

A BILL

FOR

AN ACT TO PROVIDE FOR THE FEDERAL AGENCIES CIVIL PENALTIES
INFLATION ADJUSTMENT BILL, 2016

Sponsored by Hon. Igariwey Iduma Enwo:

[] Commencement

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

1 1. Where in any enactment provision is made for the imposition of
2 a fine as a Penalty for the contravention of any provision in the enactment,
3 the amount of the fine shall be adjusted to maintain the deterrent effect of
4 such penalty.

5 2.-(1) For the purpose of this Act, the adjustment of fines to
6 maintain its deterrent effect shall be equal to the amount of Naira specified in
7 the Schedule to this Act.

8 (2) The Attorney-General shall by a legislative instrument adjust
9 the Schedule to this Act and such adjustment shall reflect the current
10 inflationary rate.

11 (3) The Attorney-General shall set up machinery to monitor the
12 collection of all Civil monetary penalties stipulated in legislations.

13 (4) Any adjustment made by the Attorney-General under this
14 section shall:

15 (a) be laid before the National Assembly;

16 (b) come into force at the expiration of a period of twenty-one
17 sitting days of being so laid unless the National Assembly, before the
18 expiration of the said period of twenty-one sitting days, annuls the
19 regulation by vote of simple majority; and

20 (c) be published in the Gazette or Journals of the National
21 Assembly on the day it was approved.

- 1 **3.** This Act does not apply to:
- 2 (a) any existing enactment which came into force on or after 1st
- 3 January, 2008; or
- 4 (b) any fines in any existing enactment amended since 1st January,
- 5 2008.

Interpretation

- 6 **4.** In this Act unless the context otherwise requires:
- 7 'fine' means any pecuniary penalty to which a person may be liable for breach
- 8 of a provision in an enactment;
- 9 'existing enactment' means an enactment in force immediately before the
- 10 coming into force of this Act.

Citation

- 11 **5.** This Act may be cited as the Civil Penalties Adjustment Bill,
- 12 2016.

SCHEDULE

Fines

- 15 1. N20,000
- 16 2. N50,000
- 17 3. N100,000
- 18 4. N200,000
- 19 5. N300,000
- 20 6. N400,000
- 21 7. N500,000

EXPLANATORY MEMORANDUM

This Bill seeks to adjust civil monetary penalties of Federal legislations so as to maintain the deterrent effects of civil monetary penalties. It further seeks to provide for an annual report to the National Assembly on the amount and number of civil monetary penalties imposed and collected.