

Extraordinary



National Assembly Journal

No. 16

Abuja - 6th April, 2022

Vol. 19

CONTENTS

INDEX TO LEGISLATIVE INSTRUMENTS

<i>Bill No.</i>	<i>Long Title</i>	<i>Page</i>
HB. 1915	A Bill for an Act to Establish National Estate Housing Management Commission to be saddled with a responsibility as an independent regulator of all Estate Housing Management Services, Estate Private/Public Developers, House Agents and its operational activities in Nigeria and for Related Matters	C 907 - 925
HB. 1939	A Bill for an Act to Establish the Chartered Institute of Digital Technology and Development of Nigeria; and for Related Matters, 2022	C 927 - 960
HB. 1940	A Bill for an Act to Repeal the National Secondary Education Commission Etc Act Cap. N73, LFN 2004 and Enact the National Senior Secondary Education Commission Act, 2022 to prescribe minimum standards for Senior Secondary Education in Nigeria, manage the National Senior Secondary Education Commission Fund, and For Related Matters	C 961 - 977
HB. 1955	A Bill for an Act to Amend the Agricultural Research Council of Nigeria Act, Cap. A 12, Laws of the Federation of Nigeria, 2004 (as amended) to make provision for the establishment of Federal College of Agriculture, Kumo; and for Related Matters.	C 979 - 979
HB. 1958	A Bill for an Act to Amend the Dangerous Drugs Act, Cap D1, Laws of the Federation of Nigeria 2004 and for Related Matters..... ..	C 981 - 982
HB. 1967	A Bill for an Act to Amend the Tertiary Education Trust Fund Act, 2011 to include Federal and State Schools of Nursing and Midwifery as beneficiaries of the Fund and for Related Matters..... ..	C 983 - 984

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

NASSP 16/64/2022/900

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

NATIONAL ESTATE HOUSING MANAGEMENT COMMISSION BILL, 2022

ARRANGEMENT OF CLAUSES

Clause:

PART I - ESTABLISHMENT OF THE NATIONAL ESTATE HOUSING
MANAGEMENT COMMISSION AND THE GOVERNING BOARD

1. Establishment of the National Estate Housing Management Commission
2. Objective of the Commission
3. Functions of the Commission

PART II - ESTABLISHMENT OF THE GOVERNING BOARD

4. Establishment and Constitution of the Governing Board of the Commission
5. Resignation, cessation or removal from membership of the Board
6. Powers of the Board

PART III - STAFF OF THE COMMISSION

7. Appointment of the Chairman of the Commission
8. Cessation/Removal/Resignation of the Chairman
9. Functions of the Chairman, and Secretary to the Commission
10. Other Staff of the commission
11. Pension

PART IV - STRUCTURE OF THE COMMISSION

12. Structure of the Commission
13. Department
14. Zonal office of commission
15. Establishment of management and other committees for the commission

PART V - FINANCIAL PROVISIONS

16. Fund of the Commission
17. Expenditure of the Commission
18. Powers to accept gifts

- 19. Powers to borrow
- 20. Annual Estimates and Expenditure
- 21. Annual Report

PART VI - LICENSES

- 22. Requirement for License
- 23. Application for License

PART VII - MISCELLANEOUS PROVISIONS

- 24. Pre-action notice
- 25. Limitation of suits against the Commission
- 26. Service of documents
- 27. Restriction of execution against property of the Board
- 28. Indemnity of Officers
- 29. Regulations
- 30. Powers to give directives
- 31. Interpretation
- 32. Citation

A BILL

FOR

AN ACT TO ESTABLISH NATIONAL ESTATE HOUSING MANAGEMENT COMMISSION TO BE SADDLED WITH A RESPONSIBILITY AS AN INDEPENDENT REGULATOR OF ALL ESTATE HOUSING MANAGEMENT SERVICES, ESTATE PRIVATE/PUBLIC DEVELOPERS, HOUSE AGENTS AND ITS OPERATIONAL ACTIVITIES IN NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Bukar Gana

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE NATIONAL ESTATE HOUSING
2 MANAGEMENT COMMISSION AND THE GOVERNING BOARD

3 1.-(1) There is established a commission to be known as the
4 National Estate Housing Management commission (in this Bill referred to
5 as "the commission").

Establishment
of National Estate
Housing Management
Commission

6 (2) the Commission-

7 (a) shall be a body corporate with partial succession and a common
8 seal and may sue and be sued in its corporate; and

9 (b) may acquired, hold, mortgage, purchase and deal with property,
10 whether moveable or immoveable.

11 2. The Commission shall-

Objectives of
the Commission

12 (a) saddled with the responsibility as an independent Regulator for
13 Estate Housing Management services; Protect and ensure stability of Estate
14 development and its operational activities;

15 (b) ensure high standard of certain level of protection of property
16 buyers;

17 (c) provide transparency in property transaction process in
18 Nigeria;

Functions of
the Commission

1 (d) strongly eradicate quackery in the real Agents, Estate Housing
2 industry in compliance to eliminate any forms of property frauds;

3 (e) ensure a mechanism for monitoring and providing advice to the
4 Federal Government on the matters relating to the Estate developers and its
5 Agents operations, In the Housing development industry; and

6 (f) make efficient provision and regulation of the estate Housing
7 Management services of the industry.

8 **3. The Commission shall-**

9 (a) Provide policies and guidelines for the Estate
10 Housing/developers, Agents operational activities to National priorities
11 developmental strategy in the industry;

12 (b) Ensure identification of Eligible person(s) to be licensed as Estate
13 Practitioner, Agents and developers;

14 (c) Annually issue and renew licenses to estate operators in the Estate
15 Housing Industry;

16 (d) Properly maintain a register of licenced Estate practitioner,
17 developers and Agents;

18 (e) Make investigation, on complaints and petitions against licensed
19 Estate Managers, Agents and developers practicing in the Estate industry;

20 (f) Commence sanction to unlicensed Estate Managers, Agents and
21 Developers found to be practicing in the industry;

22 (g) Ensure monitoring teams and inspections conduct in order to
23 enforce compliance with the laws;

24 (h) Ensure collection of data on property transactions;

25 (i) Strongly ensure confirmation of property payment of taxes, fees,
26 or charges on transactions, i.e. With-holding Tax, Value Added Tax, Estate
27 duty, Tenement rate, and outgoing as shall be imposed or charged by the
28 commission or any other Government Agency;

29 (j) Organise seminars, symposium/workshops or other training to
30 estate practitioners, licensed property developers and other stakeholders;

1 (k) Provide platform as the mediator between the Estate,
2 developers, Agents, Estate buyers and sellers, including land sellers, buyers
3 and rent between Landlord and tenants in the Estate Housing procurement
4 development in Nigeria;

5 (l) Ensure consultancy services on housing data and connected
6 matters to stakeholders, e.g Students, Engineers, Property Developers,
7 Estate Surveyors, Estate Agents/Practitioners, Builders e .t .c.

8 (m) Ensure regulations as may be necessary under this Bill to give
9 effective provisions of the Bill and enforcement of such regulations and the
10 provision of this Bill generally;

11 (n) Perform such other functions as may be conferred on the
12 commission by the President FRN.

13 PART II - ESTABLISHMENT OF THE GOVERNING BOARD

14 4.-(1) There is established for the management of the affairs of the
15 commission a Governing Board ("in this Bill referred to as the Board").

Establishment
and Constitution
of Governing Board
of the Commission

16 (2) The Board shall consists of-

17 (a) a Chairman, who shall-

18 (i) have require qualifications and experience required to perform
19 the functions of the office;

20 (ii) 2 representatives not below the rank of a Director of the
21 ministers in charge of-

22 (a) Works and Housing;

23 (b) Budget and National planning,

24 (c) Justice.

25 (iii) a registered Architect;

26 (iv) a registered Engineer;

27 (v) a registered Town planners;

28 (vi) a registered Quantity Surveyor;

29 (vii) a professional Accountant I Economist; and

	1	(viii) 2 representatives of the Association of Estate Agents in Nigeria.
	2	(3) The members of the Board shall-
	3	(a) be person(s) of recognized expert knowledge, qualification and
	4	experience in the Estate Housing development Management Services in the
	5	sector;
	6	(b) be appointed by the President on recommendation of the minister
	7	and subject to confirmation by the Senate;
	8	(c) each member of the Board shall hold office for a term of four "4"
	9	years in the first tenure and may be eligible for the appointment for a further
	10	term of four "4" years and no more; and
	11	(d) be paid such remuneration and allowances as the revenue
	12	mobilization and fiscal allocation commission, may from time to time
	13	determine.
	14	(4) The Board shall from quarterly basis hold meeting which should
	15	be headed or presides over by the chairman of the commission. While in
	16	absence of the chairman, the secretary to the commission will presides over the
	17	meetings, as the administration officer of the commission.
	18	(5) The Board shall meet for the conduct of its ordinary meetings at
	19	least 4 times annually.
	20	(6) Notwithstanding the provision of sub-clause(s) of this clause, the
	21	Board may meet to conduct other business as exigency demands.
Schedule	22	(7) The supplementary provisions set out in the schedule to this Bill
	23	shall have effect with regards to the processing's of the Board and other related
	24	matters;
Resignation, Cessation or removal from membership of the Board	25	5.-(1) The members of the board may be appointed by the president of
	26	the "FRN" and may resigned his/her appointment by notice in writing address,
	27	to the chairman while chairman address his/her resignation to the President of
	28	"FRN".
	29	(2) A member of the Board shall cease membership if the member-
	30	(a) lacks physical or mental capacity to perform his/her functions;

1 (b) becomes of unsound mind;
2 (c) becomes bankrupt, and
3 (d) convicted of a felony, misconduct, or of any offences involving
4 dishonesty.

5 (3) A member of the Board may be removed from office by the
6 president if he is satisfied that it is not in the interest of the commission or
7 public that the member should continue in that office.

8 (4) Where a vacancy occurs in the membership of the Board, it
9 shall be filled by the presidential powers of appointment of a successor to
10 hold office for the remainder of the term of the office of the Redecessor.

11 **6.** The Board shall have powers to-

Powers of the
Board

12 (a) Manage and superintend the affairs of the commission;

13 (b) Formulate policies for the regulation and development of the
14 commission;

15 (c) Formulation and Coordination of the rules and regulations of
16 the Estate Housing Management Services, Agent practitioners, developers
17 practice in the Housing sector;

18 (d) Provide best social protection standards for the management
19 and coordination of activities of the commission as relates to citizens.

20 (e) Commence overall monitoring, evaluation and review the
21 Estate Housing management Services in the industry;

22 (f) Engage either indirectly or directly on transfer from the private
23 or public service of the Federation, advisors, experts, consultants, and
24 employees as required by the Board, to assist the Board discharge its
25 functions efficiently and effectively;

26 (g) Make payment to employees such remuneration including
27 allowances as the Board may determine from time to time, with the approval
28 of the National Salaries, income and wages commission;

29 (h) Subject to the provision of this Bill, by general special order in
30 writing, delegate to any member or secretary to the commission to perform

Appointment of
the Chairman and
Secretary to the
Commission

1 specific functions, under this bill, as it may deem necessary for the effective
2 running of the commission.

3 PART III - STAFF OF THE COMMISSION

4 7.-(1) There shall be appointed for the commission, chairman by the
5 president of the FRN, who shall possess cognate experience and qualification as
6 Estate value Management Services and Estate developers expert and
7 administration for a period of not less than 8 years.

8 (2) The chairman shall-

9 (a) be the Chief-Executive and Accounting officer of the commission
10 and shall be charged with:

11 (i) matters relating to day-to-day management and operations of the
12 commission; and

13 (ii) determining the ranks of staff of the commission;

14 (b) hold office for a tenure of four "4" years and newable subject to
15 satisfactory performances for further tenure of four "4" years, and no more; and

16 (c) be answerable to Board.

17 (3) There shall be appointed for the commission, by the Board on the
18 recommendation of the chairman, a secretary to the commission, who shall
19 qualify as legal practitioner and was so qualified for a period of not less than 8
20 years.

21 (4) The Secretary shall be:

22 (a) a legal adviser of the commission;

23 (b) the secretary of all the committees to be established by the
24 management;

25 (c) answerable to the chairman of the commission ;

26 (d) recommend the training of staff to the chairman for approval;

27 (e) coordinate and evaluates staff performances and report to the
28 chairman for promotion approval;

29 (f) handles Junior staff welfare approval and recommend senior staff
30 welfare for chairman's approval; and

1 (g) handles Junior staff recruitment with the approval of chairman.

2 **8.** The chairman shall cease to hold office if he/her-

Cessation/removal/
resignation of the
Chairman

3 (a) lacks physical or mental capacity to perform his/her functions;

4 (b) becomes on un sound mind;

5 (c) becomes bankrupt; and

6 (d) convicted of a felony, misconduct or of any offence involving
7 dishonesty.

8 (2) The chairman may be removed from the office by the president,
9 if satisfied that he is not in the interest of the commission or public that the
10 person should continue in the office.

11 (3) The Chairman shall be appointed by the president and may
12 resign his appointment by notice in writing address to the president.

13 **9.** The Chairman shall subject to the general direction of the
14 Board, and be responsible for-

Functions of the
Chairman

15 (a) the execution of the policies and decisions of the Board;

16 (b) implementation of the commission's regulations and control
17 functions;

18 (c) administer daily administration of the commission;

19 (d) keeping the records and financial books of the Board including
20 its proceedings for proper accountability;

21 (e) keeping the administration of the secretariat of the Board; and

22 (f) ensure general direction and control of all other employees of
23 the commission.

