

AGENCY FOR NATIONAL ETHICS AND VALUES COMPLIANCE

(ESTABLISHMENT, ETC.) BILL, 2019

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SCHEDULE I

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A BILL

FOR

AN ACT TO ESTABLISH THE AGENCY FOR NATIONAL ETHICS AND VALUES COMPLIANCE TO PROVIDE FOR THE FUNCTIONS AND POWERS OF THE AGENCY, THE QUALIFICATIONS AND PROCEDURES FOR THE APPOINTMENT OF THE CHAIRMAN AND MEMBERS, AND FOR RELATED MATTERS

Sponsored by Hon. Ossai Nicholas Ossai

[] Commencement

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

PART I - PRELIMINARY

- 1 **1.** There is established an Agency to be known as the Agency for Establishment
- 2 National Ethics and Values Compliance (in this Bill referred to as the of the Agency
- 3 "Agency") which shall have the functions and powers assigned to it by this
- 4 Bill.
- 5 (a) The Agency:
- 6 (i) shall be a body corporate with perpetual succession and a
- 7 common seal;
- 8 (ii) may sue and be sued in its corporate name; and
- 9 (iii) shall be organized as an independent Agency in the
- 10 Presidency:
- 11 (b) The objectives of the Agency shall be to: Objectives of
- 12 (i) operate an office under the Presidency with mandate to regulate the Agency
- 13 the enforcement of the principles of the National Ethics of Nigeria namely;
- 14 Discipline, Integrity, Dignity of Labour, Social Justice, Religious Tolerance,
- 15 Self-Reliance and Patriotism;
- 16 (ii) train and certify personnel who seek to work as National Ethics
- 17 Compliance Officers;
- 18 (iii) act as catalysts to good governance and build public trust and

1 enhance business reputation:

2 **2.** The functions of the Agency shall be to:

3 (a) enforce compliance with laws aimed at building ethical compliant

4 society as provided for in this Bill and any other laws;

5 (b) conduct investigation into any suspected breach of the National

6 Ethics as provided for in this Bill or any other laws;

7 (c) monitor, evaluate and regulate the practices and code of ethics of

8 government and non-government establishments;

9 (d) secure revision of unethical issues that negatively impact on

10 Nigeria's growth and development;

11 (e) provide a fee-based consultancy services to willing

12 establishments requiring ethics compliance technical assistance;

13 (f) implement a fee-based ethics compliance certification

14 programmes;

15 (g) create interactive forum for Certified National Ethics Compliance

16 Professionals (CNEP) to have continuous training and update on global best

17 practices:

18 **3.** Except as provided in this Bill, the Agency shall, in the

19 performance of its functions, not be subject to the direction or control of any

20 person or authority.

21 **4.** The Agency shall have power to make:

22 (a) subsidiary instruments, give notices, and prescribe forms; and all

23 powers necessary or expedient for the efficient and effective execution of its

24 functions under this Bill or any other written law;

25 (b) without prejudice to the generality of Clause 4 of this Bill, the

26 Agency shall have power to:

27 (i) carry out joint operations with the Nigeria Police Force and

28 establish a special unit charged with responsibility of monitoring and arresting

29 violators of the provisions of this Bill;

Functions of t
the Agency

Powers of the
Agency

1 (ii) impose fine for violation of National Ethics as entrenched in
2 this Bill;

3 (iii) summon in writing any person who in the opinion of the
4 Agency is in the position to testify on any matter before it;

5 (iv) access buildings and relevant records in the possession of any
6 person or organization for the purposes of investigations or evaluations of
7 ethical practices and behaviour;

8 (v) institute and conduct proceedings in court for purposes of
9 prosecution of breach of National Ethics or any section of this Bill or obtain
10 judgement against violators of code of ethics;

11 (vi) determine what standards of knowledge and skills are to be
12 attained by persons seeking to work as ethics compliance personnel and
13 raise those standards from time to time, as circumstances may permit;

14 (vii) hire experts, consulting firms or civil society organisations to
15 carry out on its behalf any of the functions of the Agency or to execute
16 activities under the power of the Agency;

17 (viii) charge and retain fees for services rendered in the course of
18 its operations.

19 **5.** Every establishment shall develop programmes to promote
20 good governance and workplace ethics:

Roles of statutory
bodies and citizens
in combating
unethical behaviours

21 (a) The programmes aimed at combating unethical behaviour shall
22 include:

23 (i) establishment of National Ethics Compliance Unit to ensure
24 compliance with workplace ethics and the provisions of this Bill;

25 (ii) designation of National Ethics Compliance Officer/s at its
26 management level; and

27 (iii) regular ethics training for its employees:

28 (b) No persons shall practise the profession of Ethics Compliance
29 in Nigeria unless the person is certified in accordance with the provisions of
30 this Bill.

