

Extraordinary



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FEDERAL COLLEGE OF AGRICULTURE AJASSOR, CROSS RIVER STATE
(ESTABLISHMENT) BILL, 2020
ARRANGEMENT OF CLAUSES

Clauses:

PART 1 - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
FEDERAL COLLEGE OF AGRICULTURE AJASSOR, CROSS RIVER STATE

1. Establishment and Objectives of the Federal College of
Agriculture Ajassor, Cross River State
2. Constitution and Principal Officers of the College
3. Powers of the College and their exercise
4. Composition, Tenure and Powers of the Council of the College
5. Functions of the Council and its Finance and General Purposes
Committee
6. Functions of the Senate of the College
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PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE
COLLEGE AND CONDITION OF SERVICE OF EMPLOYEES

8. General Fund of the College
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PART III - STATUTES OF THE COLLEGE

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13. The Visitor
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PART V - MISCELLANEOUS AND GENERAL

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19. Restriction on disposal of land by College
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21. Appointment of committees, etc
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25. Restriction of suits and execution
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FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE
OF AGRICULTURE AJASSOR, CROSS RIVER STATE AND FOR OTHER MATTERS
CONNECTED THEREWITH

Sponsored by Senator Sandy Ojang Onor

[] Commencement

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

- 1 PART I - ESTABLISHMENT, CONSTITUTION AND FUNCTIONS OF THE
2 FEDERAL COLLEGE OF AGRICULTURE AJASSOR, CROSS RIVER STATE
3 1.-(1)There is hereby established the Federal College of
4 Agriculture Ajassor, Cross River State.
5 (2) The College shall be a body corporate with perpetual
6 succession and a common seal and may sue or be sued in its corporate name.
7 (3) The College shall be a training institution for the development
8 of Agriculture in the country.
9 (4) The College shall be supervised by the Federal Ministry of
10 Education through the National Commission for Colleges of Education
11 (NCCE) who shall be responsible for approving and regulating all academic
12 programmes run in the College, to ensure quality compliance and provide
13 funds for academic and research programmes, infrastructures and
14 remunerations of employees.
15 (5) The objects of the College shall be-
16 (a) to encourage the advancement of learning and to hold out to all

Establishment
and Objectives
of the Federal
College of
Agriculture
Ajassor, Cross
River State

- 1 persons without distinction of race, creed, sex or political conviction;
- 2 (b) to develop and offer academic and professional programmes
- 3 leading to the award of certificates, first degrees, post-graduate research,
- 4 diploma and higher degrees with emphasis on planning, developmental and
- 5 adaptive skills in technology, applied science, agriculture, commerce, arts,
- 6 social science, humanities, management and allied professional disciplines;
- 7 (c) to produce socially mature Agriculturists men and women with
- 8 capabilities not to only understand the agricultural need of Nigeria as a nation,
- 9 but also to exploit existing agricultural infrastructure and improve on it to
- 10 develop new ones;
- 11 (d) to act as agents and catalysts for effective agricultural system,
- 12 through post graduate training , research and innovation, for effective
- 13 economic utilization and conservation of the country's human resources;
- 14 (e) to bring quality change in agriculture by focusing on Agriculture
- 15 teacher Education through teaching and learning innovations;
- 16 (f) to collaborate with other national and international institutions
- 17 involved in training, research and development of agricultural Education with
- 18 a view to promoting governance, leadership and management skills among
- 19 agricultural managers;
- 20 (g) to identify agricultural needs of the society with a view to finding
- 21 solutions to them within the context of overall national development;
- 22 (h) to provide and promote sound basic agriculture Educational
- 23 training as a foundation for the development of Nigeria, taking into account
- 24 indigenous culture and the need to enhance national unity;
- 25 (i) to provide higher Education in agriculture and foster a systematic
- 26 advancement of the science in agriculture;
- 27 (j) to provide for instruction in such branches of agriculture teacher
- 28 Education as it may deem necessary to make provision for research
- 29 advancement and dissemination of knowledge in such manner as it may
- 30 determine;

1 (k) to provide teachers with operational competence for teaching in
2 pre-tertiary institutions, basic, senior secondary schools and non-formal
3 Education institutions;

4 (m) to undertake any other activities that is appropriate for a
5 College of agriculture of the highest standard.

6 **2.-(1)** The College shall consist of-

Constitution and
Principal Officers
of the College

7 (a) a Provost;

8 (b) Deputy provost;

9 (c) a Provost and a Senate;

10 (d) a body to be called Congregation;

11 (e) a body to be called Convocation;

12 (f) the campuses and colleges of the College;

13 (g) the colleges, institutes and other teaching and research units of
14 the College;

15 (h) the persons holding the offices constituted by the First Schedule
16 to this Bill other than those mentioned in paragraphs (a) to (c) of this
17 subsection;

18 (i) all graduates and undergraduates of the College; and

19 (j) all other persons who are members of the College in accordance
20 with provisions made by statute in that behalf.

21 (2) The First Schedule to this Bill shall have effect with respect to
22 the principal officers of the College.

23 (3) Subject to section 5 of this Bill provision shall be made by
24 statute with respect to the constitution of the Council, the Senate,
25 Congregation and Convocation.

26 **3.-(1)** For the carrying out of its objects as specified in section 1 of
27 this Bill, Federal; College of Agriculture Ajassor, Cross River State shall
28 have power:

Powers of the
Federal College
of Agriculture
Ajassor, Cross
River State and
its exercise

29 (a) to offer courses of instruction, training and research in
30 Agriculture and allied areas for the production of quality and skilled

1 teachers required to teach at lower, middle and higher levels of Education in
2 Nigeria in particular and the world at large;

3 (b) to establish such colleges, campuses, institutes, schools,
4 departments and other teaching and research units within the College as may
5 from time to time be deemed necessary or desirable subject to the approval of
6 National Universities Commission;

7 (c) to institute professorships, readerships or associate
8 professorships, lectureships, and other posts and offices and to make
9 appointments thereto;

10 (d) to institute and award fellowships, scholarships, exhibitions,
11 bursaries, medals, prizes and other titles, distinctions, awards and forms of
12 assistance;

13 (e) to provide for the discipline and welfare of members of the
14 College;

15 (f) to hold examinations and grant degrees, diplomas, certificates and
16 other distinctions to persons who have pursued a course of study approved by
17 the College and have satisfied such other requirements as the College may lay
18 down;

19 (g) to grant honorary degrees, fellowships or academic titles;

20 (h) to demand and receive from any student or any other person
21 attending the College for the purposes of instruction, such fees as the College
22 may from time to time determine subject to the overall directives of the
23 Minister;

24 (i) subject to section 20 of this Bill, to acquire, hold, grant, charge or
25 otherwise deal with or dispose of movable and immovable property wherever it
26 is situate;

27 (j) to accept gifts, legacies and donations, but without obligation to
28 accept the same for a particular purpose unless it approves the terms and
29 conditions attached thereto;

30 (k) to enter into contracts, establish trusts, act as trustee, solely or

1 jointly with any other person, and employ and act through agents;

2 (l) to erect, provide, equip and maintain libraries, laboratories,
3 workshops, lecture halls, halls of residence, refectories, sports grounds,
4 playing fields and other buildings or things necessary, suitable or convenient
5 for any of the objects of the College;

6 (m) to hold public lectures and to undertake printing, publishing
7 and book selling;

8 (n) subject to any limitations or conditions imposed by statute, to
9 invest any moneys appertaining to the College by way of endowment it, not
10 being immediately required for current expenditure in any investments or
11 securities or in the purchase or improvement of land, with power from time
12 to time, to vary any such investments to deposit any moneys for the time
13 being not invested with any bank on deposit or current account;

14 (o) to borrow, whether on interest or not and if need be upon the
15 security of any or all of the property, movable or immovable, of the College,
16 such moneys as the Council may from time to time in its discretion find it
17 necessary or expedient to borrow of to guarantee any loan, advances or
18 credit facilities;

19 (p) to make gifts for any charitable purpose;

20 (q) to do anything which it is authorized or required by this Bill or
21 by statute to do; and

22 (r) to do all such acts or things, whether or not incidental to the
23 foregoing powers, as may advance the objects of the College.

24 (2) Subject to the provisions of this Bill and of the statutes and
25 without prejudice to section 7(2) of this Bill, the powers conferred on the
26 College by subsection (1) of this section shall be exercisable on behalf of the
27 College by the Council or by the Senate or in many other manner which may
28 be authorized by the statute.

29 (3) The power of the College to establish further campuses and

Composition,
Tenure and Powers
of the Council
of the College

1 colleges within the College shall be exercisable by statute and not
2 otherwise.

3 4.-(1) The Council of the College shall consist of:-

4 (a) the Provost;

5 (c) the Deputy Provost(s);

6 (d) one person from the Ministry responsible for Education;

7 (e) four persons representing a variety of interests and broadly
8 representative of the whole Federation to be appointed from:

9 (i) the Teacher's Registration Council;

10 (ii) Tertiary Education Trust Fund; and

11 (iii) two other persons, one of whom shall be a representative of the
12 College host community;

13 (f) four persons appointed by the Senate from among its members;

14 (g) two persons appointed by Congregation from among its members;

15 (h) one person appointed by Convocation from among its members;

16 (i) two persons representing the community appointed by the
17 President.

18 (2) Persons to be appointed to the Council shall be of proven integrity,
19 knowledgeable and familiar with the affairs and tradition of the College.

20 (3) The Council so constituted shall have a tenure of four years from
21 the date of its inauguration provided that where a Council is found to be
22 incompetent and corrupt, it shall be dissolved by the Visitor and a new Council
23 shall be immediately constituted for the effective functioning of the College.

24 (4) The powers of the Council shall be exercised, as in this Bill and to
25 that extent establishment circulars that are inconsistent with this Bill shall not
26 apply to the College.

27 (5) The Council shall be free in the discharge of its functions and
28 exercise of its responsibilities for the good management, growth and
29 development of the College.

30 (6) The Council in the discharge of its functions shall ensure that

1 disbursement of funds of the College complies with the approved budgetary
2 ratio for-

- 3 (a) personnel cost;
- 4 (b) overhead cost;
- 5 (c) research and development;
- 6 (d) library developments; and
- 7 (e) the balance in expenditure between academic vis-à-vis non-
- 8 academic activities.

9 **5.-(1)** Subject to the provisions of this Bill relating to the Visitor,
10 the Council shall be the governing body of the College and shall be charged
11 with the general control and superintendence of the policy, finances and
12 property of the College.

Functions of the
Council and its
Finance and
General Purpose
Committee

13 (2) There shall be a committee of the Council, to be known as the
14 Finance, and General Purposes Committee, which shall, subject to the
15 directions of the Council, exercise control over the property and expenditure
16 of the College and perform such other functions of the Council as the
17 Council may from time to time delegate to it.

18 (3) Provision shall be made by statute with respect to the
19 constitution of the Finance and General Purposes Committee.

20 (4) The Council shall ensure that proper accounts of the College are
21 kept and that the accounts of the College are audited annually by an
22 independent firm of auditors approved by the Council and that an annual
23 report is published by the College together with certified copies of the said
24 accounts as audited.

25 (5) Subject to this Bill and the statutes, the Council and the Finance
26 and General Purposes Committee may each make rules for the purpose of
27 exercising any of their respective functions or of regulating their own
28 procedure.

29 (6) Rules made under sub-section (5) of this section by the Finance
30 and General Purposes Committee shall not come into force unless approved

1 by the Council; and in so far and to the extent that any rules so made by that
2 Committee conflict with any direction given by the Council, whether before or
3 after the coming into force of the rules in question, the directions of the Council
4 shall prevail.

5 (7) There shall be paid to the members respectively of the Council, the
6 Finance and General Purposes Committee and of any other committee set up
7 by the Council, allowances in respect of travelling and other reasonable
8 expenses, at such rates as may from time to time be fixed by the Minister.

9 (8) The Council shall meet as and when necessary for the
10 performance of its functions under this Bill and shall meet at least three times in
11 every year.

12 (9) If requested in writing by any five members of the Council, the
13 chairman shall within 28 days after the receipt of such request call a meeting of
14 the Council.

15 (10) Any request made under sub-section (9) of this section shall
16 specify the business to be considered at the meeting and no business not so
17 specified shall be transacted at that meeting.

Functions of the
Senate of the
College

18 6.-(1) Subject to section 5 of this Bill and subsections (3) and (4) of
19 this section and the provisions of this Bill relating to the Visitor, it shall be the
20 general function of the Senate to organize and control the teaching by the
21 College, the admission of student where no other enactment provides to the
22 contrary and the discipline of students; and to promote research at the College.

23 (2) Without prejudice to the generality of subsection (1) of this section
24 and subject as therein mentioned, it shall in particular be the function of the
25 Senate to make provision for:

26 (a) the establishment, organization and control of campuses, colleges,
27 schools, institutes and other teaching and research units of the College and the
28 allocation of responsibility for different branches of learning;

29 (b) the organization and control of courses of study at the College and
30 of the examinations held in conjunction with those courses, including the

- 1 appointment of examiners, both internal and external;
- 2 (c) the award of degrees, and such other qualifications as may be
- 3 prescribed in connection with examinations held as aforesaid;
- 4 (d) the making of recommendations to the Council with respect to
- 5 the award to any person of an honorary fellowship or honorary degree or the
- 6 title of professor emeritus;
- 7 (e) the establishment, organization and control of halls of residence
- 8 and similar institutions at the College;
- 9 (f) the supervision of the welfare of students at the College and the
- 10 regulation of their conduct;
- 11 (g) the granting of fellowships, scholarships, prizes and similar
- 12 awards in so far as the awards are within the control of the College; and
- 13 (h) determining what descriptions of dress shall be academic dress
- 14 for the purposes of the College, and regulating the use of academic dress.
- 15 (3) The Senate shall not establish any new campus, college, school,
- 16 department, institute or other teaching and research units of the College, or
- 17 any hall of residence or similar institution at the College without the
- 18 approval of the Council.
- 19 (4) Subject to this Bill and the statutes, the Senate may make
- 20 regulations for the purpose of exercising any function conferred on it either
- 21 by the foregoing provisions of this section or otherwise or for the purpose of
- 22 making provision for any matter for which provision by regulations is
- 23 authorized or required by this Bill or by statute.
- 24 (5) Regulations shall provide that at least one of the persons
- 25 appointed as the examiners at each final or professional examination held in
- 26 conjunction with any course of study at the College is not a teacher at the
- 27 College but is a teacher of the branch of learning to which the course relates
- 28 at some other College of high repute or a person engaged in practicing the
- 29 profession in a reputable organization or institution.
- 30 (6) Subject to right of appeal to the Council from a decision of the

Functions of
the Provost

1 Senate under this sub-section, the Senate may deprive any person of any
2 degree, diploma or other award of the College which has been conferred upon
3 him if after due enquiry he is found to have been guilty of dishonourable or
4 scandalous conduct in gaining admission into the College or obtaining that
5 award.

6 7.-(1) The Provost shall, in relation to the College, take precedence
7 before all other members of the College except the Chancellor and subject to
8 section 4 of this Bill except the Pro-Chancellor and any other person for the
9 time being acting as Chairman of the Council.

10 (2) Subject to sections 6, 7 and 14 of this Bill, the Provost shall have
11 the general function, in addition to any other functions conferred on him by this
12 Bill or otherwise of directing the activities of the College and shall be the Chief
13 Executive and Accounting Officer of the College and ex-officio Chairman of
14 the Senate.

15 (3) The Provost shall be the Chairman of the College Tenders' Board,
16 which is saddled with the responsibility of approving the conduct of public
17 procurement of goods, works and services within the approved threshold from
18 time to time.

19 (4) It shall be the responsibility of the Provost to establish and appoint
20 members of the Tenders' Board in line with the extant Public Procurement
21 Rules and Regulations.

General fund
of the College

22 PART II - GENERAL FUND, TRANSFER OF PROPERTY, ETC, TO THE
23 COLLEGE AND CONDITION OF SERVICE OF EMPLOYEES

24 8.-(1) There shall be a general fund of the College which shall consist
25 of the following:

26 (a) grants-in-aid;

27 (b) fees;

28 (c) income derived from investments;

29 (d) gifts, legacies, endowments and donations not accepted for a
30 particular purpose;

1 (e) income derived from the exercise of any functions conferred or
2 imposed on the College by this Bill;

3 (f) any other amounts, charges or dues recoverable by the College;

4 (g) revenue, from time to time, accruing to the College by way of
5 subvention;

6 (h) interests on investments;

7 (i) donations and legacies accruing to the College from any source
8 for the general or special purposes of the College; and

9 (j) Regular TETFUND interventions;

10 (2) The general fund shall be applied for the purposes of the
11 College.

12 **9.-(1)** All property held by or on behalf of the Provisional Council
13 of the College shall, by virtue of this sub-section and without further
14 assurance, vest in the College and be held by it for the purpose of the
15 College.

Transfer of
Property

16 (2) The provisions of the Second Schedule to this Bill shall have
17 effect with respect to, and to matters arising from, the transfer of property by
18 this section and with respect to the other matters mentioned in that Schedule.

19 PART III - STATUTES OF THE COLLEGE

20 **10.-(1)** Subject to this Bill, the College may make statutes for any
21 of the following purposes, that is to say:

Power of the
College to make
Statutes

22 (a) Making provision with respect to the composition and
23 constitution of any authority of the College;

24 (b) Specifying and regulating the powers and duties of any
25 authority of the College, and regulating any other matter connected with the
26 College or any of its authorities;

27 (c) Regulating the admission of students (where no other
28 enactment provides to the contrary), and their discipline and welfare;

29 (d) Determining whether any particular matter is to be treated as an
30 academic or non-academic matter for the purposes of this Bill and of any

1 statute, regulation or other instrument made thereunder; or

2 (e) Making provision for any other matter for which provision by
3 statute is authorized or required by this Bill.

4 (2) Subject to section 25(6) of this Bill, the Interpretation Act shall
5 apply in relation to any statute made under this section as it applies to a
6 subsidiary instrument within the meaning of section 28(1) of that Act.

7 (3) The statute contained in the Third Schedule to this Bill shall be
8 deemed to have come into force on the commencement of this Bill and shall be
9 deemed to have been made under this section by the College.

Third Schedule

10 (4) The power to make statutes conferred by this section shall not be
11 prejudiced or limited in any way by reason of the inclusion or omission of any
12 matter in or from the statute contained in the Third Schedule to this Bill or any
13 subsequent statute.

Mode of exercising
power to make
statutes

14 **11.**-(1) The power of the College to make statutes shall be exercised in
15 accordance with the provisions of this section and not otherwise.

16 (2) A proposed statute shall not become law unless it has been
17 approved:

18 (a) at a meeting of the Senate, by the votes of not less than two thirds
19 of the members present and voting; and

20 (b) at a meeting of the Council, by the votes of not less than two thirds
21 of the members present and voting.

22 (3) A proposed statute may originate either in the Senate or in the
23 Council, and may be approved as required by subsection (2) of this section by
24 either one of those bodies or the other.

25 (4) A statute which:

26 (a) makes provision for or alters the composition or constitution of the
27 Council, the Senate or any other authority of the College; or

28 (b) provides for the establishment of a new campus or college or for
29 the amendment or revocation of any statute.

30 (5) For the purpose of section 2(2) of the Interpretation Act, a statute

1 shall be treated as being made on the date on which it is duly approved by the
2 Council after having been duly approved by the Senate, or on the date on
3 which it is duly approved by the Senate after having been duly approved by
4 the Council, as the case may be or, in the case of a statute falling within
5 subsection (4) of this section, on the date on which it is approved by the
6 President.

7 (6) In the event of any doubt or dispute arising at any time:

8 (a) as to the meaning of any provision of a statute; or

9 (b) as to whether any matter is for the purposes of this Bill an
10 academic or non-academic matter as they relate to such doubt or dispute, the
11 matter may be referred to the Visitor, who shall take such advice and make
12 such decision thereon as he shall think fit.

13 (7) The decision of the Visitor on any matter referred to him under
14 sub-section (6) of this section shall be binding upon the authorities, staff and
15 students of the College and where any question as to the meaning of any
16 provision of a statute has been decided by the Visitor under that sub-section,
17 no question as to the meaning of that provision shall be entertained by any
18 court of law in Nigeria.

19 (8) Nothing in sub-section (7) of this section shall affect any power
20 of a court of competent jurisdiction to determine whether any provision of a
21 statute is wholly or partly void as being ultra vires or as being inconsistent
22 with the Constitution of the Federal Republic of Nigeria, 1999.

23 12. A statute may be proved in any court by the production of a Proof of Statute
24 copy thereof bearing or having affixed to it a certificate purporting to be
25 signed by the Provost or the Secretary to the Council to the effect that the
26 copy is a true copy of a statute of the College.

27 PART IV - SUPERVISION AND DISCIPLINE

28 13.-(1) The President shall be the Visitor of the College. The Visitor

29 (2) The Visitor shall cause a visitation to the College when
30 necessary, at least every five years, or direct that such a visitation be

1 conducted by such person or persons as the Visitor may deem fit and in respect
2 of any of the affairs of the College.

3 (3) It shall be the duty of the bodies and persons comprising the
4 College to make available to the Visitor and to any other person conducting a
5 visitation in pursuance of this section, such facilities and assistance as he or
6 they may reasonably require for the purposes of a visitation.

7 (4) The Visitor shall make the report of such visitations and white
8 paper thereon available to the Council which shall implement same.

Removal of
certain Members
of Council

9 **14.**-(1) If it appears to the Council that a member of the Council (other
10 than the Pro-Chancellor or the Provost) should be removed from office on the
11 ground of misconduct or inability to perform the functions of his office or
12 employment, the Council shall make a recommendation to that effect through
13 the Minister to the President, and the President, after making such enquiries (if
14 any) as he may consider appropriate approves the recommendation, he may
15 direct the removal of the person in question from office.

16 (2) It shall be the duty of the Minister to use his best endeavours to
17 cause a copy of the instrument embodying a direction under subsection (1) of
18 this section to be served as soon as reasonably practicable on the person to
19 whom it relates.

