

A BILL

FOR

AN ACT TO PROVIDE FOR NATIONAL EMPOWERMENT AND ENHANCEMENT SCHEME TO STRENGTHEN GOVERNMENT'S DRIVE TOWARDS ALLEVIATING POVERTY IN NIGERIA; AND FOR RELATED MATERS

Sponsored by Hon. Goni Bukar Lawan

[] Commencement

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

1 1.-(i) There is established a scheme to be known as National
2 Empowerment and Enhancement Scheme (NEES) (hereinafter) called "the
3 Scheme".

Establishment of
the National
Empowerment
and Enhancement
Scheme

4 (a) the scheme shall be a body corporate with perpetual succession
5 and a common seal;

6 (b) can sue and be sued;

7 (ii) The scheme shall maintain a Headquarters in Abuja, and States
8 Offices throughout the 36 States of the Federation and the Federal Capital
9 Territory.

10 2. Objectives of the Scheme shall be:

Objectives of the
Scheme

11 (i) to eradicate poverty, hunger and destitution;

12 (ii) to promote women empowerment and youth development;

13 (iii) to place Nigeria on the path of sustainable growth and
14 development.

15 3. The functions of the scheme shall be:

Functions of the
Scheme

16 (a) formulating and implementing programmes and projects to
17 empower the poor to be self-reliant;

18 (b) promoting partnership amongst stakeholders to generate
19 enough resources to fight poverty;

20 (c) serves as an avenue through which Federal, States and Local

1 Governments can exchange ideas and collaboratively implement poverty
2 alleviation strategies;

3 (d) linking the poor to sources of empowerment;

4 (e) attract resources from Nigerians in Diaspora for Community
5 Development;

6 (f) mobilise resources in matching funds from domestic and
7 International Institutions for poverty eradication;

8 (g) co-ordinate and harmonise poverty programmes across the
9 country;

10 (h) monitor effectiveness and challenges of poverty programmes in
11 Nigeria;

12 (i) conduct impact analysis on national poverty programmes;

13 (j) produce periodic co-ordination and monitoring and ranking
14 reports on poverty in Nigeria, and;

15 (k) to operate a data bank on the poor and vulnerable in the society;

16 (l) to promote and support talent discovery and encourage the
17 realization of such potentials;

18 (m) to ensure the availability of vocational training centres;

19 (n) to promote, establish and maintain farm settlements;

20 (o) any other objectives(s) as may be incidental to the scheme's
21 mandate.

Governing
Council

22 **4.-(1)** There shall be a governing council for the scheme (hereinafter)
23 called the Council.

24 (2) The Council shall consist of:

25 (a) a Chairman;

26 (b) the Executive Secretary;

27 (c) a representative of the Central Bank of Nigeria, not below the rank
28 of a Director;

29 (d) a representative of the Federal Ministry of Labour Employment
30 and Productivity, not below the rank of a Director;

1 (e) a representative of the Federal Ministry of Finance, not below
2 rank of Director;

3 (f) a representative of the Federal Ministry of Agriculture and
4 Rural Development not below the rank of a Director;

5 (3) The Chairman and members of the Council except the
6 Executive Secretary shall be part time members.

7 (4) The supplementary provisions contained in the Schedule to this
8 Bill shall have effect with respect to the matters therein mentioned

9 **5. Appointment, Disqualification of members of the Council:**

Appointment,
Disqualification
etc.

10 (a) (1) The Chairman and Members of the Council shall be
11 appointed by the President on the recommendation of the Minister and
12 subject to confrontation by the Senate of the Federal Republic of Nigeria;

13 (b) be persons of proven integrity and ability;

14 (2) A person shall cease to hold office as a member of the council if:

15 (a) he is convicted of a felony or any offences involving dishonesty
16 or fraud;

17 (b) he becomes of unsound mind, or incapable of carrying out his
18 duties;

19 (c) he is guilty of a serious misconduct in relation to his duties; or

20 (d) he resigns his appointment by a letter addressed to the Minister
21 in which case the resignation shall take effect from the date of receipt of the
22 letter by the Minister.