Objectives of
the Agency

1 **6.** The Agency, in consistent with the core principles and critical
2 components for the success of donors assisted programs such as transparency,
3 accountability and integrity, shall monitor practices of recipients of
4 International Grants and Aids:

5 (a) The Agency shall ensure that grantees:

6 (i) adhere to the highest ethical standards in the conduct of donor-
7 supported activities;

8 (ii) exercise utmost care and integrity in the management of grant
9 funds; and

10 (iii) keep track that Donors' Resources are not used to fund unethical
11 activities but are used for their intended purposes and are reaching the intended
12 beneficiaries;

13 (b) The recipients of grants shall obtain from the Agency, Certificate
14 of National Ethics Compliance as prerequisite for receipt of International
15 Grants and Aids.

16 **7.** It shall be the duty of every citizen to abide by the Constitution of
17 the Federal Republic of Nigeria; help to enhance the power, prestige and good
18 name of Nigeria; respect the dignity of other citizens and live in unity.

19 PART II - ESTABLISHMENT OF NATIONAL ETHICS COMPLIANCE UNIT

Establishment
of National Ethics
Compliance Unit

20 **8.** The Agency shall direct every establishment, both government and
21 non-government, to establish National Ethics Compliance Unit as provided for
22 in clause 5 of this Bill:

23 (a) The National Ethics Compliance Unit in the establishments shall:

24 (i) provide coordination for control measures designed by the Agency
25 to promote ethics cultured workplace;

26 (ii) investigate complaints or information concerning possible
27 existence of practices constituting a violation of National Ethics within their
28 establishments;

29 (iii) provide a means of keeping the head of the establishment
30 informed about problems and deficiencies relating to compliance with

- 1 National Ethics and the necessity for and progress of corrective action;
- 2 (iv) provide the Agency, not later than April 30, and October 31, of
- 3 each year, a semi-annual reports summarising the activities of the National
- 4 Ethics Compliance Unit during the immediately preceding six-month
- 5 periods ending March 31 and September 30. The report shall include, but not
- 6 limited to:
- 7 (1) description of significant problems, abuses, and deficiencies
- 8 relating to the administration of ethics control measures during the reporting
- 9 period;
- 10 (2) description of the recommendations for corrective action made
- 11 by the National Ethics Compliance Unit during the reporting period;
- 12 (3) identification of each significant recommendation described in
- 13 their previous semi-annual reports on which corrective action has not been
- 14 taken or completed;
- 15 (4) summary of matters the establishment referred to prosecution
- 16 authorities and the prosecutions and convictions which have resulted;
- 17 (b) The National Ethics Compliance Unit referred to, in Clause 8 of
- 18 this Bill, shall be headed by a personnel certified by the Agency and shall
- 19 report to the chief executive officer of the establishment but cannot be
- 20 prevented by anybody from initiating, carrying out, or completing any
- 21 investigation.

22 PART III - ADMINISTRATION

- 23 9. The Agency shall have a Governing Board (in this Bill referred
- 24 to as the "Board").
- 25 (a) The composition of the Board shall be:
- 26 (i) The Vice President of Nigeria as Chairman;
- 27 (ii) Attorney-General and Minister of Justice;
- 28 (iii) Inspector-General of Police;
- 29 (iv) Representative of Ministry of Culture of a person not below the
- 30 rank of a Director; and

Governing Board
of the Agency

1 (v) The Director-General of the Agency;

2 (b) The Board shall appoint other persons of proven integrity and with
3 considerable experience to serve as members of the Board for a tenure of two
4 (2) years to represent academia, business communities, religion
5 organisations and traditional rulers;

6 (c) The members of the Board, other than the Director-General, shall
7 be part-time members of the Agency and at no time would the members exceed
8 12 persons;

9 (d) The supplementary provisions set out in Schedule I to this Bill
10 shall have effect with respect to the proceedings of the Board and other matters
11 contained therein.

Functions of the
Board

12 (e) The functions of the Board shall be to:

13 (i) direct the Agency in policy formulation and provide strategic
14 framework to the Agency in the performance of its functions;

15 (ii) deal with reports, complaints of abuse of power, impropriety and
16 other forms of misconduct on the part of the Agency or its staff;

17 (iii) review and approve the budget and financial statements of the
18 Agency:

Composition
of the Agency

19 **10.** The Agency shall consist of:

20 (a) the Office of the Director-General;

21 (b) the departments of:

22 (i) Investigation and Compliance;

23 (ii) Finance and Administration;

24 (iii) Training and Certification; and

25 (c) units as may be required to assist the Director-General in the
26 discharge of its duties under this Bill.

27 **11.** There shall be National, State and Local Government Secretariats
28 of the Agency.

