

*Extraordinary*



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# A BILL

## FOR

AN ACT TO REGULATE HANDLING OF WEAPONS BY THE ARMED FORCES,  
POLICE AND OTHER PARA-MILITARY PERSONNEL THAT ARE AUTHORISED BY  
AN ACT OF NATIONAL ASSEMBLY TO USE WEAPONS IN THEIR DAILY  
OFFICIAL FUNCTIONS AND FOR RELATED MATTERS

*Sponsored by Hon Shoyinka Abiola Olatunji*

[ ] Commencement

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

- 1           **1.** The Armed Forces, Police and other para-military personnel  
2           that are authorised, by an Act of National Assembly, to use weapons shall not  
3           display a kind of weapons to an Individual or the general public except if  
4           they are carrying-out security operations against terrorists or Armed  
5           Robbers. Prohibition of  
displaying Weapons  
to an individual or  
the general public
- 6           **2.** Where it is necessary to openly handle the weapons because of Exceptions  
7           the nature of the official engagements of the personal, the weapons to be  
8           displayed shall not be greater than a Pistol or its equivalent.
- 9           **3.** In this Bill: Interpretation  
10          "Weapons" include AK-47, manual, air gun, blowgun, blunderbuss carbine.  
11          Spencer carbine, Gatling gun, handgun, revolver, derringer, harquebus,  
12          musket;  
13          "para-military" includes Nigeria Immigration Service (NIS), Nigeria  
14          Customs Service (NCS), National Drug Law Enforcement Agency  
15          (NDLEA), Nigeria Security and Civil Defence Corps (NSCDC), Nigerian  
16          Correctional Service.
- 17          **4.** This Bill may be cited as the Weapons Handling (Regulation) Citation  
18          Bill, 2022.

## EXPLANATORY NOTES

This Bill seeks to regulate handling of weapons by the Armed Forces, Police and other para-military personnel that are authorised by an Act of National Assembly to use weapons in their daily official functions.

NIGERIA POLICE ACADEMY DUKKU (ESTABLISHMENT, ETC) BILL, 2022

ARRANGEMENT OF CLAUSES

*Sections:*

PART I - ESTABLISHMENT OF THE NIGERIA POLICE ACADEMY

1. Objectives of the Academy
2. Establishment of Nigeria Police Academy
3. Powers of the Academy
4. Establishment of Nigeria Police Academy Council
5. Membership of the Council
6. Functions and Powers of the Council
7. First meetings of the Council, Academy Board and Senate
8. Removal of a Member of Council from Office.

PART II - PRINCIPAL OFFICERS AND OTHER STAFF OF THE ACADEMY

9. Appointment and Tenure of the Commandant of the Academy
10. Removal from Office of Commandant of the Academy
11. Appointment and Tenure of the Deputy Commandant of the Academy
12. Removal from Office of the Deputy Commandant of the Academy.
13. Appointment and Tenure of the Provost of the Academy
14. Removal from Office of the Provost of the Academy
15. Procedure for the Appointment of the Provost
16. Registrar of the Academy
17. Bursar of the Academy
18. Librarian of the Academy
19. Appointment and tenure of the Registrar, Bursar and Librarian of the Academy
20. Remuneration of Principal Officers of the Academy
21. Resignation of Appointments in the Academy
22. Appointment of other staff of the Academy
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- 25. Power to Accept Gift
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- 27. Financial Year and Academic Calendar
- 28. Accounts and Audit
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- 31. Bank Account

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  - 41. The seal of the Academy
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  - 44. Limitation of lawsuit against the Academy
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  - 46. Union activities
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# A BILL

## FOR

AN ACT TO ESTABLISH THE NIGERIA POLICE ACADEMY DUKKU AS A  
POSTGRADUATE DEGREE AWARDDING INSTITUTION TO PROVIDE ACADEMIC  
AND PROFESSIONAL TRAINING AND FOR RELATED MATTERS

*Sponsored by Hon. Aishatu Jibril Dukku*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF THE NIGERIA POLICE ACADEMY

2 1. The objectives of the Academy are to:

Objectives of the  
Academy

3 (a) Provide each Police Officer with a broad and balanced  
4 curriculum consisting of Police and academic training, professional Police  
5 duties designed to serve as higher learning for his progressive development  
6 as an Officer in the Nigeria Police Force;

7 (b) Develop in each Police Officer, a commitment to those moral  
8 qualities and standard required for leadership that are defined by the ideals  
9 of unity, honour and service to the country;

10 (c) Encourage the advancement of learning and to hold out the  
11 opportunity of acquiring higher education in liberal, scientific, legal,  
12 professional and other discipline to Officers of the Nigeria police force and  
13 those of other nations that the Federal Government of Nigeria may from  
14 time to time decide;

15 (d) Provide courses of instruction and other facilities for the pursuit  
16 of teaching and learning in all the faculties of the Academy as may be  
17 established and make those facilities available on proper terms to members  
18 of the Nigeria Police as are qualified to benefit from them;

19 (e) Nurture, equip and produce globally competitive police officers  
20 with requisite knowledge, skills and attitudes suitable for leadership,

- 1 scholarship, policing and community service;
- 2 (f) Encourage and promote academic excellence in the Academy;
- 3 (g) Conduct research in relevant fields of learning and human
- 4 endeavour;
- 5 (h) Align its activities to the security, social, cultural and economic
- 6 needs of the people of Nigeria;
- 7 (i) Prepare Officers through well-articulated theory and practical, for
- 8 careers of service and achievement; and
- 9 (j) Carry out any other activities as are necessary or expedient for the
- 10 performance of its function under this Bill.

Establishment  
of Nigeria Police  
Academy

11 **2.-(1)** There is established a body to be known as the Nigeria Police

12 Academy (in this Bill referred to as "The Academy").

13 (2) The Academy as a Police academic and professional institution

14 shall have the power to award Masters Degrees, Doctorate degrees and other

15 professional certificates in accordance with the highest academic standards as

16 may be prescribed by the National Universities Commission, from time to

17 time.

18 (3) The Academy:

19 (a) Shall be a body corporate with perpetual succession and a

20 common seal;

21 (b) May sue or be sued in its corporate name; and

22 (c) May acquire, hold or dispose, grant, charge, purchase or mortgage

23 any of its property, movable or immovable, wherever situate subject to the

24 provisions of the Land Use Act, for the purpose of carrying out any of its

25 functions under this Bill.

Powers of the  
Academy

26 **3.-(1)** For the purposes of carrying out the objectives of the Academy

27 under section 2 of this Bill, the Academy shall:

28 (a) Establish one Nigeria Police Academy which is situated in Dukku,

29 Gombe State with such faculties, and departments and other teaching and

30 research units within the Academy as may be necessary and desirable from



- 1 time to time, on the approval of the National Universities Commission;
- 2 (b) Institute professorship, readership, lectureship or other posts
- 3 and establish offices and make appointments as may be considered
- 4 appropriate;
- 5 (c) Institute and award fellowships, scholarships, exhibitions,
- 6 bursaries, medals, prizes, distinctions, awards and other forms of
- 7 recognition or title;
- 8 (d) Be responsible for the welfare of its members of staff and Police
- 9 Officers serving in the Academy;
- 10 (e) Be responsible for the discipline of its members of staff and
- 11 refer matters relating to Police Officers serving in the Academy to the
- 12 Inspector-General of Police;
- 13 (f) Conduct examinations, award Masters degrees, Doctorate
- 14 degrees and other professional certificates and distinctions to the persons
- 15 pursuing approved courses of studies and having satisfied the requirements
- 16 prescribed by the Academy under this Bill;
- 17 (g) Conduct research in relevant fields of learning and other human
- 18 endeavours;
- 19 (h) Engage top quality lecturers, instructors and other staff of
- 20 international standards aimed at creating a centre of excellence in mandate
- 21 fields of study in the Academy;
- 22 (i) Withdraw from, any Officer of the Academy, for good cause,
- 23 Masters degree, Doctorate degree, Professional certificate, fellowship,
- 24 studentship, bursary, medal, prize or other academic titles as deemed
- 25 appropriate by the Academy;
- 26 (j) Demand and receive from students, except Officers from the
- 27 Nigeria Police for the purpose of instructions such fees as the Academy, may
- 28 from time to time, determine;
- 29 (k) Accept gifts, legacies and donations provided that the terms and
- 30 conditions attached to such gifts, legacies or donations are not inconsistent

1 with the objectives and purpose for the establishment of the Academy;

2 (l) Erect, provide, equip and maintain libraries, parade grounds,  
3 laboratories, lecture halls, halls of residence, refectories, sports grounds,  
4 playing fields and other buildings as are necessary for the carrying out of the  
5 objectives of the Academy under this Bill;

6 (m) Hold public and inaugural lectures, symposia and seminars;

7 (n) Undertake printing, publishing and selling of books and journals  
8 of the Academy; and

9 (o) Undertake such other activities considered appropriate for a  
10 Postgraduate degree-awarding Academy of the highest standard and do all  
11 such acts or things that are incidental to the attainment of objectives, functions  
12 and powers of the Academy under this Bill.

13 (2) The Academy shall subject to any limitations or conditions  
14 imposed by statute:

15 (a) Invest any money belonging to the Academy by way of  
16 endowment, whether for general or special purposes, with power to vary any  
17 such investment, from time to time;

18 (b) Invest such other monies as may not be immediately required for  
19 current expenditure in any investment or securities and in the purchase or  
20 improvement of land, with power to vary any such investments from time to  
21 time;

22 (c) Deposit any monies for the time being not invested with any  
23 approved bank on deposit or current account; or

24 (d) Borrow, whether on interest or not and if need be upon the security  
25 of any of the property movable or immovable of the Academy, such monies as  
26 the Council may from time to time require or expedient to borrow or to  
27 guarantee any loan, advances or credit facilities.

Establishment  
of Nigeria Police  
Academy Council

28 4. There is established for the Academy a Council to be known as the  
29 Nigeria Police Academy Council (in this Bill referred to as "The Council")  
30 which shall:

- 1 (a) Initiate or approve the policy of the Academy, and  
 2 (b) Give the Academy directions on general or specific matters.

3 **5.** The council shall consist of:

Membership of  
the Council

4 (a) The Minister responsible for Police Affairs or his representative  
 5 as Chairman;

6 (b) The Permanent Secretary responsible for Police Affairs or his  
 7 representative;

8 (c) The Inspector-General of Police or his representative;

9 (d) The Chairman of Police Service Commission or his  
 10 representative;

11 (e) The Commandant of the Academy;

12 (f) The Provost of the Academy;

13 (g) The Director of Police Services in the Ministry responsible for  
 14 Police Affairs;

15 (h) Permanent Secretary responsible for Education or his  
 16 representative;

17 (i) The Deputy Inspector-General of Police in charge of Training  
 18 and Development or his representative;

19 (j) Executive secretary of National Universities Commission or his  
 20 representative;

21 (k) Four persons appointed by the Senate of the Academy from  
 22 among its members;

23 (l).Three persons appointed by the President and Visitor to  
 24 represent civil society organisations working on Police or public service  
 25 reforms, human rights and transparency or gender related issues; and

26 (m) The Registrar of the Academy, who shall be Secretary to the  
 27 Council.

28 **6.-(1)** The council shall:

Functions and  
Powers of the  
Council

29 (a) Exercise control and supervise the policy, finances, public  
 30 relations and property of the Academy;

- 1 (b) Appoint the Academy Provost, professors and other academic and  
2 administrative staff of the Academy;
- 3 (c) Stipulate the terms and conditions of every appointment and  
4 determine the remuneration of the principal officers and other staff of the  
5 Academy that are not Police Officers and scope of their responsibilities;
- 6 (d) Promote and discipline erring staff of the Academy that are not  
7 Police Officers on the advice of the appropriate committee;
- 8 (e) Consider and approve the Academy's annual budget or estimates,  
9 external auditor's report and variation therein;
- 10 (f) Approve recommendations made for the appointment of emeritus  
11 professors;
- 12 (g) Appoint bankers, auditors or any other officers or agents that may  
13 be required for the Academy;
- 14 (h) Ensure that proper records of the assets and liabilities of the  
15 Academy are kept;
- 16 (i) Have power to make regulations for the effective implementation  
17 of the provisions of this Bill and may recommend any amendment to this Bill;
- 18 (j) Ensure that income and expenditure account and any other  
19 accounts of the Academy are kept and audited annually by auditors appointed  
20 by the council with the audit report submitted to the Council;
- 21 (k) Approve the academic and Police Curriculum of the Academy;
- 22 (l) Provide facilities and buildings including libraries, classrooms,  
23 lecture theatres, medical facilities, hostels, work stations, laboratories, parade  
24 grounds, road networks, street lights, water, sports facilities, stadia, furniture  
25 and other facilities needed for the carrying on the mandate of the Academy  
26 under this Bill in collaboration with relevant Authorities;
- 27 (m) Receive report from any committee set up by the Council of the  
28 Academy;
- 29 (n) Set criteria for admission into the Academy and constitute the  
30 Admission Selection Board; and

1 (o) Exercise all such powers as may be conferred on the Council by  
2 this Bill or by any regulation made pursuant to this Bill.

3 (2) The Council may delegate any of its powers or functions to any  
4 person, authority or committee except for its powers to approve any  
5 regulation made pursuant to this Bill;

6 (3) Approve the creation for any Office, Department or Committee  
7 as may be considered necessary or expedient for the smooth running of the  
8 Academy.

9 7.-(1) The Council shall meet as at when required for the  
10 performance of its functions under this Bill and in accordance with the  
11 provisions of the First Schedule to this Bill.

First meetings  
of the Council,  
Academy Board  
and Senate

12 (2) The first meeting of the Council under this Bill shall be  
13 convened by the Chairman in such manner as he may determine.

14 (3) The first meeting of the Academy Board under this Bill shall be  
15 convened by the Commandant on such date and in such manner as he may  
16 determine.

17 (4) The first meeting of the Senate as Constituted in this Bill shall  
18 be convened by the Provost of the Academy on such date and in such manner  
19 as he may determine.

20 8.-(1) The Office of a member of the Council shall become vacant  
21 if:

Removal of a  
Members of Council  
from Office

22 (a) He ceases to hold the Office on the basis of which he became a  
23 member of the Academy; or

24 (b) The President is satisfied that it is not in the interest of the  
25 Academy or of the public for the person to continue in Office as a member of  
26 the Council of the Academy.

27 (3) Where the Council is satisfied that a member of the Council  
28 should be removed from Office on grounds of misconduct, unsound  
29 mind/insanity, inability to perform the functions of the Office or elevated to  
30 a rank higher than that required for the appointment into the Office, the

Appointment  
and Tenure of  
the Commandant  
of the Academy

1 Council shall make a recommendation to the President through the Minister  
2 and the President, after making such enquiries which he considers necessary,  
3 may approve the recommendation made by the Council and may by an  
4 instrument in writing signed by him, remove or suspend that member from  
5 Office.

