

A BILL

FOR

AN ACT TO AMEND PUBLIC OFFICERS PROTECTION ACT, CAP P41, LAWS OF THE FEDERATION OF NIGERIA, 2004

Sponsored by Senator Peter Nwaoboshi

[] Commencement

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

1 The Public officers Protection Act, CAP P41, Laws of the Federation of
2 Nigeria, 2004 (In this Act referred to as “the Principal Act”) is amended as
3 set out in this Act.

4 1. The Principal Act is here by amended by substituting the words
5 “three months” as they appear in lines 2 and 4 of section 2 (a) of the Principal
6 Act with the words “three years” and to add the following words “or within
7 such further time as the court may allow, depending on the circumstance of
8 the matter”.

9 2. The new Section 2 (a) will read, thus: “the action, prosecution,
10 or proceeding shall not lie or be instituted unless it is commenced within
11 three years next after the act, neglect or default complained of or in case of a
12 continuance of damage or injury, within three years next after the ceasing
13 thereof or within such further time as the court may allow, depending on the
14 circumstance of the matter”.

15 3. To amend the proviso to section 2(a) by substituting the words
16 “three months” as they appear in line 3 to read “three years”.

17 4. The new proviso to section 2 (a) to read “provided that if the
18 action, prosecution or proceeding be at the instance of any person for cause
19 arising while such person was a convict prisoner, it may be commenced
20 within three years after the discharge of such person from prison”.

21 5. Public Officers Protection Act (Amendment) Bill, 2016.

Short title

EXPLANATORY MEMORANDUM

This Bill seeks to amend Public Officer's Protection Act, CAP P41, Laws of the Federation of Nigeria, 2004 (enacted into law on 21st September, 1961) by amending section 2 (a) of the principal Act to give enough time (from three months to three years) to victims of public officers acts, who may wish to institute actions in the court of law, thus curing the hardship occasioned by the Act.