29 (a) The Secretariats shall comprise:

30 (i) professional, technical and administrative officers and support

1 staff, as may be recruited or appointed by the Agency in the discharge of its
2 functions under this Bill;

3 (ii) civil servants as may be seconded by the Federal or State Civil
4 Service Commission to the Agency upon request;

5 (iii) police officers as may be posted by the Inspector-General of
6 Police to the Agency upon request:

7 **12.** The Agency shall be headed by a Director-General to be
8 appointed by the President of the Federal Republic of Nigeria on the
9 recommendation of the Chairman of the Board.

Office of
Director-General,
Departments and
units

10 (a) A person shall be qualified for appointment as the Director-
11 General of the Agency if the person:

12 (i) is a citizen of Nigeria;

13 (ii) possesses a degree or professional certificate of a degree
14 equivalent;

15 (iii) has had at least fifteen years proven experience and
16 demonstrated ability and a distinguished career in a field of study that is
17 relevant to ethics, governance, law, auditing, investigation or social studies;

18 (b) A person shall not be qualified for appointment as Director-
19 General if the person:

20 (i) is a member of a governing body of a political party;

21 (ii) is an un-discharged bankrupt;

22 (iii) has been convicted of a felony; or breach of public trust;

23 (iv) has been removed from public office for contravening the
24 provisions of the Nigeria Constitution, this Bill or any other law;

25 (c) Before assuming office, the Director-General shall subscribe to
26 an oath of office. The Director-General shall hold office for a term of five (5)
27 years and shall be eligible for reappointment for another five (5) years and
28 no more;

29 (d) The Director-General shall be:

30 (i) the Chief Compliance Officer of the Federation;

Staff of the
Agency

1 (ii) the Accounting Officer of the Agency; and

2 (iii) responsible for:

3 (1) carrying out the decisions of the Agency;

4 (2) administration and management of the Agency:

5 **13.** The Director-General shall be assisted by directors and staff who
6 are to work in various departments and units of the Agency:

7 (a) The Agency shall use open, transparent and competitive
8 recruitment process to appoint suitably qualified persons as staff but shall
9 ensure that at least one-third of the employees are of either gender and that
10 appointments reflect ethic and regional diversity of the people of Nigeria;

11 (b) A staff shall be qualified to hold the position of a director if the
12 person holds an educational qualification not below a degree (or professional
13 certificate of a degree equivalent) and has not less than 10 years of relevant
14 work experience;

15 (c) The position of the Director of Investigation and Compliance
16 Department shall be held by a serving police officer of not lower than the rank
17 of Commissioner of Police, as may be posted to the Agency by the Inspector
18 General of Police, upon request;

19 (d) The Agency shall contract professional firms to provide technical
20 support to the Agency and may recruit contract staff to support the Agency in
21 the areas of specialized job schedules;

22 (e) A police officer who is posted by the Inspector-General of Police
23 or civil servant seconded by the Civil Service Commission shall have the same
24 benefits in the same manner as an employee recruited directly by the Agency
25 and shall be required to execute any instruction, orders and directives of the
26 Agency;

27 (f) The Agency may establish committees and appoint persons
28 outside the Agency whose knowledge and skills are found necessary for the
29 functions of the Agency to serve on the committees;

30 (g) Employees of the Agency and members of committees shall sign a

1 confidentiality agreement, subscribe to the code of ethics as set out by the
2 Agency in its Best Practice manual, sign a conflict of interest declaration
3 form and be guided at all times by the standard operating procedures of the
4 Agency.

5 **14.** The seal of the Agency shall be such device as may be Seal of the Agency
6 determined by the Board and shall be kept by the Director-General:

7 (a) The fixing of the seal of the Agency shall be authenticated by
8 the joint signatures of the Chairman (or in his absence, any other member of
9 the Board authorized by the Board to act for that purpose) and the Director-
10 General;

11 (b) Any contract or instrument which, if made or executed by a
12 person not being a body corporate, would not be required to be under seal,
13 may be made or executed on behalf of the Agency by the Director-General;

14 (c) Any document purporting to be under the seal of the Agency or
15 issued on behalf of the Agency shall be received in evidence and shall be
16 deemed to be so executed or issued, as the case may be, without further
17 proof, unless the contrary is proved.