Removal and
discipline of
academic,
administrative
and professional
staff

20 **15.**-(1) If it appears to the Council that there are reasons for believing
21 that any person employed as a member of the academic, administrative or
22 professional staff of the College, other than the Provost, should be removed
23 from his office or employment on the ground of misconduct or of professional
24 inability to perform the functions of his office or employment, the Council
25 shall:

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

27 (b) afford him an opportunity of making representations in person on
28 the matter by the Council; and

29 (c) for the person in question to be afforded an opportunity of
30 appearing before and being heard by the investigating committee with respect

1 to the matter, and if the Council, after considering the report of the
2 investigating committee, is satisfied that the person in question should be
3 removed as aforesaid, the Council may so remove him by an instrument in
4 writing signed on the directions of the Council.

5 (2) The Provost may, in a case of misconduct by a member of the
6 staff which in the opinion of the Provost is prejudicial to the interest of the
7 College, suspend such member and any such suspension shall forthwith be
8 reported to the Council.

9 (3) For good cause, any member of the staff may be suspended
10 from his duties or his appointment may be terminated by the Council; and
11 for the purposes of this subsection "good cause" means:

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

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

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

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

24 (e) conduct which the Council considers to be generally of such
25 nature as to render the continued appointment or service of the person
26 concerned prejudicial or detrimental to the interest of the College.

27 (4) Any person suspended pursuant to subsection (2) or (3) of this
28 section shall be on half pay and the Council 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 as:

1 (a) whether to continue such 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 such person, in which case the Council shall
4 restore his full emoluments to him with effect from the date of suspension;

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

8 (d) whether to take such lesser disciplinary action against such person
9 (including the restoration of such proportion of his emoluments that might
10 have been withheld) as the Council may determine.

11 (5) In any case where the Council, pursuant to this section, decides to
12 continue a person's suspension or decides to take further disciplinary action
13 against a person, the Council shall before the expiration of a period of three
14 months from such decision come to a final determination in respect of the case
15 concerning any such person.

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

20 (7) Nothing in the foregoing provisions of this section shall:

21 (a) apply to any directive given by the Visitor in consequence of any
22 visitation; or

23 (b) prevent the Council from making regulations for the discipline of
24 other categories of workers of the College as may be prescribed.

Removal of
examiners

25 **16.-(1)** If, on the recommendation of the Senate, it appears to the
26 Provost that a person appointed as an examiner for any examination of the
27 College ought to be removed from his office or appointment, then, except in
28 such cases as may be prescribed by the Provost may, after affording the
29 examiner an opportunity of making representations in person on the matter to
30 the Provost, remove the examiner from the appointment by an instrument in

1 writing signed by the Provost.

2 (2) Subject to the provisions of regulations made in pursuance of
3 section 7(5) of this Bill, the Provost may, on the recommendation of the
4 Senate, appoint an appropriate person as examiner in the place of the
5 examiner removed in pursuance of subsection (1) of this section.

6 (3) It shall be the duty of the Provost on signing an instrument of
7 removal pursuance to this section, to use his best endeavours to cause a copy
8 of the instrument to be served as soon as reasonably practicable on the
9 person to whom it is related.

10 17.-(1) The Students shall be:

Participation and
Discipline of
Students

11 (a) represented in the College's Students Welfare Board and other
12 committees that deal with the affairs of students;

13 (b) Participate in various aspects of curriculum development;

14 (c) Participate in the process of assessing academic staff in respect
15 of teaching; and

16 (d) Be encouraged to be more self-assured as part of the national
17 development process.

18 (2) Subject to the provisions of this section, where it appears to the
19 Provost that any student of the College has been guilty of misconduct, the
20 Provost may, without prejudice to any other disciplinary powers conferred
21 on him by statute or regulations, direct:

22 (a) that the student shall not, during such period as may be specified
23 in the directions, participate in such activities of the College, or make use of
24 such facilities of the College, as may be so specified, or

25 (b) that the activities of the student shall, during such period as may
26 be specified in the direction, be restricted in such manner as may be so
27 specified, or

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

30 (d) that the student be expelled from the College.

1 (3) Where a direction is given under subsection (1)(c) or (d) of this
2 section in respect of any student, that student may, within the prescribed period
3 and in the prescribed manner, appeal to the Council; and where such an appeal
4 is brought, the Council shall, after causing such inquiry to be made in the matter
5 as the Council considers just either confirm or set aside the direction or modify
6 it in such manner as the Council thinks fit.

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

10 (a) The Provost may delegate his powers under this section to a
11 disciplinary board consisting of such members of the College as he may
12 nominate.

13 (b) Nothing in this section shall be construed as preventing the
14 restriction or termination of students' activities at the College otherwise than on
15 the ground of misconduct;

16 (c) A direction under subsection (2)(a) of this section may be
17 combined with a direction under subsection (2)(b) of this section.

18 PART V - MISCELLANEOUS AND GENERAL

Exclusion of
discrimination
on account of
race, religion, etc.

19 **18.-(1)** No person shall be required to satisfy requirements as to any of
20 the following matters, that is to say, race (including ethnic grouping), sex,
21 account of race, place of birth or of family origin, or religious or political
22 persuasion, as a condition of becoming or continuing to be a student at the
23 College, the holder of any degree of the College or of any appointment or
24 employment at the College, or a member of anybody established by virtue of
25 this Bill; and no person shall be subject to any disadvantage or accorded any
26 advantage relation to the College, by reference to any of those matters.

27 (2) Nothing in subsection (1) of this section shall be construed as
28 preventing the College from imposing any disability or restriction on any of the
29 persons mentioned in that subsection where such person willfully refuses or
30 fails on grounds of religious belief to undertake any duty generally and

1 uniformly imposed on all such person or any group of them which duty,
2 having regard to its nature and the special circumstances pertaining thereto,
3 is in the opinion of the College reasonably justifiable in the national interest.

4 **19.** Without prejudice to the provisions of the Land Use Act, the
5 College shall not dispose of or charge any land or an interest in any land
6 (including any land transferred to the College by this Bill) except with the
7 prior written consent, either general or special, of the Governor:

Restriction on
disposal of land
by College

8 Provided that such consent shall not be required in the case of any
9 lease or tenancy at a rack-rent for a term not exceeding 21 years or any lease
10 or tenancy to a member of the College for residential purpose.

11 **20.** Except as may be otherwise provided by statute or by
12 regulations, the quorum and procedure of any body of persons established
13 by this Bill shall be as determined by that body.

Quorum and
procedure of
bodies established
by this Bill

14 **21.**-(1) Anybody of persons established by this Bill shall, without
15 prejudice to the generality of the powers of that body, have power to appoint
16 committees, which need not consist exclusively of members of that body,
17 and to authorize a committee established by it:

Appointment of
committee, etc.

18 (a) to exercise, on its behalf, such of its functions as it may
19 determine;

20 (b) to co-opt members, and

21 (2) Any two or more such bodies may arrange for the holding of
22 joint meetings of those bodies, or for the appointment of committees
23 consisting of members of those bodies, for the purpose of considering any
24 matter within the competence of those bodies or any of them, and either of
25 dealing with it or of reporting on it to those bodies or any of them.

26 (3) Except as may be otherwise provided by statute or by
27 regulations, the quorum and procedure of a committee established or
28 meeting held in pursuance of this section, shall be such as may be
29 determined by the body or bodies which have decided to establish the
30 committee or hold the meeting.

1 (4) Nothing in the provisions of subsection (1), (2) and (3) of this
2 section shall be construed as:

3 (a) enabling the statutes to be made otherwise than in accordance with
4 section 1 of this Bill; or

5 (b) enabling the Senate to empower any other body to make
6 regulations of the award degrees or other qualifications.

7 (5) The Pro-Chancellor and the Provost shall be members of every
8 committee of which the members are wholly or partly appointed by the Council
9 (other than a committee appointed to inquire into the conduct of the officer in
10 question); and the Provost shall be a member of every committee of which the
11 members are wholly or partly appointed by the Senate.

Retiring age of
academic staff

12 **22.**-(1) Notwithstanding anything to the contrary in the Pension Act,
13 the compulsory retiring age of the following categories of staff shall be as
14 follows:

15 (a) Academic staff of the College in the non-Professorial cadre shall
16 be 65 years;

17 (b) Academic staff of the College in the Professorial Cadre shall be 70
18 years;

19 (c) Non-academic staff of the College shall be 65 years.

20 (2) A law or rule requiring a person to retire from the public service
21 after serving for 35 years shall not apply to an academic staff of the
22 College.

Special Provisions
relating to
Pension of
Professors

23 **23.** An academic staff of the College who retires as a Professor in the
24 College shall be entitled to pension at a rate equivalent to his annual salary
25 provided that the Professor has served continuously in the College up to the
26 retirement age.

Miscellaneous
Administrative
Provisions

27 **24.**-(1) The seal of the College shall be such as may be determined by
28 the Council and approved by the Chancellor, and the affixing of the seal shall
29 be authenticated by any member of the Council and by the Provost, Secretary to
30 the Council or any other person authorized by statute.

1 (2) Any document purporting to be a document executed under the
2 seal of the College shall be received in evidence and shall, unless the
3 contrary is proved, be presumed to be so executed.

4 (3) Any contract or instrument which if made or executed by a
5 person not being a body corporate would not be required to be under seal,
6 may be made or executed on behalf of the College by any person generally or
7 specially authorized to do so by the Council.

8 (4) The validity of any proceedings of anybody established in
9 pursuance of this Bill shall not be affected by any vacancy in the
10 membership of the body, or by any defect in the appointment of a member of
11 the body or by reason that any person not entitled to do so took part in the
12 preceding.

13 (5) Any member of any such body who has a personal interest in
14 any matter proposed to be considered by that body shall forthwith disclose
15 his interest to the body and shall vote on any question relating to that matter.

16 (6) Nothing in section 12 of the Interpretation Act (which provides
17 for the application in relation to subordinate legislation of certain incidental
18 provisions) shall apply to statutes or regulations made in pursuance to this
19 Bill.

20 (7) The power conferred by this Bill on anybody to make statutes or
21 regulations shall include power to revoke or vary any statute (including the
22 statute contained in the Third Schedule of this Bill) or any regulation by a
23 subsequent statute or as the case may be, by a subsequent regulation and
24 statutes and regulations may make different provisions in relation to
25 different circumstances.

26 (8) No stamp or other duty shall be payable in respect of any
27 transfer of property to the College by virtue of section 8 or section 18 of this
28 Bill or the Second Schedule to this Bill.

29 (9) Any notice or other instrument authorized to be served by virtue

	1	of this Bill may, without prejudice to any other mode of service, be served by
	2	post.
Restriction of suits and execution	3	25.-(1) Pre-Action Notice:
	4	(a) No legal proceeding shall be instituted and/or commenced against
	5	the College or any of its agents in the course of their official duties unless a 3
	6	months' Pre-Action Notice of such intention is served on the College by an
	7	aggrieved party.
	8	(b) The Notice shall state the reason and the cause of action intended
	9	to be taken against the College, the particulars of the claim, the name and place
	10	of abode of the intending plaintiff and the relief which he claims.
	11	(b) For the avoidance of doubt, it is hereby declared that no suit shall
	12	be commenced against an officer or servant of the College, in any case where
	13	the College is vicariously liable for any alleged act, neglect or default of the
	14	officer or servant in the performance or intended performances of his duties,
	15	unless three months at least has elapsed after written notice of intention to
	16	commence the same shall have been served on the College by the intending
	17	plaintiff or his agent;
	18	(c) In any suit against this College, no execution or attachment or
	19	process in the nature thereof shall be issued against the College, but any sums
	20	of money which may be judgment of the court be awarded against the College
	21	shall, subject to any direction given by the court where notice of appeal has
	22	been given by the College in respect of the said judgment, be paid by the
	23	College from its general fund.
	24	(2) Service of Notices:
	25	Service upon the College of any notice, order or other document may be
	26	effected by delivering the same or by sending it by registered post addressed to
	27	the Registrar and Secretary of the Council.
Interpretation	28	26.-(1) In this Bill, unless the context otherwise requires-
	29	"Campus" means any campus which may be established by the College;
	30	"College" means the College established pursuant to section 2 (1) (b) of this

- 1 Bill for the College;
- 2 "Council" means the Governing Council of the College established by
- 3 section 5 of this Bill;
- 4 "Functions" includes powers and duties;
- 5 "Graduate" means a person on whom a degree, other than an honorary
- 6 degree, has been conferred by the College and any other person as may be
- 7 designated as a graduate by the Council, acting in accordance with the
- 8 recommendation of the Senate; (Erroneously omitted)
- 9 "Minister" means the Hon. Minister of Education;
- 10 "Notice" means notice in writing;
- 11 "Officer" does not include the Visitor;
- 12 "Prescribed" means prescribed by statute or regulations;
- 13 "Professor" means a person designated as a Professor of the College in
- 14 accordance with provisions made in that behalf by statute or by regulations;
- 15 "Property" includes rights, liabilities and obligations;
- 16 "Provisional Council" means the provisional council appointed for the
- 17 College;
- 18 "Regulations" means regulations made by the Senate or the Council;
- 19 "Senate" means the Senate of the College established pursuant to section
- 20 2(1)(e) of this Bill;
- 21 "School" means a unit of closely related academic programmes;
- 22 "Statute" means a statute made by each College under section 10 of this Bill
- 23 and in accordance with the provisions of section 11 of this Bill, and
- 24 "the statutes" means all such statutes as are in force from time to time;
- 25 "Teacher" means a person holding a full-time appointment as a member of
- 26 the teaching or research staff of the College;
- 27 "Undergraduate" means a person registered as a student undergoing a course
- 28 of study for a first degree of the College or such other course in the College
- 29 as may be approved by the Senate as qualifying a student undergoing it for
- 30 the status of an under-graduate;

1 "College" means the Federal College of Agriculture Ajassor, Cross River State
2 established and incorporated by section I of this Bill.

3 (2) It is hereby declared that where in any provision of this Bill it is
4 laid down that the proposals are to be submitted or a recommendation is to be
5 made by one authority or another through one or more intermediate authorities,
6 it shall be the duty of every such intermediate authority to forward any
7 proposals of that or recommendations received by it in pursuance of that
8 provision to the appropriate authority; but any such intermediate authority
9 may, if it thinks fit, forward therewith its own comments thereon.

Short title

10 27. This Bill may be cited as the Federal College of Agriculture
11 Ajassor, Cross River State (Est.) Bill, 2020.

12 SCHEDULES

13 FIRST SCHEDULE

14 [Section 2(2)]

15 *Principal Officers of the College*

16 *The Provost*

17 1 -(1) There shall be a Provost of the College who shall be appointed
18 by the Council in accordance with the provisions of this paragraph.

19 (2) Where a vacancy occurs in the post of a Provost, the Council shall:

20 (a) advertise the vacancy in a reputable journal or a widely read
21 newspaper in Nigeria, specifying:

22 (i) the qualities of the persons who may apply for the post; and

23 (ii) the terms of conditions of service applicable to the post, and
24 thereafter draw up a short list of suitable candidates for the post for
25 consideration;

26 (b) constitute a Search Team consisting of:

27 (i) a member of the Council, who is not a member of the Senate, as
28 chairman;

29 (ii) two members of the Senate who are not members of the Council,
30 one of whom shall be a Professor;

1 (iii) two members of Congregation who are not members of the
2 Council, one of whom shall be a Professor, to identify and nominate for
3 consideration, suitable persons who are not likely to apply for the post on
4 their own volition because they felt that it is not proper to do so.

5 (3) A Joint Council and Senate Selection Board consisting of:

6 (a) the Pro-Chancellor, as chairman;

7 (b) two members of the Council, not being members of the Senate;

8 (c) two members of the Senate who are Professors, but who were not
9 members of the Search Team, shall consider the candidates and persons in
10 the shortlist drawn up under subsection (2) of this paragraph through an
11 examination of their curriculum vitae and interaction with them, and
12 recommend to the Council three candidates for further consideration.

13 (4) The Council shall select and appoint as the Provost one
14 candidate from among the three candidates recommended to it under
15 subsection (3) of this section and thereafter inform the Visitor.

16 (5) The Provost shall hold office for a single term of five years only
17 on such terms and conditions as may be specified in his letter of
18 appointment.

19 (6) The Provost may be removed from office by the Council on
20 grounds of gross misconduct or inability to discharge the functions of his
21 office as a result of infirmity of the body or mind, at the initiative of the
22 Council, Senate or the Congregation after due process.

23 (7) When the proposal for the removal of the Provost is made, the
24 Council shall constitute a Joint Committee of Council and Senate consisting
25 of:

26 (i) three members of the Council, one of whom shall be the
27 Chairman of the committee; and

28 (ii) two members of the Senate,

29 Provided that where the ground for removal is infirmity of the body
30 or mind, the Council shall seek appropriate medical opinion.

1 (8) The committee shall conduct investigation into the allegations
2 made against the Provost and shall report its findings to the Council.

3 (9) The Council may where the allegations are proved remove the
4 Provost or apply any other disciplinary action it may deem fit and notify the
5 Visitor accordingly provided that a Provost who is removed shall have right of
6 appeal to the Visitor.

7 (10) There shall be no sole administrator in the College.

8 (11) In any case of a vacancy in the office of the Provost, the Council
9 shall appoint an acting Provost on recommendation of the Senate.

10 (12) An acting Provost in all circumstances shall not be in office for
11 more than 6 months.

12 *Deputy Provost*

13 2.-(1) There shall be for the College such number of Deputy Provosts
14 as Council may from time to time deem necessary for the proper administration
15 of the College.

16 (2) Where a vacancy occurs in the post of Deputy Provost, the Provost
17 shall forward to the Senate a list of two candidates for each post of Deputy
18 Provost that is vacant.

19 (3) The Senate shall select for each vacant post one candidate from
20 each list forwarded to it under subsection (2) of this paragraph and forward his
21 name to the Council for confirmation.

22 (4) A Deputy Provost shall-

23 (a) assist the Provost in the performance of his functions;

24 (b) act in the place of the Provost when the post of the Provost is
25 vacant or if the Provost is, for any reason, absent or unable to perform his
26 functions as Provost; and

27 (c) perform such other functions as the Provost or the Council may,
28 from time to time, assign to him.

29 (5) A Deputy Provost:

30 (a) shall hold office for a period of two years beginning from the

1 effective date of his appointment and on such terms and conditions as may
2 be specified in his letter of appointment;

3 (b) may be reappointed for one further period of two years and no
4 more;

5 (c) may be removed from office for good cause by the Council
6 acting on the recommendations of the Provost and Senate; and

7 (d)"Good cause" for the purpose of this section means gross
8 misconduct or inability to discharge the functions of his office arising from
9 infirmity of the body or mind.

10 *Office of the Registrar*

11 3.-(1) There shall be for the College, a Registrar, who shall be the
12 chief administrative officer of the College and shall be responsible to the
13 Provost for the day-to-day administrative work of the College except as
14 regards matters for which the Bursar is responsible in accordance with
15 paragraph 6(2) of this Schedule.

16 (2) The person holding the office of the Registrar shall by virtue of
17 that office be Secretary to the Council, the Senate, Congregation and
18 Convocation.

19 *Other Principal Officers of the College*

20 4.-(1) There shall be for the College the following principal
21 officers, in addition to the Registrar, that is:

22 (a) the Bursar; and

23 (b) the College Librarian,

24 who shall be appointed by the Council on the recommendation of the
25 Selection Board constituted under paragraph 7 of this Schedule.

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

29 (3) The College Librarian shall be responsible to the Provost for the
30 administration of the College Library and the co-ordination of the library

1 services in the College and its campuses, colleges, schools, departments,
2 institutes and other teaching or research units.

3 (4) Any question as to the scope of the responsibilities of the aforesaid
4 officers shall be determined by the Provost

5 *Selection Board for other Principal Officers*

6 5.-(1) There shall be, for the College, a Selection Board for the
7 appointment of principal officers, other than the Provost or Deputy Provost,
8 which shall consist of:-

9 (a) the Pro-Chancellor, as chairman;

10 (b) the Provost;

11 (c) four members of the Council not being members of the Senate; and

12 (d) two members of the Senate.

13 (2) The functions, procedure and other matters relating to the
14 Selection Board constituted under subsection (1) of this paragraph shall be as
15 the Council may, from time to time, determine.

16 (3) The Registrar, Bursar and Librarian shall hold office for a single
17 term of five years only beginning from the effective date of their appointments
18 and on such terms and conditions as may be specified in their letters of
19 appointment.

20 (4) Notwithstanding subsection (3) of this section, the Council may,
21 upon satisfactory performance, extend the tenure of the Registrar, Bursar or
22 Librarian for a further period of one year only and thereafter such principal
23 officer shall relinquish his post and be assigned to other duties in the College

24 *Resignation and Re-appointment*

25 8.-(1) Any officer mentioned in the foregoing provisions of this
26 Schedule may resign his office:

27 (a) in the case of the Chancellor or Pro-Chancellor, by notice to the
28 Visitor;

29 (b) in any other case, by notice to the Council and the Council shall, in
30 the case of the Provost, immediately notify the Visitor.

(2) Without prejudice to paragraph 4 of this Schedule, a person who has ceased to hold an office so mentioned otherwise than by removal for misconduct shall be eligible for re-appointment to that office.

SECOND SCHEDULE

Transitional provisions as to property, functions, etc.

Transfer of Property to College

1. Without prejudice to the generality of section 9 (1) of this Bill-

(a) the reference in that subsection to property held by the Provisional Council shall include a reference to the right to receive and give a good discharge for any grants or contributions which may have been voted or promised to the Provisional Council;

(b) all debts and liabilities of the Provisional Council outstanding shall become debts or liabilities of the College.

2.-(1) All agreements, contracts, deeds and other instruments to which the Provisional Council was a party shall, so far as possible and subject to any necessary modifications, have effect as if the College had been a party thereto in place of the Provisional Council.

(2) Documents not falling within subsection (1) of this paragraph, including enactment which refer, whether specially or generally, to the Provisional Council, shall be construed in accordance with that sub-section so far as applicable.

