

# A BILL

## FOR

AN ACT TO AMEND THE EDUCATION TAX ACT CAP E4 LFN 2004 TO PROVIDE FOR THE UPWARD REVIEW OF PENALTIES FOR NON-COMPLIANCE AND FOR RELATED MATTERS, 2017

*Sponsored by Hon. Odeneye Kehinde Olusegun*

[ ] Commencement

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

1           1. The Education Tax Act, Cap E4 Laws of the Federation of  
2 Nigeria 2004 (hereinafter referred to as “the Principal Act”) is hereby  
3 amended as set out in this Bill. Amendment of  
the Principal Act

4           2. Section 11(1) of the Principal Act is amended by replacing  
5 existing paragraphs (a) and (b) and inserting new paragraph (c) as follows: Amendment of  
Section 11(1)

6           (a) For a first offence, to a minimum fine of N100,000.00 or  
7 imprisonment for a term of three years;

8           (b) For a second and subsequent offence, to a minimum fine of  
9 N200,000.00 or imprisonment for a term of five years or both such fine and  
10 imprisonment;

11           (c) The fines stipulated under paragraphs (a) and (b) of this  
12 subsection may be upwardly varied in the vent of special or extraordinary  
13 circumstances, which may include the current value of the national  
14 currency, the seriousness of the offence, the contrition or lack thereof of the  
15 defendants, amongst other factors.

16           3. This Bill may be cited as the Education Tax Act (Amendment) Citation  
17 Bill, 2017.

### EXPLANATORY MEMORANDUM

This Bill seeks to amend the Education Tax Act to provide for the upward review of the penalties for non-compliance with the provisions of the Act.