

A BILL

FOR

AN ACT TO AMEND THE CODE OF CONDUCT BUREAU AND TRIBUNAL ACT
2004 AND MATTERS CONNECTED THEREWITH

Sponsored by Hon. Edward Gyang Pwajok

[] Commencement

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

1 The Code of Conduct Bureau and Tribunal Act is hereby amended as set out
2 hereunder.

3 1. The Principal Act is hereby amended in Section 1 (2)(b) by Amendment of
4 substituting "Fifty years" with "Thirty Five years". Section 1(2)(b)

5 2. The principal Act is hereby amended in Section 1 (4) by deleting Amendment of
6 the entire sub Section 4 and inserting with "the Chairman and members shall Section 1(4)
7 serve for a term of five years subject to renewal for one further term only".

8 3. Section 3 is amended by adding Paragraph "e" as follows: Amendment of
9 "upon complaints(s) of any breach or where it appears to the Bureau that Section 3
10 there is a breach of the provisions of this Act, the person concerned shall be
11 given particulars of such non compliance or breaches) to explain before any
12 reference to the Tribunal".

13 4. The Principal Act is hereby amended in Section 4(2) by Amendment of
14 substituting "President" with "The National Assembly". Section 4(2)

15 5. Section 15 is amended by inserting a new sub section "a" thus: Amendment of
16 "Before taking oath of office or assuming office" and renumber the other Section 4(2)
17 paragraphs accordingly.

18 6. * The title to Section 18 is amended by adding the words Amendment of
19 "additional Powers and Returns" Section 18

20 * Section 18 (1) and (2) is amended by substituting "President" with "the
21 National Assembly" and substitute in sub section 1 "him" with "it".

1 * Section 18 is further amended by adding a new sub section 4 thus:

2 "Failure to comply with sub section 3 above shall constitute misconduct".

Amendment of
Section 23

3 7. Section 23 (2) (a) is amended by substituting "nominated" with
4 "appointive".

Amendment of
Section 24

5 8. Section 24 (2) is amended by inserting after "Federal Ministry of
6 Justice" the words "or such Private Legal Practitioner"

7 9. Section 24 is further amended by expunging the whole proviso to
8 sub section 3 that is all the words beginning with "provided and ending with
9 person".

10 Section 24 is amended by adding a new sub section 5 thus:

11 "The provisions of the Evidence Act 2011 as amended shall be applicable and
12 in particular where crime is in issue, the burden and standard of proof of
13 Section 135 of the Evidence Act 2011 as amended shall apply".

EXPLANATORY MEMORANDUM

This Act, among other things amends the Code of Conduct and Tribunal Act, 2004 by amending: the tenure of Chairman and members of the Bureau, providing the condition precedent to the assumption of jurisdiction by the Code of Conduct before taking oath of office or assuming office, making annual returns report to the National Assembly and the Bureau is given the authority to engage private Legal Practitioners to prosecute its case.