(3) Any legal proceedings or application to any authority pending by or against the Provisional Council may be continued by or against the College.

Registration of transfers

3. (1) If the law in force at the place where any property transferred by this Bill is situate provides for the registration of transfers of property of the kind in question (whether by reference to an instrument of transfer or otherwise), the law shall, so far as it provides for alterations of a register (but not for avoidance of transfers, the payment of fees or any other matter)

1 apply, with necessary modifications, to the property aforesaid.

2 (2) It shall be the duty of the body to which any property is transferred
3 by this Bill to furnish the necessary particulars of the transfer to the proper
4 officer of the registration authority, and of that officer to register the transfer
5 accordingly.

6 *Transfer of Functions, etc.*

7 4.-(1) The first meeting of the Council shall be convened by the Pro-
8 Chancellor on such date and in such manner as he may determine.

9 (2) The persons who were members of the Provisional Council shall
10 be deemed to constitute the Council until the date when the Council as set up
11 under the Third Schedule to this Bill shall have been duly constituted.

12 (3) The first meeting of the Senate as constituted by this Bill shall be
13 convened by the Provost on such date and in such manner as he may determine.

14 (4) The persons who were members of the Academic Board
15 immediately before the coming into force of this Bill shall be deemed to
16 constitute the Senate of the College until the date when the Senate as set up
17 under the Third Schedule to this Bill shall have been duly constituted.

18 (5) Subject to any regulations which may be made by the Senate after
19 the date on which this Bill is made, the schools, school boards and students of
20 the College immediately before the coming into force of this Bill shall on that
21 day become schools, school boards and students of the College as constituted
22 by this Bill.

23 (6) Persons who were Deans of schools and Heads of Academic
24 Departments shall continue to be Deans or HODs of the corresponding
25 School/Department, until new appointments are made in pursuance of the
26 statutes.

27 (7) Any person who was a member of the staff of the College as
28 established or was otherwise employed by the Provisional Council shall
29 become the holder of an appointment at the College with the status, designation
30 and functions which correspond as nearly as may be to those which appertained

1 to him as member of that staff or as such an employee.

2 THIRD SCHEDULE

3 [Section 9 (3)]

4 FEDERAL COLLEGE OF AGRICULTURE AJASSOR, CROSS RIVER STATE

5 Statute No. 1

6 ARRANGEMENT OF ARTICLES

7 *Articles*

- 8 1. The Council
- 9 2. The Finance and General Purposes Committee
- 10 3. The Senate
- 11 4. The Congregation
- 12 5. Convocation
- 13 6. Division of Colleges
- 14 7. College/School Boards
- 15 8. Dean of the College
- 16 9. Selection of certain Principal Officers
- 17 10. Creation of academic posts
- 18 11. Appointment of academic staff
- 19 12. Appointment of administrative and professional staff
- 20 13. Interpretation.
- 21 14. Short Title

22 *The Council*

23 1.-(1) The composition of the Council shall be as provided in
24 section 5 of this Bill.

25 (2) Any member of the Council holding office otherwise than in
26 pursuance of section 5 (a), (b), (c), or (d) of this Bill may, by notice to the
27 Council, resign his office.

28 (3) A member of the Council holding office otherwise than in
29 pursuance of section 5 (a), (b), (c), or (d) of this Bill shall, unless he
30 previously vacates it, vacate that office on the expiration of the period of

1 four years beginning with effect from 1 August in the year which he was
2 appointed.

3 (4) Where a member of the Council holding office otherwise than in
4 pursuance of section 5 (a), (b), (g), or (h) of this Bill vacates office before the
5 expiration of the period aforesaid, the body or person by whom he was
6 appointed may appoint a successor to hold office for the residue of the term of
7 his predecessor.

8 (5) A person ceasing to hold office as a member of the Council
9 otherwise than by removal for misconduct shall be eligible for re-appointment
10 for only one further period of four years.

11 (6) The quorum of the Council shall be five, at least one of whom shall
12 be a member appointed pursuant to section 5 (d) or (e) of this Bill.

13 (7) If the Pro-Chancellor is not present at a meeting of the Council,
14 such other member of the Council present at the meeting as the Council may
15 appoint as respects that meeting shall be the chairman at that meeting, and
16 subject to section 4 of this Bill and the foregoing provisions of this paragraph,
17 the Council may regulate its own procedure.

18 (8) Where the Council desires to obtain advice with respect to any
19 particular matter may co-opt not more than two persons for that purpose, and
20 the persons co-opted may take part in the deliberations of the Council at any
21 meeting but shall not be entitled to vote.

22 *The Finance and General Purposes Committee*

23 2.-(1) The Finance and General Purposes Committee of the Council
24 shall consist of-

25 (a) the Pro-Chancellor, who shall be the chairman of the Committee at
26 any meeting at which he is present;

27 (b) the Provost and Deputy Provosts;

28 (c) six other members of the Council appointed by the Council, two of
29 whom shall be selected from among the four members of the Council

1 appointed by the Senate and one member appointed to the Council by
2 Congregation;

3 (d) the Permanent Secretary of the Federal Ministry of Education,
4 or in his absence, such member of his Ministry as he may designate to
5 represent him; and

6 (e) the Executive Secretary of the Petroleum Technology
7 Development Fund, or in his absence, such member of the Fund as he may
8 designate to represent him.

9 (2) The quorum of the Committee shall be five.

10 (3) Subject to any directions given by the Council, the Committee
11 may regulate its own procedure.

12 *Annual budget and estimates, etc.*

13 (4) (i) The estimates of income and expenditure for a financial year
14 shall be presented by the Provost to the Council and may be approved by the
15 Council before the beginning of that financial year:

16 Provided that the Provost may during any financial year present
17 and the Council may approve supplementary estimates of income or
18 expenditure.

19 (ii) The annual and supplementary estimates shall be prepared in
20 such form and shall contain such information as the Council may direct.
21 Gifts, donations, etc.

22 (5) (i) The Council may on behalf of the College accept by way of
23 grants, gift, testamentary disposition or otherwise, property and money in
24 aid of the finances of the College on such conditions as it may approve;

25 (ii) Registers shall be kept of all donations to the College including
26 the names of donors and any special conditions under which any donation
27 may have been given:

28 Provided that the College shall not be obliged to accept a donation
29 for a particular purpose unless it approves of the terms and conditions
30 attaching to such donation.

1 (iii) All property, money or funds donated for any specific purposes
2 shall be applied and administered in accordance with the purposes for which
3 they are donated and shall be accounted for separately.

4 Payment into bank:

5 (6) All sums of money received on account of the College shall be
6 paid into such bank as may be approved by the Council for the credit of the
7 College's general, current or deposit account:

8 Provided that the Council may invest, as it deems fit, any money not
9 required for immediate use other than donations of money referred to in
10 subsection (1) of this section.

11 *Audit*

12 3.-(1) The Council shall cause the accounts of the College to be
13 audited by auditors appointed by the Council as soon as may be after the end of
14 each financial year or for any such other period as the Council may require.

15 (2) The appointment and other matters relative to the auditors, their
16 continuance in office and their functions, as the case may be, shall, subject to
17 the provisions of this section, be prescribed by statute.

18 *The Senate*

19 4. -(1) The Senate shall consist of:

20 (i) the Provost;

21 (ii) Deputy Provosts;

22 (iii) the Deans in the College;

23 (iv) the Professors in the College;

24 (v) Heads of Academic Departments and Units;

25 (vi) the College Librarian;

26 (vii) One elected representative of the College;

27 (viii) Two members of Academic Staff elected by the Congregation;

28 (ix) One elected representative of each department;

29 (x) Two members representing a variety of interests of the
30 professional bodies outside the College appointed by the Senate on the

1 recommendation of the Provost;

2 (xi) Registrar - Secretary.

3 (2) The procedure for election of members of Senate to the Council
4 shall be prescribed by Regulations.

5 (3) The Provost shall be the chairman at all meetings of the Senate
6 when he is present, and in his absence any of the Deputy Provosts present at
7 the meeting as the Senate may appoint for that meeting shall be the chairman
8 at the meeting.

9 (4) The quorum of the Senate shall be one quarter or the nearest
10 whole number less than one quarter; and subject to paragraph (3) of this
11 Article, the Senate may regulate its own procedure.

12 (5) An elected member may, by notice to the Senate, resign his
13 office.

14 (6) Subject to paragraph (8) of this article, there shall be elections
15 for the selection of elected members which shall be held in the prescribed
16 manner on such day in the month of May or June in each year as the Provost
17 may from time to time determine.

18 (7) An elected member shall hold office for the period of two years
19 beginning with 1 August in the year of his election, and may be a candidate at
20 any election held in pursuance to paragraph (6) of this article in the year in
21 which his period of office expires, so however that no person shall be such a
22 candidate if at the end of his current period of office he will have held office
23 as an elected member for a continuous period of six years or would have so
24 held office if he had not resigned it.

25 (8) No election shall be held in pursuance of this article in any year
26 if the number specified in the certificate given in pursuance to paragraph
27 (11) of this article does not exceed by more than one the figure which is
28 thrice the number of those elected members holding office on the date of the
29 certificate who do not vacate office during that year in pursuance of
30 paragraph (7) of this article.

1 (9) For the avoidance of doubt it is hereby declared that no person
2 shall be precluded from continuing in or taking office as an elected member by
3 reason only of reduction in the after 30 April in any year in which he is to
4 continue in or take office as all elected member.

5 (10) If so requested in writing by any fifteen members of the Senate,
6 the Provost or in his absence any of the Deputy Provost duly appointed by him,
7 shall convene a meeting of the Senate to be held not later than the tenth day
8 following that on which the request was received.

9 (11) In this article "total of non-elected members" means as respect
10 any year, such number as may be certified by the Provost on 30 April of that
11 year to be the number of persons holding office as members of the Senate on
12 that day otherwise than as elected members.

13 *Congregation*

14 5. -(1) Congregation shall consist of:

15 (i) Provost;

16 (ii) the Deputy Provosts;

17 (iii) the full-time members of the academic staff;

18 (iv) The Registrar;

19 (v) The Librarian;

20 (vi) Every member of the administrative staff who holds a degree,
21 other than honorary degree, of any College recognized for the purposes of this
22 statute by the Provost.

23 (2) Subject to section 4 of this Bill, the Provost shall be the chairman
24 at all meetings of Congregation when he is present; and in his absence any of
25 the Deputy Provosts present at the meeting as Congregation may appoint for
26 that meeting, shall be the chairman at the meeting.

27 (3) The quorum of Congregation shall be one third or the whole
28 number nearest to one third of the total number of members of Congregation of
29 fifty, whichever is less.

30 (4) A certificate signed by the Provost specifying:

1 (a) the total number of members of Congregation for the purpose of
2 any particular meeting or meetings of Congregation; or

3 (b) the names of the persons who are members of Congregation
4 during a particular period, shall be conclusive evidence of that number or, as
5 the case may be, of the names of those persons.

6 (5) The procedure for election of members of Congregation to the
7 Council and the Senate shall be prescribed by Regulations.

8 (6) Subject to the foregoing provisions of this article, Congregation
9 may regulate its own procedure.

10 (7) Congregation shall be entitled to express by resolutions or
11 otherwise its opinion on all matters affecting the interest and welfare of the
12 College and shall have such other functions, in addition to the function of
13 electing a member of the Council, as may be provided by statute or
14 regulations.

15 *Convocation*

16 6. -(1) Convocation shall consist of:

17 (i) the officers of the College mentioned in the First Schedule to
18 this Bill;

19 (ii) All teachers within the meaning of this Bill;

20 (iii) All other persons whose names are registered in accordance
21 with paragraph (2) of this article.

22 (2) A person shall be entitled to have his name registered as a
23 member of convocation if-

24 (a) he is either a graduate of a College or a person satisfying such
25 requirements as may be prescribed for the purposes of this paragraph; and

26 (b) he applies for the registration of his name in the prescribed
27 manner and pay the prescribed fees.

28 (3) Regulations shall provide for the establishment and
29 maintenance of a register for the purpose of this paragraph and subject to
30 paragraph (4) of this article may provide for the payment, from time to time,

1 of further fees by persons whose names are on the register and for the removal
2 from the register of the name of any person who fails to pay those fees.

3 (4) The person responsible for maintaining the register shall, without
4 the payment of any fees, ensure that the names of all persons who are for the
5 time being members of the Convocation by virtue of paragraph (1) (a) or (b) of
6 this article are entered and retained on the register.

7 (5) A person who reasonably claims that he is entitled to have his
8 name on the register shall be entitled on demand to inspect the register or a copy
9 of the register at the principal times of the College at all reasonable times.

10 (6) The register shall, unless the contrary is proved, be sufficient
11 evidence that any person named therein is not, a member of Convocation; but
12 for the purpose of ascertaining whether a particular person was such a member
13 on a particular date, any entries in and deletions from the register made on or
14 after that date shall be disregarded.

15 (7) The quorum of Convocation shall be fifty or one third or the whole
16 number nearest to one third or the whole number of members of Convocation
17 whichever is less.

18 (8) Subject to section 4 of the Act, the Chancellor shall be chairman at
19 all meetings of Convocation when he is present, and in his absence the Provost
20 shall be the chairman at the meeting.

21 (9) Convocation shall have such functions, in addition to the function
22 of appointing a member of the Council, as may be provided by statute or
23 regulations.

24 *Division of the College*

25 7. The College shall be divided into such number of branches as may
26 be prescribed.

27 *College Boards*

28 8.- (1) There shall be established in by the College, a Board of Studies
29 which, subject to the provisions of this Statute, and subject to the directions of
30 the Provost, shall:

1 (a) Regulate the teaching and study of, and the conduct of
2 examinations connected with, the subjects assigned to the college;

3 (b) Deal with any other matter assigned to it by statute or by the
4 Provost or by the Senate; and

5 (c) Advise the Provost or the Senate on any matter referred to it by
6 the Provost or the Senate.

7 (2) The Board of Studies shall consist of:

8 (a) the Provost;

9 (b) the Dean;

10 (c) the persons severally in charge of the branches of the school;

11 (d) the College Examination Officer;

12 (e) such of the teachers assigned to the college and having the
13 prescribed qualifications as the Board may determine; and

14 (f) such persons, whether or not members of the College, as the
15 Board may determine with the general or special approval of the Senate.

16 (3) The quorum of the Board shall be eight members or one quarter,
17 whichever is greater, of the members for the time being of the board; and
18 subject to the provisions of this statute and to any provision made by
19 regulations in that behalf, the Board may regulate its own procedure.

20 *Deans of the Colleges*

21 9.-(1) The Board of the College shall, at a meeting in the last term
22 of any academic year which the term of office of the Dean expires, nominate
23 one of its members, being one of the Professors assigned to that teaching
24 unit, for appointment by the Senate as Dean of the College

25 (2) The person appointed under paragraph 1 of this Article shall act
26 as Dean of the College and chairman of all meetings of the College Board
27 when he is present and shall be a member of all committees and other boards
28 appointed by the College.

29 (3) The Dean shall hold office for two years and shall be eligible for
30 re-appointment one further period of two years. Thereafter he shall not be

1 eligible for re-appointment until two years have elapsed.

2 (4) The Dean of a College shall exercise general superintendence over
3 the academic and administrative affairs of the College.

4 (5) It shall be the function of the Dean to present to Convocation for
5 the conferment of degrees to persons who have qualified for the degrees of the
6 College at examination held in the branches of learning for which
7 responsibility is allocated to that College.

8 (6) There shall be a committee to be known as the Committee of
9 Deans consisting of all the Deans of the several Colleges and that Committee
10 shall advise the Provost on all academic matters and on particular matters
11 referred to the College by the Senate.

12 (7) The Dean of a College may be removed from office for good cause
13 by the College Board after a vote would have been taken at a meeting of the
14 Board, and in the event of a vacancy occurring following the removal of a
15 Dean, an acting Dean may be appointed by the Provost:

16 Provided that at the next College Board meeting an election shall be
17 held for a new Dean.

18 (8) In this article "good cause" has the same meaning as in section
19 15(3) of the Act.

20 *Departmental Board of Studies*

21 10.-(1) there shall be a Departmental Board of Studies whose
22 membership shall be made of all academic staff of the Department;

23 (2) It shall be headed by a Professor who shall be appointed by the
24 Provost and in the absence of a Professor, a senior academic staff shall be
25 appointed in acting capacity;

26 (3) For a Professor the term is for 3 years while 1 year is for acting
27 capacity.

28 (4) The Board shall superintend over all teachings and examinations
29 in the Department;

30 (5) The Board shall handle all disciplinary matters in the Department

1 and make recommendations to the College where necessary;

2 (6) Allocation of courses in the department shall be done by the
3 Departmental Board on recommendation of the Head of Department.

4 *Selection of Directors of Physical Planning and Development,*
5 *Works and Services and Health*

6 11.-(1) When a vacancy occurs in the office of the Directors of
7 Physical Planning and Development, Works and Services and Health, a
8 Selection Board shall be constituted by the Council which shall consist of:

- 9 (a) the Pro-Chancellor;
10 (b) the Provost;
11 (c) two members appointed by the Council, not being members of
12 the Senate;
13 (d) Two members appointed by the Senate.

14 (2) The Selection Board after making such inquiries as it thinks fit,
15 shall recommend a candidate to the Council for appointment to the vacant
16 office; and after considering the recommendation of the board the Council
17 may make an appointment to that office.

18 *Tenure of Directors*

19 12. A Director shall hold office on such terms and conditions as
20 may be specified in his letter of appointment subject to the extant
21 Regulations.

22 *Creation of Academic Posts*

23 13. Recommendations for the creation of academic posts other
24 than principal officers shall be made by the Senate to the Council through
25 the Finance and General Purposes Committee.

26 *Appointment of Academic Staff*

27 14.-(1) Subject to the Act and statutes, the filling of vacancies in
28 academic posts (including newly created ones) shall be the responsibility of
29 the Council through the Departments and Colleges.

30 (2) For the purpose of filling such vacancies, suitable selection

1 boards to select and make appointments on behalf of the Council shall be set
2 up.

3 (3) For appointment to Professorships, Associate Professorship or
4 Readerships or equivalent posts, a Board of Selection, with power to appoint,
5 shall consist of:

6 (a) the Provost - Chairman;

7 (b) Deputy Provost - Member;

8 (c) The Dean of the College - Member;

9 (d) Head of Department - Member;

10 (e) such other person(s), not exceeding two in number, deemed
11 capable of helping the Board in assessing both the professional and academic
12 suitability of a candidate under consideration, as the Senate may from time to
13 time appoint;

14 (f) Registrar - Secretary.

15 (4) For other academic posts, a Selection Board, with power to
16 appoint, shall consist of:

17 (a) the Provost or his representative- Chairman;

18 (b) The Dean of the College - Member;

19 (c) Head of the Department concerned - Member;

20 (d) An internal member of Council (not below the Rank of Senior
21 Lecturer from the sister college in the Candidate's subject-area) - Member;

22 (e) Registrar or his representative - Secretary.

23 (5) All appointments to senior library posts shall be made in the same
24 way as equivalent appointments in the academic cadre; and for all such posts
25 other than that of the Librarian, the Librarian shall be a member of the Selection
26 Board.

27 (6) Boards of Selection may interview candidates directly or consider
28 the reports of specialist interviewing panels and shall in addition, in the case of
29 Professorships, Associate Professorship, Readerships or equivalent Posts,
30 consider the reports of External Assessors relevant to the area in which the

1 appointment is being considered. Quorum shall be three (3) including the
2 Chairman.

3 *Appointment of Administrative and Professional Staff*

4 15.-(1)The administrative and professional staff of the College
5 other than principal officers shall be appointed by the Council or on its
6 behalf by the Provost in accordance with delegation of powers made by the
7 Council on its behalf.

8 (2) A Selection Board, with power to appoint, shall consist of:

9 (i) Provost;

10 (ii) Deputy Provost;

11 (iii) Registrar;

12 (iv) Bursar;

13 (v) College Librarian;

14 (vi) The Head of Department concerned;

15 (vii) Establishment and Human Resources Officer who shall serve

16 as Secretary Quorum shall be three (3) including the Chairman.

17 *Interpretation*

18 16. In this Statute, the expression "the Act" means the Federal
19 College of Agriculture Ajassor, Cross River State Act and any word or
20 expression defined in the Act has the same meaning in this Statute.

21 *Short Title*

22 17. This Statute may be cited as the Federal College of Agriculture
23 Ajassor, Cross River State Statute No. I.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Federal College of Agriculture Ajassor, Cross River State.

A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIAN OFFICE FOR TRADE NEGOTIATIONS TO COORDINATE, UPDATE AND MANAGE THE TRADE POLICY OF NIGERIA, LEAD TRADE AND TRADE-RELATED NEGOTIATIONS, IMPLEMENT A RULES-BASED TRADE REMEDY INFRASTRUCTURE FOR THE SAFEGUARD AND ADVANCEMENT OF THE NIGERIAN ECONOMY AND FOR RELATED MATTERS

Sponsored by Senator Fadahunsi Francis

[] Commencement

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

1 PART I - OBJECTIVES, APPLICATION AND SCOPE

2 1. The objectives of this Act include, to:

Objectives

3 (a) coordinate and lead Nigeria's trade and trade - related
4 negotiations;

5 (b) ensure that negotiated trade and trade-related agreements
6 entered into by Nigeria:

7 (i) connect investments in the Nigerian economy to integrated
8 regional and global supply chains, and

9 (ii) expand market access for Nigerian exporters of goods and
10 providers of services;

11 (c) coordinate, update and manage Nigeria's trade policy;

12 (d) resolve coordination deficits in Nigeria's trade policy and stop
13 associated costs to economic growth;

14 (e) identify and eliminate impediments in the implementation of
15 the trade and trade-related policies priorities of Nigeria;

16 (f) establish and implement a rules-based trade remedy
17 infrastructure;

1 (g) seek coherence in trade, fiscal, monetary and foreign policies of
2 Nigeria;

3 (h) correct and reverse the failures from Nigeria's trade policy and
4 negotiations;

5 (i) use trade policy and negotiations to promote economic growth and
6 provide a modernized and effective platform for the structural transformation,
7 industrialization and diversification of the Nigerian economy;

8 (j) expand Nigeria's market access to regional and global markets
9 through negotiated Free Trade Agreements (FTAs);

10 (k) re-negotiate Nigeria's strategic trade and trade-related agreements
11 to regions of economic growth and development;

12 (l) modernize Nigeria's infrastructure for trade policy and
13 negotiations and associated negotiations to function as an instrument for
14 growth and job creation; and

15 (m) monitor the economic and trade behavior of Nigeria's trading
16 partners and report on the gains and mutual benefits from Nigeria's trade
17 relationships, in the Nigerian Annual Trade Policy Reports (NATPOR).