23 (3) where the council is dissolved, the Executive Secretary shall
24 continue to perform the duties and functions of the Council pending the
25 Constitution of a new Council.

26 **6. Subject to the provisions of this Act, the Chairman and other**
27 **members shall each hold office:**

Tenure of the
Council Members

28 (i) for a term of four years in the first instance and may be eligible
29 for re-appointment for a further term of four years and no more, and

30 (ii) on such terms as to remuneration and allowances as may be

	1	determined by the Revenue Mobilization, Allocation and Fiscal Commission.
Powers of the Council	2	7. The Council shall have power:
	3	(a) to manage and superintend the scheme;
	4	(b) to design the overall policy and general administration of the
	5	scheme;
	6	(c) to acquire offices and other premises for the scheme;
	7	(d) to appoint officers, who in the opinion of the council are required
	8	for carrying out the functions of the council;
	9	(e) to fix terms and conditions of service, including remuneration of
	10	the employees of the scheme; and
	11	(f) to do such other things and enter into such other transactions which
	12	in the opinion of the council are necessary to ensure the efficient performance
	13	of its functions;
Mandates of the Scheme	14	8. The scheme shall mandated to do the following:
	15	(a) advocacy initiation and implementation of policy directions
	16	towards poverty reduction;
	17	(b) supervise on a continuous basis the allocation and disbursement of
	18	funds, materials and services to the poor;
	19	(c) liaise with any relevant governmental and/or Non-Governmental
	20	body to reduce poverty in Nigeria; and
	21	(d) to do such other things that are necessary to actualize its mandates.
Power of the Minister to give directives	22	9. The Minister may give to the Council directives of a general or
	23	special nature with regard to the mandates of the scheme and it shall be the duty
	24	of the Chairman, the Council and the National Co-ordinator to comply with the
	25	directives.
Funds of the Scheme	26	10.-(1) the Fund of the scheme shall consist of:
	27	(a) such sums not less than two percent of the total annual budget of
	28	the Federation;
	29	(b) intervention fund on poverty for pilot scheme and intervention in
	30	the areas under its preview;

1 (c) monies borrowed from any sources with the approval by a
2 resolution of the council;

3 (d) such monies by ways of donations, grant or gift from Private or
4 Public Institutions within Nigeria and International Organisation.

5 **11.-(1)** There shall be appointed for day to day running of the
6 Scheme the following officers:

Appointment of
Executive Secretary

7 (a) Executive Secretary who shall be the Chief Executive Officer,
8 and responsible for the day-to-day management of the scheme;

9 (b) a Secretary for each state of the Federation and the Federal
10 Capital Territory, who shall be answerable to the council and the Executive
11 Secretary; and

12 (c) such other members of staff as may be required to carry out the
13 function of the scheme, accordingly, it may borrow staff from any service of
14 the Federation or of a state.

15 **12.** The scheme may accept gifts of money, land or other property
16 on such items and conditions, if any, as may be specified by the person or
17 organisation making the gift, as long as such conditions are consistent with
18 the functions of the scheme.

19 **13.-(1)** There shall be established in the Head Office of the Scheme
20 the following departments:

21 (a) department of Administration and Human Resources;

22 (b) department of Planning, Research and Statistic;

23 (c) department of Legal Services;

24 (d) department of Financial and Accounts;

25 (e) department of Programme Development and Implementation;

26 (f) department of Public Procurement;

27 (g) department of Social Safety Net;

28 (h) department of post Emergency Management, and

29 (i) department of monitoring and evaluation;