24 (2) The chairman, may delegate the powers and the functions to the
25 secretary to the commission in his absence to act or perform his legitimate
26 functions, where necessary, as may determined by the Board.

27 **10.-(1)** The Board shall appoint for the commission such number
28 of employees as may in the opinion of the Board be expedient and necessary
29 for the proper and efficient performances of the function of the commission;

Other Staff of
the Commission

30 (2) Nothing in this Bill shall preclude the Board from appointing

	1	person(s) outside the public service of the federation or of the state where
	2	necessary to do so;
	3	(3) Ensure terms and conditions of services with remuneration,
	4	entitlements, allowances, benefits and pensions of the employees are paid as at
	5	when due, as may be determined by the Board;
Pension	6	11.-(1) Service in the commission shall be approved, service for the
	7	purposes of pension.
	8	(2) Employees of the Commission shall be entitled to pension, gratuity
	9	and other retirement benefits as enjoyed by the employees holding grade levels
	10	in the civil service of the federation;
	11	(3) Notwithstanding the provisions of sub-clause (1) and (2) of this
	12	Bill, nothing shall prevent the appointment of person(s) to any office on terms
	13	which preclude the grant of pension and gratuity in regards to the office; and
Act No. 4, 2014	14	(4) for the purposes of the application of the provisions of the pension
	15	Reform Act , any power exercisable by the Minister of Works and Housing or
	16	other authority of the Government of the federation, other than the powers to
	17	make regulations under section (23) thereof is vested in and shall be
	18	exercisable by the Board.
	19	PART IV - STRUCTURE OF THE COMMISSION
	20	12.-(1) For the purpose of effective administration, the commission,
	21	shall be structured into five operational departments, excluding the offices of
	22	the chairman and the secretary to the commission as follows:
	23	(i) the office of the chairman of the commission;
	24	(ii) the office of the Secretary to the Commission;
	25	(a) investigation, Monitoring and Enforcement;
	26	(b) licensing;
	27	(c) control and evaluation;
	28	(d) research and Training; and
	29	(e) finance, audit and administration.
	30	(2) The Board may create additional Department and committees

1 based on management recommendation and prevailing circumstances;

2 (3) Each Department shall be managed by a Director who is
3 charged with the responsibility of coordinating the functions of such
4 department as spelt in the administrative manual of the commission.

5 13.-(1) There shall be established for the commission, such Department of
6 number of departments, divisions and units as the commission, may with the the Commission
7 approval of the Board deem necessary.

8 (2) Each department shall be headed by the Director who shall be
9 professionally qualified to hold the office appointed through competitive
10 process.

11 (3) Subject to the approval of the Board , the commission may
12 create additional departments, divisions and units as it may deem necessary
13 to achieve the objectives of the commission.

14 14. The commission shall-

15 (a) divide the federation to such number of zone as it may, from Zonal office of
16 time to time, determine for effective organization of the commission; and Commission

17 (b) establish, in each zone, a zonal office.

18 15. There is established for the commission, a management Establishment of
19 committees comprising of all the, Directors and the chairman of the management and
20 commission, who shall be the chairperson of the committee. other committees
for the Commission

21 (2) The committee may create additional standing or Ad- hoc
22 committees and give them specific function.

23 PART V - FINANCIAL PROVISIONS

24 16.-(1) There shall be established and maintain, by the Fund of the
25 Commission, a fund into Which shall be paid or credited: Commission

26 (a) allocations from the federal Government;

27 (b) such monies as may, from time to time, be lent deposited or
28 granted to the commission by the Government of the Federation or states;

29 (c) all donations and grants received from both local and
30 international organizations;

1 (d) fees, Penalties, Charges, administrative costs of Proceedings, and
2 other monies payable to the commission in pursuance of this Bill;

3 (e) all Monies received by the commission as gifts endowments,
4 loans, contributions, deposition or donations; and

5 (f) all other monies and assets which may accrue to the fund from
6 time to time.

7 (2) The fund shall be managed in accordance with the rules and
8 regulations made by the Board and without prejudice to the generality of the
9 power to make rules under this sub-clause, the rules shall in particular contain
10 provisions-

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

13 (b) requiring the keeping of proper accounts and records for the
14 purposes of the fund in such form as may be specified in the rules.

Expenditure of
the Commission

15 **17.** The Commission shall apply the proceeds of the fund established
16 pursuant to clauses 12 of this Bill to-

17 (a) cost of administration of the Commission;

18 (b) promoting and publicizing the activities of the Commission;

19 (c) payment of official expenses of the members of the Board and
20 committees of the Board;

21 (d) payment of Salaries, allowances and other benefits of employees
22 of the commission';

23 (e) cost of Maintenance of any property required or vested in the
24 commission;

25 (f) capital expenditure approved by the commission;

26 (g) the payment for all contracts, including mobilization, fluctuations,
27 Variations legal fees and cost on contract administration; and

28 (h) to undertaking such other expenses and activities as connected
29 with all or any of the functions of the commission under this Bill.

1	18. -(1) The commission may accept gifts of land, money or other	Powers to accept gifts
2	property on such terms and conditions considered Lawful.	
3	(2) The commission shall not accept any gift if the conditions	
4	attached by the person or organization making the gifts are 'inconsistent with	
5	the functions of the Commission under this Bill.	
6	19. The commission may, with the approval of the Board borrow,	Power to borrow
7	on such terms and conditions as the commission may required in the	
8	exercise of its functions under this Bill.	
9	20. -(1) The chairman, shall not later than so" September of each	Annual Estimates and Expenditure
10	year, submit to the Board, an estimate of the expenditure and income for the	
11	next Fiscal year.	
12	(2) The Board shall causes to be kept proper accounts of the	
13	commission in respect of each financial year and proper records in relation	
14	there to and shall cause the accounts to be audited not later than 6 months	
15	after the end of each year, by auditors appointed from the list in accordance	
16	with the guidelines supplied by the Auditor General for the Federation.	
17	21. -(1) The Board shall prepare and submit to the president of	Annual reports
18	FRN, not later than 30th June in each year, a report in such form as the	
19	President may direct on the activities and operations of the commission	
20	during the Immediate proceeding year, and shall include in the report a copy	
21	of the audited accounts of the commission for that year and auditor's report	
22	thereon.	
23	(2) The president shall, upon receipt of the report referred to in sub-	
24	clause (1) of this clause, cause a copy of the report and audited accounts of	
25	the commission and the auditors report there on be submitted to each House	
26	of the National Assembly.	
27	PART VI - LICENSE	
28	22. -(1) No body or person(s) shall operate on Estate Housing	Requirement for License
29	Services unless the person is a holder of a license granted by the	
30	commission;	

1 (2) The license under this clause may be issued to a person form and
2 for such period and may contain such conditions as the commission may
3 determine.

4 (3) The commission may grant license to any Estate Housing,
5 developers, Agents subject to such condition as may be imposed.

6 (4) Any person(s) who acts in breach of sub-clause (1) shall be on
7 conviction liable to:

8 (a) imprisonment for a term of two years or a fine not exceeding Eight
9 times the initial fee for the relevant license or both fine and imprisonment; and

10 (b) forfeiture to the commission of the, property facilities,
11 installations and equipments used by the such person(s) for the Unlicensed
12 service.

13 (5) The commission shall from time to time publish to the general
14 public the licensed Estate Housing Operators, Operating in Nigeria.

15 (6) Notwithstanding the provisions of any other law the provisions of
16 this part of this Bill shall apply to existing Estate Developers, Estate Agents,
17 Estate Builders, Estate Operators, generally.

Application for
License

18 **23.-(1)** Any person(s) who needs to practice Estate Housing Services
19 of this Bill, apply to the Commission for a license.

20 (2) Any application for registration must be lodged in the prescribed
21 manner and in accordance with the guidelines published by the Commission.

22 (3) The commission shall in the guidelines, specifies the:

23 (a) manner of service in respect of which applications are invited;

24 (b) form in which applications may be submitted including any fee
25 payable on submission of an application;

26 (c) kind in which the service must be provided;

27 (d) Department where and times when any application form or
28 relevant document may be obtained from the commission; and

29 (e) Time frame to submit such applications to the commission.

30 (4) The commission may require an applicant for License to submit to

1 the Commission within the period Specified by it and at the applicants
2 expenses, such information as may be necessary to consider the application.

3 (5) The commission shall within a period of five "5" weeks after
4 receiving an application in accordance with sub-clause (1) of this clause-

5 (a) issue a license subject to specified terms and conditions; or

6 (b) refuse to issue a license and give reasons in writing for such
7 refusal.

8 (6) The Commission shall from time to time issues guidelines and
9 regulations for granting of licenses.

10 (7) The commission shall in granting licenses, be guided by the
11 principles and consideration for;

12 (a) fairness and non-discrimination for transparency;

13 (b) the need to promote fair competition and investment in the
14 Estate Housing Industry;

15 (c) provision of modern competition and qualitative services in the
16 industry in Nigeria; and

17 (d) other principle and consideration that the commission may
18 from time to time consider necessary for the national interest.

19 PART VII - MISCELLANEOUS PROVISIONS

20 **24.-(1)** A person(s) aggrieved by the actions and decisions of the Pre-action notice
21 commission under this Bill, including such action or decision taken on the
22 basis of the commission's power under this Bill, may bring an action in the
23 Federal High court provided that the aggrieved person(s) shall communicate
24 to the commission his intention(s) in writing within 21 days, bring an action
25 against such action or decision.

26 (2) The intending (aggrieved) person(s) shall serve on the
27 commission a formal written notice which shall clearly and explicitly state;

28 (a) the cause of action;

29 (b) the particulars of the claims;

	1	(c) the name and place of abode of the intending aggrieved person(s);
	2	and
	3	(d) the reliefs which the aggrieved intends to claim.
	4	(3) The notice of intention to initiate an action against the commission
	5	referred to in sub-clauses (1) and (2) may be addressed to and delivered to the
	6	office of the commission's chairman.
Limitation of suit against the Commission	7	25. -(1) Subject to the provisions of this Bill, the provisions of the
	8	public officers protection Act, shall apply in relation to any suit against any
	9	member or officer or employee of the commission.
	10	(2) Notwithstanding anything contained in any other law or
	11	enactment, no suit shall lie against any member of the Board, the chairman or
	12	any other officer or employee of the commission for any act done in pursuance
	13	or execution of this Bill or any other law enactment, or any alleged neglect or
	14	default in the execution of this Bill or such law or enactment, duty or Authority,
	15	shall lie or be against the commission in any court except-
	16	(a) It commenced within three months after the act, neglect or default
	17	or complains of; or
	18	(b) in the consistent damage or injury, within six months next after the
	19	leasing thereof.
Service of Departments	20	26. A notice, summons or other document required or authorized to
	21	be served upon the commission under the provisions of this Bill or any other
	22	Law or enactment may be served by delivering it to the chairman.
Restriction of execution against property of the Board	23	27. In any action or suit against the commission no execution or
	24	attachment of process shall be made against the commission, unless not less not
	25	less than three months' notice of the intention to execute or attach has been
	26	given to the commission.
Indemnity of officers	27	28. A member of the Board, the chairman, any officer or employee of
	28	the commission, shall be indemnified out of the assets of the commission
	29	against any proceedings, whether civil or criminal, in which Judgment is given
	30	in their favour, or in which the person(s) is acquitted, if any such proceedings is

1 brought against the person(s) in their capacity as a member of the board, the
2 chairman, officer or employee of the commission.

3 **29.** The Board may with the approval of the Minister of works and Regulations
4 Housing, make regulations as maybe necessary or expedient for giving
5 effective provisions of this Bill, and for its administration thereof;

6 **30.** The President may give to the Board directives of a general Powers to give
7 character relating particular matters (but not to any individual person or directives
8 case) with regards to the exercise by the Board of its functions under this
9 Bill, and it shall be the' duty of the Board to comply with the directives; but
10 no directive shall be given which is in consistent with the duties of the Board
11 under this Bill.

12 **31.** In this Bill except the context otherwise required- Interpretation
13 "Board" means the National Estate Housing Management Commission;
14 "chairman" means the chairman of the Board;
15 "Minister" means the minister charged with responsibility for matter in
16 relation to works and Housing;

17 **32.** This Bill may be cited as National Estate Housing Citation
18 Management Commission, Bill, 2022.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE CLAUSE 4(7)

3 OF THE BOARD

4 *Proceedings of the Governing Board*

5 (1) Subject to this Bill and Section 27 of the interpretation Act, the
6 Board may make standing orders regulating its proceedings or those of any of
7 its committees.

8 (2) The quorum of the Board shall be 6 members out of 12 Twelve and
9 the quorum of any committee of the Board shall be determined by the Board.

10 2.-(1) The Board shall meet on quarterly basis which means 4 time
11 annually and subject thereto, the Board shall meet whenever it is summoned by
12 the chairman, and if the chairman is required to do so by the notice given to
13 him/her by not less than five members, he shall summon a meeting of the Board
14 to held within 2 weeks from the date on which the notice is given.

15 (2) Any meeting of the Board, the chairman shall presides but if he is
16 absent, the secretary to the commission, shall presides at the meeting and report
17 back to the chairman when is present.

18 (3) When the Board desires to obtain the advice of any person(s) on a
19 particular matter, the Board may invite the person(s) to such period as it deems
20 fit, but a member who is not in attendance shall not be entitled to vote at any
21 meetings of the Board and shall not count for quorum at that meeting.

22 (4) Notwithstanding any other provision in this Bill, the commission
23 shall prescribe and enforce appropriate, penalties on any transport service
24 provider who exceeds the tariff duly approved by the commission for the
25 provision of any of this services.

