

A BILL

FOR

AN ACT TO ESTABLISHING AN INDEPENDENT NATIONAL ASSEMBLY BUDGET AND RESEARCH OFFICE, WHICH SHALL PROVIDE THE NATIONAL ASSEMBLY WITH OBJECTIVE, TIMELY AND NON-PARTISAN ANALYSIS NEEDED FOR ECONOMIC AND BUDGET DECISIONS AND OTHER RELATED MATTERS, 2016

Sponsored by Hon. Golu Timothy

Co-sponsors:

- | | |
|----------------------------|------------------------------|
| 1. Hon. Legor Idagbo | 2. Hon. Adaranijo Toafeek |
| 3. Hon. Abdulahi Dutse | 4. Hon. Mojeed Alabi |
| 5. Hon. Muhtari Chiromawa | 6. Hon. Rimamnde S. Kwewum |
| 7. Hon. Zaphaniah Jisalo | 8. Hon. Davematics Omugadu |
| 9. Hon. Olajide Olatubosun | 10. Hon. Johnbull Shekarau |
| 11. Hon. Shadimu Mutiu | 12. Hon. Solomon B. Maren |
| 13. Hon. Kabiru Shaaibu | 14. Hon. Oladele George |
| 15. Hon. Orji Chime Agu | 16. Hon. Elendu Ukeje |
| 17. Hon. Jephthan Foingha | 18. Hon. Ayeola Abayome |
| 19. Hon. Okorie Linus | 20. Hon. Brown R. Iwo-Oruene |
| 21. Hon. Samaila Suleiman | 22. Hon. Garba A. Idris |

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

1 1.-(1) There is established under this Bill the National Assembly
2 Budget and Research Office (in this Bill referred to as "NABRO"). Establishment of the Office

3 (2) NABRO shall be a body corporate with perpetual succession,
4 an official seal, and shall have power to sue and be sued in its corporate
5 name.

6 2. The functions of NABRO shall be to- Functions

- 1 (a) provide independent, unbiased and non-partisan analysis of the
2 national budget estimates;
- 3 (b) provide independent unbiased analysis of the budget of the
4 National Assembly and assist all the Committees of the National Assembly in
5 developing their annual budgets;
- 6 (c) provide independent and continuous review of the budget of the
7 Federal Government including monitoring of existing and proposed
8 programme and budgets;
- 9 (d) provide assistance to all Committees in both Chambers of the
10 National Assembly, including-
- 11 (i) information with respect to budget and all bills relating to new
12 budget heads;
- 13 (ii) information with respect to estimated future revenue and
14 changing revenue conditions;
- 15 (iii) aggregate of all current liabilities and existing financial
16 commitments; and
- 17 (iv) any related information as the Committees may request.
- 18 (e) provide analysis of the economic implication on the private sector,
19 the budgetary and financial implication on States and Local Governments of
20 any proposed legislation;
- 21 (f) prepare and present to the National Assembly periodic forecasts of
22 economic trends and alternative fiscal policies;
- 23 (g) provide the National Assembly with cost estimates including an
24 analysis of the inflationary impact of any proposed legislation;
- 25 (h) submit to both Chambers of the National Assembly, (not later than
26 June every year), a report of-
- 27 (i) all items funded in the preceding financial year for which no
28 appropriation was made by the National Assembly; and
- 29 (ii) all items contained in the Appropriation Act in the preceding
30 financial year but which were not funded by the Federal Government.

1 (i) publish and disseminate on its website information it generates
2 including reports, analysis, forecasts, etc; and

3 (j) carry out any other functions as the Board may direct from time
4 to time.

5 3. The Office shall have the power to do all things necessary to or
6 in connection with the performance of its functions, including, but not
7 limited to the power to-

Power of the
Office

8 (a) enter into agreement, acquire, hold and dispose of property;

9 (b) procure the services of experts, consultants and organisations;

10 (c) enter into partnership or affiliation with any company, firm,
11 organization, agency or person, which in its opinion will facilitate the
12 discharge of its functions;

13 (d) request for and obtain, from any public enterprise, statistical
14 and other information including reports, memoranda, audited accounts and
15 other information relevant to its functions;

16 (e) liaise with relevant bodies or institutions, national or
17 international for effective performance of its functions;

18 (f) conduct any study necessary, to enable it fulfill its mandate; and

19 (g) determine the methodologies needed for use in its works.

