

# A BILL

## FOR

AN ACT TO ESTABLISH A NATIONAL POVERTY ERADICATION PROGRAMME  
AND TO PROVIDE FOR RELATED MATTERS

*Sponsored by Hon. Olufemi Bandele Adebajo*

[ ] Commencement

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

1                    *Establishment, seal and functions of the Programme*

2                    1.-(1) There is established a Programme to be known as the  
3 National Poverty Eradication Programme

Establishment  
and seal of the  
Programme

4                    (2) The Programme shall have perpetual succession and a common  
5 seal and may sue or be sued in its corporate name, and may, in connection  
6 with the purposes of this Act purchase, hold, manage and dispose of any  
7 property, and enter into such contracts, as may be necessary or expedient.

8                    (3) The headquarters of the Programme shall be at Abuja with  
9 centers in any other geopolitical zones or states as the board may direct

10                   2. Function of the Programme shall be:

Functions of the  
Programme

11                   (1) to nurture and grow new and small businesses, products,  
12 innovations and entrepreneurs by supporting them through the early stages  
13 of development for poverty eradication;

14                   (2) to advise and promote policy and programmes regarding the  
15 eradication of poverty in Nigeria;

16                   (3) to ensure proper planning and coordination of all poverty-based  
17 programmes within the broad guidelines of the programme of action;

18                   (4) to regularly review and identify obstacles to the  
19 implementation of the programme of action and to advise on feasible  
20 solutions to overcome them;

21                   (5) to monitor and evaluate programmes and activities of the

- 1 programme of action;
- 2 (6) to mobilise and evaluate programmes and activities of the  
3 programme of action;
- 4 (7) to advise on programmes and budgets for the implementation of  
5 the programme of action;
- 6 (8) to act as a clearinghouse for information and data on the situation  
7 of poverty and activities designed to benefit poverty in Nigeria;
- 8 (9) to disseminate research and development findings on the needs  
9 and problems of poverty through seminars, workshops, publications and other  
10 means of communication;
- 11 (10) to work in close cooperation with and to coordinate the activities  
12 of all persons, institutions, sectors and organisations, involved in poverty-  
13 based activities;
- 14 (11) to grant credit facility to the poor
- 15 (12) do such other things as are necessary or incidental to the effective  
16 performance of the foregoing functions of the Programme.

17 *The Board*

18 3.-(1) There is hereby established for the Programme a governing  
19 board which shall consist of the following members to be appointed by the  
20 President:

21 (a) The Chairman who shall be a person with wide knowledge and  
22 distinction in one or more in the fields of small businesses, products,  
23 innovations and entrepreneurs

24 (2) The appointment of the six part-time members from the six geo-  
25 political zones who shall have wide knowledge and distinction in one or more  
26 in the fields of small businesses, products, innovations and entrepreneurs.

27 (3) The following are ex officio members of the Board:

28 (a) (i) the Federal Ministry of Industry;

29 (ii) the Federal Ministry of Science and Technology;

30 (iii) the National Planning Commission;

- 1 (iv) the Agricultural or Industrial Research Institutes;
- 2 (v) the Indigenous Fabricators and Manufacturers of Machinery;
- 3 (vi) the Federal Ministry of Finance;
- 4 (vii) the Development Banks for Small and Medium Scale
- 5 Industries;
- 6 (viii) the Bank of Industry;
- 7 (ix) the Manufacturers' Association of Nigeria;
- 8 (x) the National Association of Small Scale Industries (NASSI);
- 9 and
- 10 (b) the Director-General of the Agency.

11 (4) There shall be a Secretary to the Board who shall be appointed

12 by the Board:

13 (i) the Executive Secretary of the Council who shall be an ex-

14 officio member with no voting right.

15 (5) Any member of the board may resign his or her office by writing

16 under his or her hand addressed to the Minister, or may be removed from

17 office by the Minister for inability to perform the functions of his or her

18 office or for any other sufficient reason.

19 (6) Any member of the board ceasing to hold office shall be eligible

20 for reappointment for one more time and that shall be final.

21 4.-(1) The board shall meet for the discharge of its functions under

22 this Act at least once every month at such time and place as the chairperson

23 may appoint or upon the request in writing of three members of the board.

