SUBMISSION OF REPORTS AND SUPPLEMENTARY PROVISIONS

20. Quarterly report
21. Annual report
22. Power of the President to issue directives
23. Regulations
24. Assessment and Collection of Levy
25. Offences
26. Penalties
27. Jurisdiction
28. Litigation
29. Service of Documents
30. Interpretation
31. Citation

# A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIA DIASPORA INTERVENTION TRUST  
FUND AND FOR RELATED MATTERS

*Sponsored by Hon. Alhassan Kabiru Rurum, Hon. Bamidele Salam*

[ ]

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

## PART I - OBJECTIVE AND SCOPE

1                   1. The objective of this Bill is to provide a framework for                   Objective  
2   management and control of the special intervention fund established under  
3   of this Bill for providing sustainable sources of funds to support direct  
4   investment in the country for Nigeria Diaspora Intervention Trust Fund.

5                   2. The Trust Fund established under section 3 Bill aims to finance      Scope  
6    projects that meet critical needs selected based on their potential to make  
7    sustainable long term positive impact on Nigerian people need.

8 PART II - ESTABLISHMENT AND MANAGEMENT OF NIGERIA DIASPORA  
9 INTERVENTION TRUST FUND

10	3.-(1) There is established the Nigeria Diaspora Intervention Trust	Establishment
11	Fund (in this Bill referred to as "the Trust Fund").	of the Nigeria Diaspora Intervention Trust Fund

12                   (2) The Trust Fund:

13 (a) Is a body corporate with perpetual succession and common  
14 seal; and

15 (b) May sue and be sued in its corporate name.

16                   **4.-(1)** The Trust Fund shall consist of: Financial  
Provision

(a) A levy of 0.50% of the net profit of companies and organized private sector operating business in Nigeria;

19 (b) 0.1% of total revenue accruing to the federation account;

20 (c) Any take-off grant and special intervention fund as may be

	1	provided by the Federal, State and Local Government of the Federation;
	2	(d) Such money as may be appropriated to meet the objective of this
	3	bill by the National Assembly in the budget;
	4	(e) Aids, grants and assistance from international bilateral and
	5	multilateral agencies, non-governmental organizations and the private sector;
	6	(f) grants, donations, endowments, bequests and gifts, whether of
	7	money, land or any other property from any source;
	8	(g) Money derived from investment made by the Trust Fund.
	9	(2) Subsection (1) (e) and (f) shall be acceptable to the Trust Fund
	10	except where the terms and conditions attached to an aid, grant, donation or gift
	11	are inconsistent with the objective of the Trust Fund and the provisions of this
	12	Bill.
Purpose of the Fund	13	<b>5.-(1)</b> The Trust Fund shall be utilized to:
	14	(a) Meet the Federal monthly need of Nigeria Diaspora Intervention;
	15	(b) Meet the training and re-training needs of the personnel of the
	16	Nigeria Diaspora Intervention;
	17	(c) Enhance the Nigeria Diaspora Intervention for improved
	18	proficiency and employment generation;
	19	(d) Overall improvement, performance and efficiency in the
	20	discharge of constitutional roles and responsibilities;
	21	(e) Develop the Nigeria Diaspora Intervention at the National and
	22	International Nigeria Diaspora Intervention formations with facilities therein;
	23	(f) Sponsorship of Nigeria Diaspora Intervention group Community
	24	Development Service projects and Activities;
	25	(g) Financing the' procurement of operational books, instructional
	26	materials, vehicles and equipment for use at its organizational objectives;
	27	(h) Expansion of existing Nigeria Diaspora Intervention Ventures and
	28	funding of the establishment of new ones for the training of Nigeria Diaspora
	29	Intervention;
	30	(i) Such other purposes incidental to, or connected with the

1 attainment of objective of this Bill.

2 (2) Notwithstanding the provision of subsection (1(a) of this  
3 section, the Federal Government shall augment the allowances of Nigeria  
4 Diaspora Intervention in the event of economic downturn which affects the  
5 inflow of fund into the Trust Fund.

6 (3) For the purpose of subsection (2) of this section, the Board of  
7 the Trust Fund shall initiate a notice of downturn of inflow of fund and make  
8 necessary request from the President for augmentation of Nigeria Diaspora  
9 Intervention allowances and other financial needs.

10 (4) Nothing in this Bill shall waive the statutory obligations of the  
11 Federal, States/ FCT and Local Governments to Nigeria Diaspora  
12 Intervention, including responsibilities for funding and provision of  
13 facilities for its operations as enshrined in this Bill.

14 **6.-(1)** The Trust Fund shall:

Functions of the  
Trust Fund

15 (a) Receive all money accruing to it under this Bill;

16 (b) Deploy all money accruing to the Trust Fund under this Bill to  
17 meet the stated objectives of this Bill;

18 (c) Ensure the proper monitoring of the' empowered Nigeria  
19 Diaspora Intervention and intervention projects for purpose of  
20 accountability; and

21 (d) Carry out such other activities considered necessary for the  
22 attainment of the objectives of this Bill.

23 (2) A member of the Board of Trustees of the Trust Fund, other than  
24 an ex-officio member, shall hold office for a term of three years in the first  
25 instance and may be reappointed for another term of three years and no  
26 more.

27 (3) Members of the Board of the Trust Fund shall be paid such  
28 allowances as may be determined by the Board in consultation with the  
29 National Revenue, Mobilization, Allocation and Fiscal Commission.

Establishment and Composition of the Board of the Trust Fund	1	7.-(1) There is hereby established the Board of the Nigeria Diaspora
	2	Intervention Trust Fund (in this Bill referred to as "the Board").
	3	(2) The Board shall consist of:
	4	(a) Chairman and members of the Nigeria Diaspora Intervention
	5	National Governing Board as constituted in the Bill;
	6	(b) In addition to the above the following shall also be members of the
	7	Board:
	8	(i) Representative of Nigeria Diaspora Intervention supervising
	9	Ministry;
	10	(ii) Representative of Federal Ministry of finance;
	11	(iii) Representative of Organized Private Sector;
	12	(iv) Chairman of the Nigeria Governor's Forum;
	13	(v) President of Association of Local Government of Nigeria
	14	(ALGON); and
Resignation by a Member	15	(vi) A retired Director of the Nigeria Diaspora Commission on the
	16	recommendation of the Nigeria Diaspora Intervention Director-General;
	17	(3) The Director General Nigeria Diaspora Intervention shall appoint
	18	by the President on the recommendation of the Ministry of Foreign Affairs
	19	serve as the Secretary of the Board of the Trust Fund.
	20	(4) A member of the Board, other than an ex-officio member:
	21	(a) Shall be appointed by the President;
	22	(b) Shall hold office for three years in the first instance; and
	23	(c) May be reappointed for another three years and no more.
	24	8. A member, other than ex-officio member, may resign his
	25	appointment by a notice in writing under his hand addressed to the President.
Cessation of Office	26	9.-(1) A member of the Board ceases to hold office if he:
	27	(a) Becomes of unsound mind;
	28	(b) Becomes bankrupt or makes compromises with his creditors;
	29	(c) Is convicted of a felony or any offence involving fraud,
	30	dishonesty; or

1 (d) Is guilty of corrupt practices or misconduct in relation to his  
2 duties.

3 (2) A member of the Board may be removed from office by the  
4 President if he is satisfied that it is not in the interest of the Trust Fund or  
5 Public that the member should continue in that office.

6 (3) Where a vacancy occurs in the membership of the Board, it  
7 shall be filled by the appointment of a successor to hold office for the  
8 remainder of the term of office of his predecessor and the successor shall:

9 (a) Represent the same interest; and

10 (b) Be appointed by the President.

11 (4) The provisions of the Schedule to this Bill shall have effect with  
12 respect to the meetings and proceedings of the Board and other related  
13 matters.

14 **10.** Notwithstanding the provisions of sections 7 and 8 of this Bill,  
15 the President may remove a member from the Board if any circumstance  
16 which borders on corruption and other Activities that negates the interest  
17 and security of the Nation would require the removal of the member from  
18 the Board.

Removal from  
Office of a  
Member

19 **11.** The Board is responsible for:

Functions of the  
Board of Trustees

20 (i) Approving the disbursement of money from the Trust Fund to  
21 finance projects or Activities of the Nigeria Diaspora Intervention and its  
22 formations being beneficiaries of the proceeds of Trust Fund;

23 (ii) Scrutinizing and approving projects which qualify for  
24 financing under the Bill;

25 (iii) Exercising control over the management of the Trust Fund  
26 with a view to ensuring accountability and proper utilization of money in the  
27 Trust Fund for the purposes set out in this Bill;

28 (iv) Carrying out such other Activities as are considered necessary  
29 for the attainment of the objectives of this Bill;

30 (v) Updating the Federal Government on its Activities and

	1	progress through annual and audited reports;
	2	(vi) Reviewing progress and suggesting improvements within the
	3	provisions of this Bill;
	4	(vii) Making and issuing guidelines to all beneficiaries on
	5	disbursement from the Trust Fund on the use of money received from the Trust
	6	Fund; and
	7	(viii) Generally regulating the administration, application and
	8	disbursement of money from the Trust Fund under this Bill.
Powers of the Board	9	<b>12.-(1)</b> The Board has powers to:
	10	(a) Award contracts of any kind or description for any amount,
	11	whether in local or foreign currency in conformity with the due process
	12	requirements as provided under Part VI and VII of the Public Procurement Bill,
	13	2007; and
	14	(b) Invest money accruing to the Trust Fund and approve the
	15	utilization of the returns on investment in the same way as money accruing to
	16	the Trust Fund.
	17	(2) In the discharge of its duty under this Bill, the Board shall:
	18	(a) identify the funding needs of the various programmes and
	19	Activities of the Nigeria Diaspora Intervention and its formations for the
	20	enhancement of the performance of the intervention;
	21	(b) enter into contractual arrangements for the purpose of executing
	22	approved projects on behalf of the Trust Fund;
	23	(c) Oversee the implementation of projects financed through money
	24	accruing to the Trust Fund; and
	25	(d) Enter into public-private partnership and private finance initiative
	26	arrangements and agreements necessary for the project execution in
	27	accordance with Infrastructure Concession Regulatory Commission Public
	28	Private Partnership Regulations, 2014.
Establishment of the Trust Fund Project Monitoring and Implementation Committee	29	<b>13.-(1)</b> For the purpose of implementing any project approved by the
	30	Board under this Bill, there is hereby established the Nigeria Diaspora

1 Investment Trust Fund Project Monitoring and Implementation Committee  
2 (in this Bill referred to as 'the Implementation Committee').

3 (2) The Implementation Committee shall consist of:

4 (a) A Chairman; and

5 (b) Other members shall include;

6 (i) Six Nigeria Diaspora Investment Staff with proven integrity;

7 (ii) Representative of the Governor's Forum;

8 (iii) Representative of Association of Local Government of  
9 Nigeria.

10 (3) The Chairman and members of the Implementation Committee,  
11 except representatives of Governor's Forum and Association of Local  
12 Governments of Nigeria, shall be appointed by the Chief Executive of the  
13 Trust Fund.

14 (4) The Implementation Committee is responsible to the Board in  
15 the execution of its statutory duties and responsibilities assigned to it by the  
16 Board.

17 **PART III - EXECUTIVE SECRETARY AND STAFF OF THE TRUST FUND**

18 **14.**-(1) The Secretary of the Board of the Trust Fund:

19 (i) Shall keep proper records of the proceedings of the Board; and

20 (ii) Shall work closely with the Implementation Committee in  
21 discharging such duties and responsibilities as may be assigned to him by  
22 the Board.

23 (2) The Secretariat of the Trust Fund shall be domiciled in the  
24 Nigeria Diaspora Investment.

25 **PART IV - FINANCIAL PROVISIONS**

26 **15.**-(1) There is hereby established under this Bill a general fund  
27 (in this Bill referred to as "the Fund") for the administration of the Trust  
28 Fund.

29 (2) The Fund shall consist of:

30 (a) Annual budgetary allocation appropriated by National

Appointment of  
the Executive and  
other staff of the  
Trust Fund

Fund of the  
Trust Fund

	1	Assembly for the management of the Trust Fund;
	2	(b) Take-off grants and such other money as may be made available to
	3	the Trust Fund to meet the cost of administration; and
	4	(c) All other money which may be made available for the running of
	5	the Trust Fund.
Account of the Trust Fund	6	<b>16.</b> -(1) There shall be maintained for the Trust Fund, an account into
	7	which shall be paid all money accruing to the Trust Fund under section 4 of this
	8	Bill.
	9	(2) The Board shall also open and maintain an account into which
	10	shall be paid money received for management of the Trust Fund under section
	11	19(2) of this Bill.
	12	(3) The accounts referred to in subsections (1) and (2) shall be
	13	managed in accordance with the extant financial regulations of the Federal
	14	Government of Nigeria.
	15	(4) The Board shall apply the proceeds of:
	16	(a) The Trust Fund for the purposes set out in section 5 of the Bill; and
	17	(b) The money referred to in subsection (2) to meet the cost of
	18	administration, including payment of salaries, fees, other remunerations and
	19	allowances payable;
	20	(c) To members of the Board and employees of the Trust Fund; and
	21	(d) For payment of experts, professionals and consultants engaged by
	22	the Board for Trust Fund.
Estimates of Expenditure	23	<b>17.</b> The Board shall, not later than 30th June of every year, submit to
	24	the President an estimate of its income and expenditure during the succeeding
	25	year.
Account and Audit	26	<b>18.</b> The Board shall cause to be kept for the Trust Fund proper
	27	accounts and records and when certified by the Board, these accounts shall be
	28	audited by auditors appointed from the list and in accordance with the
	29	guidelines by the Auditor- General of the Federation.

1	<b>19.-(1)</b> The Trust Fund is exempted from the payment of income	Exemption from
2	tax on any income accruing from investments made by the Trust Fund or	Tax
3	otherwise.	
4	<b>(2)</b> The provisions of the Companies Income Tax Bill, 2007 or any	
5	subsequent amendment thereto and any enactment relating to the taxation of	
6	companies or trust funds do not apply to the Trust Fund.	
7	<b>PART V - SUBMISSION OF REPORTS AND SUPPLEMENTARY PROVISIONS</b>	
8	<b>20.</b> The Board shall, at the end of every three months, submit to the	Quarterly report
9	President a report on its Activities and the administration of the Trust Fund.	
10	<b>21.</b> The Board shall, not later than three months before the end of	Annual Report
11	each year, submit to the President a report on the Activities and the	
12	administration of the Trust Fund during the preceding year and shall include	
13	in such reports the certified auditor's report.	
14	<b>22.</b> The President may give to the Board directives of a general	Power of the
15	nature with regard to the performance by the Board of its functions under	President to issue
16	this Bill for compliance by the Board.	directives
17	<b>23.</b> The Board may, with the prior approval of the President, make	Regulations
18	such regulations deemed necessary or expedient for giving full effect to the	
19	provisions of this Bill.	
20	<b>24.</b> The Federal Inland Revenue Service (in this Bill referred to as	Assessment and
21	the "the Service") shall assess and collect from companies and organized	collection of levy
22	private sectors the levy imposed by this Bill and accordingly:	
23	<b>(a)</b> Shall, when assessing a company for companies income tax or	
24	petroleum profit tax for an accounting period, also proceed to assess the	
25	company or private sector for the levy due under this Bill;	
26	<b>(b)</b> The provisions of the Bill relating to the collection of	
27	companies income tax or petroleum profit tax shall, subject to this Bill,	
28	apply to the levy due under this Bill;	
29	<b>(c)</b> The levy imposed under this Bill shall be due and payable	
30	within 60 days after the Service has served notice of the assessment on a	

	1	company or sector;
	2	(d) The Service may, for the purpose of assessment and collection of
	3	the levy imposed by this Bill, devise such forms as it may deem necessary.
Offences	4	<b>25.-(1)</b> A person who contravenes or fails to comply with the
	5	provisions of this Bill is guilty of an offence under this Bill.
	6	(2) Subject to the provisions of sub-section (3) of this section:
	7	(a) If a sum due under this Bill is not paid within the time specified in
	8	that section, the Service shall serve on the Company a demand note for the
	9	unpaid sum plus a sum which is equal to 5% of the sum; and
	10	(b) If a sum demanded under paragraph (a) of this sub-section is not
	11	paid within 2 months of the demand, the Company is guilty of an offence under
	12	this Bill.
	13	(3) Notwithstanding any other provision in this Bill, it shall be the
	14	duty and responsibility of every Company liable to pay the sum to ensure that
	15	its annual returns are filed with the Service for the purpose of assessment of the
	16	sum.
	17	(4) The Board shall remit in whole or in part a sum added to the unpaid
	18	sum under sub-section 2(a) of this Bill.
	19	(5) Where an offence under this Bill is committed by a Body
	20	Corporate or firm or other association of individuals:
	21	(a) Every Director, Manager, secretary or other similar officer of the
	22	Body Corporate;
	23	(b) Every partner or officer of the Firm;
	24	(c) Every person concerned in the management of the affairs of the
	25	association; or
	26	(d) Every person who was purporting to Bill in that capacity, is
	27	severally guilty of that offence and liable to be proceeded against and punished
	28	for the offence in like manner as if he had himself committed the offence,
	29	unless he proves that the Bill or omission constituting the offence took place
	30	without his knowledge, consent or connivance.

1                   **26.**-(1) Except as otherwise provided in this Bill, a person guilty of     Penalties  
2                   an offence under this Bill shall, on conviction, be liable:

3                   (a) For a first offence, to imprisonment for a term of 6 months or to  
4                   a fine of up to N1,000,000 or both; and

5                   (b) For a second and subsequent offences, to imprisonment for a  
6                   term of 12 months or to a fine of up to N2,000,000.00 or both.

7                   (2) The institution of proceedings or imposition of a penalty under  
8                   this Bill shall not relieve a company or sector from liability to pay to the  
9                   Service a levy which is or may become due under this Bill.

10                  (3) Notwithstanding the provisions of sub-section (1) (a) and (b) of  
11                  this section, where any company or sector or corporate body liable to file a  
12                  return on the levy under this Bill fails in any year to file such return, the  
13                  Service, if it is of the opinion that such a company or sector or corporate  
14                  body is liable to pay the levy, may, according to the best of its judgment,  
15                  determine the amount of assessable profit of such company and make an  
16                  assessment of the levy in accordance with the provisions of this Bill.

