

Extraordinary



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A BILL

FOR

AN ACT TO AMEND THE NATIONAL YOUTH SERVICE CORPS ACT, CAP. N84
LAWS OF THE FEDERATION OF NIGERIA 2004 AND FOR RELATED MATTERS

Sponsored by Hon. Nkeiruka C. Onyejeocha

[] Commencement

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

- | | | |
|----|---|-----------------------------------|
| 1 | 1. The National Youth Service Corps Act, Cap. N84 Laws of the | Amendment of
the Principal Act |
| 2 | Federation of Nigeria 2004 (in this Bill referred to as "The Principal Act") is | |
| 3 | amended as set out in this Bill. | |
| 4 | 2. Section 19 of the Principal Act is hereby amended by inserting a | Amendment of
Section 19 |
| 5 | new section (A) immediately after the existing section 19 to read as follows: | |
| 6 | Section 19(A): | |
| 7 | “The Service Corps shall make provision for Life Insurance cover | Citation |
| 8 | for all Corps members during their service year”. | |
| 9 | 3. This Bill may be cited as the National Youth Service Corps Act | |
| 10 | (Amendment) Bill, 2019. | |

EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Youth Service Corps Act, Cap. N84
Laws of the Federation of Nigeria 2004 to provide for Life Insurance Cover
for all Corps members.

A BILL

FOR

AN ACT TO PROVIDE FOR THE AMENDMENT OF THE NATIONAL SALARIES, INCOMES AND WAGES COMMISSION ACT, 1993 NO.99; TO PROVIDE FOR THE PRINCIPLE OF EQUAL PAY FOR WORK IN COMPARABLE POSITIONS; AND FOR RELATED MATTERS

Sponsored by Hon. Yusuf Ahmed Tijani Damisa

[] Commencement

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

- 1 **1.** The National Salaries, Incomes and Wages Commission Act Amendment of
- 2 ("In this Bill referred to as "the Principal Act") is amended as set hereunder. the Principal Act
- 3 **2.** Section 6 (1) of the Principal Act is hereby amended by inserting Amendment of
- 4 to the existing provision with the following- Section 6 (1)
- 5 (f) the Remuneration Harmonization Unit.
- 6 **3.** There is hereby inserted after the existing section 6 (5) in the
- 7 Principal Act, the following new subsection and renumber as follow:
- 8 6. the Remuneration Harmonization Unit shall be responsible for-
- 9 (a) streamlining and recommending guidelines to abolish the
- 10 existence of a plethora of salary structures in the Federal Public Service;
- 11 (b) recommending guidelines for adoption of a Harmonised
- 12 Public Service Salary Structure;
- 13 (c) recommending guidelines for adoption of a Harmonised Armed
- 14 Forces Salary Structure;
- 15 (d) recommending guidelines for adoption of a Harmonised Police
- 16 and Paramilitary Salary Structure;
- 17 (e) recommending guidelines for adoption of a Harmonised
- 18 Tertiary Institutions Salary Structure;
- 19 (f) recommending guidelines for adoption of a Harmonised Health

	1	Salary Structure;
	2	(g) recommending guidelines for adoption of a self funded Special
	3	Salary Structure;
	4	(h) carrying out such other duties as may be assigned to it, from time
	5	to time, by the Commission.
Interpretation	6	4. In this Bill, unless the context otherwise requires-
	7	"Bill" means the National Salaries, Incomes and Wages Commission Act
	8	(Amendment) Bill, 2019;
	9	"Public Service Salary Structure" is applicable to personnel in - Core Civil
	10	Service, Constitutional bodies, National Assembly Staff, Judiciary Staff, Same
	11	Parastatals;
	12	"Armed Forces Salary Structure" is applicable to personnel in the Armed
	13	forces;
	14	"Police and Paramilitary Salary Structure" is applicable to personnel in Para-
	15	Military Agencies;
	16	"Health Salary Structure" is applicable to personnel in Health Professionals in
	17	Federal Health Institutions, Medical/Dental Officers in Federal Health
	18	Institutions;
	19	"Tertiary Institutions Salary Structure" is applicable to personnel in academic
	20	staff and Non-Academic Staff of Federal Universities, federal polytechnic and
	21	federal colleges of education;
	22	"Self funded Special Salary Structure" is applicable to personnel in federal
	23	establishments that are funded from the Internally-Generated Revenue
	24	according to the provision of the enabling law.
Short title	25	5. This Bill may be cited as the National Salaries, Incomes and
	26	Wages Commission Act (Amendment) Bill, 2019.

EXPLANATORY MEMORANDUM

The Bill seeks to amend the National Salaries, Incomes and Wages Commission Act; to provide for the principle of equal pay for work in comparable positions.

A BILL

FOR

AN ACT TO PROVIDE FOR THE RELOCATION OF SELECT FEDERAL ESTABLISHMENTS OR DIVISIONS OF SUCH ESTABLISHMENTS FROM THE CITY CENTRE TO THE SATELLITE TOWNS OF THE FCT ABUJA, AND FOR RELATED MATTERS

Sponsored by Hon. Yusuf Ahmed Tijani Damisa

[] Commencement

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

- 1 **1.** The object of this Bill is- Object of the
Bill
- 2 (a) to provide for development of the linkages between the satellite
- 3 towns and the city centre;
- 4 (b) to improve the delivery of services by the public sector and to
- 5 enhance the quality of life of citizens;
- 6 (c) to serve as an integral component of tackling challenges such as
- 7 the increasing demands that are being placed on the city centre;
- 8 (d) to improve the planning and delivery of public services by
- 9 incorporating local needs and conditions while at the same time meeting
- 10 regional and national objectives;
- 11 (e) to serve as a strategy to support satellite towns;
- 12 (f) to create sustainable employment opportunities as part of a
- 13 broader strategy to improve growth and prosperity in the satellite towns;
- 14 (g) to address population imbalance;
- 15 (h) to bring government services closer to the people;
- 16 (i) to tap into specialist skills and experience of people living in
- 17 rural areas; and
- 18 (j) serve as a means to improving regional growth and
- 19 development.

Establishment	1	2. There shall be established the Federal Establishments
	2	Decentralization Council (in this Bill referred to as the "Council").
Membership of the Council	3	3. The Council shall comprise the following persons-
	4	(a) the Head of Service of the Federation, who shall be the
	5	Chairperson;
	6	(b) the Chairman of the Federal Civil Service Commission, who shall
	7	be the Deputy Chairperson;
	8	(c) the Secretary to the Government of the Federation;
	9	(d) the Minister of Budget and National Planning;
	10	(e) the Minister of the FCT;
	11	(f) the Minister of Works and Housing; and
	12	(g) all the Permanent Secretaries of the Federal Ministries, who shall
	13	serve as the ex-officio members.
Functions of Council	14	4. The Council shall-
	15	(a) pursue policies to achieve the object of the Bill;
	16	(b) recommend the relocation of some selected federal
	17	establishments or divisions of establishments outside the City Centre to the
	18	Satellite Towns;
	19	(c) after determining the establishment to be relocated, communicate
	20	its decision to the establishment concerned;
	21	(d) identify new locations for federal establishments or divisions of
	22	federal establishments outside the City Centre;
	23	(e) identify locations for new federal establishments or divisions of
	24	federal establishments within or outside the City Centre;
	25	(f) plan an economic and workforce development study on how the
	26	relocation of an agency or division would impact the new location;
	27	(g) plan a list of potential site acquisitions and partial prospectus for
	28	agencies or divisions of agencies, which shall include-
	29	(i) a brief description of the building to be constructed, altered, or
	30	leased;

1 (ii) the location of the building; and
2 (iii) an estimate of the maximum cost of the acquisition and the
3 relocation.

4 (h) review progress and suggest improvement within the
5 provisions of this Bill; and

6 (i) perform any other function conferred on it under this Bill or
7 incidental to the achievement of the object of the Decentralization.

8 **5.-(1)** The Council shall meet for the dispatch of business at a time Meetings of the
9 and place determined by the Council but shall meet at least once every three Council
10 months.

11 (2) The chairperson shall upon the request of not less than five
12 members of the Council convene a special meeting of the Council.

13 (3) The quorum at a meeting of the Council shall be ten members
14 and shall include the Secretary to the Government of the Federation.

15 (4) The chairperson shall preside at every meeting at which he is
16 present and in his absence, a member of the Council elected by the members
17 present from among their number shall preside.

18 (5) Questions before the Council shall be decided by a majority of
19 the members present and voting.

20 (6) The person presiding at a meeting of the Council shall in the
21 event of equality of votes have a second or casting vote.

22 (7) The Council may co-opt any person to act as an adviser at its
23 meetings but no co-opted person is entitled to vote at the meeting.

24 (8) The validity of the proceedings of the Council shall not be
25 affected by a vacancy among its members or by a defect in the appointment
26 or qualification of a member.

27 (9) Except as otherwise provided under this section, the Council
28 shall determine and regulate the procedure for its meetings.

29 **6.-(1)** A person may not be appointed as or remain a member of the Disqualification
30 Council, as the case may be, if that person- from Membership
of Council

1 (a) is an insolvent or becomes insolvent and the insolvency results in
2 the sequestration of that person's estate;

3 (b) has been convicted, in Nigeria or elsewhere, of theft, fraud,
4 forgery, perjury or any other offence involving corruption;

5 (c) has been convicted of any other offence, whether in Nigeria or
6 elsewhere; and

7 (d) has been, or is, removed from an office of trust on account of
8 misconduct in respect of fraud or the misappropriation of money.

9 (2) A member of the Council may be removed from office by the
10 President if he is satisfied that it is not in the interest of the Council or Public
11 that the member should continue in that office.

12 (3) A member of the Council, other than an ex-officio, may resign his
13 appointment by a notice in writing under his hand, addressed to the President.

14 (4) Where a vacancy occurs in the membership of the Council, it shall
15 be filled by the appointment of a successor to hold office for the remainder of
16 the term of office of his predecessor, so that the successor shall represent the
17 same interest and shall be appointed by the President.

Interpretation

18 7. In this Bill, unless the context otherwise requires-

19 "Bill" means the Federal Establishments Decentralization Bill;

20 "Federal Establishments" means any federal government organizations and
21 institutions;

22 "City Centre" means the central part or the core metropolitan area of Abuja;

23 "Satellite Towns" means smaller municipalities that are adjacent to the city
24 centre as mentioned in the Schedule to this Bill;

25 "Council" means the Establishments Decentralization Council established by
26 Section 3 of this Bill;

27 "Chairperson" means the Chairperson of the Establishments Decentralization
28 Council;

29 "President" means the President and Commander-in Chief of the Federal
30 Republic of Nigeria.

1 **8.** This Act may be cited as the Federal Establishments Short title
2 Decentralization Bill, 2019.

3 SCHEDULE

- | | |
|----|-----------------|
| 4 | 1. Kusaki/Yanga |
| 5 | 2. Kuje |
| 6 | 3. Rubochi |
| 7 | 4. Anagada |
| 8 | 5. Dobi |
| 9 | 6. Gwagwalada |
| 10 | 7. Zuba |
| 11 | 8. Dei-Dei |
| 12 | 9. Karshi |
| 13 | 10. Gosa |
| 14 | 11. Karu |
| 15 | 12. Nyanya |
| 16 | 13. Kubwa |
| 17 | 14. Bwari |
| 18 | 15. Abaji |
| 19 | 16. Kwali |
| 20 | 17. Dutse |

EXPLANATORY NOTE

This Bill seeks to provide for the relocation of select Federal Establishments or divisions of such establishments from the city centre to the satellite towns of the FCT Abuja.

A BILL

FOR

AN ACT TO INSTILL PATRIOTISM AND NATIONALISM AMONG THE PUBLIC OFFICIALS AND EMPLOYEES, WHO SHALL PROMOTE THE PREFERENTIAL USE OF NIGERIAN GARMENTS; ADOPT MEASURES THAT HELP MAKE THE NIGERIA'S TEXTILE INDUSTRY COMPETITIVE AND THUS GENERATE WIDER EMPLOYMENT AND GREATER BENEFITS TO THE COUNTRY; AND FOR RELATED MATTERS

Sponsored by Hon. Yusuf Ahmed Tijani Damisa

[] Commencement

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

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1. There shall be established the Garment Promotion Implementation Committee (in this Bill referred to as the "Committee").