Application

18 **2.** This Act applies to all trade, trade- related matters and activities
19 associated with trade- related agreements, Memoranda of Understanding
20 (MOUs) concerning:

21 (a) The Protocol of the Economic Community of West African States
22 (ECOWAS);

23 (b) the Continental Free Trade Area for Africa (CFTA) and trade
24 negotiations in the CFTA;

25 (c) trade negotiations in The Commonwealth in accordance with the
26 decisions of the Commonwealth Trade Ministers;

27 (d) The World Trade Organization (WTO) and covered agreements;

28 (e) negotiations for Free Trade Agreements (FTAs);

29 (f) negotiations and MOUs for trade and investments;

30 (g) negotiations for agreements, MOUs, declarations and cooperation

- 1 for trade and investments; and
- 2 (h) such other trade and trade-related activities in any location as
- 3 Nigeria may be involved, from time to time.
- 4 **3.-(1)** This Act shall apply to the negotiations for: Scope
- 5 (a) trade in goods including tariffs and non-tariff barriers;
- 6 (b) trade in services including Digital-Led Strategies for Growth;
- 7 (c) trade in Intellectual Property Rights (IPRs);
- 8 (d) trade and investment policies;
- 9 (e) trade and competition policies;
- 10 (f) Trade Policy Reviews (TPRs);
- 11 (g) negotiate, schedule and update Nigeria's tariff concessions in
- 12 conjunction with the Tariff Technical Committee (TTC);
- 13 (h) the settlement of trade disputes such as the ECOWAS, CFTA
- 14 and WTO trade disputes in liaison with the Office of the Attorney-General of
- 15 the Federation; and
- 16 (i) such other trade-related areas and investment in which Nigeria
- 17 may wish to be involved from time to time.
- 18 (2) In the conduct of negotiations referred to in subsection (1) of
- 19 this section, the NOTN shall:
- 20 (a) obtain specific mandate from the President on the
- 21 recommendation of the Economic Management Team;
- 22 (b) receive and consider the inputs from the Industrial Policy and
- 23 Competitiveness Advisory Council's Sub-Committee on Trade and Market
- 24 Access;
- 25 (c) receive and consider inputs from any other technical committee
- 26 on specific trade negotiations as may be established from time to time by the
- 27 Government;
- 28 (d) receive and consider inputs, in an advisory capacity, from
- 29 Enlarged National Focal Point for Trade (ENFP);
- 30 (e) receive and consider inputs from any other stakeholder, in an

1 advisory capacity, whose interest may be affected by the outcome of such
2 negotiations; and

3 (f) liaise, collaborate and work with the Office of the Attorney
4 General of the Federation and any other relevant MDA to achieve favourable
5 negotiated terms for Nigeria.

6 PART II - ESTABLISHMENT, FUNCTIONS AND POWERS OF THE NIGERIAN
7 OFFICE FOR TRADE NEGOTIATIONS

Establishment
of the Nigeria
Office for the
Trade Negotiations

8 4.-(1) There is established a body known as the Nigerian Office for
9 Trade Negotiations (in this Act referred to as "the NOTN").

10 (2) The NOTN:

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

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

14 (c) may acquire, hold or dispose of property whether moveable or
15 immovable; and

16 (d) may enter into contracts and incur obligations

Functions of
the NOTN

17 5.-(1) The NOTN shall:

18 (a) be the trade negotiating body for Nigeria and undertake, manage
19 and coordinate all Nigeria's external trade and trade related negotiations;

20 (b) negotiate the integration of the Nigerian economy into regional
21 and global value chains so as to expand job opportunities;

22 (c) disseminate to local manufacturers and exporters information on
23 market access created through trade negotiations;

24 (d) undertake regular consultation with all relevant stakeholders,
25 including Federal Government Ministries, Departments and Agencies
26 (MDAs), private sector and civil society on Nigeria's external trade
27 negotiations, rights and obligations;

28 (e) conduct or commission research for the purpose of formulating
29 negotiating positions and strategies;

30 (f) recommend appropriate measures and policies necessary for the

- 1 effective implementation of trade agreements entered into by Nigeria;
- 2 (g) administer trade remedies for the purpose of protecting
- 3 Nigerian economy from unfair trade practices, unfair import competition
- 4 and injurious dumping;
- 5 (h) produce annual trade and associated policy reports on the status
- 6 of Nigeria's external trade engagements and performance;
- 7 (i) establish and maintain trade databases as may be required for its
- 8 activities;
- 9 (j) undertake and publish studies and information for the use of the
- 10 public on trade, trade-related and investment issues;
- 11 (k) prepare and update, periodically, Nigeria's trade policy;
- 12 (l) lead the consultations on the nullification and impairment of
- 13 benefits, pursuant to Nigeria's trade and trade-related Agreements in formal
- 14 and informal trade dispute settlement mechanisms, in consultation with the
- 15 Federal Ministry of Justice;
- 16 (m) gather trade and economic intelligence for the growth of the
- 17 Nigerian economy; and
- 18 (n) such other functions as may be considered necessary for the
- 19 attainment of its objectives under this Act.
- 20 **6.** In carrying out its functions under this Act, the NOTN shall have Powers
- 21 powers to:
- 22 (a) negotiate trade agreements for Nigeria in accordance with the
- 23 specific mandate as provided under section 3 (2) (a) of this Act;
- 24 (b) collaborate with relevant MDAs in carrying out its functions
- 25 under this Act;
- 26 (c) subject to the Land Use Act, acquire, purchase or lease, any
- 27 landed property required for its operations;
- 28 (d) retain the services of consultants and advisers as it may deem fit
- 29 for the purpose of carrying out its functions under this Act;
- 30 (e) liaise, with relevant establishments within and outside Nigeria

- 1 in pursuance of its functions under this Act;
- 2 (f) receive gifts by way of grants or testamentary dispositions,
- 3 provided that such gifts are not inconsistent with the functions of the NOTN;
- 4 (g) exercise disciplinary control, including dismissal, over its
- 5 employees;
- 6 (h) provide training for its staff and assist with the capacity building of
- 7 trade related MDAs; and
- 8 (i) carry out such other activities as are necessary and expedient for
- 9 the performance of its functions under this Act.

10 PART III - ESTABLISHMENT AND FUNCTIONS OF THE ADVISORY

11 COUNCIL OF THE NOTN

Establishment
and composition
of the Advisory
Council of the
NOTN

- 12 7.-(1) There is established for the NOTN an Advisory Council (in this
- 13 Act referred to as "the Council").
- 14 (2) The Council shall consist of:
- 15 (a) a Chairman who shall be a person with requisite cognate
- 16 knowledge and practical experience in matters relating to trade and investment
- 17 and international economic relations to be appointed by the President;
- 18 (b) Nigeria's Chief Trade Negotiator and Director General of NOTN;
- 19 (c) one representative from each of the following Federal Ministries
- 20 and institutions who, being their staff, shall not be below the directorate cadre:
- 21 (i) Industry, Trade and Investment,
- 22 (ii) Foreign Affairs,
- 23 (iii) Finance,
- 24 (iv) Justice;
- 25 (v) Budget and National Planning,
- 26 (vi) Nigeria Customs Service (NCS),
- 27 (vii) Nigeria Immigration Service (NIS),
- 28 (viii) Nigeria Investment Promotion Commission (NIPC), and
- 29 (ix) National Bureau of Statistics;
- 30 (d) one representative from each of the following organizations:

1 (i) the Nigerian Association of Chambers of Commerce,
2 Industries, Mines and Agriculture,
3 (ii) the Manufacturers' Association of Nigeria,
4 (iii) Nigerian Coalition of Services Industry,
5 (iv) Nigerian Economic Summit Group,
6 (v) National Association of Small and Medium Scale Enterprises,
7 and

8 (vi) National Association of Nigerian Traders.
9 (e) a person not employed in the public service and who shall have
10 at least 15 years practical experience in the field of trade, industry, and
11 investment or such other related fields, to be appointed by Mr. President on
12 the recommendation of the Minister.

13 (4) The members of the Council other than the ex-officio members
14 shall be-

15 (a) appointed by the President on the recommendation of the
16 Minister; and

17 (b) persons of proven integrity with cognate experience in
18 disciplines relevant to the objectives of the NOTN, provided that in respect
19 of appointments made pursuant to subsection (2) (d) (i) to (vi), the Minister
20 shall make his recommendations from the nominations received from the
21 appropriate associations.

22 (5) The supplementary provisions set out in the First Schedule to
23 this Act shall have effect with respect to the proceedings of the Council and
24 other matters contained therein.

25 **8.-(1) Members of the Council:**

26 (a) other than the Chief Trade Negotiator and Director General
27 shall hold office on part-time basis; and

28 (b) who are not ex-officio members shall hold office for a term of
29 four years in the first instance and may be eligible for re-appointment on
30 satisfactory performance for another term of four years and no more.

Tenure of Office
of the Advisory
Council

	1	(2) Subject to any other provisions of this Act, a member of the
	2	Council shall hold office on the terms and conditions specified in his letter of
	3	appointment.
	4	(3) Notwithstanding the provisions of sub-section (1) of this section,
	5	the Chairman or any member of the Council may at any time be removed from
	6	office by the President for inability to discharge the functions of his office,
	7	whether arising from infirmity of mind or body or any other cause or
	8	misconduct.
Emolument, allowances and benefits	9	9. The Chairman and members of the Council shall be paid such
	10	emoluments, allowances and benefits as the Federal Government may from
	11	time to time approve.
Cessation of membership	12	10. A person shall cease to hold office as a member of the Council
	13	where:
	14	(a) the term of office expires;
	15	(b) the person resigns from office by a notice in writing hand
	16	addressed to the President;
	17	(c) in case of an ex officio member, such person ceases to hold the
	18	office on the basis of which such person became a member or is withdrawn by
	19	the association that nominated such person;
	20	(d) such person is removed from office; or
	21	(e) the person dies.
Removal from the Council	22	11. A person shall be removed as a member of the Council where:
	23	(a) he becomes bankrupt;
	24	(b) he is convicted of a felony or any offence involving dishonesty or
	25	fraud;
	26	(c) he becomes of 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;
	29	(e) he possesses professional qualification and he is disqualified or
	30	suspended from practicing his profession in Nigeria by an order of a competent

1 authority; or

2 (f) the President is satisfied that it is not in the interest of the NOTN
3 or of the public for the person to continue in office.

4 **12.-(1)** Where a vacancy occurs in the Council pursuant to the Filling of
5 provisions of section 10 or 11 or any other provision of this Act, the vacancies
6 President shall appoint a person to fill the vacancy.

7 (2) A person appointed to fill a vacancy pursuant to subsection (1)
8 of this section to replace a member who is not an ex-officio member, shall
9 hold office for the unexpired term of office of his predecessor whose exit
10 created the vacancy.

11 (3) Notwithstanding the provisions of subsection (2) of this
12 section, a member filling a vacancy created by the exit of a member of a
13 body, group, association or organization shall:

14 (a) hold office for the unexpired term of office of his predecessor in
15 office;

16 (b) be nominated by the same body, group, association or
17 organization as his predecessor where his predecessor has not completed his
18 term of office; and

19 (c) shall represent the same interest in the Council as that of his
20 predecessor.

21 **13.-(1)** The Council shall have powers to:

22 (a) approve rules and regulations relating to the appointment, Powers and
23 promotion and disciplinary measures of staff of the NOTN; functions of the
Council

24 (b) fix the remuneration, allowances and benefits of staff of the
25 NOTN subject to the approval of the National Salaries, Incomes and Wages
26 Commission; and

27 (c) regulate its proceedings and make standing orders with respect
28 to its meetings, notices to be given, the keeping of minutes of its proceedings
29 and such other matters as the Council may, from time to time, determine.

30 (2) The Council shall:

1 (a) formulate and provide policy guidelines and support for
2 developing a roadmap for discharging the functions of the NOTN;

3 (b) provide oversight functions on the affairs of the NOTN and ensure
4 the implementation of policies and programs of the NOTN;

5 (c) review and approve the strategic plan of the NOTN relevant to the
6 attainment of the objectives including capacity building and research in areas
7 connected with trade and investment;

8 (d) encourage and supervise the strategic repositioning of the
9 Nigeria's trade and investment sector to enable it respond to its existing trade
10 imbalance and emerging global trends in trade and investment;

11 (e) advise the NOTN with regard to financial, operational and
12 administrative matters:

13 (f) establish committees, as may be expedient, which shall be charged
14 with specific functions;

15 (g) encourage and promote activities relating to the functions of the
16 NOTN; and

17 (h) carry out such other functions as may be expedient for the
18 attainment of the objectives of NOTN under this Act.

19 PART IV - STRUCTURE OF THE NIGERIAN OFFICE FOR TRADE
20 NEGOTIATIONS

Operational
structure of the
NOTN

21 **14.-(1)** The NOTN shall:

22 (a) have its Corporate office situate at Abuja, the Federal Capital
23 Territory; and

24 (b) lead Nigeria's trade negotiations and be responsible for the
25 conduct and management of Nigeria's trade policy;

26 (2) The operational structure of the NOTN shall comprise:

27 (a) office of the Chief Trade Negotiator and Director General; and

28 (b) such other offices, departments, units and sections as may be
29 required for the proper performance of the functions of the NOTN.

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Appointment of
the Chief trade
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Nigeria and
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Appointment of the Secretary and Legal Adviser to the NOTN

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	1	(b) possess relevant cognate experience In trade and investment
	2	matters.
	3	(2) The Secretary appointed under this section shall also act as the
	4	secretary to the Council but shall not be a member of the Council.
	5	(3) The Secretary shall keep the corporate records of the NOTN and
	6	perform such other functions and duties as the Chief Trade Negotiator and
	7	Director General may, from time to time, direct.
Other Staff of the NOTN	8	17. -(1) The NOTN may, subject to the approval of the Council,
	9	appoint directly or request for the deployment from the Public Service of the
	10	Federation, such other staff as it may deem necessary:
	11	(a) for the efficient performance of the functions of the NOTN; and
	12	(b) on such terms and conditions as may be determined by the Council
	13	after consultation with the National Salaries, Incomes and Wages Commission.
	14	(2) The provisions set out in the Second Schedule to this Act shall
	15	apply to staff regulations, removal and disciplinary measures of staff of the
	16	NOTN.
Remuneration of staff of the Nigerian Office for Trade Negotiations	17	18. The salaries, allowances and benefits of the staff of the NOTN
	18	shall be in accordance with the conditions of service of the NOTN as may be
	19	approved by the Council in consultation with the National Salaries, Incomes
	20	and Wages Commission.
Conditions of service	21	19. -(1) The NOTN shall in consideration of the specialized nature of
	22	its functions, develop and implement appropriate staff condition of service for
	23	its staff with regard to the issues of remuneration, pension scheme and other
	24	fringe service benefits, sufficient for the NOTN to attract and retain quality and
	25	high caliber manpower.
	26	(2) Services in the NOTN shall be approved service for the purpose of
	27	the Pensions Reform Act and accordingly staff shall in respect of their services
	28	be entitled to pensions and other retirement benefits as are prescribed therein.
	29	(3) Notwithstanding subsection (2) of this section, nothing in this Act
	30	shall prevent the appointment of a person to any office on terms which

1 precludes the grant of a pension or other retirement benefits.

2 (4) For the purpose of the application of the Pensions Reform Act, a
3 power exercisable therein by the Minister or other authority of the
4 Government of the Federation, other than the power to make Regulations is
5 vested and shall be exercisable by the Council.

6 (5) Nothing in the foregoing provision shall preclude the NOTN
7 from appointing persons to serve in the NOTN on a contract basis, provided
8 that the terms and conditions of service of such appointee (including
9 remuneration, allowances and benefits) are approved by the Council in
10 accordance with existing laws and the Public Service Rules.

11 PART VI - FINANCIAL PROVISIONS

12 **20.**-(1) The NOTN shall establish and maintain a fund (in this Act Fund of the
13 referred to as "the Fund") into which shall be paid: Office

14 (a) such money as may be appropriated to it by the National
15 Assembly;

16 (b) the initial take-off grant as may be provided by the Federal
17 Government;

18 (c) fees charged for services rendered by NOTN;

19 (d) any special grants from the Federal or State or Local
20 Government; and

21 (e) gifts, grants-in-aid and income from investments

22 **21.** The NOTN shall apply the proceeds of the fund established Expenditure of
23 pursuant to section 20 of this Act to: the Office

24 (a) meet the cost of day-to-day administration of the NOTN;

25 (b) meet the cost of travelling, hosting and participation in
26 negotiations;

27 (c) provide training for the staff of the NOTN;

28 (d) pay salaries, wages, fees, allowances, retirement benefits
29 including pensions and any other remuneration payable to the members of
30 the staff of the NOTN;

	1	(e) pay the seating allowances and out of pocket expenses to the
	2	Council members in connection with their functions under this Act;
	3	(e) pay the fees and out of pocket expenditures of consultants and
	4	such persons appointed into any committee as the Council may set up from
	5	time to time;
	6	(f) publicize and promote the activities of the NOTN;
	7	(g) meet the investment needs of the NOTN and the profit generated
	8	shall be paid to the Federal Government;
	9	(h) purchase or acquire property and make other approved capital
	10	expenditure and to maintain any property acquired or purchased;
	11	(i) undertake any other activity in connection with all or any of its
	12	functions under this Act.
Annual budget	13	22. -(1) The NOTN shall not later than 31st October in each financial
	14	year or any such time as may be required under the Financial Regulations of
	15	Nigeria, prepare and submit to the National Assembly, through the Minister, an
	16	estimate of its income and expenditure for the next financial year.
	17	(2) Notwithstanding the provisions of subsection (1) of this section,
	18	the NOTN may also, in any financial year, submit supplementary or adjusted
	19	statements of estimated income and expenditure through the Minister to the
	20	National Assembly.
Disposal of surplus funds	21	23. -(1) The NOTN may, subject to the approval of the Ministry of
	22	Finance Incorporated(MOFI) and the Financial Regulations of Nigeria, invest
	23	any surplus funds in profit -yielding ventures.
	24	(2) The Council may subject to subsection (1) of this section, issue to
	25	the NOTN, directives as may be deemed necessary as to the disposal of any
	26	such funds.
Exemption from Income tax	27	24. Incomes derived by the NOTN from the sources specified under
	28	section 23 of this Act shall be exempted from income tax.
Accounts and Audit	29	25. The NOTN shall:
	30	(a) keep proper accounts and records of its receipts, payments, assets

1 and liabilities and prepare in respect of each financial year a statement of
 2 accounts in such forms as may be directed by the Auditor- General for the
 3 Federation; and

4 (b) cause its accounts to be audited within six months from the end
 5 of each financial year by auditors whose appointment shall be approved by
 6 the Council provided that such auditors are on the list of auditors approved
 7 from time to time by the Auditor-General for the Federation.

8 **26.** The NOTN shall, not later than six months after the expiration Annual Report
 9 of each financial year, prepare and submit to the Minister through the
 10 Council an annual report on its activities and operations during the previous
 11 year and shall include in such report, a copy of its audited accounts and the
 12 auditor's report for the year.

13 **27.** The NOTN may accept gifts of land, money or other property Power to accept
gifts
 14 upon such terms and conditions, if any, as may be specified by the donor of
 15 the gift, provided that the terms and conditions are not contrary to the
 16 objectives and functions of the NOTN.

17 **28.** A gift intended by the donor of the gift to the NOTN shall be Utilization of
gifts
 18 made directly to the NOTN which shall utilize the gift for its objects under
 19 this Act subject to any expressed wishes of the donor.

20 **29.** The financial year of the NOTN shall commence from 1st Financial year
 21 January of each year and end on 31st December of the same year.

22 **PART VII - LEGAL ACTIONS AGAINST THE NIGERIAN OFFICE FOR**
 23 **TRADE NEGOTIATION**

24 **30.-(1)** Subject to the provisions of this Act, the provisions of the Limitations of
suit against the
NOTN
 25 Public Officers Protection Act shall apply in relation to any suit instituted
 26 against any officer or staff of the NOTN.

27 (2) Notwithstanding anything contained in any other enactment or
 28 law, no suit shall lie or be instituted in any court against any member of the
 29 Council, the Chief Trade Negotiator for Nigeria and Director-General, the
 30 Secretary or any other officer or staff of the NOTN for any act done in

1 pursuance or execution of this Act or any enactment or law, public duty or
2 authority in respect of any alleged neglect, duty or authority or be instituted in
3 any court unless it is commenced:

4 (a) within three months next after the act, neglect or default
5 complained of; or

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

8 (3) No suit shall be commenced against any member of the Council,
9 the Chief Trade Negotiator for Nigeria and Director General, Secretary, any
10 officer or staff of the NOTN before the expiration of a period of one month after
11 written notice of the intention to commence the suit shall have been served on
12 the NOTN by the intending plaintiff or his agent.

13 (4) The notice referred to in subsection (3) of this section shall clearly
14 and explicitly state the:

15 (a) cause of action;

16 (b) particulars of the claim;

17 (c) name and place of abode of the intending plaintiff; and

18 (d) relief sought.

Service of court
process

19 **31.** A notice, summons or other documents required or authorized to
20 be served on the NOTN under the provisions of this Act or any other law or
21 enactment, may be served by delivering it to the NOTN by registered post
22 addressed to the Chief Trade Negotiator for Nigeria and Director General of the
23 NOTN at the principal office of the NOTN.