17                  **27.** The Federal High Court shall have jurisdiction to try offenders     Jurisdiction  
18                  under this Bill.

19                  **28.**-(1) Without prejudice to the powers of the Attorney-General of     Litigation  
20                  the Federation under Section 174 (1) of the Constitution of the Federal  
21                  Republic of Nigeria 1999 (as amended) to institute, continue or discontinue  
22                  criminal proceedings, complaints or other proceedings arising under this  
23                  Bill shall be undertaken, conducted or defended in the name of the Board by  
24                  a Legal Officer of the Nigeria Diaspora Investment or any Legal Practitioner  
25                  appointed by the Board.

26                  (2) Legal Officers of the Nigeria Diaspora Investment or any Legal  
27                  Practitioner appointed by the Board can appear in Court on behalf of the  
28                  Trust Fund in civil matters involving the Trust Fund.

29                  (3) Subject to the provisions of this Bill, the provisions of the  
30                  Public Officers Protection Bill shall apply in relation to any suit instituted

1 against the Trust Fund or any of its officers.

2 (4) Notwithstanding anything contained in any other law or  
3 enactment, no suit against the Trust Fund or any member of the Board or any  
4 other officer or Staff of the Trust Fund for any Bill done in pursuance or  
5 execution of the Bill or any other law or enactment or of any public duty or  
6 authority or in respect of any alleged neglect or default in the execution of this  
7 Bill or such law or enactment, duty or authority shall lie or be instituted in any  
8 Court unless-

9 (a) It is commenced within 3 months next after the Bill, neglect or  
10 default complained of; or

11 (b) In the case of continuation of damage or injury, within 3 months  
12 next after the ceasing thereof.

13 (5) No suit shall be commenced against the Trust Fund or any member  
14 of the Board or any other officer of the Trust Fund before the expiration of the  
15 period of one month after written notice of intention to commence the suit shall  
16 have been served upon the Trust Fund by the intending plaintiff or his agent.

17 (6) The notice referred to in sub-section (6) of this section shall clearly  
18 and explicitly state the cause of Billion, the particulars of the Billion, the name  
19 and place of abode of the intending plaintiff and the relief which he claims.

Service of  
Document

20 **29.** A notice, summons or other document required or authorized to be  
21 served upon the Trust Fund under the provisions of this Bill or any other law or  
22 enactment may be served by delivering it to the Secretary of the Board or by  
23 sending it by registered post and addressed to the Secretary of the Board at the  
24 principal office of the Trust Fund.

Interpretation

25 **30.** In this Bill:  
26 "Board" means the Board of the Nigeria Diaspora Intervention Trust Fund,  
27 "Ministry of Foreign Affairs".

Citation

28 **31.** This Bill may be cited as the Nigeria Diaspora Intervention Trust  
29 Fund (National Youth Service Corp) (Establishment) Bill, 2022.

1 SCHEDULE

2 *Section 9 (4)*

3 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD PROCEEDINGS

4 1. Subject to the provisions of this Bill and section 27 of the  
5 Interpretation Bill, the Board may make standing orders regulating its  
6 proceedings or those of its committee.

7 2. The quorum of the Board shall be two third of the total number  
8 of members, and the Board shall determine the quorum of any committee.

9 3. The Board shall meet at least four times in each year, and shall  
10 meet whenever it is summoned by the Chairman.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Diaspora Intervention Trust Fund and enhance the Nigeria Diaspora Intervention for improved proficiency and employment generation.



# A BILL

## FOR

AN ACT TO ESTABLISH THE NIGERIAN ASSOCIATION OF PARALEGALS CHARGED, AMONG OTHER THINGS, WITH THE RESPONSIBILITY OF DETERMINING THE STANDARD OF KNOWLEDGE AND SKILLS REQUIRED OF PERSONS SEEKING TO BECOME MEMBERS OF THE ASSOCIATION AND FOR RELATED MATTERS

*Sponsored by Hon. Mohammed Tahir Monguno*

[ ] Commencement

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

- 1           1.-(1) There is hereby established a body to be known as the  
2 Nigerian Association of Paralegals (in this Act referred to as "the  
3 Association") which shall be a body corporate under that name and be  
4 charged with the general duty of:  
5           (a) advancing the practice of paralegalism (in this Act referred to as  
6 "the profession");  
7           (b) determining the standards of knowledge and skills to be  
8 attained by persons seeking to become registered members of the profession  
9 and reviewing those standards, from time to time as circumstances may  
10 require;  
11           (c) promoting the highest standard of competence, practice and  
12 conduct among the members of the profession;  
13           (d) securing, in accordance with the provisions of this Act, the  
14 establishment and maintenance of a register of members of the profession  
15 and the publication, from time to time, of lists of those persons;  
16           (e) doing such things as may advance and promote the  
17 advancement of the profession of paralegalism in both the public and private  
18 sector; and

Establishment of  
the Nigerian  
Association of  
Paralegals

Membership of  
the Association  
and Practice  
Areas of Paralegal

1 (f) performing, through the Council established under section 3 of this  
2 Act, the functions conferred on it by this Act.

3 (2) The Association shall have perpetual succession and a common  
4 seal which shall be kept in such custody as the Council established under  
5 section 3 of this Act may from time to time authorise.

6 2.-(1) Subject to the provisions of this Act, a person admitted to  
7 membership of the Association shall be registered as a member and shall be  
8 entitled to use the abbreviation "NNP" (Nigerian National Paralegal) after his  
9 name.

10 (2) The functions of a paralegal shall be limited to:

11 (a) Law office and Court Registry management;

12 (b) Conducting client interviews and maintaining general contact  
13 with the client;

14 (c) Locating and interviewing witnesses;

15 (d) Conducting investigations, statistical and documentary research;

16 (e) Conducting legal research and filing court processes;

17 (f) Drafting legal documents, correspondence and pleadings;

18 (g) Drafting legislative documents (Bills, Motions, Order Paper etc.);

19 (h) Trade Marks, Patents and Designs Agency;

20 (i) Private Limited Liability Company Secretariship;

21 (j) Non-governmental and civil society organizations management;

22 (k) Assisting legal officers in a legal department of a public or private  
23 organizations;

24 (l) Assisting law enforcement agencies in investigation and  
25 prosecution of criminal cases subject to existing laws guiding investigation and  
26 prosecution in Nigeria:

27 Provided that a paralegal shall not perform any duty that is  
28 exclusively a duty of a legal practitioner under the Legal Practitioners Act or any  
29 other law regulating legal practitioners in Nigeria.

30 (3) All persons working as or under the office of a registrar, bailiff,

1 sheriff, prosecutor, secretary, administrative officer or any related office in  
2 any court, court martial or tribunal in the Federal Republic of Nigeria, or any  
3 person working as or under the office of a secretary, administrative officer,  
4 clerical officer, intellectual property agent in any law firm, and legal  
5 department of a public or private sector in the Federal Republic of Nigeria  
6 shall acquire relevant training and certification under this Act:

7 PROVIDED that legal practitioners are exempted from acquiring  
8 such certification.

9 (4) All persons mentioned in subsection 3 of this section shall  
10 acquire training and certification in compliance with this Act within 3 years  
11 from the date of commencement of this Act.

12 (5) After the commencement of this Act, no person, authority,  
13 corporation, government agency or department, business entity etc. shall  
14 employ any person to carry out any duty of a paralegal except that person is  
15 qualified under this Act.

16 3.-(I) There shall be, as the governing body of the Association, a  
17 Council which shall be charged with the administration and general  
18 management of the Association.

Council of the  
Association

19 (2) The Council shall consist of:

20 (a) a President;

21 (b) a Vice-President;

22 (c) twelve members of the Association nominated by the  
23 Association at a general meeting to equally represent the six geo-political  
24 zones.

25 (d) all past presidents of the Association;

26 (e) three legal practitioners to be nominated by the Nigerian Bar  
27 Association;

28 (f) three staff of the Nigerian Judiciary to be nominated by the  
29 Chief Registrar of the Supreme Court of Nigeria;

30 (g) Three police officers not below the rank of Assistant

- 1 Superintendent of Police to be nominated by the Inspector General of Police;
- 2 (h) Three persons to be nominated by the Minister; and
- 3 (i) Three persons to be nominated by the Clerk of National Assembly;
- 4 (3) The President and the Vice-President shall be nominated from the
- 5 Council by members of the Association who are members of the Council.
- 6 (4) The President and Vice-President shall each hold office for a
- 7 single term, and no more, of five years from the date of their nomination.
- 8 Provided that the Vice President, after his/her tenure, is eligible for subsequent
- 9 nomination as the President.
- 10 (5) the President shall Chair all meetings of the Association, so
- 11 however that in the event of the death, incapacity or inability for any reason of
- 12 the President, the Vice- President shall act as President for the unexpired
- 13 portion of the term of office and as Chairman, as the case may be and references
- 14 in this Act to the president shall be construed accordingly.
- 15 (6) The President and the Vice-President shall respectively be
- 16 Chairman and Vice- Chairman of the Council of the Association under this Act.
- 17 (7) If the President or the Vice-President ceases to be a member of the
- 18 Association, he/she shall cease to hold any of the offices designated under this
- 19 section.
- 20 (8) The Registrar of the Association shall act as the secretary of the
- 21 Council.
- 22 (9) The provisions of the First Schedule to this Act shall have effect
- 23 with respect to the qualifications and tenure of office of members of the
- 24 Council and other matters therein mentioned.
- 25 (10) The Council may make rules on issues not expressly covered
- 26 under this Act.
- 27 **4.-(1)** The Council shall establish and maintain a fund for the purpose
- 28 of this Act.
- 29 (2) There shall be paid into the fund of the Council:

1 (a) all fees and other moneys payable to the Council in pursuance  
2 of this Act; and

3 (b) such moneys as may be payable to the Council, whether in the  
4 course of the discharge of its functions or not.

5 (3) There shall be paid out of the fund of the Council established  
6 pursuant to subsection (1) of this section:

7 (a) the remuneration and allowances of the Registrar and other  
8 employees of the Association;

9 (b) such reasonable travelling and subsistence allowance of  
10 members of the Council in respect of the time spent on the business of the  
11 Council as the Council may approve;

12 (c) any other expenses approved by the Council in the discharge of  
13 its functions under this Act.

14 (4) The Council may invest moneys in the fund in any security  
15 created or issued by or on behalf of the Federal Government or in any other  
16 securities in Nigeria approved by the Council.

17 (5) The Council may, from time to time, borrow money for the  
18 purposes of the Association and any interest payable on moneys so  
19 borrowed shall be paid out of the fund.

20 **5.** The Council shall keep proper accounts on behalf of the Accounts  
21 Association in respect of each year and proper records in relation to those  
22 accounts and shall cause its accounts to be audited after the end of the year to  
23 which the accounts relate by a firm of auditors approved by the Association  
24 in a general meeting and, when audited, the accounts shall be submitted to  
25 the members of the Association for approval by them at a general meeting of  
26 the Association.

27 **6.-(1)** The Council shall appoint a fit and proper person to be the Appointment  
of Registrar and  
preparation of the  
register  
28 Registrar for the purposes of this Act, who shall be a legal practitioner of not  
29 less than 8 years post call experience, and such other persons as the Council  
30 may, from time to time think necessary to assist the Registrar in the

1 performance of his function under this Act.

2 (2) It shall be the duty of the Registrar to prepare and maintain, in  
3 accordance with rules made by the Council, a register of the names, addresses,  
4 approved qualifications, and of such other qualifications and particulars as  
5 may be specified in the rules of all persons who are entitled in accordance with  
6 the provisions of this Act to be registered as members of the Association and  
7 who, in the manner prescribed by such rules, apply to be so registered.

8 (3) Subject to the foregoing provisions of this section, the Council  
9 shall make rules with respect to the form and keeping of the register and the  
10 making of entries therein, and in particular:

11 (a) regulating the making of application for or registration, as the case  
12 may be, and providing for the evidence to be produced in support of such  
13 applications;

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

16 (c) authorising a registered person to have any qualification which is  
17 in relation to the relevant division of the profession, whether an approved  
18 qualification or accepted qualification for the purposes of this Act; registered in  
19 relation to his name in addition to or, as he may elect, in substitution for any  
20 other qualifications so registered;

21 (d) specifying the fees, including any annual subscription, to be paid  
22 to the Association in respect of the entry of names on the register, and  
23 authorising the Registrar to refuse to enter a name on the register until any fee  
24 specified for the entry has been paid;

25 (e) specifying anything failing to be specified under the foregoing  
26 provisions of this section, but rules made for the purposes of paragraph (d) of  
27 this subsection shall not come into force until they are confirmed at a general  
28 meeting of the Association.

29 (4) It shall be the duty of the Registrar:

30 (a) to correct, in accordance with the Council's directions, any entry in

1 the register which the Council directs him to correct as being in the Council's  
2 opinion an entry which was incorrectly made;

3 (b) to make, from time to time, any necessary alteration to the  
4 registered particulars of registered persons;

5 (c) to remove from the register the name of any registered person  
6 who has died; and

7 (d) to record the names of members of the Association who are in  
8 default for more than six months in the payment of annual subscriptions, and  
9 to take such action in relation thereto (including removal of the names of  
10 defaulters from the register) as the Council may direct or require,

11 (5) If the Registrar:

12 (a) sends by post to any registered person a registered letter  
13 addressed to him at his address on the register enquiring whether the  
14 registered particulars relating to him are correct and receives no reply to the  
15 letter within a period of six months from the date of posting it; and

16 (b) upon the expiration of that period, sends in like manner to the  
17 person in question a second similar letter and receives no reply to that letter  
18 within three months from the date of posting it, the Registrar may remove  
19 the particulars relating to the person in question from the register:

20 Provided that, the Council may direct the Registrar to restore to the  
21 appropriate part of the register any particulars removed there from under this  
22 subsection.

23 7.-(1) It shall be the duty of the Registrar:

Publication of  
register

24 (a) to cause the register to be printed, published and put on sale to  
25 members of the public not later than the month of July, each year;

26 (b) to cause a print of each edition of the register and of each list of  
27 corrections to be deposited at the principal offices of the Association; and

28 (c) to keep the register and lists so deposited to be made available to  
29 members of the public at all reasonable times for inspection.

Registration of  
members

1                   **8.**-(1) Subject to section 9 of this Act and to the rules made under  
2                   section 6 (3) of this Act, a person shall be entitled to be registered as a member  
3                   of the profession if he satisfies the Council that:

4                   (a) immediately before the commencement of this Act, he holds a  
5                   qualification that the council considers acceptable;

6                   (b) he has obtained an approved training programme in Paralegal  
7                   Studies and passed the professional examination conducted by any institution  
8                   approved by the council.

9                   (2) Subject as aforesaid, a person shall also be entitled to be registered  
10                  under the Act if he holds such certificate as may be recognised by the Council  
11                  from time to time.

12                  (3) A legal practitioner under the Legal Practitioner's Act may be  
13                  given direct membership upon application and payment of prescribed fees.

14                  (3) An application for registration under this Act shall in addition to  
15                  evidence of qualification, satisfy the Council that:

16                  (a) he is of good character;

17                  (b) he has attained the age of twenty-one years; and

18                  (c) he has not been convicted in Nigeria or elsewhere of an offence  
19                  involving fraud or dishonesty or any other offence that is unbecoming of a  
20                  paralegal like unnatural offence, rape, sexual assault etc.

21                  (4) The Council may, in its sole discretion provisionally, accept a  
22                  qualification produced in respect of an application for registration under this  
23                  section or direct that the application be renewed within such period as may be  
24                  specified in the direction.

25                  (5) Any entry directed to be made in the register, under subsection (4)  
26                  of this section, shall show that the registration is provisional and no entry so  
27                  made shall be converted to full registration without the consent of the Council  
28                  signified in writing in that behalf.

29                  (6) The Council shall, from time to time, publish in the Gazette

1 particulars of qualifications for the time being accepted for registration  
2 under this Act.

3 (7) After the commencement of this Act, all registered members of  
4 the Pan-African Institute of Paralegal Studies become members of the  
5 Association and afterwards, the Institute shall cease to issue any paralegal  
6 membership certification.

7 (8) The Association shall be exclusively the only regulatory body  
8 for certification and regulation of paralegals through out the Federal  
9 Republic of Nigeria.

10 9.-(1) The Council may approve any institution for the purposes of  
11 this Act and may for those purposes approve: Approval of  
qualifications

12 (a) any course of training at any approved institution which is  
13 intended for persons seeking to become or are already members of the  
14 paralegal profession and which in the opinion of the Council is designed to  
15 confer on persons completing it sufficient knowledge and skill for the  
16 practice of the profession;

17 (b) any qualification which, as a result of an examination taken in  
18 conjunction with a course of training approved by the Council under this  
19 section, is granted to candidates reaching a standard at the examination  
20 indicating in the opinion of the Council, that the candidates have sufficient  
21 knowledge and skill for the practice of the profession.

22 (2) The Council may, if it thinks fit, withdraw any approval given  
23 under this section in respect of any course, qualification or institution; but  
24 before withdrawing such an approval the Council shall:

25 (a) give notice that it proposes to do so to persons in Nigeria  
26 appearing to the Council to be persons by whom the course is conducted or  
27 the qualification is granted or the institution is controlled, as the case may  
28 be;

29 (b) afford each such person an opportunity of making to the  
30 Council representations with regard to the proposal; and

1 (c) take into consideration any representation made as respects the  
2 proposal in pursuance of paragraph (b) of this subsection.

3 (3) A course, qualification or institution shall not be treated as  
4 approved during any period the approval is withdrawn under subsection (2) of  
5 this section.

6 (4) Notwithstanding the provisions of subsection (3) of this section,  
7 the withdrawal of an approval under subsection (2) of this section shall not  
8 prejudice the registration or eligibility for registration of any person who by  
9 virtue of the approval was registered or was eligible for registration (either  
10 unconditionally or subject to his obtaining a certificate of experience)  
11 immediately before the approval was withdrawn.