6 PART II - PRINCIPAL OFFICERS AND OTHER STAFF OF THE ACADEMY

7 **9.-(1)** The Police Service Commission, shall on the recommendation  
8 of the Inspector-General of Police, appoint for the Academy, a Commandant,  
9 who shall be a member of the Nigeria Police Force.

10 (2) A person to be appointed the Commandant for the Academy shall  
11 not be below the rank of Assistant Inspector-General of Police with a minimum  
12 qualification of Doctorate Degree from a recognized university.

13 (3) The person so appointed shall hold Office for a single term of Five  
14 (5) years.

15 (4) The Commandant shall:

16 (a) Be the Chief Executive and Chief Accounting Officer of the  
17 Academy;

18 (b) Be responsible for the day-to-day administration of the Academy;

19 (c) Keep the books and records of the Academy;

20 (d) Be responsible for the presentation of programmes and plans for  
21 the approval of the Council, as are necessary to carry into effect approved  
22 policy or any directive of the Council;

23 (e) Hold Office in accordance with Police posting regulations and be  
24 accountable to the council; and

25 (f) Carryout any other duties as may be assigned to him under this Bill  
26 or by the Council.

Removal from  
Office of  
Commandant  
of the Academy

27 **10.-(1)** A person so appointed as the Commandant shall be eligible for  
28 removal from Office under the following circumstances:

29 (a) On condition of gross misconduct;

30 (b) Unsound mind or insanity;

1 (c) Failure to perform the functions of his Office; and

2 (d) Where he is elevated to a rank higher than that required for the  
3 appointment into the Office.

4 **11.-(1)** The Police Service Commission, shall on the  
5 recommendation of the Inspector-General of Police, appoint for the  
6 Academy, a Deputy-Commandant for the Academy who shall be a member  
7 of the Nigeria Police Force.

Appointment and  
Tenure of the Deputy  
Commandant of  
the Academy

8 (2) A Person to be appointed the Deputy-Commandant for the  
9 Academy shall not be below the rank of Commissioner of Police, with a  
10 minimum qualification of Masters Degree from a recognized university.

11 (3) The Deputy Commandant shall assist the Commandant in the  
12 Day-to-day administration of the Academy and in all matters relating to  
13 professional training of Police Officers in the Academy or any other  
14 responsibility as may be assigned by the Commandant or the Council to him.

15 (4) In the Absence of the Commandant, the Deputy Commandant  
16 shall act in his stead and be accountable to the Commandant.

17 **12.-(1)** A person so appointed as the Deputy Commandant shall be  
18 eligible for removal from Office under the following circumstances:

Removal from  
office of the Deputy  
Commandant of  
the Academy

19 (a) On condition of gross misconduct;

20 (b) Unsound mind or insanity;

21 (c) Failure to perform the functions of his Office; and

22 (d) Where he is elevated to a rank higher than that required for the  
23 appointment into the Office.

24 **13.-(1)** There shall be appointed for the Academy, a Provost by the  
25 Academy Governing Council who shall in relation to the Academy, be  
26 accorded priority over all other members of the Academy except the  
27 Chairman of the Council and the Commandant.

Appointment and  
Tenure of the Provost  
of the Academy

28 (2) The Provost shall hold Office for a non-renewable single term  
29 of Five (5) years.

30 (3) Subject to the provisions of this Bill, the Provost of the

1 Academy shall be:

2 (a) A professor with pedigree of proven performance and academic  
3 excellence;

4 (b) Responsible for directing and coordinating the academic activities  
5 in the Academy;

6 (c) Perform such other functions as may be assigned to him by the  
7 Council and the Commandant;

8 (d) Under the direction of the commandant the Provost shall be the  
9 Chairman of the Academic and Police Curriculum Committee for the  
10 commissioning of the Police Officers;

11 (3) The Provost shall be a member of the Council, Chairman of the  
12 Academic and Police Curriculum Committee or any Committee constituted by  
13 any of the bodies under the Academy in this Bill.

Removal from  
office of the  
Provost of the  
Academy

14 **14.-(1)** A person so appointed as the Provost shall be eligible for  
15 removal from Office under the following circumstances:

16 (a) On condition of gross misconduct;

17 (b) Unsound mind or insanity;

18 (c) Failure to perform the functions of his Office; and

19 (d) Fraudulent Academic Practices.

Procedure for  
the appointment  
of the Provost

20 **15.-(1)** The provost of the Academy shall be appointed following an  
21 interview conducted for candidates of professoral rank by a panel of the  
22 Council, which shall be composed of:

23 (a) The Permanent Secretary in the Ministry responsible for Police  
24 Affairs;

25 (b) Deputy Inspector-General of Police responsible for Training and  
26 Development;

27 (c) Commandant of the Academy;

28 (d) Representative of the National Universities Commission;

29 (e) Two members of the senate; and



1 (f) Registrar of the Academy who shall serve as the Secretary to the  
2 Panel.

3 (2) The recommendation of the interview panel shall be presented  
4 to the Council and the Council shall in turn, deliberate and make the final  
5 decision on the candidate to be appointed as the Provost of the Academy.

6 **16.**-(1) There shall be appointed for the Academy, a Registrar, who Registrar of the  
7 shall be an excellent administrator and the Chief Administrative officer Academy  
8 responsible to the Commandant for the day- to-day administration of the  
9 Academy other than financial affairs of the Academy.

10 (2) The Registrar shall, by virtue of his Office, be the Secretary to  
11 the Council, the Academic and Police Curriculum Committee and the  
12 Convocation for the commissioning of Officers and all other statutory  
13 bodies and committees and shall carry out any function as may be assigned  
14 to him under this Bill or by the Council and the Commandant.

15 (3) The Registrar shall be a serving Police Officer not below the  
16 rank of an Assistant Commissioner of Police.

17 (4) The Registrar must possess a minimum qualification of a  
18 Doctorate degree and must have previously served in the Academy or any  
19 Police training institutions for at least two years.

20 **17.**-(1) There shall be for the Academy, a Bursar who shall be a Bursar of the  
21 Police Officer not below the rank of Assistant Commissioner of Police. Academy

22 (2) The Bursar must possess a Masters degree or its equivalent in  
23 Accounting and/or numerate courses and professional Accounting  
24 qualification(s).

25 (3) He shall be the Chief Financial Officer of the Academy and be  
26 responsible to the Commandant for the day-to-day administration and  
27 control of the financial affairs of the Academy.

28 **18.**-(1) There shall be for the Academy, a Librarian, who shall be a Librarian of the  
29 Police Officer not below the rank of Assistant Commissioner of Police. Academy

30 (2) The Librarian must possess a Masters degree in Library Science

	1	and be responsible to the Provost of the Academy for the day-to-day
	2	administration of the Library in the Academy, coordination of all library
	3	services in the Academy.
Appointment and tenure of the Registrar, Bursar and Librarian of the Academy	4	<b>19.</b> The Registrar, Bursar and Librarian shall by their appointment in
	5	the Academy hold Office for a term of Four (4) years renewable for another
	6	term of four years subject to their satisfactory performance and no more.
Remuneration of Principal Officers of the Academy	7	<b>20.</b> The Principal Officers specified under this part of the Bill shall be
	8	paid such remuneration on such terms and conditions as may be specified in
	9	their respective instrument of appointment.
Resignation of Appointments in the Academy	10	<b>21.</b> Except for the Commandant and Deputy Commandant, any other
	11	Officer mentioned under this Bill may resign his/her appointment by notice in
	12	writing addressed to the Commandant.
Appointment of other staff of the Academy	13	<b>22.-(1)</b> There shall be appointed by the Council for the Academy other
	14	Officers of directorate cadre, such as:
	15	(a) Director of Academic Planning;
	16	(b) Director of Public Planning;
	17	(c) Director of Health Services, who shall be a serving Police Medical
	18	Doctor;
	19	(d) Director of Legal Services, who shall be a serving Police Officer
	20	not below the rank of Deputy Commissioner of Police;
	21	(e) Director of Information Communication Technology;
	22	(f) Director of Police Affairs, who shall be a serving Police Officer not
	23	below the rank of Deputy Commissioner of Police;
	24	(g) Director of Police Training and Courses, who shall be a serving
	25	Police Officer not below the rank of Deputy Commissioner of Police;
	26	(h) Director of Works, who shall be a serving Police Officer not below
	27	the rank of Deputy Commissioner of Police;
	28	(i) Director of Administration; who shall be a serving Police Officer
	29	not below the rank of Deputy Commissioner of Police; and
	30	(j) Any other Director as may be appointed by the Council.

1 (2) Notwithstanding the provisions of subsection (1) of this  
2 Section, the Inspector-General of Police shall post the Officers listed in  
3 paragraphs (c), (d), (0, (g), (h) and (i) of subsection (1) of this section.

4 (3) The Senate shall on behalf of the Council appoint for the  
5 Academy Deans of Faculties, Head of Departments and other teaching and  
6 research units of the Academy as may be specified by the Council.

7 **23.**-(1) Service in the Academy shall be approved service for Service in the  
8 purposes of the Pension Reform Act and accordingly employees of the Academy to be  
9 Academy shall, in respect of their services, be entitled to Pensions and other Pensionable  
10 retirement benefits as are enjoyed by persons holding equivalent Offices in  
11 the Public Service of the Federation.

12 (2) For the Police Officers serving in the Academy, the existing law  
13 on Pension for Police Officers shall apply.

14 (3) Notwithstanding the provisions of Subsection (1) of this  
15 section, nothing in this Bill shall prevent the appointment of a person to any  
16 Office on terms which preclude the grant of Pension in respect to that Office.

17 PART III - FINANCIAL PROVISIONS

18 **24.**-(1) There is established for the Academy, a fund which shall Fund of the  
19 consist of: Academy

20 (a) Budgetary and extra budgetary allocations received from the  
21 Government of the Federation including grants and annual subventions;

22 (b) Gifts, loans, endowment, grants-in-aids, testamentary  
23 disposition, donations, bequest or other voluntary contributions where the  
24 terms and conditions attached are not inconsistent with the functions of the  
25 Council;

26 (c) All foreign aids and monetary assistance received by the  
27 Council under any agreement or arrangement with any international body or  
28 organization with the approval of the Government of the Federation;

29 (d) Monies paid as fees to the Academy by students other than  
30 Police Officers;

1 (e) Fees, charges, dues or monies, publications and services rendered  
2 by the Academy;

3 (f) Revenue accruing to the Academy, including interests accruing  
4 from monies invested by the Academy; and

5 (g) Such other monies as may be received by the Academy from  
6 investments and any other money accruing to the Academy from other sources.

7 (2) Any money received by the Academy in form of endowments,  
8 gifts or donations shall be entered in a register kept for the purpose, showing  
9 the names of donors and any special conditions attached, where such money is  
10 accepted by the Academy.

11 (3) Any property, money or funds donated for a specified purpose  
12 shall be applied, administered and expended specifically for the purpose it was  
13 meant.

14 (4) The fund established pursuant to Subsection (1) of this section  
15 shall be managed in accordance with extant Financial Regulations applicable  
16 in the Public Service of the Federation.

17 (5) Any money withdrawn from the fund established in subsection (1)  
18 of this section shall be applied for the specific purposes for which it was  
19 withdrawn.

20 (6) The Academy may apply the fund established under subsection (1)  
21 of this section:

22 (a) To pay the costs of administration, charges and expenses of the  
23 Academy;

24 (b) To discharge the cost of maintaining the Main Campus and other  
25 campuses of the Academy;

26 (c) For the development and maintenance of any property used vested  
27 in or owned by the Academy;

28 (d) For the payment of the allowances and other benefits of members  
29 of the Council or any committees set by it;

30 (e) For payment of emoluments, allowances, benefits and other

1 entitlements of the Principal Officers and other staff of the Academy;

2 (f) For payment for all purchases made by the Academy and the  
3 training of members of its staff;

4 (g) For provision of scholarships, bursaries and awards for  
5 specialized training of members of staff of the Academy;

6 (h) For payment to publicize and promote the activities of the  
7 Academy;

8 (i) For payments for the support of national and international  
9 scientific and professional organizations;

10 (j) For payments of annual and other subscriptions and  
11 contributions to national and international scientific and professional  
12 organizations;

13 (k) For the payment of all consultancies, legal fees and costs of  
14 contracts awarded by the Academy; and

15 (l) For any other expenditure as may be approved by the Council,  
16 from time to time, in connection with all or any of its functions and powers  
17 under this Bill.

18 **25.-(1)** The Academy may accept gift of land, money or other Power to accept  
gift  
19 property on such terms and conditions, if any, as may be specified by the  
20 person or organisation making the gift.

21 (2) The Academy shall not accept any gift, if the terms and  
22 conditions attached by the person or organization making the gift are  
23 inconsistent with the provisions of this Bill.

24 (3) All property, money or funds donated for any specific purpose  
25 shall be applied and administered in accordance with the purpose for which  
26 they were donated and shall be accounted for, specifically.

27 **26.** The Academy with the approval of the president, borrow such Power to borrow  
28 sums by way of loan, overdraft or from any other source, as may be required  
29 for the performance of its functions and meeting its obligations under this  
30 Bill; and any interest payable on monies so borrowed shall be paid out of the

	1	fund of the Academy.
Financial Year and Academic Calender	2	<b>27.-(1)</b> The financial year of the Academy shall commence on the 1st
	3	day of January of each year and end on the 31st day of December of the same
	4	year or any such time as may be prescribed by the financial regulations issued
	5	by the Federal Government of Nigeria from time to time.
	6	(2) The Council shall determine the academic calendar of the
	7	Academy.
Accounts and Audit	8	<b>28.-(1)</b> The Academy shall keep proper accounts and records of its
	9	receipts, payments, assets and liabilities in respect of each year manually and
	10	electronically and shall:
	11	(a) Cause the accounts to be audited, within three months from the end
	12	of each financial year, by auditors appointed from the list and in accordance
	13	with the guidelines issued by the Auditor- General for the Federation; and
	14	(b) Prepare a Statement of Account in respect of each year in such
	15	form and manner as may be approved by the Federal Government from time to
	16	time.
	17	(2) An Auditor appointed pursuant to subsection (1) of this section
	18	shall:
	19	(a) Have access to all accounts and other records relating to such
	20	accounts as are kept by the Academy and shall have the power to require from
	21	any staff of the Academy such information and explanation as in the Auditor's
	22	opinion are necessary for the purpose of the audit; and
	23	(b) Be paid from the funds of the Academy.
	24	(3) The Audited accounts and records of the Academy shall be
	25	submitted to the Council for consideration and subsequently forwarded to the
	26	Auditor-General of the Federation.
Annual Estimates and Budget	27	<b>29.-(1)</b> The Academy shall not later than the 31st of March of each
	28	financial year or such earlier date as the Council may determine, prepare and
	29	submit an estimate of its income and expenditure for the next succeeding year
	30	to the Council for consideration and submission to the Minister for onward

1 transmission to the National Assemblé for approval.