26 3.-(1) The Board may constitute one or more committees, to carry out
27 on behalf of the Board, such as its functions or the functions of the commission
28 as the Board may determine.

29 (2) Constituted committees under this paragraph shall consists of
30 Department heads; such as Directors as may be determined by the Board; and

1 members of the Board may hold office in the committees, including Ad-hoc,
2 in accordance with the terms of his/her appointment to the commission.

3 (3) Subject to the provisions of this Bill and the decisions of the
4 Board, a committee constituted under this Bill may regulate its own
5 proceedings and activities in the commission.

6 (4) The decisions of a committee of the Board shall be effective
7 when presented to the commission's Board for approval.

8 4.-(1) The fixing of the seal fund shall be authenticated by the
9 signature of the chairman and secretary; including any other person(s)
10 authorized to do so, generally, to act for that purpose required by the Board.

11 (2) In terms of contracts or instrument which if made or executed
12 by person(s) not being a corporate body, would not be required to be under
13 seal, but may be made or executed on behalf of the fund by the chairman or
14 any person(s) specially authorized to act for that purpose by the Board.

15 (3) Any document presented to be a document duly executed under
16 the seal of the fund shall be received in evidence and shall unless and until
17 the contrary is proven, be presumed to be so executed.

18 5. The validity of any proceeding of the Board or of a committee
19 thereof shall not be adversely affected by any vacancy in the membership of
20 the Board or committee, or by any defect in the appointment of the members
21 of the Board or of a committee, or by reason that the person(s) not entitled to
22 do so took part in the proceedings of the Board or committees.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Estate Housing Management Commission, to be saddled with the responsibility as an independent regulator of all Estate Housing Management Services, Estate developers, House Agents and its operational Activities in Nigeria.

FOR

Sponsored by Hon. Solomon Bulus Maren

[] Commencement

1 PART I - ESTABLISHMENT, OBJECTIVES AND FUNCTIONS OF THE
2 INSTITUTE, ETC.

Establishment of the Institute

7 (a) be a body corporate, with perpetual succession and a common
8 seal, may sue or be sued in its corporate name, and acquire, hold or dispose
9 of any property; and

12 **2. The objectives of the Institute are:**

Objectives of the Institute

(c) To enhance professionalism and strict compliance with corporate ethics and managerial techniques for prudent management of

1 financial and material resources;

2 (d) To enhance Digital Technology Skills of managers in the public
3 and private organizations through training, lectures and workshops.

4 (e) To provide facilities for research and development with a view to
5 enhancing professional Digital Technology practice, maintain corporate
6 ethical standard, improve service delivery and solve development problems in
7 public and private sector organizations. and

8 (f) To regulate, encourage and deepen the practice of Digital
9 Technology in Nigeria and beyond.

Functions of the
Institute

10 **3.-(1)** The Institute shall be charged with the following functions:

11 (a) determine what standards of knowledge and skills to be attained
12 by persons seeking to become members of the Institute and the improvement of
13 those standards from time to time as circumstances may permit;

14 (b) secure, in accordance with the provisions of this Bill, the
15 establishment and maintenance of a register of Fellows, Members, Associates,
16 Honorary Fellows, Student Members, Fellow, Emeritus, Corporate Member
17 and the publication, from time to time, of lists of those persons;

18 (c) encourage, disseminate knowledge, education, practical training,
19 and research in the areas of relevance to the Institute;

20 (d) conduct examinations and award certificates or diplomas to
21 successful candidates as provided under this Bill; and for such purposes, the
22 Institute shall prescribe fees to be paid in respect thereof; and

23 (e) perform such other functions as the Council established pursuant
24 to this Bill, may confer on it.

Governing Council
of the Institute

25 **4.** There is established for the management of the affairs of the
26 Institute, a Governing Council (in this Bill referred to as the "Council"), which
27 shall consist of the following:

28 (a) The Chairman of the Council;

29 (b) The Director General of the Institute;

1 (c) Seven (7) representatives of the founding members of the
2 Institute;

3 (d) 6 representatives of membership of the Institute (One from
4 each geopolitical zone of the country); and

5 (e) A representative each from the following:

6 (i) the Federal Ministry of Education;

7 (ii) the National Universities Commission; and

8 (iii) the National Board for Technical Education.

9 **5.-(1)** The Chairman and members of the Governing Council
10 mentioned under subsection (1) (a) -(e) of this section shall be nominated by
11 the Founding members of the Institute.

Election of members
of the Governing
Council

12 (2) A person shall be qualified for election as a member of the
13 Governing Council if he/she is:

14 (a) a founding member of the Institute;

15 (b) a fellow of the Institute;

16 (c) a Nigerian citizen with a credible record of service to the nation;

17 (d) has attained the age of 35 years;

18 (e) a financial member; and

19 (f) not disqualified on other grounds determined by the founding
20 members, Etc

21 (3) The Council shall, in addition to powers conferred on it under
22 this section, exercise such powers as are conferred on it under Parts III and
23 IV of this Bill.

24 (4) The members of the Governing Council shall be paid such
25 remuneration and allowances as the Institute may determine from time to
26 time, subject to availability of funds.

27 **6.-(1)** A person shall be qualified for election into the offices of the
28 Chairman and the 1st and 2nd Vice - Chairman of the Council if the person-

The Chairman
and the 1st and 2nd
Vice-Chairman
of the Council

29 (a) Is a Nigerian Citizen;

30 (b) Has attained the age of 40 years or more;

	1	(c) Has a minimum of master's degree from a reputable institution;
	2	(d) Has paid all his dues for the period(s) in consideration;
	3	(e) Has not been adjudged to be lunatic or declared to be of unsound
	4	mind or adjudged or declared bankrupt by a court of law;
	5	(f) Is a fellow of the Institute; and
	6	(g) Is not an ex-convict
	7	(2) The Chairman shall preside over the meetings of the Governing
	8	Council but in his/her absence, the 1st Vice Chairman, shall preside and in the
	9	absence 1st Vice Chairman, the 2nd Vice Chairman shall preside.
Tenure of office	10	7. The Chairmen and other members of the Council other than ex-
	11	officio members shall each hold office for a term of four (4) years from the date
	12	of election/appointment and may be eligible for re-election/re- appointment
	13	for one more term and no more.
Remuneration of members of the Council	14	8. Members of the Council shall be entitled to sitting allowances,
	15	travel expenses and such other benefits as may be approved by the Council.
Standing and Executive Committee of the Council	16	9.-(1)The following are Standing Committees of the Institute:
	17	(a) Ethics Committee;
	18	(b) Finance & General Purpose Committee;
	19	(c) Research & Development Committee;
	20	(d) Media and Publicity Committee;
	21	(e) Training & Programmes Committee;
	22	(f) Policy Advocacy & Relationship Committee; and
	23	(g) Each Committee shall be made up of five (5) members with a
	24	Chairman and a Secretary as provided by the secretariat created under this Bill.
	25	(2) The Committees shall provide expert advice to the Council to
	26	enable it realize its mandate, and shall perform such other functions as may be
	27	assigned by the Council pertaining to its mandate under this Bill.
	28	(3) There is established the Executive Committee of the Council
	29	comprising the Chairman and the Secretary of the Board of Trustees, Chairman
	30	of Council, Chairmen of Standing Committees and the Director General of the

1 Institute or his appointee as the Secretary.

2 (4) The Executive Committee shall perform supervisory functions
3 over the other Committees.

4 **10.-(1)** There is established for the Institute, a Board of Trustees, Trustees of the
Institute
5 which shall comprise the founding Fathers, Investors and promoters of the
6 Institute, to serve as the custodian of the Institute and to build and promote
7 its ideals.

8 (2) The Board of Trustees shall be headed by a nominee of the
9 founding fathers as the Chairman and to be assisted by the 2nd Vice
10 Chairman and a Secretary and other Members of the Board who shall be
11 registered with the Corporate Affairs Commission as Trustees of the
12 Institute.

13 (3) The Board shall make rules and regulations governing the
14 administrative & financial structure of the Institute and shall meet from time
15 to time as the case may be, depending on matters arising or issues at stake.

16 **PART II - DIRECTOR GENERAL, OTHER STAFF AND THEIR DUTIES**

17 **11.-(1)** The Trustees shall appoint:

18 (a) a highly qualified and experienced person as the Director The Director-
General
19 General of the Institute;

20 (b) such other persons as the Trustees may from time to time deem
21 necessary to assist the Director General in the performance of his functions
22 under the Bill.

23 (2) A person shall be qualified to be appointed to the office of the
24 Director General of the Institute if the person:

25 (a) Is a citizen of Nigeria;

26 (b) Is a member of the body of Fellows of the Institute;

27 (c) Has at least 15 years cognate experience from relevant
28 Institution(s);

29 (d) Possesses professional qualifications from:

30 (i) Internationally recognised Institutions; or

	1	(ii) held similar position in any Institution recognised by the Federal
	2	Government of Nigeria and the Trustees.
Tenure of office of Director- General	3	12. The Director General is expected to serve for a minimum of one
	4	tenure of 5 years or a maximum of two (2) tenures of 10 years. However, the
	5	Director General may wish to resign or be retired from his/her appointment
	6	within these periods by giving a notice in writing of two months or paying two
	7	months' salary in lieu and shall be entitled to pension.
The Management Board	8	13.-(1) The Heads of Departments shall constitute the Management
	9	Board as follows:
	10	(a) Director (Membership & Ethics Department);
	11	(b) Director (Finance & Administration Department);
	12	(c) Director (Research and Development Department.);
	13	(d) Director (Training & Programmes Department);
	14	(e) Director (Policy Advocacy Department.);
	15	(f) Director (Research and Statistics Department)
	16	(g) Director (Digital Communications & IT);
	17	(h) Director (Digital Media & Marketing Department); and
	18	(i) Director (Science and Technology).
	19	(2) A person shall be qualified to be appointed to the office of a
	20	Director if he has met the criteria for the post of the Director-General except
	21	that the minimum years of experience required shall be 10 years.
	22	(3) The duties of a Director shall be assigned to him by the Council
	23	through the Director General, from time to time.
The Secretariat	24	14.-(1) The administrative organ of the Institute, which is the
	25	Secretariat, shall be responsible for the day-to day running of the institute.
	26	The secretariat is divided into the following functional areas.
	27	(I) Membership & Ethics Department;
	28	(ii) Finance & Administration Department;
	29	(iii) Research & Development Department;
	30	(iv) External Relations & Policy Advocacy Department;

1 (v) Consultancy & Corporate Services Department;
 2 (vi) Digital Communications and IT;
 3 (vii) Science and Technology Department; and
 4 (viii) Digital Media & Marketing Department and any other
 5 department that may be deemed necessary for effective function of the
 6 institute.

7 (2) The Secretariat shall be headed by the Director General of the
 8 Institute and assisted by the Heads of Departments or Directors of
 9 Department.

10 **PART III - REGISTER AND REGISTRATION OF MEMBERS**

11 **OF THE INSTITUTE**

12 **15.-(1)** The Institute shall also prepare and/or examine candidates Qualifying
 13 leading to the award of Associate membership (ACDM) of the institute Examinations for
 14 following the candidates' successful completion of all the levels of the intending members
 15 examination.

16 (2) The Institute shall conduct examinations twice in a year, (in
 17 April and October every year) and students can participate in the two
 18 seasons within a stage but cannot combine stages in a season.

19 (3) To qualify for a stage, the candidate must pass all the subjects in
 20 that stage before moving to the next stage. The stages are as follows:

21 (a) Foundation Level;

22 (b) Professional Level (PE I); and

23 (c) Professional Level (PE II).