2. The Committee shall comprise the following persons-

(a) the Head of Service of the Federation, who shall be the Chairperson;

(b) the Chairman of the Federal Civil Service Commission, who shall be the Deputy Chairperson;

(c) the Secretary to the Government of the Federation;

(d) all Permanent Secretaries of the Federal Ministries, who shall serve as the ex-officio members; and

(e) all Secretaries to the Governments of the 36 states of the Federation.

3. The Committee shall-

(a) ensure total compliance with the provision of Section 13 (1) of this Bill;

(b) receive, consider and report on any submission by government officials and employees related to non-compliance;
- Establishment

Membership of the Committee

Functions of Committee

	1	(c) impose and collect fine on defaulters;
	2	(d) set up Compliance Team in every Ministry, Department and
	3	Agency of government of the Federation;
	4	(e) track state and federal contacts and efforts to implement the rule;
	5	and
	6	(f) determine appropriate stance of policy in the short to medium
	7	term.
Meetings of the Committee	8	4.-(1) The Committee shall meet for the dispatch of business at a time
	9	and place determined by the Committee but shall meet at least once every three
	10	months.
	11	(2) The chairperson shall upon the request of not less than five
	12	members of the Committee convene a special meeting of the Committee.
	13	(3) The quorum at a meeting of the Committee shall be ten members
	14	and shall include the Secretary to the Government of the Federation.
	15	(4) The chairperson shall preside at every meeting at which he is
	16	present and in his absence, a member of the Committee elected by the members
	17	present from among their number shall preside.
	18	(5) Questions before the Committee shall be decided by a majority of
	19	the members present and voting.
	20	(6) The person presiding at a meeting of the Committee shall in the
	21	event of equality of votes have a second or casting vote.
	22	(7) The Committee may co-opt any person to act as an adviser at its
	23	meetings but no co-opted person is entitled to vote at the meeting.
	24	(8) The validity of the proceedings of the Committee shall not be
	25	affected by a vacancy among its members or by a defect in the appointment or
	26	qualification of a member.
	27	(9) Except as otherwise provided under this section, the Committee
	28	shall determine and regulate the procedure for its meetings.
Disqualification from Membership of Committee	29	5.-(1) A person may not be appointed as or remain a member of the
	30	Committee, as the case may be, if that person-

1 (a) is an insolvent or becomes insolvent and the insolvency results
2 in the sequestration of that person's estate;

3 (b) has been convicted, in Nigeria or elsewhere, of theft, fraud,
4 forgery, perjury or any other offence involving corruption;

5 (c) has been convicted of any other offence, whether in Nigeria or
6 elsewhere; and

7 (d) has been, or is, removed from an office of trust on account of
8 misconduct in respect of fraud or the misappropriation of money.

9 (2) A member of the Committee may be removed from office by
10 the President if he is satisfied that it is not in the interest of the Committee or
11 Public that the member should continue in that office.

12 (3) A member of the Committee, other than an ex-officio, may
13 resign his appointment by a notice in writing under his hand, addressed to
14 the President.

15 (4) Where a vacancy occurs in the membership of the Committee,
16 it shall be filled by the appointment of a successor to hold office for the
17 remainder of the term of office of his predecessor, so that the successor shall
18 represent the same interest and shall be appointed by the President.

19 **6.** There shall be established the Federal Advisory Council on
20 Textiles and Clothing (in this Bill referred to as the "Council").

21 **7.** The Council shall comprise the following persons-

Membership of
the Council

22 (a) a representative from Federal Ministry of Agriculture;

23 (b) a representative from Federal Ministry of Trade and
24 Investment;

25 (c) a representative from Federal Ministry of Power;

26 (d) a representative from Federal Ministry of Water Resources;

27 (e) a representative from Federal Ministry of Finance;

28 (f) a representatives from Central Bank of Nigeria;

29 (g) a representative from the Nigeria Customs Service; and

30 (h) a representative from each of the states involved in the

	1	production of cotton.
Functions of Council	2	8. The Council shall serve to make recommendations and provide
	3	key information and materials to the President, through the Minister of Trade
	4	and Investment, on the ways to-
	5	(a) resuscitate the country's cotton belt;
	6	(b) identify textile clusters;
	7	(c) improve cotton production nationwide;
	8	(d) identify infrastructure deficit to the textile clusters;
	9	(e) ensure captive power generation is financed and addressed for the
	10	textile clusters;
	11	(f) strengthen the Nigerian Customs Service to curb smuggling of
	12	textile goods;
	13	(g) ensure zero per cent duty for machineries needed by the textile
	14	industry; and
	15	(h) retool and re-fit plants and machineries of the textile industry.
Meetings of the Council	16	9. -(a) The Council shall meet for the dispatch of business at a time and
	17	place determined by the Council but shall meet at least once every three
	18	months;
	19	(b) The chairperson shall upon the request of not less than five
	20	members of the Council convene a special meeting of the Council;
	21	(c) The quorum at a meeting of the Council shall be ten members and
	22	shall include the Secretary to the Government of the Federation;
	23	(d) The chairperson shall preside at every meeting at which he is
	24	present and in his absence, a member of the Council elected by the members
	25	present from among their number shall preside;
	26	(e) Questions before the Council shall be decided by a majority of the
	27	members present and voting;
	28	(f) The person presiding at a meeting of the Council shall in the event
	29	of equality of votes have a second or casting vote;
	30	(g) The Council may co-opt any person to act as an adviser at its

1 meetings but no co-opted person is entitled to vote at the meeting;

2 (h) The validity of the proceedings of the Council shall not be
3 affected by a vacancy among its members or by a defect in the appointment
4 or qualification of a member;

5 (i) Except as otherwise provided under this section, the Council
6 shall determine and regulate the procedure for its meetings.

7 **10.-(1)** A person may not be appointed as or remain a member of
8 the Council, as the case may be, if that person- Disqualification
from Membership
of Council

9 (a) is an insolvent or becomes insolvent and the insolvency results
10 in the sequestration of that person's estate;

11 (b) has been convicted, in Nigeria or elsewhere, of theft, fraud,
12 forgery, perjury or any other offence involving corruption;

13 (c) has been convicted of any other offence, whether in Nigeria or
14 elsewhere; and

15 (d) has been, or is, removed from an office of trust on account of
16 misconduct in respect of fraud or the misappropriation of money.

17 (2) A member of the Council may be removed from office by the
18 President if he is satisfied that it is not in the interest of the Council or Public
19 that the member should continue in that office.

20 (3) A member of the Council, other than an ex-officio, may resign
21 his appointment by a notice in writing under his hand, addressed to the
22 President.

23 (4) Where a vacancy occurs in the membership of the Council, it
24 shall be filled by the appointment of a successor to hold office for the
25 remainder of the term of office of his predecessor, so that the successor shall
26 represent the same interest and shall be appointed by the President.

27 **11.** As from the commencement of this Bill, the use of Nigerian Regulations
28 garment shall be prescribed for official uniforms of government officials
29 and employees throughout the Federation every Thursday of the week.

30 **12.-(1)** In addition to day mentioned in the Section 12, the

	1	President may by public notice appoint a special day to be kept as a Nigerian
	2	Garment Day either throughout Nigeria or in any part thereof, and any day so
	3	appointed shall be kept as a Nigerian Garment Day.
	4	(2) Subject to Section 12 of this Bill and Subsection (1) of this
	5	Section, the Governor of a State may by public notice appoint a special day to
	6	be kept as a Nigerian Garment Day in the State concerned or in any part thereof,
	7	and any day so appointed shall be kept as a Nigerian Garment Day.
	8	(3) The use of "Nigerian Garment Day" in this section means a day
	9	prescribed for Nigerian garment to be used as official uniforms of government
	10	officials and employees.
Contraventions and penalties	11	13.-(1) For contravention of any of the provisions of this Bill or the
	12	rules made hereunder, the government official or employee shall pay a fine
	13	which shall be up to one month of his/her basic salary; and
	14	(2) The amount of fine shall be paid within fifteen days from the
	15	receipt of the order, failing which fine of one per cent of the total payable
	16	amount shall be levied each day till the fine is paid.
Interpretation	17	14. In this Bill, unless the context otherwise requires-
	18	"Committee" means Garment Promotion Implementation Committee
	19	established by Section 1 of this Bill.
	20	"Compliance Team" means a team established by Section 4 of this Bill in
	21	various Ministries, Departments and Agencies of government by the
	22	Committee to ensure compliance to the use of Nigerian garment;
	23	"Council" means Federal Advisory Council on Textiles and Clothing
	24	established by Section 7 of this Bill.
	25	"every Thursday of the week" means working Thursday of every week.
Short title	26	15. This Bill may be cited as the Nigerian Garment Promotion Bill,
	27	2019.

EXPLANATORY NOTE

This Bill seeks to instill patriotism and nationalism among the public officials and employees, who shall promote the preferential use of Nigerian garments; adopt measures that help make the Nigeria's textile industry competitive and thus generate wider employment and greater benefits to the country.

A BILL

FOR

AN ACT TO MAKE SPECIAL PROVISIONS FOR FIXATION OF FEES FOR
PRIVATE SCHOOLS IN THE FEDERATION AND FOR RELATED MATTERS

Sponsored by Hon. Yusuf Ahmed Tijani Damisa

[] Commencement

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

1 CHAPTER I - CONSTITUTION OF COMMITTEE, DETERMINATION OF FEE

2 AND PROHIBITION OF COLLECTION OF EXCESS FEE

3 1.-(1) There shall be constituted a Fee Regulatory Committee for
4 the purpose of determination of the fee for any standard or course of study in
5 private schools. Constitution of
Fee Regulatory
Committee

6 (2) The age of the Chairperson and the members shall not be more
7 than 65 years at the time of appointment. The term of the Chairperson and
8 other nominated members shall be four years.

9 (3) The honorarium and allowances payable to and other terms and
10 conditions of service of member shall be such as may be prescribed.

11 (4) The Committee shall consist of the following members,
12 namely:

13 (a) retired Judge, to be nominated by the Minister in charge of
14 Education, who shall be the Chairperson of the Committee;

15 (b) the Chartered Accountant, to be nominated by the Minister in
16 charge of finance;

17 (c) one Civil Engineer/Government approved valuer, to be
18 nominated by the Minister in charge of Works and Housing;

19 (d) one representative from the private school management of the
20 respective zone;

21 (e) one representative from each of the 36 states of the Federation,

	1	including the FCT, who shall act as liaising officers in their respective states, to
	2	be nominated by the state governors;
	3	(f) one Academician of repute, to be nominated by the Minister in
	4	charge of Education.
Jurisdiction and Headquarters of Committee	5	2. -(1) The Local Government Education Officer or, as the case may
	6	be, the Local Government Education Authority Officer shall act as a co-
	7	ordinator to the Committee to provide administrative support.
	8	(2) The jurisdiction of each Fee Regulatory Committee shall be the
	9	zone comprising of such local government areas as the State Government may,
	10	by notification in the Official Gazette, specify.
	11	(3) The headquarters of the Fee Regulatory Committee shall be at
	12	such place specified by the Government by notification in the Official Gazette.
Vacancies, etc. not to invalidate proceedings of the Committee	13	3.-(1) If any vacancy occurs by reason of death, resignation, expiry of
	14	term of office or termination of appointment of the member or for any other
	15	cause whatsoever, such vacancy shall be filled in by the State Government as
	16	soon as possible within a period of six months from the date of occurrence of
	17	the vacancy.
	18	(2) No act or proceeding of the Committee shall be questioned or shall
	19	be invalid merely on the ground of the existence of any vacancy or defect in the
	20	Constitution of the Committee.
Procedure to be regulated by the Fee Regulatory Committee	21	4.-(1) The Fee Regulatory Committee shall meet as and when
	22	necessary but at least once in a quarter at such time and place as the
	23	Chairperson may think fit.
	24	(2) The Committee shall regulate its own procedure for the conduct of
	25	its business.
	26	(3) All orders and decisions of the Committee shall be authenticated
	27	by the Chairperson of the Committee or the person duly authorized by the
	28	Chairperson in this behalf.
Disqualifications of Members of Fee Regulatory Committee	29	5. The Government may terminate the appointment of the
	30	Chairperson or any member of the Fee Regulatory Committee before the

1 expiry of the term of his office, if he-

2 (i) has been adjudged an insolvent;

3 (ii) has, in the opinion of the State Government, become physically
4 or mentally incapable of acting as a member;

5 (iii) has been convicted of an offence involving moral turpitude, or

6 (iv) has been guilty of proven misbehavior:

7 Provided that no member shall be removed from his office on the
8 above grounds, unless he has been given a reasonable opportunity of being
9 heard.