2           **30.** The Council shall cause to be prepared, an Annual Report, Annual Report  
3 which shall include the Audited Accounts of the Academy for the previous  
4 financial year and a statement of its Assets and Liabilities as at the last day of  
5 the financial year.

6           **31.** All monies received on account of the Academy shall be paid Bank Account  
7 into such accounts as may be approved to be opened by the Councilor any  
8 account designated by the Federal Government of Nigeria.

9           PART IV - TRANSFER OF PROPERTY TO THE ACADEMY

10           **32.** All property held by or on behalf of the Academy by any Transfer of property  
11 provisional Council, planning and implementation committee or any to the Academy  
12 interim body by whatsoever name called, shall by virtue of this Bill and  
13 without further assurances vest in the Academy and such property shall be  
14 held for the purpose of this Bill.

15           **33.** The Council shall not dispose of or charge any land or an Restriction on  
16 interest in any landed property including any land transferred to the disposal of landed  
17 Academy by this Bill, held by or on behalf of the Academy except with the property of the  
18 prior consent and approval of the Visitor. Academy

19           **34.** Compulsory Acquisition of Land for Overriding Public Interest Compulsory  
20 Subject to the Land Use Act, which provides for the compulsory acquisition acquisition of Land  
21 of land for overriding public interest, any requirement of land by the for overriding  
22 Academy shall be deemed to be for the overriding public interest purpose of public interest  
23 the Federation.

24           PART V - MISCELLANEOUS

25           **35.-(1)** The Visitor may, as circumstances require, not being less Visitation  
26 than once in every five years, conduct a visitation to the Academy or cause a  
27 visit to be made to the Academy by such persons as the Visitor may appoint  
28 to look into any of the affairs of the Academy where the need arises.

29           (2) It shall. be the duty of the bodies or persons in the Academy to:

30           (a) Make available to the visitor or to the persons conducting a

	1	visitation under this section, such facilities and assistance as may be
	2	reasonably required for the purposes of the visit; and
	3	(b) Comply with any instruction that is consistent with the provisions
	4	of this section, which may be directed by the Visitor in consequence of his visit.
Commissioning of Police Officers	5	<b>36.-(1)</b> An Officer shall be commissioned by the Order of the
	6	President after successful completion of Postgraduate studies or such other
	7	professional studies and fulfilling all Academic and Police Curriculum
	8	requirements of the Academy as provided in this Bill.
	9	(2) Any Officer withdrawn before being commissioned on
	10	disciplinary grounds or such other grounds except on medical or
	11	compassionate grounds shall not be granted use of the Academy degree,
	12	certificate or transcript, as the case may be.
	13	(3) Officers on training in the Academy shall be entitled to monthly
	14	allowance as may be determined from time to time, by the Council, on the
	15	recommendation of the Finance and General purposes Committee of the
	16	Academy.
Exclusion or Discrimination on account of race, religion, etc.	17	<b>37.-(1)</b> Officers of the Academy shall not be required to satisfy any
	18	requirements as to race, including ethnic group, sex, place of birth or family
	19	origin, religious or political persuasion, as a condition to becoming or
	20	continuing to be Officers at the Academy, the holder of any degree of the
	21	Academy or of any appointment or employment in the Academy or as a
	22	member of anybody established pursuant to this Bill.
	23	(2) A person shall not be subjected to any disadvantage or accorded
	24	any advantage in the Academy, by reference to any of the matters specified in
	25	subsection (1) of this Section.
Supremacy of the Police Act	26	<b>38.</b> Where any of the provisions of this Bill relating to matters
	27	affecting the appointment, promotion and discipline of an Officer is
	28	inconsistent with the Police Act, the provisions of the Police Act shall prevail.
Implementation of Policies of the Academy	29	<b>39.</b> Any policy initiated by the Academy, other than as provided for in



1 section 4 of this Bill, shall not be implemented without prior approval of the  
2 Council.

3 **40.**-(1) Bodies established under this Bill, shall have the power to  
4 constitute committees consisting of members of that body and shall be  
5 subject to the provisions of sections 6(2) of this Bill, authorize a committee  
6 established by it to exercise on its behalf, such functions as may be delegated  
7 to the committee.

Establishment of  
Committees, etc.

8 (2) Subject to subsection (1) of this section, any two or more of the  
9 bodies established by this Bill may arrange for the holding of joint meetings  
10 of those bodies or for the appointment of committees consisting of members  
11 of those bodies for the purpose of considering any matter with the  
12 competence of those bodies or any of them and either of dealing with it or  
13 reporting on it to those bodies or any of them.

14 (3) Except as may be otherwise provided under this Bill, statute or  
15 regulations to regulate the quorum and procedure of any committee or  
16 subcommittee established under this Bill shall be such as may be determined  
17 by the body constituted.

18 (4) Nothing in subsections, (1), (2) and (3) of this section shall be  
19 construed as enabling the council to empower any other body to make  
20 statute, regulations or to award degree or other qualification of the Academy.

21 **41.**-(1) The seal of the Academy shall be such as may be  
22 administered by the Council and the affixing of the seal of the Academy shall  
23 be signed by the Commandant and the Registrar.

The seal of the  
Academy

24 (2) Academic Certificates issued by the Academy shall have the  
25 Academy seal affixed and signed by the Provost and the Registrar of the  
26 Academy.

27 (3) Any contract or instrument which, if made or executed by a  
28 person not being a body corporate, would not be required to be under seal,  
29 may be made or executed on behalf of the Academy by any authorized  
30 person.

Regulations,  
Rules and  
Guidelines

1 (4) Any division established in the Academy and designated by statute  
2 as a faculty shall be organized in accordance with the provisions of the second  
3 schedule to this Bill.

4 **42.**-(1) The Council may make Statutes, Regulations, Rules or  
5 Guidelines to regulate the carrying out of any activities and programmes of the  
6 Academy or Authority or any matter connected with the Academy or for the  
7 effective implementation of any of the provisions of this Bill.

8 (2) Subject to the provisions of subsection (1) of this Section, the  
9 Council shall have power to amend its Statutes, Regulations, Rules or  
10 Guidelines made under this Bill provided that the proposal for amendment  
11 shall be passed by two-third majority of the Council members.

12 (3) Notwithstanding the provisions of subsection (2) of this Section,  
13 the Council shall have power to approve, amend or reject any proposal for  
14 amendments as may be deemed necessary.

15 (4) Where under this Bill it is provided that proposals or  
16 recommendations are to be made and submitted by one authority or to more  
17 immediate authorities, it shall be the duty of every such authorities to forward  
18 such proposal or recommendation received by it to the appropriate authority  
19 and such intermediate authority may if it deems fit, forward therewith its own  
20 comments on such proposal or recommendation.

Transitional  
Arrangements

21 **43.**-(1) Subject to the provisions of this Bill, the provisions of the  
22 Public Officers Protection Act shall apply to any suit instituted against the  
23 Academy, an officer or employee of the Academy.

24 (2) No suit shall lie or be instituted in any court against the Academy, a  
25 member of the Council, any principal officer or employee of the Academy, for  
26 an action carried out in pursuance or execution of this Bill or any enactment or  
27 law, or of any public duty or authority in respect of any alleged neglect or  
28 default in the execution of this Bill or any other enactment or law, duty or  
29 authority, unless it is commenced:

30 (a) Within three months of such act, neglect or default complained of;

1 (b) In the case of a continuation of damages or injury, within six  
2 months next after the ceasing of the act, neglect or default.

3 (3) No suit shall be commenced against the Academy, a member of  
4 the Council, any Principal Officer or employee of the Academy before the  
5 expiration of a period of one month after written notice of the intention to  
6 commence the suit has been served on the Academy by the intending  
7 plaintiff or his agent.

8 (4) The notice referred to in subsection (3) of this section shall  
9 clearly and explicitly state the cause of action, the particulars of the claim,  
10 the name and place of abode of the intending plaintiff and the relief sought.

11 (5) The notice referred to in subsection (1) of this section and any  
12 summons, notice or other document required or authorized to be served on  
13 the Academy under this Bill or any other law, may be served by:

14 (a) Delivering it to the Commandant of the Academy; or

15 (b) Sending it by registered post addressed to the Commandant of  
16 the Academy at the Main Campus of the Academy.

17 **44.** In any action or suit against the Academy, no execution shall be  
18 levied or attachment process issued against the Academy unless not less than  
19 30 days' notice of the intention to execute or attach has been given to the  
20 Academy.

Limitation of law  
suit against the  
Academy

21 **45.** A member of the Council, Principal Officer or employee of the  
22 Academy shall be indemnified out of the assets of the Academy, against any  
23 proceedings brought against him in his capacity as a member of the Council,  
24 Principal Officer or employee of the Council where the act complained of is  
25 not ultra vires his powers.

Indemnity of  
officers of the  
Academy

26 **46.-(1)** No civilian personnel employed in any capacity whether or  
27 not a member of a trade union shall engage or take part in any union  
28 activities.

Union activities

29 (2) Any civilian who contravenes the provisions of subsection (1)  
30 of this Bill shall be guilty of an offence and liable on conviction to a fine of

	1	not less than N100,000,.00 (one hundred thousand naira) and not more than
	2	N200,000.00 (two hundred thousand naira) or to imprisonment of not less than
	3	six months or to both.
Interpretation	4	<b>47.</b> In this Act, unless the context otherwise requires:
	5	"Academic staff" means a member of staff of the Academy whose sole and
	6	primary responsibility is teaching, research and community service;
	7	"Academic year" means two semesters covered by a period of not more than
	8	twelve calendar months within which students must complete a level of study;
	9	"Administrative staff" means those persons in the employment of the Academy
	10	other than academic staff who hold administrative, professional or technical
	11	posts;
	12	"Alumni Association" means any association recognized by the Council as
	13	being representative of graduates or former students of the Academy;
	14	"Approving authority" means the Federal Executive Council;
	15	"Academy" means the Nigeria Police Academy, Dukku, Gombe;
	16	"Council" means the Council established under section 7 of this Act;
	17	"Commandant" means the Commandant of the Nigeria Police Academy,
	18	Wudil, Kano;
	19	"Deputy Commandant" means the Deputy Commandant of Academy;
	20	"Graduate" means a person on whom a degree other than an honorary degree
	21	has been conferred by the Academy;
	22	"Faculty" means any Faculty established by the Academy;
	23	"Functions" includes powers and duties;
	24	"Instructor or Lecturer" means a person holding a full time appointment as a
	25	member of the teaching or research or instructing staff of the Academy;
	26	"Minister" means the Minister of the government of the Federation responsible
	27	for Police Affairs;
	28	"Nigeria Police" means the Nigeria Police Force established under the
	29	Constitution of the Federal Republic of Nigeria;
	30	"Notice" means notice in writing;

1 "Officer" means a staff of senior rank holding an administrative post, but  
2 does not include Visitor and members of the Council;

3 "Postgraduate" means students pursuing or continuing formal education  
4 after graduation from an institution of higher learning including students  
5 pursuing programmes whose entry requirements are Bachelor's degree or  
6 Higher National Diploma from a recognized university or polytechnic;

7 "Prescribed" means prescribed by Law, Statutes or Regulations;

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

9 "Principal Officer" means the officers mentioned in Part II of this Bill;

10 "Professor" means a person designated as a professor of the Academy in  
11 accordance with provision made in that behalf by Statute or by Regulation;

12 "Property" means rights and assets;

13 "Regulations" means rules and regulations made pursuant to the provisions  
14 of this Bill,

15 "Student" means a person who is not a Nigerian Police Officer but admitted  
16 into the Academy for the purpose of being trained; and

17 "Visitor" means the President, Commander-in-Chief of the Armed Forces of  
18 the Federal Republic of Nigeria who is also the Proprietor of the Academy.

19 **48.** This Bill may be cited as the Nigeria Police Academy Dukku Short title  
20 (Establishment, Etc) Bill, 2022.

## 1 FIRST SCHEDULE

## 2 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

3 *Proceedings of the Council*

4 1.-(1) Subject to the provisions of this Bill, the Council may make  
5 standing orders regulating its proceedings or any of its committees.

6 (2) Questions for determinations shall be decided by a majority of the  
7 members present and voting and in the event of equality of votes, the chairman,  
8 shall have a second or casting vote.

9 (3) Standing orders made for a committee shall provide for the  
10 committee to report to the Council on any matter referred to it by the Council.

11 (4) The quorum of the Council shall be one-third of the members of  
12 the Council and the quorum of a committee of the Council shall be fixed by the  
13 Council.

14 (5) The Council may invite any person to attend and participate at any  
15 of its meetings provided that a person so co-opted shall only be in attendance  
16 and shall not count towards the quorum or vote at the meeting.

17 *Meetings of the Council*

18 2.-(1) The Council shall meet as and when necessary for the  
19 performance of its functions under this Bill and shall meet at least twice a year  
20 in accordance with the provision of this Schedule.

21 (2) At any meeting of the Council, the Chairman shall preside or in his  
22 absence, the members present at the meeting, shall appoint one of their  
23 members to preside.

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

29 (4) Notwithstanding anything in the foregoing provisions of this  
30 paragraph, the inaugural meeting of the Council shall be summoned by the

1 Commandant in consultation with the Minister.

2 *Committees*

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

5 (2) A Committee appointed under this paragraph shall consist of  
6 the number of persons determined by the Council of whom not more than  
7 two thirds may be persons who are not members of the Council.

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

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

13 *Miscellaneous*

14 4.-(1) The fixing of the seal of the Council shall be authenticated by  
15 the signature of the Chairman, the Registrar or any other members of the  
16 Council authorized generally or specially by the Council to act for that  
17 purpose.

18 (2) Any contract or instrument which, if made or executed by a  
19 person not being a body corporate, would not be required to be sealed, may  
20 be made or executed on behalf of the Council, by any person generally or  
21 specially authorized by the Bill, for that purpose by the Council.

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

25 (4) The validity of any proceedings of a committee of the Council  
26 shall not be adversely affected by any vacancy in membership of the Council  
27 by any defect in the appointment of a member of the Council or of a person to  
28 serve on the committee, or by reason that a person not entitled to do so took  
29 part in the proceedings.

30 (5) Any member of the Council and any person holding Office on a

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

5 (6) A person shall not by reason only of his membership of the Council  
6 be treated as holding an Office in the public service of the Federation.

7 SECOND SCHEDULE

8 COMMITTEES OF THE ACADEMY

9 *Standing Committees of the Council*

10 1.-(1) For the purpose of carrying out its responsibilities under this  
11 Bill, the following standing committees are to be established by the Council:

12 (a) Finance and General Purpose Committee;

13 (b) Appointments, Promotions and Disciplinary Committee  
14 (AP&DC);

15 (c) Tenders Board;

16 (d) Academy Board; and

17 (e) Admission Selection Board.

18 (2) Provisions shall be made by Rules for the constitution and terms of  
19 reference of the Committee referred to in sub-section (1) of this section as  
20 deemed appropriate by the Council.