20 4.-(1) There shall be for the Office, a Governing Board (in this Bill
21 referred to as "the Board").

Governing Board

22 (2) The Board shall comprise a Chairman and 6 members
23 representing the 6 geopolitical zones of the country and representatives of
24 Clerk of National Assembly not below the rank of a Director-

25 (i) Chairman and 6 members representing each of the geo-political
26 zones;

27 (ii) the Director General of the Office;

28 (iii) three Ex-Officio members comprising the representative of
29 Clerk to the National Assembly and the two Executive Directors of the
30 Office.

1 accountancy, business administration, public administration.

2 (4) The Director-General shall not be a member of a political party.

3 (5) The Director-General shall hold office for a period of 4 years, and
4 may be eligible for reappointment for one more term of 4 years only, provided
5 the Governing Board considers his performance satisfactory.

6 (6) The Director-General shall be responsible for the overall
7 operations of the Office including but not limited to-

8 (a) steering and overseeing the provision of analysis of the annual
9 budget estimates of the Federal Government and the implementation of the
10 requests or directives of Legislative Committees;

11 (b) general management and administration of the Office;

12 (c) controlling and disbursing amounts from funds established in
13 accordance with this Bill; and

14 (d) performance of such other duties as may be specified, directed and
15 determined by the Governing Board; and

16 (7) The Director-General may be removed from office upon a
17 resolution of the appropriate Committees in both Senate and House of
18 Representatives on consideration of a recommendation of the Governing
19 Board for the Director-General's inability to discharge the function of the office
20 or for misconduct.

21 (8) The Director-General may resign from office upon giving 3
22 months written notice of resignation to the Governing Board or payment of 3
23 months basic salaries in lieu of notice.

Appointment,
duties, tenure and
removal of
Directors

24 **11.-(1)** The Directors for the Departments shall be appointed by the
25 Governing Board in a transparent manner and the appointments shall be based
26 solely on professional competence and qualification.

27 (2) The Directors shall be professionals in the relevant fields and shall
28 be persons of proven integrity with at least a Master's degree and a minimum of
29 15 years post qualification and relevant experience.

30 (3) The Directors shall not be members of a political party.

Funds, estimates
of expenditure, etc.

- 1 (b) disciplinary control of employees of the Office and mode of
2 appeal by such employees against dismissals or other disciplinary measure;
- 3 (c) administrative or organizational structure of the Office;
- 4 (d) promotion and staff welfare; and
- 5 (e) other guidelines.
- 6 **16. -(1) The Office shall derive its Fund from-**
- 7 (a) such monies as may in each year be approved by the National
8 Assembly under the Appropriation Act for the purposes of carrying out the
9 duties and functions of the Office;
- 10 (b) such monies as may from time to time, be granted or deposited
11 with the Office by the National Assembly or anybody or institution within the
12 country;
- 13 (c) all monies raised for the purposes of the Office by way of gifts,
14 loans, grants-in-aid, testamentary dispositions or otherwise;
- 15 (d) proceeds from other assets that may from time to time accrue to the
16 Office.
- 17 (2) Such monies derived for the purpose of running the Office shall be
18 declared to the National Assembly who shall then appropriate such funds
19 before spending except for grants in aids attached to programme or projects.
- 20 (3) The Office shall defray from the Fund all expenditures incurred by
21 it and shall include-
- 22 (a) the cost of administration;
- 23 (b) the payment of salaries, fees or other remunerations or allowances
24 and pensions and gratuities payable to members and employees of the Office;
25 and
- 26 (c) anything done in connection with any of its functions under this
27 Bill.
- 28 (4) The Director-General shall prepare not later than 31st June of each
29 year, an estimate of the expenditure and income of the Office for the
30 succeeding year which shall be submitted to Clerk to the National Assembly

1 through the Governing Board for approval for Appropriation.

2 (5) The Director-General shall keep accounts and receipts,
3 payments, assets and liabilities and shall in respect of each year prepare a
4 statement of account in such form as the National Assembly may direct.

5 (6) The Director-General shall within 3 months after the end of the
6 financial year to which the account relates, cause the account to be audited
7 by auditors appointed from the list and in accordance with guidelines
8 supplied by the Auditor-General of the Federation.