10 **6.-(1)** Subject to the provisions of section 9, the Fee Regulatory
11 Committee shall determine the fee payable by students in the private
12 schools.

Functions of the
Fee Regulatory
Committee

13 (2) The Committee shall have power to,-

14 (a) require each private school to place before the Committee, the
15 proposed fee structure of such school along with all relevant documents and
16 books of accounts for scrutiny before such date as may be specified by the
17 Committee;

18 (b) verify whether the fee proposed by the private school is
19 justified and whether it amounts to profiteering or charging of exorbitant
20 fee;

21 (c) approve the existing fee structure or determine the fee which
22 can be charged by the private school;

23 (d) verify whether the fee collected by the private schools,
24 operating within the State of the Federation, is recognized by the competent
25 State Educational Authority or affiliated to the Universal Basic Education
26 Commission or any other board, as the case may be;

27 (e) hear complaints or initiate fair hearing with regard to collection
28 of excess fee by a private school, as referred to above in Clause (d);

29 (f) regulate the fees charged by the school and penal action as per
30 the provisions of this Bill;

1 (g) report the matter to the respective competent Educational
2 Authority that the school has collected excess fee and it has not complied with
3 the provisions of the respective applicable Acts and rules made hereunder of
4 the concerned Board for appropriate action.

5 (3) (a) For the purposes of this Bill, the Fee Regulatory Committee
6 while holding inquiry shall have the powers of a Civil Court while trying a suit
7 in respect of the following matters, namely:-

8 (i) summoning and enforcing the attendance of any witness and
9 examining him on oath;

10 (ii) requiring the discovery and production of any document;

11 (iii) receiving evidence on affidavit; and

12 (iv) issuing commission for examination of witnesses for local
13 inspection.

Exemption from
appearance
before Committee

14 7.-(1) The Fee Regulatory Committee may exempt such private
15 schools that charge amount of fee lower than the fee prescribed by the
16 Government by notification in the Official Gazette, from the determination of
17 fee. Such private school shall file an affidavit to that effect:

18 Provided that if any such school desires to revise the fee, it shall
19 follow the procedure as laid down in Section 8.

20 (2) The Fee Regulatory Committee may determine fee for all private
21 schools except the private school as referred to in sub-section (1), imparting
22 pre-primary, primary, and secondary education.

23 (3) The exemption shall remain operative till the prescribed fee is
24 revised by the Government.

25 (4) The Fee Regulatory Committee may withdraw the exemption,
26 after providing reasonable opportunity of hearing to the erring school, if it has
27 reason to believe that the school has charged fee in excess of the fee, prescribed
28 under sub-section (1) or has furnished false or misleading or incomplete
29 information to the committee.

30 (5) The information regarding erring schools, including details of

1 their management shall be published through an advertisement in the
2 leading daily newspapers, in the best interest of students, parents, and
3 society at large.

4 **8.-(1)** The Fee Regulatory Committee shall determine the fee Factors for
5 leviable by a private school taking into account the following factors, determination of
6 namely:- Fee

7 (i) location of the private school i.e. village, town, or city in which
8 the school is situated;

9 (ii) investment incurred to setup the school;

10 (iii) infrastructure made available to the students for the qualitative
11 education, facilities provided as mentioned in the prospectus or website of
12 the school;

13 (iv) expenditure on administration, maintenance of services and
14 utilities of the school;

15 (v) students strength in the private school;

16 (vi) classes of study and courses of study offered by the school;

17 (vii) qualification of teaching, and non-teaching staff (as per the
18 relevant norms) their salary components, and reasonable amount for yearly
19 salary increments;

20 (viii) expenditure incurred on the students against total income of
21 the school which shall include profit earned from school by the trust or
22 company associated with such school;

23 (ix) reasonable revenue surplus for the purpose of development,
24 education and expansion of the school;

25 (x) any other factors which may be prescribed by the Government
26 from time to time.

27 (2) The Fee Regulatory Committee shall, after determining the fee
28 leviable by a private school, communicate its decision to the school
29 concerned.

30 (3) The Fee Regulatory Committee shall determine the total fees

Prohibition of
collection of
excess fee

1 which shall be levied by considering all different fees charged by the school.

2 (4) The fee structure so determined by the Fee Regulatory Committee
3 shall be binding on the private schools for a period of four years.

4 (5) The Fee Revision Committee may recommend to the Government
5 for the upper fee limit to be kept for the schools of the State. The Government
6 may consider such recommendation appropriately.

7 **9.-(1)** No private school shall collect any fee in excess of the fee fixed
8 by the Fee Regulatory Committee for admission of students to any standard or
9 course of study in that school.

10 (2) No excess fee shall be collected by any person either for himself or
11 on behalf of such private school or on behalf of the management of such private
12 school.

13 (3) No school itself or on its behalf shall collect any donation or
14 capitation fee under any name whatsoever, or receive any deposit under any
15 head to the school management, school trust, company, or any trustee or
16 member of the school. If any parents or guardian of a student has paid
17 voluntarily any above referred amount, he shall inform the concerned Fee
18 Regulatory Committee, the details of such payment on affidavit. Such non-
19 disclosure shall amount to abetment of the profiteering committed by the
20 school management.

21 (4) The School shall open and operate separate and only one Bank
22 account for individual registered school. The parents shall make payments of
23 prescribed fees directly into the concerned school bank account. The
24 acknowledgement of receipt of the total collected fee from the parents shall be
25 given in the form of counter-foil from bank and concerned school, as the case
26 maybe.

Fee Revision
Committee

27 **10.-(1)** There shall be constituted a fee revision committee for the
28 purpose of revision against the order passed by the Fee Regulatory Committee.
29 The headquarters of the Fee Revision Committee shall be at each of the state
30 capital of the federation or at such other place, as may be decided by the

1 Chairperson of the Committee.

2 (2) The Committee shall consist of the following members,
3 namely:-

4 (i) retired Judge of the High Court, to be nominated by the
5 Government shall be the Chairperson of the Committee;

6 (ii) the Secretary to the State Universal Education Board;

7 (iii) the State Commissioner for Finance, or his nominee not below
8 the rank of the Deputy Director;

9 (iv) one representative from the private school management to be
10 nominated by the Government;

11 (v) the Chartered Accountant, to be nominated by the Government.

12 (3) A person aggrieved by the order of the Fee Regulatory
13 Committee made under section 10 may file revision application before the
14 Fee Revision Committee within a period of twenty-one days from the date of
15 receipt of such order:

16 Provided that if the Fee Revision Committee is satisfied that such
17 school was prevented for filing a revision application within prescribed
18 time-limit for sufficient cause, it may condone the delay and shall allow the
19 revision application but not later than three months.

20 (4) The orders passed by the Fee Revision Committee shall be final
21 and binding on the private school.

22 CHAPTER II - REGULATION OF ACCOUNTS AND MAINTENANCE

23 OF RECORDS

24 11.-(1) The Government shall regulate the maintenance of
25 accounts by the private schools in such manner as may be prescribed.

26 (2) The private schools shall maintain such records in such manner
27 as may be prescribed.

28 (3) Every private school shall maintain accounts for different kinds
29 of transactions like the fees collected, the grants received, financial
30 assistance received, payments of salary of staff, purchase of machinery and

1 equipment, furniture, laboratory articles, sports equipment, library books,
2 stationary and other expenditure incurred towards payments to the agencies,
3 companies hired or engaged by the school for different kind of services and
4 these accounts shall be audited by the Chartered Accountant.

5 (4) Every private school shall keep the accounts and the records
6 within the premises of the educational institution and shall make them
7 available at all reasonable times for inspection by the Fee Regulatory
8 Committee or its authorized officer;

9 (5) The accounts maintained by the private school together with all
10 vouchers relating to various items of receipts and expenditures shall be
11 preserved by the schools for a period of seven years.

12 CHAPTER III - CONTRAVENTIONS AND PENALTIES

Contraventions
and penalties

13 12.-(1) For contravention of any of the provisions of this Bill or the
14 rules made hereunder, the school management shall, in addition to refund of
15 twice the amount of fee to the parents or guardians or to the person who has
16 made the payment, be liable-

17 (a) to pay fine which shall be up to two hundred and fifty thousand
18 naira to the Fee Regulatory Committee, for the first contravention;

19 (b) to pay fine which shall not be less than two hundred and fifty
20 thousand naira but which may extend to five hundred thousand naira to the Fee
21 Regulatory Committee for the second contravention; and

22 (c) for cancellation or withdrawal of registration/affiliation/ No
23 Objection Certificate of the school, on third and subsequent contravention by
24 the concerned authority on the recommendation of the Fee Regulatory
25 Committee.

26 (2) The amount of fine and the amount of refund shall be paid within
27 fifteen days from the receipt of the order, failing which fine of one per cent of
28 the total payable amount shall be levied each day till the refund of the total
29 amount and fine is paid. However, if the school management fails to make the
30 payment of fine and refund within three months, than the entire unpaid amount

8 CHAPTER IV - MISCELLANEOUS

9 **14.** The State Government may, from time to time, issue general or Powers of State
10 special directions consistent with the provisions of this Bill and the rules Government to
11 made hereunder, as in its opinion are necessary or expedient for carrying out give directions
12 the purposes of this Bill or for giving effect to any of the provisions
13 contained therein or in any rules or orders made hereunder and the
14 management of the private school shall be bound by such directions.

15 **15.** Save as otherwise provided in this Bill, the provisions of this Operation of
16 Bill shall be in addition to, and not in derogation of, any other law for the other laws
17 time being in force.

18 **16.** No suit, prosecution or other legal proceeding shall be
19 instituted against the Committee or its members, Government or any officer,
20 authority or person empowered to exercise the powers or perform the
21 functions by or under this Bill for anything which is in good faith done or
22 intended to be done under this Bill or the rules made hereunder.

Protection of
action taken in
good faith

23 **17.** All the members of the Committee and the officers and
24 employees while acting or purporting to act in pursuance of the provisions of
25 this Bill or rules made hereunder, be deemed to be a public servant.

Members of
Committee, Officers
and Employees
to be Public
Servant

26 **18.-(1)** The State Government may, by notification in the Official Power to make
27 Gazette, make rules for carrying out the purposes of this Bill. rules

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely-

1 (a) the honorarium and allowances payable to and other terms and
2 conditions of service of members of the Fee Regulatory Committee under sub-
3 section (3) of section 3;

4 (b) the fee to be levied by the private schools under sub-section of
5 section 9;

6 (c) the other factors under which the Fee Regulatory Committee shall
7 determine the fees leviable by the private school under clause (xi) of sub-
8 section (1) of section 10;

9 (d) to regulate the maintenance of accounts by the private schools
10 under sub-section (1) of section 13;

11 (e) for maintenance of records of accounts of the Fee Regulatory
12 Committee under sub-section (2) of section 13.

13 (3) All the rules made under this section shall be laid for not less than
14 thirty days before the State Legislature, as soon as after they are made shall be
15 subject to the rescission by the State Legislature or to such modification as the
16 State Legislature may make during the session in which they are so laid or the
17 session immediately following.

18 (4) Any rescission or modification so made by the State Legislature
19 shall be published in the Official Gazette, and shall thereupon take effect.

20 **19.**-(1) If any difficulty arises in giving effect to the provisions of this
21 Bill, the State Government may, by general or special order published in the
22 Official Gazette, make such provisions not inconsistent with the provision of
23 this Bill, as it appears to it to be necessary or expedient for the purposes of
24 removing the difficulty:

25 Provided that, no such order shall be made after expiry of the period of
26 two years from the date of commencement of this Bill.