21 *Finance and General Purpose Committee*

22 2.-(1) There shall be a Committee of the Council to be known as the  
23 Finance and General Purpose Committee, which shall subject to the direction  
24 of the Council to exercise control over the property and the expenditure of the  
25 Academy.

26 (2) The Finance and General Purpose Committee shall consist of:

27 (a) The Chairman of the Council who shall be the Chairman of the  
28 Committee at any meeting at which he is present;

29 (b) The Commandant;

30 (c) five other members of the Council appointed by the Council; and



- 1 (d) two members appointed by the Senate.
- 2 (3) The functions of the Finance and General Purpose Committee
- 3 shall be to:
- 4 (a) consider and make recommendation to the Council on the draft
- 5 annual estimate of income and expenditure for each financial year;
- 6 (b) advice the Council on deposits and investments of money
- 7 belonging to the Academy;
- 8 (c) recommend to the Council rules and procedures in the Financial
- 9 Regulation for the control of expenditure and administration of Academy's
- 10 finances;
- 11 (d) consider and decide on request for variation within the
- 12 approved annual estimates from any unit of the Academy, subject to the
- 13 approval of the Council;
- 14 (e) advice the Council on any matter relating to the development of
- 15 the Academy sites as may be referred to it by the Council;
- 16 (f) carry out any other function as may be delegated to it from time
- 17 to time by the Council.
- 18 (4) The quorum of the Committee shall be five members including
- 19 the Chairman and the Commandant.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Police Academy Dukku as a Postgraduate Degree awarding Institution to provide academic and professional training.



# A BILL

## FOR

AN ACT TO ESTABLISH FEDERAL MEDICAL CENTER KUBAU, KADUNA  
STATE, TO BE RESPONSIBLE FOR PROVIDING ALL KINDS OF HEALTHCARE  
TO ALL NIGERIANS AND FOR RELATED MATTERS

*Sponsored by Hon. Hamisu Ibrahim*

[ ] Commencement

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

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

1 (b) a representative of:  
 2 (i) Federal Ministry responsible for Health,  
 3 (ii) Federal Ministry responsible for Finance,  
 4 (iv) Medical and Dental Council of Nigeria, and  
 5 (v) each of the six geo-political zones of Nigeria; and  
 6 (c) the Chief Medical Director of the Centre, who shall also serve as  
 7 the Secretary of the Board.

8 (3) The Board shall meet whenever the need arises or for the conduct  
 9 of its ordinary meetings for at least 4 times in a calendar year.

10 (4) Notwithstanding the provision of sub-clause (3) of this clause, the  
 11 Board may meet to conduct such other business as exigency demands in line  
 12 with the supplementary provisions contained in the Schedule to this Bill which  
 13 shall have effect with respect to the proceedings of the Board and other matters.

Resignation,  
 cessation or  
 removal from  
 membership of  
 the Board

14 **4.-(1)** A member of the Board other than the ex-officio may resign his  
 15 appointment by notice in writing addressed to the Chairman of the Board.

16 (2) A member of the Board shall cease to be a member if the member:

17 (a) lacks physical or mental capacity to perform his functions;  
 18 (b) becomes of unsound mind;  
 19 (c) becomes bankrupt; and  
 20 (d) is convicted of a felony, misconduct or of any offence involving  
 21 dishonesty.

22 (3) A member of the Board may be removed from office by the  
 23 President if he is satisfied that it is not in the interest of the Centre or public that  
 24 the member should continue in that office.

25 (4) Where a vacancy occurs in the membership of the Board, it shall  
 26 be filled by the appointment of a successor to hold office for the remainder of  
 27 the term of office of his predecessor, so that the successor shall represent the  
 28 same interest.

Functions of  
 the Board

29 **5.** The Board shall:

30 (a) generally superintends the functions of the Centre;

- 1 (b) consider and approve policy and programmes of the Centre;  
 2 (c) consider and approve appointments of the senior staff of the  
 3 Centre;  
 4 (d) consider and approve establishment of departments, divisions  
 5 and units of the Centre;  
 6 (e) consider and approve quarterly reports of the Centre; and  
 7 (d) do any other thing that is incidental to the objectives of the  
 8 Centre.

9 **6.-(1)** The Centre shall be responsible for:

Functions of the  
Centre

- 10 (a) diagnosing, preventing and treating of medical challenges in all  
 11 its ramifications;  
 12 (b) recommending to the Federal, State and Local Governments or  
 13 ways of improving healthcare services to the people;  
 14 (c) recommending to the Board establishment of Departments  
 15 Divisions and Units for the Centre;  
 16 (d) recommending to the Board general policy and administration  
 17 of the Centre;  
 18 (e) preparation of annual and long term research strategic  
 19 development plan of the Centre; and  
 20 (f) carrying out such other activities that are incidental to the  
 21 attainment of its objectives under this Bill.

22 **7.** There is established the office of the Chief Medical Director of  
 23 the Centre who shall hold office for the term of four years and renewable,  
 24 subject to satisfactory performance, for further term of four years and no  
 25 more.

Establishment  
of the office of  
the Chief Medical  
Director of the  
Centre

26 **8.** The Chief Medical Director shall be:

The Chief Medical  
Director of the  
Centre

- 27 (a) the Chief Executive and accounting officer of the Centre and  
 28 shall be charged with matters relating to day-to-day management and  
 29 operations of the Centre, and  
 30 (b) answerable to the Centre.

Resignation, or  
removal of the  
Chief Medical  
Director of the  
Centre

1                   **9.**-(1) The Chief Medical Director may resign from office by notice in  
2                   writing addressed to the Chairman of the Board.

3                   (2) The Chief Medical Director may be removed, at any time, from  
4                   office by the Centre with the approval of the Board, if the Board is satisfied that  
5                   it is not in the interest of the Centre or the public that the Chief Medical Director  
6                   continue to hold office.

Staff of the  
Centre

7                   **10.**-(1) The staff of the Centre:

8                   (a) shall be employed according to the procedure stipulated by the  
9                   Centre;

10                  (b) may be on permanent or temporary appointment, on the terms  
11                  which precludes the grant of pension and gratuity;

12                  (c) who qualify as a legal practitioner, within the meaning of Legal  
13                  Practitioners Act, shall in addition to other function, enter appearance to  
14                  prosecute or defend any matter in any court involving the Centre; and

15                  (d) shall be paid such salary and allowances as may be determined by  
16                  the Board with approval of salaries and wages commission.

Departments  
of the Centre

17                  **11.**-(1) There shall be established for the Centre, such number of  
18                  Departments, Divisions and Units as the Centre may, with the approval of the  
19                  Board, deem necessary.

20                  (2) Each Department shall be headed by a Director who shall be  
21                  professionally qualified to hold the office appointed through competitive  
22                  process.

23                  (3) Subject to the approval of the Board the Centre may create  
24                  additional departments, divisions and units as it may deem necessary to  
25                  achieve the objective of the Centre.

Establishment  
of fund for the  
Centre

26                  **12.**-(1) The Centre shall establish and maintain a fund which shall be  
27                  paid and credited:

28                  (a) all subventions and budgetary allocation from the Government of  
29                  the Federation;

30                  (b) all sums accruing to the Centre by way of fees, gifts, endowments,

1 bequests, grants or other contributions by persons and Organisations;  
 2 (c) returns on investments;  
 3 (d) foreign aid and assistance; and  
 4 (e) all other sums which may, from time to time, accrue to the  
 5 Centre.

6 (2) The Centre shall manage and apply its Fund in accordance with  
 7 the general guidelines made by the Centre, particularly on:

8 (a) general operations of the Centre;  
 9 (b) cost of payment of allowances to the cost of administration of  
 10 the Centre;  
 11 (c) payment of salaries and other allowances for the staff of the  
 12 Centre;  
 13 (d) maintenance of any property vested in the Centre; and  
 14 (e) payment of the Centre fees payable for procurement and  
 15 consultancy for the benefits of the Centre.

16 13. The Centre shall not later than 30th September each year or  
 17 other date stipulated by law or policy, submit to the Federal Ministry of  
 18 Health an estimate of expenditure or income of the Centre as approved by  
 19 the Board, for the next fiscal year, for incorporation into the National  
 20 budget.

Annual budget  
of the Centre

21 14. The Chief Medical Director shall submit to the Board quarterly  
 22 report of the activities of the Centre and the Board shall submit annual report  
 23 of its activities to the Minister.

Report

24 15.-(1) A suit shall not be filed against any member of the Board, or  
 25 any other officer or employee of the Centre for any act done in pursuance or  
 26 execution of this Bill or any other law in respect of any alleged neglect or  
 27 default in the execution of this Bill or such law or enactment, duty or  
 28 authority, shall lie in any court unless:

Limitation of  
suits against the  
Centre

29 (a) it is commenced within 3 months next after the act, neglect or  
 30 default complained of; or

	1	(b) in the case of a continuation of damage or injury, within 6 months
	2	next after the ceasing thereof.
	3	(2) A suit shall not commence against a member of the Board, the or
	4	employee of the Centre before the expiration of a period of one month after
	5	written notice of intention to commence the suit has been served upon the
	6	Centre.
	7	(3) The notice referred to in sub clause (2) of this Clause, shall clearly
	8	state the cause of action, the particulars of the claim, the name and place of
	9	abode of the intending plaintiff and the reliefs.
Service of process	10	<b>16.</b> Any document, summons, notices, process or any other thing
	11	required or authorized to be served on the Centre shall be served by delivering
	12	same at the office of the Chief Medical Director of the Centre.
Restriction on execution against property of the Centre	13	<b>17.-(1)</b> In any action or suit against the Centre, no execution or
	14	attachment of process in the nature thereof shall be issued against the Centre.
	15	(2) Any sum of money which may, by the judgment of any court, be
	16	awarded against the Centre shall, subject to any direction given by the court,
	17	where notice of appeal of the said judgment has not been given, be paid from
	18	the general reserve fund of the Centre.
Indemnity of members etc.	19	<b>18.</b> Every member of the Board, agents or employees of the Centre
	20	shall be indemnified from fund of the Centre against any liability incurred in
	21	defending any proceeding brought against the persons under this Bill, in the
	22	person's capacity as member, agent or employee of the Centre.
Citation	23	<b>19.</b> This Bill may be cited as Federal Medical Centre, Kubau
	24	(Establishment) Bill, 2022.



## 1 SCHEDULE

2 *Clause 3(4)*

## 3 SUPPLEMENTARY PROVISIONS RELATING TO THE CENTRE

4 *Proceedings of the Board*

5 1.-(1) Subject to the provisions of this Bill and other applicable  
6 laws, the Board may make standing orders regulating its proceedings.

7 (2) The Board shall meet whenever summoned by the Chairman, or  
8 if required to do so, by at least 3 members of the Board and shall meet for a  
9 minimum of 4 times in a year.

10 (3) The Chairman shall preside over the meetings of the Board and  
11 in his absence, the members of the Board shall appoint a member, from  
12 among themselves, to act as the Chairmen for that meeting.

13 *Committees*

14 2.-(1) The Board may appoint committees or sub-committees to  
15 carry out, on its behalf, such functions that the Committee shall legitimately  
16 carry out.

17 (2) The decision of the sub-committee appointed under paragraph  
18 2(1) shall have no effect until it is approved by the Main Committee.

19 *Miscellaneous*

20 3.-(1) The Secretary of the Board shall be the custodian of the seal  
21 of the Board.

22 (2) Fixing of the common seal of the Board shall be authenticated  
23 by the signature of the Chairman of the Board or some other persons  
24 authorized to do so.

25 (3) Any contract or instrument, which if made or executed by a  
26 person not being a body corporate, shall not be required to be made under  
27 seal, shall be executed on behalf of the Board by the Managing Director of  
28 the Centre or any other person authorized to do so.

29 (4) Where the Board desires to obtain an expert opinion from a  
30 person not being a member of the Board, the Board may co-opt such person

1 for such period the Board may determine, but the co-opted person shall not  
2 have the right to vote or to count in forming a quorum.

3 (5) The validity of any proceeding of the Board or of a committee  
4 shall not be adversely affected by any vacancy in the membership of the Board  
5 or Committee or by any defect in the appointment of a member of the Board.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Federal Medical Center Kubau, Kaduna State of Nigeria, to be responsible for providing all kinds of health care to all Nigerians.

# A BILL

## FOR

AN ACT TO ESTABLISH A NATIONAL AGRICULTURAL RAW MATERIALS  
PROCESSING AND DEVELOPMENT CENTRE, ORLU, IMO STATE, AND FOR  
RELATED MATTERS

*Sponsored by Hon. Jerry Alagbaoso*

[ ] Commencement

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

1 PART I - PART I - ESTABLISHMENT OF A NATIONAL AGRICULTURAL  
2 RAW MATERIALS PROCESSING AND DEVELOPMENT CENTRE,  
3 ORLU, IMO STATE

4 1.-(1) There is hereby established a body to be known the National  
5 Agricultural Raw Materials Processing and Development Centre, Orlu, Imo  
6 State (herein in this Bill referred to as "Centre").

Establishment  
of the National  
Agricultural Raw  
Materials Processing  
and Development  
Centre, Orlu, Imo  
State

7 (2). The "Centre" shall be a body corporate with perpetual  
8 succession and a common seal; and may sue and be sued in its corporate  
9 name.