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

16 (a) as soon as may be, publish a copy of every such instrument in the  
17 Gazette; and

18 (b) not later than seven days before its publication as aforesaid.

Supervision of  
instructions and  
examinations  
leading to approved  
qualifications

19 **10.-(1)** It shall be the duty of the Council to keep itself informed of the  
20 nature of:

21 (a) the instruction given at approved institutions to persons attending  
22 approved courses of training; and

23 (b) the examinations as a result of which approved qualifications are  
24 granted, and for the purposes of performing that duty, the Council may appoint,  
25 either from among its members or otherwise, persons to visit approved  
26 institutions or to observe such examinations.

27 (2) It shall be the duty of a person appointed under this section to  
28 report to the Council on:

29 (a) the adequacy of the instruction given to persons attending  
30 approved courses of training at institutions visited by him/her;

1 (b) the adequacy of the examinations attended by him; and  
2 (c) any other matters relating to the institutions or examinations on  
3 which the Council may, either generally or in a particular case, request him  
4 to report, but no such person shall interfere with the giving of any instruction  
5 or the holding of any examination.

6 (3) On receiving a report made in pursuance of this section, the  
7 Council may, if it thinks fit, and shall, if so required by the institution, send a  
8 copy of the report to the person appearing to the Council to be in charge of  
9 the institution or responsible for the examination to which the report relates,  
10 requesting that person to make an observation on the report to the Council  
11 within such period as may be specified in the request, not being less than one  
12 month beginning with the date of the request.

13 11.-(1) There shall be a tribunal to be known as the Nigerian  
14 Association of Paralegals Disciplinary Tribunal (in this Act referred to as  
15 "the Tribunal") which shall be charged with the duty of considering and  
16 determining any case referred to it by the Investigating Panel established by  
17 the following provisions of this section and any other case of which the  
18 Tribunal has cognisance under the following provisions of this Act.

Establishment of  
Disciplinary  
Tribunal and  
Investigating  
Panel

19 (2) The Tribunal shall consist of the Chairman of the Council and  
20 six other members of the Council appointed by the Council.

21 (3) There shall be a body to be known as the Nigerian Association  
22 of Paralegals Investigating Panel (in this Act referred to as "the Panel")  
23 which shall be charged with the duty of:

24 (a) conducting a preliminary investigation into any case where it is  
25 alleged that a person registered has misbehaved in his capacity as a member  
26 or should for any other reason be the subject of proceedings before the  
27 Tribunal; and

28 (b) deciding whether the case should be referred to the Tribunal.

29 (4) The Panel shall be appointed by the Council and shall consist of  
30 four members of the Council and additional one person of whom shall not be

Penalties for  
unprofessional  
conduct

1 a member of the Council and the panel shall appoint its chairman and secretary  
2 from its members.

3 (5) The provisions of the Second Schedule to this Act shall, so far as  
4 applicable to the tribunal and panel respectively, have effect with respect of  
5 those bodies.

6 (6) The Council may make rules not inconsistent with this Act as to  
7 acts which constitute professional misconduct.

8 **12.-(1) Where:**

9 (a) a person registered under this Act is judged by the Tribunal to be  
10 guilty of infamous conduct in any professional respect; or

11 (b) a person is convicted, by any court or tribunal in Nigeria or  
12 elsewhere having power to award imprisonment, of an offence (whether or not  
13 punishable with imprisonment) which in the opinion of the Tribunal is  
14 incompatible with the status of a member of the profession; or

15 (c) the tribunal is satisfied that the name of any person has been  
16 fraudulently registered, the Tribunal may, if it thinks fit, give a direction  
17 reprimanding that person or ordering the Registrar to strike his name off the  
18 relevant part of the register.

19 (2) The Tribunal may, if it thinks fit, defer its decision as to the giving  
20 of a direction under subsection (1) of this section until a subsequent meeting of  
21 the Tribunal; but:

22 (a) no decision shall be deferred under this subsection for periods  
23 exceeding two years in the aggregate; and

24 (b) no person shall be a member of the Tribunal for the purposes of  
25 reaching a decision which has been deferred or further deferred, unless he was  
26 present as a member of the Tribunal when the decision was deferred.

27 (3) For the purposes of subsection (1) (b) of this section, a person shall  
28 not be treated as convicted, unless the conviction stands at a time when no  
29 appeal or further appeal is pending or may (without extension of time) be  
30 brought in connection with the conviction.

1 (4) When the Tribunal gives a direction under subsection (1) of this  
2 section, the Tribunal shall cause notice of the direction to be served on the  
3 person to whom it relates.

4 (5) A person to whom a direction relates may, at any time within 28  
5 days from the date of service on him of notice of the direction, appeal against  
6 the direction to the Court of Appeal and the Tribunal may appear as  
7 respondent to the appeal and, for the purpose of enabling directions to be  
8 given as to the costs of the appeal and of proceedings before Court of  
9 Appeal, the Tribunal shall be deemed to be a party thereto whether or not it  
10 appears on the hearing of the appeal.

11 (6) A direction of the Tribunal under subsection (1) of this section,  
12 shall take effect where:

13 (a) no appeal under this section is brought against the direction  
14 within the time limited for the appeal, on the expiration of that time;

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

17 (c) an appeal is brought and is not withdrawn or struck out as  
18 aforesaid, if and when the appeal is dismissed, and shall not take effect  
19 except in accordance with the foregoing provisions of this subsection.

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

28 **13.** The provisions of this Act applies.

29 **14.-(1)** Subject to subsection (2) of this section, a person shall be  
30 deemed to practice as a member of the profession if, in consideration of

Application of  
this Act to unregistered  
persons

When a person  
is deemed to practice  
as a member

1 remuneration received or to be received and whether by himself or in  
2 partnership with any other person:

3 (a) he engages himself in the practice of paralegalism or holds himself  
4 out to the public as a member of the Association; or

5 (b) he renders professional service or assistance in or about matters of  
6 principle or detail relating to paralegalism; or

7 (c) he renders any other service which may by regulations made by  
8 the Council, be designed as service constituting paralegalism practice; or

9 (2) Nothing in this section shall be construed so as to apply to persons  
10 who, while in the employment of any Government, or engaged in commerce  
11 and industry perform the duties or any of the duties of an paralegal.

Rules as to  
practice, etc.

12 **15.-(1)** The Council may also make rules:

13 (a) prescribing the amount and due date for repayment of the annual  
14 subscription;

15 (b) prescribing the form of licence to practice to be issued annually or,  
16 if the Council thinks fit, by endorsement on an existing licence; and

17 (c) restricting the right to practice in default of payment of the amount  
18 of the annual subscription where the default continues for longer than such  
19 period as may be prescribed by the rules.

20 (d) providing Code of Conduct for Paralegals in Nigeria.

21 (3) Rules when made under this section shall, if the chairman of the  
22 Council so directs, be published in the Gazette.

Provision of  
library facilities

23 **16.** The Association shall:

24 (a) provide and maintain a library comprising books and publications  
25 for the advancement of knowledge of paralegalism and such other books and  
26 publications as the Council may think necessary for 1 purpose;

27 (b) encourage research into Nigerian and international paralegal  
28 practice and such subjects as may be relevant to paralegalism to the extent that  
29 the Council may, from time to time consider necessary.

- 1                   17.-(1) If any person, for the purpose of procuring the registration      Offences  
2                   of any name, qualification or other matter:  
3                   (a) makes a statement which he believes to be false in a material  
4                   particular; or  
5                   (b) recklessly makes a statement which is false in a material  
6                   particular, he shall be guilty of an offence.  
7                   (2) If, on or after the relevant date, any person who is not a member  
8                   of the Association practices or holds himself out to practice for or in  
9                   expectation of reward or takes or uses any name, title, addition or  
10                  description implying that he is a member of the Association shall be guilty of  
11                  an offence:  
12                  Provided that, in the case of a person falling within section 13 of  
13                  this Act:  
14                  (a) this subsection shall not apply in respect of anything done by  
15                  him during the period of three months mentioned in that section; and  
16                  (b) if within that period he duly applies for membership of the  
17                  Association then, unless within that period he is notified that his application  
18                  has not been approved, this subsection shall not apply in respect of anything  
19                  done by him between the end of that period and the date on which he is  
20                  registered or is notified as aforesaid.  
21                  (3) If the Registrar or any other person employed by or on behalf of  
22                  the Association willfully makes any falsification in any matter relating to the  
23                  register, he shall be guilty of an offence.  
24                  (4) A person guilty of an offence under this section shall be liable:  
25                  (a) on summary conviction, to a fine of an amount not below  
26                  N20,000;  
27                  (b) on conviction on indictment, to a fine of an amount not  
28                  exceeding N100,000 or to imprisonment for a term not exceeding two years,  
29                  or to both such fine and imprisonment.

Regulations and  
rules

1                   **18.-(1)** Any regulations made under this Act, shall be published in the  
2                   Gazette as soon as may be after they are made and a copy of any such  
3                   regulations shall be forwarded to the Minister not later than seven days before  
4                   they are published.

5                   (2) Rules made for the purposes of this Act, shall be subject to  
6                   confirmation by the Association at its next general meeting or at any special  
7                   meeting of the Association convened for that purpose, and if annulled, shall  
8                   cease to have effect on the day after the date of annulment, but without  
9                   prejudice to anything done in pursuance or intended pursuance of any such  
10                  rules.

Interpretation

11                  **19.** In this Act, unless the context otherwise requires:  
12                  "Association" means the Nigerian Association of Paralegals established by  
13                  section 1 of this Act;  
14                  "Council" means the Council established as the governing body of the  
15                  Association under section 3 of this Act;  
16                  "Disciplinary Tribunal" means the Nigerian Association of Paralegals  
17                  Disciplinary Tribunal established under section 11 of this Act;  
18                  "fees" includes annual subscription;  
19                  "Investigating Panel" means the Nigerian Association of Paralegals  
20                  Investigating Panel established under section 11 of this Act;  
21                  "member of the Association" means a member of the Association licenced to  
22                  practice as paralegal in Nigeria;  
23                  "Minister" means the Attorney General of the Federation;  
24                  "NNA" means Nigerian National Paralegal;  
25                  "Paralegal" means a registered and financial member of the Association  
26                  "President and Vice-President" means respectively the office-holders under  
27                  those names in the Association;  
28                  "profession" means paralegalism;  
29                  "register" means the register maintained in pursuance of section 6 of this Act.  
30                  "Registrar" means a person appointed under section 6 of this Act.

1 "state" also means the Federal Capital Territory.

2                   **20.** This Bill may be cited as the Nigerian Association of Paralegals      Short title  
3      Bill, 2022.

4 SCHEDULES

## 5 FIRST SCHEDULE

6 [Section 3 (9).]

## 7 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

8 *Qualifications and Tenure of Office of Members of the Council*

9 1.-(1) Subject to the provisions of this paragraph, a member of the  
10 Council shall hold office for a period of three years beginning with the date  
11 of his appointment or nomination.

12 (2) Any member of the Association who ceases to be a member  
13 thereof shall, if he is also a member of the Council, cease to hold office in the  
14 Council.

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

(4) A person who retires from or otherwise ceases to be a nominated member of the Council shall be eligible again to become a member of the Council.

(5) Nominations to the Council shall be held in such manner as may be prescribed by rules made by the Council.

22 (6) If for any reason, a member of Council vacates office and:

(a) such member was appointed by the Minister or any other body,  
the Minister or that body may appoint another fit person to fill that vacancy;

(b) such member was nominated, the Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Association appears to warrant the filling of the vacancy, co-opt a fit person for such time as aforesaid.

29 *Proceedings of the Council*

30 2.-(1) Subject to the provisions of this Act, the Council may in the

1 name of the Association make standing orders regulating the proceedings of  
2 the Association or of any committee thereof.

3 (2) The standing orders made under sub-paragraph (1) of this  
4 paragraph shall provide for decisions to be taken by a majority of the members  
5 and, in the event of an equality of votes, the President or the Chairman shall  
6 have a second or casting vote.

7 (3) Standing orders made for a committee shall be for the committee  
8 to report back to the Council on any matter referred to it by the Council.

9 (4) The quorum of the Council shall be seven and the quorum of a  
10 committee of the Council shall be determined by the Council.

11 *Meeting of the Association*

12 3.-(1) The Council shall convene the meeting of the Association in  
13 July in every year or on such other day as the Council may, from time to time,  
14 appoint, so however, that if the meeting is not held within one year after the  
15 previous meeting, not more than fifteen months shall elapse between the  
16 respective dates of the two meetings.

17 (2) A special meeting of the Association may be convened by the  
18 Council at any time and if not less than twenty members of the Association so  
19 require, by notice in writing addressed to the Registrar of the Council setting  
20 out the object of the proposed meeting, and the Chairman of the Council shall  
21 convene a special meeting of the Association.

22 (3) The quorum of any meeting of the Association shall be twenty  
23 members and that of any special meeting of the Association shall be fifty  
24 members.

25 *Meeting of the Council*

26 4.-(1) Subject to the provisions of any standing orders of the Council,  
27 the Council shall meet whenever it is summoned by the Chairman and if the  
28 Chairman is required to do so, by notice in writing given to him by not less than  
29 five other members he shall summon a meeting of the Council to be held within  
30 fourteen days from the date on which the notice is given.

(2) At any meeting of the Council, the President, or in his absence the Vice- President, shall preside; but if both are absent, the members present at the meeting shall appoint one of their number to preside at the meeting.

(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 thinks 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 convened after consultation with the Minister.

## 13 Committees

14 5.-(1) The Council shall appoint one committee in each state of the  
15 Federation to coordinate the affairs of the Association in each state with  
16 Chief Registrar of High Court of each State as the Chairman.

(2) The Council may appoint one or more committees to carry out on behalf of the Association or of the Council such functions as the Council may determine.

(2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council of whom not more than one third may be persons who are not members of the Association.

(3) A person other than a member of the Council shall hold office on the committee in accordance with the terms of the letter by which he was appointed.

26 (4) A decision of a committee shall be of no effect until it is  
27 confirmed by the Council.

28 *Miscellaneous*

29 6.-(1) The fixing of the seal of the Association shall be  
30 authenticated by the signature of the chairman or of some other members of

1 the Council authorised generally or specially by the Association to act for that  
2 purpose.

3 (2) Any contract or instrument which, if made or executed by a person  
4 not being a body corporate, would not be required to be under seal, may be  
5 made or executed on behalf of the Association or of the Council, as the case  
6 may require, by any person generally or specially authorised to act for that  
7 purpose by the Council.

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

11 7. The validity of any proceedings of the Association or the Council or  
12 of a committee of the Council shall not be adversely affected by any vacancy in  
13 membership or by any defect in the appointment of a member of the  
14 Association or of the Council or of a person to serve on the committee or by  
15 reason that a person not entitled to do so took part in the proceedings.

16 8. Any member of the Association or of the Council and any person  
17 holding office on a committee of the Council, who has a personal interest in any  
18 contract or arrangement entered into or proposed to be considered by the  
19 Council on behalf of the Association or on behalf of the Council thereof, shall  
20 forthwith disclose his interest to the President or to the Council, as the case may  
21 be, and shall not vote on any question relating to the contract or arrangement.

22 9. A person shall not by reason only of his membership of the  
23 Association be treated as holding an office in the public service of the  
24 Federation.

## SECOND SCHEDULE

*[Section 11 (5).]*

## SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

## TRIBUNAL AND INVESTIGATING PANEL

*The Disciplinary Tribunal*

1. The quorum of the Disciplinary Tribunal shall be four of whom at least two shall be registered members.

2.-(1) The Attorney-General of the Federation may make rules as to the selection of members of the Disciplinary Tribunal for the purpose of any proceeding, and as to the procedure to be followed and the rules of evidence to be observed in proceedings before the Disciplinary Tribunal.

(2) The rules shall in particular provide:

(a) for securing that notice of the proceedings shall be given at such time and in such manner as may be specified by the rule to the person who is the subject of the proceedings;

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

(c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Disciplinary Tribunal;

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

(e) subject to the provisions of section 12 (5) of this Act, as to the costs of proceedings before the Disciplinary Tribunal;

(f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the Disciplinary Tribunal adjudges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; and

(g) for publishing in the Gazette notice of any direction of the

1 Disciplinary Tribunal which has taken effect providing that a person's name  
2 shall be struck off a register.

3 3. For the purposes of any proceedings before the Disciplinary  
4 Tribunal any member of the Disciplinary Tribunal may administer oaths and  
5 any party to the proceedings may file the registry of the High Court writs of  
6 subpoena ad testificandum and duces tecum, but no person appearing before  
7 the Disciplinary Tribunal shall be compelled:

8 (a) to make any statement before the Disciplinary Tribunal tending to  
9 incriminate himself; or

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

12 4.-(1) For the purpose of advising the Disciplinary Tribunal on  
13 questions of law arising in proceedings before it, there shall in all such  
14 proceedings be an assessor to the Disciplinary Tribunal who shall be appointed  
15 by the Council on the nomination of the Attorney-General of the Federation  
16 and shall be a legal practitioner of not less than seven years' standing.

17 (2) The Attorney-General of the Federation shall make rules as to the  
18 functions of assessors appointed under this paragraph and in particular such  
19 rules shall contain provisions for securing:

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

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

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

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

3 *The Investigating Panel*

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

5 6.-(1) The Investigating Panel may, at any of its meetings attended  
6 by all the members of the Investigating Panel, make standing orders with  
7 respect to the Investigating Panel.

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

10 *Miscellaneous*

11 7.-(1) A person ceasing to be a member of the Disciplinary Tribunal  
12 or the Investigating Panel shall be eligible for appointment as a member of  
13 the Disciplinary Tribunal or Investigating Panel, as the case may be.

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

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

24 9. Any document authorised or required by virtue of this Act to be  
25 served on the Disciplinary Tribunal or the Investigating Panel shall be  
26 served on the Registrar.

27 10. Any expenses of the Disciplinary Tribunal or the Investigating  
28 Panel shall be defrayed by the Association.

## EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigerian Association of Paralegals charged, among other things, with the responsibility of determining the standard of knowledge and skills required of persons seeking to become members of the Association.