Indemnity of the
officials of the
NOTN

24 **32.** A member of the Council, the Chief Trade Negotiator for Nigeria
25 and Director General, Secretary, officer or staff of the NOTN shall be
26 indemnified out of the assets of the NOTN against any liability incurred by him
27 in defending any proceedings, whether civil or criminal, where the proceeding
28 is brought against him in his capacity as member of the Council, the Chief
29 Trade Negotiator for Nigeria and Director General, Secretary, officer or staff of
30 the NOTN.

1 PART VIII - THE DEPOSITORY OF NIGERIA'S TRADE AGREEMENTS

2 33.-(1) The Federal Ministry of Justice shall be the depository of all The depository
3 trade and investment agreements entered into by Nigeria and accordingly: of Nigeria's trade
agreement

4 (a) establish and manage a comprehensive database in shared
5 portals which shall have a read-only accessibility by MDAs of the Federal
6 Government;

7 (b) the Attorney- General of the Federation and Minister of Justice
8 shall be responsible for safe custody and production of any agreement or a
9 copy; and

10 (c) a copy of any trade or investment agreement under this Act shall be
11 authenticated by the Attorney General of the Federation.

12 PART IX - MISCELLANEOUS

13 34.-(1) The Minister may, from time to time, give general policy Power to give
14 guidelines to the NOTN. directive

15 (2) Notwithstanding the provisions of subsection (1) of this
16 section, the Minister may give to the NOTN directives of a general or
17 specific nature relating generally to a particular matter or case, as the case
18 may be.

19 (3) The NOTN shall comply with any policy guidelines or directive
20 given to it by the Minister pursuant to subsection (1) or (2) of this section or
21 cause them to be complied with.

22 35.-(1) The NOTN may, with the approval of the Minister, make Power to make
23 Regulations as it deems expedient for the purpose of giving full effect to the Regulations
24 provisions of this Act.

25 (2) The contravention of any regulation issued pursuant to any of
26 the provisions of this Act shall constitute an offence and shall be punishable
27 as prescribed in the particular regulation.

28 36.-(1) Without prejudice to the provisions of the interpretation Savings provision
29 Act, nothing in this Act shall invalidate or otherwise prejudicially affect

1 anything done or purported to be done by NOTN before the commencement of
2 this Act.

3 (2) As from the commencement of this Act all assets, rights, liabilities
4 and obligations of the NOTN shall continue to vest in the NOTN established
5 under this Act.

6 (3) Notwithstanding the provisions of this Act and subject to such
7 directions as may be issued by the NOTN, any person who was staff of the
8 NOTN which was established by executive directive shall continue to be staff
9 of the NOTN established under this Act.

Interpretation

10 **37.** In this Act:

11 "chairman" means the Chairman of the Council;

12 "Council" means the Advisory Council of the Office established by section 2
13 (1) of this Act;

14 "member" means any member of the Advisory Council and includes the
15 chairperson;

16 "Minister" means the Minister In charge of Industry, trade and investment;

17 "NOTN" means the Nigerian Office of Trade Negotiations established under
18 section 1 of this Act; and

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

20 "Tariff Technical Committee".

Short title

21 **38.** This Bill may be cited as the Nigerian Office of Trade
22 Negotiations Bill, 2020.

23 SCHEDULE

24 [Section 7 (5)]

25 *Proceedings of the Advisory Council*

26 1. -(1) Subject to this Act and section 27 of the interpretation Act, the
27 Council may make standing orders regulating its proceedings or those of any of
28 its committees.

29 (2) The quorum of the Council shall be the Chairman or person
30 presiding at the meeting and five other members of the Council and the quorum

1 of any committee of the Council shall be as determined by the Council.

2 (3) The Council shall meet not more than four times in each year
3 and subject thereto, the Council shall meet whenever it is summoned by the
4 Chairman or where the Chairman is required to do so by notice given to him
5 by not less than four other members, he shall summon a meeting of the
6 Council to be held within twenty-eight days from the date the notice was
7 given.

8 (4) The particulars of the business to be transacted at any meeting
9 shall be circulated to the members with the notice of the meeting of the
10 Council.

11 (5) At any meeting of the Council, the Chairman shall preside but if
12 he is absent, the members present at the meeting shall appoint one of their
13 members to preside at the meeting.

14 (6) Every question put before the Council at a meeting shall be
15 decided by a majority of votes of the members present and voting.

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

21 (8) Subject to the provisions of this Act, the Council may make
22 Standing Orders with respect to the holding of its meetings, the nature of
23 notice to be given, the proceedings thereat, the keeping of minutes of such
24 proceedings and the custody and production for inspection of such minutes.

25 *Committees*

26 2.-(1) The Council may appoint one or more committee to carry
27 out, on behalf of the Council, such functions as the Council may determine.

28 (2) A committee appointed under this paragraph shall consist of
29 such number of persons (not necessarily members of the Council) as may be
30 determined by the Council and a person other than a member of the Council,

1 shall hold office on the committee in accordance with the terms of his
2 appointment.

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

5 *Miscellaneous*

6 3.-(1) The validity of any proceedings of the Councilor of a
7 committee thereof shall not be affected by any vacancy in the membership of
8 the Councilor a committee.

9 (2) Any member of the Councilor any person holding an office on a
10 committee of the Council, who has personal interest in any contract or
11 arrangement made or proposed to be made shall disclose his interest to the
12 Council and shall not:

13 (a) take part in any deliberation or vote after such disclosure in any
14 matter relating to the contract or arrangement; or

15 (b) be counted for the purpose of constituting a quorum under this
16 paragraph, and the minutes of the disclosure made under this paragraph shall be
17 recorded in the minutes of the meeting of the Council or such committee.

18 (3) The fixing of the seal of the Council shall be authenticated by the
19 signature of the Chairman and Secretary or any person generally or specifically
20 authorized by the Council to act for that purpose.

21 (4) Any contract or instrument which, if made or executed by a person
22 not being a body corporate, would not be required to be under seal, may be
23 made or executed on behalf of the Council by the Chief Trade Negotiator for
24 Nigeria and Director-General or any person generally or specifically
25 authorized by the Council to act for that purpose.

26 (5) Any document purporting to be a document duly executed under
27 the seal of the NOTN shall be received in evidence and shall, unless and until
28 the contrary is proved, be presumed to be so executed.

29 (6) The validity of any proceeding of the Councilor of a committee
30 shall not be affected by:

- 1 (a) a vacancy In the membership of the Councilor committee;
2 (b) a defect in the appointment of a member of the Councilor
3 committee; or
4 (c) reason that a person not entitled to do so took part in the
5 proceedings of the Councilor committee.

6 SECOND SCHEDULE

7 *[Section 17 (2)]*

8 SUPPLEMENTARY PROVISIONS RELATING TO STAFF REGULATIONS,

9 REMOVAL AND DISCIPLINARY MEASURES

10 *Staff Regulations*

11 1.-(1) The NOTN may make staff regulations relating generally to
12 the conditions of service of the staff of the NOTN and without prejudice to
13 the generality of the foregoing provisions, such regulations may provide for:

14 (a) the appointment, promotion and disciplinary control of all staff
15 of the NOTN;

16 (b) remuneration, allowances and fringe benefits of staff of the
17 NOTN;

18 (c) appeal by such staff against dismissal or other disciplinary
19 measures; and

20 (d) such other matters to ensure efficient performance of the
21 functions of the NOTN, and until the required regulations are made, the
22 regulations relating to the conditions of service of the officers in the Civil
23 Service of the Federation and the provisions of the Pensions Act shall be
24 applicable with such modifications as may be necessary to the staff of the
25 NOTN.

26 (2) Staff regulations and conditions of service made under sub-
27 paragraph (1) of this paragraph shall not have effect until it is approved by
28 the Council.

EXPLANATORY MEMORANDUM

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

This Act seeks to establish the Nigerian Office for Trade Negotiations to manage Nigeria's trade policy and lead all trade and trade-related negotiations to ensure that trade and trade-related agreements entered into by Nigeria contributes to the structural transformation of the Nigerian Economy for modernization, industrialization, investment and employment creation.

FOR

Sponsored by Senator Stella Adaeze Oduah

[] Commencement

1	1. The Examination Malpractice Act (hereinafter referred to as	Amendment of Cap. E15 LFN, 2004 [No. 33 of 1999]
2	"the Principal Act" is amended as set out in this Act.	
3	2. Immediately after Section 12 of the Principal Act, insert a new	Insertion of new Part II and III
4	Part II and III as follows:	
5	PART II - ESTABLISHMENT OF EXAMINATION MALPRACTICES LAW	
6	ENFORCEMENT AGENCY	
7	3.-(1) There is hereby established a body to be known as	Establishment of Examination Malpractices Law Enforcement Agency
8	Examination Malpractices Law Enforcement Agency (in this Bill referred to	
9	as "the Agency").	
10	(2) The Agency shall be a body corporate with perpetual	
11	succession and a common seal, and may sue and be sued in its corporate	
12	name.	
13	4.-(1) To enthrone healthy examination ethics in public	Objectives of the Agency
14	examinations in order to reverse the worrisome incessant rate of	
15	malpractices at public examinations;	
16	(2) To give strict fight against all forms of cheating at public	
17	examinations by the excision of the enforcement functions of examination	
18	laws and the prosecution of offenders from the bureaucracy of the	
19	examination bodies;	
20	(3) To discourage indolent and fraudulent attitudes towards	

1 examinations such that the abilities of candidates would reflect in their scores;

2 (4) To restore the authenticity, reliability and validity of public
3 examination as well as the credibility of certificates from schools and academic
4 institutions in Nigeria;

5 (5) To stimulate continuous improvements in the quality and
6 effectiveness of education in Nigeria so that Government's tremendous
7 investments in Education becomes efficient to yield the desired dividends
8 towards national development;

9 (6) To carry the crusade against corruption to the embryonic level as
10 misconduct at examination presents the earliest exposure of a child to corrupt
11 tendencies, a stage with the strongest propensity to permanent social
12 behaviour; and

13 (7) To encourage and inculcate the sense of hard work and merit to our
14 national psyche for schools obviously play significant roles in the shaping and
15 moulding of characters and attitudes of the younger ones.

Functions of
the Agency

16 5. The Agency shall:

17 (a) Be responsible for the enforcement of all laws enacted for the
18 purposes of eliminating malpractices during examination;

19 (b) Conduct researches in order to determine the causes,
20 manifestations, extent, magnitude and effects of examination malpractices and
21 finding proper antidotes to them;

22 (c) Carry out vigorous public enlightenment campaigns against
23 examination malpractices and other related offences in schools and institutions
24 in Nigeria;

25 (d) Identify the agents, strategies, instruments, ways and means
26 through which malpractices are perpetrated before, during and after
27 examinations;

28 (e) Carry out the prosecution of persons, organisations or bodies
29 involved in examination malpractice;

30 (f) Maintain a data bank on individuals, agents, schools, institutions,

1 examination venues, strategies, properties and other things or areas that are
2 usually deployed in perpetrating malpractices at examination;

3 (g) Collaborate with examination bodies, educational institutions
4 and commissions or boards at the Federal, State and Local Government
5 levels with regard to the identification of incidents of examination
6 malpractices;

7 (h) Carry out all such other functions as are necessary or expedient
8 for the performance of its functions under this Bill.

9 **6.** The Agency shall have power to:

Powers of the
Agency

10 (a) Do all things which by this Bill or any other enactment are
11 required or permitted of its functions under this Bill;

12 (b) Do such other things as are necessary or expedient for the
13 performance of its functions under this Bill.

14 **7.-(1)** There is hereby established for the Agency a Governing
15 Council (hereafter referred to as "the Council") which shall be responsible
16 for the discharge of the functions of the Agency.

Governing
Council of the
Agency

17 (2) The Council shall consist of:

18 (a) A chairman who shall be a retired Justice of the Supreme Court
19 of Nigeria or of the Court of Appeal or a retired Judge of a Federal High
20 Court or Court of a State;

21 (b) A representative of the Federal Ministry of Education not below
22 the rank of a Director;

23 (c) A representative of the Education Tax Fund;

24 (d) A representative of the National Examination Council;

25 (e) A representative of the West African Examination Council;

26 (f) A representative of the Joint Admissions and Matriculation
27 Board;

28 (g) A representative of the National Universities Commission;

29 (h) A representative of the National Business and Technical
30 Education Board;

	1	(i) A representative of the National Commission for Colleges of
	2	Education;
	3	(j) A representative of the National Teachers Institute;
	4	(k) Three representatives of the Civil Society engaged in causes
	5	relating to improving the quality of education, examination ethics and values;
	6	(l) A representative of the State Security Service;
	7	(m) A representative of the Nigeria Police who shall not be below the
	8	rank of a Commissioner of Police;
	9	(n) A representative of the State of the Independent Corrupt Practices
	10	Commission; and
	11	(o) The Director General of the Agency; and
	12	(p) The chairman and other members of the Agency shall be
	13	appointed by the President, on the recommendation of the Minister.
	14	(2) The provisions of the Schedule of this Bill shall have effect with
	15	respect to the proceedings of the Council and other matters mentioned in the
	16	Schedule.
Tenure of Office	17	8.-(1) The chairman and other members of the Council, other than ex-
	18	officio members, with the exception of the Director-General:
	19	(a) Shall hold office for a period of 4 years on such terms and
	20	condition as may be specified in their letters of appointments; and
	21	(b) May be re-appointed for one further term of 4 years and no more.
	22	(2) A member of the Council may, at any time, resign his Office in
	23	writing addressed to the President, and that member shall, on the date of the
	24	acceptance of the resignation ceases to be a member of the Council.
	25	(3) The Chairman and other members of the Council, with exception
	26	of the Director-General, shall be part-time members.
Cessation of membership	27	9.-(1) A member of the Council shall cease to hold office if:
	28	(a) He becomes of unsound mind; or
	29	(b) He becomes bankrupt or makes a compromise with creditors; or
	30	(c) He is convicted of a felony or any offence involving dishonesty; or

1 (d) He is guilty of serious misconduct in relation to his duties.

2 (2) Where a vacancy occurs in the membership of the Council, it
3 shall be filled by the appointment of a successor to hold the office for the
4 remainder of the term of his predecessor.

5 **10.** A member of the Council shall be paid such emoluments, Emoluments, etc.
6 allowances and benefits as the Minister may, with the approval of the
7 President, from time to time, approve.

8 **11.**-(1) There shall be a Director-General for the Agency who shall The Director-General
9 be appointed by the President on the recommendation of the Minister.

10 (2) The Director-General shall be the Chief Executive of the
11 Agency and shall be responsible for the execution of the policies of the
12 Agency and manage its affairs under the direction of the Council.

13 (3) The Director-General shall hold office:

14 (a) In the first instance, for a period of five years and may be
15 reappointed for one further term of three years and no more; and

16 (b) On such terms as to emoluments and conditions of service as
17 may be specified in his letter of appointment, and as may from time to time,
18 be approved by the Minister.

19 **12.**-(1) The Council has power to appoint directly, and either on Other Staff of the Agency
20 transfer or on secondment from any public service in the Federation, such
21 number of employees as may, in the option of the Council, be required to
22 assist the Agency in the discharge of any of its functions under this Bill.

23 (2) The Council also has power to pay to persons so employed such
24 remuneration (including allowances) as the Council may determine, subject
25 to the approval of the Minister.

26 **13.**-(1) The Agency may, subject to the provisions of this Bill, Staff Regulations
27 make staff regulations relating generally to the conditions of service of the
28 employees of the Agency and without prejudice to the generality of the
29 foregoing, such regulations may provide for:

30 (a) The appointment, promotion and disciplinary control

1 (including dismissal) of employees of the Agency; and

2 (b) Appeals by such employees against dismissal or other disciplinary
3 measures.

4 (2) Until such regulations are made under sub-section (1) of this
5 section, any instrument relating to the conditions of service of the officers in
6 the Civil Service of the Federation shall be applicable, with such modifications
7 as may be necessary, to the staff of the Agency.

8 (3) Staff regulations made under sub-section (1) of this section shall
9 not have effect unless approved by the Minister and when so approved, they
10 need not be published in the gazette, but the Council shall cause them to be
11 brought to the notice of all persons affected in such a manner as it may, from
12 time to time, determine.

Conditions of
Service

13 **14.** The Agency shall, with the approval of the Minister determine its
14 conditions of service, including pensions.' gratuities and other retirement
15 benefits as are appropriate for its employees.

Pension Act
2004

16 **15.-(1)** It is hereby declared that service in the Agency is a scheduled
17 service and shall be deemed to be pensionable under the Pensions Act;
18 accordingly, employees of the Agency shall in respect of their service in the
19 Agency, be entitled to pensions, gratuities and other retirement benefits as are
20 prescribed under the Act.

21 (2) Notwithstanding the provisions of the sub-section (1) of this
22 section, nothing in this Bill shall prevent the appointment of a person to any
23 office on terms which preclude the grant of pension or gratuity in respect of that
24 office.

25 (3) For the purposes of the application of the Pensions Act, any power
26 exercisable by a Minister or other authority of the Federal Government under
27 that Act, other than the power of the Federal Government under that Act, other
28 than the power to make regulations under section 23, is hereby vested in and
29 shall be exercisable by the Council and not by any other person or authority.

1 PART III - FINANCIAL PROVISIONS

2 16.-(1) The agency shall establish and maintain a Fund into which Establishment
3 shall be paid and credited all the income accruing to the Agency under sub- and Maintenance
4 section (2) of this section and from which shall be defrayed all the of Fund
5 expenditure incurred by the Agency.

6 (2) There shall be paid into the Fund established pursuant to sub-
7 section (1) of this section:

8 (a) 10% of the money realisable from the annual Tertiary
9 Education Tax;

10 (b) All subventions and budgetary allocations from the Federal
11 Government or any such money as may, from time to time, be lent or granted
12 to the Agency by the Federal or State or Local Government;

13 (c) A sum equivalent to 55% of the fines and proceeds from
14 properties forfeited by persons convicted of offences under this Bill;

15 (d) All monies raised for the purposes of the Agency by way of
16 gifts, loans, grant-in-aid, testamentary dispositions or otherwise;

17 (e) Such other monies as may be payable to the Agency in the
18 course of the discharge of its functions;

19 (f) All interests received in respect of monies invested by the
20 Agency; and

21 (g) All other assets as may, from time to time, accrue to the
22 Agency.

23 17.-(1) The Agency may, from time to time, apply the proceeds of Application of
24 the Fund established by this Bill: Proceeds of the
Fund

25 (a) For and in connection with all or any of the functions of the
26 Agency under this Bill or any other law;

27 (b) To the cost of the administration of the Agency;

28 (c) For reimbursing members of the Council or of any committee
29 set up by the Council such expenses as may be expressly authorized by the
30 Council in accordance with such rates as may be approved, from time to

1 time, by the Minister.

2 (d) To the payment of salaries, fees or other remuneration or
3 allowances, pensions, superannuation and gratuities payable to the officers and
4 employees of the Agency;

5 (e) To the payment of any money borrowed under 30 of this Bill or of
6 any interest payable thereon; and

7 (f) For the maintenance of any property acquired by or vested in the
8 Agency.

9 (2) The agency may, from time to time, place money standing to its
10 credit in fixed deposits in such reputable banks as the Council may think
11 necessary or expedient with a view to generating interests on the money.

Annual Estimates,
Accounts and
Audit

12 **18.**-(1). The agency shall prepare and submit to the Minister, not later
13 than 31st October of each year or such other time as may be directed by the
14 Minister, accounts and estimates of its income and expenditure during the
15 succeeding year.

16 (2) The Agency shall keep proper accounts and other records relating
17 thereto, and shall cause to be prepared, not later than 30th June in each year, a
18 statement of accounts relating to the last preceding year.

19 (3) The statement of accounts, together with records relating thereto,
20 shall be certified by the Agency and the accounts shall be audited by the
21 Auditors to be appointed by the Agency from the list, and in accordance with
22 the guideline supplied by the Auditor-General of the Federation.

Audit Report

23 **19.**-(1) As soon as the accounts of the Agency have been audited, the
24 Agency shall prepare a report of its activities during the preceding years and
25 shall include, in such report, a copy of the audited accounts of the Agency and
26 the Auditor's report thereon.

27 (2) The Minister shall, soon after the receipt, present the report to the
28 Federal Executive Council together with any comments thereon as may be
29 made by him.

1	20. The agency may, with the consent of the Minister, borrow by	Power to Borrow
2	way of loan or overdraft and on such terms and conditions as the Minister	
3	may approve such sums of money as the Agency may require in the exercise	
4	of the functions conferred on it under this Bill.	
5	21. -(1) The Agency may accept gifts of land, money or other	Power to accept
6	property on such terms and conditions, if any, as may be specified by the	gift
7	person or organization offering the gift.	
8	(2) The Agency shall not accept any gift if the conditions attached	
9	by the person or organization making the gift are inconsistent with the	
10	functions of the Agency.	
11	22. -(1) The Council may invest any surplus funds of the Agency in	Investment
12	securities prescribed by the Trustee Investments Act or such other securities	Cap. 449 LFN
13	as may, from time to time, be approved by the Minister.	
14	(2) The Council may, subject to the provisions of this Bill and the	
15	conditions of any trust created in respect of any property, invest any of its	
16	funds with the consent or general authority of the Minister.	
17	23. -(1) For the purpose of providing offices and premises	Offices and
18	necessary for the performance of its functions under this Bill, the Agency	Premises
19	may:	
20	(a) Subject to the Land Use Act, purchase, take on lease or	
21	otherwise acquire any land; and	
22	(b) Build, equip and maintain premises and offices.	
23	(2) The Council may, subject to the Land Use Act sell or lease any	
24	land, premises or offices held by it and which it no longer requires for the	
25	performance of its functions under this Bill.	
26	24. -(1) The Agency shall be exempted from the payment of any	Tax Exemption
27	income tax or any income accruing from any investment made by the	
28	Agency.	
29	(2) The provisions of any enactment relating to the taxation of	
30	companies or trust funds shall not apply to the Agency.	