10 (3) The Centre shall be sited in Orlu, in Imo State;

11 2. There is hereby established for the management of "the Centre"  
12 a governing board (in this Act referred to as the Board) which shall consist  
13 of:

Establishment of  
Management Board  
of the Centre

14 (a) Chairman, who shall be appointed by the President,  
15 Commander-in-Chief of the Armed Forces of Nigeria;

16 (b) Representatives of the following Federal Establishments:

17 (i) Three representatives of the Agricultural Research Council of  
18 Nigeria,

19 (ii) A representative from universities of technology in Nigeria;

20 (iii) A representative of the Association of Agricultural

	1	Technologist in Nigeria;
	2	(iv) A representative of Agricultural Co-operative Societies;
	3	(v) The Director - General shall be secretary to the Board;
Appointment of the Chairman and Members	4	<b>3.-(1)</b> The Chairman and members of the Board shall be appointed by
	5	the President of the Federal Republic of Nigeria;
	6	(2) Members of the Board, other than the Director - General shall be
	7	appointed by the President of the Federal Republic of Nigeria
Schedule	8	(3) The supplementary provisions set out in the schedule to this Act
	9	shall have effect with respect to the proceedings of the Board and other matters
	10	contained therein.
Tenure of office	11	<b>4.</b> The Chairman and members of the Board:
	12	(a) shall each hold office for a period of 4 years on such terms and
	13	conditions as may be specified in their letters of appointment; and
	14	(b) May be re-appointed for an additional period of 4 years and no
	15	more.
Removal from Office	16	<b>5.-(1)</b> Notwithstanding the provisions of section 2(S) of this Act the
	17	chairman or any member of the Board may at any time be removed from the
	18	office by the president for inability to discharge the functions of his office
	19	(whether arising from infirmity of mind or body or any other cause).
	20	(2) A member of the Board shall be paid such emoluments,
	21	allowances and benefits as the President of the Federal Republic of Nigeria
	22	may, from time to time approve.
	23	PART II - FUNCTIONS AND POWERS OF THE CENTRE
Functions of the Centre	24	<b>6.</b> The functions of the Centre shall be to-
	25	(a) Collate data on all agricultural raw materials available in the area
	26	and integrate to the national data base;
	27	(b) Collaborate with farmers and farming co-operatives to end
	28	wastages of farm products in the rural areas and other agricultural settlements
	29	by adopting the best preservation practices and technologies;
	30	(c) Collaborate with agricultural tools production companies towards

1 the manufacturing of agricultural machineries and technologies for  
2 preservation and refining purposes for more value addition;

3 (d) Set up distribution chains to ensure that agricultural raw  
4 materials are easily accessed by industries requiring and at lower cost  
5 compared to imported alternatives;

6 (e) Identify the various cash crops and other agricultural products  
7 within the area of location and beyond that may be further processed to earn  
8 more value for export;

9 (f) Set up distribution chains to ensure that agricultural raw  
10 materials are easily accessed by industries requiring and at lower cost  
11 compared to imported alternatives;

12 (g) Set up mini-agro-processing centres in selected communities in  
13 the coverage areas;

14 (h) Collaborate with sister organizations on research in high breed  
15 crops or seedlings in line with the regulations of the Agricultural Research  
16 Council of Nigeria;

17 (i) Commercialize their products through export to other African  
18 countries and the world over to earn foreign exchange for government;

19 (j) Maintain a data bank on all agricultural products cultivated in  
20 Nigeria with a view to improving upon their value through further refining;

21 (k) Partner with higher institutions of learning and other research  
22 institutes in Nigeria and other parts of the world in achieving her set  
23 objectives;

24 (I) Carry out any other functions that would lead to the realization  
25 of her objectives;

26 **7. The Powers of the "Centre" shall be to-**

Power of the  
Centre

27 (a) Demand and obtain relevant information, data, statistics and  
28 report on matters relating to agricultural products refining equipment and  
29 machinery as well as latest inventions;

30 (b) Liaise with relevant establishments within and outside Nigeria

Functions and  
Powers of the  
Board

- 1 in pursuance of the functions of the Centre;
- 2 (c) Initiate and implement skill acquisition programmes geared
- 3 towards empowering the young population to be successful entrepreneurs in
- 4 agricultural machine designing and productions;
- 5 (d) Partner with higher Institutions of learning in designing programs
- 6 which will better the skills of agricultural engineers and technologist studying
- 7 in those institutions;
- 8 (f) Carry out such activities as are necessary or expedient for the
- 9 performance of its functions under this Act;
- 10 **PART III - FUNCTIONS AND POWERS OF THE BOARD**
- 11 **8. The Board shall-**
- 12 (a) Determine the overall policies of the Centre, including its
- 13 financial and operating procedures and ensure the effective implementation of
- 14 the policies and procedures;
- 15 (b) Establish committees, as may be expedient which shall be charged
- 16 with specific functions delegated by the Board;
- 17 (c) Appoint, promote and discipline employees for the proper
- 18 discharge of the functions of the Centre;
- 19 (d) Design strategies for mobilizing and synergizing resources
- 20 throughout the economy for the purpose of addressing the challenges
- 21 confronting farmers in Nigeria and other parts of the world and proffer
- 22 solutions to them through technologies and software applications;
- 23 (e) Relate with the local community and other stakeholders to develop
- 24 funding options for young farmers and aspiring entrepreneurs in agricultural
- 25 technology sub -sector;
- 26 (f) Establish, encourage and promote training program for the
- 27 employees of the Centre and other appropriate persons from the public or
- 28 private organizations;
- 29 (g) Promote multi - sectored and multi-disciplinary collaboration and
- 30 encourage networking among the farmers' co-operative organizations;

1 (h) Assess from time to time the research, consultancy, training and  
2 advocacy program on agricultural technology and other related matters  
3 conducted by various institutions with a view to-

4 (i) Ascertain their sustainability, and,

5 (ii) Offering them such assistance, either alone or in co-operation  
6 with other related bodies as may improve the contents and quality of their  
7 work;

8 (i) the Board may, subject to such conditions as it may impose,  
9 delegate any of its functions under this act to any of its committees or to the  
10 Director - General;

11 (j) Nothing in this section shall prevent the Board from performing  
12 or exercising any of the functions and powers so delegated;

13 (k) Open and operate ordinary and domiciliary account for the  
14 Centre in recognized banking institutions in Nigeria as stipulated by extant  
15 financial guidelines of the Federal Government;

16 (l) enter into agreement with public or private organizations and  
17 individuals to develop, utilize, coordinate and share such information as are  
18 determined to be appropriate by the Board for the performance of its  
19 functions under this Act, and

20 (m) Carry out such other activities which are connected with its  
21 other functions or as may be assigned to it by the Minister of Agriculture or  
22 other relevant authority.

#### 23 PART IV - STRUCTURE OF THE CENTRE

24 **9.** The Centre shall have-

25 (a) A Planning, Research and Statistics Department to be headed by  
26 a Director;

27 (b) A Preservation and Storage Department to be headed by a  
28 Director;

29 (c) An Administration and Finance Department to be headed by a  
30 Director;

Structure of the  
Centre

1 (d) A Technical Department to be headed by a Director;

2 (e) Such other Departments as may be required for the proper  
3 performance of the functions of the Centre, such Departments shall be  
4 determined by the Board and approved by the Federal Ministry of Agriculture;

5 **PART V - STAFF OF THE CENTRE**

Appointment of  
Director-General

6 **10.-(1)** there shall be appointed for the Centre by the President of the  
7 Federal Republic of Nigeria, a Director General, who shall be a person with a  
8 background in Agriculture and Food Processing or Agricultural Technology  
9 and other related disciplines.

10 (2) The Director General shall be-

11 (a) The Chief Executive of the Centre;

12 (b) Be responsible for the day -to-day administration of the Centre,  
13 keep the books and records of the Board; and

14 (c) Be subject to the supervision and control of the Board

Tenure of Director-  
General

15 (3) The Director-General shall hold office for a term of 5 (five) years  
16 and may be renewed for another term and no more.

Appointment  
of other staff

17 **11.-(1)** The Board may from time to time, appoint for the Centre such  
18 other, staff, as it may deem necessary to assist the Director-General in the  
19 performance of the function of the Centre and the Board.

20 (2) The Terms and Conditions of service (including remuneration,  
21 allowances, benefits and pensions) of officers and employees of the Centre  
22 shall be determined by the Board on the recommendation of the Federal Civil  
23 Service Commission.

24 (3) The staff of the Centre shall be-

25 (a) Public Servants as defined in the 1999 Constitution of the Federal  
26 Republic of Nigeria; and

27 (b) Governed by the rules governing the Civil Service of the  
28 Federation.

Pensions  
Cap 346 LFN

29 **12.-(1)** Service in the "Centre" shall be approved service for the  
30 purpose of the Pensions Act and accordingly, officers and other persons



1 employed in the Centre shall, in respect of their services in the Centre, be  
2 entitled to pension, gratuities and other retirement benefits as are prescribed  
3 there under.

4 (2) Notwithstanding subsection (1) of this section, the Centre may  
5 appoint a person to any office on the terms, which preclude the grant of a  
6 pension, gratuity or retirement benefits.

7 (3) For the purpose of the application of the Pension Act, any power  
8 exercisable there under by a Minister or other authority of the Government  
9 of the Federation other than the power to make regulations is hereby vested  
10 and shall be exercisable by the Board and not by other persons or authority.

11 PART VI - FINANCIAL PROVISIONS

12 **13.**-(1) The Centre shall establish and maintain a fund from which Funding of the  
Centre  
13 all expenditures incurred by the Centre shall be defrayed.

14 (2) The Fund shall comprise fund derived from but not limited to  
15 the following sources:

16 (a) Such funds as may be appropriated to the Centre from time to  
17 time by the National Assembly;

18 (b) Gifts, loans, grants, aids, etc; and

19 (c) a percentage of profit of Foreign Agriculture technology  
20 companies based in Nigeria o be determined by the Board in consultation  
21 with relevant government bodies;

22 (d) a certain percentage of Profit of Agriculture -raw materials  
23 based companies;

24 (e) a certain percentage of profit of all companies dealing on  
25 imported food items;

26 (f) All other assets that may from time to time accrue to the Centre;

27 **14.** The Centre may accept gifts and grants of money or aids or Gft and Monies  
28 other property from national and multilateral organization and upon such  
29 term and conditions if any, as may be agreed upon between the donor and the  
30 Centre provided such gift are not inconsistent with the objectives and

	1	functions of the Centre under this Act.
Budget and Expenditure	2	<b>15.-(1)</b> The Centre shall not later than 30th September in each
	3	financial year prepare and present to the National Assembly through the
	4	President for approval, a statement of estimated income and expenditure for
	5	the following financial year.
	6	(2) Notwithstanding the provision of subsection (1) of this section,
	7	the Centre may also, in any financial year, submit supplementary or adjust
	8	statements of estimated income and expenditure to the National Assembly
	9	through the President for approval.
	10	(3) Subject to subsection (1) and (2) of this section, the Centre shall
	11	apply the proceeds of the Centre's fund:
	12	(a) To meet the administration and operating costs of the Centre;
	13	(b) For the payment of salaries, wages, fees and other allowances,
	14	retiring benefits such as pensions and gratuities and other remunerations
	15	payable to the Director - General and staff of the Centre;
	16	(c) For the purchase or acquisition of property or other equipment and
	17	other capital expenditure and for maintenance of any property acquired or
	18	vested in the Centre; and
	19	(d) For or in connection with all or any of the functions of the Centre
	20	under this Act or its subsidiary legislation.
Financial Year and Audit of Centre's Account t	21	<b>16.-(1)</b> the financial year shall start on 1st January of each year and
	22	end 31st December of the same year.
	23	(2) The Centre shall keep proper records of its accounts to be audited
	24	within six from the end of each financial year by auditors whose appointment
	25	shall be approved by the Board and shall be subjected to reappointment on
	26	annual basis provided that such Auditors are on the list of Auditors approved
	27	from time to time by the Auditor - General of the Federation.
Annual Report to the National Assembly	28	<b>17.</b> The Centre shall prepare and submit to the National Assembly
	29	annually, through the President not later than six (6) months after the end of its
	30	financial year, a report on the activities of the Centre's audited accounts for the

1	year under review together with auditor's report thereon.	
2	<b>18.</b> The provision of any enactment relating to the taxation of	Exemption from
3	companies or trust funds shall not apply to the Centre.	Taxation
4	<b>19.-(1)</b> The Centre may make regulation not in consistence with	Miscellaneous
5	this Act:	
6	(a) Concerning any matter that-	
7	(i) Mayor may not be prescribed in terms of a provision of this Act;	
8	(ii) is necessary to prescribe for the effective carrying out of the	
9	objectives of the Act;	
10	(b) Providing for payment, by the National Assembly for this	
11	purpose, or compensation to any person or dependents of any person, whose	
12	death, bodily injury or disablement results from any event occurring in the	
13	course of the performance of any function entrusted to such person in terms	
14	of this Bill.	
15	(2) The Board may, with the approval of the President make the	
16	regulations for the effective operation of this Bill.	
17	<b>20.</b> Subject to the provision of this Act, the provision of the public	Limitation against
18	officers' protection Act shall apply in relation to any suit instituted against an	suit
19	officer or employee of the Centre.	
20	<b>21.</b> A notice summons or other document required or authorized to	Service of
21	be served upon the Board under the provisions of this Act or any other law or	Documents
22	enactment may be served by delivering it to the Director - General or by	
23	sending it by registered post and addressed to the Director-General at the	
24	principal office of the Board.	
25	<b>22.</b> In any action or suit against the Board, no execution or	Restriction
26	attachment of process shall be issued against the Board.	Executive against
27	<b>23.</b> In this Bill unless the context otherwise requires-	properties of the
28	"Centre" means the National Agricultural Raw Materials Processing and	Commission
29	Development Centre, established by section 1 of this Bill;	Interpretation

	1	"Orlu" means a local government in Imo State where the centre would be sited;
	2	"Function" includes duties and powers;
	3	"President" means President of the Federal Republic of Nigeria.
Short title	4	<b>24.</b> This Bill may be cited as the National Agricultural Raw Materials
	5	Processing and Development Centre, Orlu, Imo State Bill, 2022.

1 SCHEDULE

2 SUPPLEMENTARY PROVISION RELATING TO THE CENTRE, ETC

3 *Proceedings of the Centre*

4 1.-(1) Subject to this Bill and Section 20 of the interpretation Act,  
5 the Centre may make standing orders regulating its proceeding or those of its  
6 committee;

7 {2} The quorum of the Centre's Board shall be the Chairman or the  
8 person presiding at the meeting, and three (3) other members of the Board  
9 and the quorum of any committee of the Centre shall be as determined by the  
10 Centre.

11 2.-(1) The Centre shall meet whenever it is summoned by the  
12 chairman and if the Chairman is required to do so by giving him not less than  
13 four (4) other members, he shall summon a meeting of the Centre to be held  
14 within twenty-four (24) days from the date upon which the notice is given.

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

20 *Committee*

21 3.-(1) The Centre may appoint one or more committee to carry out,  
22 on behalf of the Centre such functions as the Centre may determine.

23 (2) The Committee appointed under this paragraph shall consider  
24 such number of persons as may be determined by the Centre and a person  
25 shall hold office in the committee in accordance with the term of his  
26 appointment.

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

29 4.-(1) the fixing of the seal of the Centre shall be authenticated by  
30 the signature of the Chairman or any other member of the Centre generally

1 or specified by the Centre to act for the purpose and the Chief Executive.

2 (2) Any contract or instrument which, if made or executed by a person  
3 not being a body corporate, would not require to be under seal may be made or  
4 executed on behalf of the Centre by the Chief Executive or any person  
5 generally or specified authorized by the Centre to act for the purpose.

6 (3) A document purporting to be a document duly executed under seal  
7 of the Centre shall be received in evidence and shall, unless and until the  
8 contrary is proved, be presumed to so execute.

9 5. The validity of any proceeding of the Centre or of a committee  
10 shall not be adversely affected by;

11 (a) A vacancy in the membership of the Centre or committee; or

12 (b) A defect in the appointment of a member of the Centre or  
13 committee; or

14 (c) Reason that a person not entitled to do take part in the proceedings  
15 of the Centre or committee.

#### EXPLANATORY MEMORANDUM

This seeks to establish a National Agricultural Raw Materials Processing and Development Centre in Orlu LGA of Imo State to collate, process to add more value as well as develop more ways to utilize Agricultural Raw Materials and Products in Orlu LGA and other parts of the South East to boost economic activities and empower farmers in the areas.