# A BILL

## FOR

AN ACT TO AMEND THE TERTIARY EDUCATION TRUST FUND, (ESTABLISHMENT, ETC.) ACT, 2011 FOR INCLUSION OF ACADEMIC STAFF" OF RESEARCH INSTITUTIONS AND RESEARCH INSTITUTIONS OF NIGERIA RESPECTIVELY AS BENEFICIARIES OF RESEARCH GRANTS, SCHOLARSHIPS AND OTHER INTERVENTIONIST FUNDING UNDER THE TERTIARY EDUCATION TRUST FUND, (ESTABLISHMENT, ETC.) ACT, 2011 AND FOR RELATED MATTERS, 2022

*Sponsored by Hon. Obinna Chidoka*

[ ] Commencement

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

- 1           **1.** The Tertiary Education Trust Fund, (Establishment, Etc.)  
2 [Amendment], Bill, 2017, Laws of the Federation of Nigeria (Revised  
3 Edition) 2010 (in this Bill referred to as "the Principal Act") is amended as  
4 set forth in this Bill. Amendment of  
the Principal Act
- 5           **2.** The Long Title of the Principal Act is amended by substituting  
6 the phrase: Amendment of  
the Long Title  
of the Principal  
Act
- 7 "An Act to repeal the Education Tax Act Cap. E4 Laws of the Federation of  
8 Nigeria, 2004 and Education Tax Fund (Amendment) Act No. 17, 2003 and  
9 establish the Tertiary Education Trust Fund charged with the responsibility  
10 for imposing, managing and disbursing The Education Tax to public tertiary  
11 education institutions in Nigeria; and for related matters" and inserting a  
12 new Long Title as follows:
- 13 "An Act to repeal the Education Tax Act, Cap. E4, Laws of the Federation of  
14 Nigeria, 2004 and Education Tax Fund (Amendment) Act No. 17, 2003 and  
15 establish the Tertiary Education Trust Fund charged with the responsibility  
16 for imposing, managing and disbursing The Education Tax to public tertiary

	1	education institutions, and public research institutions within Nigeria; and for
	2	related matters."
Amendment of Section 3 (1) of the Principal Act	3	<b>3.</b> Section 3 (1) of the Principal Act is amended by substituting the
	4	phrase:
	5	“(1) There is established the Tertiary Education Trust Fund (in this Bill referred
	6	to as "the Fund") for the rehabilitation, restoration and consolidation of tertiary
	7	education in Nigeria which shall be managed by the Board of Trustee
	8	established under Section 4 of this Bill." and inserting a new phrase as follows:
	9	Section 3 (1) "There is established the Tertiary Education Trust Fund (in this
	10	Bill referred to as "the Fund") for the rehabilitation, restoration and
	11	consolidation of government owner tertiary educational institutions and
	12	research institutions within Nigeria which shall be managed by the Board of
	13	Trustee; established under Section 4 of this Bill."
Amendment of Section 7 (3) of the Principal Act	14	<b>4.</b> Section 7 (3) of the Principal Act is amended by substituting the
	15	phrase: "The distribution of funds shall be in the ratio of 2: 1: 1 as between
	16	Universities, Polytechnics and Colleges of Education." and inserting a new
	17	phrase as follows:
	18	"The distribution of funds shall be in the ratio of 2:2: 1: 1 as between
	19	Universities, research institutions, Polytechnics and Colleges of Education."
Citation	20	<b>5.</b> This Bill may be cited as Tertiary Education Trust Fund,
	21	(Establishment, Etc.) (Amendment) Bill, 2022.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Tertiary Education Trust Fund, (Establishment, Etc.) Act, 2011 for inclusion of academic staff of research institutions and research institutions of Nigeria respectively as beneficiaries of research grants, scholarships and other interventionist funding under the Tertiary Education Trust Fund, (Establishment, Etc.) Act, 2011.

# A BILL

## FOR

AN ACT TO AMEND NURSING AND MIDWIFERY (REGISTRATION ETC.) ACT, CAP. N143, LAWS OF THE FEDERATION OF NIGERIA 2004, TO RESTRUCTURE THE COMPOSITION OF THE COUNCIL, QUALIFICATION AND TENURE OF OFFICE OF THE MEMBERS OF THE COUNCIL, REVIEW PENALTY PROVISIONS, THE COMPOSITION OF THE TRIBUNAL, INCLUDE BACHELOR OF NURSING SCIENCE AND COMMUNITY MIDWIVES IN THE REGISTRABLE QUALIFICATIONS OF THE COUNCIL, GIVE THE COUNCIL TIMELINE WITHIN WHICH TO COMPLETE INDEXING OF STUDENTS, REGISTER PROSPECTIVE MEMBERS AND ISSUE THEM LICENSE AND COMMUNICATE THE DECISION OF THE COUNCIL TO INSTITUTIONS THAT APPLY FOR APPROVAL AND FOR RELATED MATTERS, 2022.

*Sponsored by Hon. Obinna Chidoka*

[ ] Commencement

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

- |  |   |
|--|---|
| <p>1               <b>1.</b> The Nursing and Midwifery (Registration etc.) Act Cap N143</p> <p>2       Laws of the Federation of Nigeria 2004 (in this Bill referred to as lithe</p> <p>3       Principal Act") is amended as set out in this Bill.</p>  | <p>Amendment of<br/>Nursing and<br/>Midwifery<br/>(Registration etc.)<br/>Act Cap. N143<br/>LFN, 2004</p> |
| <p>4               <b>2.</b> Section 4(2) of the Principal Act is amended by inserting new</p> <p>5       paragraphs;</p> <p>6       Section 2 of the Principal Act is amended by substituting the existing</p> <p>7       Section 2 for new Section "2":</p> <p>8               "2(1) The Council shall consist of:</p> <p>9               (a) a Chairman, who shall be a registered Nurse or Midwife, who</p> <p>10      practiced the profession for a period of not less than 20 years;</p> <p>11              (b) Director responsible for Nursing and Midwifery Services of</p> <p>12      Federal Ministry of Health;</p> | <p>Substitution of<br/>Section 2 of the<br/>Principal Act</p>   |

1 (c) six Directors responsible for Nursing and Midwifery Services of  
2 States Ministry of Health, representing six geopolitical zones, on rotational  
3 basis;

4 (d) one person, from Department responsible for Nursing and  
5 Midwifery, representing Nigerian Universities offering Degree in Nursing and  
6 Midwifery, on rotational basis;

7 (e) one Head of Nursing and Midwifery, representing University  
8 Teaching Hospitals, on rotational basis;

9 (f) two persons who shall be one Nurse and one Midwifery educator  
10 in accredited Nursing and Midwifery training schools, on rotational basis;

11 (g) one Nurse educator representing post basic Nursing programmes,  
12 on rotational basis;

13 (h) National President of National Association of Nigerian Nurses  
14 and Midwives (NANNM);

15 (i) one person representing public interest, who shall not be a health  
16 worker; and

17 (j) the Registrar of the Council, who shall be member with no voting  
18 power and Secretary to the Council.

19 2(2) The Chairman shall be appointed by the President on  
20 recommendation of the Minister, and shall hold office for a period of four years  
21 renewable, subject to satisfactory performance, for further term of four years  
22 and no more.

23 2(3) Members of the Council mentioned under sub-clause  
24 (l)(c),(d),(e),(D,(g), and (i) shall be appointed by the Minister and shall hold  
25 office for a period of three years renewable, subject to satisfactory  
26 performance, for further term of three years and no more.

27 2(4) The members of the Council shall be paid such remunerations  
28 and allowances as the Minister may from time to time determine in line with the  
29 provision of National Salaries and Wages Commission Act.

30 2(5) a member of the Council, may resign the appointment by notice

1            in writing addressed to the Minister.

2                    2(6) A member of the Council, may cease membership if the  
3            member:

4                    (a) dies or becomes of unsound mind;

5                    (b) becomes bankrupt;

6                    (c) is convicted of a felony or of any offence involving dishonesty;

7                    (d) is guilty of serious misconduct in relation to the office; or

8                    (e) when recalled by the recommending authority, or when he is no  
9            longer staff of the Institution he is representing.

10                   2(7) A member of the Council may be removed, at any time, from  
11            office by the Minister, if the Minister is satisfied that it is not in the interest of  
12            the Council or the public that the member should continue to hold office."

13                   **3.** Section 5 of the Principal Act is amended:

Amendment of  
Section 5 of the  
Principal Act

14                   (a) in subsection (i), (2), and (3) by substituting the word  
15            "Secretary-General", for the word "Registrar"; and

16                   (b) by inserting new sub-section "(6)":

17                   "(6) Where all the members of the Council are dissolved, the  
18            Registrar of the Council and the Management Staff shall function as the  
19            Council."

20                   **4.** Section 6(6) of the Principal Act is amended:

Amendment of  
Section 6(6) of the  
Principal Act

21                   (a) in paragraph (a), by substituting the word "six" for the word  
22            "one" and (b) in paragraph (b), by substituting the word "three" for the word  
23            "one".

24                   **5.** Section 8 of the Principal Act is amended:

Amendment of  
Section 8 of the  
Principal Act

25                   (a) by inserting after subsection "(3)" new subsection "(4)" and  
26            "(5)":

27                   (4) Where the applicant is dissatisfied with the decision of the  
28            Council, may apply to the Tribunal for review."

29                   "(5) The Council shall complete:

30                   (a) indexing of students within 90 days from the date of

	1	application; and
	2	(b) the registration and issuance of license within 30 days from the
	3	date of submission of application for registration".
Amendment of Section 9 of the Principal Act	4	<b>6.</b> Section 9 of the Principal Act is deleted.
Amendment of Section 10 of the Principal Act	5	<b>7.</b> Section 10 of the Principal Act is deleted.
Amendment of Section 11 of the Principal Act	6	<b>8.</b> The marginal note of section 11 of the Principal Act is amended by
	7	inserting after the word "nurses" the words "and Midwives."
Amendment of Section 12 of the Principal Act	8	<b>9.</b> The marginal note of section 12 of the Principal Act is amended by
	9	substituting the words "co-operate on" for the words "regulate."
Amendment of Section 13 of the Principal Act	10	<b>10.</b> Section 13(1) of the Principal Act is amended, by substituting the
	11	words "Chief Nursing Officer" for the words "Director Responsible for
	12	Nursing and Midwifery".
Amendment of Section 14 of the Principal Act	13	<b>11.</b> Section 14 of the Principal Act is amended:
	14	(a) in subsection (1), by substituting the words, in lines 2 to 3,
	15	"organized by the Government of the federation or of a State or by voluntary
	16	agencies" for the words "wholly owned by Government or Private individuals
	17	or both"; and
	18	(b) by inserting after the existing subsection "(3)" new subsections
	19	"(4)" to "(5)":
	20	"(4) in determining teacher student ration, the Council shall consider
	21	graduates nurses and teachers of basic medical sciences as part of the teaching
	22	staff of the Institution."
	23	"(5) after the recommendations under subsection (3) of this Section,
	24	and inspection for approval by the Council, the Council shall communicate its
	25	decision to the affected Institution within one month."
Amendment of Section 16 of the Principal Act	26	<b>12.</b> Section 16 of the Principal Act is amended by substituting:
	27	(a) in line 1, the words "Chief Nursing Officer" for the words
	28	"Director Responsible for Nursing and Midwifery"; and
	29	(b) in paragraph (b) the word "or" in line 3, for the word "and".

- 1                    **13.** Section 17 of the Principal Act is amended:
- 2                    (a) in the marginal note, by deleting the word "disciplinary";
- 3                    (b) by substituting the existing subsection (1), with new sub-
- 4 clauses "(1) and (2)":
- 5                    "(1) There is established a body to be known as Nurses and
- 6 Midwives Tribunal (in this Bill referred to as 'the Tribunal).
- 7                    "(2) The Tribunal shall be responsible for hearing and determining
- 8 matters:
- 9                    (i) referred to it by the supervisory Authority established under this
- 10 Bill,
- 11                    (ii) appeals and any other matter from the members of the
- 12 profession or the public, and
- 13                    (iii) any other matter which the Tribunal considers to be within the
- 14 practice of the profession;
- 15                    (c) by substituting subsection (2) with new sub-clause "(3)":
- 16                    "(3) The Tribunal shall consist of:
- 17                    (i) a Chairman who shall be a legal Practitioner, within the Legal
- 18 Practitioners Act who was so qualified for a period not less than 7 years, to
- 19 be appointed by the Chief Judge of the Federal High Court,
- 20                    (ii) two members of the Council,
- 21                    (iii) two representatives of NANNM, and
- 22                    (iv) a Nurse or Midwife with not less than 20 years post registration
- 23 experience, to be recommended by NANNM;
- 24                    (d) by renumbering the existing subsections (3) and (4).
- 25                    **14.** Section 20 of the Principal Act is amended:
- 26                    (a) in subsection (6) (a), by substituting the figure "1000" for the
- 27 figure "100,000" and figure "50" for figure "5000";
- 28                    (b) in subsection (6) (b), by substituting the figure "2000" for the
- 29 figure "200,000" and figure "50" for figure "5000";
- 30                    (c) by substituting subsection (7) with new subsection "(7)":

Amendment of  
Section 17 of the  
Principal Act

Amendment of  
Section 20 of the  
Principal Act

	1	"Where the offence is committed by body corporate, with the knowledge or
	2	negligence of the Director, Manager, Secretary, agent, or employee of the body
	3	corporate or both, the body corporate shall be liable to pay a fine of not less than
	4	U 1,000,000 while the Director, Manager, Secretary, agent, or employee of the
	5	body corporate or both shall be liable on conviction and punished under
	6	subsection (6) of this Act."; and
	7	(d) by inserting after the existing subsection (7) new subsection "(8)":
	8	"The Council shall review the penalty provisions from time to time."
Amendment of Section 21 of the Principal Act	9	<b>15.</b> Section 21 of the Principal Act is amended:
	10	(a) in line one, by substituting the word "Minister" for the word
	11	"Council" and by deleting after the word "Minister", the words "given on the
	12	recommendation of the Council";
	13	(b) in paragraphs (a) and (b), by substituting the figure "1000" for the
	14	figure "100,000" and figure "2000" for the figure "200,000".
Amendment of Section 23 of the Principal Act	15	<b>16.</b> Section 23(2) (b) of the Principal Act is amended by inserting after
	16	the word "such" in line 2 for the words "nursing or".
Amendment of Section 24 of the Principal Act	17	<b>17.</b> Section 24 of the Principal Act is amended by substituting the
	18	existing Section 24 with new Section "24"
	19	"A person who has a cause of action against the Council shall:
	20	(1) give the Council three months' notice, in writing, of intention to
	21	commence an action, disclosing the cause of action and served the processes to
	22	the principal office of the Council; and
	23	(2) commence the legal action within two years from the date the
	24	cause of action arose."
Amendment of Section 26 of the Principal Act	25	<b>18.</b> Section 26 of the principal Act is amended by inserting the
	26	interpretation of the word "post" immediately after the interpretation of the
	27	words "nurse" or "midwife":
	28	"post include courier, and any other electronic means of posting".
Amendment of the First Schedule to the Principal act	29	<b>19.</b> The first schedule to the Principal Act is amended by substituting
	30	the Schedule with new Schedule, attached.

1                    **20.** The second schedule part 'A' to the Principal Act is amended:

2                    (a) in Section 1:

3                    (i) by substituting paragraphs (a) to (d) for new paragraphs "(a) to  
4                    "(c)":

5                    "(a) a register for registration of community midwives on  
6                    completion of an 18 months training programme and successfully passing  
7                    the Nursing and Midwifery Council of Nigeria Qualifying examination for  
8                    the lower cadre midwives";

9                    (b) a register for registration of the persons who passed 3 years  
10                    training programme from accredited Institutions of Nursing and Midwifery  
11                    on successful completion and passing of the Nursing and Midwifery  
12                    Council of Nigeria professional examinations for Nurses and Midwives  
13                    leading to the award of the Registered Nurse (RN) and Registered Midwives  
14                    (RM) certificates; and

15                    (c) a register for graduate nurses on successful completion of the 5  
16                    years degree programmes that leads to the award of the Bachelor of Nursing  
17                    Science (BNSc) degree in addition to the final qualifying examination for  
18                    the award of the RN certificate. This category of nurses should in addition to  
19                    their initial registration as RNs be registered as Registered Graduate Nurses  
20                    (RGN) without additional examination,"

21                    (b) by deleting section 2.

22                    (2) In part 'B' by substituting section I(a) to (d) with new section  
23                    "1":

24                    "Persons holding specialised post basic nursing qualifications which  
25                    includes:

26                    (i) orthopaedics,

27                    (ii) psychiatry,

28                    (iii) ophthalmic nurses,

29                    (iv) perioperative nurses,

30                    (v) public health nurses."

Amendment of the Third Schedule to the Principal Act	1	<b>21.</b> The third schedule to the Principal Act is amended:
	2	(a) by deleting after the word "the" the word "Disciplinary", in the
	3	cross heading;
	4	(b) in section 1, by substituting the word "five" for the word "three"
	5	(c) in section 2(1), by substituting the words "Chief Justice of
	6	Nigeria" for the word "Chief Judge of the Federal High Court
Citation	7	<b>22.</b> This Bill may be cited as Nursing and Midwifery (Registration
	8	etc.) Act (Amendment) Bill, 2022.



1           (4) Where the Council desires to obtain an expert opinion from a  
2     person not being a member of the Council, the Council may co-opt such person  
3     for such period the Council may determine but the co-opted person shall not  
4     have the right to vote or to count in forming a quorum.

5           (5) The validity of any proceeding of the Council or of a committee  
6     shall not be adversely affected by any vacancy in the membership of the  
7     Council or Committee or by any defect in the appointment of a member of the  
8     Council or Committee or by reason that a person not entitled to take part in the  
9     proceedings of the Council or the Committee took part in the proceedings.

10          (6) Any member of the Council or of a Committee of the Council who  
11     has personal interest in any contract or arrangement entered into or proposed to  
12     be considered by the Council or a Committee, shall forthwith disclose his  
13     interest to the Council or the Committee and shall not vote on any question  
14     relating to the contract or arrangement.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend Nursing and Midwifery (Registration etc.) Act Cap N143 Laws of the Federation of Nigeria 2004, to restructure the composition of the Council, qualification and tenure of office of the members of the Council, review penalty provisions, the Composition of the Tribunal, include Bachelor of Nursing Science and community midwives in the registrable qualifications of the Council, give the Council timeline within which to complete indexing of students, register prospective members and issue them license and communicate the decision of the Council to Institutions that apply for approval.