Interpretation

27 **20.** In this Bill, unless the context otherwise requires,-

28 (a) "academic year" means the year specified by the Government or,
29 as the case may be, by any Board or Council to which respective school is
30 affiliated;

1 (b) "an aided school" means any pre-primary school, primary
2 school, secondary school, established and administered or maintained by
3 any person or body of persons and recognized or approved by the competent
4 authority under any law for the time being in force, which receives any
5 financial grant or assistance from the Federal Government or the State
6 Government or any local authority;

7 (c) "educational district" means an educational district, as may be
8 specified by the State Government in the Official Gazette;

9 (d) "employee" means a teacher and includes every other employee
10 working in a recognized school;

11 (e) "existing school" means a recognized private school which is in
12 existence at the commencement of this Bill;

13 (f) "Fee or Fee Structure" means any amount, by whatever name
14 called, collected, directly or indirectly, by a school for admission of a student
15 to any Standard or course of study and includes,-

16 (i) Tuition fee;

17 (ii) Term fee, which shall not exceed one month tuition fee per
18 term;

19 (iii) Library fee and deposit;

20 (iv) Laboratory fee and deposit;

21 (v) Caution money;

22 (vi) Examination fee;

23 (vii) Admission fee, which shall not exceed one month tuition fee;

24 (viii) any other fee as determined by the Fee Regulatory
25 Committee;

26 (g) "Fee Regulatory Committee" means a committee constituted
27 under section 3;

28 (h) "Fee Revision Committee" means a committee constituted
29 under section 12;

30 (i) "Government" means the State Government;

1 (j) "Government school" means a school established, owned or
2 maintained by the Government or a local authority;

3 (k) "prescribed" means prescribed by rules made under this Bill;

4 (l) "pre-primary school" means a Nursery, Junior Kindergarten,
5 Senior Kindergarten level or any school imparting education up to pre-primary
6 school level for children having age of 3 to 6 years, by whatever name called
7 and of any medium attached in the prescribed manner to the school,

8 (m) "profiteering" means any amount accepted in cash or kind,
9 directly or indirectly which is in excess of the fee fixed or approved as per the
10 provisions of this Bill and shall include profit earned from school by trust or
11 company associated with the school in any manner whatsoever;

12 (n) "public examination" means an examination conducted by the
13 Ministry of Education or National Examination Council, West Africa
14 Examinations Council or any other Board recognized by the Government;

15 (o) "recognized school" means a school recognized by the competent
16 Educational Authority of the State or the Federal Government;

17 (p) "public school" means any pre-primary school, primary school,
18 secondary school, established and administered or maintained by any person or
19 body of persons including trusts and companies and recognized or approved by
20 the competent authority under any law for the time being in force holding
21 affiliation of International or Federal or State Boards operating in Nigeria,
22 which are not receiving any financial grants or assistance from the Federal
23 Government or the State Government or any local authority, but does not
24 include a school giving, providing or imparting religious instruction alone;

25 (q) "school" includes a pre-primary, primary, secondary school and
26 also includes any other institution which imparts education or training below
27 the degree level, but does not include an institution which exclusively imparts
28 technical education;

29 (r) "school property" means all movable and immovable property
30 belonging to, or in the possession of, the school and all other rights and interests

1 in, or arising out of, such property, and includes land, building and its
2 appurtenances, playgrounds, hostels, furniture, books, apparatus, maps,
3 equipments, utensils, cash, reserve funds, investments and bank balances.

4 **21.-(1)**This Bill may be cited as the Regulation of Private School Fees Bill, 2019. Citation
5

EXPLANATORY NOTE

This Bill seeks to make special provisions for fixation of fees for private schools in the Federation.

A BILL

FOR

AN ACT TO REPEAL THE NIGERIA FILM CORPORATION ACT, CAP. N109,
LAW OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NIGERIA
CREATIVE DEVELOPMENT CORPORATION FOR THE PURPOSES OF
FINANCING AND STRENGTHENING THE NIGERIAN CREATIVE INDUSTRY TO
SPARK JOB CREATION AND ECONOMIC GROWTH; TO PROVIDE FOR THE
MANAGEMENT OF THE CORPORATION; AND TO PROVIDE FOR RELATED
MATTERS

Sponsored by Hon. Yusuf Ahmed Tijani Damisa

[] Commencement

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

PART I - ESTABLISHMENT

1
2 1. There is established a body to be known as the Nigeria Creative
3 Development Corporation (in this Bill referred to as the "Development
4 Corporation").

Establishment of
the Nigeria Creative
Development
Corporation

5 (2) The Development Corporation-
6 The Development Corporation shall be a body corporate with perpetual
7 succession and a common seal, and shall in its corporate name, be capable
8 of-

- 9 (a) suing and being sued;
10 (b) taking, purchasing or otherwise acquiring, holding, charging or
11 disposing of movable and immovable property;
12 (c) borrowing money or making investments;
13 (d) entering into contracts; and
14 (e) doing or performing all other acts or things for the proper
15 performance of its functions under this Bill which may lawfully be done or
16 performed by a body corporate.

Headquarters of the Development Corporation	1	2. The headquarters shall be located in the Federal Capital Territory,
	2	Abuja.
Object of the Development Corporation	3	3. The object of the Development Corporation is-
	4	(a) to provide financial and other assistance to the Creative Industry in
	5	carrying out the industry's activities in Nigeria and to disseminate information
	6	about those activities;
	7	(b) to provide financial and other assistance for persons in the
	8	industry whose work merits encouragement;
	9	(c) to provide financial and other assistance for project development
	10	for the industry;
	11	(d) to contribute, financially and otherwise, to the work of film
	12	festivals and markets;
	13	(e) to assist in the promotion of public interest in film, music and
	14	comedy, media, amusement parks, theatre, fashion, art exhibitions and fairs,
	15	museums, dance, sports, and live event venues as a medium of communication
	16	and as an art form and in the development of an informed and critical audience;
	17	(f) to provide policy and support services and advice to Government
	18	agencies on the production of films and sound recordings; and
	19	(g) to provide monies to support all creative activities and
	20	programmes for the promotion of education as the Minister in consultation
	21	with the Board may determine.
Establishment of the Board	22	PART II - BOARD
	23	4.-(1) There is established for the Development Corporation, a Board
	24	(in this Bill referred to as "the Board") which shall consist of-
	25	(a) a chairman who shall be appointed by the President on the
	26	recommendation of the Minister;
	27	(b) one representative of the Federal Ministry in charge of
	28	Information and Culture;
	29	(c) one representative of each geo-political zones of the Federation;
	30	(d) one representative of each sector of the creative industry;

1 (e) Director General, who shall serve as the secretary of the Board;
2 (f) other than the ex-officio members, each hold office for a term of
3 4 years in the first instance and may be eligible for reappointment for a
4 further term of 4 years and no more.

5 **5.** The Board shall-

Functions of
the Board

6 (a) pursue policies to achieve the object of the Development
7 Corporation;

8 (b) develop performance measurement criteria and target for
9 management;

10 (c) approve financial and banking policies including borrowing;

11 (d) update the Federal Government on its activities and progress
12 through annual and audited reports;

13 (e) review progress and suggest improvement within the
14 provisions of this Bill; and

15 (f) perform any other function conferred on it under this Bill or
16 incidental to the achievement of the object of the Development Corporation.

17 **6.-(1)** The Board shall meet for the dispatch of business at a time
18 and place determined by the Board but shall meet at least once every three
19 months.

Meetings of the
Board

20 (2) The chairman shall upon the request of not less than five
21 members of the Board convene a special meeting of the Board. The quorum
22 at a meeting of the Board shall be ten members and shall include the Director
23 General.

24 (3) The chairman shall preside at every meeting at which he is
25 present and in his absence a member of the Board elected by the members
26 present from among their number shall preside.

27 (4) Questions before the Board shall be decided by a majority of the
28 members present and voting.

29 (5) The person presiding at a meeting of the Board shall in the event
30 of equality of votes have a second or casting vote.

	1	(6) The Board may co-opt any person to act as an adviser at its
	2	meetings but no co-opted person is entitled to vote at the meeting.
	3	(7) The validity of the proceedings of the Board shall not be affected
	4	by a vacancy among its members or by a defect in the appointment or
	5	qualification of a member.
	6	(8) Except as otherwise provided under this section, the Board shall
	7	determine and regulate the procedure for its meetings.
Allowances for members of the Board	8	7. The chairman and the other members of the Board shall be paid by
	9	the Development Corporation such allowances as the Minister in consultation
	10	with the Minister of Finance may determine.
Tenure of members of the Board	11	8.-(1) The chairman or any other member of the Board and the
	12	Director General shall hold office for a period four years and eligible for re-
	13	appointment, except that no member shall serve for more than two consecutive
	14	terms.
	15	(2) A member of the Board other than the Director General may at any
	16	time by letter addressed to the President through the Minister resign from office.
	17	(3) A member who is absent from four consecutive meetings of the
	18	Board without sufficient cause ceases to be a member of the Board.
	19	(4) The chairman or any other member of the Board may be removed
	20	from office by the President for inability to perform the functions of his office,
	21	for stated misbehaviour or for any other just cause.
	22	(5) The chairman of the Board shall notify the Minister of vacancies
	23	that occur in the membership of the Board within one month of the occurrence
	24	of the vacancy.
	25	(6) Where a person is appointed to fill a vacancy, that person shall
	26	subject to the provisions of this Bill be eligible for re-appointment.
Disqualification from membership of Board	27	9.-(1) A person may not be appointed as or remain a member of the
	28	Board, as the case may be, if that person-
	29	(a) is an insolvent or becomes insolvent and the insolvency results in
	30	the sequestration of that person's estate;

1 (b) has been convicted, in Nigeria or elsewhere, of theft, fraud,
2 forgery, perjury or any other offence involving corruption;

3 (c) has been convicted of any other offence, whether in Nigeria or
4 elsewhere; and

5 (d) has been, or is, removed from an office of trust on account of
6 misconduct in respect of fraud or the misappropriation of money.

7 (2) A member of the Board may be removed from office by the
8 President if he is satisfied that it is not in the interest of the Board or Public
9 that the member should continue in that office.

10 (3) A member of the Board, other than an ex-officio, may resign his
11 appointment by a notice in writing under his hand, addressed to the
12 President.

13 (4) Where a vacancy occurs in the membership of the Board, it
14 shall be filled by the appointment of a successor to hold office for the
15 remainder of the term of office of his predecessor, so that the successor shall
16 represent the same interest and shall be appointed by the President.

17 PART III - APPOINTMENT OF THE DIRECTOR GENERAL, INTERNAL
18 AUDITOR AND OTHER STAFF OF THE DEVELOPMENT CORPORATION

19 **10.**-(1) There shall be appointed by the President in accordance Director General
20 with the advice of the Board given in consultation with the Federal Civil
21 Service Commission a Director General.

22 (2) The Director General shall be the head of the secretariat of the
23 Development Corporation.

24 (3) Subject to the directives of the Board, the Director General
25 shall be responsible for the day to day management of the Development
26 Corporation and shall ensure the implementation of the decisions of the
27 Board.

28 (4) The Director General may subject to such conditions as he may
29 determine, delegate some functions of his office to any officer of the
30 Development Corporation except that he shall be relieved from ultimate

	1	responsibility for the discharge of the delegated functions.
Internal Auditor	2	11. -(1) There shall be appointed an internal auditor for the
	3	Development Corporation who shall be responsible for the internal audit of the
	4	Development Corporation.
	5	(2) The internal auditor shall at the end of every three months submit a
	6	report of the audit of the Development Corporation carried out by the auditor in
	7	respect of that period to the chairman of the Board.
	8	(3) The chairman of the Board shall submit a copy of the report to the
	9	Minister and the Minister responsible for Finance.
Other Staff	10	12. The Board shall have power to-
	11	(a) employ either directly or on transfer or secondment from any civil
	12	service in the Federation such number of employees as may, in the opinion of
	13	the Board, be required to assist the Board and the Director General in the
	14	discharge of their functions under this Bill; and
	15	(b) pay to persons so employed such remuneration (including
	16	allowances) as the Board may, with the approval of the National Salaries,
	17	Incomes and Wages Commission, determine.
	18	PART IV - FINANCIAL PROVISION
Sources of money fro the Development Corporation	19	13. The sources of money for the Development Corporation shall
	20	include-
	21	(a) the initial take-off grant and sustainable funding interventions by
	22	the federal government;
	23	(b) 10% revenue generated by the Development corporation on
	24	creative related activities;
	25	(c) 10% of all the levies collected by the national film and video
	26	censors board from licensing of distributors and exhibitors of creative works;
	27	(d) development support loan from international finance and
	28	investment institutions and special development agencies in Nigeria;
	29	(e) fees and other charges received by the Development Corporation
	30	pursuant to this Bill;

1 (f) money that accrues to the Development Corporation from
2 investment made by the Board;

3 (g) grants, donations, gifts and other voluntary contributions to the
4 Development Corporation; and

5 (h) other sums or property that may in any manner become lawfully
6 payable and vested in the Board for the Development Corporation.