# A BILL

## FOR

AN ACT TO ESTABLISH THE NATIONAL HIV TRUST FUND THAT WOULD BE RESPONSIBLE FOR THE MANAGEMENT AND DISBURSEMENT OF FUNDS TO REDUCE FUNDING GAP AND PLACE MORE PEOPLE LIVING WITH HIV ON TREATMENT AND MOTHER TO TRANSMISSION AND FOR RELATED MATTERS

*Sponsored by Hon. Ibrahim Makama Missau*

[ ] Commencement

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

### 1 PART I - OBJECTIVE AND SCOPE AND DURATION

2 **1.** The Objective of this bill is to provide legal framework for Objectives  
3 management and control of the special intervention fund established under  
4 section 3 of this bill for HIV Funding Gap.

5 **2.-(1)** The Trust Fund established under section 3 of this bill people Scopes  
6 living with HIV.

7 (2) The Trust Fund is to operate concurrently

### 8 PART II - ESTABLISHMENT OF HIV TRUST FUND

9 **3.-(1)** There is established HIV Trust Fund in this bill referred to us Establishment  
10 as the Trust Fund of the HIV Trust Fund

11 (2) The Trust Fund:

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

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

15 **4.-(1)** The Trust Fund shall consist of:

Sources of the Trust Fund

16 (a) A levy of 0.5% of "the net profit of companies and organized  
17 private sector operating business in Nigeria;

18 (b) 0.2% of total revenue accruing to the federation account;

	1	(c) Any take-off grant and special intervention fund as may be
	2	provided by the Federal, State and Local Government of the Federation;
	3	(d) Such money as may be appropriated to meet the objective of this
	4	bill by the National Assembly in the budget;
	5	(e) Aids, grants and assistance from international bilateral and
	6	multilateral agencies, non-governmental organizations and the private sector;
	7	(f) grants, donations; endowments, bequests and gifts, whether of
	8	money, land or any other property from any source;
	9	(g) Money derived from investment made by the Trust Fund.
	10	(2) Subsection (1) (e) and (f) shall be acceptable to the Trust Fund
	11	except where the terms and conditions attached to an aid, grant, donation or gift
	12	are inconsistent with the objective of the Trust Fund and the provisions of this
	13	Bill.
The purpose of the Trust Fund	14	<b>5.</b> The Trust Fund shall be utilized:
	15	(a) For meeting training and needs of the members within Nigeria;
	16	(b) For enhancement of drugs reduce transmission of the HIV;
	17	(c) For Overall improvement, performance and efficiency in the
	18	discharge of entrepreneurial benefits of the members;
	19	(d) For purchase of equipment, machineries, including primary
	20	materials for members;
	21	(e) For the construction of training centers with well-equipped
	22	entrepreneurial materials and facilities in Nigeria;
	23	(f) To finance the procurement of operational books, instructional
	24	materials, training centers and such other similar training institutions of Corp
	25	members;
	26	(g) To meet the cost of participation by the members;
	27	(h) Such other purposes incidental to, or connected with the
	28	attainment of objective of this Bill.
Functions of the Trust Fund	29	<b>6. -(1) The Trust Fund Shall:</b>
	30	(a) Receive all money accruing to it under this Bill;



1 (b) Utilize all money accruing to the Trust Fund under this Bill to  
2 meet the stated objectives of this Bill;

3 (c) Carry out such other Activities considered necessary for the  
4 attainment of the objectives of this Bill.

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

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

11 7. -(1) There is hereby established the Board of the National HIV Trust Fund Bill 2022 (in this Bill referred to as "the Board of Trustee").

The Board of  
Trustees

12 (i) The Board shall consist of:

13 (a) Chairman and members of the National HIV Trust Fund  
14 National Governing Board as constituted in section 3 sub section 2 (a)-(h) of  
15 the National HIV Trust Fund Bill;

16 (b) In addition to the above the following shall also be members of  
17 the Board;

18 (c) Representative of National HIV Trust Fund supervising  
19 Ministry;

20 (i). Representative of Federal Ministry of finance;

21 (ii) Representative of Organized Private Sector;

22 (iii) Chairman of the Nigeria Governor's Forum;

23 (iv) President of Association of Local Government of Nigeria  
24 (ALGON); and

25 (v) A retired Director of the National HIV Trust Fund on the  
26 recommendation of the National HIV Trust Fund Director-General;

27 (d) The Director General National HIV Trust Fund shall serve as  
28 the Secretary of the Board of the Trust Fund;

29 (e) A member of the Board, other than an ex-officio member:  
30

	1	(a) Shall be appointed by the President;
	2	(b) Shall hold office for three years in the first instance; and
	3	(c) May be reappointed for another three years and no more.
Resignation by a Minister	4	<b>8.</b> A member, other than ex-officio member, may resign his
	5	appointment by a notice in writing under his hand addressed to the President.
Cessation of Office	6	<b>9.-(1)</b> A member of the Board ceases to hold office if he:
	7	(a) Becomes of unsound mind;
	8	(b) Becomes bankrupt or makes compromises with his creditors;
	9	(c). Is convicted of a felony or any offence involving fraud,
	10	dishonesty; or
	11	(d) Is guilty of corrupt practices or misconduct in relation to his
	12	duties.
	13	(2) A member of the Board may be removed from office by the
	14	President if he is satisfied that it is not in the interest of the Trust Fund or Public
	15	that the member should continue in that office.
	16	(3) Where a vacancy occurs in the membership of the Board, it shall
	17	be filled by the appointment of a successor to hold office for the remainder of
	18	the term of office of his predecessor and the successor shall:
	19	(a) Represent the same interest; and
	20	(b) Be appointed by the President.
	21	(4) The provisions of the Schedule to this Bill shall have effect with
	22	respect to the meetings and proceedings of the Board and other related matters.
Removal from offices of a Member	23	<b>10.</b> Notwithstanding the provisions of sections 7 and 8 of this Bill, the
	24	President may remove a member from the Board if any circumstance which
	25	borders on corruption and other activities that negates the interest and security
	26	of the Nation would require the removal of the member from the Board.
Functions of the Board	27	<b>11.</b> The Board is responsible for:
	28	(i) Setting out the policies and programmes for the training and
	29	empowerment of exiting Corps Members, training and retraining of National
	30	HIV Trust Fund personnel, development of Orientation Camps and National

1 HIV Trust Fund Offices with facilities therein in accordance with objectives  
2 of this Bill;

3 (ii) Approving the disbursement of money from the Trust Fund to  
4 finance projects or activities of the National HIV Trust Fund and its  
5 formations being beneficiaries of the proceeds of Trust Fund;

6 (iii) Scrutinizing and approving projects which qualify for  
7 financing under the Bill;

8 (iv) Exercising control over the management of the Trust Fund  
9 with a view to ensuring accountability and proper utilization of money in the  
10 Trust Fund for the purposes set out in this Bill;

11 (v) Carrying out such other activities as are considered necessary  
12 for the attainment of the objectives of this Bill;

13 (vi) Updating the Federal Government on its Activities and  
14 progress through annual and audited reports;

15 (vii) Reviewing progress and suggesting improvements within the  
16 provisions of this Bill;

17 (viii) Making and issuing guidelines to all beneficiaries on  
18 disbursement from the Trust Fund on the use of money received from the  
19 Trust Fund; and

20 (ix) Generally regulating the administration, application and  
21 disbursement of money from the Trust Fund under this Bill.

22 **12.-(1)** The Board has powers to:

Powers of the  
Board

23 (a) Award contracts of any kind or description for any amount,  
24 whether in local or foreign currency in conformity with the due process  
25 requirements as provided under Part VI and VII of the Public Procurement  
26 Bill, 2007; and

27 (b) Invest money accruing to the Trust Fund and approve the  
28 utilization of the returns on investment in the same way as money accruing  
29 to the Trust Fund.

30 (2) In the discharge of its duty under this Bill, the Board shall:

Establishment  
of the Trust Fund  
Project Monitoring  
and Implementation  
Committee

1 (a) identify the funding needs of the various programmes and  
2 Activities of the National HIV Trust Fund and its formations for the  
3 enhancement of the performance of the Scheme;

4 (b) enter into contractual arrangements for the purpose of executing  
5 approved projects on behalf of the Trust Fund;

6 (c) Oversee the implementation of projects financed through money  
7 accruing to the Trust Fund; and

8 (d) Enter into public-private partnership and private finance initiative  
9 arrangements and agreements necessary for the project execution in  
10 accordance with Infrastructure Concession Regulatory Commission Public  
11 Private Partnership Regulations, 2014.

12 **13.**-(1) For the purpose of implementing any project approved by the  
13 Board under this Bill, there is hereby established the National HIV Trust Fund  
14 Bill 2022 Project Monitoring and Implementation Committee (in this Bill  
15 referred to as 'the Implementation Committee').

16 (2) The Implementation Committee shall consist of:

17 (a) A Chairman; and

18 (b) Other members shall include:

19 (i). Six National HIV Trust Fund Staff with proven integrity;

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

21 (iii) Representative of Association of Local Government of Nigeria

22 (3) The Chairman and members of the Implementation Committee,  
23 except representatives of Governor's Forum and Association of Local  
24 Governments of Nigeria, shall be appointed by the Chief Executive of the Trust  
25 Fund

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

#### 28 PART III - SECRETARY OF THE BOARD OF THE TRUST FUND

Functions of the  
Secretary of the  
Board of the  
Trust Fund

29 **14.**-(1) The Secretary of the Board of the Trust Fund:

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

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

4 (2) The Secretariat of the Trust Fund shall be domiciled in the  
5 National HIV Trust Fund.

6 PART IV - FINANCIAL PROVISIONS

7 **15.**-(1) There is hereby established under this Bill a general fund  
8 (in this Bill referred to as "the Fund") for the administration of the Trust  
9 Fund. Fund of the Trust Fund

10 (2) The Fund shall consist of:

11 (a) Annual budgetary allocation appropriated by National  
12 Assembly for the management of the Trust Fund;

13 (b) Take-off grants and such other money as may be made available  
14 to the Trust Fund to meet the cost of administration; and

15 (c) All other money which may be made available for the running  
16 of the Trust Fund.

17 **16.**-(1) There shall be maintained for the Trust Fund, an account  
18 into which shall be paid all money accruing to the Trust Fund under section 4  
19 of this Bill. Account of the Trust Fund

20 (2) The Board shall also open and maintain an account into which  
21 shall be paid money received for management of the Trust Fund under  
22 section 19 (2) of this Bill.

23 (3) The accounts referred to in subsections (1) and (2) shall be  
24 managed in accordance with the extant financial regulations of the Federal  
25 Government of Nigeria.

26 (4) The Board shall apply the proceeds of:

27 (a) The Trust Fund for the purposes set out in section 5 of the Bill;  
28 .and

29 (b) The money referred to in subsection (2) to meet the cost of  
30 administration, including payment of salaries, fees, other remunerations and

	1	allowances payable;
	2	(c) To members of the Board and employees of the Trust Fund, and
	3	(d) For payment of experts, professionals and consultants engaged by
	4	the Board for Trust Fund.
Estimates of Expenditure	5	<b>17.</b> The Board shall, not later than 30th June of every year, submit to
	6	the President an estimate of its income and expenditure during the succeeding
	7	year.
Account and Audit	8	<b>18.</b> The Board shall cause to be kept for the Trust Fund proper
	9	accounts and records and when certified by the Board, these accounts shall be
	10	audited by auditors appointed from the list and in accordance with the
	11	guidelines by the Auditor- General of the Federation.
Exemption from Tax	12	<b>19.</b> -(1) The Trust Fund is exempted from the payment of income tax
	13	on any income accruing from investments made by the Trust Fund or
	14	otherwise.
	15	(2) The provisions of the Companies Income Tax Bill, 2007 or any
	16	subsequent amendment thereto and any enactment relating to the taxation of
	17	companies or trust funds do not apply to the Trust Fund.
	18	<b>PART V - SUBMISSION OF REPORTS AND SUPPLEMENTARY PROVISIONS</b>
Quarterly Report	19	<b>20.</b> The Board shall, at the end of every three months, submit to the
	20	President a report on its Activities and the administration of the Trust Fund.
Annual Report	21	<b>21.</b> The Board shall, not later than three months before the end of each
	22	year, submit to the President a report on the Activities and the administration of
	23	the Trust Fund during the preceding year and shall include in such reports the
	24	certified auditor's report.
Power of the President to issue directives	25	<b>22.</b> The President may give to the Board directives of a general nature
	26	with regard to the performance by the Board of its functions under this Bill for
	27	compliance by the Board
Regulations	28	<b>23.</b> The Board may, with the prior approval of the President, make
	29	such regulations deemed necessary or expedient for giving full effect to the
	30	provisions of this Bill.

- 1                   **24.** The Federal Inland Revenue Service (in this Bill referred to as  
2                   the "the Service) shall assess and collect from companies and organized  
3                   private sectors the levy imposed by this Bill and accordingly:
- 4                   (a) Shall, when assessing a company for companies income tax or  
5                   petroleum profit tax for an accounting period, also proceed to assess the  
6                   company or private sector for the levy due under this Bill;
- 7                   (b) The provisions of the Bill relating to the collection of  
8                   companies income tax or petroleum profit tax shall, subject to this Bill,  
9                   apply to the levy due under this Bill;
- 10                  (c) The levy imposed under this Bill shall be due and payable  
11                  within 60 days after the Service has served notice of the assessment on a  
12                  company or sector;
- 13                  (d) The Service may, for the purpose of assessment and collection  
14                  of the levy imposed by this Bill, devise such forms as it may deem necessary.
- 15                  **25.-(1)** A person who contravenes or fails to comply with the                   Assessment and  
16                  provisions of this Bill is guilty of an offence under this Bill.                   collection of levy
- 17                  (2) Subject to the provisions of sub-section (3) of this section-
- 18                  (a) If a sum due under this Bill is not paid within the time specified  
19                  in that section, the Service shall serve on the Company a demand note for the  
20                  unpaid sum plus a sum which is equal to 5% of the sum; and
- 21                  (b) If a sum demanded under paragraph (a) of this sub-section is not  
22                  paid within 2 months of the demand, the Company is guilty of an offence  
23                  under this Bill;
- 24                  (3) Notwithstanding any other provision in this Bill, it shall be the  
25                  duty and responsibility of every Company liable to pay the sum to ensure  
26                  that its annual returns are filed with the Service for the purpose of  
27                  assessment of the sum.
- 28                  (4) The Board shall remit in whole or in part a sum added to the  
29                  unpaid sum under sub-section 2(a) of this Bill.
- 30                  (5) Where an offence under this Bill is committed by a Body

1 Corporate or firm or other association of individuals-

2 (a) Every Director, Manager, secretary or other similar officer of the  
3 Body Corporate;

4 (b) Every partner or officer of the Firm;

5 (c) Every person concerned in the management of the affairs of the  
6 association; or

7 (d) Every person who was purporting to Bill in that capacity, Is  
8 severally guilty of that offence and liable to be proceeded against and punished  
9 for the offence in like manner as if he had himself committed the offence,  
10 unless he proves that the Bill or omission constituting the offence took place  
11 without his knowledge, consent or connivance.