# A BILL

## FOR

AN ACT TO PROVIDE FOR THE PAYMENT OF TUITION FEES AND OTHER  
LEVIES IN INSTALLMENTS BY STUDENTS IN EDUCATIONAL INSTITUTIONS  
OWNED BY THE FEDERAL GOVERNMENT AND FOR RELATED MATTERS

*Sponsored by Hon. Adebayo Olusegun Balogun*

[ ] Commencement

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

- 1           **1.** As from the commencement of this Act, it shall be lawful for      Payment of tuition  
2      any student in an educational institution owned by the Federal Government      fees and levies in  
3      who does not have the means of paying at once any levy installments or fee      installments  
4      charged by his school, to pay such levy or fee in installments.
- 5           **2.** A student shall be permitted to pay in two or three equal      Fees payable in  
6      installments, any fee or a combination of fees amounting to N 60, 000 (Sixty      two or three equal  
7      thousand Naira) or more that is charged by his school for any purpose equal      installments  
8      at a given period.
- 9           **3.-(1)** Any sum presented as installment in accordance with the      Obligation to  
10     provision of section 2 of this Act, shall be accepted by the bursar of the      receive fees and  
11     school or any official designated by the school to collect such fees from the      levies in installments  
12     students.
- 13          **(2)** Where a student is required to pay any fee under this Act into a  
14     particular bank account, any receipt issued by the bank in acknowledgement  
15     of the payment shall be sufficient evidence that the fee has been paid.
- 16           **4.** It shall be unlawful for the management of any educational      Prohibition unjust  
17     institution owned by the Federal Government to suspend, dismiss or prevent      sanctions against  
18     the participation of any student in academic activities of such institution on      students  
19     the ground that such student did not pay at once, the fee required to be paid  
20     by him.

Affidavit on part-payment to be submitted	1	<b>5.-(1)</b> A student paying any fee in installment under this Act, shall
	2	submit to the bursar or any person designated to collect fees in that school, an
	3	affidavit deposed to in a High Court by his parent stating the fact that he has no
	4	ability to pay the fee for his child at once.
	5	(2) An affidavit deposed to under subsection 1 of this section shall:
	6	(i) disclose the age, occupation, financial and health status of each of
	7	the parents of the student concerned.
	8	(ii) indicate the time the balance of the fee will be paid in the term or
	9	semester.
Obligation to pay outstanding balance of fees	10	<b>6.</b> Where the part of any fee or levy has been paid by a student, the
	11	balance thereof shall be paid by him before the completion of the term,
	12	semester or academic session as the case may be.
Sanction against failure to complete payment	13	<b>7.</b> Notwithstanding the provision of section 4 of this Act, an
	14	institution of learning under this Act shall have the power to suspend or prevent
	15	the participation of a student in academic activities if the student fails to pay the
	16	balance of his fee.
Punishment for refusal to collect part-payment	17	<b>8.</b> Any official of an educational institution owned by the Federal
	18	Government, who refuses to accept the part of any fee or levy from a student
	19	under this Act, shall be guilty of an offence and liable on conviction to an
	20	imprisonment for a term of six months or a fine of N500, 000 or both.
Punishment for unlawful suspension of student	21	<b>9.</b> Any official of an educational institution owned by the Federal
	22	Government who directs the suspension or prevention of a student from
	23	academic activities in contravention of this Act, shall be guilty of an offence
	24	and liable on conviction to an imprisonment for a term of twelve months or a
	25	fine of N500, 000 or both.
Punishment for false statement in affidavit	26	<b>10.</b> Any person who knowingly makes a false statement in an
	27	affidavit in order to secure any benefit under this Act, shall be guilty of an
	28	offence and liable on conviction to an imprisonment for a term of six months or
	29	a fine of N50, 000 or both.

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11. In this Act, unless the context otherwise requires:

"parent" includes the guardian of a pupil or student;

"school" means an educational institution owned by the Federal Government.

12. This Bill may be cited as the Payment of Tuition Fees and Other Levies by Installments in Federal Educational Institutions Bill, 2022.

Interpretation

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the payment of tuition fees and other levies in installments by students in educational institutions owned by the Federal Government in order to make education more affordable for Nigerian citizens.



# A BILL

## FOR

AN ACT TO PROVIDE THE LEGAL FRAMEWORK TO ESTABLISH SPECIALIST  
HOSPITAL AND INFECTIOUS DISEASES CENTRE, KWOI, KADUNA STATE  
AND FOR RELATED MATERS

*Sponsored by Hon. Amos Magaji Gwamna*

[ ] Commencement

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

- |  |  |  |
|--|--|--|
| 1<br>2<br>3<br>4                                   | <b>1.</b> -(1) There is hereby established Specialist Hospital and<br>Infectious Diseases Centre Kwoi, Kaduna State (in this Act referred to as<br>"Specialist Hospital") and Specialist Hospital shall serve as the Medical<br>Centre subject to the provisions of this Act.  | Establishment of<br>Specialist Hospital<br>and Infectious<br>Diseases Centre,<br>Kwoi, Kaduna<br>State |
| 5<br>6<br>7<br>8                                   | (2) The Specialist Hospital and Infectious Diseases Centre:<br>(a) Shall be a body corporate;<br>(b) May sue and be sued in its corporate name<br>(c) Shall have perpetual secession and a common seal.  |  |
| 9<br>10<br>11                                      | <b>2.</b> There is hereby established a Board of Management (in this Act<br>referred to as "Board"), which shall be constituted and have the functions<br>and powers set out in this Act.  | Establishment<br>of Board of<br>Management of<br>Medical Centre  |
| 12<br>13<br>14<br>15<br>16<br>17<br>18<br>19<br>20 | <b>3.</b> -(1) The Board shall consist of:<br>(a) chairman;<br>(b) the Chief Medical Director;<br>(c) the Director of Clinical Services;<br>(d) the Director of Infectious Diseases;<br>(e) the Director of Finance & Administration;<br>(f) the Director of Maintenance;<br>(g) A representative of the President;<br>(h) the Federal Ministry of Health; | Composition of<br>the Board  |

- 1 (i) the National Centre for Disease Control;
- 2 (j) the Society of Gynecology and Obstetrics of Nigeria;
- 3 (k) the Pharmaceutical Society of Nigeria;
- 4 (l) the Pediatric Association of Nigeria;
- 5 (m) the National Association of Nigeria Nurses and Midwives; and
- 6 (n) one Person to represent public interest.
- 7 (2) The Chairman and members of the Board, other than ex-fficio
- 8 members, shall be:
- 9 (a) appointed by the President; and
- 10 (b) persons of proven integrity and ability.
- 11 (3) The Supplementary provisions set out in the Schedule to this Act
- 12 shall have effect with respect to the proceedings of the Board and the other
- 13 matters contained therein.
- 14 (4) Subject to the provision of section 5 of this Act, a member of the
- 15 Board, other than ex-officio members, shall each hold office:
- 16 (a) for a term of three years in the first instance and may be re-
- 17 appointed for a further term of three years and no more; and
- 18 (b) on such terms and conditions as may be specified in his letter of
- 19 appointment.
- 20 **4.-(1)** Notwithstanding the provisions of section 5 of this Act person
- 21 shall cease to hold office as member of the Board if:
- 22 (a) he becomes bankrupt, suspends payment principal load with his
- 23 creditors;
- 24 (b) he is convicted of a felony or any offence involving dishonesty or
- 25 fraud;
- 26 (c) he becomes unsound mind or is incapable of carrying out his
- 27 duties;
- 28 (d) he is guilty of a serious misconduct in relation to his duties; or
- 29 (e) in the case of a person possessed of professional qualifications, he
- 30 is disqualified or suspended, other than at his own request, from practicing his

Tenure of office

1 profession in any part of the world by an order of a competent authority  
2 made in respect of that member; or

3 (f) he resigns his appointment by a letter addressed to the President.

4 (2) If a member of the Board ceases to hold office for any reason  
5 whatsoever, before the expiration of the term for which he is appointed,  
6 another person representing the same interest as that member shall be  
7 appointed of the Board for the unexpired term.

8 (3) A member of the Board may be removed by the President if he is  
9 satisfied that it is not in the interest of the Federal Hospital or the interest of  
10 the public that the member continues in office.

11 5. There shall be paid to every member of the Board such Allowances of  
12 Allowance and expenses as the Revenue Mobilization Allocation and Fiscal  
13 Commission may, from time to time, direct. Members

#### 14 PART II - FUNCTIONS AND POWERS OF THE BOARD, ETC

15 6.-(1) The Board shall: Functions of the  
16 Board

17 (a) equip, maintain and operate the Hospital so as to provide  
18 facilities for diagnosis, curative, promotive and rehabilitative services in.  
19 medical treatment;

20 (b) construct, equip, maintain and operate such training schools  
21 and similar institutions as the Board considers necessary for proving the  
22 Hospital at all times a proper staff of the Hospital technicians and nurses;

23 (c) construct, equip, maintain and operate such clinics, out-patient  
24 departments, laboratories, research or experimental stations and other like  
25 institutions as the Board consider necessary for the efficient functioning of  
26 the Hospital.

27 (2) The Board shall ensure that the standards of teaching provided  
28 at all establishment under its control and the standards of treatment and care  
29 provided for patients at those establishments do not fall below those usually  
30 provided by similar establishments of international repute.

(3) Subject to this Act, the Board shall perform such other

	1	functions which in its opinion are calculated to facilitate the carry out of its
	2	functions under this Act.
Power of the Board	3	7. The Board shall have power to:
	4	(a) Provide the general policies and guidelines relating to major
	5	expansion programmes of the Medical Center;
	6	(b) provide facilities for the training of medical students of associate
	7	universities and Colleges;
	8	(c) Manage and superintend the affairs of the Specialist Hospital and
	9	Infectious Diseases Centre, Kwoi;
	10	(d) subject to the provisions of this Act, make, alter and revoke rules
	11	and regulations for carrying on the functions of the Specialist Hospital and
	12	Infectious Diseases, Centre, Kwoi;
	13	(e) fix terms and conditions of service, including remuneration of the
	14	employees of Specialist Hospital and Infectious Diseases, Centre, Kwoi,
	15	subject to the approval if National Salaries incomes and Wages Commission;
	16	(f) do such other things which in the opinion of the Board are
	17	necessary to ensure the efficient performance of the functions of Specialist
	18	Hospital and Infectious Diseases Centre, Kwoi.
	19	PART III - STAFF OF SPECIALIST HOSPITAL AND INFECTIOUS
	20	DISEASES CENTRE, KWOI
Medical Director of the Medical Centre	21	8.-(1) There shall be Federal Hospital a Chief Medical Director who
	22	shall be appointed by the president on the recommendation of the Board and on
	23	such terms and conditions as may be specified in his letter of appointment or as
	24	may be determined, from time to time, by the National Salaries Income and
	25	Wages Commission.
	26	(2) The Chief Medical Director shall:
	27	(a) be the Chief Executive and accounting officer of Specialist
	28	Hospital and Infectious Diseases Centre, Kwoi;
	29	(b) be responsible to the Board for the day-to-day administration of
	30	the Specialist Hospital and Infectious Diseases Centre, Kwoi;

1 (c) be appointed for a term of four years in the first instance and  
2 may be reappointed for a further term of four years subject to satisfactory  
3 performance;

4 (d) be a person who-is a medical practitioner and shall have been so  
5 qualified for a period of not less than 15 years;

6 (e) have considerable administrative experience in matters of  
7 health;

8 (f) hold a post-graduate specialist qualification obtained not less  
9 than ten years prior to the appointment as Chief Medical Director;

10 **9.-(1)** The Board shall appoint for Specialist Hospital and  
11 Infectious Diseases Centre, Kwoi-

Appointment of  
Director of Finance  
and Administration

12 (a) a Director of Finance & Administration, who shall:

13 (i) be responsible to the Chief Medical Director for the effective  
14 functioning of all Financial and Administrative divisions of the Hospital;

15 (ii) conduct the correspondence of the Board and keep the records  
16 of the Hospital; and

17 (iii) perform such other functions as the Board or the Chief Medical  
18 Director, as the case may be, may, from time to time, assign to him.

19 (b) a Director of Clinical Services;

20 (c) a Director of Infectious Diseases;

21 (d) a Director of Maintenance.

22 (2) The Director appointed under paragraphs (b), (c) and (d) of  
23 subsection (1) of this section shall each be responsible to the Chief Medical  
24 Director for the effective running of the clinical services, the finance and  
25 accounts and the co-ordination of the maintenance of the Hospital as the  
26 case may be.

27 (3) The Board shall appoint for the Hospital such number of  
28 employees as may in the opinion of the Board be expedient and necessary  
29 for the proper and efficient performance of the function of the Hospital.

30 (4) Notwithstanding the provisions of subsections (1) and (2) of

1 this section the Board shall have power to appoint for the Hospital either  
2 directly or on secondment from any public service in the Federation such  
3 number of employees as may, in the opinion of the Board, be required to assist  
4 the Hospital in the discharge of any of its function under this Act.

5 (5) Nothing in subsection (4) of this section shall preclude the Board.  
6 from appointing persons from outside the public service of the Federation or of  
7 the State whenever it deems it necessary so to do.

8 (6) The terms and conditions of service (including remuneration  
9 allowances, benefits and pensions) of the employees of the Hospital shall be as  
10 determined by the National Salaries Income and Wages commission.

Functions of  
Specialist Hospital  
and Infectious  
Diseases Centre,  
Kwoi

11 **10.-(1)** The Hospital shall:

12 (a) provide national leadership in Hepatitis research, control and  
13 treatment;

14 (b) guide scientific improvements to hepatitis prevention, treatment  
15 and care;

16 (c) coordinate and liaise between the wide range of groups and health  
17 care providers with interest in hepatitis treatment;

18 (d) make recommendations to the Government policies and  
19 programmes in hepatitis control;

20 (e) Oversee a dedicate budget for research into Hepatitis; and

21 (f) assist with the implementation of Government policies and  
22 programmes in hepatitis control.

Pension

23 **11.-(1)** Service in the Hospital shall be approved service for the  
24 purposes of the Pension Reforms Act.

25 (2) The officers and other persons employed in the Hospital shall be  
26 entitled to pensions, gratuities and other retirement benefits as are enjoyed by  
27 persons holding equivalent grades in the civil service of the Federation.

28 (3) Nothing in subsections (1) and (2) of this section shall prevent the  
29 appointment of a person to any office on terms which preclude the grant of  
30 pension and gratuity in respect of that office.



	1	(a) the cost of administration and maintenance of the Hospital;
	2	(b) publicize and promoted the activities of the Hospital;
	3	(c) pay allowances, expenses and other benefits of members of the
	4	Board and committees of the Board;
	5	(d) pay the salaries, allowances and benefits of employees of the
	6	Hospital;
	7	(e) pay other overhead allowances, benefits and other administrative
	8	costs of the Hospital; and
	9	(f) undertake such other activities as are connected with all or any of
	10	the function of the Specialist Hospital and Infectious Disease Centre under this
	11	Act.
Power to accept gifts	12	<b>15.-(1)</b> The Specialist Hospital and Infectious Diseases Centre, Kwoi
	13	may accept gifts of land, money or other property on such terms and conditions,
	14	if any, as may be specified by person or organization making the gift.
	15	(2) The Hospital shall not accept any gift if the conditions attached by
	16	the person or organization making the gift are inconsistent with the functions of
	17	the Hospital under this Act.
Annual Estimates	18	<b>16.-(1)</b> The Board shall, not later than 30 September in each year,
	19	submit to the President through the Secretary to the Government of the
	20	Federation an estimate of the expenditure and income of the Medical Center
	21	during the next succeeding year.
	22	(2) The Board shall cause to be kept proper accounts of the Hospital in
	23	respect of each year and proper records in relation thereto and shall cause the
	24	account to be audited not later than six months after the end of each year by
	25	auditors appointed from the list and in accordance with the guidelines supplied
	26	by the Auditor -General for the Federation.
Annual reports	27	<b>17.</b> The Board shall prepare and submit to the President, not later than
	28	activities of the Hospital during the immediately preceding year, and shall
	29	include in the report a copy of the audited accounts of the Hospital and
	30	Infectious Diseases Centre, for that year and the auditor's report thereon.

1	<b>18.</b> -(1) The Medical may, from time to time, borrow by overdraft or	Borrowing
2	otherwise such sums as it may require for the performance of its functions'	
3	under this Act.	
4	(2) The Specialist Hospital and Infectious Diseases Centre, Kwoi	
5	shall not, without the approval of the President, borrow money which	
6	exceeds, at any time, the limit set by the President.	
7	(3) Notwithstanding subsection {I} of this section, where the sum	
8	to be borrowed is in foreign currency, the Hospital shall not borrow the sum	
9	without the prior approval of the President.	
10	<b>19.</b> -(1) The Specialist Hospital and Infectious Diseases Centre,	Exemption from
11	Kwoi shall not pay income tax on any income derived by the Hospital and	tax
12	Infectious Diseases Centre, under this Act or accruing to it from any of its	
13	investment.	
14	(2) Accordingly, the provisions of any enactment relating to the	
15	taxation of companies or trust funds shall not apply to the Board Hospital	
16	and Infectious Diseases Centre,	
17	<b>20.</b> The Specialist Hospital and Infectious Diseases Centre, Kwoi	Exemption from
18	shall not pay customs duty on or be restricted or prohibited from importing	customs duties
19	any equipment, material, supply and any other high required by the Hospital	
20	for the purposes if this Bill.	
21	PART V - GENERAL	
22	<b>21.</b> -(1) Notwithstanding anything to the contrary contained in any	Discipline of
23	other enactment, where it appears to the Board that any student of the	students
24	Hospital has been guilty of misconduct, the Board may, without prejudice to	
25	any other disciplinary powers conferred on it by regulations, direct:	
26	(a) that the student shall not, during such period as may be specified	
27	in the direction, participate in such activities of the Hospital, or make use of	
28	such facilities of the Hospital as may be so specified;	
29	(b) that the activities of the student shall, during such period as may	

1 be specified in the direction, be restricted in such manner as may be so  
2 specified;

3 (c) that the student be rusticated for such period as may specified in  
4 the direction; or

5 (d) that the student be expelled from the Hospital.