24 (4) The Course outlines for the above levels are as follows:

25 (a) Foundation Level-

26 (i) Digital Technology Theories, Principles and Strategies;

27 (ii) Development Administration and Management;

28 (iii) Development Policies Planning, Management and
 29 Applications;

30 (iv) Digital Media Marketing;

	1	(v) Finance and Insurance;
	2	(vi) Micro, Small and Medium Enterprises (SME) Development and
	3	Management.
	4	(b) Professional Level (PE I)-
	5	(i) Data Analysis;
	6	(ii) Development Communication and Information Management;
	7	(iii) Digital Transformation;
	8	(iv) Retail Sales Enablement;
	9	(v) Development Financing.
	10	(c) Professional Level (PE II)-
	11	(i) Infrastructure Management;
	12	(ii) Power Business Intelligence;
	13	(iii) Development and Evaluation;
	14	(iv) Monitoring, Governance and Development;
	15	(v) Sustainable Development;
	16	(vi) Research Project.
Professional qualifying programs of the Institute	17	16.-(1) The Institute shall prepare and/or examine candidates leading
	18	to the award of the following professional diplomas In Development
	19	Management and Administration:
	20	(a) Professional Diploma in Digital Technology and Development
	21	(b) Professional Diploma in Digital Media Marketing;
	22	(c) Professional Diploma in Infrastructure Management;
	23	(d) Professional Diploma in Public Accounts;
	24	(e) Professional Diploma in Data Analysis and Management;
	25	(f) Certificate in Digital Technology and Development (DID);
	26	(g) Professional Diploma in Development Studies.
	27	(2) The Institute shall conduct courses and issue certificates in related
	28	field, which shall include Course outlines for the above categories, as follows:
	29	(a) Diploma and Certificate Courses-
	30	(i) SME Development;

- 1 (ii) Digital Technology and Development; and
- 2 (iii) Others.
- 3 (b) Professional Diploma in Digital Technology (PDDT)-
- 4 (i) Digital Technology Theories and Practices;
- 5 (ii) Digital Transformation in Nigeria;
- 6 (iii) Public Administration and Nigerian Government;
- 7 (iv) Leadership in Public Enterprise and Development
- 8 Management in Nigeria;
- 9 (v) Budgetary Planning and Research Methodology in
- 10 Development Management;
- 11 (vi) Digital Media Marketing;
- 12 (vii) Retail Sales Enablement.
- 13 (c) Professional Diploma in Digital Technology Management
- 14 (PDDTM)-
- 15 (i) Digital Technology Fundamentals;
- 16 (ii) Understanding Digital Technology Research;
- 17 (iii) Planning & Managing Digital Technology;
- 18 (iv) Public Sector Reform & Management;
- 19 (v) The Politics of Governance & Development;
- 20 (vi) Aid Politics and Policies;
- 21 (vii) Managing Public Funds; and
- 22 (viii) Introduction to Digital Technology Projects.
- 23 (d) Professional Diploma in Public Accounts (PDPA)-
- 24 (i) Fundamentals of Accounting;
- 25 (ii) Principles of Government Accounting;
- 26 (iii) Fundamentals of Management Accounting;
- 27 (iv) Cost Accounting; and
- 28 (v) Taxation in Nigeria.
- 29 (e) Professional Diploma in Public Policy Analysis (PDPPA)-
- 30 (i) Introduction to Policy and Public Policy;

	1	(ii) Economic Foundation of Policy Analysis;
	2	(iii) Public Policy and its Nature;
	3	(iv) Advanced Policy Analysis; and
	4	(v) Research Techniques and Quantitative Methods
Membership of the Institute	5	17.-(1) Subject to the provisions of this Bill, a person or body
	6	admitted into the Institute shall possess adequate knowledge of digital
	7	technology operations and management and be registered as a professional
	8	member of the Institute in the following categories:
	9	(a) Founding Members;
	10	(b) Fellow;
	11	(c) Member;
	12	(d) Associate Member;
	13	(e) Graduate Member;
	14	(f) Student Member;
	15	(g) Fellow Emeritus; and
	16	(h) Corporate/Affiliate Member
	17	(2) The categories listed in subsection (1) of this section and the
	18	qualifications for its award are as stipulated under this Bill. A person or body
	19	admitted into the Institute based on the provisions of subsection of this section
	20	(1) above may be accorded any of the above status based on their
	21	qualifications.
Designatory Letters and privilege of Members of the Institute	22	18.-(1) The requirements stated hereunder and other privileges shall
	23	apply to the categories of members recognized under this Bill.
	24	(2) The fellows of the Institute and prospective members to be
	25	elected, shall be persons who:
	26	(a) are Owners and/or Operators of Corporate Entity;
	27	(b) Have up to Fifteen (15) years of experience in his field of career or
	28	has been on Membership category for five (5) years.
	29	(c) Have made an ascertainable/measurable contributions In his/her
	30	field of endeavour

1 (d) Have occupied or is occupying prominent positions In his/her
2 career

3 (e) Have exemplary and unquestionable character and leadership
4 traits

5 (3) To be elected into the membership status of the Institute, the
6 person must have:

7 (a) A good university degree/higher degree;

8 (b) Membership of any other reputable professional body/Institute;

9 (c) Up to ten (10) of experience years after graduation or has been
10 an Associate member (APAM) for five (5) years;

11 (d) Director/GM/AGM in an organized corporate establishment;
12 and

13 (e) Attended various management trainings/courses on public
14 administration, leadership and management.

15 (4) To be elected into the associate membership of the Institute, the
16 member must have:

17 (a) A good university degree;

18 (b) Up to five (5) years of graduation in relevant courses;

19 (c) Senior Managerial/Supervisory position in his/her
20 organization;

21 (d) Membership of any other reputable professional body/Institute;

22 (e) Must have successfully sat and passed the PE (II) of the
23 Institute; and

24 (f) Candidate may be exempted from Foundation & PE (I)
25 depending on his/her area of study

26 (5) To be elected into the graduate membership of the institute, the
27 applicant must have,

28 (a) A good/relevant first degree or diploma as follows, BSC, HND,
29 PGD, etc;

30 (b) Up to one (1) year post graduation experience in any

1 establishment; and

2 (c) Passed the Institute's pre-qualifying tests and interviews

3 (6) To be elected into student membership of the institute, the
4 applicant must have:

5 (a) The National Diploma/Certificate (ND, NCE) or a good grade in
6 WAEC, NECO;

7 (b) Passed the Institute's pre-qualification tests and interviews

8 (7) Emeritus membership is by invitation of the Institute and or by
9 recommendation by members of the public for deserving member of the
10 Institute, public administrator who has retired or serving but who has made
11 extra ordinary contribution to the growth and development of public
12 institutions in Nigeria and in Diaspora.

13 (8) Corporate membership of the Institute fall under the following
14 categories-

15 (a) Relevant Government MDAs;

16 (b) Institutions/ Corporate Organizations;

17 (c) Research & Development Agencies;

18 (d) Academic Institutions/ Professional Bodies;

19 (e) International Organizations/ Development Agencies;

20 (f) Business Membership Organization (BMO);

21 (g) Other Stakeholders involved in Public Administration and
22 Capacity Building.

23 (8) The designatory letters of the various categories of membership of
24 the institute are as follows

25 (a) Fellow, Digital Technology and Development (FDTD);

26 (b) Member, Digital Technology and Development (MDTD);

27 (c) Associate member; Digital Technology and Development
28 (ADTD);

29 (d) Graduate Member; Digital Technology and Development;

30 (e) Student Member; Digital Technology and Development;

- 1 (f) Fellow Emeritus, Digital Technology and Development
- 2 (FEDTD);
- 3 (g) Corporate Members, Digital Technology and Development;
- 4 and
- 5 (h) Founding Members

6 **19.**-(1) The Director General shall prepare and maintain in Maintenance of
 7 accordance with the rules made by the Council, a register of names, the Register
 8 addresses and approved qualifications and such other particulars of persons
 9 qualified to be registered as members in the categories of Fellows,
 10 Members, Associates, Graduates, Students, Fellow Emeritus, and Corporate
 11 Members, who apply to be registered in the manner prescribed by such rules.

12 (2) The Register shall consist of seven parts one for each class of
 13 membership namely:

- 14 (a) Fellow, Digital Technology and Development (FDTD);
- 15 (b) Member, Digital Technology and Development (MDTD);
- 16 (c) Associate, Digital Technology and Development (ADTD);
- 17 (d) Graduate Member, Digital Technology and Development;
- 18 (e) Student member; Digital Intelligence and Development;
- 19 (f) Fellow Emeritus, Digital Technology and Development; and
- 20 (g) Corporate Member, Digital Technology and Development.

21 **20.**-(1) A person who desired to be admitted into the Institute shall Procedure for
 22 make a formal application to the Director General of the Institute on the Membership
 23 appropriate form as shall be prescribed by the Council and shall state under
 24 what class of membership he seeks admission.

25 (2) A person applying for membership shall, in addition to
 26 evidence of qualification, satisfy the Council that:

- 27 (f) He is of good character, and
- 28 (g) Has not been convicted by any court or tribunal in Nigeria or
- 29 elsewhere of an offence involving fraud or dishonesty, or such other offence
- 30 as in the opinion of the Council, would render the applicant unfit to be a

1 member of the Institute.

2 (3) The Director General shall place before the Council all applicants
3 for admission stating in each case whether the applicant is qualified for
4 registration in the class under which he seeks for admission and if not so
5 qualified, whether he qualifies for admission under any other class.

6 (4) Where the Council is satisfied that the person is qualified for
7 admission:

8 (a) Under the class for which he/she applied, and upon payment of the
9 prescribed fees by the applicant, the Director General shall enrol the person in
10 that class, and issue him/her a certificate of membership appropriate for that
11 class; and

12 (b) Into another class other than that for which he/she applied, the
13 Director General shall amend his application to state the class under which
14 he/she is qualified and the Director General shall, after the amendment and
15 upon payment of the prescribed fees by the applicant, register him, issue a
16 certificate of membership appropriate for that class.

Registration of
members

17 **21.**-(I) Subject to the provisions of this Bill, a person shall be entitled
18 to be registered as a member of the profession if he satisfies the Council that:

19 (a) before the commencement of this Bill, he holds a qualification
20 approved for members of the Institute and has the prescribed post qualification
21 experience;

22 (b) he is entitled to practice for all purposes as an
23 Development/manager in the country in which the qualification was granted;

24 (c) he holds at least one of the qualifications prescribed for the
25 purposes of registration and has complied with the other requirements
26 prescribed under the Bill;

27 (d) he holds such certificate as approved by the Council;

28 (e) He produces sufficient evidence to the Council that prior to the
29 commencement of this Bill, he has been in active practice continuously for a
30 period of five years as a public administrator and development manager,

1 provided that his application is sponsored by two members of the Institute
2 who shall have been members for a minimum of two years and the
3 application is made within the period prescribed by this Bill.

4 (2) An applicant for registration under this Bill shall, in addition to
5 evidence of qualification, satisfy the Council that he/she:

6 (a) Is of good character;

7 (b) Has attained the age 18 years; and

8 (c) Has not been convicted by any court or tribunal in Nigeria or
9 elsewhere for an offence involving fraud or dishonesty.

10 (3) The Council may, in its discretion, provisionally accept a
11 qualification produced in respect of an application for registration under this
12 section or direct that the application be renewed within such period as may
13 be specified.

14 (4) Any entry directed to be made in the register under subsection
15 (1) subparagraph (e) of this section, shall show that the registration is
16 provisional and no entry so made shall be converted to full registration
17 without the consent of the Council signified in writing in that behalf.

18 (5) The Council shall from time to time, publish in the Federal
19 Government Gazette, the Institute's newsletter, and on their notice Board,
20 particulars of qualification for the time being accepted for registration under
21 this Bill.

22 (6) The professional Digital Technology Managers and
23 administrators from abroad who reside in Nigeria and wish to practice shall,
24 within after the commencement of this Bill, seek registration with the
25 Institute to become members.

26 (7) A person shall not be entitled to be appointed or engaged to head
27 any related management position of any public organization unless he is,

28 (a) duly registered as a member of the Institute; and

29 (b) qualified by examination.

1 (8) The Council may approve any qualification for the purpose of this

2 Bill if:

3 (a) the course of training of any approved institution which is
4 intended for persons who are seeking to become or are already professional
5 administrators and which the Council considers relevant to confer on persons
6 completing it, sufficient knowledge and skill for admission to the Institute; and

7 (b) the qualification which as a result of an examination taken in
8 conjunction with a course of training approved by the Council under this
9 section is granted to candidates reaching a specific standard at the examination,
10 indicating in the opinion of the members of the Council that the candidates
11 have sufficient knowledge and skill to practice as a professional Digital
12 Technology Managers and Administrators.

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

16 (a) Notify the persons by whom the course is conducted or the
17 qualification is granted or the institution shall appear before the Council, as the
18 case may be;

19 (b) Afford such persons or institutions an opportunity to make
20 presentations to the Council, with regard to the proposal; and

21 (c) Take into consideration any representation made in respect of the
22 proposal in pursuance of paragraph (6) of this subsection.

23 (10) During the period in which the approval of the Council under this
24 section, for a course, qualification or institution shall be treated as having been
25 withdrawn under this section, the withdrawal of such an approval shall be
26 without prejudice to the registration or eligibility for registration immediately
27 before the approval was withdrawn.

28 (11) The giving or withdrawal of an approval under this section shall
29 have effect from such date, as the execution of the instruction signifying the
30 giving or withdrawal of the approval as the Council may specify in the

1 instrument, and the Council shall:

2 (a) Publish copy of every such instrument so executed in the
3 Federal Government Gazette; and

4 (b) Not later than 14 days after its publication, send a copy of every
5 such instrument executed in the Federal Government Gazette to the Office
6 of the Head of Civil Service of the Federation.

7 (12) The Council shall keep itself informed of the nature of the:

8 (a) Instrument given by approving institutions to persons attending
9 approved course of training for the Institute's examination; and

10 (b) Examinations conducted by the Institute of which approved
11 qualifications and certifications are obtained.

12 (13) For the purpose of performing the duty under this Bill, the
13 Council may appoint from among its own members or any person appointed
14 by it, to visit the approved institutions to observe such examination:

15 (a) A person appointed under subsection (2) of section shall report
16 to the Council on the adequacy of instruction given to persons attending
17 approved courses of training and institutions visited by him;

18 (b) Examinations conducted in his presence, and examination
19 which the council may, either generally or in a particular case, request him to
20 report, provided that no person appointed shall interfere with the giving of
21 any instruction or the holding of examination;

22 (c) On receiving such a report made under subsection (3) of this
23 section, the Council may, if it deems necessary send a copy of the report to
24 the person appearing to the Council to be in charge of the Institution
25 responsible for the examination to which the report relates; and

26 (d) Request such a person to make observations on the report to the
27 Council within such period as may be specified in the request, not being less
28 than one month from the date of request.

29 **PART IV - PROFESSIONAL DISCIPLINE**

30 **22.-(1) There is established a Tribunal to be known as the Institute**

Establishment of
the Disciplinary
Tribunal and
Investigating Panel

1 of Digital Technology and Development of Nigeria Disciplinary Tribunal (in
2 this Bill referred to as "the Tribunal") charged with the responsibility of
3 considering and determining any case referred to it by the Investigating Panel
4 established under subsection (3) of this section, and any other case which the
5 Tribunal takes cognisance of under this Bill.

