

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL CAPITAL TERRITORY SECURITY TRUST FUND AND FOR CONNECTED PURPOSES

Sponsored by Hon. Tajudeen Ayo Yusuf

[] Commencement

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

- 1 1. -(1) There is hereby established a Fund to be known as the FCT Establishment of
2 Security Trust Fund (in this act referred to as "the Fund"). FCT Security
3 (2) The Fund shall be a body corporate with perpetual succession Trust Fund
4 and a common seal.
5 (3) May sue and be sued in its corporate name.
6 (4) May hold and dispose of property whether movable or
7 immovable.
8 2.-(1) There is hereby established for the Fund a Management Establishment of
9 Board (in this act referred to as the Board), which shall be responsible for the a Management
10 overall administration of the Fund. Board
11 (2) The Board shall consist of the following:
12 (a) a Chairman;
13 (b) a representative each of the Police, Army, Air force, Navy and
14 the State Security Services;
15 (c) a representative of the Minister;
16 (d) a representative each of the six geo-political zones;
17 (e) Five other persons to represent the private sector, one of which
18 shall be a woman;
19 (f) The Executive Secretary.
20 (3) Members of the Board shall be appointed by the Minister of the
21 Federal Capital Territory in consultation with all stakeholders and shall be

1 persons with proven integrity and relevant experience.

2 (4) A member of the board other than ex-officio members shall hold
3 office for a term of four years and may be reappointed for one further term of
4 four years and no more.

5 (5) The supplementary provisions contained in the schedule to this
6 Act shall have effect with respect to the tenure of office of the board members
7 and to the proceedings of the fund.

8 3.-(1) Notwithstanding the provisions of Section 2 of this Act, a
9 member may at any time be removed from office by the Minister:

10 (a) for inability to discharge the functions of his office (whether
11 arising from infirmity of mind or body or any other cause) or for misbehaviour;

12 (b) if he is found guilty of serious misconduct in relation to his duties;

13 (c) he becomes of unsound mind;

14 (d) he becomes bankrupt or makes a compromise with his creditors.

15 (2) A member of the Board may resign his appointment by a notice in
16 writing under his hand, addressed to the Minister and the member shall, on
17 receipt of the notice by the Minister, cease to be a member.

18 4. Members of the Board shall be paid such allowances as the
19 Revenue Mobilisation, Allocation and Fiscal Commission may from time to
20 time fix.

21 PART II - FUNCTIONS AND POWERS OF THE FUND

22 5. The Fund shall have the responsibility for:

23 (a) Provision of money for the acquisition and deployment of security
24 equipment and such human, material and financial resources as shall be found
25 necessary for the effective functioning of all Federal, State Local Government
26 and other security agencies operating in the State and part of the Fund shall be
27 reserves for the training and retraining of security personnel;

28 (b) Managing and disbursing the Trust Fund for the Procurement and
29 maintenance of equipment and provide welfare etc for all security agencies in
30 the Federal Capital Territory;

1 (c) Collect all monies accruing to the fund and ensure that such
2 monies are paid into the account of the fund;

3 (d) the provision of financial assistance by grants, loans or
4 otherwise for the purposes of the above mentioned objects;

5 (e) receiving requests from those in charge of security and
6 approving admissible projects after due considerations;

7 (f) ensure disbursements to various departments, levels and
8 categories of the Police Force and other security agencies in the Federal
9 Capital Territory;

10 (g) monitor and evaluate the execution of the projects of funded by
11 the fund;

12 (h) invest funds in appropriate and safe securities;

13 (i) update the Minister on its activities and progress through annual
14 audited reports;

15 (j) receive progress reports and suggest improvement within the
16 provisions of this Act;

17 (k) do such other things as are necessary or incidental to the objects
18 of the fund under this Act.

19 6.-(1) The Fund shall have power to do anything, which in its
20 opinion is calculated to facilitate the carrying on of its activities and in
21 particular may:

22 (a) acquire, hold, manage and dispose of any movable and
23 immovable property;

24 (b) Purchase and acquire any asset, business or property
25 considered necessary for the performance of its functions;

26 (c) train managerial, technical or other category of staff for the
27 purpose of running the affairs of the Fund; and

28 (2) The powers conferred on the fund may be exercised by it or
29 through any of its employees or agents authorized to so act.

30 (3) Subject to this Act, the Minister may give to the fund directives

1 of a general nature or specific directions relating generally to a particular
2 matter with regard to the carrying out of the functions of the fund, and it shall be
3 the duty of the fund to comply with such directives.

4 PART III - STAFF

5 7.-(1) There shall be appointed by the Minister, subject to the
6 confirmation of the President, an Executive Secretary for the fund who shall
7 have appropriate qualifications to carry out the functions of the office.

8 (2) The Executive Secretary shall be the Chief Executive and
9 Accounting Officer of the fund and shall be responsible for executing the
10 policy of the Fund and the daily administration of the fund.

11 8.-(1) The Executive Secretary shall be appointed for a term of four
12 years in the first instance and may be re-appointed for a further term of four
13 years and no more.

14 (2). The Executive Secretary shall be paid such remunerations as may
15 be specified in his letter of appointment.

16 (3) The Executive Secretary may resign his appointment by writing
17 under his hand and delivered to the Minister.

Service in the
Fund

18 9.-(1). Service in the Fund shall be approved service for the purposes
19 of the Pensions Reform Act 2004.