7 **14.**-(1) Monies of the Development Corporation shall vest in the Bank account
8 Board and shall be paid into bank accounts that shall be opened by the Board for the Development
9 with the approval of the Accountant-General. Corporation

10 (2) The Federal Inland Service shall within 30 days of receipt of
11 Value Added Tax revenue pay directly into the bank accounts opened under
12 Subsection (1) the proportion of the Value Added Tax revenue that is
13 required to be paid into the Development Corporation's account.

14 (3) The Service shall pay the tax collected under this Bill into the
15 Development Corporation's account and shall, when doing so, submit to the
16 Development Corporation, in such form as the Board shall approve, a return
17 showing-

18 (a) the name of the company making the payment;

19 (b) the amount collected;

20 (c) the assessable profit of the company for the accounting period;

21 and

22 (d) such other information as may be required by the Development
23 Corporation for the proper administration of the tax.

24 **15.** The Development Corporation shall, before disbursement of
25 the amount in the Development Corporation's account, set aside in each
26 year, an amount not exceeding 5 percent of the total monies accruing to the
27 Development Corporation in the preceding year which shall be applied-

28 (a) for the cost of administration and management of the
29 Development Corporation;

30 (b) for the maintenance of any property acquired by or vested in the

	1	Development Corporation and generally to pay for services rendered to the
	2	Development Corporation;
	3	(c) for project monitoring;
	4	(d) to meet all the needs of the Development Corporation necessary
	5	for the due administration and implementation of the purpose of this Bill.
Expenses of the Fund	6	16.-(1) The salaries of employees of the Fund shall be the same as
	7	those applicable to employees of equivalent status in the Civil Service and shall
	8	be paid out of such monies as may be allocated by Parliament from the Fund.
	9	(2) All administrative expenses of the Fund shall be paid out of the
	10	Fund subject to the approval of the Minister acting in consultation with the
	11	Minister for Finance.
Pension	12	17.-(1) Service in the Development Corporation shall be approved
	13	service for purposes of Pension.
	14	(2) Employees of the Development Corporation shall be entitled to
	15	pension, gratuity and other retirement benefits as are enjoyed by persons
	16	holding equivalent grades in the Civil Service of the Federation.
	17	(3) Notwithstanding in Subsection (1) or (2) of this section, nothing in
	18	this Bill shall prevent the appointment of a person to any office on terms which
	19	preclude the grant of pension and gratuity in respect of that office.
Administration expenses	20	18. The administration expenses incurred pursuant to this Bill shall
	21	be paid by the Minister of Finance to the Development Corporation from the
	22	Federation Account of the Federal Government and are not a charge upon the
	23	Development Corporation.
Gifts to the Fund	24	19.-(1) The Development Corporation may accept gifts of land,
	25	money or other property on such terms and conditions, if any, as may be
	26	specified by the person or organisation making the gift.
	27	(2) The Development Corporation shall not accept any gift if the
	28	conditions attached by the person or organisation making the gift are
	29	inconsistent with the functions of the Development Corporation under this
	30	Bill.

1 (21) Amounts transferred to Corporation:

2 The Accountant-General, upon the recommendation of the Minister, may
3 from time to time transfer to the Development Corporation such amounts as
4 are considered necessary for the purposes of this Bill.

5 **20.** The system of accounting and the books and records of the Accounting
6 Development Corporation are subject to the approval of the Minister of
7 Finance and subject to audit by the Auditor General or any person
8 designated by the President.

9 **21.** The Development Corporation shall, not later than the thirtieth Financial
10 day of September in each year, prepare and submit to the Minister a financial
11 statement setting forth the assets and liabilities of the Development
12 Corporation, the income and expenditures of the Development Corporation
13 for the previous fiscal year, together with a report concerning the work and
14 activities of the Development Corporation during the previous fiscal year,
15 and such report shall be tabled by the Minister at the next ensuing session of
16 the Legislature.

17 **22.** The Development Corporation shall prepare and submit to the Business plans
18 Minister for approval a detailed business plan for the following fiscal year
19 including estimates of budgetary requirements.

20 **23.** The Development Corporation shall, at the end of every Quarterly report
21 quarter in each year, submit to the President, through the Minister, report on
22 the activities and administration of the Development Corporation.

23 **24.** The Board shall prepare and submit to the President, through Annual report
24 the Minister, not later than 30th June in each year, a report in such form as the
25 Minister may direct on the activities of the Development Corporation during
26 the immediately preceding year, and shall include in the report a copy of the
27 audited accounts of the Development Corporation for that year and the
28 auditor's report thereon.

29 PART V - REPEAL AND SAVING

30 **25.** (a) The Nigeria Film Corporation Act is hereby repealed; Repeal and
Saving

1 (b) The Nigeria Film Corporation established by the Nigeria Film
2 Corporation Act is hereby dissolved;

3 (c) From the commencement of this Bill, all assets, funds and
4 resources and other movable or immovable property which immediately
5 before the commencement of this Bill were vested in the Nigeria Film
6 Corporation (the Corporation) shall be vested in the Development
7 Corporation;

8 (d) All rights, interests and obligation and liability of the
9 Development Corporation, shall by virtue of this bill be assigned to and vested
10 obligation;

11 (e) A person in the employment of the Development Corporation
12 immediately before the commencement of this bill shall be deemed to hold the
13 employment in the corporation under this Bill.

14 PART VI - INTERPRETATION

Interpretation

15 **26.** In this Bill, unless the context otherwise requires-

16 "Bill" means Nigeria Creative Development Corporation Bill;

17 "Development Corporation" means the Nigeria Creative Development
18 Corporation established by Section 3;

19 "industry" means Nigerian Creative Industry;

20 "creative industry" means an industry that is active in the fields of film, music,
21 comedy, media, amusement parks, theatre, fashion, art exhibitions and fairs,
22 museums, dance, sports, live event venues or any other field that involves
23 digital, audio-visual, sound recording or performance art;

24 "film" means a recording in or on any material from which images, with or
25 without associated sounds, may be produced and includes a film made for
26 television or for any other means of dissemination;

27 "music" means a vocal or instrumental sound, or both, combined in such a way
28 as to produce beauty of form, harmony, and expression of emotion, may be
29 produced and includes a music made for television or for any other means of
30 dissemination;

1 "comedy" means an entertainment consisting of jokes and satirical sketches,
2 in which a comedian performs in front of a live audience, speaking directly
3 to them in order to make them laugh, may be produced and includes a
4 comedy made for television or for any other means of dissemination;

5 "Board" means the governing board of the Corporation established by
6 Section 6;

7 "Director General" means the Director General of the Corporation;

8 "Service" means the Federal Inland Revenue Service;

9 "Minister" means the Minister of Information and Culture;

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

11 "Accountant-General" means the Accountant-General for the Federation;

12 "Auditor-General" means the Auditor-General for the Federation;

13 "Federation" means the Federation of Nigeria;

14 "employee" means a person employed for wages or a salary and includes an
15 apprentice, intern and indentured learner;

16 "the talents" means people with a high degree of aptitude for either film,
17 music, comedy, media, fashion, sports, dance and art exhibition as referred
18 in Section 41;

19 "film industry" means cinematography, television programme, film
20 production, documentary, scriptwriting, pre-production, post-production,
21 film festivals, distribution, actors, film directors, and other film crew;

22 "music industry" consists of the companies and individuals that create live
23 music performances, sound recordings and music videos of songs and
24 instrumental pieces;

25 "comedy industry" means stand-up comedy, radio comedy, and audio
26 comedy.

27 **27.** This Bill may be cited as the Nigeria Creative Development Citation
28 Corporation Bill, 2019.

EXPLANATORY NOTE

This Bill seeks to establish Nigeria Creative Development Corporation for the purposes of financing and strengthening the creative industry to spark job creation and economic growth; to provide for the management of the Corporation.

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A TRAINING ORGANIZATION TO BE KNOWN AS THE NIGERIAN INSTITUTE OF STEEL DEVELOPMENT; TO PROVIDE FOR ITS DETAILED IDENTIFICATION OF MANAGEMENT TRAINING NEEDS IN STEEL MANUFACTURING INDUSTRIES THROUGHOUT NIGERIA; TO DEVELOP AND IMPLEMENT TRAINING PROGRAMMES TO MEET THE NEEDS OF MANAGERS IN THE STEEL SECTOR OF THE ECONOMY, AND FOR RELATED MATTERS

Sponsored by Hon. Yusuf Ahmed Tijani Damisa

[] Commencement

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

1 PART I - INSTITUTION

2 **1.** There shall be established in Okene, a training organization to
3 be known as the Nigerian Institute of Steel Development (in this Bill
4 referred to as "the Institute") which shall be a body corporate under that
5 name, with perpetual succession and a common seal and may sue and be
6 sued in its corporate name, subject to the provision of this Bill.

Establishment
of the Nigerian
Institute of Steel
Development

7 **2.-(1)** The government of the Institute and the direction of its
8 affairs shall vest in the Board of Governors of the Institute (in this Bill
9 referred to as "the Board").

Governing Board
of the Institute,
etc.

10 **(2)** The Board shall consist of-

11 **(a)** a chairman and two other members to be appointed by the
12 President;

13 **(b)** the Director General of the Institute;

14 **(c)** the Minister of Solid Minerals;

15 **(d)** one representative to be chosen from the Federal University

16 Lokoja, University of Ilorin and Ahmadu Bello University;

Functions of
the Institute

1 (e) a representative of the Kogi State Polytechnic.

2 (3) Subject to subsection (4) of this section, a person appointed as a
3 member of the Board (not being an ex-officio member) shall hold office for
4 three years and shall be eligible for re-appointment for one further period of
5 three years.

6 (4) The President may terminate the appointment of a member of the
7 Board (not being an ex-officio member) if satisfied that it is not in the interest
8 of the Institute that the person concerned should continue in office.

9 (5) Any member of the Board (not being an ex-officio member) may
10 by notice in writing under his hand addressed to the Minister resign his office.

11 **3.** The functions of the Institute shall be to-

12 (a) provide education and training to professionals and students;

13 (b) train managerial and technical staff for the running of the steel
14 plants in Nigeria and for the carrying on of the various surveys, services and
15 other activities incidental or related to the plants and their establishment;

16 (c) conduct research and development in the technology and other
17 aspects of iron and steel production and in the application of iron and steel
18 products;

19 (d) establish facilities and conduct tests and operations for
20 ascertaining and improving the qualities and performance of the materials and
21 processes for iron and steel production, and of iron and steel products;

22 (e) provide consultancy in steel based design & instituting various
23 Award schemes;

24 (f) provide requisite thrust to increase steel consumption in rural
25 areas;

26 (g) prepare guidebooks, directories, design aids and manuals;

27 (h) upgrade the skills of the work force by organizing refresher
28 courses/training programmers and offering better technical know-how, design
29 aids and teaching aids;

30 (i) develop a comprehensive iron and steel industrial database;

- 1 (j) provide training programmes in steel fabrication;
- 2 (k) provide value-added services for iron and steel industry such as
- 3 facilitate the implementation of mandatory standards;
- 4 (l) create awareness amongst potential users about affordability
- 5 and benefits of steel;
- 6 (m) provide prompt advisory service on materials, construction
- 7 practices, interpretation of codes etc. and creating an environment for better
- 8 usage of steel by acquiring and disseminating knowledge about the best
- 9 practices;
- 10 (n) assist in the development of ancillary industries, which boost
- 11 the usage of steel and creating new market for steel usage;
- 12 (o) provide advisory services and carry out, commission or
- 13 promote the study of scientific, technology and economic aspects of iron
- 14 and steel industry development in Nigeria; and
- 15 (p) assist in mediating iron and steel industry related issues.

