

CRITICAL NATIONAL ASSETS AND INFRASTRUCTURE CENTER
(ESTABLISHMENT) BILL, 2019
ARRANGEMENT OF CLAUSES

Clause:

PART I - ESTABLISHMENT OF THE CRITICAL NATIONAL ASSETS
AND INFRASTRUCTURE CENTER

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A BILL

FOR

AN ACT TO ESTABLISH CRITICAL NATIONAL ASSETS AND
INFRASTRUCTURE CENTER TO BE SADDLED WITH THE RESPONSIBILITY OF
IDENTIFICATION, PRIORITIZING, COORDINATION AND POLICY
DEVELOPMENT FOR PROTECTION OF THE INFRASTRUCTURES AND FOR
RELATED MATTERS

Sponsored by Hon Mohammed Tahir Monguno

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE CRITICAL NATIONAL ASSETS AND
2 INFRASTRUCTURE CENTER

3 1.-(1) There is established an institution to be known as Critical
4 National Assets and Infrastructure Center (in this Bill referred to as "the
5 Center"). Establishment
of the Center

6 (2) The Center shall be a corporate body with a perpetual
7 succession and a common seal, may sue and be sued in its corporate name.

8 (3) The Center shall operate in the presidency under the office of
9 the National Security Adviser.

10 2. The objectives of the Center include: Objectives of
the Center

11 (a) to provide coordinative role between relevant institutions for
12 the protection of critical national infrastructures; and

13 (b) ensure protection of critical national infrastructures.

14 3. The National Security Adviser shall have power to: Powers of the
National Security
Adviser

15 (a) determine the general policy of the Center;

16 (b) identify critical national infrastructures;

17 (c) provide for the discipline and general welfare of staff of the

18 Center; and

	1	(d) issue permits to non-governmental organization that are dealing
	2	with protection of Critical National Infrastructures.
	3	PART II - FUNCTIONS OF THE CENTER
Functions of the Center	4	4. The functions of the Center include:
	5	(a) inter-agency coordination for protection of critical National
	6	Infrastructure;
	7	(b) prioritizing critical National Infrastructure that requires
	8	protection;
	9	(c) policy development for protection of the infrastructures; and
	10	(d) any other function that may be assigned to the Center by the
	11	President of the Federal Republic of Nigeria.
	12	PART III - STRUCTURE OF THE CENTER
Departments of the Center	13	5.-(1) There shall be established for the Center, such departments as
	14	the Center may deem necessary.
	15	(2) Each Department shall be headed by a Director who shall be
	16	professionally qualified to hold the office appointed through competitive
	17	process.
	18	(3) Subject to the approval of the Council, the management
	19	committee, established under Clause 6 of this Bill, may create additional
	20	departments, divisions and units as it may deem necessary to achieve the
	21	objective of the Center.
Establishment of state office and its functions	22	6. There is established for the Center, a State Office in each of the
	23	State of the Federation and Federal Capital Territory to carry out some of the
	24	functions of the Center.
Establishment of management and other committees for the Center	25	7.-(1) There is established for the Center, a management committee
	26	comprising of all the Directors, the Permanent Secretary of the Center and
	27	National Security Adviser who shall be the Chairperson of the Committee.
	28	(2) The management committee shall be responsible for the general
	29	administration of the Center.
	30	(3) The Council may create additional committees, either standing or

1 ad-hoc, and give it specific function.

2 **8.-(1)** Permanent Secretary in the Office of the National Security
3 Adviser, shall be appointed for the Center, who shall possess appropriate
4 qualification and cognate working experience as the Council may
5 determine.

Permanent
Secretary and
Secretary of the
Center

6 (2) The Permanent Secretary shall:

7 (a) be the chief -Executive officer of the Center and shall be
8 responsible for all matters relating to the day-to-day management and
9 operations of the Center;

10 (b) be appointed by the President, Commander in-Chief of the
11 Armed Forces, of the Federal Republic of Nigeria, on the recommendation
12 of the Federal Civil Commission; and

13 (c) shall hold office for a period of four years and may be re-
14 appointed for further term of four years and no more.

