

# A BILL

## FOR

AN ACT TO AMEND THE FREEDOM OF INFORMATION ACT 2011 LAWS OF THE FEDERATION OF NIGERIA TO PROVIDE PUNISHMENT FOR NON-COMPLIANCE WITH SECTION 29 OF THE ACT AND FOR RELATED MATTERS

*Sponsored by Hon. Omosede Igbinedion*

[ ] Commencement

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

1           **1.** The Freedom of Information Act (in this Act referred to as "The  
2           Principal Act") is hereby amended as set out hereunder. Amendment of  
the Freedom of  
Information Act

3           **2.** Section 29 of the Principal Act is hereby amended by inserting a Amendment of  
Section 29  
4           new sub-section 9 as follows:

5           (9) Where a public institution fails to comply with the provisions of  
6           sub-section 1 of this section, the defaulting officer shall be guilty of an  
7           offence and be liable to an imprisonment for a term of three months or a fine  
8           of N200,000 while the public institution shall be liable to a fine of N500,000.

9           **3.** Section 29 of the Principal Act is hereby amended by re-  
10          numbering sub-section 9 thereof as subsection 10 as follows:

11          (a) "government" includes any executive department, military  
12          department, government corporation, controlled corporation, or other  
13          establishments in the executive branch of the government (including the  
14          Executive Office of the President), or any other arm of government,  
15          independent or regulatory government agency or public institution; and

16          (b) "information" means any term used in this Act in reference to  
17          information or record which includes any information that would be held by  
18          a government or public institution and information subject to the  
19          requirements of this Act, when maintained by any public institution in any  
20          format, including electronic format.

Citation            1                    **4.** This Bill may be cited as the Freedom of Information Act  
                         2                    (Amendment) Bill, 2018.

EXPLANATORY MEMORANDUM

This Bill seeks to provide punishments for failure to comply with the provisions of section 29(1) of the Freedom of Information Act which mandates every public institution to submit a report on matters concerning Freedom of Information to the Attorney-General of the Federation on or before February 1st of every year.