

PUBLIC OFFICERS PROTECTION (AMENDMENT) BILL, 2015

ARRANGEMENT OF CLAUSES

Clauses:

1. Amendment of Cap. P.41 Laws of the Federation, 2004
2. Insertion of new Section 3 and Section 4
3. Citation.

A BILL

FOR

AN ACT TO AMEND PUBLIC OFFICERS PROTECTION ACT, CAP. P 41, LAWS OF THE FEDERATION OF NIGERIA, 2004; TO PROVIDE FOR THE SUSPENSION OF THE PUBLIC OFFICER FACING CRIMINAL TRIAL FROM OFFICE THEREBY STOPPING THE OFFICER FROM DISCHARGING ANY FUNCTION, COLLECTING SALARY OR ALLOWANCES RELATING TO THE OFFICE OCCUPIED DURING THE PERIOD OF THE TRIAL AND OTHER RELATED MATTERS.

Sponsored by Hon. Musa Sarkin Adar

[] Commencement

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

- 1 1. The Public Officers Protection Act (in this Bill referred to as
- 2 “the Principal Act”) is amended as set out in this Bill.
- 3 2. The Principal Act is amended by inserting:
- 4 (a) after Section 2 (d) new Section “3(1) and (2)”:
- 5 “3(1) Any Public Officer who is accused of committing financial
- 6 crime and facing trial before a Court of law shall be suspended from office
- 7 within the period of trial.
- 8 (2) A Public Officer referred to under sub-clause (1) of this Clause
- 9 who is subsequently convicted and sentenced shall forfeit:
- 10 (a) status of Public Officer;
- 11 (b) salary and allowance within the period of suspension; and
- 12 (c) any benefit accruing to the office.
- 13 (3) Notwithstanding the provisions of sub-clause (1) of this Clause,
- 14 a Public Officer who is a member of the legislature shall be suspended from
- 15 participating in any Committee work until the case before the Court against
- 16 the member is finally determined”.

Amendment of
Cap. P14 LFN,
2004

Insertion of new
Section 3 and
Section 4

Interpretation	1	3. In this Bill:
	2	“Public Officer” includes any individual holding public office;
	3	“Public Office” includes any office responsible for discharging Official
	4	functions for the public.
Citation	5	4. This Bill is cited as Public Officers Protection (Amendment) Bill,
	6	2015.

EXPLANATORY MEMORANDUM

This Bill seeks to amend Public Officers Protection Act, Cap. P 41, Laws of the Federation of Nigeria, 2004; to provide for the suspension of a Public Officer facing criminal trial from Office thereby stopping the Officer from discharging any function, collecting salary or allowances relating to the office occupied during the period of the trial and to prevent any interference with the trial process.