15 (3) There shall be appointed by the Council for the Center, a
16 Secretary who shall qualify as a legal practitioner and was so qualified for a
17 period of not less-than 10 years.

18 (4) The Secretary shall be answerable to the Permanent Secretary
19 of the Center.

20 **Staff of the Center**

Staff of the
Center

21 **9.-(1)** The staff of the Center other than those mention in this Bill,
22 shall be employed according to the procedure stipulated by the Council.

23 (2) The Staff can be on permanent or temporary appointment on the
24 terms which preclude the grant of pension and gratuity.

25 (3) The provisions of Pension Reform Act, 2004 apply to the
26 service of this Center.

No. 2, 2004

27 **10.-(1)** The Council may, subject to the provision of this Bill, make
28 staff regulation relating generally to the condition of service of the
29 employees of the Center, such regulation may provide for appointment,
30 promotion, discipline and appeals of the staff of the Center.

Staff regulations

	1	(2) The staff regulation made under sub-clause (1) of this clause shall
	2	not have effect until they are approved by the Minister and gazetted.
	3	PART IV - FINANCIAL PROVISIONS
Establishment of fund for the Centre	4	11. -(1) The Center shall establish and maintain a fund which shall be
	5	applied towards the promotion of the objectives of this Bill.
	6	(2) At the beginning of every year, the Council shall approve budget
	7	for the Center.
	8	(3) There shall be paid and credited to the Fund established for the
	9	Center:
	10	(a) sums appropriated by the federal government to the Center;
	11	(b) sums donated by the Federal, State and Local Governments;
	12	(c) gifts, donations and contributions from national and internationals
	13	Institutions and philanthropist; and
	14	(d) fees, if any, charged by the Center for services rendered.
Application and management of the Fund	15	12. -(1) The Center shall manage and apply its Fund in accordance
	16	with the general guidelines made by the Management Committee and subject
	17	to the approval of the Council.
	18	(2) The Center shall apply its Funds in the:
	19	(a) administration of the Center;
	20	(b) fees payable for procurement; and
	21	(c) consultancy services made for the benefits of the Center, if any.
Power to borrow money	22	13. The Center may, with the written approval of the Council and
	23	Power to borrow money subject to the guidelines and policy of the Federal
	24	Government, borrow such money needed for the exercise of its function,
	25	provided that such borrowing shall be made on the terms and condition that do
	26	not compromise the competence of the Center.
	27	PART V - MISCELLANEOUS PROVISIONS
Procedure and limitation of suit against the Center	28	14. A person who has a cause of action against the Center shall:
	29	(a) give the Center three months' notice of intention to commence an
	30	action in writing disclosing the cause of action and be served to the principal

1 office of the Center; and

2 (b) any cause of action against the Center for any claim must
3 commence within four years from the date the cause of action arose.

4 **15.** Any document, summons, notices, process or any other thing
5 Service of process required or authorized to be served to the Center shall be
6 served by delivering same to the office of the Director-General of the Center.

Service of
process

7 **16.-(1)** Every member of the Council, agents or employees of the
8 center shall be indemnified from the Fund of the Center against any liability
9 incurred in defending any proceeding brought against the persons under this
10 Clause, in the person's capacity as member, agent or employee of the Center.

Indemnity of
members etc.

11 *Cap. 15 LFN, 2004*

12 (2) For the purpose of official functions of members and staff of the
13 Center, the members and the staff of the Center shall enjoy the provisions of
14 Public Officers Protection Act.

15 **17.** The Center may subject to the provisions of Land Use Act and
16 any other applicable Law, have powers to lease, rent or acquired an interest
17 in land and other/properties.

Acquisition of
property.
Cap. L40 LFN,
2004

18 **18.** The National Security Adviser shall have power to make
19 regulations to give effect to the provisions of this Bill.

Regulations

20 **19.** This Bill may be cited as the Critical National Assets and
21 Infrastructure Center (Establishment) Bill, 2019.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to establish Critical National Assets Infrastructure Center to
be saddled with the responsibility of identification, prioritizing,
coordination, and policy development for protection of the infrastructures.