24 (2) The chairman shall preside at all meetings of the board, and in

25 his or her absence such member of the board as the members present shall

26 appoint shall preside.

27 (3) The board may invite any number of persons to act as

28 consultants or advisers at any of its meetings as it may think fit.

29 (4) Questions proposed at a meeting of the board shall be

30 determined by a simple majority of the members of the board present and

Meetings of the  
Board

1 voting; and in the case of an equality of votes, the person presiding at the  
2 meeting shall have a second or casting vote.

3 (5) Four members shall form a quorum.

4 (6) Any member of the board who has any personal interest in any  
5 transaction of the board or any matter before the board shall disclose the nature  
6 of his or her interest to the board and shall be disqualified from taking part in  
7 the deliberations of the board with respect to that transaction or matter; and the  
8 failure to make any disclosure required by this section may constitute a  
9 sufficient reason for the removal of the member from the board.

10 (7) Subject to subsections (1) to (6), the board may regulate its own  
11 procedure.

Remuneration  
of Board members,  
etc.

12 5. The chairman and the other members of the board and any other  
13 person attending any meeting of the board may be paid such remuneration or  
14 allowances as the Minister may, after consultation with the Minister  
15 responsible for finance, determine.

#### 16 *Staff*

General Manager

17 6.-(1) The Programme shall have a secretary and other senior  
18 management staff who shall be appointed by the Minister for such period and  
19 upon such terms and conditions as the Minister may determine.

20 (2) The general manager shall devote his or her full time to the affairs  
21 of the Programme.

22 (3) Subject to this Act and to the general control of the board on  
23 matters of policy, the general manager shall be responsible for the management  
24 of the funds, property and business of the Programme and for its administration  
25 and organisation and the control of the staff of the Programme.

Staff of the  
Programme

26 7.-(1) The board may, subject to section 7, from time to time, and on  
27 such terms and conditions as it thinks fit, appoint such officers and employees  
28 as may be necessary for the proper and efficient discharge of the functions of  
29 the Programme, and may also delegate to the general manager either alone or

1 together with other persons the power to appoint such class of employees as  
2 it may specify.

3 (2) Public officers may be seconded to the Programme or otherwise  
4 give assistance to it.

5 (3) The board may grant pension, gratuities or retiring benefits to  
6 the officers and other employees of the Programme and may require them to  
7 contribute to any pension, provident fund or superannuation scheme.

8 (4) No matter or thing done by any employee of the Programme  
9 shall if it is done bona fide for the purposes of executing any provision of this  
10 Act subject any such employee or any person acting by his or her direction to  
11 any civil liability.

12 *Financial provisions*

13 8.-(1) The funds of the Programme shall consist of;

Funds of the  
Programme

14 (a) any grant from the Government of a capital nature;

15 (b) any loan raised by the Programme for the purposes of its  
16 functions under this Act;

17 (c) any monies that may become payable to the Programme in the  
18 discharge of its functions under this Act;

19 (d) any fund made to the Programme by annual budget

20 9.-(1) The Programme may, subject to the approval of the Minister  
21 in consultation with the Minister responsible for finance, borrow sums  
22 required by it for meeting any of its obligations or discharging any of its  
23 functions under this Act.

Borrowing  
powers

24 (2) An approval given under subsection (1) may be either general  
25 or limited to a particular borrowing or otherwise and may be either  
26 unconditional or subject to conditions.

27 (3) A person lending money to the Programme shall not be bound to  
28 inquire whether the borrowing of money is within the power of the  
29 Programme.

Estimates

1                   10.-(1) The Programme shall, within such period from the end of each  
2 financial year as the Minister shall determine, make and submit to the Minister  
3 for his or her approval estimates of the income and expenditure of the  
4 Programme for the next ensuing year.

5                   (2) No expenditure shall be made out of the funds of the Programme  
6 unless the expenditure has been approved by the Minister under the estimates  
7 for the year in which the expenditure is to be made or in any other estimates  
8 supplementary to those estimates.

Programme to  
operate on sound  
financial principles

9                   11. In the discharge of its functions under this Act, the Programme  
10 shall so conduct its business that taking one transaction with another, and  
11 taking one year with another:

12                   (a) its revenue is sufficient for meeting all charges including interest  
13 on capital and loans properly chargeable to revenue account;

14                   (b) sufficient provision is made to provide for depreciation of assets;  
15 and

16                   (c) where any loss or bad debt arises in respect of any transaction,  
17 provision is made in respect of other transactions whether of similar nature or  
18 otherwise, to offset the amount of such loss or debt.