16 PART II - GOVERNING COUNCIL

- 17 4. -(1) The following shall be the governing bodies of the Institute-
- 18 (i) a Board;
- 19 (ii) a Senate; and
- 20 (iii) Such other authorities as may be declared by the Statutes to be
- 21 the authorities of the College.
- 22 (2) The Board of the Institute shall consist of the following persons,
- 23 namely-
- 24 (a) the Chairman, to be nominated by the President;
- 25 (b) the Director General of the Institute;
- 26 (c) the Managing Director of Ajaokuta Steel Company;
- 27 (d) four persons having special knowledge or practical experience
- 28 in respect of education, engineering or science, to be nominated by the
- 29 Minister; and
- 30 (e) two professors of the Institute, to be nominated by the Senate.

1 (3) Save as otherwise provided in this section the term of office of the
2 Chairman or any other member of the Board shall be four years from the date of
3 his nomination.

4 (4) The term of office of an ex-officio member shall continue so long
5 as he holds the office by virtue of which he is a member.

6 (5) The term of office of a member nominated to fill a casual vacancy
7 shall continue for the remainder of the term of the member in whose place he
8 has been nominated.

9 (6) Notwithstanding anything contained in this section, an outgoing
10 member shall, unless the Board otherwise directs, continue in office until
11 another person is nominated as a member in his place.

12 (7) The members of the board shall be entitled to such allowances, if
13 any, from the Institute as the Minister in consultation with the Minister of
14 Finance may determine.

Functions of
the Board

15 5.-(1) Subject to the provisions of this Bill, the Board of the Institute
16 shall be responsible for the general superintendence, direction and control of
17 the affairs of the Institute and shall exercise all the powers of the Institute not
18 otherwise provided for by this Bill.

19 (2) Without prejudice to the provisions of sub- section (1), the Board
20 shall-

21 (a) take decisions on questions of policy relating to the administration
22 and working of the Institute;

23 (b) institute courses of study at the Institute;

24 (c) make Statutes;

25 (d) institute and appoint persons to academic as well as other posts in
26 the Institute;

27 (e) consider and pass resolutions on the annual report, the annual
28 accounts and the budget estimates of the Institute for the next financial year as
29 it thinks fit and submit them to the Minister together with a statement of its
30 developments plans; and

1 (f) exercise such other powers and perform such other duties as
2 may be conferred or imposed upon it by this Bill.

3 (3) The Board shall have the power to appoint such committees as
4 it considers necessary for the exercise of its powers and the performance of
5 its duties under this Bill.

6 **6.** The Senate shall consist of the following persons; namely- The Senate

7 (a) the Director General shall be the Chairman of the Senate;

8 (b) the professors appointed or recognised as such by the Institute
9 for the purpose of imparting instruction in the Institute; and

10 (c) three persons, not being employees of the Institute, to be
11 nominated by the Chairman in consultation with the Director General; from
12 among educationists of repute, one each from the fields of science,
13 engineering and humanities.

14 **7.** Subject to the provisions of this Bill, the Senate shall have the Functions of
15 control and general regulation, and be responsible for the maintenance, of
16 standards of instruction, education and examination in the Institute.

17 **8.-(1)** The Chairman shall ordinarily preside at the meetings of the Meetings of the
18 Board and at the Convocations of the Institute. Board

19 (2) It shall be the duty of the Chairman to ensure that the decisions
20 taken by the Board are implemented.

21 (3) The Chairman shall exercise such other powers and perform
22 such other duties as may be assigned to him by this Bill.

23 **9.-(1)** There shall be an officer of the Institute to be known as the Director General
24 Director General who shall be appointed by the President. of the Institute
and other staff

25 (2) The Director General shall act as the Secretary of the Board, the
26 Senate, and such committees as may be prescribed by the Statutes.

27 (3) The Director General shall be the chief executive of the
28 Institute and shall be responsible to the Board for the day-to-day
29 management of the affairs of the Institute.

30 (4) The Director General shall hold office for a fixed term of four

1 years, subject to renewal by the President for only one more term of the same
2 duration.

3 (5) There may be appointed, from time to time, by the Board such
4 other staff as may be required for the purpose of the efficient performance of
5 the functions conferred on the Institute under or pursuant to this Bill.

6 (6) The terms and conditions of service (including terms and
7 conditions as to remuneration, allowances, pensions, gratuities and other
8 benefits) of the persons employed by the Board shall be determined by the
9 Board from time to time.

10 (7) The control of the employees (including their promotion and
11 discipline) shall vest in the Board.

12 PART III - FINANCIAL PROVISION

13 **10. -(1)** The Institute shall establish and maintain a fund which shall
14 be applied towards the promotion of the objectives specified in this Bill.

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

17 (a) such sums as may be provided by the Government of the
18 Federation;

19 (b) fees charged for services rendered by the Institute; and

20 (c) all sums accruing to the Institute by way of gifts, testamentary
21 disposition and endowments or contributions from philanthropic persons or
22 organisations or otherwise howsoever.

Power to accept
gifts

23 **11.-(1)** The Institute may accept gifts of land, money or other property
24 upon such terms and conditions, if any, as may be specified by the person or
25 organisation making the gifts.

26 (2) The Institute shall not accept any gift if the conditions attached by
27 the person or organisation making the gift to the acceptance thereof are
28 inconsistent with the functions of the Institute.

Borrowing power

29 **12.-(1)** The Institute may, with the consent of the Minister or in
30 accordance with the general guidelines approved by the President, borrow by

1 way of loan or overdraft from any source any moneys required by the
2 Institute for meeting its obligations and discharging its functions under this
3 Bill.

4 (2) The Institute may, subject to the provisions of this Bill and the
5 conditions of any trust created in respect of any property, invest all or any of
6 its funds with the like consent or general authority.

7 (3) The Board may invest any surplus funds of the Institute in such
8 securities as may be approved by the President.

9 **13.**-(1) The Board shall cause to be prepared not later than 30 June
10 in each year an estimate of the expenditure and income of the Institute
11 during the next succeeding year and when prepared they shall be submitted
12 to the Minister.

Annual estimates
accounts and audit

13 (2) The Board shall cause to be kept proper accounts of the Institute
14 and proper records in relation thereto and when certified by the Board such
15 accounts shall be audited as provided in subsection (3) of this section.

16 (3) The accounts of the Institute shall be audited as soon as may be
17 after the end of each year.

18 **14.** The Board shall, not later than 30 September in each year,
19 submit to the Minister a report on the activities of the Institute and its
20 administration during the immediately preceding year and shall include in
21 such report the audited accounts of the Institute.

Annual report

22 **15.**-(1) The Board may, subject to the provisions of this Bill, make
23 staff regulations relating generally to the conditions of service of the
24 employees of the Institute and without prejudice to the generality of the
25 foregoing, such regulations may provide for-

Staff regulations

26 (a) the appointment, promotion and disciplinary control (including
27 dismissal) of employees of the Institute; and

28 (b) appeals by such employees against dismissal or other
29 disciplinary measure, and until such regulations are made, any instrument
30 relating to the conditions of service of officers in the civil service of the

	1	Federation shall be applicable, with such modifications as may be necessary, to
	2	the employees of the Institute.
	3	(2) Staff regulations made under subsection (1) or this section, shall
	4	not have effect until approved by the Minister and when so approved they need
	5	not be published in the Federal Gazette but the Board shall cause them to be
	6	brought to the notice of all affected persons in such manner as it may, from time
	7	to time, determine.
Procedure in respect of suits against the Institute	8	16. No suit shall be commenced against the Institute before the
	9	expiration of a period of one month after written notice of intention to
	10	commence the suit shall have been served upon the Institute by the intending
	11	plaintiff or his agent; and the notice shall clearly and explicitly state-
	12	(a) the cause of action;
	13	(b) the particulars of the claim;
	14	(c) the name and place of abode of the intending plaintiff; and
	15	(d) the relief which he claims.
Service of documents	16	17. The notice referred to in section 18 of this Bill and any summons,
	17	notice or other document required or authorised to be served upon the Institute
	18	under the provisions of this Bill or any other enactment or law may be served by
	19	delivering the same to the chairman or the Director General of the Institute, or
	20	by sending it by registered post addressed to the Director General of the
	21	Institute.
Restriction on execution against the property of the Institute	22	18. In any action or suit against the Institute, no execution or
	23	attachment or process in the nature thereof shall be issued against the Institute,
	24	but any sums of money which may, by the judgment of the court, be awarded
	25	against the Institute shall subject to any directions given by the Institute, be
	26	paid from the general reserve fund of the Institute.
Power to give directions	27	19. The Minister may give the Board directions of a general character
	28	or relating generally to particular matters (but not to any individual or case)
	29	with regard to the exercise by the Board of its functions under this Bill, and it
	30	shall be the duty of the Board to comply with such directions.

1	20. In this Bill, unless the context otherwise requires-	Interpretation
2	"Board" means the Board of Governors of the Institute constituted as	
3	provided in section 2(1) of this Bill;	
4	"Chairman" means the chairman of the Board;	
5	"Director" means the Director of the Institute;	
6	"Institute" means the Agricultural and Rural Management Training Institute	
7	established by section 1 of this Bill;	
8	"member" means any member of the Board and includes the chairman;	
9	"Minister" means the Minister charged with responsibility for Solid	
10	Minerals Development;	
11	"President" mean the President of the Federal Republic of Nigeria.	
12	21. This Bill may be cited as the Nigerian Institute of Steel	Short title
13	Development Bill, 2019.	

EXPLANATORY NOTE

This Bill seeks to make provision for a training organization to be known as the Nigerian Institute of Steel Development, to provide for its organization, control and operation.

A BILL

FOR

AN ACT TO ALTER THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA CAP. C23 LAWS OF THE FEDERATION OF NIGERIA 2004 TO MAKE FREE, COMPULSORY AND BASIC EDUCATION A FUNDAMENTAL RIGHT OF ALL CITIZENS UNDER CHAPTER IV AND FOR RELATED MATTERS

Sponsored by Hon. Femi Gbajabiamila

[] Commencement

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

- 1 **1.** The Constitution of the Federal Republic of Nigeria Cp, 23 Alteration of the
2 Laws of the Federation of Nigeria 2004 (in this Bill referred to as "The Constitution
3 Principal Act") is hereby altered as set out hereunder.
4 **2.** The Principal Act is hereby amended in section 18 by
5 substituting the entire sub-section 3 thereof with a new subsection 3 as
6 follows:
7 "Government shall strive to eradicate illiteracy in Nigeria"
8 **3.** The Principal Act is amended by creating a new section 45 as
9 follows:
10 "SECTION 45. FREE, COMPULSORY AND UNIVERSAL BASIC
11 EDUCATION
12 (1) Every citizen of Nigeria is entitled to free, compulsory and
13 universal basic education, and every government in Nigeria shall provide
14 free, compulsory and universal basic education to every child from primary
15 to junior secondary school.
16 (2) It shall be the duty of every parent to ensure that his child or
17 ward attends and completes his primary and junior secondary school
18 education by endeavoring to send the child to primary and junior secondary
19 schools.

	1	(3) Every stakeholder in education shall ensure that every parent or
	2	person who has the care and custody of a child performs the duty imposed on
	3	him under section 45 of this Constitution.
Amendment of Section 318	4	4. Section 318 of the Principal Act is amended in sub-section 1 by the
	5	addition of a new definition paragraph immediately after the definition of the
	6	word "authority" as follows:
	7	"basic education" means free and compulsory education from
	8	primary school to junior secondary school.
	9	5. The Principal Act is hereby amended by renumbering the existing
	10	sections 45 to 318 of the constitution as sections 46 to 319
Citation	11	6. This Bill may be cited as the Constitution of the Federal Republic
	12	of Nigeria (Alteration) Bill, 2019.

EXPLANATORY NOTES

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria Cap. 23, Laws of the Federation of Nigeria 2004 to include and place free, compulsory and universal basic education under chapter IV of the constitution of the Federal Republic of Nigeria (as amended).