6 (2) The fact that an appeal from a direction is brought in pursuance of  
7 subsection (1) of this section shall not affect the operation of the direction while  
8 the appeal is pending.

9 (3) The Board may delegate its power under this section to make  
10 disciplinary committee consisting of such members if the Hospital as the Board  
11 may nominate.

12 (4) Nothing in this section shall be construed as preventing the  
13 restriction or termination of student's activities at the Hospital otherwise than  
14 on the ground of misconduct.

15 (5) A direction issued under subsection (1) (a) of this section may be  
16 combined with a direction a direction issue under 'subsection (1) (b) of this  
17 section.

18 (6) Nothing in this Act shall affect the provision of this Act, enactment  
19 relating to the discipline of medical practitioners, pharmacists, midwives,  
20 nurses or member of any other profession or calling.

21 **22.**-(1) If it appears to the Board that there is reason is for believing  
22 that any person employed as a member of the clinical, administrative or  
23 technical staff of the Hospital, other than the Chief Medical Director, should be  
24 removed from his office or employment, the Board shall require the Director of  
25 Administration to:

26 (a) give notice of those reason to the person in question;

27 (b) afford him an opportunity of making representation in person on  
28 the matter to the Board; and

29 (c) if the person in question so requests within a period of 1 month  
30 beginning with the date of the notice, male arrangement for:

1                   (i) a committee-to-investigate the matter and report on it to the  
2       Board; and

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

9                   (2) The Chief Medical Director may, in a case of misconduct by a  
10       member of the staff which in the opinion of the Chief Medical Director is  
11       prejudicial to the interest of Hospital, suspend any such member and any  
12       such suspension shall for with be reported to the Board.

13                  (3) For good cause, any member of staff may be suspended from  
14       his duties or his appointment may be terminated or he may be dismissed by  
15       the Board and for the purposes of this section, "good cause" means:

16                  (a) a conviction for any offence which the Board consider to be  
17       such as to render the person concerned unfit for the discharge of the  
18       functions of his office;

19                  (b) any physical or mental incapacity which the Board, after  
20       obtaining medical advice, continue to hold his office;

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

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

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

1 (a) whether to continue the person's suspension and if so, on what  
2 terms (including the proportion of his emoluments to be paid to him);

3 (b) whether to reinstate the person, in which case the Board shall  
4 restore his full emoluments to his with effect from the date of suspension;

5 (c) whether to terminate the appointment of the person concerned, in  
6 which case he shall not be entitled to the proportion of his emoluments  
7 withheld during the period of suspension; or

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

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

19 (6) Nothing in the foregoing provisions of this section shall preclude  
20 the Board from making such regulations not inconsistent with the provisions of  
21 this Act for the discipline of students and all other categories of employees of  
22 the hospital as the Board may prescribe.

23 (7) Regulations made under subsection (6) of this section need not be  
24 published in the Gazette but the Board shall cause them to be brought to the  
25 notice of all affected persons in such manner as it may, from time to time,  
26 determine.

Discipline of  
Junior Staff

27 **23.-(1)** If any junior staff is accused of misconduct or inefficiency, the  
28 Chief Medical Director may suspend him for not more than a period of 3 months  
29 and shall direct a committee to:

30 (a) consider the case; and

1 (b) male recommendations as to the appropriate action to be taken  
2 by the Chief Medical Director.

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

6 (3) The Chief Medical Director may, after considering the  
7 recommendation made pursuant to subsection (1) (b) of this section dismiss,  
8 or take such other disciplinary action against the officer concerned.

9 (4) Any person aggrieved by a decision of the Chief Medical  
10 Director made under subsection (3) of this section may, within a period of 21  
11 days from the date of the letter communicating the decision to him, address a  
12 petition to the Board to reconsider his case.

13 PART VI - MISCELLANEOUS

14 **24.**-(1) The Board may with the approval of the President, make Regulations  
15 regulations:

16 (a) as to the access of members of the public either generally or of a  
17 particular class, to premises under the control of the Board and as to the  
18 orderly conduct of members of public on those premises; and

19 (b) for safeguarding any property belonging to or controlled by the  
20 Board from damage by members of the public.

21 (2) Bye-laws under this section shall not come into force until they  
22 are confirmed (with or without modification) by the National Assembly and  
23 published in such manner as he may direct.

24 **25.** The President may give to the Board directions of a general Power to give  
25 character or relating generally to particular matters (but not to any individual directives  
26 person or case) with regard to the exercise by the Board of its functions  
27 under this Act, and it shall be the duty of the Board to comply with the  
28 directions; but no direction shall be given which is inconsistent with the  
29 duties of the Board under this Act.

30 **26.**-(1) On the commencement of this Act, any person employed by

	1	or serving in, the Specialist Hospital shall be deemed to have been employed or
	2	serving in the Hospital established under this Act.
	3	(2) All Asset or liabilities belonging to the General Hospital shall be
	4	deemed to belong to the Hospital established under this Act.
Interpretation	5	<b>27.</b> In this Act, unless the context otherwise requires:
	6	"associate universities" means the universities whose medical student receive
	7	aspects of their training from the Hospital;
	8	"Board" means the Board Management of the Hospital;
	9	"Chairman" means the chairman of the Board;
	10	"Functions" include powers and duties;
	11	"Specialist Hospital and Infectious Diseases Centre, Kwoi, Kaduna State"
	12	means the Hospital;
	13	"junior staff" means staff of such grade as may be determined, from time to
	14	time, by the Board;
	15	"medical student" means a student whose course of instruction is:
	16	(a) designed (either alone or in conjunction with other courses) to
	17	enable him to qualify as a medical practitioner; or
	18	(b) designed for the further training of medical practitioners;
	19	"Minister" means the Minister charged with responsibility for matters relating
	20	to health and "Ministry" shall be construed accordingly;
	21	"student" means a person enrolled at an institution controlled by the Board for
	22	the purpose of pursuing a course of instruction at the institution
Citation	23	<b>28.</b> This Bill may be cited as the Specialist Hospital and Infectious
	24	Diseases Centre, Kwoi, Kaduna State (Establishment) Bill, 2022.

1 FIRST SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO BOARD, ETC

3 *Proceedings of the Board*

4 1.-(1) Subject to this Act and section 27 of the Interpretation Act,  
5 the Board May make standing orders regulating its proceedings or those of  
6 any of its committees.

7 (2) The quorum of the Board shall be the chairman or the person  
8 presiding at the meeting and 5 other members of the Board, 2 of whom shall  
9 be ex-officio members, and the quorum of any Committee of the Board shall  
10 be as determined by the Board.

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

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

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

23 *Committee*

24 3.-(1) The Board may appoint one or more committees to carryout,  
25 on behalf of the Board, such functions as the Board may determine.

26 (2) A committee appointed under this paragraph shall consist of  
27 such number of persons as may be determined by the Board and a person  
28 shall hold office on the committee in accordance with the terms of his  
29 appointment.

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

3 *Miscellaneous*

4 4.-(1) The fixing of the seal of the Hospital shall be authenticated by  
5 signatures of the Chairman, the Chief Medical Director or any person generally  
6 or specifically authorized by Board to act for that purpose.

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

11 (3) a Document purporting to be a document duly executed under the  
12 seal of the Hospital shall be received in evidence and shall, under and until the  
13 contrary is proved, be presumed to be so executed.

14 5. The validity any proceedings of the Board or of a committee shall  
15 not be adversely affected by:

16 (a) a vacancy in the membership of the Board or committee;

17 (b) a defect in the appointment of a member of the Board or  
18 committee; or

19 (c) reason that a person not entitled to do so took part in the  
20 proceedings of the Board or committee.

#### EXPLANATORY MEMORANDUM

This Bill seeks to provide legal framework to establish Specialist Hospital and Infectious Diseases Centre, Kwoi, Kaduna State and to guide scientific improvements to hepatitis prevention, treatment and care.

# A BILL

FOR

AN ACT TO ESTABLISH GINGER RESEARCH INSTITUTE SAMARU KATAF,  
KADUNA STATE AND FOR RELATED MATTERS, 2022

*Sponsored by Hon. Amos Magaji Gwamna*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF GINGER RESEARCH INSTITUTE

2 SAMARU KATAF, KADUNA STATE

3 1.-(1) There is hereby establish the Ginger Research Institute  
4 Samaru Kataf, Kaduna State (in this Bill referred to as the "Institute").

Establishment of  
Ginger Research  
Institute Samaru  
Kataf, Kaduna  
State

5 (2) The Institute:

6 (a) shall be a corporate body with perpetual succession and a  
7 Common seal;

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

9 (c) may for the purposes of performance of its functions under this  
10 Bill, acquire, hold movable or immovable property and enter into contract or  
11 any other transaction for the purposes of carrying out any of its functions.

12 2. The functions of the Institute shall be to:

Functions of the  
Institute

13 (a) To conduct research into the genetic improvement, production,  
14 processing, storage and socio-economy of ginger of economic importance;

15 (b) Assist into research of the system of massive productions of  
16 ginger varieties above, so that Nigeria can achieve self sufficiency in ginger  
17 crop;

18 (c) Assist in the transfer, adaptation and utilization of the end  
19 results of researches to get to the appropriate and relevant farmers, for the  
20 rapid agricultural and socio- economic growth of Nigeria;

21 (d) Carry out appropriate research to ensure compliance with

- 1 standards and specifications designated by the Institute and approved by other  
2 regulatory authorities in Nigeria for effective control of quality of ginger crop;
- 3 (e) Identify indigenous technologies in the area of ginger crops  
4 processing and develop them into modern technologies;
- 5 (f) Establish and equip research and development laboratories with  
6 relevant facilities in the Institute;
- 7 (g) Liaise with relevant establishments within and outside Nigeria in  
8 pursuance of the functions of the Institute;
- 9 (h) Establish and operate world class laboratories and workshop as  
10 centers of excellence for cutting edge research in ginger crop research;
- 11 (i) Establish demonstration centers to ensure rapid commercialization  
12 of its research as well as providing necessary avenues for training and re-  
13 training especially for students of agricultural studies in tertiary institutions of  
14 learning;
- 15 (j) Encourage and promote the commercialization of research and  
16 development innovation results through patents in conjunction with the  
17 National Office for Technology Acquisition and promotion (NOTAP);
- 18 (k) Establish and operate State Offices for effective delivery and  
19 deployment of its research results especially in the North West Zone of Nigeria;
- 20 (l) Provide technical consultancy services for revenue generation and  
21 for quality control;
- 22 (m) Collaborate with relevant bodies, especially tertiary institutions  
23 to develop curricula or modules for appropriate knowledge transfer and  
24 training programmes with a view of diploma awards;
- 25 (n) Achieve a high research and development output and revenue;
- 26 (o) Become a member of any relevant International Scientific bodies;
- 27 (p) Publish research results of its activities and collaborate with  
28 educational institutions and other relevant government Institutes,  
29 organizations, agencies, Councils and industries in research and;
- 30 (q) Carry out other activities as are necessary or expedient for the

1 performance of its functions under this Bill.

2 **3.** There is established a Governing Board (hereinafter in this Bill  
3 referred to as "the Board") which shall formulate policy for the Institute.

Establishment of  
the Governing  
Board of then  
Institute

4 **4.-(1)** The Institute shall consist of:

Composition of  
the Governing  
Board of the  
Institute

5 (a) A Chairman, appointed by the President with requisite  
6 knowledge and experience in matters relating to global agricultural research  
7 and development;

8 (b) The Minister charged with the responsibility for Science and  
9 Technology or his representative;

10 (c) The Minister charged with responsibility for agriculture and  
11 Rural Development or his representative;

12 (d) A representative of the Nigeria Academy of Science;

13 (e) A representative of the Nutrition Society of Nigeria (NSN);

14 (f) A representative of the Nigerian Institute of Foods, Science and  
15 Technology (NIFST);

16 (g) One representative each from the Six Geopolitical Zones,  
17 appointed by the President on the recommendation of the Minister for  
18 Agriculture and Rural Development;

19 (h) A person appointed by the President on the recommendation of  
20 the Minister to represent the Civil Society organizations; and

21 (i) The Director-General of the Institute who shall be the Board's  
22 Secretary.

23 (2) The supplementary provision set out in the First Schedule to  
24 this Bill shall have effect with regard to the proceedings of the Board and  
25 other matters contained in the Schedule.

26 **5.-(1)** The Chairman of the Board shall hold office for a term of  
27 four years and may be eligible for re-appointment for another term of four  
28 years and no more.

Tenure of the  
Members of the  
Governing Board  
of the Institute

29 (2) A member of the Board who is not an ex-officio member shall  
30 hold office for a term of four years and may be eligible for re-appointment

	1	for another term of four years and no more.
Remuneration of members of the Governing Board of the Institute	2	<b>6.</b> The Chairman and other members of the Board shall be paid such
	3	allowances and expenses in accordance with such rates as may be approved by
	4	the Federal Government of Nigeria from time to time.
Removal of the Chairman or any member of the Board of the Institute	5	<b>7.-(1)</b> When it appears that the Chairman or any member of the Board,
	6	other than an ex- officio member should be removed from office on the grounds
	7	of misconduct or inability to perform the functions of his office, the Board shall
	8	make a recommendation through the Minister to the President for approval.
	9	(2)Where the President, after making such inquiries as he considers
	10	necessary, approves the recommendation made through the Minister by the
	11	Board, the Secretary to the Government of the Federation shall, in writing
	12	declare the position vacant.
	13	(3)Notwithstanding the provision of subsection (1) of this section, the
	14	President may remove any member of the Governing Board, where he is
	15	satisfied that it is in the interest of the Institute and the public to do so.
Resignation by a member of the Board of the Institute	16	<b>8.</b> A member of the Governing Board other than an ex-officio member
	17	may at any time by notice in writing addressed to the President through the
	18	Minister, resign from being a member of the Board of the Institute.
Cessation of members of the Board from office	19	<b>9.</b> Notwithstanding the provisions of Section 4 of this Bill, a member
	20	of the Board ceases to hold office as a member, where:
	21	(a)He resigns his appointment as a member of the Board by notice
	22	under his hand addressed to the President of the Federal Republic of Nigeria;
	23	(b)He becomes of unsound mind;
	24	(c) He becomes bankrupt;
	25	(d) He is convicted of a felony or any other offence involving
	26	dishonesty or corruption;
	27	(e) He becomes incapable of performing the functions of his office,
	28	either arising from infirmity of mind or body;
	29	(f) The President of the Federal Republic of Nigeria is satisfied that it
	30	is not in the interest of the Institute or in the interest of the public for the person

1            to continue in office;

2                    (g) He has been found guilty under the Code of Conduct or serious  
3            misconduct in relation to his duties; or

4                    (h) In the case of a person who becomes a member by virtue of the  
5            office he occupies ceases to hold such office.

6                    **10.** In the event of death or resignation by a member of the     Filling of  
7            Governing Board or where the office of a member of the Board becomes     vacancies  
8            vacant, a replacement shall be appointed by the President of the Federal  
9            Republic of Nigeria.

10            PART II - POWERS AND FUNCTIONS OF THE BOARD OF THE INSTITUTE

11                    **11.** The Board shall have powers to:

12                    (a) Formulate policies and ratify short and long term plans of the     Powers of the  
13            Institute;     Board

14                    (b) Ratify the annual budget and estimates of the Institute in line  
15            with approval granted by the National Assembly in the Appropriation Act;

16                    (c) Approve research and Academic programmes of the Institute;

17                    (d) Approve investment plan of the Institute;

18                    (e) Consider and approve the capital development plans of the  
19            Institute;

20                    (f) Receive and consider proposals, recommendations and  
21            suggestions of the Director-General or any Committee of the Governing  
22            Board on matters relating to the functions of the Institute under this Bill;

23                    (g) Constitute any Committee that may be necessary to discharge  
24            any of the functions assigned to it under this Bill;

25                    (h) Attract funds by way of donations and contributions to the  
26            Institute and put in place mechanisms for collection and utilization of funds;

27                    (i) Invest surplus funds of the Institute in profit-yielding ventures;  
28            and

29                    (j) Carry out or exercise any other powers that may be necessary for  
30            the attainment of the objects of this Bill.

The structure of  
the Institute

- 1 **12.-(1)** The Institute shall have:
- 2 (a) Its headquarters in Kaduna State;
- 3 (b) Liaison office or Directorate in Abuja; and
- 4 (c) State offices in the remaining five states of the North West Zone of
- 5 Nigeria which include:
- 6 (1) Kano State;
- 7 (2) Katsina State;
- 8 (3) Kebbi State; and
- 9 (4) Jigawa State;
- 10 (5) Sokoto State.
- 11 (2) The Institute shall operate a departmental structure with
- 12 directorate or any other structure as may be considered necessary for the
- 13 performance of its functions and delivery of its services under this Bill.
- 14 (3) The head of the Research Directorate shall be designated as head
- 15 of Department and headed by a Director.
- 16 (4) The head of Research Directorate shall hold office for 3 years in
- 17 the first instance and renewable for another 3 years and no more.
- 18 (5) Notwithstanding the provisions of subsection (3) of this Section,
- 19 in the absence of a Director or head of the Research Directorate, the most
- 20 Senior Research Officer may be appointed in acting capacity on the
- 21 recommendation of the Director- General of the Institute to the Board.
- 22 (6) A Department shall have no more than five divisions, with each
- 23 division headed by a Deputy Director and a division may consists of Sections,
- 24 headed by Chief Research or Scientific Officer and a Section may also be
- 25 composed of units for effectiveness.
- 26 (7) State Offices shall be headed by a State Office Coordinator.

27 **PART III - APPOINTMENT OF THE DIRECTOR- GENERAL AND OTHER**  
28 **STAFF OF THE INSTITUTE**

Appointment  
of the Director-  
General of the  
Institute

- 29 **13.-(1)** There is appointed for the Institute a Director-General, who
- 30 shall be the Chief Executive Officer and Accounting Officer of the Institute.