	1	(iii) Renumbering of Part II, and sections 13 to 17 Part II of the
	2	Principal Act is renumbered as Part IV and consequentially sections 13 to 17 of
	3	the Principal Act are renumbered as sections 35 to 39.
	4	(iv) Insertion of new sections;
	5	Immediately after section 17 of the Principal Act, insert the following new
	6	sections, from 40 to 45:
Public Officers Protection Act	7	25. Subject to the provisions of this Bill, the provisions of the Public
	8	Officers Protection Act shall apply in relation to any suit instituted against any
	9	officer or employee of the Agency.
Limitation of suits against Officers, Cap 379 LFN	10	26.-(1) For the purpose of carrying out the functions conferred on the
	11	Agency under this Bill, the Director-General or any other officer or employee
	12	of the Agency authorized on its behalf:
	13	(a) Shall have a right to all relevant records of any institution or
	14	authority to which this Bill applies; and
	15	(b) May, by notice in writing served on any person or authorities in
	16	charge of any such institution, require that person or authority to furnish or
	17	cause to be furnished information on such matter or matters as may be specified
	18	in the notice.
	19	(2) It shall be the duty of any person required to furnish information
	20	pursuant to subsection (1) of this section to comply with the notice within a
	21	reasonable time.
	22	(3) Any person who contravenes the provisions of subsection (2) of
	23	this section commits an offence and is liable on summary conviction to a fine of
	24	not less than N30,000.00 or imprisonment for a term not exceeding two years
	25	or to both such fine and imprisonment.
Secrecy	26	27.-(1) Every member of the Council and every officer or employee
	27	of the Agency shall:
	28	(a) Not at any time make use of any information obtained in the
	29	discharge of his duties under this Bill for his personal gain;
	30	(b) Treat as confidential any information applicable to this Bill which

1 may come to his knowledge in the discharge of his duties as a member of the
2 Council or a staff or employee of the Agency; and

3 (c) Not disclose any such information referred to in paragraph (b)
4 of this sub-section except when required to do so by any court or in such
5 other circumstances as may be prescribed by the Council.

6 (2) Any person who contravenes the provisions of sub-section (1)
7 of this section commits an offence and is liable on summary conviction to a
8 fine of not less than N30,000.00 or imprisonment for a term not exceeding
9 two years or to both such fine and imprisonment.

10 **28.** The Agency shall not later than six months after the end of each Annual Report
11 year, submit through the Minister, to the Federal Executive Council, a report
12 on the activities of the Agency and its administration during the immediately
13 preceding year and attached to the report shall be the audited accounts of the
14 Agency and the auditors' comments thereon.

15 **29.** The minister may give to the Agency directives of a general Power of the
16 nature with respect to any of the functions of the Agency and the Agency Minister to give
17 shall comply with such directives. directives

18 **30.-(1)** The Agency may, with the approval of the Minister, make Regulations
19 regulations generally for the carrying into effect of the provisions of this
20 Bill.

21 (2) The regulations, in order to become valid, shall be published in
22 the Official Gazette and brought into notice of such interested persons
23 (including the officers and employees of the Agency) in such manner as the
24 Agency may determine.

25 (v) Renumbering of section 18 of the Principal Act Section 18 of
26 the Principal Act is consequentially renumbered as section 46 with respect to
27 the amendments by this Bill.

28 (vi) Amendment and renumbering of section 19 of the Principal
29 Act.

30 (1) Add the following clauses before the word "Court":

1 (a) "Agency" means the Examination Malpractice Law Enforcement
2 Agency, established by section 1 of this Bill;

3 (b) "Chairman" means the Chairman of the Governing Council;

4 (c) "Council" means the Governing Council of the Agency
5 established by section 2 of this Bill;

6 (2) Immediately after the interpretation of the word "Court", add:

7 "Director-General" means the Director-General of the Agency;

8 (3) Insert after the words "Joint Admissions and Matriculation
9 Board," the following: "National Examination Council";

10 (4) Immediately after the interpretations of the words "live question
11 paper", add the following:

12 (a) "Minister" means the Minister of the government of the
13 Federation charged with the responsibility for Education;

14 (b) "President" means the President and Commander-in-Chief of the
15 Armed Forces of the Federal Republic of Nigeria.

16 (5) Section 19 of the Principal Act is renumbered as section 47 sequel
17 to the amendments by this Bill.

18 (vii) Amendment and renumbering of section 20 of the Principal Act:

19 (1) Add the word "Amendment" in brackets, i.e. (Amendment),
20 immediately after the word "Malpractices",

21 (2) Section 20 of the Principal Act is renumbered as section 48 with
22 respect to the amendments by this Bill.

23 **31.** This Bill may be cited as the Examination Malpractice Act
24 (Amendment) Bill, 2020.

25 SCHEDULE

26 [Section 17(4)]

27 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC

28 1. Subject to this Bill and section 27 of the Interpretation Act, the
29 Council may make standing orders regulating its proceedings or those of any of
30 its committees.

1 2. The Chairman shall preside at every meeting of the Council and
2 in his absence the members present at the meeting shall elect one other
3 member to preside at that meeting.

3. Subject to the provisions of this Bill and any standing orders made under it, the quorum of the Council shall be nine members and the quorum of any committee of the Council shall be determined by the Council.

7 4. The Council shall meet at least once in every three months and
8 subject thereto, the Council shall meet whenever it is summoned by the
9 Chairman; and if the Chairman is required to do so by notice given to him by
10 no fewer than ten other members, he shall summon a meeting of the Council
11 to be held within fourteen days from the date on which the notice is given.

12 *Co-option*

13 5.-(1) Where the Council desires to obtain the advice of any person
14 on any particular matter, it may co-opt that person as a member for such
15 period as it may think necessary'

16 (2) A person so co-opted shall not be entitled to vote at any meeting
17 of the Council and shall not count towards forming a quorum.

18 Committees

19 6.-(1) The Council may appoint one or more committees to carry
20 out, on behalf of the Council, such of its functions as the Council may
21 determine.

(2) A committee appointed under sub-paragraph (1) of this paragraph shall consist of such number of persons (not necessarily members of the Council) as may be determined by the Council.

(3) A person other than a member of the Council so appointed into the committee shall hold office on the committee in accordance with the terms of his appointment.

1 *Miscellaneous*

2 7. The fixing of the seal of the Agency shall be authenticated by the
3 signature of the Chairman or any other person generally or specifically
4 authorized to act for that purpose by the Agency.

EXPLANATORY NOTE

This Bill seeks to amend the Examination Malpractices Act and provide for Examination Malpractices Law Enforcement Agency, which shall among other things have responsibility for entronement of examination ethics, prevention of cheating at examination, enforcement of the laws and prosecution of offenders.

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL UNITY CORPS TO EMPOWER,
DEVELOP AND PROVIDE ALTERNATIVE EMPLOYMENT FOR THE YOUTHS,
TO FACILITATE PEACE, VOLUNTEERISM, COMMUNITY SERVICE, NATION-
BUILDING AND FOR OTHER RELATED MATTERS, 2020

Sponsored by Senator Istifanus Gyang

[] Commencement

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

1 PART I - ESTABLISHMENT, FUNCTIONS AND OBJECTIVES OF THE
2 NATIONAL UNITY CORPS

3 **1.-(a)** There is established a body to be known as the National
4 Unity Corps (in this bill referred to as: Unity Corps) and shall be a corporate
5 body with perpetual succession with a Common Seal and may sue and be
6 sued in its corporate name;

Establishment and Objectives of the National Unity Corps

(b) The Headquarters of the NATIONAL UNITY CORPS shall be located in the Federal Capital Territory (FCT), and shall have offices in all the States, Local Government areas and Educational Institutions;

(c) Without prejudice to the generality of the provisions relating to the general duties of the NATIONAL UNITY CORPS set out in the Act, the Objectives of the Unity Corps shall be to Train, Educate and Re-orientate the Youth of this Nation, particularly Students, on their future leadership roles in the society, the Art of Nation-Building, as well as to become good citizens of the Country with due respect for Constituted Authorities, Democratic Norms and the Rule of Laws, and to re-direct the productive energies of the youths towards the Socio-Economic and Political Advancements of the Nation.

Functions of the
National Unity
Corps

- 1 **2.** Functions of NATIONAL UNITY CORPS shall include:
- 2 (a) Mediation among warring parties thereabout bringing and
- 3 establishing Peaceful coexistence and stability among peoples and
- 4 communities. Empower, develop and provide gainful employment for the
- 5 youths to facilitate peace volunteerism, community services, neighbourhood
- 6 watch and Nation Building;
- 7 (b) Promote Social and Economic Development by involving
- 8 Members and Volunteers in the scheme through working with Government,
- 9 Schools, Non-Profit Organizations, Non-Governmental Organizations, etc. in
- 10 order to pre-occupy the youths;
- 11 (c) Enlist, Provide distinct training and orientation of unemployed
- 12 youths of diverse qualifications as permanent staff and place them in a
- 13 reservoir to serve as a spring board for easy accessibility of manpower
- 14 whenever the Nation needs their services for either permanent employment or
- 15 ad-hoc staff for National OR International programs such as emergency relief
- 16 services, voters registration, census, Immunization sanitation;
- 17 (d) Prevention of Conflict eruption that may lead to Violence Crisis,
- 18 loss live and destruction of properties;
- 19 (e) Training the youth to advance the course of Peace-Building and
- 20 Conflict transformation through Peace education;
- 21 (f) Building the capacity the youths in the area of critical thinking,
- 22 creativity, innovation, entrepreneurship and skill acquisition;
- 23 (g) Serves as Orderlies to National Personalities such as members of
- 24 the Executives, Parliament, Judiciary and Traditional Rulers etc.
- 25 (h) Engage members as Tourist Assistants to Nigerians and
- 26 Foreigners on visit on the Country's Tourist Sites and other National and State
- 27 Monuments and Heritage;
- 28 (i) To empower and pre-occupy the Nigerian Youths through job
- 29 creation and provision of alternative employment;
- 30 (j) Training Nigerian youths with good virtues, strong passion and

1 commitment to the art of patriotism, volunteerism, community services and
2 Nation-building.;

3 (k) To train and equip the youths with knowledge for Peace
4 Education, Conflict Resolution, Mediation, Reconciliation and Confidence
5 Building;

6 (l) To give distinct orientation and training to the members of the
7 NATIONAL UNITY CORPS and engage them in the provision of Essential
8 Services such as; Community Services such as Immunization, Census and
9 Sanitation Exercises, especially in Urban Cities, States and Local
10 Government Capitals;

11 (m) Reactivation, enforcement and implementation of the of the
12 abandoned "War Against Indiscipline" in our institutions and public places
13 by Providing Refuse Bins, Waste Baskets and handy waste bags in Public
14 Buildings, Buses and Schools in order to obliterate littered materials;

15 (n) Assist in planting and nursing of economic trees and all forms
16 of environmental conservations; and

17 (o) Involve members and volunteers of the NATIONAL UNITY
18 CORPS in crowd control during public functions and in neighborhood
19 watch in order to curb insecurity within the community;

20 (p) Monitoring, control and enforcement of street begging/trading
21 Laws/Regulation in our institutions and public places

22 (q) Animal Monitoring, Control and Safety for harmonious and
23 Peaceful Coexistence and safety of lives and properties among Nigerians;

24 (r) Participatory Collaboration/Synergy in Humanitarian Services
25 and deliveries among destitute and IDPs including the construction and
26 maintenance of shelters alongside the appropriate Humanitarian service
27 delivery agency/organizations;

28 (s) Participatory/Synergy in emergency and rescue services
29 alongside the appropriate designated agencies/organizations;

30 (t) Participatory Collaboration/Synergy in the enforcement of

1 Environmental Law/Regulations alongside the appropriate and designated
2 agencies/organizations for a serene and healthy Society;

3 (u) Provide security for all Educational Institutions and check all
4 forms of examination malpractices and other negative vices such as drugs
5 abuse/addiction and prostitution, prevalent in Schools and Colleges in order to
6 create a conducive atmosphere for learning the following means:

7 (a) Maintain surveillance on students organizing secret societies;
8 identify their members, associates, modus operandi and to make such
9 discoveries known to the appropriate authorities;

10 (b) Assist the School Authorities in the maintenance and enforcement
11 of School Rules and Regulations;

12 (c) Organise Holiday camps, for students where they would be
13 involved in less academic work but more of Games, Creative Work, Martial
14 Art, Citizenship and Leadership Training, as well as other extra-curricular
15 programs;

16 (d) Set up anti-students loitering Squad periodically to check students
17 loitering within the School premises and in town during school hours, in school
18 uniform; and

19 (e) Organize special Conference, Seminars and Workshop in order to
20 equip the Nigerian youths in Leadership Building Mechanism, so as to prepare
21 them mentally, morally and physically for their future leadership roles;

22 (f) To check all forms of examination malpractices as may be
23 perpetuated by students, invigilators, teachers, lecturers and other educational
24 staff.

25 (g) To carry out any other function that may be prescribed by an act of
26 the National assembly or by any bye- law.

27 **3.** Discharge such other functions that will facilitate the
28 accomplishment of its objectives.

1	PART II - GOVERNING BOARD COMPOSITION AND POWERS GOVERNING	
2	BOARD OF THE NATIONAL UNITY CORPS	
3	4. There is established for the management of the NATIONAL	Establishment
4	UNITY CORPS a Governing Board (in this Act referred to as "the Board").	of the National
5	5. The Board shall consist of:	Unity Corps
6	(a) A Chairman;	Governing Board
7	(b) A representative each of the following:	
8	(i) Ministry of Interior;	Composition of
9	(ii) Ministry of Youth Development;	the Board of the
10	(iii) Ministry of Employment, Labour and Productivity;	National Unity
11	(iv) Ministry of Education;	Corps
12	(v) Ministry of Environment;	
13	(vi) Institute of Peace and Conflict Resolution;	
14	(vii) National Orientation Agency;	
15	(viii) National Population Commission;	
16	(ix) Nigerian Tourism Development Corporation;	
17	(x) National Directorate of Employment;	
18	(xi) Ministry of Finance;	
19	(xii) Ministry of Justice;	
20	(c) The Commandant General to serve as Secretary.	
21	6.-(a) The Chairman shall be a person having cognate experience	Qualification of
22	and proven capacity in discharging his responsibilities to facilitate the	the Chairman and
23	accomplishment of the NATIONAL UNITY CORPS Objectives;	other Members of
24	(b) A member referred to in Section 5(2) shall not be below the rank	the National Unity
25	of Director or its equivalent in the force;	Corps
26	(c) A member referred to in Section 5(2) shall be a person having	
27	cognate experience and proven capacity to discharge his duties.	
28	7.-(a) The Chairman and members of the Board shall be appointed	Appointment of
29	by the President, Federal Republic of Nigeria on the recommendation of the	the Chairman and
30	Minister.	Members of the
		Board of the National
		Unity Corps

	1	(b) Without prejudice to the provisions of this Act, the Minister shall
	2	perform the functions of the Board where:
	3	(i) The Board has not been constituted;
	4	(ii) The Board has been dissolved; and
	5	The provisions of the schedule to this Act shall have effect with respect to the
	6	proceedings of the Board and other matters contained therein.
Tenure of Office, etc.	7	8. The Chairman and other members of the Board, other than ex-
	8	officio members:
	9	(a) Shall hold office for a period of Four (4) Years on such terms and
	10	conditions as contained in their letters of appointment; and
	11	(b) May be re-appointed for one further period of Four (4) Years and
	12	no more.
Removal from Office	13	9. -(a) Notwithstanding the provisions of Section 5 of this Act, a
	14	member may at any time be removed from office by the President of the
	15	Federal Republic of Nigeria if:
	16	(i) He is unable to discharge the functions of his office whether arising
	17	from infirmity of the body or mind;
	18	(ii) He is convicted by a Court of Law of a felony, fraud or any serious
	19	act of misconduct; and
	20	(iii) He without permission of the Board is absent for more than three
	21	consecutive meetings of the Board without such permission is absent from the
	22	country for a period exceeding one year.
	23	(b) The Chairman or member may resign by a notice addressed
	24	through the Secretary to the Government of the Federation to the President and
	25	such notice of resignation shall become effective from the date of acceptance of
	26	the resignation by the President.
Allowances	27	10. A member shall be paid such allowances as may be determined by
	28	the National Wages and Salaries Commission.
Powers of the Board	29	11. The Board shall be responsible for:
	30	(a) Providing the general policies and guidelines relating to major

- 1 expansion programs of the NATIONAL UNITY CORPS;
- 2 (b) The supervision of management and general administration of
- 3 the NATIONAL UNITY CORPS;
- 4 (c) Recruiting regular Members of the NATIONAL UNITY
- 5 CORPS;
- 6 (d) Organizing basic developments and refresher courses for
- 7 members of the NATIONAL UNITY CORPS;
- 8 (e) Fixing, with the approval of the Minister the terms and
- 9 conditions of service of members and employees of the NATIONAL
- 10 UNITY CORPS, including their remuneration; and
- 11 (t) Do such other things, which in the opinion of the Board are
- 12 necessary to ensure the efficient performance of the functions of the
- 13 NATIONAL UNITY CORPS.

14 PART III - STAFF AND MEMBERSHIP OF THE UNITY CORPS

15 COMMANDANT GENERAL OF THE UNITY CORPS

- 16 12.-(a) There shall be for the NATIONAL UNITY CORPS a
- 17 National Commandant who shall be appointed by the President and
- 18 Commander-in-Chief on the recommendation of the Minister;

Appointment of
National
Commandant

- 19 (b) The Commandant General shall:
- 20 (i) Hold office in the first instance for a period of Five (5) years and
- 21 shall be eligible for reappointment for a further period of Five (5) years and
- 22 no more;
- 23 (ii) On such terms and conditions as may be specified in his letter of
- 24 appointment;
- 25 (iii) The Commandant General shall be the Chief Executive and
- 26 Accounting Officer of the NATIONAL UNITY CORPS;
- 27 (iv) The Commandant General shall in the performance of his
- 28 function be directly responsible to the President and Commander-in-Chief
- 29 of the Armed Forces, but shall regularly consult with Minister and the
- 30 Board;

Deputy
Commandant
Generals, National
Corps Secretary,
Assistant
Commandant
Generals, etc and
other employees
of the National
Unity Corps

1 (v) The Commandant General shall be responsible for the execution
2 of the policies of the NATIONAL UNITY `CORPS and its day-to-day
3 administration; and

4 (vi) Subject to the provisions of this Act, the Commandant General
5 shall hold office on such terms and emolument as may be specified in his letter
6 of appointment, and as may from time to time, be approved by the President.

7 **13.-(a)** The Commandant General shall recommend for appointment
8 to the Board such number of Deputy Commandant General, National Corps
9 Secretary, Assistant Commandant Generals, Commandants and such Officers
10 from Level Eight (8) and above as it may, from time to time, deem necessary for
11 the purposes of the effective administration of the NATIONAL UNITY
12 CORPS;

13 (b) The terms and conditions of service (including remunerations,
14 allowances, benefits and pensions) of regular members and employees of the
15 NATIONAL UNITY CORPS shall be determined by the Board using same
16 criteria as may be applied to other similar Agencies with the approval of the
17 Minister;

18 (c) The Volunteers of the NATIONAL UNITY CORPS shall, for any
19 period they are on duty for the NATIONAL UNITY CORPS be paid such
20 allowances and other benefits as may be approved by the Commandant
21 General in consultation with the Minister;

22 (d) The Commandant General, after due consultations with the
23 Minister shall appoint for the NATIONAL UNITY CORPS such number of
24 officers, other ranks and employees below Level Eight (L8) as it may, from
25 time to time, deem necessary for the purposes of the effective administration of
26 the NATIONAL UNITY CORPS.

Members of the
National Unity
Corps

27 **14.** Membership/Personnel of the NATIONAL UNITY CORPS shall
28 consist of:

29 (a) Regular members and volunteers;

30 (b) Officers and other Ranks;

1 (c) Members of the Corps shall be Nigerians within the ages of 18-
2 35 years as at the time of enlistment; and

3 (d) Regular members and other staff shall be recruited by the Board
4 periodically to meet the personnel requirements of the NATIONAL UNITY
5 CORPS. While that of the volunteers will be handled by the Commandant
6 General as the need arises.

7 **15.-(a)** The service in the UNITY CORPS shall be approved Pensions
8 service for the purposes of the Pensions Act and, accordingly, regular
9 members and employees of the NATIONAL UNITY CORPS shall be
10 entitled to pensions, gratuities and other retirement benefits as prescribed
11 under the Pensions Act;

12 (b) Notwithstanding the provisions of Sub-Section (a) of this
13 Section, nothing in this Act shall prevent the appointment of a person to any
14 office on such terms, which preclude the grant of pension, gratuity or other
15 retirement benefit in respect of that office;

16 (c) For the purposes of the application of the provisions of the
17 Pensions Act, any power exercisable by the Minister or other authority of the
18 Federal Government, other than the power to make regulations under
19 Section 23 of the Act, is hereby vested in and shall be exercisable by the
20 NATIONAL UNITY CORPS and not by any other person or authority;

21 (d) Service in the NATIONAL UNITY CORPS shall be approved
22 service for the purpose of the Pensions Reform Act 2004 and, accordingly,
23 officers and the other persons employed in the NATIONAL UNITY CORPS
24 shall; be entitles to pensions, gratuities and other benefits as are prescribed
25 here under; and

26 (e) For the purpose of the application of the provisions of the
27 Pension Reform Act, 2004 any power exercisable there under by a Secretary
28 to the Government of the Federation or other authority of the Government of
29 the Federation, other than the power to make regulations under Sections 23
30 thereof is hereby vested in and shall be exercisable by the NATIONAL

1 UNITY CORPS and not by any other persons or authority.

2 PART IV - APPOINTMENT, PROMOTION, OFFENSES AND DISCIPLINE OF
3 STAFF APPOINTMENT AND PROMOTION OF STAFF OF THE
4 NATIONAL UNITY CORPS

5 **16.-(a)** The Senior Staff of the Rank of Commandant and above shall
6 be appointed by the President and Commander-in-Chief of the Armed Forces
7 upon nomination by the Commandant General and on the recommendation of
8 the Board;

9 (b) Commandant shall be vested with the Board on the
10 recommendation of the Commandant General;

11 (c) The post of the Deputy Commandant General shall be a terminal
12 post on which the holder shall retire from NATIONAL UNITY COPS as may
13 be determined by the President, and Commander-in-Chief of the Armed
14 Forces;

15 (d) The Commandant General shall, in consultation with the Board,
16 establish such number of offices/units in the Headquarters and recruit officers
17 to discharge responsibilities;

18 (e) If for any reason, the Commandant General is unable to perform
19 his functions and there exist a vacancy in the office of the Commandant
20 General, the officer who is next in rank to the National Commandant is to act
21 for the period of his inability or vacancy, until a Commandant General is
22 appointed in accordance with the provisions of this Act and the Officer shall,
23 while so acting have all the powers to perform the functions of the
24 Commandant General.