9 17. The Director-General may, for the purpose of coordinating the
10 operations of the Office with those of the National Assembly Agencies,
11 obtain information, data, estimates and statistics developed by the
12 Committees, Clerk and all other offices of the National Assembly.

Obtaining of data
by the Director-
General

13 18.-(1) The Director-General shall obtain information, data,
14 estimates and statistics directly from ministries, extra-ministerial
15 departments, Government parastatals, agencies, commissions and
16 establishments; and all such ministries, extra-ministerial departments,
17 Government parastatals, agencies, commissions and establishments shall
18 furnish the Director-General with all materials that are necessary in the
19 performance of his duties.

Obtaining of data
from public bodies

20 (2) The Director-General may, upon agreement with the head of
21 any Ministry, Extra-Ministerial departments, parastatals, agency,
22 Commission or establishment, utilize its services, facilities and personnel as
23 needed by the Office.

24 (3) The Director-General may assign Professional and other staff
25 of the Office to any Ministry, Extra-Ministerial department, parastatals,
26 agency, commission or establishment including joint ventures where
27 Government is a party for the purpose of obtaining primary data and
28 statistics.

29 (4) The Director-General may assign Professional Staff or
30 Consultants to conduct surveys as may be required by the Office.

1 (5) It shall be mandatory for any MDAs to submit information, data,
2 estimates and statistics as requested by the Office, failure of compliance will be
3 reported to the Senate President and the Speaker.

Interpretation

4 **19. In this Bill-**
5 "committees" means committees established under the rules of both
6 Chambers;
7 "core revenue" means accruable revenue;
8 "economic related committees" mean committees on Aids, Loans and Debt
9 Management; Appropriation; Banking and Currency; Capital Market;
10 Finance; Legislative Budget and Research; National Planning and Population;
11 Public Accounts; and any other committee(s) that may be established
12 according to the Standing Orders of either House of National Assembly;
13 "misconduct" as provided in the Code of Conduct for Public Officers;
14 "permissible aggregate government expenditure" means the total spending
15 ceilings or limits;
16 "property" means land or building and includes intellectual property;
17 "Public Bodies" means any corporation, board, company or parastatals
18 established by, or under enactment in which the Government of the Federation,
19 a Ministry, or Extra-Ministerial Department, agency, or equity interest and
20 include a partnership, joint venture, or any form of business arrangement or
21 organization;
22 "the Office" means National Assembly Budget and Research Office.

Citation

23 **20. This Bill may be cited as the National Assembly Budget and**
24 **Research Office (Establishment) Bill, 2016.**

25 **SCHEDULE**

26 **SUPPLEMENTARY PROVISION RELATING TO THE BOARD, ETC.**

27 **1.-(1) At any meeting of the Board, the Chairman shall preside and in**
28 **his/her absence, such member of the Board as the other members may elect**
29 **from among themselves for that purpose.**

30 **(2) The Director-General shall be the Secretary; and shall provide**

1 secretariat services for all meetings of the Governing Board.

2 (3) Subject to this Bill and section 27 of the Interpretation Act, the
3 Board may make standing orders regulating its proceeding or those of any of
4 its Committees.

5 2. The Quorum of the Board shall be the Chairman and 3 other
6 members of the Board.

7 3. The Board may appoint one or more Committees to carry out, on
8 behalf of the Board, such of its functions as the Board may determine, but no
9 decision of any such Committee shall have effect unless ratified by the
10 Board.

11 4. The Board may co-opt persons who are not members of the
12 Board to any meeting of the Board or any Committee and such persons may
13 take part in the deliberations of the Board or any Committee but shall not be
14 entitled to vote.

15 5. The fixing of the seal of office shall be authenticated by the
16 Signature of the Chairman or any other member of the Board generally or,
17 specifically authorized by the Board to act for that purpose and the Director-
18 General-

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

22 6. The validity of any proceedings of the Board or a Committee
23 shall not be adversely affected by-

24 (a) the validity in the membership of the Board or Committee;

25 (b) a defect in the appointment of a member of the Board or
26 Committee; or

27 (c) reason that a person not entitled to do so, took part in the
28 proceeding of the Board or Committee..

EXPLANATORY MEMORANDUM

This Bill seeks to establish an Independent National Assembly Budget and Research Office, which shall provide the National Assembly with objective, timely and non-partisan analysis needed for economic and budget decisions/