- 1                    (2) The Director-General shall be:
- 2                    (a) Appointed by the President on the recommendation of the
- 3 Minister;
- 4                    (b) Responsible to the Board for the management of the affairs of
- 5 the Institute;
- 6                    (c) Responsible for the execution of the policy and day to day
- 7 Administration of the affairs of the Institute;
- 8                    (c) Entitled to earn a remuneration and allowances as may be
- 9 Specified in his letter of appointment;
- 10                   (d) A person with cognate experience and Skills of not less than 15
- 11 years post-doctoral qualification and or 25 years post qualification as a
- 12 professional in all fields of Agricultural Science that relates to the operations
- 13 of the Institute or other criteria as may be specified;
- 14                   (e) Hold office for a term of four years at the first instance and
- 15 eligible for re-appointment for another term of four years on such terms and
- 16 conditions as may be specified in his letter of appointment and no more; and
- 17                   (f) Shall be the Secretary to the Institute and the Governing Board,
- 18 but not a member of the Board.

19                   **14.** The Director- General shall:

The duties of the  
Director-General  
of the Institute

- 20                   (a) Prepare the minutes of meetings of the Governing Board and
- 21 any of its Committees;
- 22                   (b) Keep and secure all records of the Governing Board;
- 23                   (c) Issue notice of meetings of the Governing Board as may be
- 24 directed by the Chairman;
- 25                   (d) Be responsible for the implementations of the resolutions of the
- 26 Governing Board;
- 27                   (e) Coordinates the preparation of income and expenditure,
- 28 estimates and development plans for the Governing Board's consideration;
- 29                   (f) Have custody of the seal of the Institute;
- 30                   (g) Perform such other functions as may be assigned by the Board.

Principal officers of the Institute	1	<b>15.-(1)</b> The principal officers of the Institute shall include:
	2	(a) Directors;
	3	(b) Head of Department;
	4	(c) State Office Coordinators;
	5	(d) Head of Servicom Office;
	6	(e) Chief Internal Auditor;
	7	(f) Head of Pension Office;
	8	(g) Head of Legal; and
	9	(h) Head of Procurement.
	10	(2) The Directors, Heads of Departments or State Office Coordinators
	11	shall assist the Director-General in the day-to-day management of the Institute
	12	(3) Directors or State Office Coordinators shall:
	13	(a) Head each of the Directorate of the Institute;
	14	(b) Implement the policies of the Institute as they apply to the
	15	Directorate;
	16	(c) Prepare draft expenditure estimates and development plans of his
	17	Directorate;
	18	(d) Serve on Scientific or Technical Advisory Committee of the
	19	Institute; and
	20	(e) Perform such other functions as may be determined by the
	21	Director-General.
Other staff of the Institute	22	<b>16.</b> The Board may from time to time, appoint or employ such other
	23	persons as members of Staff of the Institute on the recommendation of the
	24	Director-General as may be necessary, subject to the extant rules and
	25	conditions of service of the Institute.
Remuneration of employees of the Institute	26	<b>17.</b> Salaries and benefits of the Staff of the Institute shall be in
	27	accordance with the conditions and scheme of service in other Research
	28	Institutes in Nigeria as may be approved by the Board of the Institute.
Staff Regulations	29	<b>18.-(1)</b> The Board may make staff regulations or adopt staff
	30	conditions of service that is independent of the Civil Service of the Federation

1            that may provide for:

2                    (a) Remuneration and tenure of office of members of staff of the  
3            Institute;

4                    (b) Appointment, promotion, fringe benefits and incentive for  
5            members of staff of the Institute; and

6                    (c) Appeal procedure for members of staff of the Institute against  
7            dismissal or other disciplinary measures.

8                    (2) The Board shall have power to amend regulations made under  
9            this Bill, provided that the proposal for, is passed by two-thirds majority of  
10           the Board members.

11                   (3) All regulations made by the Board subject to the provisions of  
12           this Bill, may be published in the Official Gazette of the Federal  
13           Government of Nigeria.

14                   **19.**-(1) The Principal Officers of the Institute may be removed  
15           from office by the Board with the approval of the Minister.

Removal and  
discipline of Staff  
of the Institute

16                   (2) Any other senior member of Staff of the Institute may be  
17           removed from office by the Director-General with the approval of the  
18           Board.

19                   (3) The removal from office of any Junior Staff shall be with the  
20           approval of the Director-General.

21                   **20.**-(1) Service in the employment of the Institute shall be as  
22           approved service under the Pensions Reform Act, accordingly, employees  
23           of the Institute shall, in respect of their services be entitled to Pension and  
24           other retirement benefits as prescribed in the Act.

Application of  
the Pensions  
Reforms Act

25                   (2) Notwithstanding provisions of Subsection (1) of this section,  
26           nothing in this Bill shall prevent the appointment of a person to any office on  
27           terms, which preclude the gratuity in respect of that office.

28                   (3) For the purpose of the application of the Pensions Reform Act,  
29           any power exercisable in the Act by the President or authority other than the  
30           Federal Government (not being the power to make Regulations under

1 Section 34 of this Bill), shall be vested in and exercisable by the Institute.

2 (4) Subject to Subsection (2) of this Section, the Pensions Reform  
3 Act, shall in its application of Subsection (3) of this Section, have effect as if,  
4 the office were in the public service of the Federation within the meaning of the  
5 Constitution of the Federal Republic of Nigeria, 1999( as altered).

6 **PART IV - STRUCTURE AND CONSTITUTION OF THE INSTITUTE**

Constitution of  
Scientific Technical  
Advisory Committee

7 **21.**-(1) The Institute may establish Scientific Technical Advisory  
8 Committee (in this Bill referred to as the Committee) in the areas of Research to  
9 assist the Institute in various aspects of its responsibilities.

10 (2) The members of a Scientific or Technical Advisory Committee  
11 shall be persons with requisite expertise and experience in the relevant areas of  
12 interest of the Institute.

Establishment  
of demonstration  
Centers

13 **22.**-(1) The Institute may with the approval of the Chairman of the  
14 Board or Minister, establish Demonstration Centers in any of the six geo-  
15 political zones of Nigeria, based on the nature of the cotton derivable from the  
16 area or zone.

17 (2) The Institute shall provide for:

18 (a) the location of the demonstration centers;

19 (b) the field in which the centers are to conduct its work and  
20 manpower training, where applicable;

21 (c) the transfer to the centers by mutual agreement, any existing  
22 Federal, State and Local Government facilities;

23 (d) the establishment and constitution of senior officers of the  
24 Institute to manage the affairs of the centers;

25 (e) the demonstration centers be fully equipped to enable it carry out  
26 training, research and development activities; and

27 (f) a suitable association and collaboration of the Demonstration  
28 centers with Universities and other institutions of higher learning.

29 (3) The Institute may with the approval of relevant authorities  
30 establish the Institute's Consult, which shall be a semi-autonomous body to

1 commercialize the Institute's research results.

## 2 PART IV - FINANCIAL PROVISIONS

3                   **23.-(1)** The Institute shall establish and maintain a fund which shall                   Establishment  
4                   be applied towards the promotion of the objectives of the Institute specified                   of fund for the  
5                   in this Bill.                   Institute

6 (2) The fund established in pursuance of subsection (1) of this  
7 Section is:

(a) such sums as may be provided by the Government of the Federation or appropriated by the National Assembly for payment into the fund of the Institute;

(b) fees charged for services rendered by the Institute; including royalties on the Institute's results ceded to farmers or institutions for national development in areas of agriculture.

(c) all sums accruing to the Institute by way of gifts, testamentary dispositions, endowments or contributions from philanthropic persons or organizations;

17 (d) contributions from the organized private sector;

(e) foreign aids and assistance from bilateral and multilateral Agencies; and

(f) proceeds from commercialization of research results of the  
Institute.

(3) Notwithstanding the provisions of Subsection (2) of this Section, every application for registration into the Institute's Journal shall attract a fee, which shall be credited and maintained in a separate account of the Institute, part of which shall be used for the publication of the Institute's Journal.

27 **24.** The Institute shall apply the fund established under this Bill to: Expenditure of  
the Institute

(a) Conduct research and development activities in the capital  
project of the Institute;

1 (b) Maintain the Head Office and establish State Offices for the  
2 Institute;

3 (c) Pay allowances and expenses of members of the Board;

4 (d) Sponsor local and international conferences, seminars, workshops  
5 for members of Staff of the Institute;

6 (e) Provide scholarship and award for specialized training for  
7 personnel;

8 (f) Publicize and promote the activities of the Institute;

9 (g) Support national and international bodies and pay annual dues and  
10 other contributions for scientific organizations, in which Nigeria is a member;  
11 and

12 (h) Undertake any other activity in connection with the objects of this  
13 Bill;

Annual Estimates  
Accounts

14 **25.**-(1) The Institute shall not later than 30th September of every year,  
15 submit to the Board and the National Assembly for approval its estimates of  
16 Income and expenditure for the next financial year.

17 (2) The Institute shall:

18 (a) keep proper records of all accounts of its income and expenditure;  
19 and

20 (b) Prepare statement of account in respect of each financial year.

21 (3) The Institute shall not later than 30th June of each financial year,  
22 submit its accounts to Auditors appointed from the list of qualified auditors in  
23 accordance to guidelines laid down by the Auditor-General for the Federation  
24 and the Auditors fees and expenses shall be paid from the funds of the Institute  
25 and provide same to the National Assembly for oversight purposes.

Annual report

26 **26.**-(1) The Institute shall not later than 30th June of each financial  
27 year submit to the Board and the National Assembly for approval its estimates  
28 of income and Expenditure for the next financial year in respect of the  
29 preceding year an annual report on the activities of the Institute in such form as  
30 the Board may direct.

1 (2) The report referred to in Subsection (1) of this Section shall

2 include:

3 (a) Information on the activities of the Institute for the year;

4 (b) A copy of the audited accounts of the Institute for that year

5 together with the Auditor- General report on the accounts of the Institute;

6 and

7 (c) Such other information as the Board may request.

8 (3) The Director-General shall provide such information on the

9 affairs of the Institute as the Board may from time to time request.

10 **27.** All income derived by the Institute from sources specified in

Exemption from  
tax

11 section 23 subsection (2) of this Bill shall be exempted from income tax and

12 all contributions to the fund of the Institute shall be tax deductible.

13 **28.** Subject to the approval by the Board, the Institute may invest

Capital Production  
Income

14 in profitable production of agricultural produce for commercial purposes by

15 joint venture, partnership, share-holding or as sole proprietor as the case

16 may be and the net income generated shall be paid into the fund of the

17 Institute.

18 **29.** The Institute may, with the consent, or in accordance with any

Borrowing and  
Investment Power  
of the Institute

19 general authority given by the Board, borrow by way of loan or overdraft,

20 any specified amount of money required by the Institute for its obligations

21 and functions under this Bill in line with extant laws and Regulations.

22 (2) The Institute may, subject to the provisions of this Bill and the

23 constitutions of any trust created in respect of any property, invest any of its

24 funds with the consent or general authority of the Board.

25 (3) The Institute may invest any of its surplus funds in such

26 securities as the Board may, from time to time, approve.

27 **PART V - MISCELLANEOUS**

28 **30.-(1)** The Institute may accept any gift of land, money or other

Power to accept  
gifts

29 property upon such terms and conditions, if any, as specified by the person

30 or organization making the gift.

	1	(2) The Institute shall not accept any gift where the conditions
	2	attached by the person or organization making the gift are inconsistent with the
	3	functions and objectives of the Institute.
	4	(3) A gift donated to the Institute or project of the Institute shall be
	5	made directly to the Institute and shall be utilized only for the purpose.
The seal of the Institute	6	<b>31.</b> -(1) The seal of the Institute shall be such as may be administered
	7	by the Board, signed by the Chairman of the Board and the Director-General.
	8	(2) Certificates issued by the Institute shall have the Institute's seal
	9	affixed and signed by the Chairman of the Board and the Director- General of
	10	the Institute.
	11	(3) Any contract or instrument which, if made or executed by a person
	12	not being a body corporate, would not be required to be under seal may be made
	13	or executed on behalf of the Institute by any authorized person.
Power to make Regulations	14	<b>32.</b> The Board may make regulations:
	15	(a) To regulate the activities and programmes of the Institute, or any
	16	matter connected with the Institute; or
	17	(b) For the effective implementation of any of the provisions of this
	18	Bill.
Limitation of suit against the Institute t	19	<b>33.</b> -(1) subject to the provisions of this Bill, the provisions of the
	20	Public Officers Protections Act, shall apply to any suit instituted against the
	21	Institute, an Officer of the Institute or employee of the Institute.
	22	(2) No suit shall lie or be instituted in any Court of Law against the
	23	Institute, a member of the Board or any Principal Officer or Employee of the
	24	Institute for an action carried out in pursuance to the execution of this Bill or
	25	any enactment, or of any public duty in respect of any alleged neglect or default
	26	in the execution of this Bill or duty or authority, unless it is commenced:
	27	(a) within three months of such act, neglect or default complained
	28	thereof; or
	29	(b) in the case of a continuation of damage or injury, within six
	30	months after the ceasing of the act, neglect or default.

1                    (3) No suit shall be commenced against the Institute, a member of  
2                    the Board or any Principal Officer or employee of the Institute before the  
3                    expiration of a period of one month after written notice of the intention to  
4                    commence the suit has been served on the Institute by the intending Plaintiff  
5                    or his Agent.

6                    (4) The notice referred to in subsection (3) shall clearly state the:

7                    (a) cause of action;

8                    (b) particulars of the claim;

9                    (c) the name and place of abode of the intending Plaintiff; and

10                   (d) the relief sought.

11                   **34.-(1)** Any notice or other document required or authorized to be     Service of notice  
12                   served Service of notice on or given to any person for the purposes of this  
13                   Bill, may be served or given by:

14                   (a) Delivering it to that person, or by leaving it at his usual or last  
15                   known place of residence or business or at the address specified by him in  
16                   any notice, application or other document made, given or tendered to the  
17                   Institute under this Bill; or

18                   (b) Posting it by registered mail to him at that place of residence or  
19                   business or at that address.

20                   (2) Where any of such notice or other document sent by registered  
21                   mail, unless the contrary is proved, it shall be deemed to have been delivered  
22                   to him when it would have been delivered in the ordinary course of a posting  
23                   mail unless the contrary is established and in proving the delivery, it shall be  
24                   sufficient to prove that there is return Post Office slip or Speed Post slip  
25                   showing actual delivery.

26                   (3) When for any purpose under this Bill, a notice or document is  
27                   required to be served on a firm or company, the notice or document may be  
28                   served on the Secretary, Executive Officer or other Officer holding a similar  
29                   position in the organization and the service unless otherwise directed by the

	1	Institute, be deemed to be served on all persons who are members of the
	2	organization.
	3	(4) Any service of notice or process on the Institute shall be by proven
	4	registered post or personal service on any Principal Officer of the Institute.
Power to give directives by the Minister	5	<b>35.</b> The Minister may give to the Institute, directives of a general
	6	character relating to the policies and functions of the Institute and shall comply
	7	with such directives without prejudice to the powers of the Board and the
	8	oversight of the National Assembly.
Exemption from tax accruing from investment	9	<b>36.-(1)</b> The Institute shall be exempted from the payment of income
	10	tax in any income accruing from investment made by the Institute.
	11	(2) The provision of any enactment relating to the taxation of
	12	companies or Trusts Funds shall not apply to the Institute.
Joint Venture targets fro technology acquisition	13	<b>37.</b> The Institute shall impose conditions and set targets for the
	14	formation of Joint Ventures or Partnerships between multinational services,
	15	Research Institutes, institutions or service companies in all sectors of the
	16	economy and certified indigenous services companies for the purpose of
	17	technological training and acquisition.
Research targets and development of research products	18	<b>38.</b> The Institute shall make regulations with requirement and targets
	19	for the growth of Research and Development in the areas of Food and other
	20	Agro-allied raw materials but not limited thereof as may be reviewed by the
	21	Institute, in Nigeria.
Interpretation	22	<b>39.</b> In this Bill, unless the context otherwise requires-
	23	"Board" means the Governing body of the Institute established under section3
	24	(1);
	25	"Chairman" means the Chairman of the Governing Board of the Institute
	26	appointed under section 14(1);
	27	"Fund" means the fund of the Institute as established under section 25 of this
	28	Bill;
	29	"Institute" means the Ginger Research Institute Samaru Kataf, Kaduna State,
	30	established under section 1(1) of this Bill;

1            "Minister" means the Minister responsible for Science and Technology;

2            "Member" means a member of the Board;

3            "President" means the President of the Federal Republic of Nigeria;

4            "Principal Officer" means the Directors and other Officers as specified in  
5            section 16 of this Bill;

6            "Public Service" has the meaning assigned to it in the Constitution of the  
7            Federal Republic of Nigeria, 1999 as altered;

8            "Secretary" means the Secretary to the Board of the Institute.

9                         **40.** This Bill may be cited as the Ginger Research Institute Samaru     Short title  
10           Kataf, Kaduna State (Establishment) Bill, 2022.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

3 *Proceedings of the Board*

4 1. Subject to this Bill and section 42 of the interpretation Act, the  
5 Board may make standing orders regulating its proceedings or those of any of  
6 its Committees.

7 2. The quorum of the Board shall be the Chairman or the person  
8 presiding the meeting and two other members of the Board and the quorum of  
9 any Committee of the Board shall be determined by the Board.

10 3. The Board shall meet not less than four times in each year and  
11 subject thereto, the Board shall meet whenever it is summoned by the  
12 Chairman or where the Chairman is required to do so by a notice given to him  
13 by not less than 4 other members, he shall summon a meeting of the Board to be  
14 held within 28 days from the date on which the notice is given.

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

18 5. Where the Board desires to obtain the advice of any person on a  
19 particular matter, the Board may co-opt such person for such a period as it  
20 deems fit, but a person who is in attendance by virtue of this sub-paragraph  
21 shall not be entitled to vote at any meeting of the Board and shall not count  
22 towards a quorum;

23 6. The Board may set up one or more Committees to carryout, on  
24 behalf of the Board, such functions as the Board may determine.

