A BILL

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AN ACT TO AMEND THE INDEPENDENT CORRUPT PRACTICES AND OTHER RELATED OFFENCES ACT, 2003 CAP 31 LAWS OF THE FEDERATION OF NIGERIA, 2004

Sponsored by Hon. Edw Ajid Gyang Pwajok

[ ] Commencement

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

1. The Independent Corrupt Practices and other Related Offences Act, CAP 31 Laws of the Federation of Nigeria 2004 (in this Bill referred to as the "Principal Act") is amended as set out in this Bill.

2. The Principal Act is hereby amended in Section 41 by adding a new Sub Section (3) as follows: Amendment of Section 41

"Where the forfeited property originally belonged to a State Government or any of its agencies, the property forfeited to the Court shall be transferred in totality to that State Government and mutatis mutandis Local Governments or any of its agencies".

3. The Principal Act is hereby amended in section 41 by adding a new Sub section (4) as follows: Amendment of Section 41

"Where any refund or monetary payments is made to the Court sequel to the investigation, prosecution or conviction of any offence involving fraudulent acquisition of property or corruption, such refund or payment should be returned to the original source be it the federal Government, State Government, Local Government or private persons".

4. The Principal Act is hereby amended in Section 2 by including the definition of *"Court"*, which shall mean any competent Court in Nigeria. Amendment of Section 2

Citation

1 5. This Bill may be cited as the Independent Corrupt Practices and
2 other related Offences (Amendment) Bill, 2016.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Independent Corrupt Practices and other Related Offences Act, 2003 to provide for forfeiture to be made to the original sources of the crimes.