6 (2) The Tribunal shall consist of a Chairman and six other members
7 who shall be appointed by the Council from among members of the Institute
8 who are not members of the Council.

9 (3) There shall be a Panel to be known as the Institute of Digital
10 Technology and Development of Nigeria Investigating Panel (in the Bill
11 referred to as "the Panel") charged with the responsibilities of:

12 (a) conducting a preliminary investigation into any case wherein it is
13 alleged that a member has committed an act of professional misconduct, or
14 should for any reason be the subject of proceedings before the Tribunal; and

15 (b) deciding whether the case shall be referred to the Tribunal after
16 affording such a member an opportunity of being heard either personally or
17 through a legal practitioner of his own choice in Nigeria.

18 (4) The Council shall appoint members of the Panel from members of
19 the Institute who are neither members of the Council nor the Tribunal.

20 (5) A person shall not be appointed as a member of the Tribunal or of
21 the Panel unless such a person is a Professional Digital Intelligence Manager
22 and Administrator or a fellow of the Institute or both.

23 (6) The provisions of the Third Schedule to this Bill shall so far as they
24 are applicable to the Tribunal and Panel, respectively have effect with respect
25 to these bodies.

26 (7) The Council may, from time to time, make rules consistent with
27 this Bill as to acts, conducts or omissions which constitute professional
28 misconduct such as where:

29 (a) a person enrolled or registered under this Bill is adjudged by the
30 Tribunal to be guilty of infamous conduct in any professional respect;

1 (b) a person enrolled or registered under the Bill is convicted by
 2 any Court or Tribunal in Nigeria or elsewhere having power to pass sentence
 3 for an offence, whether or not the offence is punishable with imprisonment,
 4 which in the opinion of the Tribunal is incompatible with the code of
 5 conduct of the Institute; and

6 (c) The Tribunal is satisfied that the name of any person has been
 7 fraudulently enrolled or registered;

8 **23.-(1)** The Tribunal may, if it deems fit:

Decisions of the
Tribunal

9 (a) give an order reprimanding a person or ordering the Director
 10 General to strike a person's name off the relevant part of the register; or

11 (b) defer or further defer its decisions as to the giving of such order
 12 under this section until a subsequent meeting of the Tribunal;

13 Provided that no decision shall be deferred under this section for
 14 periods exceeding one year on the average;

15 (c) no person shall be a member of the Tribunal for the purposes of
 16 reaching a decision which has been deferred or further deferred unless he
 17 was present as a member of the Tribunal when that decision was first
 18 deferred; and

19 (d) for the purpose of subsection (1) (b) of this section, a person
 20 shall not be treated as convicted unless the conviction stands at a time when
 21 no appeal or further appeal is pending or no application for extension of time
 22 to appeal is brought in connection with the conviction.

23 (2) When the Tribunal gives an order under subparagraph (b) of
 24 this section, the Tribunal shall cause notice of the order to be served on the
 25 person to whom it relates.

26 (3) The person to whom an order is given under subsection 1 (a) of
 27 this section, may at any time within 21 days from the date of service on him
 28 of notice of the order, appeal against the order to the Federal High Court, and
 29 the Tribunal may appear as respondent to the appeal for the purpose of
 30 enabling directives to be given as to the cost of the appeal proceedings

1 before the Federal High Court. The Tribunal shall be deemed to be a party
2 hereto whether or not it appears on the hearing of the appeal.

3 (4) An order of Tribunal under this section shall take effect where:

4 (a) no appeal under this section is brought against the order within the
5 time limited for the appeal;

6 (b) such an appeal is brought and withdrawn or struck out for want of
7 prosecution; and

8 (c) such an appeal is brought and is not withdrawn or struck out, if and
9 when the appeal is dismissed, shall not take effect except in accordance with
10 the forgoing provision of this subsection.

11 (5) A person whose name is struck off the register in pursuance of an
12 order of the Tribunal under this section, shall not be entitled to be registered
13 again except in pursuance of a direction in that behalf given by the Federal
14 High Court on the application of that person.

15 (6) An order under this section for the striking off a person's name
16 from the register may prohibit an application under this subsection by that
17 person until the expiration of such period from the date of the order and where
18 he has recently made such an application, from the date of his last application,
19 as may be specified in the directive.

20 P ART V - OFFENCES AND PENALTIES

False Statement
made furtherance
registration

21 **24.** If a person for the purpose of procuring the registration of any In
22 name, qualification or other matter recklessly makes a statement which is of
23 false in a particular material, such a person is guilty of an offence.

Practicing as a
member of the
Institute without
certification

24 **25.** If after the commencement of this B ill, a person who is not a
25 member of the Institute practices or holds himself out as a member in
26 expectation of a reward or takes or uses any name, title, addition or description
27 implying that he is a member, he is guilty of an offence.

Falsification of
Register by the
Director General,
etc.

28 **26.** If the Director General or any other person employed by or on
29 behalf of the Institute willfully makes any falsification in any matter relating to
30 the register, he/she is guilty of an offence.

1 **27.** A person guilty of an offence as adjudged by a court under this Penalties
2 section shall be liable on conviction:

(a) to a fine of not less than N50,000; and

(b) to imprisonment for a term of two years or to both such fine and imprisonment.

6 **28.** Where an offence under this section has been committed by a Offence by body
7 body corporate and is proved to have been committed with the consent or corporate
8 connivance of or attributable to any neglect on the part of any Director,
9 Secretary or other similar officer of the corporate body or any person
10 purporting to act in such capacity, such person as well as the body corporate
11 shall be deemed to have committed the offence and shall be prosecuted and
12 charged accordingly.

13 PART VI - FINANCIAL PROVISIONS

14 **29.**-(1) There is established for the Institute a Fund (hereinafter Fund of the
15 referred to as "the Fund") to be managed by the Secretariat under the Institute
16 supervision of the Director General and the Finance & Administration
17 Committee of the Institute.

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

19 (a) all fees and other monies payable to the Institute;

20 (b) such monies as may be payable to the Institute whether in the

21 course of the discharge of its functions or otherwise; and

(c) such monies as may be held by the Institute as incorporated
under the Companies and Allied Matters Act, 1990 when it ceases to exist.

(3) Monies paid out of the Fund shall include:

(a) all expenditure incurred by the Council in the discharge of its functions under the Bill;

(b) the salaries and allowances of the Director General and other employees of the Institute;

29 (c) other such expenses that may be incurred by the members of the
30 Trustees, Committees and the Secretariat in general.

Power to invest	1	30. Subject to guidelines issued by the Council from time to time, the
	2	Institute's Funds and assets shall be invested in any asset, bond, bill or other
	3	security guaranteed by the Federal Government or the Central Bank of Nigeria.
Power to borrow money	4	31. The Council may, from time to time, borrow money for the
	5	purposes of the Institute and may mortgage or charge the properties and assets
	6	of the Institute or any part thereof and may issue debentures and other securities
	7	whether outright or as securities for any debt, liability or obligation of the
	8	Institute and any interest or charges payable on monies so borrowed shall be
	9	paid out of the Fund of the Institute.
Accounts of the Institute	10	32. The Director General shall keep proper accounts and records on
	11	behalf of the Institute in respect of each year and those accounts are to be
	12	audited by a professional auditor and in accordance with the guidelines
	13	supplied by the Auditor-General of the Federation.
Annual Reports	14	33. -(1) The Council shall prepare and submit to the CAC not later
	15	than twelve months after its establishment and once in each year and shall
	16	include in the report, a copy of the auditor's report.
	17	(2) The auditor, appointed for the purpose of this section, shall not be a
	18	member of the Council
Transfer to the Institute of certain properties	19	34. -(1) (a) All assets and liabilities held or incurred immediately
	20	before the commencement date of this Bill, by or on behalf of the incorporated
	21	Institute, shall vest in the Institute and be held by it for the purpose of the
	22	Institute;
	23	(b) The incorporated Institute shall cease to exist; and
	24	(c) Subject to subsection (b) of this section, any act, matter or thing
	25	made or done by the Incorporated Institute shall be deemed to have been done
	26	by the Chartered Institute.
	27	(2) The provision of the second schedule to this Bill shall have effect
	28	with respect to the matters arising from their transfer by this section to the
	29	Institute of the properties of the Incorporated Institute and with respect to other
	30	matters mentioned in that Schedule.

PART VII - MISCELLANEOUS PROVISIONS

35.-(1) The Council shall make rules for:

Regulations and
Rules of Practice
of the Institute

(a) the training of registered members of the profession or suitable persons in digital intelligence and development practice; and

(b) the supervision, regulation, engagement and training of registered members or suitable persons;

(c) prescribing the amount and date for payment of annual subscriptions, and for such purpose, different amounts may be prescribed by the rules according to whether the member of the Institute is a fellow member, full member, associate member, graduate member, student member, corporate member or honorary member like fellow emeritus;

(d) prescribing the conditions of license to practice as Digital Technology and Development Consultants to be issued annually or if the Council deems fit, by endorsement or an existing licence;

(e) withdrawing the right to practice as digital intelligence and development Consultant from members of the profession in default of payment of the amount of the annual subscriptions where the default continues for longer than such period as may be prescribed by the rules;

(f) restricting the right to practice as a member of the profession and the qualification granted outside Nigeria does not entitle the holder to practice as a member of the profession; and

(g) prescribing the period of practical training in the office of chartered member of the profession in practice to be completed before a person qualifies for a license to practice as a Digital Technology and Development Consultant.

(2) The rules proposed for the purpose of this Bill shall be subject to Confirmation by the Institute at its next general meeting or at any special meeting of the Institute convened for that purpose, and if annulled, shall cease to have effect immediately, but without prejudice to anything done in pursuance or intended pursuance of any such rules prior to its annulment.

1 (3) Any regulation made under this Bill shall be published in the
2 Federal Government Gazette and the Institute's newsletter as soon as they are
3 made, and a copy of the regulations shall be forwarded to the relevant
4 ministries/agencies not less than seven days before they are published.

5 (4) Subject to this section, the Council shall make rules with respect to
6 necessary professional forms, keeping of the register and the making of entries
7 of particulars therein:

8 (a) Regulating applications for enrolment or registration, as the case
9 maybe and providing for the nature of evidence to be produced in support of
10 applications;

11 (b) Providing for the notification to the Director General by the
12 person to whom any registered particulars concern, of any change in those
13 particulars;

14 (c) Authorizing a registered member to have any qualification which
15 is in relation to the relevant division of the profession, for the purpose of this
16 Bill;

17 (d) Specifying the fees, including annual subscription, to be paid in
18 the Institute; and

19 (e) Specifying anything failing to be specified under this section.

20 (5) Any rules for the purpose of paragraph 2 sub-paragraph (d) of the
21 Schedule shall not come into force until they are confirmed at a special meeting
22 of the Institute convened for the purpose or at the next annual general meeting,
23 as the case may be.

24 (6) The Director General shall in accordance-with the directives of
25 the Council:

26 (a) Correct any entry in the register which is incorrectly made;

27 (b) Make any necessary alteration to the particulars of registered
28 persons from time to time;

29 (c) Delete from the active members register the name of any
30 registered member who:

1 (i) died;
2 (ii) ceased to be a member; or
3 (iii) is convicted of professional misconduct; and any misconduct
4 considered incompatible with the objectives of the Institute.

5 (d) Record the names of members of the Institute who are in default
6 for six months in the payment of annual subscriptions and take such
7 appropriate action as the Council may direct to enhance compliance or
8 enforce the Institute's rules as called for by the breach.

9 (7) Where the Director General:

10 (a) sends a letter to any registered member via the address of the
11 member as found in the register, by post, e-mail, telephone or e-fax,
12 inquiring whether the registered particulars relating to him are correct and
13 receives no reply to the letter within a period of six months from the date of
14 dispatch ;and

15 (b) upon the expiration of that period, send in like manner to the
16 person in question a reminder letter and receives no reply to that letter within
17 three months from the date of dispatch, the Director General may remove
18 the particulars relating to the person in question from the register; provided
19 the Council may, for a reason which seems to it to be sufficient, direct the
20 Director General to restore to the appropriate part of the register, any
21 particular deleted there from under this subsection.

22 (8) The Director General shall cause:

23 (a) the first edition of the register to be printed, published and put
24 on sale to members of the public within one year from the date of
25 commencement of this Bill;

26 (b) the first and subsequent editions of the register to be distributed
27 to the members of the Institute and members of the Public on such terms as
28 the Council may from time to time decide; and

29 (c) a printed copy of each edition of the register and of each list or
30 corrections to be deposited at the Head Office of the Institute and shall make

	1	the register and list so deposited available at all reasonable times for inspection
	2	by members of the public.
Award of Honorary Membership of the Institute	3	36.-(1) The Council shall be free to award honorary membership of
	4	the institute to persons whom it considers worthy of such honor, on terms and
	5	conditions prescribed by the council and approved by the Institute in a general
	6	meeting.
Provision of Library facilities	7	37. The Institute shall:
	8	(a) provide and maintain a library comprising books and publications
	9	for the advancement of knowledge of digital intelligence and development,
	10	and such other books and publications as the Council may deem necessary for
	11	that purpose; and
	12	(b) encourage research into any categories of public development
	13	management occupations as listed in subparagraph (i) - (v), and such allied
	14	subjects to the extent that the council may, from time to time, consider
	15	necessary,
Transition and savings provisions	16	38.-(1) All assets, funds, resources, movable or immovable property
	17	which immediately before the commencement of this Bill held on behalf of the
	18	Institute shall by virtue of this Bill and without further assurance, be vested in
	19	the Institute of Digital Technology and Development of Nigeria.
Interpretation	20	39. In this Bill:
	21	"Council" means the Governing Council established as the governing body of
	22	the Institute under Section 3(1) of this Bill;
	23	"Corporate member" means an employer of labour that qualifies as provided in
	24	paragraph 2 subparagraph (e) of the first schedule to this Bill;
	25	"Enrolled" means to be registered as a full member of the Institute;
	26	"Fees" includes annual subscriptions and levies;
	27	"The Incorporated Institute" means the Chartered Institute of Digital
	28	Technology and Development of Nigeria incorporated under the companies
	29	and Allied Matters Act, 1990 before the commencement of this Act.
	30	"Institute" means the Chartered Institute of Digital Technology and

1 Development of Nigeria established under section 1 (1) of the Bill;
2 "Investigating Panel" means the Chartered Institute of Digital Technology
3 and Development of Nigeria Investigating Panel established under section
4 19 (13) of this Bill;
5 "Member" means a chartered member of the Institute registered in any of the
6 various categories of membership;
7 "Trustee" means the Custodian of the Institute;
8 "Chairman" means the Chairman of Council of the Institute;
9 "Digital Intelligence and Development of Nigeria" means persons qualified
10 as members who are into practice or employed by any organisation both in
11 the public or private sector and engaged in the digital intelligence and
12 development practices/policies; and "Tribunal" means the Chartered
13 Institute of Digital Technology and Development of Nigeria Disciplinary
14 Tribunal established under section 19 (1) of this Bill.