20 (2) Officers and employees of the fund shall be entitled to pensions,
21 gratuities and other retirement benefits as are prescribed in the Pension Reform
22 Act" 2004, so however that nothing in this Act shall prevent the appointment of
23 a person to any office on terms which preclude the grant of a pension, gratuities
24 and other retirement benefits as are prescribed under the Pensions Reform Act.

25 PART IV - FINANCIAL PROVISION

26 10. There shall be paid and credited to the Fund:

27 (a) An initial take off grant by the Federal Government;

28 (b) Subventions by the Federal Government and the Federal Capital
29 Territory Administration;

30 (c) Contributions and donations by corporate organisations and

1 individuals;

2 (d) Loans and grants in aid from National, bilateral and multilateral
3 agencies;

4 (e) Rents, proceeds from services rendered by the Fund and other
5 internally generated revenues; and

6 (f) all other sums accruing to the Fund, from time to time.

7 **11.-(1)** The Fund may accept gifts of land, money or other property
8 on such terms and conditions, if any, as may be prescribed by the person or
9 organization making the gift.

10 (2) The Fund shall not accept any gifts if the conditions attached
11 are inconsistent with the objectives of the Fund.

12 **12.** The Fund may subject to the Land Use Act acquire any land for
13 the purpose of discharging its functions.

14 **13.** The Fund shall prepare and submit to the National Assembly
15 through the Minister not later than 30th September of each year, an estimate
16 of its expenditure and income during the next succeeding year.

17 **14.** The Fund shall:

18 (a) cause to be kept proper accounts and records of the transactions
19 of the Fund;

20 (b) maintain effective control over its assets and liabilities incurred
21 in the discharge of its functions;

22 (c) prepare in respect of each financial year a statement of account
23 in such form as the Auditor-General may direct.

24 **15.** The Fund shall cause the accounts to be audited not later than
25 six months after the end of each year.

Accounts and
audit

26 **16.** The Fund shall submit to the Minister not later than 30th June of
27 each financial year, report of its activities during the proceeding year and it
28 shall include in such report a copy of the audited accounts of the Fund for
29 that year and a copy of the Auditor's report on it.

Annual report

30 **17.** The fund may with the approval of the Management Board

1 engage the service of persons with knowledge or experience in matters relevant
2 to the functions of the Fund to assist otherwise than on the basis of full time
3 employment.

Interpretation

4 **18. In this Act:**

5 "Minister" means the Minister of the Federal Capital Territory;

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

7 "Fund" means the federal Capital territory T rust Fund established under this
8 law.

Short title

9 **19. This bill may be cited as the Federal Capital Territory Security**
10 **Trust Fund (Establishment etc.) Bill, 2015.**

11 SUPPLEMENTARY PROVISIONS RELATING TO THE MANAGEMENT BOARD

12 *Proceedings of the Management Board. Cap. 192 LPN.*

13 **1. -(1) Subject to this act and section 27 of the Interpretation Act, the**
14 **Board may make standing orders regulating its proceeding or those of any of its**
15 **Committees.**

16 **(2) The quorum of the Board shall be five members and the quorum of**
17 **any Committee of the Board of shall be determined by the Board.**

18 **2.-(1) The Board shall meet not less than four times in each year and**
19 **subject thereto, the Board shall meet whenever it is summoned by the**
20 **Chairman; and if the Chairman is required to do so by notice given to him by**
21 **not less than three other members, he shall summon a meeting of the Board to**
22 **be held within fourteen days from the day date on which the notice is given.**

23 **(2) at any meeting of the Board, the Chairman shall preside but if he is**
24 **absent, the members present at the meeting shall appoint one of their members**
25 **to preside at that meeting.**

26 **(3) Where the Board desires to obtain the advice of any person on a**
27 **particular matter, the Board may co-opt such a person for a such a period as it**
28 **thinks fit; but a person who is attendance by virtue of this sub-paragraph shall**
29 **not be entitled to vote at any meeting of the Board and shall not count towards a**
30 **quorum.**

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

3 (2) A Committee appointed under this paragraph shall consist of
4 such member of persons (not necessarily members of the Board) as may be
5 determined by the Board and shall not
6 hold office on the Committee in accordance with the terms of his
7 appointment.

8 (3) A decision of a Committee of the Board shall be of no effect
9 until it is confirmed by the Board.

10 *Miscellaneous*

11 4.-(1) The fixing of the seal of the fund shall be authenticated by the
12 signature of the Chairman, the Executive Secretary, or of any other person
13 authorized generally or specifically to act for that purpose by the Board.

14 (2) Any contract or instrument which, if made or executed by a
15 person not being a body corporate, would not be required to be under seal
16 may be made or executed on behalf of the Fund by the Chairman, Executive
17 Secretary, or any person generally or specially authorized to act for that
18 purpose by the Board.

19 (3) Any document purporting to be a document duly executed
20 under the seal of the Fund, shall be received in evidence and shall, unless and
21 until the contrary is proved, be presumed to be so executed.

22 5. The validity of any proceeding of the Board or of a Committee
23 thereof shall not be adversely affected by any vacancy in the membership of
24 the Board or Committee, or by any defect in the appointment of a member of
25 the Board, or of a Committee, or by reason that a person not entitled to do so
26 took part in the proceedings of the Board or Committee.

EXPLANATORY MEMORANDUM

The bill seeks to establish a Federal Capital Territory Security Trust Fund to provide adequate funding for the security of lives and property in the Federal Capital Territory.