Investments

19                   12. The Programme may invest any monies under its control in any  
20 investment or project approved by the Minister in consultation with the  
21 Minister responsible for finance.

Accounts and  
audit

22                   13.-(1) The Programme shall keep proper books of account and  
23 proper records in relation to them.

24                   (2) For the purposes of this section, proper books of account shall be  
25 deemed not to have been kept with respect to the business of the Programme if  
26 there are not kept such books as are necessary to give a true and fair view of the  
27 state of the affairs of the Programme and to explain its transactions.

28                   (3) The accounts shall, in respect of every financial year, be subject to  
29 audit by the Auditor General or an auditor appointed by him or her.

30                   (4) The Auditor General shall deliver to the Minister a copy of the

1 audited accounts of the Programme not later than six months from the end of  
2 the financial year to which they relate.

3 (5) The Minister shall lay before Parliament a copy of the audited  
4 accounts delivered under subsection (4).

5 In this section, "financial year" means the period of twelve months ending  
6 on 31st December, or such other period of twelve months as the Minister, by  
7 writing under his or her hand, may authorise the Programme to adopt as its  
8 financial year.

9 *Miscellaneous provisions*

10 14.-(1) Subject to such terms and conditions regarding periodic  
11 payments as may be stipulated by the custodian board, there is transferred to  
12 the Programme the whole of the shares in each of the specified companies.

Transfer of property

13 (2) For the avoidance of any doubt, the transfer of shares effected  
14 by subsection (1) shall not affect the continuance of any specified company  
15 as a separate entity or any liability or obligation owed by the company; and  
16 pursuant to section 3(4), each specified company shall maintain its own  
17 separate accounts, subject to the Companies and Allied matters Act and the  
18 direction of the Programme.

19 (3) The Minister may, in consultation with the custodian board and  
20 the Minister responsible for finance, amend the Schedule to this Act.

21 15. The Minister may, subject to this Act, give to the Programme  
22 written directions of a general or specific nature relating to the functions of  
23 the Programme, and the Programme shall be bound to comply.

Minister's power  
of direction

24 16. The Programme shall, not later than six months after the end of  
25 each financial year, make and submit to the Minister a report showing the  
26 performance of the Programme during that financial year, including the  
27 extent to which any direction given by the Minister during that financial year  
28 has been carried out.

Annual reports

29 17.-(1) The board may, with the prior approval of the Minister,

Byelaws

1 make byelaws not inconsistent with this Act regulating the following matters:  
2 (a) procedure at the meetings of the board;  
3 (b) terms and conditions of service of the officers and employees of  
4 the Programme;  
5 (c) welfare schemes for the employees of the Programme;  
6 (d) legal proceedings by or against the Programme;  
7 (e) the custody of the seal of the Programme; and  
8 (f) generally the conduct of the business of the Programme, including  
9 the control of the management and staff of the specified companies.

10 (2) Notwithstanding the Interpretation Act, it shall not be necessary to  
11 publish in the Gazette the byelaws made by the board under this section, but the  
12 byelaws may be published in such manner as the board, with the approval of the  
13 Minister, may think fit.

Savings 14 18. All appointments made or contracts entered before this enactment  
15 shall not be affected and shall continue to be in existence according to their  
16 tenure or terms

Savings 17 19. Any appointment made or contract entered prior to this Act shall  
18 continue to remain in force and operate in their due course

Regulations 19 20.-(1) The Minister may, in consultation with the board, make  
20 regulation generally for better carrying out the provisions and principles of this  
21 Act.

Interpretation 22 21. In this Act, unless the context otherwise requires:  
23 "Programme" means National Poverty Eradication Programme established  
24 under section 2 of this Act;  
25 "Minister" means the Minister responsible for trade and investment.

Citation 26 22. This Bill may be cited as National Poverty Eradication  
27 Programme Bill, 2021.



## EXPLANATORY MEMORANDUM

This Bill seeks to establish a National Poverty Eradication Programme and to nurture and grow new and small businesses, products, innovations and entrepreneurs by supporting them through the early stages of development for poverty eradication.