	1	(2) The Council may establish additional department(s) as it may be
	2	appropriate.
Account and audit	3	14. -(1) The Executive Secretary shall submit to the Council for
	4	approval, not later than 30 September of each year an estimate of its
	5	expenditure and income during the next succeeding year.
	6	(2) The Scheme shall keep accounts in respect of each financial year
	7	and maintain proper records in relation to those accounts.
Annual Report	8	15. It shall be the duty of the council to prepare and submit to each
	9	House of the National Assembly a report relating to the activities of the scheme
	10	during the immediate preceding financial year.
Regulations	11	16. Any power to make regulations, rules or order conferred by this
	12	bill shall include:
	13	(a) power to make provisions- for such incidental and supplementary
	14	matter as the authority making the instrument consider expedient for the
	15	purpose of the instrument; and
	16	(b) power to make different provisions for different circumstances.
Savings and Transitional Provisions	17	17. -(1) Any statutory function, right, liability, interest and obligation
	18	existing in the National Poverty Eradication Programme before the
	19	commencement of this Bill shall by virtue of this Bill be deemed to have been
	20	assigned and vested to this scheme after the commencement of this Bill.
	21	(2) All assets, funds, resources and other movable or immovable
	22	property which before the commencement of this Bill were vested in the
	23	National Poverty Eradication Programme shall by virtue of this Bill be
	24	deemed to have been assigned and vested in the scheme after the
	25	commencement of this Bill.
Interpretation	26	18. In this Bill, unless the context otherwise requires:
	27	"scheme" means the National Empowerment and Enhancement Scheme;
	28	"Minister" means the Minister in charge of the Federal Ministry of Finance;
	29	"President" means the President and Commander-in-Chief of the Armed
	30	Forces of the Federal Republic of Nigeria;

1 "Governing Council" means the council empowered to regulate the
2 activities of the scheme;

3 Power includes functions.

4 19. This Bill may be cited as National Empowerment and Short Title
5 Enhancement Scheme (Establishment) Bill, 2016.

6 SCHEDULE

7 1. The Council may make Standing Orders regulating the
8 proceedings of the Council or any Committee thereof, and shall meet not less
9 than once in each of any six months in every year;

10 2. The Quorum of the Council shall be four.

11 3.-(1) Subject for the provisions of any applicable Standing Orders
12 the council shall meet whenever summoned by the Chairman, and if the
13 Chairman is required so to do by notice given to him by not less than four
14 other members shall summon a meeting of the council to be held within 21
15 days from the date on which the notice is given.

16 (2) At any meeting of the council, the chairmen shall preside or in
17 his absence, the members present at the meeting shall appoint one of their
18 numbers to preside at that meeting.

19 (3) Where the council wishes to obtain the advice of any person on
20 a particular matter, the Council may co-opt him as a member for such period
21 as it thinks fit, but a person who is a member by virtue of this sub-paragraph,
22 shall not be entitled to vote at any meeting of the council and shall not count
23 toward a quorum.

24 4.-(1) The Council may appoint one or more Committees to carry
25 out on behalf of the Council such of its functions as the council may
26 determine.

27 (2) A Committee appointed under the paragraph shall consist of the
28 numbers of persons determined by the Council and not more than one third
29 of those persons who are not member's of the council shall hold office in the

1 committee in accordance with the terms of the instrument by which he is
2 appointed.

3 (3) A discussion of the Committee of the Council shall be of no effect
4 until it is confirmed by the Council.

5 *Miscellaneous*

6 5.-(1) The fixing of the seal of the Scheme shall be authenticated by the
7 signature of the Chairman and of some other member authorized generally or
8 specifically by the council to act for that purpose.

9 (2) Any contract or instrument which if made or executed by a person
10 not being a body corporate would not be required to be under seal, may be made
11 or executed on behalf of the council by person generally or specifically
12 authorised to act for that purpose by the Board.

EXPLANATORY NOTE

This Bill seeks to reduce poverty amongst Nigerians and empower the poor to fight poverty; and by implication to serve as the institutionalized poverty reductions programme in Nigeria.