15 **40.** This Bill may be cited as the Chartered Institute of Digital Short title
16 Technology and Development of Nigeria (Establishment, Etc.) Bill, 2022.

1 SCHEDULES

2 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

3 1.-(1) Subject to the provision of this paragraph, a member of the
4 Council shall hold office for a period of four (4) years beginning from the date
5 of his election/appointment and can be re-elected/re-appointed for another
6 term of four (4) and no more.

7 (2) Any member of the Institute who ceases to be a member thereof
8 shall if he is also a member of the Council, cease to hold office in the Council.

9 (3) Any elected member of the Council may notify in writing under
10 his hand and addressed to the Chairman of the Council, his intention to resign
11 his office.

12 (4) If for any reason, there is a vacation of office by a member, if:

13 (i) such member was elected, the Council may, if the time between the
14 unexpired portion of the term of office and the annual general meeting of the
15 Institute appears to warrant the filling of the vacancy, co-opt a fit and proper
16 person to replace such a member.

17 (ii) such member was nominated from any organisation, such
18 organisation shall appoint another person to replace such member.

19 *Entitlements of Members*

20 2.-(1) A holder of the professional certificate/diploma of the Institute
21 shall be entitled to employment in private and public service on the same rank
22 applicable to members of other chartered professional bodies in Nigeria if such
23 a person otherwise qualified and has fulfilled all other requirements of a
24 competitive recruitment exercise.

25 (2) A holder of the final professional certificate/diploma of the
26 Institute shall after ten (10) years of qualification, be eligible to practice as an
27 Digital Technology and Development Professional/SME Consultant.

28 The License will only be issued to practising members who show continued
29 competence through participation in the continued mandatory skills
30 acquisition training programmes for update of professional skills.

1 Practicing Digital Technology and Development Consultants must renew
2 their license every two years to remain in practice. Registration and renewal
3 of licence guidelines shall be contained in the Ethical Standards and Practice
4 Code of the Institute on a fee to be determined by the Council.

5 *Power of the Council*

6 3. The Council shall have power to do anything, within the laws
7 applicable in the country and the constitution of the Institute, to facilitate the
8 carrying on of the activities of the Institute.

9 *Proceedings of the Council*

10 4. (1) Subject to the provisions of the Bill, the Council may in the
11 name of the Institute make standing orders regulating the proceedings of the
12 Institute, or any of its committees.

13 (2) The Council shall make Standing Orders, which shall provide
14 for decisions to be taken by majority of members and in the event of equality
15 of votes, the Chairman of the Council shall have a casting vote.

16 (3) Standing Orders made for committee shall provide for
17 committee to report back to the Council on any matter referred to it by the
18 Council.

19 (4) The quorum of the Council shall be seven (7) of total
20 membership of the Council including the Council Chairman and the quorum
21 of the committee of the Council shall be determined by the Council.

22 *Meetings of the Institute*

23 5.-(1) The Council shall convene an annual general meeting of the
24 Institute in the 2nd quarter of every year or such other day as the Council
25 may, from time to time, appoint but if the meeting is not held within one year
26 after the previous meeting, the Council shall convene a meeting before 12
27 months shall elapse between the respective dates of the two
28 meetings.

29 (2) A special meeting of the Institute may be convened by the
30 Council at anytime, if not less than 40 members of the Institute give a notice

1 in writing addressed to the Director General of the Institute, setting out the
2 objects of the proposed meetings, the Chairman of the Council shall oversee a
3 special meeting of the Institute

4 *Meetings of the Council*

5 6.-(1) Subject to the provisions of any standing order, the Council
6 shall meet whenever it is summoned by the Chairman, and if the Chairman is
7 required to do so by notice in writing given to him by not less than seven other
8 members, he shall summon a meeting of the Council to be held within seven
9 days from the day on which the notice is given.

10 (2) At any meeting of the Council, the Chairman of the Council and in
11 his absence, the Vice Chairman in their order (first, second) shall preside, but if
12 both are absent, the members present at the meetings shall appoint one of them
13 to preside at the meeting.

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

19 (4) Notwithstanding anything in the foregoing provisions of this
20 paragraph, the first meeting of the Council shall be summoned by the Trustees,
21 who may give such directions as they think fit as to the procedure, which shall
22 be followed at the meeting.

23 *Meeting of the Committees*

24 7.-(1) The Council may appoint one or more committees in addition to
25 the standing committees, to carry out on behalf of the Institute or the Council
26 such function as the Council may determine. The Committee will be meeting at
27 appropriate periods and time as decided.

28 (2) A committee appointed under this paragraph shall consist of the
29 number of persons determined by the Council of whom not be more than one-
30 third and may be persons who are not members of the Council, and a person

1 other than a member of the Council, shall hold office on the committee in
2 accordance with the terms of the instrument by which he/she is appointed.

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

5 *Miscellaneous*

6 8.-(1) The fixing of the common seal of the Institute shall be
7 authenticated by the signature of the Director General or any other member
8 of the Council authorized generally or specially by the Institute to act for that
9 purpose.

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

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

18 (4) The validity of any proceeding of the Institute or the Council or
19 of a committee of the Council shall not be adversely affected by any vacancy
20 in the membership or by any defect in the appointment of a member of the
21 Institute or of the Council or of a person to serve in the committee or by
22 reason that the person not entitled to do so, took part in the proceedings.

23 (5) Any member of the Institute or Council, and any person holding
24 office on a Committee of the Council, who has a personal interest in any
25 contract or arrangement entered into or proposed to be considered by the
26 Council or a Committee thereof, shall forthwith disclose his interest to the
27 Chairman or the Council, as the case may be, and shall not vote on any
28 question relating to the contract or arrangement.

1 SUPPLEMENTARY PROVISIONS RELATING TO PROPERTIES

2 *Transfer of Property*

3 1. Every agreement to which the incorporated Institute was a part of
4 immediately before the commencement of this Bill, with respect to its rights,
5 liabilities and obligations as it relates to properties transferred by this Bill to the
6 Institute, remains valid as if the Institute has been a party to the agreement.

7 2. Other documents, which refer, whether specifically or generally, to
8 the incorporated Institute shall be constructed in accordance with
9 subparagraph (1) of this paragraph so far as applicable.

10 3. Without prejudice to the generality of the forgoing provisions of
11 this schedule, whereby the operation of section 12 of this Bill, any right,
12 liability or obligation shall vest in the Institute and all other person shall as from
13 the commencement of this Bill, have the same rights as to the taking of residing
14 of legal proceedings or the making or resisting of
15 applications to any authority for ascertaining, perfecting or enforcing that
16 right, liability or obligation of the Institute.

17 SUPPLEMENTARY PROVISIONS RELATING TO THE DISCIPLINARY

18 TRIBUNAL AND INVESTIGATION PANEL

19 *The Tribunal*

20 1. The quorum of the tribunal shall be four of whom at least two shall
21 be members of the profession.

22 2. The Council may make rules as to the selection of the Tribunal for
23 the purpose of which proceeding is given at such time and in such manner as
24 may be specified by the rules, to the person who is the subject of the
25 proceedings and the rules shall in particular provide for:

26 (i) ensuring that notice of the proceeding is given at such a time and in
27 such a manner as may be specified by the rules to the person who is the subject
28 of the proceedings;

29 (ii) determining who in addition to the person aforesaid, shall be a
30 party to the proceedings

1 (iii) ensuring that any party to the proceedings shall, if he so
2 requires, be entitled to be heard by the Tribunal; and

3 (iv) publishing in the Gazette notice of any order of the Tribunal,
4 which has taken effect providing that a person's name shall be struck off the
5 register.

6 3. For the purpose of any member, the Tribunal may administer
7 oaths and any party to the proceedings may issue subpoena out of the
8 registry of the Federal High Court but no person appearing before the
9 Tribunal shall be compelled:

10 (a) to make any statement before the Tribunal tending to
11 incriminate himself/herself; or

12 (b) to produce any document which he could not be compelled to
13 produce at the trial of an action 4. For the purpose of advising the Tribunal on
14 question of law arising in proceedings before it, there shall be, in all
15 proceedings, an assessor to the Tribunal who shall be appointed by the
16 Council and who shall be a legal practitioner of not less than seven years
17 standing.

18 5. The Council shall make rules as to the functions of an assessor
19 appointed under this paragraph, and in particular such rules shall contain
20 provisions for ensuring that:

21 (a) Where the Tribunal is advised on any question of law as to
22 evidence procedures specified by the rules, the assessor shall do so in the
23 presence of every party or person representing a party to the proceedings
24 who appear at or; if the advice is tendered while the Tribunal is deliberating
25 in private, that every party or person shall be informed about the advice
26 tendered;

27 (b) Every party shall be informed if the Tribunal does not accept the
28 advice of the assessor on such question.

29 6. An assessor may be appointed under this paragraph either
30 generally or for any particular proceeding or class of proceedings and shall

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

3 *The Panel of Enquiry*

4 7.-(1) The quorum of the Panel shall be three.

5 (2) The Panel shall at any of its meetings attended by all the members
6 of the Panel, make standing order with respect to the Panel.

7 (3) Subject to the provisions of any such standing order, the Panel
8 shall regulate its own procedures.

9 *Miscellaneous*

10 8.-(1) A person on ceasing to be a member of the Tribunal or the Panel
11 shall not be eligible for appointment as a member of the Council of the
12 Institute.

13 (2) A person shall not be a member of both the Tribunal and the Panel,
14 and a person who acted as a member of the Panel, with respect to any matter
15 shall not act as a member of the Tribunal with respect to the same case or any
16 other case.

17 (3) The proceedings of both the Tribunal and the Panel shall not be
18 invalidated by any irregularity in the appointment of any member or vacancy in
19 membership of the bodies.

20 (4) Any document authorised or required by virtue of this Bill to be
21 served on the Tribunal or the Panel shall be served on the Director General,
22 appointed in pursuance of section 13 of this Bill.

23 (5) Any expenses of the Tribunal or the Panel shall be defrayed by the
24 Institute.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the Chartered Institute of Digital Technology and Development of Nigeria to be charged with the responsibilities of ensuring professional, ethical and all-inclusive digital technology and administration; and to promote discipline of its members and deepen the practice of digital intelligence and development in Nigeria.

NATIONAL SENIOR SECONDARY EDUCATION COMMISSION BILL, 2022

ARRANGEMENT OF SECTIONS

Section:

PART I - OBJECTIVE AND APPLICATION

1. Objective
2. Application

PART II - ESTABLISHMENT OF THE-NATIONAL SENIOR SECONDARY

EDUCATION COMMISSION AND ITS GOVERNING BOARD

3. Establishment of the-National Senior Secondary Education Commission
4. Governing board of the Commission
5. Tenure of office
6. Cessation from office
7. Allowances of members
8. Powers of the Board

PART III - FUNCTIONS AND POWERS OF THE COMMISSION

9. Functions of the Commission

PART IV - APPOINTMENT OF THE EXECUTIVE SECRETARY AND

OTHER STAFF OF THE COMMISSION

10. Appointment of the Executive Secretary
11. Staff of the Commission
12. Service in the Commission
13. Staff Regulations and discipline

PART V - FINANCIAL PROVISIONS OF THE COMMISSION

14. Fund of the Commission
15. Expenditure of the Commission
16. Annual estimates and accounts
17. Annual reports
18. Power to accept gifts
19. Power to borrow

PART VI - OBJECTIVES, ESTABLISHMENT AND DISBURSEMENT OF THE

NATIONAL SENIOR SECONDARY EDUCATION FUND

- 20. Objectives of the National Senior Secondary Education Fund
- 21. Establishment of the National Senior Secondary Education Fund
- 22. Disbursement of the National Fund

PART VII - ESTABLISHMENT AND FUNCTIONS OF THE STATE SENIOR

SECONDARY EDUCATION BOARDS

- 23 Establishment and composition of the State Senior Secondary Education Board
- 24. Establishment of a separate account by Education Board

PART VIII - MISCELLANEOUS PROVISIONS

- 25. Power to obtain information
- 26. Regulations
- 27. Directives of the Minister
- 28. Repeal
- 29. Savings and transitional provisions
- 30. Interpretation
- 31. Short title
- Schedule

- 1 (2) The Board shall consist of-
- 2 (a) a part-time Chairman, who shall be an experienced educationist;
- 3 (b) a representative each of the Federal Ministry responsible for
- 4 education, and finance not below directorate cadre;
- 5 (c) a representative of each of the six geo-political zones of the
- 6 Federation on rotational basis for a single term, who shall be an experienced
- 7 educationist;
- 8 (d) a person to represent the Federal Capital Territory (FCT), Abuja,
- 9 who shall be an experienced educationist;
- 10 (e) a person to represent-
- 11 (i) the National Education Research and Development Council,
- 12 (ii) the National Teachers Institute,
- 13 (iii) the Nigerian Union of Teachers, and
- 14 (iv) the National Association of Proprietors of Private Schools
- 15 (NAPPS);
- 16 (f) two persons appointed on merit to represent public interest; and
- 17 (g) the Executive Secretary of the Commission, who shall serve as the
- 18 Secretary to the Board.
- 19 (3) The Chairman and other members of the Board other than ex-
- 20 officio members shall be appointed by the President on the recommendation of
- 21 the Minister.
- 22 (4) The supplementary provisions contained in the Schedule to this
- 23 Act shall have effect with respect to the proceeding of the Board and matters
- 24 provided in it.
- 25 **5.** The Chairman and other members of the Board, other than an ex
- 26 officio members shall hold office-
- 27 (a) for a term of four years in the first instance and may be re-
- 28 appointed for a further term of four years and no more; and
- 29 (b) on such terms and conditions as may be specified in the letter of
- 30 appointment.