Appointment of
staff of the Unity
Corps

25 **17.-a)** The appointment of Staff of the UNITY CORPS shall be
26 governed, mutatis mutandis, by the general terms and conditions of service as
27 the Board may, after consultation with the Federal Civil Service Commission
28 or related organizations determine;

29 (b) The Board may, subject to the provisions of this Act, make Staff
30 Regulations relating generally to the Conditions of Service of the Staff of the

1 UNITY CORPS; and without prejudice to the generality of the foregoing.

2 Such regulations may provide for:

3 (i) The appointment, promotion, termination, dismissal and
4 disciplinary control of the Staff of the UNITY CORPS; and

5 (ii) Appeals by such Staff against wrongful dismissal or other
6 disciplinary measures, and until such regulations are made any instrument
7 relating to the conditions of Service of Officers in the Civil Service of the
8 Federation or related organization shall be applicable with such
9 modifications as may be necessary, to the staff of the NATIONAL UNITY
10 CORPS.

11 (c) The Staff of the NATIONAL UNITY CORPS shall be public
12 officers as defined in the Constitution of the Federal Republic of Nigeria
13 1999 (as amended);

14 (d) Staff Regulations made under Sub-Section 17(b) of this Section
15 shall not have effect until it has been approved by the Board, and when so
16 approved, the Board shall cause them to be brought to the notice of all
17 affected persons.

18 **18.**-(a) The Commandant General may delegate his powers in
19 respect of discipline of junior staff to Deputy or Assistant Commandant
20 Generals in the Headquarters and State Command who shall discipline such
21 staff in their Departments and Commands respectively in accordance with
22 NATIONAL UNITY CORPS regulations;

Discipline of
the Staff of the
Corps

23 (b) The power of appointment, promotion and discipline of the
24 junior staff of the NATIONAL UNITY CORPS is vested in the
25 Commandant General;

26 (c) Appeal against all decisions concerning the discipline of such
27 staff shall be with the senior Staff Disciplinary Committee;

28 (d) The power to discipline the Senior Staff is vested with the
29 disciplinary committee hereby established; and

30 (e) The Senior Staff Disciplinary Committee shall comprise the

1 following members:

2 (i) A Deputy Commandant General and Assistant Commandant
3 General(s) with the Deputy Commandant General serving as Chairman, while
4 in the absence of a Deputy Commandant General, the most Senior Assistant
5 Commandant General shall serve as Chairman;

6 (ii) The Provost Marshal;

7 (iii) The Head of Legal Matters;

8 (iv) National Corps Secretary

9 (v) In addition to function specified in sub-Section 19

10 (e) of this Section, the Senior Staff Disciplinary Committee shall
11 consider and determine appeals emanating from decisions of the Junior Staff
12 Disciplinary Committee of the NATIONAL UNITY CORPS. The decisions of
13 such appeals shall be final;

14 (vi) Appeal against the decisions of the Senior Staff Disciplinary
15 Committee shall lie with the Board and NATIONAL UNITY CORPS ensure:

16 (i) Probity and Accountability;

17 (ii) Maintenance of a system of screening and vetting at the
18 recruitment stages and which shall be a continuous exercise throughout the
19 career of personnel in the NATIONAL UNITY CORPS;

20 (iii) Maintenance of a policy of continuous staff assessment.

21 (viii) The Commandant General shall promulgate and distribute a
22 code of conduct to staff of the NATIONAL UNITY CORPS, the breach of
23 which shall attract the appropriate penalty stipulated therein and

24 (ix) For the purpose of proper Legal Guidance and accountability, the
25 Heads of the Legal and Audit Unit shall report directly to the Commandant
26 General.

27 PART V - ADMINISTRATIVE STRUCTURES AND ZONAL COMMANDS

28 OF THE NATIONAL UNITY CORPS

Administrative
Structures of the
National Unity
Corps

29 19.-(a) The UNITY CORPS Headquarters shall be in the Federal
30 Capital Territory and Headed by the Commandant General;

1 (b) There shall be established in National Headquarters of the
 2 NATIONAL UNITY CORPS various Departments each of which shall be
 3 Headed by an Officer not below the Rank of a Deputy Commandant
 4 General. The Departments are:

- 5 (i) Administration;
- 6 (ii) Finance and accounts;
- 7 (iii) Training and Operations;
- 8 (iv) Intelligence and Security;
- 9 (v) Peace Building and Conflict Resolution;
- 10 (vi) Monitoring and Evaluation;
- 11 (vii) Personnel, Records and Welfare; and
- 12 (viii) Logistics and Supply.

13 (c) Each of these Departments shall be established at the various
 14 Command Structure of the NATIONAL UNITY CORPS as provided in sub-
 15 Sections 21 (a) above and shall be headed by an officer not below the Rank
 16 of Assistant Commandant.

17 **20.-(A)** The Board shall:

18 (i) divide Nigeria into such number of zones as it may, from time to
 19 time determine for the effective operations of the NATIONAL UNITY
 20 CORPS; and

21 (ii) Establish, in each Zone, a Zonal Command, which shall be
 22 headed by an officer not below the Rank of Assistant Commandant General.

23 (b) The Zonal Command shall, subject to the direction and overall
 24 command of NATIONAL UNITY CORPS, be responsible for coordinating
 25 the activities of the NATIONAL UNITY CORPS in the Zone.

26 **21.-(a)** The NATIONAL UNITY CORPS shall have a State
 27 Command in each State of the Federation and the Federal Capital Territory,
 28 Abuja and

29 (b) The State Command shall, subject to the directive and overall
 30 command of the NATIONAL UNITY CORPS Headquarters and Zonal

Zones and Zonal
 Commands of the
 National Unity
 Corps

State Command

	1	Command, be responsible for carrying out the functions of the NATIONAL
	2	UNITY CORPS in the State and the Federal Capital Territory, Abuja,
Local Government Command	3	22. -(a) The NATIONAL UNITY CORPS shall have a Command in
	4	each Local Government Area of the Federation and the Federal Capital
	5	Territory, Abuja; and
	6	(b) The Local Government Command shall subject to the directive
	7	and overall Command of the NATIONAL UNITY CORPS and State
	8	Command, be responsible for carrying out the functions of the NATIONAL
	9	UNITY CORPS in each of the Local Government Areas or the Area Councils
	10	of the Federal Capital Territory, Abuja.
Squadron Command	11	23. -(a) The NATIONAL UNITY CORPS shall establish a Squadron
	12	Command in each Educational Institution in the Federation, which shall be
	13	headed by a Squadron Commander, and
	14	(b) The Squadron Command shall, subject to the direction and overall
	15	Command of the NATIONAL UNITY CORPS State Command, be
	16	responsible for carrying out the functions of the NATIONAL UNITY CORPS
	17	in Educational Institutions.
	18	PART VI - FINANCIAL PROVISIONS
Funds of the National Unity Corps	19	24. The NATIONAL UNITY CORPS shall establish and maintain a
	20	fund, into which shall be paid:
	21	(a) All subventions and budgetary allocations from the Federal
	22	Government;
	23	(b) All sums accruing to NATIONAL UNITY CORPS from donations
	24	made by Local or International Donor Agencies;
	25	(c) Statutory Allocations from Federal Government;
	26	(d) Gifts from the three (3) tiers of Government, Ministries/Agencies
	27	and Private Corporations;
	28	(e) Loans, grants and Aid; and
	29	(f) Bequests.

1	25. The NATIONAL UNITY CORPS may, from time to time,	Expenditure of the National Unity Corps
2	apply the proceeds of the fund established in Section 25 of this Act:	
3	(a) To the cost of administration of the NATIONAL UNITY	
4	CORPS; and	
5	(b) To the payment of salaries, fees or other remuneration or	Annual Estimates and Accounts
6	allowances, gratuities payable to the officers and other employees of the	
7	NATIONAL UNITY CORPS, so that no payment of any kind under this	
8	paragraph (except such as may be expressly authorized) shall be made to any	
9	person who is in receipt of emoluments from the Government;	Provision of Library facilities
10	(c) For the maintenance of any property vested in the NATIONAL	
11	UNITY CORPS;	
12	(d) For and in connection with all or any of its functions under this	
13	Act;	
14	(e) The accounts of the UNITY CORPS shall be audited by an	
15	external Auditor.	
16	26. -(a) The NATIONAL UNITY CORPS shall, not later than 30th	
17	September in each year submit to the Minister an estimate of its expenditure	Provision of Library facilities
18	and income (including payments to the NATIONAL UNITY CORPS Fund)	
19	during the next succeeding year after approval by the Board; and	
20	(b) The NATIONAL UNITY CORPS shall keep proper accounts in	
21	relation to those accounts and shall cause its accounts to be audited within	
22	six months after the end of each year by auditors appointed from the list and	
23	in accordance with the guidelines supplied by the Auditor-General of the	
24	Federation.	
25	27. The Council shall provide and maintain a library at the	
26	headquarters and State Branch Commands of the Peace Corps comprising	
27	such books and publications as may be provided, for the advancement of the	
28	knowledge and skills of members of the NATIONAL UNITY CORPS, for	
29	research purposes, and for other purposes connected with the objects and	
30	functions of the NATIONAL UNITY CORPS.	

Annual Report	1	28. The NATIONAL UNITY CORPS shall prepare and submit to the
	2	Federal Executive Council through the Minister after approval by the
	3	Governing Board, not later than six months after the end of each year, a report
	4	in such form as he may direct on the activities of the NATIONAL UNITY
	5	CORPS during the immediate preceding year, and shall include in such report a
	6	copy of the audited accounts of the Peace Corps for that year and the auditor's
	7	report on the accounts.
Power to accept gift	8	29. -(a) The NATIONAL UNITY CORPS may accept gifts of land,
	9	money or other property on such terms and conditions, if any, as may be
	10	specified by the person or organization making the gift; and
	11	(b) The NATIONAL UNITY CORPS SHALL not accept any gift if
	12	the conditions attached by the person or organization offering the gift are
	13	inconsistent with the functions or objectives of the NATIONAL UNITY
	14	CORPS.
Power to borrow	15	30. -(a) The NATIONAL UNITY CORPS may, from time to time,
	16	borrow by overdraft or otherwise such sums as it may require for the
	17	performance of its functions under this Act;
	18	(b) The NATIONAL UNITY CORPS shall not, without the approval
	19	of the Board, borrow money, which exceeds, at any time, the amount set by the
	20	Board; and
	21	(c) Notwithstanding Sub-Section 30(a) of this Section, where the sum
	22	to be borrowed is in foreign currency, the NATIONAL UNITY CORPS shall
	23	not borrow the sum without the prior approval of the Board.
Investment	24	31. The NATIONAL UNITY CORPS may, subject to the provisions
	25	of this Act and the conditions of any trust created in respect of any property,
	26	invest all or any of its funds in any security prescribed by the Trustee
	27	Investments Act in such other securities as may, from time to time, be approved
	28	by the Minister.

PART VII - LEGAL PROCEEDINGS

32.-(a) Subject to the provisions of this Act, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the NATIONAL UNITY CORPS; and

Limitation of
suits against the
National Unity
Corps

(b) Notwithstanding anything contained in any other enactment, no suit against any member of the Board or the Commandant General or any other officer or employee of the NATIONAL UNITY CORPS for any act done in pursuance or execution or in respect of any alleged enactment or law, or of any public duty or authority or in respect of any alleged neglect or default in the execution of this Act or any other enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced:

(i) Within three months after the act, neglect or default complained of and/or

(ii) In the case of a continuation of damage or injury, within six months after the teasing thereof.

(c) No suit shall be commenced against a member of the Board or the Commandant General or any other officer or employee of the NATIONAL UNITY CORPS before expiration of a period of one month after written notice of intention to commence the suit shall have been served on NATIONAL UNITY CORPS by the intending plaintiff or his agent;

(d) The notice referred to in Sub-Section (i)(c) of this section shall clearly and explicitly state:

(i) The cause of action;

(ii) The particulars of claim;

(iii) The name and place of abode of the intending plaintiff; and

(iv) The relief, which the plaintiff claims

33. A notice, summons or other document required or authorized to be served on the Corps under the provisions of this Act or any other enactment or law may be served by delivering it to the Commandant General or by sending it by registered post and addressed to the Commandant

Service of
Documents

	1	General at the Principal Office of the NATIONAL UNITY CORPS.
Restriction on execution against property of the Unity Corps	2	34. -(a) In any action or suit against the NATIONAL UNITY CORPS,
	3	no execution or attachment of process in the nature thereof shall be issued
	4	against the NATIONAL UNITY CORPS unless a notice of not less than three
	5	months of the intention to execute or attach has been given to the NATIONAL
	6	UNITY CORPS; and
	7	(b) Any sum of money, which may, by the judgment of any court, be
	8	awarded against the NATIONAL UNITY CORPS shall, subject to any
	9	directions given by the court where notice of appeal against the judgment has
	10	been given, be paid from the general reserve fund of the NATIONAL UNITY
	11	CORPS.
Indemnity of Officers	12	35. A member of the Board or the Commandant General or any
	13	officer or employee of the NATIONAL UNITY CORPS shall be indemnified
	14	out of the assets of the NATIONAL UNITY CORPS against any liability
	15	incurred by him in defending any proceeding, whether civil or criminal, if the
	16	proceeding is brought against him in his capacity as a member, Commandant
	17	General, officer or other employee of the Peace Corps.
Secrecy	18	36. A member of the Board or the Commandant General or any other
	19	officer or the employee of the NATIONAL UNITY CORPS shall:
	20	(a) Not, for his personal gain, make use of any information, which has
	21	come to his knowledge in the exercise of his powers or is obtained by him in the
	22	ordinary course of his duty as a member of the Board, as the Commandant
	23	General or officer or employee of the NATIONAL UNITY CORPS;
	24	(b) Treat as confidential any information which has come to his
	25	knowledge in the exercise of his powers or is obtained by him in the
	26	performance of his duties under this Act;
	27	(c) Not to disclose any information referred to under paragraph (b) of
	28	this Sub-Section except when required to do so by any court or in such other
	29	circumstances as may be prescribed by the Board, from time to time; and
	30	(d) A person who contravenes the provisions of Sub-Section 37(a) of

1 this Section commits an offence and is liable on conviction to a fine of not
2 less than One Hundred Thousand Naira (N100,000) only or imprisonment
3 for a term not exceeding two (2) years.

4 37.-(a) For the purpose of carrying out the functions conferred on
5 the NATIONAL UNITY CORPS under this Act, the Commandant General
6 or any other officer or employee of the NATIONAL UNITY CORPS
7 authorized in that behalf:

Power to obtain
information

8 (i) Shall have a right of access to all the records of any person or
9 authority affected by this Act for the specific purpose of discharging his
10 duties under this Act; and

11 (ii) May by notice in writing served on any person or premises
12 require that person or authority to furnish information on such matters as
13 may be specified by notice.

14 (b) The person or authority served with the notice under Section 34
15 shall furnish information as required under Sub- Section 38(a) of this
16 Section and comply with the notice within a reasonable time.

17 PART VIII - DISSOLUTION OF THE EXISTING NATIONAL UNITY AND
18 PEACE CORPS AND SAVINGS

19 38.-(a) The body known as the National Unity and Peace Corps (in
20 this section referred to as the "National Unity and Peace Corps") existing
21 before the commencement of this Act is dissolved;

Dissolution of
the existing National
Unity and Peace
Corps

22 (b) Accordingly, there shall be vested in the NATIONAL UNITY
23 CORPS immediately at the commencement of this Act and without further
24 assurance, all assets, funds, resources and other movable or immovable
25 property which immediately before the commencement of this Act were in
26 the Dissolved Peace Corps;

27 (c) As from the commencement of this Act:

28 (i) All rights, interest, obligations and liabilities of the Dissolved
29 Peace Corps existing immediately before the commencement of this Act
30 under any contract or instrument, or at law or in equity, shall by virtue of this

1 Act be assigned to and vested in NATIONAL UNITY CORPS;

2 (ii) Any contract or instrument as mentioned in paragraph C of this
3 Sub-Section shall have the same force and effect against or in favour of the
4 NATIONAL UNITY CORPS and shall be enforceable as fully and effectively
5 as if, instead of being a party thereto; and

6 (iii) The NATIONAL UNITY CORPS shall be subject to all
7 obligations and liabilities to which the Dissolved National Unity and Peace
8 Corps was subjected immediately before the commencement of this Act, and
9 all other persons shall, as from the commencement of this Act have the same
10 right, powers and remedies against the NATIONAL UNITY CORPS as they
11 had against the Dissolved Peace Corps immediately before the commencement
12 of this Act;

13 (d) Notwithstanding or cause of action pending or existing
14 immediately before the commencement of this Act by or against the Dissolved
15 Peace Corps in respect of any right, interest, obligations or liability of the
16 Dissolved Peace Corps may be commenced, continued or enforced by or
17 against NATIONAL UNITY CORPS as if this Act has not been made;

18 (e) Notwithstanding the provision of this Act, but subject to such
19 directions as may be issued by Peace Corps a person who immediately before
20 the commencement of this Act was a volunteer or a regular member of or held
21 office in the Dissolved Peace Corps shall be deemed to have been transferred to
22 NATIONAL UNITY CORPS on terms and condition not less favourable than
23 those obtaining immediately before commencement of this Act, and service in
24 the Dissolved Peace Corps shall be deemed to be service in Peace Corps for
25 purpose of pension; and

26 (f) Notwithstanding the provision of this Act or any other existing law
27 in force, apart from all Regular and Volunteer Members and Officers of the
28 dissolved Peace Corps, any individual(s), group, association or body absorbed
29 as a member of the NATIONAL UNITY CORPS either by transfer, enlistment
30 or by whatsoever legal means shall not as at the time of commencement of this

1 Act be less than 18 years of age and not above the biological age of 45 years
2 old;

3 (g) That individual(s), group, association, body that have shown or
4 demonstrated interest to be absorbed as members of the NATIONAL
5 UNITY CORPS other than the Regular and Volunteer Members of the
6 hitherto Dissolved Peace Corps of Nigeria shall be subject to the Mandatory
7 Statutory four weeks initial training and orientation program upon the
8 commencement of this Act;

9 (h) Notwithstanding the provision of paragraph (g) above, the four
10 weeks initial training and orientation program of the NATIONAL UNITY
11 CORPS may be subject to periodic review from time to time after the
12 commencement of this Act as the Board may so deem;

13 (i) Notwithstanding any provision in this Act, an individual who
14 has served in any capacity in the public service at any level (Federal, State,
15 Local Government) and is entitled to gratuity and pension benefit shall not
16 be eligible for consideration as a staff of the NATIONAL UNITY CORPS.

17 PART IX - MISCELLANEOUS

18 **39.-(a)** The Minister may give to the NATIONAL UNITY CORPS, Directives by
19 the Board or Commandant General such directives: the Minister

20 (i) of a general nature or relating generally to matters or policy with
21 regards to the exercise of its functions; and

22 (ii) With respect to the maintenance and securing of public safety
23 and order, as he may consider necessary and the NATIONAL UNITY
24 CORPS, the Board or the Commandant General shall complied with the
25 directives or cause them to be complied with;

26 (b) Subject to the provisions of Sub-Section 44(a) of this Section, a
27 Governor of a State may give to a State Commandant such directives with
28 respect to the maintenance and securing of public safety and order in the
29 State as he may consider necessary and it shall be the duty of the State

	1	Commandant to comply with the directives or cause them to be complied with.
Regulations of the National Unity Corps	2	40. The NATIONAL UNITY CORPS or the Board may, with the
	3	approval of the Minister, make such regulations as in its opinion are necessary
	4	or expedient for giving full effects to the provisions of this act and for the due
	5	administrations of its provisions which regulations shall be laid before the
	6	National Assembly and published in the official gazette.
Interpretation	7	41. In this Act;
	8	"The NATIONAL UNITY CORPS" means the NATIONAL UNITY CORPS
	9	established under section 1 of this Act;
	10	"Minister" means the Minister charged with responsibility for matters relating
	11	to Internal Security;
	12	"The Board" Means the Governing Board of the NATIONAL UNITY CORPS.
	13	"Regular Staff Officers" These are the main core staff or the Corps on full
	14	remuneration;
	15	"NATIONAL UNITY CORPS Volunteers" These are accredited youth within
	16	the age range of 18-29years who are not on full remuneration but are on
	17	monthly stipend to be determined by the Governing Board. They are to serve as
	18	reservoirs for the Corps and other security agencies;
	19	"Student Membership" This is open to all Nigerian students studying in
	20	Nigeria institutions and schools on voluntary basis and non-remunerated.
Citation	21	42. This Bill may be cited as the NATIONAL UNITY CORPS
	22	(Establishment) Bill, 2020.
	23	SCHEDULE
	24	SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC
	25	<i>Proceedings</i>
	26	(a) The Board shall, for the purpose of this Act meet not less than 4
	27	times in each year;
	28	(b) The Board shall meet whenever it is summoned by the Chairman
	29	and if the Chairman is required to do so by a notice given to him by not less than
	30	five other members, he shall summon a meeting of the Board to be held within

1 14days from the date on which the notice is given; and

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

7 *Committees*

8 (a) The Board may appoint one or more Committees to carry out,
9 on behalf of the Board, its functions under this Act as the Board may
10 determine;

11 (b) A Committee appointed under this paragraph shall consist of
12 such number of persons (not necessarily members of the Board as may be
13 determined by the Board) and a person other than a member of the Board
14 shall hold office in the Committee in accordance with the terms of his
15 appointment; and

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

18 *Seal*

19 (a) The fixing of the Seal of the NATIONAL UNITY CORPS shall
20 be authenticated by the signature of the Chairman or any other person
21 authorized generally or specifically to act for that purpose by the Board and
22 the Commandant General;

23 (b) Any contract or instrument, which if made or executed by a
24 person not being a body corporate, would not be required to be under Seal,
25 may be made or executed on behalf of the Board by the Commandant
26 General or any person generally or specially authorized to act for the
27 purpose by the Board; and

28 (c) Any document purporting to be a document duly executed
29 under the Seal of the Board shall be received in evidence and shall, unless
30 and until the contrary is proved, be presumed, to be executed.

