

A BILL

FOR

AN ACT TO AMEND SECTION 16 OF THE NIGERIAN EXTRACTIVE INDUSTRY TRANSPARENCY INITIATIVE ACT, 2007, TO INCLUDE A MECHANISMS FOR RESTITUTION, ARBITRATION, ALTERNATIVE DISPUTE RESOLUTION (ADR) METHODS AS COST-EFFICIENT ALTERNATIVE MECHANISMS FOR RECOVERY OF REVENUES DUE TO THE FEDERAL GOVERNMENT OF NIGERIA AS A RESULT OF UNDERPAYMENT OR NON-PAYMENT BY ANY EXTRACTIVE INDUSTRY COMPANY AND FOR RELATED MATTERS

Sponsored by Hon. Patrick Nathan Ifon

[] Commencement

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

1 1. The Section 16 of the Nigerian Extractive Industry
2 Transparency Initiative Act, 2007, (in this Bill referred to as "the Principal
3 Act") is amended as set forth in this Bill.

Amendment of
the Principal Act

4 2. Section 16 of the Principal Act is amended by inserting a new
5 sub-section (7) immediately after the current sub-section (6) The new sub-
6 section 16 (7) is to read as follows:

Amendment of
Section 16 of the
Principal Act

7 "Section 16 (7) Prior to institution of legal proceedings in any court
8 of law against any extractive industry company for offences under the
9 provisions of Section 16 of this Bill, the NEITI shall explore and exhaust the
10 mechanisms of Alternative Dispute Resolution by providing such an
11 extractive industry company or its officials the opportunity to provide a
12 restitution of the actual amount of revenue that is due to the Federal
13 Government, failing which such extractive industry company or officials
14 shall upon conviction pay the cost of litigation in addition to other penalties
15 prescribed under Section 16 of this Bill."

Citation

- 1 3. This Bill may be cited as the Nigerian Extractive Industry
2 Transparency Initiative Act (Amendment) Bill, 2021.

EXPLANATORY MEMORANDUM

This Bill seeks to amend Section 16 of the Nigerian Extractive Industry Transparency Initiative Act, 2007, to include a mechanisms for restitution, arbitration, alternative dispute resolution (ADR) methods as cost-efficient alternative mechanisms for recovery of revenues due to the Federal Government of Nigeria as a result of underpayment or non-payment by any extractive industry company.