Tenure of office

1	6.-(1) Notwithstanding the provisions of section 5 of this Act, a	Removal and
2	member of the Board shall cease to hold office as a member, where the	cessation of
3	member-	membership
4	(a) resigns the appointment by notice in writing addressed to the	
5	President;	
6	(b) is of unsound mind;	
7	(c) is bankrupt or makes a compromise with his creditors;	
8	(d) is convicted of a felony or any offence involving dishonesty or	
9	corruption;	
10	(e) is incapable of discharging the functions of the office, whether	
11	arising from infirmity of mind, body or any other cause; or	
12	(f) is guilty of misconduct.	
13	(2) Where the President is satisfied that it is not in the interest of the	
14	Commission or the public for a member to continue in office, the President	
15	may, in writing remove the member.	
16	(3) Where a vacancy occurs in the membership of the Board, it	
17	shall be filled by appointing a successor to represent the same interest for the	
18	unexpired term of office of such member.	
19	7. The Chairman and members of the Board shall be paid such	Allowances and
20	allowances and benefits as the Federal Government may, from time to time	benefits of Board
21	direct.	members
22	8. The Board shall have power to-	Powers of the
23	(a) approve the policy guidelines for the operation of the senior	Board
24	secondary education programme in Nigeria;	
25	(b) approve staff regulations and conditions of service;	
26	(c) approve the structuring of the Commission into such number of	
27	departments as it deems fit for the effective discharge of the functions of the	
28	Commission; and	
29	(d) perform any other function assigned to the Board under this	
30	Act.	

	1	PART III - FUNCTIONS OF THE COMMISSION
Functions of the Commission	2	9. The Commission shall-
	3	(a) prescribe and enforce the national minimum standards for senior
	4	secondary education in Nigeria;
	5	(b) formulate policy guidelines, subject to the approval of the Board,
	6	for the operation of senior secondary education programme in Nigeria;
	7	(c) advise the Federal Government on the funding and development
	8	of senior secondary education in Nigeria;
	9	(d) implement the senior secondary education programme in Nigeria;
	10	(e) present periodic progress reports, subject to the approval of the
	11	Board, on the implementation of senior secondary education programme to the
	12	President through the Minister;
	13	(f) identify areas of possible intervention in the provision of senior
	14	secondary education facilities;
	15	(g) collate and prepare after consultation with relevant stakeholders,
	16	periodic master plans for development of senior secondary education in
	17	Nigeria;
	18	(h) coordinate the implementation of the senior secondary education
	19	related activities in collaboration with non-governmental and multi-lateral
	20	agencies;
	21	(i) develop and disseminate curricula and instructional materials for
	22	senior secondary education in Nigeria in collaboration with other relevant
	23	agencies;
	24	(j) establish senior secondary education data bank and conduct
	25	research on senior secondary education in Nigeria;
	26	(k) support national capacity building for teachers and managers of
	27	senior secondary education in Nigeria;
	28	(l) regulate the implementation of the safe school initiatives in senior
	29	secondary schools in Nigeria;
	30	(m) collaborate with relevant agencies and organizations to promote

science, technology, engineering, arts and design, and mathematics (STEAM), technical, vocational education and training (TVET) and entrepreneurial skills at senior secondary education level;

(n) collaborate with relevant examination bodies to monitor the conduct of external examinations at the senior secondary education level;

(o) collaborate with other relevant agencies and stakeholders to promote inclusive senior secondary education programmes in accordance with the provisions of this Act;

(p) collaborate with state governments to coordinate personnel audit of teaching and non-teaching staff of all senior secondary educational institutions in Nigeria from time to time;

(q) collaborate with donor agencies and other development partners on matters relating to senior secondary education; and

(r) carry out such functions as the Minister may, from time to time, determine as are necessary or expedient to ensure the efficient performance of the functions of the Commission under this Act.

PART IV - APPOINTMENT OF THE EXECUTIVE SECRETARY AND

STAFF OF THE COMMISSION

10.-(1) There shall be for the Commission, an Executive Secretary, who shall be-

Appointment of
the Executive
Secretary

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

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

(c) responsible for the execution of the policy and the day-to-day running of the affairs of the Commission.

(2) A person shall not be qualified to be appointed as the Executive Secretary of the Commission unless the person possesses an academic qualification in education and cognate experience of not less than ten years.

(3) The Executive Secretary shall hold office-

1 (a) for a term of four years in the first instance and may be re-
2 appointed for a further term of four years and no more; and

3 (b) on such terms and conditions as may be specified in the letter of
4 appointment.

5 (4) Notwithstanding the provisions of subsection (3) of this section,
6 the Executive Secretary may-

7 (a) resign the appointment by notice in writing addressed to the
8 President through the Board; or

9 (b) be removed by the President for-

10 (i) inability to discharge the functions of the office, whether arising
11 from infirmity of mind, body or any other cause, or

12 (ii) misconduct.

13 (5) Notwithstanding the provisions of subsection (4) of this section,
14 the Executive Secretary may be removed by the President, where the President
15 is satisfied that it is not in the interest of the Commission or the public for the
16 Executive Secretary to remain in office.

Staff of the
Commission

17 **11.**-(1) The Commission may, subject to the approval of the Board,
18 appoint staff as it deems necessary for the Commission-

19 (a) for the performance of its functions under this Act; and

20 (b) on terms and conditions with allowances and benefits as may be
21 determined by the Board in consultation with the National Salaries Incomes
22 and Wages Commission.

23 (2) Notwithstanding the provisions of subsection (1) of this section,
24 staff of the Commission may be appointed by the Commission by way of
25 transfer, secondment, or posting from the public service of the Federation.

Service in the
Commission

26 **12.**-(1) Service in the Commission shall be approved service for the
27 purpose of the Pension Reform Act and staff of the Commission shall be
28 entitled to pensions, gratuities and other retirement benefits prescribed under
29 the Pension Reform Act.

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

1 nothing in this Act shall prevent the appointment of a person to any office on
2 terms, which preclude the grant of pension, gratuity or other retirement
3 benefit in respect of that office.

4 (3) For the purpose of the application of the provisions of the
5 Pension Reform Act, any power exercisable by a Minister or other authority
6 of the Federal Government, other than the power to make regulations under
7 the Pension Reforms Act is vested in and shall be exercisable by the Board
8 and not by any other person or authority.

9 **13.**-(1) Subject to the provisions of this Act, the Commission may
10 make staff regulations relating generally to the conditions of service of the
11 staff, and without prejudice to the generality of the foregoing, such
12 regulations may provide for-

Staff Regulations
and discipline

13 (a) the appointment, promotion and disciplinary control of staff of
14 the Commission; and

15 (b) appeal procedure for staff against dismissal or other
16 disciplinary measures and until such regulations are made any instrument
17 relating to conditions of service in the Public Service of the Federation shall
18 be applicable, with such modifications as may be necessary, to the staff of
19 the Commission.

20 (2) The staff regulations made under subsection (1) of this section
21 shall not have effect until approved by the Board, and where approved the
22 Commission shall cause a notice of the staff regulations to be issued to all
23 affected staff in such manner as it may, from time to time, determine.

24 **PART V - FINANCIAL PROVISIONS OF THE COMMISSION**

25 **14.**-(1) The Commission shall maintain a fund ("the Fund") into
26 which shall be credited and be defrayed all the expenditure incurred by the
27 Commission.

Fund of the
Commission

28 (2) There shall be paid into the Fund maintained in subsection (1)
29 of this section-

30 (a) such budgetary allocations from the Federal Government for

	1	the running expenses of the Commission; and
	2	(b) all other assets accruing, from time to time, to the Commission
	3	other than payment made pursuant to section 22 of this Act.
Expenditure of the Commission	4	15. The Commission may, from time to time, apply the proceeds of
	5	the Fund established under section 15 (1) of this Act-
	6	(a) to the cost of administration of the Commission;
	7	(b) to reimburse members of the Board or any committee set up by
	8	the Board, for such expenses as may be expressly authorised by the Board;
	9	(c) to the payment of salaries, allowances, pensions, and other
	10	retirement benefits payable to the staff of the Commission, provided that no
	11	payment of any kind except as may be expressly authorised by the Board, shall
	12	be made to a person who is in receipt of emoluments from the Federal or State
	13	Government;
	14	(d) for the maintenance of property vested in the Commission; and
	15	(e) for other expenditure in connection with the functions of the
	16	Commission under this Act.
Annual estimates and accounts	17	16. -(1) The Commission shall, not later than 31st October in each
	18	year, submit to the Minister an estimate of its expenditure and income,
	19	including payments to the Fund, for the preceeding year.
	20	(2) The Commission shall keep proper accounts in respect of each
	21	financial year and proper records of every account and shall cause such
	22	accounts to be audited within six months after the end of each financial year by
	23	auditors appointed from the list of auditors and in accordance with the
	24	guidelines by the Auditor-General for the Federation.
Annual reports	25	17. The Commission shall prepare and submit to the President
	26	through the Minister, not later than six months after the end of each financial
	27	year, a report on the activities of the Commission during the preceding year and
	28	shall include in the report, a copy of the audited accounts of the Commission
	29	for that year and the auditor's report on the accounts.

Power to accept gifts

Power to borrow

Objectives of the National Senior Secondary Education Commission Fund

Establishment
of the National
Senior Secondary
Education
Commission
Fund

29 (b) take off grants from the Federal Government for the
30 Commission;

Disbursement
of the NSSEC
Fund

1 (c) money received by the Commission from endowments and fund-
2 raising activities relating to senior secondary education; and

3 (d) money received as foreign aid, local and international donor
4 grants for senior secondary education in Nigeria.

5 **22.**-(1) The Commission shall disburse the money in the NSSEC
6 Fund established under section 22 of this Act for the development of senior
7 secondary education in Nigeria.

8 (2) The NSSEC Fund shall be disbursed to senior secondary under the
9 Federal Unity Colleges, State Senior Secondary Education Board, and FCT
10 Senior Secondary Education Board in accordance with needs and in the
11 proportion directed by the President from time to time.

12 (3) The Commission shall, before the disbursement of the money in
13 the NSSEC Fund, set aside in each year 5 per cent of the total monies accruing
14 to the NSSEC Fund in the preceeding year, which shall be applied to-

15 (a) monitor and evaluate Federal Government's interventions under
16 this Act; and

17 (b) such other activities incidental to the objectives of the NSSEC
18 Fund.

19 (4) Notwithstanding the provisions of subsection (2) of this section,
20 the Commission shall have power to disqualify any Senior Secondary
21 Education Board that applied previous disbursement of the NSSEC Fund for
22 other purposes outside the provisions of this Act.

23 PART VII - ESTABLISHMENT AND FUNCTIONS OF THE STATE SENIOR
24 SECONDARY EDUCATION BOARD

Establishment
and composition
of the State Senior
Secondary Education
Board

25 **23.**-(1) For the purposes of implementation of the provisions of this
26 Act, each state of the Federation and the Federal Capital Territory, shall
27 establish a Senior Secondary Education Board, ("the Education Board"), which
28 shall consist of-

29 (a) a full-time Chairman who shall be-

30 (i) an experienced educationist, and

1 (ii) the Chief Executive and responsible for the day to day activities
2 of the Education Board;

3 (b) a representative of the Ministry responsible for education in the
4 State, not below directorate cadre;

5 (c) a representative of the Ministry responsible for finance in the
6 State, not below directorate cadre;

7 (d) a representative of the Commission, not below directorate
8 cadre;

9 (e) three members appointed from different local government
10 areas in the state in rotational order for two years, who shall be experienced
11 educationists; and

12 (f) the Secretary to the Education Board of the State.

13 (3) The Chairman and members of the Education Board who are
14 not public officers shall be appointed by the Governor of the State on the
15 recommendation of the Commissioner responsible for Education.

16 (4) Members of the Education Board, except local government
17 representatives, shall hold office-

18 (a) for a term of four years in the first instance and may be re-
19 appointed for a further term of four years and no more; and

20 (b) on such terms and conditions as may be specified in the letters
21 of appointment.