AN ACT TO ESTABLISH THE SOUTH WEST DEVELOPMENT COMMISSION CHARGED WITH THE RESPONSIBILITY AMONG OTHERS TO RECEIVE AND MANAGE FUNDS FROM ALLOCATION OF THE FEDERATION ACCOUNT, INCLUDING DONATIONS AND GIFTS, FOR THE RECONSTRUCTION AND REHABILITATION OF ROADS, HOUSES AND OTHER INFRASTRUCTURAL DAMAGES SUFFERED BY THE REGION AND THE NEED TO TACKLE THE ECOLOGICAL PROBLEMS AND ANY OTHER RELATED ENVIRONMENTAL OR DEVELOPMENTAL CHALLENGES IN THE SOUTH WEST STATES AND FOR RELATED MATTERS

Sponsored by Hon. Taiye Ogunjin

Hon. Adejare, Samuel Babatunde	Hon. Akande-Sadipe, T. Tiwalola
Hon. Oke, Busayo Oluwole	Hon. Fatoba, Steve Olusola
Hon. Abdulrazak, Namdas	Hon. Akinolu, Moshood Kayode
Hon. Muraina, Saubana Ajibola	Hon. Osoba, Olumide Babatunde
Hon. Adaramodu, Yemi	Hon. Ayeni, Lawrence Babatunde
Hon. Kolawole, Taiwo Musibau	Hon. Tunji-Ojo, Olubunmi
Hon. Alli, Adeyemi Taofeek	Hon. Oluga, Taiwo Olukemi
Hon. Adeyemi, Akcem Adeniyi	Hon. Akintola, Oluokun George
Hon. Adegun, Adejoro	Hon. Ayinla, Bolaji Yusuf
Hon. Bamisile, Olufemi Richard	Hon. Adebango, Olufemi Bandele
Hon. Edun, Olarewaju Oladapo	Hon. Nwokolo, Victor
Hon. Ojugbele, Jimoh Olusola	Hon. Obasa, Tajudeen Adekunle
Hon. Dawodu, Bashiru Ayinla	Hon. Olaifa, Jimoh Aremu
Hon. Ogunlola, Omowumi Olubunmi	Hon. Jimoh, Abdulraheem Olajide
Hon. Egoh, Ajokp-Ogene Emmanuel	Hon. Owolabi, Peter
Hon. Egberongbe, Mufutau Adewale	Hon. Makinde, Peter Abiola
Hon. Omolafe, Issac Adedayo	Hon. Amobi, Yinusa Akintola
Hon. Onyejeocha, Nkiruka	Hon. Johnson, Ganiyu Abiodun
Hon. Alabi, Akinola Adekunle	Hon. Salaam, Bamidele
Hon. Adefisoye, Tajudeen Adeyemi	Hon. Sarkin, Adar
Hon. Kuye, Ademorin Aliu	Hon. Akinremi, Olaide Adewale
Hon. Ajilesoro, Taofeek	Hon. Adigun, Abass Adekunle
Hon. Akinjo, Kolade Victor	Hon. Shoyinka, Abiola Olatunji
Hon. Yuguda, Hassan Kila	Hon. Hunpe, Adande Babatunde
Hon. Lawal, Kolawole Wasiu	Hon. Oyewo, Olubukola Oyegbile
Hon. Uzoma, Nkem-Abonta	Hon. Ajao, Jacob Adejumo
Hon. Olarewaju, Ibrahim Kunle	Hon. Kanir, Alhassan Rumun
Hon. Akinfolarin, Mayowa Samuel	Hon. Onabanjo, Adewunmi Oriyomi
Hon. Olajide, Adedeji Stanley	Hon. Odeunmi, Olusegun Dokun
Hon. Ikengboju, Gboluga Dele	Hon. Uduyok, Francis Charles
Hon. Isiaka, Ibrahim Ayokunle	Hon. Raji, Tasir Olawale
Hon. Obanikoro, Ibrahim	Hon. Taiwo, Oluyemi Adewale
Hon. Balogun, Adebayo Olusegun	Hon. Adekoya, A. Abdel-Majid
Hon. Mallam, Bukar Gana	Hon. Owolabi, Adisa James
Hon. Ojerinde, Olumide Abiodun	Hon. Afolabi, Rasheed Olalekan
Hon. Benson, Babajimi Adegoke	Hon. Azubogu Chris Emeka
Hon. Osunsanya, Kolapo Korede	Hon. Faleke, James Abiodun
Hon. Agunsoye, Oluwarotimi Ojo	Hon. Adelegbe, Oluwatimehin E.
Hon. Abiola, Peller Shina	Hon. Badru, Enitan Dolapo
Hon. Olatunbosun, Olajide Boladale	Hon. Sada, Soli

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

	1	PART 1- ESTABLISHMENT OF THE SOUTH WEST DEVELOPMENT
	2	COMMISSION AND THE GOVERNING BOARD
Establishment of South West Development Commission	3	1.-(1) There is hereby established a body to be known as the South
	4	West Development Commission (in this Bill referred to as "the Commission").
	5	(2) The Commission:
	6	(a) shall be a body corporate with perpetual succession and a common
	7	seal;
	8	(b) may sue and be sued in its corporate name.
	9	(3) The Commission shall have its head office in Ibadan, Oyo State
	10	and shall establish an office in each member-State of the Commission.
Establishment of the Governing Board of the Commission	11	2.-(1) There is established for the Commission, a body to be known as
	12	the Governing Board (in this Bill referred to as 'the Board') which shall consist
	13	of-
	14	(a) a Chairman;
	15	(b) One person who shall be an indigene of the South West area to
	16	represent the following member States, that is-
	17	(i) Ekiti;
	18	(ii) Lagos;
	19	(iii) Ogun;
	20	(iv) Ondo;
	21	(v) Osun;
	22	(vi) Oyo;
	23	(c) three persons to represent the following Security Organisations:
	24	(i) the Army, who shall not be below the rank of a Colonel;
	25	(ii) the Police, who shall not be below the rank of Chief
	26	Superintendent of Police; and
	27	(iii) the Civil Defence Corps who shall not be below the rank of
	28	Deputy Commandant.
	29	(d) one person to represent the Federal Ministry of Solid Minerals;
	30	(e) one person to represent the Federal Ministry of Finance;

	1	the world by an order of a competent authority made in respect of that member;
	2	(f) resigns his appointment by a letter addressed to the President.
	3	(2) Where a vacancy occurs in the membership of the Board, it shall
	4	be filled by appointment of a person representing the area where the vacancy
	5	exists, to complete the remainder of the term of office of the predecessor.
Rotation of Office of Chairman	6	5.-(1) The office of the Chairman shall rotate amongst the member-
	7	States of the Commission in the following alphabetical order-
	8	(i) Ekiti;
	9	(ii) Lagos;
	10	(iii) Ogun;
	11	(iv) Ondo;
	12	(v) Osun;
	13	(vi) Oyo.
Allowances of members	14	6.-(1) There shall be paid to every member of the Board such
	15	remuneration, allowances and expenses as the Federal Government may, from
	16	time to time, direct.
	17	PART II - FUNCTIONS AND POWERS OF THE COMMISSION, ETC.
Functions and Powers of the Commission	18	7.-(1) The commission shall-
	19	(a) formulate policies and guidelines for the development of the South
	20	West States;
	21	(b) conceive, plan and implement, in accordance with the set rules and
	22	regulations, projects and programmes for the sustainable development of the
	23	South West States in the fields of transportation, health, education,
	24	employment, agriculture, industrialization, housing and urban development,
	25	water supply, electricity, solid mineral exploitation and telecommunications;
	26	(c) cause the South West States to be surveyed in order to ascertain
	27	measures which are necessary to promote its physical and socio-economic
	28	development;
	29	(d) prepare master plans and schemes designed to promote the
	30	physical development of the South West States and the estimates of the costs of

1 implementing such master plans and schemes;

2 (e) implement all the measures approved for the development of
3 the South West States by the Federal Government and the member-States of
4 the Commission;

5 (f) identify factors inhibiting the development of the South West
6 States and assist the member-States in the formulation and implementation
7 of policies to ensure a sound and efficient management of the resources of
8 the South West States;

9 (g) assess and report on any project being funded or carried out in
10 the South West States by mineral extracting and mining companies, oil and
11 gas producing companies, and any other company including non-
12 governmental organisations and ensure that funds released for such projects
13 are properly utilised;

14 (h) tackle ecological and environmental problems that arise from
15 the extraction and mining of solid mineral, exploration of oil mineral in the
16 South West States and advise the Federal Government and the member
17 States on the prevention and control of oil spillages, gas flaring and
18 environmental pollution;

19 (i) liaise with the various solid mineral extraction and mining
20 companies and oil and gas prospecting and producing companies on all
21 matters of pollution prevention and control; and

22 (j) execute such other works and perform such other functions
23 which in the opinion of the Commission are required for the sustainable
24 development of the South West States and its people;

25 (k) receive donations and gifts from any legitimate, documented
26 source aimed at the advancement of its set goals, provided such donations
27 shall be reported to the relevant federal authorities.

28 (2) In exercising its functions and powers under the clause, the
29 Commission shall have regard to the varied and specific contributions of
30 each member State of the Commission.

	1	(3) The Commission shall be subject to the direction, control or
	2	supervision in the performance of its functions under this Bill by the President
	3	of the Federal Republic of Nigeria.
Powers of the Board	4	8. -(1) The Board shall have power to:
	5	(a) direct and superintend the affairs of the Commission;
	6	(b) make rules and regulations for carrying out the functions of the
	7	Commission;
	8	(c) enter and inspect premises, projects and such places as may be
	9	necessary for the purposes of carrying out its functions under this Bill;
	10	(d) approve the payment for the staff of the Commission such
	11	remuneration and allowances as are payable to persons of equivalent grades in
	12	the Civil service of the Federation;
	13	(e) enter into such contracts as may be necessary or expedient for the
	14	discharge of its functions and ensure the efficient performance of the functions
	15	of the Commission;
	16	(f) approve employment either directly or on secondment from any
	17	civil or public service in the Federation or a State, such number of employees as
	18	may, in the opinion of the Board, be required to assist the Board in the discharge
	19	of any of its functions under this Bill;
	20	(g) approve payment to persons so employed such remuneration,
	21	including allowances, as the Board may determine; and
	22	(h) do such other things as are necessary and expedient for the
	23	efficient performances of the functions of the Commission.
	24	PART III -STRUCTURE OF THE COMMISSION
Structure of the Commission	25	9. -(1) There shall be established in the head office of the Commission,
	26	the following Directorates:
	27	(a) the Directorate of Health and Social Services;
	28	(b) the Directorate of Transportation;
	29	(c) the Directorate of Administration and Human Resources;
	30	(d) the Directorate of Community and Rural Development;

- 1 (e) the Directorate of Utilities and Infrastructural Development;
- 2 (f) the Directorate of Environmental Protection and Control;
- 3 (g) the Directorate of Finance and Supply;
- 4 (h) the Directorate of Solid Minerals;
- 5 (I) the Directorate of Planning, Research and Statistics and
- 6 Management Information System;
- 7 (j) the Directorate of Legal Services;
- 8 (k) the Directorate of Education;
- 9 (l) the Directorate of Commercial and Industrial Development; and
- 10 (m) the Directorate of Health and Social Services;
- 11 (n) the Directorate of Projects Monitoring and Supervision.
- 12 (o) the Directorate of Agriculture and Fisheries.

13 (2) The Board may with the approval of the President, increase the
14 number of Directorates as it may deem necessary and expedient to facilitate
15 the realisation of the objectives of the Commission.

16 **10.** There shall be for the Commission, a Management Committee Management
Committee
17 which shall-

- 18 (a) consist of a Chairman who shall be the Managing Director;
- 19 (b) the Directors responsible for the Directorates established under
- 20 Clause 9 of this Bill and such number of other members as may be
- 21 determined from time to time by the Board;

22 © be responsible to the Board for the general administration of the
23 Commission.

24 **11.-(1)** There is hereby established for the Commission, a South Establishment
of the South West
Development
Advisory
Committee
25 West Development Advisory Committee (in this Bill referred to as 'the
26 Advisory Committee') which shall consist of-

- 27 (a) the Governors of the member-States of the Commission; and
- 28 (b) one person from the South West zone as may be determined,
- 29 from time to time, by the President of the Federal Republic of Nigeria.

30 (2) The Advisory Committee shall be charged with the

1 responsibility of advising the Board and guiding and monitoring the activities
2 of the Commission with a view to achieving the objectives of the Commission.

3 (3) The Advisory Committee may make rules regulating its own
4 proceedings, including the appointment of a Chairman who shall not be from
5 the same State as the Board Chairman, or the Managing Director.