EXPLANATORY MEMORANDUM

This Bill seeks to provide a statutory existence of the NATIONAL UNITY CORPS (NUCO), which shall be a body charged with the responsibility to Empower, Develop and Provide Alternative Employment for the Youth, to Facilitate Peace, Volunteerism, Community Services and for other Related Matters, 2020.

A BILL

FOR

AN ACT TO AMEND THE TERRORISM (PREVENTION) ACT, 2013 TO PREVENT AND PROHIBIT THE USE OF CRYPTOCURRENCY EXCHANGES TO FACILITATE THE PAYMENT OF RANSOM DEMANDED BY HOSTAGE TAKERS AND KIDNAPPERS IN CRYPTOCURRENCY; AND FOR RELATED MATTERS

Sponsored by Senator Gabriel Suswan

[] Commencement

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

- | | |
|---|--|
| <p>1 1. The Terrorism (Prevention) Act, 2013 (in this Bill referred to as</p> <p>2 the "Principal Act") is amended as set out in this Bill.</p> | <p>Amendment of
the Terrorism
(Prevention) Act,
2013</p> |
| <p>3 2. Section 10 of the Principal Act is amended by inserting</p> <p>4 immediately after subsection (1), a new subsection (2):</p> <p>5 "(2) (a) Any person who knowingly or who ought to have known,</p> <p>6 uses a Cryptocurrency exchange to facilitate the payment or receipt of</p> <p>7 ransom demanded by hostage takers or kidnappers commits an offence and</p> <p>8 is liable on conviction to imprisonment for a term of not less than 2 years or</p> <p>9 fine of not less than N10,000,000.</p> <p>10 (a) Cryptocurrency exchange in this section means a virtual</p> <p>11 currency exchange which allows customers to trade cryptocurrencies such</p> <p>12 as bitcoin, litecoin, Namecoin, peercoin, Dash etc for other assets including</p> <p>13 conventional fiat money such as the United States Dollar (\$) etc.</p> | <p>Amendment of
section 10 of the
Principal Act</p> |
| <p>14 3. This Bill may be cited as the Terrorism (Prevention) Act, 2013</p> <p>15 (Amendment) Bill, 2020.</p> | <p>Citation</p> |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Terrorism (Prevention) Act, 2013 to prevent the use of Cryptocurrency exchanges in Nigeria from facilitating the payment of ransom demanded by hostage takers and kidnappers in Cryptocurrency.

A BILL

FOR

AN ACT TO AMEND THE DEBT MANAGEMENT (ESTABLISHMENT, ETC.) ACT, 2003 TO PROVIDE FOR THE PAYMENT OF AIDS AND GRANTS INTO THE CONSOLIDATED REVENUE FUND OF THE STATE AND THE FEDERATION, RE-ASSERT THE POWER OF THE NATIONAL ASSEMBLY TO APPROVE GRANTS AND LOANS TO FOREIGN STATES THROUGH APPROPRIATION ACT OR SUPPLEMENTARY APPROPRIATION ACT AS REQUIRED BY THE CONSTITUTION ; AND FOR RELATED MATTERS

Sponsored by Senator Gabriel Suswan

[] Commencement

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

- | | |
|--|---|
| <p>1 1. The Debt Management Office (Establishment, ETC.) Act, 2003</p> <p>2 (in this Bill referred to as the "Principal Act") is amended set out in this Bill.</p> | <p>Amendment of
the Principal Act</p> |
| <p>3 2. Section 25 of the Principal Act is amended by substituting for</p> <p>4 section 25, new section:</p> <p>5 "25" (1) Without prejudice to the provisions of Sections 80(2) of</p> <p>6 the constitution, approvals for grant or loans to a foreign state or any other</p> <p>7 international body or any of its agencies may be granted in accordance with</p> <p>8 the procedure specified in this section.</p> <p>9 (2) Requests for Legislative approval for grants or loans to a</p> <p>10 foreign state shall be made by the President as part Appropriation Bill or</p> <p>11 Supplementary Appropriation Bill as the case may be.</p> <p>12 (3) The Request specified, in subsection (2) of this Section shall be</p> <p>13 accompanied by an executive Communication signed by the President</p> <p>14 indicating clearly the:</p> <p>15 (a) Foreign Policy objectives underlining the request;</p> <p>16 (b) terms and Conditions of the grant or loan;</p> | <p>Amendment of
Section 25</p> |

	1	(c) the benefits which Nigeria stands to derive from the grant or loan
	2	to such a foreign state; and
	3	(d) State of the relations existing between the foreign state or
	4	international body and Nigeria at the time of the request.
	5	(4) The National Assembly Shall consider such a request on its merit
	6	and pass a bill approving the request giving due regard to the provisions of the
	7	Constitution and the rules of practice and procedure of the Senate and House of
	8	Representatives.
Amendment of Section 26	9	3. Section 26 of the Principal Act is amended by inserting before the
	10	word "monies" in line 1, the words "financial aids or financial grants
	11	including"
Short title	12	4. This Bill may be cited as the Debt Management Office
	13	(Establishment, Etc.) Act, 2003 (Amendment) Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Debt Management (Establishment, Etc.) Act, 2003 to provide for the payment of aids and grants into the consolidated Revenue Fund of the State and the Federation, re-assert the power of the National Assembly to approve grants and Loans to foreign states through Appropriation as recognized under sections 80 (1)(2), 81(1) (4)(b), and 120(1)(2) of the 1999 Constitution of the Federal Republic of Nigeria , as amended.

FEDERAL MEDICAL CENTRE, NKPOLOGU (ESTABLISHMENT) BILL, 2020

ARRANGEMENT OF CLAUSES

Clauses:

1. Establishment of Federal Medical Center Nkpologu, Anambra State and its objectives
2. Financial Provision
3. Power to accept gift
4. Establishment of the Board
5. Resignation, cessation or removal from membership of the Board.
6. Functions of the Board
7. Functions of the Centre
8. Establishment of the office of the Chief Medical Director of the Centre
9. Resignation, or removal of the Chief Medical Director of the Centre
10. Staff of the Centre
11. Departments of the Centre
12. Establishment of fund for the Centre
13. Annual budget of the Centre
14. Report
15. Limitation of suits against the Centre
16. Service of process
17. Restriction on execution against property of the Centre
18. Indemnity of members etc.
19. Citation
- Schedule.

A BILL

FOR

AN ACT TO ESTABLISH FEDERAL MEDICAL CENTER NKPOLOGU, ANAMBRA
STATE OF NIGERIA, SADDLED WITH THE RESPONSIBILITY OF DIAGNOSING,
PREVENTING, AND TREATING OF ALL KINDS OF MEDICAL CHALLENGES AND
FOR RELATED MATTERS

Sponsored by Senator Chukwuka Utazi

[] Commencement

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

- | | |
|---|---|
| <p>1 1.-(1) There is established Federal Medical Center Nkpologu,
2 Anambra State (in this Bill referred to as "the Centre").
3 (2) The Centre:
4 (a) shall be a body Corporate with perpetual succession and a
5 common seal and may sue and be sued in its corporate name; and
6 (b) acquire, hold, mortgage, purchase and deal with property,
7 whether movable or immovable, real or personal.
8 (3) The main objective of the Centre is to provide medical services
9 in all its ramifications.</p> | <p>Establishment
of Federal Medical
Centre Nkpologu,
Anambra State
and its objectives</p> |
| <p>10 2.-(1) The Centre may accept gifts upon such terms and conditions,
11 if any, as may be specified by the person or organization making the gift.
12 (2) The Centre shall not accept any gift if the conditions attached
13 by the person or organization making the gift are inconsistent with the
14 objectives of the Centre under this Bill.</p> | <p>Power to accept
gift</p> |
| <p>15 3.-(1) There is established for the Centre a governing Board, to be
16 constituted by the President of the Federal Republic of Nigeria, (in this Bill
17 referred to as "the Board") which shall consist of:
18 (a) Chairman, who shall be a person with proven integrity who
19 shall not be below the age of 50 years;
20 (b) a representative of:</p> | <p>Establishment
of the Board</p> |

	1	(i) Federal Ministry responsible for Health,
	2	(ii) Federal Ministry responsible for Finance,
	3	(iv) Medical and Dental Council of Nigeria, and
	4	(v) each of the six geo-political zones of Nigeria; and
	5	(c) the Chief Medical Director of the Centre, who shall also serve as
	6	the Secretary of the Board.
	7	(2) The Board shall meet whenever the need arises or for the conduct
	8	of its ordinary meetings for at least 4 times in a calendar year.
Schedule	9	(3) Notwithstanding the provision of sub-clause (2) of this clause, the
	10	Board may meet to conduct such other business as exigency demands in line
	11	with the supplementary provisions contained in the Schedule to this Bill which
	12	shall have effect with respect to the proceedings of the Board and other matters.
Resignation, cessation or removal from membership of the Board	13	4.-(1) A member of the Board other than the ex-officio may resign his
	14	appointment by notice in writing addressed to the Chairman of the Board.
	15	(2) A member of the Board shall cease to be a member if the member:
	16	(a) lacks physical or mental capacity to perform his functions;
	17	(b) becomes of unsound mind;
	18	(c) becomes bankrupt; and
	19	(d) is convicted of a felony, misconduct or of any offence involving
	20	dishonesty.
	21	(3) A member of the Board may be removed from office by the
	22	President if he is satisfied that it is not in the interest of the Centre or public that
	23	the member should continue in that office.
	24	(4) Where a vacancy occurs in the membership of the Board, it shall
	25	be filled by the appointment of a successor to hold office for the remainder of
	26	the term of office of his predecessor, so that the successor shall represent the
	27	same interest.
Functions of the Board	28	5. The Board shall:
	29	(a) generally superintends the functions of the Centre;
	30	(b) consider and approve policy and programmes of the Centre;

1 (c) consider and approve appointments of the senior staff of the
2 Centre;

3 (d) consider and approve establishment of departments, divisions
4 and units of the Centre;

5 (e) consider and approve quarterly reports of the Centre; and

6 (d) do any other thing that is incidental to the objectives of the
7 Centre.

8 **6.-(1)** The Centre shall be responsible for:

Functions of the
Centre

9 (a) diagnosing, preventing and treating of medical challenges in all
10 its ramifications;

11 (b) recommending to the Federal, State and Local Governments or
12 ways of improving healthcare services to the people;

13 (c) recommending to the Board establishment of Departments
14 Divisions and Units for the Centre;

15 (d) recommending to the Board general policy and administration
16 of the Centre;

17 (e) preparation of annual and long term research strategic
18 development plan of the Centre; and

19 (f) carrying out such other activities that are incidental to the
20 attainment of its objectives under this Bill.

21 **7.** There is established the office of the Chief Medical Director of
22 the Centre who shall hold office for the term of four years and renewable,
23 subject to satisfactory performance, for further term of four years and no
24 more.

Establishment of
the office of the
Chief Medical
Director of the
Centre

25 **8.** The Chief Medical Director shall be:

Chief Medical
Director

26 (a) the Chief Executive and accounting officer of the Centre and
27 shall be charged with-

28 (i) matters relating to day-to-day management and operations of
29 the Centre, and

30 (ii) determining structure of ranks for staff of the Centre; and

	1	(b) answerable to the Centre.
Resignation or removal of the Chief Medical Director of the Centre	2	9. -(1) The Chief Medical Director may resign from office by notice in
	3	writing addressed to the Chairman of the Board.
	4	(2) The Chief Medical Director may be removed, at any time, from
	5	office by the Centre with the approval of the Board, if the Board is satisfied that
	6	it is not in the interest of the Centre or the public that the Chief Medical Director
	7	continue to hold office.
Staff of the Centre	8	10. -(1) The staff of the Centre:
	9	(a) shall be employed according to the procedure stipulated by the
	10	Centre;
	11	(b) may be on permanent or temporary appointment, on the terms
	12	which precludes the grant of pension and gratuity;
Cap. L11 LFN, 2004	13	(c) who qualify as a legal practitioner, within the meaning of Legal
	14	Practitioners Act, shall in addition to other function, enter appearance to
	15	prosecute or defend any matter in any court involving the Centre; and
	16	(d) shall be paid such salary and allowances as may be determined by
	17	the Board with approval of salaries and wages commission.
Departments of the Centre	18	11. -(1) There shall be established for the Centre, such number of
	19	Departments, Divisions and Units as the Centre may, with the approval of the
	20	Board, deem necessary.
	21	(2) Each Department shall be headed by a Director who shall be
	22	professionally qualified to hold the office appointed through competitive
	23	process.
	24	(3) Subject to the approval of the Board the Centre may create
	25	additional departments, divisions and units as it may deem necessary to
	26	achieve the objective of the Centre.
Establishment of Fund for the Centre	27	12. -(1) The Centre shall establish and maintain a fund which shall be
	28	paid and credited:
	29	(a) all subventions and budgetary allocation from the Government of
	30	the Federation;

1 (b) all sums accruing to the Centre by way of fees, gifts,
2 endowments, bequests, grants or other contributions by persons and
3 Organisations;

4 (c) returns on investments;

5 (d) foreign aid and assistance; and

6 (e) all other sums which may, from time to time, accrue to the
7 Centre.

8 (2) The Centre shall manage and apply its Fund in accordance with
9 the general guidelines made by the Centre, particularly on:

10 (a) general operations of the Centre;

11 (b) cost of payment of allowances to the cost of administration of
12 the Centre;

13 (c) payment of salaries and other allowances for the staff of the
14 Centre;

15 (d) maintenance of any property vested in the Centre; and

16 (e) payment of the Centre fees payable for procurement and
17 consultancy for the benefits of the Centre.

18 **13.** The Centre shall not later than 30th September each year or
19 other date stipulated by law or policy, submit to the National Assembly an
20 estimate of expenditure or income of the Centre as approved by the Centre
21 for the next fiscal year for incorporation into the National budget.

Annual budget
of the Centre

22 **14.** The Chief Medical Director shall submit to the Board quarterly
23 report of the activities of the Centre and the Board shall submit annual report
24 of its activities to the Minister.

Reports

25 **15.-(1)** A suit shall not be filed against any member of the Board, or
26 any other officer or employee of the Centre for any act done in pursuance or
27 execution of this Bill or any other law or enactment, or of any public duty or
28 authority or in respect of any alleged neglect or default in the execution of
29 this Bill or such law or enactment, duty or authority, shall lie or be Centred in
30 any court unless:

Limitation of
suits against the
Centre etc.
Cap P41 LFN,
2004

	1	(a) it is commenced within 3 months next after the act, neglect or
	2	default complained of; or
	3	(b) in the case of a continuation of damage or injury, within 6 months
	4	next after the ceasing thereof.
	5	(2) A suit shall not commence against a member of the Board, the or
	6	employee of the Centre before the expiration of a period of one month after
	7	written notice of intention to commence the suit shall have been served upon
	8	the Centre by the intending plaintiff or his agent.
	9	(3) The notice referred to in sub clause (2) of this Clause shall clearly
	10	and explicitly state the cause of action, the particulars of the claim, the name
	11	and place of abode of the intending plaintiff and the relief which he claims.
Service of process	12	16. Any document, summons, notices, process or any other thing
	13	required or authorized to be served on the Centre shall be served by delivering
	14	same at the office of the Chief Medical Director of the . Centre.
Restriction on execution against property of the Centre	15	17.-(1) In any action or suit against the Centre, no execution or
	16	attachment of process in the nature thereof shall be issued against the Centre.
	17	(2) Any sum of money which may, by the judgment of any court, be
	18	awarded against the Centre shall, subject to any direction given by the court
	19	where notice of appeal of the said judgment has been given, be paid from the
	20	general reserve fund of the Centre.
Indemnity of members etc.	21	18. Every member of the Board, agents or employees of the Centre
	22	shall be indemnified from fund of the Centre against any liability incurred in
	23	defending any proceeding brought against the persons under this Bill, in the
	24	person's capacity as member, agent or employee of the Centre.
Citation	25	19. This Bill may be cited as Federal Medical Centre, Nkpologu
	26	(Establishment) Bill, 2020.

1 SCHEDULE

2 *Clause 3(3)*

3 SUPPLEMENTARY PROVISIONS RELATING TO THE CENTRE

4 *Proceedings of the Board*

5 1.-(1) Subject to the provisions of this Bill and other applicable
6 laws, the Board may make standing orders regulating its proceedings.

7 (2) The Board shall meet whenever summoned by the Chairman, or
8 if required to do so, by at least 3 members of the Board and shall meet for a
9 minimum of 4 times in a year.

10 (3) The Chairman shall preside over the meetings of the Board and
11 in his absence, the members of the Board shall appoint a member, from
12 among themselves, to act as the Chairmen for that meeting.

13 *Committees*

14 2.-(1) The Board may appoint committees or sub-committees to
15 carry out, on its behalf, such functions that the Committee shall legitimately
16 carry out.

17 (2) The decision of the sub-committee appointed under paragraph
18 2(1) shall have no effect until it is approved by the Main Committee.

19 *Miscellaneous*

20 3.-(1) The Secretary of the Board shall be the custodian of the seal
21 of the Board.

22 (2) Fixing of the common seal of the Board shall be authenticated
23 by the signature of the Chairman of the Board or some other persons
24 authorized to do so.

25 (3) Any contract or instrument, which if made or executed by a
26 person not being a body corporate, shall not be required to be made under
27 seal, shall be executed on behalf of the Board by the Managing Director of
28 the Centre or any other person authorized to do so.

29 (4) Where the Board desires to obtain an expert opinion from a
30 person not being a member of the Board, the Board may co-opt such person

1 for such period the Board may determine, but the co-opted person shall not
2 have the right to vote or to count in forming a quorum.

3 (5) The validity of any proceeding of the Board or of a committee
4 shall not be adversely affected by any vacancy in the membership of the Board
5 or Committee or by any defect in the appointment of a member of the Board.

EXPLANATORY MEMORANDUM

This Bill to establish Federal Medical Center Nkpologu, Anambra State of Nigeria, saddled with the responsibility of diagnosing, preventing, and treating of all kinds of medical challenges.

A BILL

FOR

AN TO AMEND NATIONAL HEALTH ACT NO.8 OF 2014, BY REVIEWING THE MINIMUM ANNUAL GRANT OF THE FEDERAL GOVERNMENT TO THE FUND, FINANCING THE PROVISION OF EFFECTIVE MECHANISMS FOR THE DETECTION AND RESPONSE TO INFECTIOUS DISEASE OUTBREAKS AND MANAGEMENT OF ACCIDENT VICTIMS AND RELATED PUBLIC HEALTH EMERGENCIES BY TERTIARY HEALTH INSTITUTIONS IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Senator Chukwuka Utazi

[] Commencement

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

- | | |
|---|---|
| <p>1 1. The National Health Act NO.8 of 2014 (in this bill referred to as</p> <p>2 "the Principal Act") is amended as set out in this Bill.</p> | <p>Amendment of
National Health
Act No. 8 of 2014</p> |
| <p>3 2. Section 11 of the Principal Act is amended:</p> <p>4 (a) in subsection (2)(a), by substituting the words "not less than"</p> <p>5 for the words "minimum of" and by inserting, after the word "Fund" the</p> <p>6 words "subject to upward review, after every five years, by the National</p> <p>7 Health Council, subject to the approval of the President of the Federal</p> <p>8 Republic of Nigeria"; and</p> <p>9 (b) in subsection (3)(e), by substituting the existing paragraph "(e)"</p> <p>10 for new paragraph "(e)":</p> <p>11 "(e) 2.5 per cent of the Fund shall be used by Nigeria Center for</p> <p>12 Disease Control (NCDC), for the prevention, detection, and control of</p> <p>13 diseases of public health importance and the balance of 2.5 per cent of the</p> <p>14 Fund shall be warehoused in a dedicated account in the Federal Ministry of</p> <p>15 Health to be disbursed to Federal Teaching Hospitals and Federal Medical</p> <p>16 Centres, for accident victims and related public health emergencies."</p> | <p>Amendment of
Section 11</p> |

Citation	1	3. This Bill may be cited as the National Health Act (Amendment)
	2	Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to amend National Health Act NO.8 of 2014, by reviewing the minimum annual grant of the Federal Government to the fund, financing the provision of effective mechanisms for the detection and response to infectious disease outbreaks and management of accident victims and related public health emergencies by tertiary health institutions in Nigeria.

A BILL

FOR

AN ACT TO ALTER THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA (AS AMENDED) AND FOR RELATED MATTERS

Sponsored by Senator Philip Tanimu Aduda

[] Commencement

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

1. The Constitution of the Federal Republic of Nigeria CAP C23 Laws of the Federation of Nigeria (hereinafter referred to as t "principal Act".

Alteration of the Constitution

2. Section 147 subsection 3 of the "Principal Act" is altered by deleting the comma in line 2 of the proviso and insert immediately after the words 'each State,' "and Federal Capital Territory"

Alteration of Section 147 subsection 3

3. This Bill may be cited as the 1999 Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2020.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to alter Section 147 subsection 3 by deleting the comma in line 2 of the proviso and insert immediately after the words 'each State,' "and Federal Capital Territory".