25 7. A Committee set up under this paragraph shall consist of such  
26 number of persons as may be determined by the Board and a person shall hold  
27 office on the Committee in accordance with the terms of his appointment.

28 8. A decision of a Committee shall be of no effect until it is confirmed  
29 by the Board.

30 9. The validity of the proceedings of the Board or of a Committee

1       thereof shall not be affected by any vacancy in the membership of the Board  
2       or of a Committee.

10. Any member of the Board or any person holding office on a Committee of the Board, who has personal interest in any contract or arrangement shall disclose his interest to the Board and shall not vote on any matter relating to the contract or arrangement.

7 *Miscellaneous*

8 11. The fixing of the seal of the Board shall be authenticated by the  
9 signature of the Director- General/Chief Executive Officer or any person  
10 generally or specifically authorized by the Board to act for that purpose.

11                   12. Any contract or instrument which, if made or executed by a  
12                   person not being a body corporate, would be required to be under seal may  
13                   be made or executed on behalf of the Board by the Director- General/CEO or  
14                   any person generally or specifically authorized by the Board to act for that  
15                   purpose.

16                   13. Any document purporting to be a document duly executed  
17                   under the seal of the Board shall be received in evidence and shall, unless  
18                   and until the contrary is proved, be presumed to be so executed.

19 14. The validity of any proceeding of the Board or a Committee  
20 shall not be affected by-

21 (a) A vacancy in the membership of the Board or Committee;

22 (b) A defect in the appointment of a member of the Board or  
23 Committee; or

24 (c) Reason that a person not entitled to do so took part in the  
25 proceedings of the Board or Committee.

# EXPLANATORY MEMORANDUM

This Bill seeks to establish the Ginger Research Institute Samaru Katsf, Kaduna State for the conduct of research on ginger to enhance its growth and commercialization so that the nation can be self-sufficient in cotton production.



# A BILL

## FOR

AN ACT TO ESTABLISH THE POLICE PROCUREMENT FUND FOR THE  
PROCUREMENT OF LAW ENFORCEMENT EQUIPMENT TO ASSIST THE  
NIGERIAN POLICE FORCE IN THE PROTECTION OF LIVES AND PROPERTY;  
AND FOR RELATED MATTERS, 2022

*Sponsored by Hon. Obinna Chidoka*

[ ] Commencement

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

1           **1.** There is hereby established a Fund to be known as the Police  
2   Procurement Fund (in this Bill referred to as "the Fund") into which shall be  
3   paid:

Establishment  
of the Fund

4           (a) such sums being one percent deduction of monthly revenue  
5   allocations due to the Federal, State and Local Governments;

6           (b) any other sums, from time to time, freely donated by other  
7   Governments, International Bodies, Non-governmental Organizations,  
8   Private Sector or accruing to the Government and;

9           (c) such sums as may be provided for the purpose of equipping the  
10   Police by the Federal Government.

11          **2.** The Fund shall be utilized for:

Utilization of  
the Fund

12          (a) the procurement of body armour, ballistic vests, electronic  
13   surveillance equipment, armoured vehicles, helicopters, personal carriers,  
14   communication equipment, armaments and munitions and other law  
15   enforcement equipment;

16          (b) renovations, training, welfare, motivation and enhancement of  
17   police performance.

18          **3.-(1)** There shall be for the purpose of administering the Fund, a

Police Procurement  
Fund Board

1 body to be known as the Police Procurement Fund Board which shall consist  
2 of:

- 3 (a) the President of the Federal Republic of Nigeria;  
4 (b) the Governor of each State of the Federation;  
5 (c) the Chairman of the Police Service Commission;  
6 (d) the Inspector-General of Police;  
7 (e) the Chief Justice of the Supreme Court;  
8 (f) the Governor of the Central Bank of Nigeria;  
9 (g) the Minister of Finance;  
10 (h) the Accountant General of the Federation.

11 (2) The functions of the Board shall include the organization,  
12 administration and disbursement of the Police Procurement Fund Force and the  
13 performance of other duties in fulfilment of the purposes of this Bill.

Interpretation

14 **4.** In this Bill unless the context otherwise requires:

15 "Board" means the Police Procurement Fund Board;

16 "Fund" means the Police Procurement Fund.

Citation

17 **5.** This Bill may be cited as the Police Procurement Fund Bill, 2022.

#### EXPLANATORY NOTE

This Bill seeks to establish the Police Procurement Fund for the procurement of law enforcement equipment to assist the Nigerian Police Force in the protection of lives and property.

# A BILL

## FOR

AN ACT TO AMEND THE TRAFFICKING IN PERSONS (PROHIBITION) ENFORCEMENT AND ADMINISTRATION ACT, NO. 4 OF 2015 TO INCLUDE THE FEDERAL MINISTRY OF HUMANITARIAN AFFAIRS, DISASTER MANAGEMENT AND SOCIAL DEVELOPMENT IN ITS GOVERNING BOARD, REVIEW THE MODE OF APPOINTING THE DIRECTOR-GENERAL OF THE AGENCY, TO STRENGTHEN THE ACT BY REVIEWING THE OFFENCES AND PENALTY PROVISIONS; AND FOR RELATED MATTERS

*Sponsored by Hon. John Dyegh*

[ ] Commencement

1 ENACTED by the National Assembly of the Federal Republic of

2 Nigeria-

3 1. The Trafficking in Persons (Prohibition) Enforcement and  
4 Administration Act No. 4 of 2015 (in this Bill referred to as "the Principal  
5 Act") is amended as set out in this Bill.

Amendment of  
the Trafficking  
in Persons  
(Prohibition)  
Enforcement and  
Administration  
Act, 2015

6 2. Section 1(d) of the Principal Act is amended-

Amendment of  
Section 1

7 (a) By inserting sub- paragraph (d) after the existing sub-paragraph  
8 (c) a new paragraph (d) give effect to Nigeria's obligation concerning the  
9 trafficking in persons under international agreements.

10 3. Section 3(2)(b) of the Principal Act is amended-

Amendment of  
Section 3

11 By substituting existing paragraph (b) with a new sub- paragraph (b) One  
12 representative of Civil Society-based Organizations involved in matters  
13 relating to trafficking in persons' and a new sub paragraph (c)(viii) Ministry  
14 of Humanitarian Affairs, Disaster Management and Social Development.

15 4. Section 5 of the Principal Act is amended by substituting the  
16 existing paragraphs "(e), (f), (l), and (m)" for new paragraphs "(e), (f),  
17 (l), and (m)" and a new paragraph (s)-

Amendment of  
Section 5

18 "(e) investigate all cases of trafficking in persons including forced

1 labour, child labour and abuse, forced prostitution, brothel keeping,  
2 exploitative labour, other forms of exploitation, slavery and slavery-like  
3 activities, bonded labour, illegal removal of human organs, trade in human  
4 organs and tissues, sale and purchase of persons and orphanage trafficking;

5 (f) Issue requisite clearance to travel agencies, tour operators, labour  
6 recruiters, Domestic Services, labour exchanges, sports and educational  
7 agencies, and such other bodies whose activities may lead to offences relating  
8 to human trafficking;

9 (l) Strengthen cooperation and collaboration with governmental and  
10 non-governmental organizations, law enforcement and security agencies at  
11 national and international levels whose areas of operations are similar to any of  
12 the functions of the Agency;

13 (m) Share information and intelligence, conduct joint investigations  
14 and operations with relevant law enforcement and security agencies,  
15 international authorities, and other relevant partners in the eradication of  
16 trafficking in persons;

17 (s) deal with matters connected with the extradition and deportation  
18 of persons involved in trafficking in persons and other mutual legal assistance  
19 between Nigeria and any other persons in trafficking in persons subject to the  
20 supervision of the Honourable Attorney General of the Federation and Minister  
21 of Justice.

Amendment of  
Section 8

22 **5.** Section 8(1) of the Principal Act is amended by substituting, the  
23 existing subsection (1), for a new sub-section "(1)"-

24 “(1) There shall be for the Agency, a Director-General who shall be  
25 from the Directorate Cadre in the Public Service or its equivalent in any law  
26 enforcement service of the federation with cognate experience in human  
27 trafficking matters and shall be appointed by the President on the  
28 recommendation of the Minister.

Amendment of  
Section 11

29 **6.** Section 11 (2) (a) of the Principal Act is amended by substituting  
30 the existing subsection (2) (a), for a new sub- section (2)(a)-

1       Notwithstanding the provision of sub Section (1) of this Section, the Agency  
2       shall have powers to set up units, arm squads, technical committees,  
3       working groups and task forces to assist the Agency in performance of its  
4       duties and functions under this Act;

5               7. Section 12 of the Principal Act is amended-

Amendment of  
Section 12

6               By substituting the existing subsection (5)(ii),(iii) and a new sub-  
7       section (7);

8               "(ii) initiating programmes and developing strategies for  
9       addressing the problems of trafficking in persons, monitoring and  
10      evaluation of programmes and projects of the Agency, to ensure effective  
11      implementation;

12              (iii) documentation, records, reports, statistics, planning, archiving  
13      and publication of the Agency's projects and programmes.

14      The Training and Manpower Development Department shall:

15              (a) initiate, develop or improve specific training programmes for  
16      its officers charged with the responsibility for the eradication of offences  
17      created by this Act and such programmes shall include-

18              (i) methods used in the detection of offences created under this Act;

19              (ii) techniques used by persons involved in offences created under  
20      this Act and appropriate counter-measures;

21              (iii) investigation and monitoring of proceeds derived from  
22      trafficking in persons and instrumentalities used in the commission of  
23      offences under this Act;

24              (iv) methods used for the transfer, concealment or disguise of such  
25      proceeds, property and instrumentalities;

26              (v) Evidence gathering and analysis;

27              (vi) Best practices in prosecution and defence;

28              (vii) Financial investigation and asset management;

29              (viii) cybercrime detection;

30              (ix) Forensic Analysis;

	1	(b) In exercising the functions in (a)(i-ix) above, the Agency may set
	2	up an Academy to meet the training needs of its officers enumerated in (a)(i-ix)
	3	above
Amendment of Section 13	4	<b>8.</b> Section 13(3) cross reference should be amended by substituting
	5	existing (2) (c) with a new (2) (b)
Amendment of Section 15	6	<b>9.</b> Section 15(b) of the Principal Act is amended by substituting, the
	7	existing subsection 15(b), for a new sub-section "(1)"-
	8	(a) by the use of deception, coercion, debt bondage or any means,
	9	induces any person to go from one place to another to do any act with intent that
	10	such person may be, or knowing that it is likely that the person will be forced or
	11	seduced into illicit intercourse with another person,
Amendment of Section 16	12	<b>10.</b> Section 16 of the Principal Act is amended-
	13	By substituting the existing subsection (1),(2) and a new sub-section (3);
	14	"(1)"Any person who procures or recruits any person to be subjected
	15	to prostitution or other forms exploitation with himself, any person or persons,
	16	either in Nigeria or anywhere else, commits an offence and is liable on
	17	conviction to imprisonment for a term of not less than 7 years and a fine of not
	18	less than N1,000,000.00.
	19	(2) Any person who procures or recruits any person to be conveyed
	20	from his usual place of abode, knowing or having reasons to know that such a
	21	person may be subjected or induced into prostitution or other forms of sexual
	22	exploitation in any place outside Nigeria, commits an offence and is liable on
	23	conviction to imprisonment for a term of not less than 7 years and a fine of not
	24	less than N1,000,000.00.
	25	(3) Any person who allows his property to be used for forced
	26	prostitution or other forms of exploitation in Nigeria commits an offence, and
	27	shall be liable on conviction to imprisonment for a term of not less than 7 years
	28	and to a fine of not less than N2,000,000.00.
Amendment of Section 18	29	<b>11.</b> Section 18 of the Principal Act is amended-
	30	(a) by substituting the existing marginal note with a new marginal

1 note as follows:

2 'Foreign Travel which promotes prostitution or sexual exploitation'.

3 **12.** Section 21 of the Principal Act is amended-

Amendment of  
section 21

4 By substituting the existing Section 21;

5 Any person who buys, sells, hires, lets or otherwise obtains the possession or  
6 disposal of any person for any exploitative purpose, commits an offence and  
7 is liable on conviction to imprisonment for a term of not less than 5 years and  
8 a fine of not less than N2,000,000.00'.

9 **13.** Section 22 of the principal Act is amended -

Amendment of  
section 22

10 By substituting the existing subsection (a) and (b)-

11 (a) Any person who by means of threat, deception, abuse of power  
12 or position of vulnerability, fraud and debt bondage, requires, recruits,  
13 transports, harbours, receives or hires out a person to be use for forced  
14 labour or other forms of labour exploitation within or outside Nigeria" or

15 (b) permits any place or premises to be used for the purpose of  
16 forced labour, commits an offence, and is liable on conviction to  
17 imprisonment for a term of not less than 5 years and a fine of not less than  
18 N1,000,000.00 "(2) Where the offence is committed by a corporate body, the  
19 corporate body shall be liable to pay a fine of N10,000,000" and be wound-  
20 up under the order of the court.

21 **14.** Section 23(1)(a) and (b) of the Principal Act is amended by  
22 substituting the existing paragraphs (a) and (b) for new subsection (1)(a)"  
23 and (b)-

Amendment of  
section 23

24 "(1) employs, requires, recruits, transports, harbours, receives or  
25 hires out a child under the age of 14 years as a domestic worker, commits an  
26 offence and is liable on conviction to imprisonment for a minimum term of 1  
27 year, in addition to a fine of N200,000.

28 (2) employs, requires, recruits, transports, harbours, receives or  
29 hires out a child to do any work that is exploitative, injurious or hazardous to  
30 the physical, social and psychological development of the child, commits an

	1	offence and is liable on conviction to imprisonment for a minimum term of 2
	2	years without an option of fine.
New Section 27: Orphanage Trafficking	3	<b>15.</b> Introduction of new Section 27
	4	Any person(s) who:
	5	27(1)(a) recruits any child under 18 years of age from vulnerable
	6	families into an orphanage home and maternity homes for the purpose of
	7	financial gain or other forms of exploitation commits an offence and is liable on
	8	conviction to imprisonment for a term not less than 5 years without option of
	9	fine.
	10	27(2) Where an offence under this Section which has been committed
	11	by a body corporate is proved to have been committed on the instigation or with
	12	the connivance of or its attributable to any neglect, on the part of a Director,
	13	Manager, Secretary of the body corporate, or any person purported to act in any
	14	such capacity, he shall be liable on conviction to imprisonment for a term not
	15	less than 5 years or to a fine not less than N5, 000,000 or both.
	16	27(3) Where the corporate body is convicted, the Agency in
	17	collaboration with the appropriate authority may commence the winding up of
	18	the corporate body.
Amendment of Section 34	19	<b>16.</b> Section 34 of the Principal Act is amended by substituting
	20	paragraph (b) for a new paragraph "(b)" -
	21	“(b) evidence or exhibit by falsification, conversion, destruction or
	22	forgery, commits an offence under this Act and is liable on conviction to
	23	imprisonment for a term of not less than 3 years or to a fine not less than
	24	N500,000.00 or to both.
Amendment of Section 60 (4)	25	<b>17.</b> Section 60 (4) (a) and (b) of the Principal Act is amended by
	26	moving the sub sections to Section 82 the interpretation Section.
	27	<b>18.</b> Section 68 (3) of the Principal Act should be amended by inserting
Amendment of Section 68 (3)(e)	28	a new sub section (e) -
	29	One Representative from the Agency's Donor partner whose focus is on the
	30	eradication of trafficking in persons and other related matters".

- 1                   **19.** Section 69 (1) of the Principal Act should be amended by      Amendment of  
2                   substituting (1) for a new paragraph (1)-                   Section 69 (1)
- 3                   A foreign state may make a request to the Honourable Attorney General of  
4                   the Federation and Minister of Justice for assistance in the investigation and  
5                   prosecution of offences under this Act.
- 6                   **20.** Section 70 (1) of the Principal Act should be amended by      Amendment of  
7                   substituting (1) for a new paragraph-                   Section 70 (1)
- 8                   The Hon. Attorney General of the Federation and Minister of Justice may, on  
9                   the recommendation of the Agency, make a request to any foreign state  
10                  for.....
- 11                  **21.** Section 80 (2) of the Principal Act should be amended by the      Amendment of  
12                  substituting (2) for a new paragraph-                   Section 80 (2)
- 13                  "Without prejudice to Section 6 of the Interpretation Act, the repeal of the  
14                  Act specified in sub-Section (1) of this Section, shall not affect anything  
15                  done prior to the repeal of the 2015 Act".
- 16                  **22.** Section 82 of the Principal Act should be amended by inserting      Amendment of  
17                  the following new definitions-                   Section 82
- 18                  "bank" has the meaning given to it in the Banks and Other Financial  
19                  Institution Act, Laws of the Federation of Nigeria, 2004 as amended;
- 20                  "Body organs" means any blood product, embryo, gamete, gonad, zygote,  
21                  organ or tissue;
- 22                  "Abuse of power" means the misuse of a position of power to take unjust  
23                  advantage of an individual;
- 24                  "order" refers to any order, direction or requirement addressed to the  
25                  manager of a bank or any other officer of a bank which directs or purports to  
26                  direct the manager or such officer to stop all outward payment, operations or  
27                  transactions in respect of any account with that bank;
- 28                  Coercion means threats of serious harm to or physical restraint against any  
29                  person, psychological manipulation, document confiscation and shame and

	1	fear- inducing threats to share information or pictures with others or report to
	2	authorities;
	3	Minister means The Supervising Minister of the Agency;
	4	Expunge "Traffic" from the schedule under the definition of trafficking in
	5	persons.
Amendment of the 2nd Schedule B(ii)	6	<b>23.</b> Second Schedule B(ii) of the Principal Act delete the phrase
	7	".....And Other Related Matters".
Citation	8	<b>24.</b> This Bill may be cited as the Trafficking in Persons (Prohibition)
	9	Enforcement and Administration Act (Amendment) Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Trafficking in Persons (Prohibition) Enforcement and Administration Act, No. 4 of 2015 to include the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development in its governing board, review the mode of appointing the Director-General of the Agency, to strengthen the Act by reviewing the offences and penalty provisions.