6 PART IV- STAFF OF THE COMMISSION

7 **12.**-(1) There shall be for the Commission, a Managing Director, who
8 shall be an indigene of a South West State other than the states of origin of the
9 Board Chairman and shall-

10 (a) have such qualifications and experience as are appropriate for a
11 person required to perform the functions of that office under this Bill; and

12 (b) be the Chief Executive and Accounting Officer of the
13 Commission;

14 (c) be appointed by the President of the Federal Republic of Nigeria
15 and confirmed by the Senate;

16 (d) hold office on such terms and conditions as to emolument,
17 conditions of service as may be specified in his letter of appointment and
18 subject to the provision of clause 3 of this Bill.

19 **13.**-(1) There shall be for the Commission, three (3) Executive
20 Directors each of whom shall supervise all the Directorates as approved by the
21 Management.

22 (2) The Executive Directors shall be indigenes of States other than
23 those of the Managing Director, the Chairman of the Board and the Chairman
24 of the Advisory Committee of the Commission.

25 **14.**-(1) There shall be for the Commission a Secretary who shall be
26 responsible for:

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

29 (b) the administration of the Secretariat of the Commission.

30 (2) The Secretary shall be a fit and proper person who shall be a legal

1 practitioner of not less than 10 years post-Call to Bar experience.

2 **15.** The Board shall have power to:

3 (a) approve the employment and promotion of management staff;

4 (b) approve the recruitment, either directly or by secondment from
5 any civil or public service in the Federation or a State, such number of
6 employees as may, in the opinion of the Board, be required to assist the
7 Board in the discharge of any of its function under this Bill; and

8 (c) approve payment to persons so employed such remuneration
9 (including allowances) as the Board may, after consultation with the Federal
10 Civil Service Commission, determine.

11 **16.-(1)** Service in the Commission shall be approved service for
12 the purposes of the Pensions Act.

Service in the
Commission to
be Pensionable

13 (2) The officers and other persons employed in the Commission
14 shall be entitled to pensions, gratuities and other retirement benefits as are
15 enjoyed by Persons holding equivalent grades in the civil service of the
16 Federation.

17 (3) Nothing in subsections (1) and (2) of this Clause shall prevent
18 the appointment of a person to any office on terms which preclude the grant
19 of pension and gratuity in respect of that office.

20 (4) for the purposes of the application of the provisions of the
21 Pensions Act, any power exercisable there under by the Minister or other
22 authority of the Government of the Federation, other than the power to make
23 regulations under section 23 thereof, is hereby vested in and shall be
24 exercisable by the Commission, and not by any other person or authority.

25 **PART V- FINANCIAL PROVISIONS**

26 **17.-(1)** The Commission shall establish and maintain a fund, the
27 proceeds of which shall be used to defray all expenditures incurred by the
28 Commission.

Fund of the
Commission

29 (2) There shall be paid and credited to the fund established
30 pursuant to sub-clause (1) of this paragraph monies-

1 (a) from the Federal Government, the equivalent of fifteen (15) per
2 cent of the total monthly statutory allocations due to member States of the
3 Commission from the Federation Account;

4 (b) 3 percent of the annual budget of any federal port operating in the
5 South West;

6 (c) 3 percent of the total annual budget of any oil producing company
7 operating, on shore and off shore, in the South West States: including gas
8 processing companies;

9 (d) 3 percent of the total annual budget of any Solid mineral extracting
10 mining company operating in the South West States;

11 (e) 50 percent of monies due to member-States of the Commission
12 from the Ecological Fund;

13 (f) such monies as may from time to time, be granted or lent to or
14 deposited with the Commission by the Federal or a State Government, any
15 other body or institution whether local or foreign;

16 (g) all monies raised for the purpose of the Commission by way of
17 gifts, loan, grants-in-aid, testamentary disposition or otherwise; and

18 (h) the proceeds from all other assets that may, from time to time,
19 accrue to the Commission.

20 (3) The fund shall be managed in accordance with the rules made by
21 the Board, and without prejudice to the generality of the power to make rules
22 under this sub-clause, the rules shall in particular contain provisions-

23 (a) Specifying the manner in which the assets or the fund of the
24 Commission are to be held, and regulating the making of payments into and out
25 of the fund; and

26 (b) Requiring the keeping of proper accounts and records for the
27 purpose of the fund in such form as may be specified in the rules.

Expenditure of
the Commission

28 **18.-(1)** The Commission shall apply the proceeds of the fund
29 established pursuant to Clause 17 of this Bill to-

30 (a) the cost of administration of the Commission;

1 (b) the payment of salaries, fees, remuneration, allowances,
2 pensions and gratuities payable to the members of the Board specified in
3 clause 2 of this Bill or any committee of the Board and the employees of the
4 Commission;

5 (c) the payment for all contracts, including mobilization,
6 fluctuations, variations, legal fees and cost on contract administration;

7 (d) the payment for all purchases; and

8 (e) undertaking such other activities as are connected with all or
9 any of the functions of the Commission under this Bill.

10 **19.**-(1) The Commission may accept gifts of land, money or other Gifts to the
11 property on such terms and conditions, if any, as may be specified by the Commission
12 person or organization making the donation.

13 (2) The Commission shall not accept any gift if the conditions
14 attached by the person or organization making the gift are inconsistent with
15 the functions of the Commission under this Bill.

16 **20.**-(1) The Commission may borrow, on such terms and conditions Powers to borrow
17 as the Commission may determine, such sums of money as the Commission
18 may require in the exercise of its functions under this Bill.

19 **21.**-(1) The Board shall, not later than 30th October in each year, Annual Estimates
20 submit to the National Assembly through the President of the Federal and Expenditure
21 Republic of Nigeria, an estimate of the expenditure and income of the
22 Commission during the next succeeding year.

23 (2) The Board shall cause to be kept proper accounts of the
24 Commission in respect of each year and proper records in relation thereto
25 and shall cause the accounts to be audited not later than 6 months after the
26 end of each year by Auditors appointed from the list and in accordance with
27 the guidelines supplied by the Auditor-General for the Federation

28 **22.**-(1) The Commission shall, at the end of every quarter in each Quarterly Report
29 year, submit a Quarterly Report to the President of the Federal Republic of
30 Nigeria, on the activities and administration of the Commission.

Annual Report	1	23. -(1) The Board shall prepare and submit to the President of the
	2	Federal Republic of Nigeria, not later than 30th June in each year , a report in
	3	such form as the President of the Federal Republic of Nigeria, may direct, on
	4	the activities of the Commission during the immediately preceding year, and
	5	shall include in the report a copy of the audited annual accounts of the
	6	Commission for the preceding operating year and the Auditor's report thereon.
	7	(2) the President of the Federal Republic of Nigeria shall, upon receipt
	8	of the report referred to in sub-section (1) of this Clause, cause a copy of the
	9	report and the audited accounts of the Commission and the Auditor's report
	10	there on to be submitted to each House of the National Assembly.
	11	PART VI - MISCELLANEOUS
Monitoring Committee	12	24. -(1) There is hereby established for the Commission a Monitoring
	13	Committee which shall consist of such number of persons as the President of
	14	the Federal Republic of Nigeria, any deem fit to appoint from the public or civil
	15	service of the Federation.
	16	(2) The Monitoring Committee shall-
	17	(a) monitor the management of the funds of the Commission and the
	18	implementation of the projects of the Commission; and
	19	(b) have access to the books of account and other records
Offices and Premises of the Commission	20	25. -(1) For the purposes of providing offices and premises necessary
	21	for the performances of its functions under this Bill, the Commission may,
	22	subject to the Land Use Act-
	23	(a) purchase or take on lease any interest in land, or other property;
	24	and
	25	(b) construct offices and premises and equip and maintain same.
	26	(2) The Commission may, subject to the Land Use Act, sell or lease
	27	out any office or premises held by it, which office or premises are no longer
	28	required for the performance of its functions under this Bill.
Directives by the President	29	26. -(1) Subject to the provisions of this Bill, the President of the
	30	Federal Republic of Nigeria, may give to the Commission directives of a

1 general nature or relating generally to matters of policy with regard to the
2 performance by the Commission of its functions and it shall be the duty of
3 the Commission to comply with the directives.

4 **27.-(1)** Subject to the provisions of this Bill, the provisions of the
5 Public Officers Protection Act shall apply in relation to any suit instituted
6 against any officer or employee of the Commission.

Limitation of
Suits against the
Commission
etc.

7 (2) Notwithstanding anything contained in any other law or
8 enactment, no suit shall lie against any member of the Board, the Managing
9 Director or any other officer or employee of the Commission for any act
10 done in pursuance or execution of this Bill or any other law or enactment, or
11 of any public duty or authority or in respect of any alleged neglect or default
12 in the execution of this Bill or such law or enactment, duty or authority, shall
13 lie or be instituted in any court unless-

14 (a) it is commenced within three months of the act, neglect or
15 default complained of.

16 **28.-(1)** A notice, summons or other document required or
17 authorized to be served upon the Commission under the provisions of this
18 Bill or any other law or enactment may be served by delivering it to the
19 Managing Director or by sending it by registered post and addressed to the
20 Managing Director at the principal office of the Commission.

Service of Notices,
Summons and
other Documents

21 **29.-(1)** Any sum of money which may, by the judgment of any
22 court be awarded against the Commission shall, subject to any direction
23 given by the court where notice of appeal of the said judgment has been
24 given, or not, be paid from the general reserve fund of the Commission.

Execution of
Judgment Debts

25 **30.-(1)** A member of the Board, the Managing Director, any other
26 officer or employee of the Commission shall be indemnified out of the assets
27 of the Commission against any proceeding, whether civil or criminal, in
28 which judgment is given in his favour, or in which he is acquitted, if any such
29 proceeding is brought against him in his capacity as a member of the Board,
30 the Managing Director, officer or employee of the Commission.

Indemnity of
Officers

Regulations 1 **31.**-(1) The Commission may, with the approval of the President of
2 the Federal Republic of Nigeria, make regulations, generally for the purposes
3 of giving full effect to this Bill.

Interpretation 4 **32.** In this Bill-
5 "Chairman" means the Chairman of the Board;
6 "Commission" means the South West Development Commission established
7 by Clause 1 of this Bill;
8 "Board" means the governing Board established for the Commission under
9 Clause 2(1) of this Bill;
10 "member" means a member of the Board and includes the Chairman,
11 Managing Director, Executive Directors, officers and other employees of the
12 Commission;
13 "member States" include Ekiti, Lagos, Ogun, Ondo, Osun, Oyo.

Short title 14 **33.** This Bill may be cited as the South West Development
15 Commission (Establishment etc.) Bill, 2019.

16 SCHEDULES

17 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

18 1.-(1) Subject to this Bill and section 27 of the Interpretation Act, the
19 Board may make standing orders regulating its proceeding or those of any of its
20 committee.

21 (2) The quorum of the Board shall be the Chairman or the person
22 presiding at the meeting, Managing Director or one Executive Director and one
23 third other members of the Board. The quorum of any committee of the
24 Commission shall be as determined by the Board.

25 2.-(i) The Board shall meet whenever it is summoned by the
26 Chairman and if the Chairman is required to do so by notice given to him by not
27 less than 4 other members, he shall summon a meeting of the Board to be held
28 within 14 days from the date on which the notice is given.

29 (ii) At any meeting of the Board, the Chairman shall preside but if he
30 is absent, the members present at the meeting shall appoint one of their

1 members to preside at the meeting.

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

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

8 (iii) A decision of a committee of the Board shall be of no effect
9 until it is confirmed by the Board.

10 *Miscellaneous*

4.-(1) The fixing of the seal of the Commission shall be authenticated by the signatures of the Chairman or any other member of the Board generally or specifically authorized by the Board to act for the purpose and the Managing Director.

(2) A document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be executed.

18 5. The validity of any proceedings of the Board or of a committee
19 shall not be adversely affected by-

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

21 (b) A defect in the appointment of a member of the Board or
22 committee; or

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish the South West Development Commission charged with the responsibility among others, to receive and manage funds from allocation of the Federation Account and to receive donations and gifts for the reconstruction and rehabilitation of roads, houses and other infrastructural damages suffered by the region as well as tackle the ecological problems and any other related environmental or developmental challenges in the South West States.