22 **24.**-(1) An Education Board shall establish and maintain a separate
23 account into which shall be paid and credited money from the Federal or
24 State Governments or any other source.

Establishment
of a separate account
by the Education
Board

25 (2) There shall be disbursed from the account all expenses relating
26 to the management of senior secondary education in the State.

27 PART VIII - MISCELLANEOUS PROVISIONS

28 **25.**-(1) For the purpose of carrying out the functions conferred on
29 the Commission under this Act, the Executive Secretary or any other officer
30 of the Commission authorized in that behalf-

Power to obtain
Information

	1	(a) shall have right of access to all the records of any institution or
	2	authority to which this Act applies; and
	3	(b) may, by notice in writing served on any person in charge of any
	4	institution or authority, require that person or authority to furnish information
	5	on such matters as may be specified in the notice.
	6	(2) A person or authority required to furnish information pursuant to
	7	subsection (1) of this section shall comply within 7 days of receipt of the
	8	notice.
Regulations	9	26. The Commission may, with the approval of the Board make
	10	regulations as are necessary for giving full effect to the provisions of this Act.
Directives by the Minister	11	27. The Minister may give the Commission directives of a general
	12	nature or relating generally to matters of policy with regards to the exercise by
	13	the Commission of its functions, and it shall be the duty of the Commission to
	14	comply with such directives.
Repeal	15	28. The National Secondary Education Commission Act, CAP N73,
	16	LFN 2004 is repealed.
Savings and transitional provision	17	29. -(1) The power, duties, and functions of the National Secondary
	18	Education Commission established under the National Secondary Education
	19	Commission Act CAP N73, LFN 2004 ("the repealed Act") are transferred to
	20	the Commission under this Act.
	21	(2) Anything made, done or having effect under the repealed Act and
	22	having any resulting or continuing effect shall be treated as from the
	23	commencement of this Act, as if it were made or done by the Commission
	24	established under this Act.
	25	(3) A person who before the commencement of this Act, was
	26	deployed, appointed or employed by the Commission established under the
	27	repealed Act shall continue in office and be deemed to have been deployed,
	28	appointed or employed by the Commission established under this Act.
	29	(4) All assets, rights, liabilities and obligations of the Commission
	30	under the repealed Act shall, by virtue of this Act, be deemed to be that of the

1 Commission established under this Act.

2 **30.** In this Act-

Interpretation

3 "Authority" means the State Senior Secondary Education Board or its
4 equivalent in the Federal Capital Territory and the Local Government;

5 "Board" means the Board established for the Commission under section 4 of
6 this Act;

7 "Commission" means the National Senior Secondary Education
8 Commission established under section 3 of this Act;

9 "Education Board" means the State Senior Secondary Education Board
10 established under section 24 of this Act;

11 "Executive Secretary" means the Executive Secretary of the Commission
12 appointed under section 11 of this Act;

13 "Federal Government" means the Federal Government of Nigeria;

14 "Fund" means the fund of the Commission established under section 15 of
15 this Act;

16 "Institution" means a senior secondary school or any other institution in
17 Nigeria recognized as such by the Commission, the Education Board or any
18 other authority which benefits from the National Fund;

19 "member" means a member of the Board established under section 4 of this
20 Act;

21 "Minister" means the Minister charged with responsibility for matters
22 relating to education; and

23 "NSSEC Fund" means the National Senior Secondary Education
24 Commission Fund established under section 21 of this Act.

25 **31.** This Bill may be cited as the National Senior Secondary Short title
26 Education Commission Bill, 2022.

1 SCHEDULE

2 [Section 4 (4)]

3 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

4 *Proceedings of the Governing Board*

5 1.-(1) Subject to this Act and to section 27 of the Interpretation Act,
6 the Board may make standing orders regulating the proceeding of the Board or
7 a committee.

8 (2) The quorum at a meeting of the Board shall be not less than one-
9 third of the total number of the Board members present at the meeting.

10 *Meeting*

11 2.-(1) The Board shall meet not more than four times in each year.

12 (2) At any meeting of the Board, the Chairman shall preside but in his
13 absence, the members present at the meeting shall appoint one of their number
14 to preside at the meeting.

15 (3) Where the Board desires to obtain the advice of any person on a
16 particular matter, the Board may co-opt him for such period as it thinks fit, but
17 a person co-opted by virtue of this sub-paragraph shall not be entitled to vote at
18 any meeting of the Board and shall not count towards a quorum.

19 (4) Notwithstanding anything in the foregoing provisions of this
20 paragraph, the first meeting of the Board shall be summoned by the Minister.

21 *Committees*

22 3.-(1) The Board may appoint one or more committees to carry out on
23 behalf of the Board such functions as the Board may determine.

24 (2) A committee appointed under this paragraph shall consist of such
25 number of persons, not necessarily all members of the Board, as may be
26 determined by the Board and a person other than a member of the Board shall
27 hold office on the committee in accordance with the terms of his appointment.

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

1 *Miscellaneous*

2 4.-(1) The fixing of the seal of the Board shall be authenticated by
3 the signature of the Chairman or any other member authorized generally or
4 specially to act for that purpose by the Board.

5 (2) Any contract or instrument which, if made or executed by a
6 person not being a body corporate, may not be required to be under seal may
7 be made or executed on behalf of the Board by the Executive Secretary or
8 any person generally or specially authorized to act for that purpose by the
9 Board.

10 5. The validity of any proceedings of the Board or a committee
11 shall not be affected by-

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

13 (b) reason that a person not entitled to do so took part in the
14 proceedings of the Board or a committee.

15 6. A member of the Board or a committee who has a personal
16 interest in any contract or arrangement entered into or proposed to be
17 considered by the Board or a committee shall disclose his interest to the
18 Board or committee and shall not vote on any question relating to the
19 contract or arrangement.

EXPLANATORY MEMORANDUM

*(This memorandum does not form part of this Act but intends
to explain its purports)*

This Bill seeks to repeal the National Secondary Education Commission etc
Act CAP. N73, LFN 2004 and enact the National Senior Secondary
Education Commission Act, 2022 to prescribe minimum standards for
senior secondary education in Nigeria and manage the National Senior
Secondary Education Commission Fund.

A BILL

FOR

AN ACT TO AMEND THE AGRICULTURAL RESEARCH COUNCIL OF NIGERIA ACT, CAP. A12, LAWS OF THE FEDERATION OF NIGERIA, 2004 (AS AMENDED) TO MAKE PROVISION FOR THE ESTABLISHMENT OF FEDERAL COLLEGE OF AGRICULTURE, KUMO; AND FOR RELATED MATTERS

Sponsored by Hon Usman Bello Kumo

[] Commencement

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

- 1

2

3

4

5

6

7

8

9
1. The Agricultural Research Council of Nigeria Act, Cap. A12, Laws of the Amendment of Cap. Federation of Nigeria, 2004 (as amended) Amendment of Cap. A12, LFN, 2004

(in this Act referred to as "the Principal Act") is amended as set out in this

Bill.

2. The Third Schedule of the Principal Act is amended by inserting Amendment of Third Schedule

a new paragraph 17 to read thus-

"Federal College of Agriculture Kumo, Gombe State".

3. This Bill may be cited as the Agricultural Research Council of Citation

Nigeria (Amendment) Bill, 2022.

1

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Agricultural Research Council of Nigeria Act, Cap. A 12, Laws of the Federation of Nigeria, 2004 (as amended) to make provision for the establishment of Federal College of Agriculture, Kumo.

A BILL

FOR

AN ACT TO AMEND THE DANGEROUS DRUGS ACT, CAP D1, LAWS OF THE
FEDERATION OF NIGERIA 2004 AND FOR RELATED MATTERS, 2022

Sponsored by Hon. Francis Ejiroghene Waive

[] Commencement

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

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

Amendment of
the Principal Act

4 **2.** Section 19 sub section 2 and 3 of the Principal Act is amended as
5 follows:

6 “(2) Every person guilty of an offence under this Act, shall, in
7 respect of each offence, be liable to a fine of five hundred thousand naira, or
8 to imprisonment for a term of ten years, or to both; and shall, in every case on
9 conviction for the offence, forfeit all articles in respect of which the offence
10 was committed, and the court before which the offender was convicted may
11 order any forfeited articles to be destroyed or otherwise disposed of as the
12 court deems fit”

13 “(3) No person shall, on conviction for any offence of contravening
14 or failing to comply with any regulation under this Act relating to the
15 keeping of books or the issuing or dispensing of prescription containing
16 drugs to which this Act applies, be sentenced to imprisonment without the
17 option of a fine or to pay a fine exceeding one hundred thousand naira, if the
18 court dealing with the case is satisfied that the offence was committed
19 through inadvertence and was not preparatory to, or committed in the course
20 of, or in connection with, the commission or intended commission of any
21 other offence under this Act”.

Amendment of
Section 19

1 **3.** Section 19 sub section 6 of the Principal Act is amended by
2 introducing a new sub section 6, while the previous sub section 6, becomes sub
3 section 7 as follows:
4 “any person who willfully administer a drug on a minor with the intention of
5 causing harm to that minor, is guilty of an offence and on conviction shall be
6 sentenced to fifteen years imprisonment and a fine of five hundred thousand
7 naira”.

Citation

8 **4.** This Bill may be cited as the Dangerous Drugs Act (Amendment)
9 Bill, 2022.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Dangerous Drugs Act, Cap D1, Laws of the Federation of Nigeria 2004, to provide punishment to any person who administer drug on a minor with the intention of causing harm to that minor and also increase the punishment ascribed to offenders.

A BILL

FOR

AN ACT TO AMEND THE TERTIARY EDUCATION TRUST FUND ACT, 2011 TO
INCLUDE FEDERAL AND STATE SCHOOLS OF NURSING AND MIDWIFERY AS
BENEFICIARIES OF THE FUND AND FOR RELATED MATTERS

Sponsored by Hon. Shehu Balarabe Kakale

[] Commencement

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

- | | | |
|----|--|---|
| 1 | 1. The Tertiary Education Trust Fund Act, 2011 (in this Bill | Amendment of |
| 2 | referred to as the Principal Act) is hereby amended as set out in this Bill. | the Principal Act |
| 3 | 2. Section 1-(2) of the Principal Act is amended by changing the | Amendment of |
| 4 | rate of 2 percent and inserting 3 percent. | section 2, rate of
percentage change
to 3 percent |
| 5 | 3. Section 3 subsection 4 of the Principal Ac is amended by | Amendment of |
| 6 | changing the percentage set aside before disbursement in each year to 4 | section 3 (4) amount
to be set aside before
disbursement reduce
to percent |
| 7 | percent of the total monies accruing to the fund in the preceding year which | |
| 8 | shall be applied: | |
| 9 | 4. Section 6 (e) is hereby amended and rearranged by inserting | Amendment of |
| 10 | Federal and State Schools of Nursing and Midwifery (before tertiary | section 6 (e) to
include Federal
and State Schools
of Nursing and
Midwifery |
| 11 | educational institution in Nigeria). | |
| 12 | 5. Section 7 (1) is amended and rearranged by inserting of Federal | Amendment of |
| 13 | and State Schools College of Nursing and Midwifery as follows: | section 7 (1) to
include Federal
and State Schools
of Nursing and
Midwifery |
| 14 | The Board of Trustees shall administer the tax imposed. by this Bill and | |
| 15 | disburse the amount in the fund to: | |
| 16 | (a) Federal and State Universities; | |
| 17 | (b) Federal and State Polytechnic; | |
| 18 | (c) Federal and State Schools of Nursing and Midwifery | |
| 19 | specifically for the provision on maintenance of: | |
| 20 | (a) essential physical infrastructure for teaching and Learning; | |

	1	(b) Instructional material and equipment;
	2	(c) Research and publication;
	3	(d) Academic staff training and development; and
	4	(e) any other need which, in the opinion of the Board of Trustees, is
	5	critical and essential for the Improvement of quality and maintenance of
	6	standards in the higher educational Institutions.
Amendment of Section 7 (2) (a) Public Institutions and Federal and State Schools of Nursing and Midwifery	7	6. Section 7 (2) (a) of the Principal Act are Amended as follows:
	8	Section 7 (2) (a) is amended and re-arranged as follows:
	9	Section 7 (2) (a) the Board of Trustees shall administer, manage, and disburse
	10	the tax imposed by this Act on the basis of:
	11	(a) Funding of Federal and State Universities;
	12	(b) Funding of Federal and State Polytechnics;
	13	(c) Funding of Federal and State Colleges of Education;
	14	(d) Funding of Federal and State Schools of Nursing and Midwifery;
	15	(e) Equality among the listed institutions in Sub Section 2 (a) to (d) in
	16	the 6 geopolitical zones of the federation in the case of special intervention; and
	17	(f) Equally among the state of the federation in the case of regular
	18	intervention
Amendment of Section 7(3) List of beneficiaries to include public tertiary institution and Federal and State Schools of Nursing and Midwifery	19	7. Section 7 (3) is amended and rearranged as follows:
	20	The distribution of funds shall be in the ratio of 2:1:1:1 as between Federal and
	21	State Universities, Federal and States Polytechnics, Federal and States
	22	Colleges of Education and Federal and State Schools of Nursing and
	23	Midwifery.
Short title	24	8. This Bill may be cited as the Tertiary Education Trust Fund
	25	(Amendment) Bill, 2022.

EXPLANATION MEMORANDUM

This Bill seeks to amend the Tertiary Education Trust Fund (Amendment) Act, 2011 amongst other things to include Federal and State Schools of Nursing and Midwifery as beneficiaries of TET Fund.