

A BILL

FOR

AN ACT TO REGULATE PRIVATE EMPLOYMENT ORGANIZATIONS IN NIGERIA; AND FOR RELATED MATTERS

Sponsored by James Abiodun Falake

[] Commencement

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

1	2.-(1) There is established an office to be known as the Private	
2	Employment Organisations Regulatory Office (hereinafter called "the	Establishment of the Employment Organizations Regulatory Office
3	office").	

4	(2) The Office shall be domicile in the Federal Ministry of Labour,	
5	Employment and Productivity.	

6	2.-(1) The Minister may appoint for the Office a Director-General	Appointment of Director-General and others
7	and such other Officers as he considers necessary for the purpose of the Bill.	

8	(2) Any Officer appointed under Sub-section (1) of this section,	
9	shall perform all the duties (whether specific or general) as may be assigned	
10	to him by the Minister or the Director-General.	

11	3. Any Officer appointed pursuant to section 2 of this Bill, shall be	Officer to be Public Servants
12	deemed to be Public Servant.	

13	4. No suit shall lie against any Public Servant for anything done or	Protection of Public Servant
14	omitted to be done by him in good faith in the cause of exercising any power	
15	or function conferred on him.	

16	5.-(1) No Private Employment Organisation shall engage in the	Application for Licence
17	business of recruitment unless such Organisation has applied and obtained a	
18	licence in that regard.	

19	(2) The Minister shall grant such licence within thirty days of such	
20	application:	

21	Provided that it shall not be a contravention of the provisions of this	
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	1	Act where the Organisation commences the recruitment exercise before the
	2	determination of its application for the licence.
Candidate for grant of a licence	3	6. No Organisation may be granted a licence to carry on the business
	4	unless:
	5	(a) where such a business is to be carried out by an individual, such
	6	individual is a citizen of Nigeria;
	7	(b) where such business is to be carried out in partnership, the
	8	partners are citizens of Nigeria;
	9	(c) where such a business is to be carried out by a Company, the
	10	majority of shares of the Company must be held by Nigerians, or in the
	11	alternative 50% of the shares must be wholly owned by Nigerians.
Necessity to obtain licence	12	7.-(1) No person shall carry on the business of a private employment
	13	Organization except under the authority of a valid licence issued by the
	14	Director-General:
	15	Provided, however, that it shall not be a contravention of the
	16	provisions of this section if a person who has commenced to carry on the
	17	business of a private employment agency before the appointed date and who
	18	has applied for a licence under this Act within the time allowed to continue to
	19	carry on such business until the determination of his application for the licence.
	20	(2) The authority of a licence issued under this Act does not absolve
	21	any person from complying with the provisions of any other written law for the
	22	time being in force.
Form and duration of licence	23	8.-(1) Every Licence shall be in a prescribed form, and shall remain in
	24	force for a period of twelve months from the date of issue.
	25	(2) Application for renewal of the Licence shall be submitted at least
	26	two months before the expiration of the current licence, and shall be in such
	27	form and manner as may be prescribed by the Minister.
Place of business to be started in the licence	28	9. A Licensed Private Employment Organization shall carry out
	29	business in such place as may be stated in the licence and shall not change his
	30	place of business without prior notice in writing to be Director-General

1 Display of Licence

2 10. A Licence Private Employment Organization shall display its
3 licence in a conspicuous place in the premises where the business is carried
4 out.

5 11. A Licence issued to any Private Employment Organization
6 may be endorsed by the Director-General for the purposes of recruiting
7 persons residing in Nigeria for Oversea Employment provided that a bond is
8 executed on their behalf before the Director-General. Endorsement
for oversea
recruitment

9 12. The Minister may make regulations for the purposes of giving
10 effect to the provisions of the Bill. Regulations

11 13. The Minister may cancel the licence of any Organization
12 where it fails to comply with the provisions of this Bill. Penalties

13 14. in this Bill: Interpretation

14 "Director Council" means the Director-General appointed under section 2 of
15 this Bill;

16 "Licence" means Licence issued under section 5;

17 "Minister" means the Minister charged with the responsibility of labour,
18 Employment and Productivity;

19 "Private Employment organization" means any organization Licence for the
20 purpose of procuring employment for a worker or supplying a worker for an
21 employer with a view to stamping directly or indirectly any pecuniary
22 advantage for either the employer or the worker; the expression does not
23 include newspapers or other publications unless they are published wholly
24 for the purpose of acting as intermediaries between employer and workers.

25 15. This Bill may be cited as the Private Employment Short title
26 Organizations Regulation Bill, 2017.

EXPLANATORY MEMORANDUM

This Bill seeks to regulate Private Employment Organizations in Nigeria.