Penalties

12 **26.-(1)** Except as otherwise provided in this Bill, a person guilty of an  
13 offence under this Bill shall, on conviction, be liable-

14 (a) For a first offence, to imprisonment for a term of 6 months or to a  
15 fine of up to N1,000,000.00 or both; and

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

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

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

Jurisdiction

28 **27.** The Federal High Court shall have jurisdiction to try offenders  
29 under this Bill.



1                   **28.**-(1) Without prejudice to the powers of the Attorney-General of     Litigation  
2                   the Federation under Section 174 (1) of the Constitution of the Federal  
3                   Republic of Nigeria 1999 (as amended) to institute, continue or discontinue  
4                   criminal proceedings, complaints or other proceedings arising under this  
5                   Bill shall be undertaken, conducted or defended in the name of the Board by  
6                   a Legal Officer of the National HIV 'trust Fund or any Legal Practitioner  
7                   appointed by the Board.

8                   (2) Legal Officers of the National HIV Trust Fund Or any Legal  
9                   Practitioner appointed by the Board can appear in Court on behalf of the  
10                  Trust Fund in civil matters involving the Trust Fund.

11                  (3) Subject to the provisions of this Bill, the provisions of the  
12                  Public Officers Protection Bill shall apply in relation to any suit instituted  
13                  against the Trust Fund or any of its officers.

14                  (4) Notwithstanding anything contained in any other law or  
15                  enactment, no suit against the Trust Fund or any member of the Board or any  
16                  other officer or Staff of the Trust Fund for any Bill done in pursuance or  
17                  execution of the Bill or any other law or enactment or of any public duty or  
18                  authority or in respect of any alleged neglect or default in the execution of  
19                  this Bill or such law or enactment, duty or authority shall lie or be instituted  
20                  in any Court unless-

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

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

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

30                  (6) The notice referred to in sub-section (6) of this section shall

	1	clearly and explicitly state the cause of Billion, the particulars of the Billion,
	2	the name and place of abode of the intending plaintiff and the relief which he
	3	claims.
Service of Document	4	<b>29.</b> A notice, summons or other document required or authorized to
	5	be served upon the Trust Fund under the provisions of this Bill or any other law
	6	or enactment may be served by delivering it to the Secretary of the Board or by
	7	sending it by registered post and addressed to the Secretary of the Board at the
	8	principal office of the Trust Fund.
Interpretation	9	<b>30.</b> In this Bill:
	10	"Board" means the Board of the National HIV Trust Fund Bill 2022,
	11	established under section 7 of this Bill;
	12	"Due process" means compliances with extant financial rules and regulations
	13	on public procurement of goods, works and services.
	14	"President" means the President, Commander-in-Chief of the Armed Forces of
	15	the Federal Republic of Nigeria;
	16	"Personnel" means officers of the National HIV Trust Fund and the Trust Fund;
	17	"National HIV Trust Fund formations" include the National Directorate
	18	Headquarters, Area Offices, State Secretariats, Zonal Offices, Local
	19	Government Offices, Ventures and Orientation Camps.
	20	"Trust Fund" means the National HIV Trust Fund Bill 2022 established under
	21	section 3 (I) of this Bill;
	22	"SAED Centres" means centres where Corps Members acquire vocational and
	23	Entrepreneurship skills.
	24	"Corps Member" means a Nigerian graduate youth on National Service
	25	"National HIV Trust Fund Ventures" means small and micro enterprises
	26	established by National HIV Trust Fund and the National HIV Trust Fund farm
	27	settlements for the purpose of training Corps Members.
Citation	28	<b>31.</b> This Bill may be cited as the National HIV Trust Fund
	29	(Establishment) Bill, 2022.

## 1 SCHEDULE

2 *Section 9 (4)*

## 3 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD PROCEEDINGS

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

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

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

11 4. At any meeting of the Board, the Chairman shall preside but, in  
12 his absence, the members present at the meeting shall appoint one of them to  
13 preside at the meeting.

14 *Committees*

15 5. The Board may set up such number of committees to perform,  
16 on behalf of the Board of Trustee such of its functions as the Board may  
17 determine.

18 6. A committee set up under this Bill shall consist of such number  
19 of persons (not necessarily members of the Board) as may be determined by  
20 the Board, and the person, other than a member of the Board, shall hold  
21 office on the committee in accordance with the terms of his appointment.

22 7. A decision of a committee of the Board is of no effect until it is  
23 confirmed or ratified by the Board.

24 *Miscellaneous*

25 8. The fixing of the seal of the Trust Fund shall be authenticated by  
26 the signature of the Chairman or of any other person authorized generally or  
27 specially to Bill for that purpose by the Board.

28 9. Any contract or instrument made or executed by a person not  
29 being a body corporate, that would not be required to be under seal may be  
30 made or executed on behalf of the Board by the Chairman or any person

- 1 generally or specifically authorized to Bill for that purpose by the Board. Any
- 2 document purporting to be a document duly executed under the seal of the
- 3 Trust Fund shall be received in evidence and is, unless the contrary is proved,
- 4 presumed to be so execute.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National HIV Trust Fund that would be responsible for the management and disbursement of funds to reduce funding gap and place more people living with HIV on treatment and mother to transmission.

# A BILL

## FOR

AN ACT TO AMEND THE TERTIARY EDUCATION TRUST FUND (ESTABLISHMENT, ETC) ACT, 2011 CAP. E4 LAWS OF THE FEDERATION OF NIGERIA, 2013 TO INCLUDE RESEARCH AND DEVELOPMENT INSTITUTIONS UNDER SCIENCE, TECHNOLOGY AND INNOVATION AND FOR RELATED MATTERS

*Sponsored by Hon . Beni Lar*

[     ] Commencement

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

- |    |                                                                                |                   |
|----|--------------------------------------------------------------------------------|-------------------|
| 1  | <b>1.</b> The Tertiary Education Trust Fund (Establishment Etc) Act            | Amendment of      |
| 2  | ,2011 herein referred to as "the Principal Act " is hereby amended as follows- | Principal Act     |
| 3  | <b>2.</b> Section 7 (2) (a) of the Principal Act is amended by inserting the   | Cap. E4, LFN,     |
| 4  | words "Research and Development Institutions under the Federal Ministry        | 2013              |
| 5  | of Science, Technology and innovation which award academic certificates"       | Amendment of      |
| 6  | after the word "institutions" to read:                                         | Section 7 (2) (a) |
| 7  | (a) Funding of all public Tertiary Educational Institutions and                |                   |
| 8  | including Research and Development Institutions under the Federal              |                   |
| 9  | Ministry of Science, Technology and innovation which award tertiary            |                   |
| 10 | academic certificates.                                                         |                   |
| 11 | <b>3.</b> Section 7 (3) of the Principal Act is amended as follows-            | Amendment of      |
| 12 | Subsection (3) of the Principal Act is amended by inserting the words          | Section 7 (3)     |
| 13 | "Research and Development Institutions under the Federal Ministry of           |                   |
| 14 | Science, Technology and innovation which award tertiary academic               |                   |
| 15 | certificates" after the word "institutions" to read;                           |                   |
| 16 | (a) The distribution of funds shall be in the ratio 2: 1: 1 as between         |                   |
| 17 | Universities, polytechnics, Colleges of Education and including Research       |                   |
| 18 | and Development Institutions under the Federal Ministry of Science,            |                   |

	1	Technology and Innovation which award tertiary academic certificates.
Amendment of Section 20 (1)	2	<b>4.</b> Section 20 (1) of the Principal Act is amended by inserting the
	3	words "Research and Development Institutions under the Federal Ministry of
	4	Science, Technology and innovation which award tertiary academic
	5	certificates" after the word College of Education to read:
	6	"Tertiary Educational Institutions" means a University, a Polytechnic, a
	7	College of Education including a Research and Development Institutions
	8	under the Federal Ministry of Science, Technology and Innovation which
	9	award tertiary academic certificates".
	10	Section 20 (1) of the Principal Act is further amended by adding tertiary
	11	academic certificates to read: "Tertiary academic certificates" means any
Citation	12	certificate above O' level such as: Ordinary National Diploma (OND), National
	13	Diploma (ND), Higher National Diploma (HND), First Degree, Masters,
	14	Degree and PhD.
	15	<b>5.</b> This Bill may be cited as the Tertiary Education Trust Fund Act
	16	(Amendment) Bill, 2022.

## EXPLANATORY MEMORANDUM

This Bill seeks to amend the Tertiary Education Trust Fund Act, Cap. E4 Act No 17 Laws of the Federation of Nigeria, 2013 to include Research and Development institutions under the Federal Ministry of Science, Technology and Innovation which award tertiary academic certificates.

# A BILL

## FOR

AN ACT TO AMEND THE VIOLENCE AGAINST PERSONS (PROHIBITION) ACT,  
2015 TO MAKE INCREASE THE PENALTY FOR THE OFFENCE OF FEMALE  
GENITAL MUTILATION UNDER THE ACT AND FOR RELATED MATTERS

*Sponsored by Hon. Ganiyu Abiodun Johnson*

[ ] Commencement

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

- |    |                                                                                   |                   |
|----|-----------------------------------------------------------------------------------|-------------------|
| 1  | 1. The Violence Against Persons (Prohibition) Act, 2015 (in this                  | Amendment of      |
| 2  | Bill referred to as the Principal Act) is hereby amended as set out in this Bill. | the Principal Act |
| 3  | 2. The Principal Act is amended by amending section 6(2) of the                   | Amendment of      |
| 4  | Act as follows:                                                                   | Section 6 (2)     |
| 5  | "6 (2) Any person who performs female circumcision or genital                     |                   |
| 6  | mutilation or engages another to carry out such circumcision or mutilation        |                   |
| 7  | commits an offence and is liable on conviction to a term of imprisonment not      |                   |
| 8  | exceeding five years or to a fine not exceeding one million naira or to both",    |                   |
| 9  | 3. This Bill may be cited as the Violence Against Persons                         | Citation          |
| 10 | (Prohibition) Act (Amendment) Bill, 2022.                                         |                   |

### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Violence Against Persons (Prohibition) Act,  
2015 to increase the penalty for the offence of female genital mutilation  
under the Act.





A BILL

FOR

AN ACT TO AMEND THE STANDARDS ORGANISATION OF NIGERIA ACT TO  
EXPAND THE SCOPE OF FUNCTIONS OF THE STANDARDS ORGANISATION  
OF NIGERIA TO INCLUDE INVESTIGATION AND QUALITY ASSURANCE  
CERTIFICATION OF PETROLEUM PRODUCTS AND FOR RELATED MATTERS

*Sponsored by Hon. Ganiyu Abiodun Johnson*

[ ] Commencement

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

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1. The Standards Organisation of Nigeria Act, 2015 (in this Bill

referred to as the Principal Act) is hereby amended as set out in this Bill.

2. Section 5(1) of the Principal Act is amended by inserting a new

sub paragraph (c) immediately after the existing paragraph (b) as follows:

"(C) to undertake investigation and quality assurance of petroleum

products".

Renumbering of the subsection accordingly.

3. This Bill may be cited as the Standards Organisation of Nigeria

Act (Amendment) Bill, 2022.
- Amendment of  
Principal Act

Amendment of  
Section 5 (1)

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Standards Organisation of Nigeria Act, 2015, to  
expand the scope of functions of the Standards Organisation of Nigeria, to  
include investigation and quality assurance certification of petroleum  
products.



# A BILL

## FOR

AN ACT TO ESTABLISH THE NIGERIAN RURAL ELECTRICITY DEVELOPMENT  
SPECIAL FUND TO FACILITATE AND IMPROVE PROVISION OF ELECTRICITY  
IN RURAL COMMUNITIES ACROSS NIGERIA AND OTHER RELATED  
MATTERS

*Sponsored by Hon. Kabiru Alhassan Rurum*

[ ] Commencement

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

1 PART I - OBJECTIVES AND SCOPE

2 1. The objectives of the Bill include: Objectives

3 (a) intervention fund established under clause 3 of this Bill for  
4 providing sustainable sources of funds for Nigerian Rural Electricity  
5 Development Special Fund;

6 (b) provide skill acquisition training and empowerment of  
7 members, training and retraining of the personnel of the Nigerian Rural  
8 Electricity Development Special Fund, and development of Camps and  
9 Nigerian Rural Electricity Development Special Fund formations and other  
10 facilities;

11 (c) improve the general welfare of the members and personnel of  
12 the Fund;

13 (d) enhance their preparedness to effectively discharge their  
14 statutory duties of fostering national unity, integration and self-reliance in  
15 Nigeria;

16 (e) meeting the training and re-training needs of the personnel of  
17 the Nigerian Rural Electricity Development Special Fund;

18 (f) enhancement of the skills of members for improved proficiency  
19 and employment generation.

	1	(g) ensuring overall improvement, performance and efficiency in the
	2	discharge of statutory roles and responsibilities of the Fund;
	3	(h) development of Orientation Camps and Nigerian Rural Electricity
	4	Development Special Fund formations with facilities therein;
	5	(i) sponsorship of members' group Community Development Service
	6	projects and activities;
	7	(j) financing the procurement of operational books, instructional
	8	materials, vehicles and equipment for use to achieve its organizational
	9	objectives;
	10	(k) expansion of existing Nigerian Rural Electricity Development
	11	Special Fund Ventures and funding of the establishment of new ones for the
	12	training of members and production of items required for the institutional
	13	needs such as orientation camps.
Scope	14	<b>2.</b> The Development Fund established under clause 3 of this Bill
	15	covers all members, personnel of the Nigerian Rural Electricity Development
	16	Special Fund, orientation camps, formations, facilities and for the overall
	17	improvement and efficiency in the discharge of their duties and
	18	responsibilities.
	19	PART II - ESTABLISHMENT AND MANAGEMENT OF NIGERIAN RURAL
	20	ELECTRICITY DEVELOPMENT SPECIAL FUND
Establishment of the Development Fund	21	<b>3.-(1)</b> There is established the Nigerian Rural Electricity
	22	Development Special Fund (in this Bill referred to as "the Development
	23	Fund").
	24	(2) The Development Fund:
	25	(a) Is a body corporate with perpetual succession and a common seal;
	26	and
	27	(b) May sue and be sued in its corporate name.
	28	(3) The Fund shall have its head office at Abuja.
Establishment and Composition of the Governing Board of the Development Fund	29	<b>4.-(1)</b> There is established the Board of the Nigerian Rural Electricity
	30	Development Special Fund (in this Bill referred to as "the Board").

1 (2) The Board shall consist of:

2 (a) Chairman and members of the Nigerian Rural Electricity  
3 Development Special Fund National Governing Board as constituted in  
4 clause 3 sub clause 2 (a)-(h) of this Bill.

5 (b) One representative not below the rank of Director from the  
6 following:

7 (i) Nigerian Rural Electricity Development Special Fund  
8 supervising Ministry;

9 (ii) Federal Ministry of finance;

10 (iii) Organized Private Sector;

11 (iv) Chairman of the Nigeria Governor's Forum;

12 (v) President of Association of Local Government of Nigeria  
13 (ALGON); and

14 (vi) A retired Director of the Fund on the recommendation of the  
15 Nigerian Rural Electricity Development Special Fund Director-General;

16 (vii) The Director General of the Fund shall serve as  
17 member/secretary of the Board.

18 (3) A member of the Board, other than an ex-officio member:

19 (a) Shall be appointed by the President;

20 (b) Shall hold office for three years in the first instance; and

21 (c) May be reappointed for another three years and no more.

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

25 **5.** A member, other than ex-officio member, may resign his  
26 appointment by a notice in writing under his hand addressed to the  
27 President. Resignation by  
a Member

28 **6.-(1)** A member of the Board ceases to hold office if he: Cessation of  
Office

29 (a) Becomes of unsound mind;

30 (b) Becomes bankrupt or makes compromises with his creditors;

1 (c) Is convicted of a felony or any offence involving fraud,  
2 dishonesty; or

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

5 (2) 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 Development Fund  
7 or Public that the member should continue in that office.

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

11 (a) Represent the same interest; and

12 (b) Be appointed by the President.

Removal from  
office of a Member

13 **7.** Notwithstanding the provisions of clauses 4, 5 and 6 of this Bill, the  
14 President may remove a member from the Board if any circumstance which  
15 borders on corruption and other activities that negates the interest and security  
16 of the Nation would require the removal of the member from the Board.

### 17 PART III - FUNCTIONS AND POWERS OF THE BOARD

Functions of the  
Development  
Fund

18 **8.** The Development Fund Shall:

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

20 (b) Deploy all money accruing to the Development Fund under this  
21 Bill to meet the stated objectives of this Bill;

22 (c) Ensure the proper monitoring of the empowered members and  
23 intervention projects for purpose of accountability;

24 (d) Carry out such other Activities considered necessary for the  
25 attainment of the objectives of this Bill;

26 (e) Award contracts of any kind or description for any amount,  
27 whether in local or foreign currency in conformity with the due process  
28 requirements as provided under Part VI and VII of the Public Procurement Act,  
29 2007;

30 (f) Invest money accruing to the Development Fund and utilize the

1 returns on investment in the same way as money accruing to the  
2 Development Fund subject to approval of the Board;

3 (g) identify the funding needs of the various programmes and  
4 Activities of the Nigerian Rural Electricity Development Special Fund and  
5 its formations for the enhancement of the performance of the Scheme;

6 (h) enter into contractual arrangements for the purpose of  
7 executing approved projects on behalf of the Development Fund;

8 (i) Oversee the implementation of projects financed through  
9 money accruing to the Development Fund;

10 (j) enter into public-private partnership and private finance  
11 initiative arrangements and agreements necessary for the project execution  
12 in accordance with Infrastructure Concession Regulatory Commission and  
13 Public Private Partnership Regulations, 2014.

14 **9.** The Board is responsible for:

Powers of the  
Board

15 (a) setting out the policies and programmes for the training and  
16 empowerment of exiting members, training and retraining of personnel of  
17 the Fund, development of Orientation Camps and Nigerian Rural Electricity  
18 Development Special Fund Offices with facilities therein in accordance  
19 with objectives of this Bill;

20 (b) approving the disbursement of money from the Development  
21 Fund to finance projects or activities of the Nigerian Rural Electricity  
22 Development Special Fund and its formations being beneficiaries of the  
23 proceeds of Development Fund;

24 (c) scrutinizing and approving projects which qualify for financing  
25 under the Bill;

26 (d) exercising control over the management of the Development  
27 Fund with a view to ensuring accountability and proper utilization of money  
28 in the Development Fund for the objectives set out in this Bill;

29 (e) updating the Federal Government on its Activities and progress  
30 through annual and audited reports;

	1	(f) reviewing progress and suggesting improvements Within the
	2	provisions of this Bill;
	3	(g) Making and issuing guidelines to all beneficiaries on
	4	disbursement from the Development Fund on the use of money received from
	5	the Development Fund; and
	6	(h) generally regulating the administration, application and
	7	disbursement of money from the Development Fund under this Bill.
Establishment of the Development Fund Project Monitoring and Implementation Committee	8	<b>10.-(1)</b> For the purpose of implementing any project approved by the
	9	Board under this Bill, there is established the Nigerian Rural Electricity
	10	Development Special Fund Project Monitoring and Implementation
	11	Committee (in this Bill referred to as 'the Implementation Committee").
	12	(2) The Implementation Committee shall consist of:
	13	(a) A Chairman; and
	14	(b) Other members shall include:
	15	(i) six Nigerian Rural Electricity Development Special Fund Staff
	16	with proven integrity;
	17	(ii) representative of the Nigeria Governor's Forum;
	18	(iii) representative of Association of Local Government of Nigeria.
	19	(3) The Chairman and members of the Implementation Committee,
	20	except representatives of Nigeria Governors' Forum and Association of Local
	21	Governments of Nigeria, shall be appointed by the Chief Executive of the
	22	Development Fund subject to approval of the Board.
	23	(4) The Implementation Committee is responsible to the Board in the
	24	execution of its statutory duties and responsibilities assigned to it by the Board.
	25	PART IV - SECRETARY OF THE BOARD OF THE DEVELOPMENT FUND
Secretary of the Development Fund	26	<b>11.-(1)</b> There shall be a Secretary for the Development Fund.
	27	(2) The Secretary shall be a person of proven integrity, sufficient
	28	knowledge and cognate experience in management of any field of the power
	29	sector.
	30	(3) The Secretary shall be appointed by the Board on the



1 recommendation of the Director-General.

2 **12.-(1)** The Secretary shall:

Functions of the  
Secretary of the  
Board

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

4 (ii) work closely with the Implementation Committee in  
5 discharging such duties and responsibilities as may be assigned to him by  
6 the Board.

7 (2) The Secretariat of the Development Fund shall be domiciled in  
8 the Nigerian Rural Electricity Development Special Fund headquarters.

9 **PART V - FINANCIAL PROVISIONS**

10 **13.-(1)** There is established under this Bill a general fund (in this  
11 Bill referred to as "the Fund") for the administration of the Development  
12 Fund.

Fund of the  
Development  
Fund

13 (2) The Fund shall consist of:

14 (a) annual budgetary allocation appropriated by National  
15 Assembly for the management of the Development Fund;

16 (b) take-off grants and such other money as may be made available  
17 to the Development Fund to meet the cost of administration;

18 (c) all other money which may be made available for the running of  
19 the Development Fund;

20 (d) a levy of 0.5% of the net profit of companies and organized  
21 private sector operating business in Nigeria;

22 (e) 0.2% of total revenue accruing to the federation account;

23 (f) any take-off grant and special intervention fund as may be  
24 provided by the Federal, State and Local Government of the Federation;

25 (g) such money as may be appropriated to meet the objective of this  
26 bill by the National Assembly in the budget;

27 (h) aids, grants and assistance from international bilateral and  
28 multilateral agencies, non-governmental organizations and the private  
29 sector;

30 (i) grants, donations, endowments, bequests and gifts, whether of

	1	money, land or any other property from any source; and
	2	(j) money derived from investment made by the Development Fund.
	3	(3) Subsection (1) (e) and (f) shall be acceptable to the Development
	4	Fund except where the terms and conditions attached to an aid, grant, donation
	5	or gift are inconsistent with the objective of the Development Fund and the
	6	provisions of this Bill.
Account of the Development Fund	7	<b>14.</b> -(1) There shall be maintained for the Development Fund, an
	8	account into which shall be paid all money accruing to the Development Fund
	9	under this Bill.
	10	(2) The Fund shall also open and maintain an account into which shall
	11	be paid money received for its management of this Bill.
	12	(3) The accounts established under this Bill shall be managed in
	13	accordance with the extant financial regulations of the Federal Government of
	14	Nigeria.
	15	(4) The Fund shall be administered:
	16	(a) to achieve objectives of this Bill:
	17	(b) to meet the cost of administration, including payment of salaries,
	18	fees, other remunerations and allowances payable; and
	19	(c) for payment of experts, professionals, consultants and other
	20	expenditure of the Fund.
Estimates of Expenditure	21	<b>15.</b> -(1) The Fund shall, not later than 30th June of every year, submit
	22	to the President an estimate of its income and expenditure during the
	23	succeeding year.
Account and audit	24	<b>16.</b> The Fund shall cause to be kept for its Development proper
	25	accounts and records and when certified by the Board, these accounts shall be
	26	audited by auditors appointed from the list and in accordance with the
	27	guidelines by the Auditor-General of the Federation.
Exemption from Tax	28	<b>17.</b> -(1) The Development Fund is exempted from the payment of
	29	income tax on any income accruing from its investments.
	30	(2) The provisions of the Companies Income Tax Act, 2007 or any

1 subsequent amendment thereto and any enactment relating to the taxation of  
2 companies or Development Funds do not apply to the Development Fund.

3 **18.** The Fund shall, at the end of every three months, submit to the Quarterly Report  
4 Board a report on its Activities and the administration of the Development  
5 Fund.

6 **19.** The Board shall, not later than three months before the end of Annual Report  
7 each year, submit to the President a report on the Activities and the  
8 administration of the Development Fund during the preceding year and shall  
9 include in such reports the certified auditor's report.

10 **PART VI - MISCELLANEOUS PROVISIONS**

11 **20.** The President may give to the Fund directives of a general Power of the  
President to issue  
directives  
12 nature with regard to the performance by the Board of its functions under  
13 this Bill for compliance.

14 **21.** The Fund may, with the prior approval of the Board, make such Regulations  
15 regulations deemed necessary or expedient for giving full effect to the  
16 provisions of this Bill.

17 **22.** The Federal Inland Revenue Service (in this Bill referred to as Assessment of  
collection of levy  
18 the "the Service") shall assess and collect from companies and organized  
19 private sectors the levy imposed by this Bill and accordingly-

20 (a) Shall, when assessing a company for companies income tax or  
21 petroleum profit tax for an accounting period, also proceed to assess the  
22 company or private sector for the levy due under this Bill;

23 (b) The provisions of the Bill relating to the collection of  
24 companies income tax or petroleum profit tax shall, subject to this Bill,  
25 apply to the levy due under this Bill;

26 (c) The levy imposed under this Bill shall be due and payable  
27 within 60 days after the Service has served notice of the assessment on a  
28 company or sector; and

29 (d) The Service may, for the purpose of assessment and collection  
30 of the levy imposed by this Bill, devise such forms as it may deem necessary.

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

1 fine of up to N1,000,000.00 or both; and

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

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

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

14 **25.** The Federal High Court shall have jurisdiction to try offenders Jurisdiction  
15 under this Bill.

16 **26.**-(1) Without prejudice to the powers of the Attorney-General of Litigation  
17 the Federation under Section 174 (1) of the Constitution of the Federal  
18 Republic of Nigeria 1999 (as altered) to institute, continue or discontinue  
19 criminal proceedings, complaints or other proceedings arising under this  
20 Bill shall be undertaken, conducted or defended in the name of the Fund by  
21 its Legal Officer or any Legal Practitioner appointed by the Fund.

22 (2) Legal Officers of the Fund or any Legal Practitioner appointed  
23 by it can appear in Court on behalf of the Fund in civil matters involving the  
24 Fund.

25 (3) Subject to the provisions of this Bill, the provisions of the  
26 Public Officers Protection Act shall apply in relation to any suit instituted  
27 against the Development Fund or any of its officers.

28 (4) Notwithstanding anything contained in any other law or  
29 enactment, no suit against the Development Fund or any member of the  
30 Board or any other officer or Staff of the Development Fund for any act done

1 in pursuance or execution of the Bill or any other law or enactment or of any  
2 public duty or authority or in respect of any alleged neglect or default in the  
3 execution of this Bill or such law or enactment, duty or authority shall lie or be  
4 instituted in any Court unless-

5 (a) it is commenced within 3 months next after the Bill, neglect or  
6 default complained of; or

7 (b) in the case of continuation of damage or injury, within 3 months  
8 next after the ceasing thereof.

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

Service of  
Document

14 **27.** A notice, summons or other document required or authorized to  
15 be served upon the Development Fund under the provisions of this Bill or any  
16 other law or enactment may be served by delivering it to the Secretary of the  
17 Board or by sending it by registered post and addressed to the Secretary of the  
18 Board at the principal office of the Development Fund.

Interpretation

19 **28.** In this Bill:  
20 "Board" means the Board of the Nigerian Rural Electricity Development  
21 Special Fund, established under this Bill;  
22 "Due process" means compliances with extant financial rules and regulations  
23 on public procurement of goods, works and services;  
24 "President" means the President, Commander-in-Chief of the Armed Forces of  
25 the Federal Republic of Nigeria;  
26 "Personnel" means officers of the Nigerian Rural Electricity Development  
27 Special Fund and the Development Fund;  
28 "Development Fund" means the Nigerian Rural Electricity Development  
29 Special Fund established under clause 3 (1) of this Bill;

1        "Development Fund Member" means a "Nigerian Rural Electricity  
2        Development;  
3        Special Fund Ventures" means small and micro enterprises established by  
4        Nigerian Rural Electricity Development Special Fund farm settlements for  
5        the purpose of training Members.

6                **29.** This Bill may be cited as the Nigerian Rural Electricity     Citation  
7        Development Special Fund (Establishment) Bill, 2022.

1 SCHEDULE

2 SUPPLEMENTARY PROVISIONS RELATING TO THE PROCEEDINGS

3 OF THE BOARD

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

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

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

11 4. At any meeting of the Board, the Chairman shall preside but, in his  
12 absence, the members present at the meeting shall appoint one of them to  
13 preside at the meeting.

14 *Committees*

15 5. The Board may set up such number of committees to perform, on  
16 behalf of the Board of Trustee such of its functions as the Board may determine.

17 6. A committee set up under this Bill shall consist of such number of  
18 persons (not necessarily members of the Board) as may be determined by the  
19 Board, and the person, other than a member of the Board, shall hold office on  
20 the committee in accordance with the terms of his appointment.

21 7. A decision of a committee of the Board is of no effect until it is  
22 confirmed or ratified by the Board.

23 *Miscellaneous*

24 8. The fixing of the seal of the Development Fund shall be  
25 authenticated by the signature of the Chairman or of any other person  
26 authorized generally or specially to Bill for that purpose by the Board.

27 9. Any contract or instrument made or executed by a person not being  
28 a body corporate, that would not be required to be under seal may be made or  
29 executed on behalf of the Board by the Chairman or any person generally or  
30 specifically authorized to Bill for that purpose by the Board.



- 1        Any document purporting to be a document duly executed under the seal of
- 2        the Development Fund shall be received in evidence and is, unless the
- 3        contrary is proved, presumed to be so execute.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigerian Rural Electricity Development Special Fund (NREDSF) to facilitate and improve provision of electricity in rural communities across Nigeria.