18 PART IV - OFFENCES AND PENALTIES

19 **15.** Any establishment or person that breaches any provision of Offences and
20 penalties
21 this Bill is guilty of an offence and is on conviction liable to a fine of
22 N100,000 in case of establishment and N10,000 in the case of individual, for
each day the offence continues:

23 (a) Any violation of ethical standards shall lead to an offence of
24 disciplinary nature and shall be prosecuted by the Agency for the purpose of:

25 (i) protection of the rights of citizens and residents of Nigeria or
26 visitors to Nigeria;

27 (ii) freezing or confiscation of proceeds of the breach or related to
28 the breach;

29 (iii) payment of compensation;

30 (iv) recovery of protection of public property; and

1 (v) other punitive and disciplinary measures;

2 (b) Any individual or establishment who upon request by the Agency
3 could not provide within 30 days of the request documentary evidence of proof
4 that he or she has not acquired property by unethical means shall be guilty of an
5 offence and shall be prosecuted by the Agency for the purpose of confiscation
6 of the property and other punitive measures;

7 (c) Any statement in any declaration that is found to be false by any
8 authority or person authorised in that behalf to verify it, shall be deemed to be a
9 breach of this Bill and the person who verified it shall be guilty of an offence
10 and liable on conviction to a fine of N200,000 or imprisonment for a term of not
11 less than six months or both;

12 (d) If any person required to furnish information under this Bill fails
13 to do so or in purported compliance with such requirement to furnish
14 information knowingly or recklessly makes any statement which is false shall
15 be guilty of an offence and liable on conviction to a fine of N200,000 or
16 imprisonment for a term of not less than six months or both;

17 (e) Any person who willfully obstructs, interferes with, assaults or
18 resists any officer of the Agency in the execution of his duty under this Bill or
19 who aids, invites, induces or abets any other person to obstruct, interfere with,
20 assault or resist any such officer of the Agency, shall be guilty of an offence and
21 liable on conviction to a fine of N200,000 or imprisonment for a term of not less
22 than six months or both;

23 (f) Where an offence under this Bill which has been committed by a
24 body corporate is proved to have been committed with the connivance of or
25 attributable to any neglect on the part of a director, manager or similar officer of
26 the establishment, the body corporate shall be fined and the person prosecuted
27 and sentenced or fined or both;

28 (g) Where a body corporate is liable for breach and found culpable
29 four consecutive times of any offence under this Bill, the court may order that
30 the body corporate shall thereupon be wound up and its license revoked and/or

1 all its assets forfeited to the Federal Government of Nigeria;

2 (h) Any person who in respect of any complaint lodged by him
3 knowingly makes to the Agency any statement, whether or not in writing,
4 which is false in any material particular, shall be guilty of an offence and
5 shall on conviction be sentenced to imprisonment for not less than six
6 months or an option of fine or both.

7 PART V - FINANCIAL PROVISION

8 **16.** The Agency shall be self-funding, self-accounting and shall
9 establish and maintain a fund from which shall be defrayed all expenditure
10 incurred by the Agency for the execution of its functions under this Bill.

Fund of the
Agency

11 (a) There shall be paid and credited to the Fund established
12 pursuant to Clause 16 of this Bill such:

13 (i) monies as may be received by the Agency in the course of its
14 operations or in relation to exercise its functions under this Bill; The
15 supplementary provisions set out in Schedule II to this Bill, shall have effect
16 with respect to the fees payable to the Agency; review of fees shall be done
17 periodically;

18 (ii) monies as may from time to time be granted to the Agency by
19 the Federal, State or Local Governments or other donor agencies, by way of
20 grants-in-aid and, gifts, testamentary dispositions, endowments and
21 contributions provided such grants are not intended for purposes contrary to
22 the objectives and functions of the Agency:

23 (b) The annual estimates as approved by the Board shall make
24 provision for all the estimated expenditure of the Agency for the financial
25 year concerned and in particular, shall provide for the:

26 (i) payment of remuneration in respect of the members and staff of
27 the Agency;

28 (ii) payment of pensions, gratuities and other charges in respect of
29 benefits which are payable out of the funds of the Agency;

30 (iii) maintenance of the buildings, and assets of the Agency;

1 (iv) funding of training, research and development of activities of the
2 Agency; and

3 (v) creation of such funds to meet contingent liabilities in respect of
4 benefits, insurance or replacement of buildings or installations, equipment and
5 in respect of such other matters as the Agency may think fit.

6 (c) Staff and members of the Agency shall be paid such remuneration
7 or allowances as the Salaries and Remuneration Agency shall approve.

Accounts of
the Agency

8 **17.** The Agency shall:

9 (a) cause to be kept all proper books and records of account of the
10 income, expenditure, assets and liabilities of the Agency. The annual accounts
11 of the Agency shall be prepared, audited and reported upon in accordance with
12 the Public Audit Act;

13 (b) at the end of each financial year cause an annual report to be
14 prepared. The Agency shall submit the annual report to the President and the
15 National Assembly three months after the end of the year to which it relates.
16 The annual report shall contain, in respect of the year to which it relates:

17 (i) the financial statements of the Agency;

18 (ii) a description of the activities of the Agency;

19 (iii) any recommendations made by the Agency to any establishment
20 or any person and the action taken;

21 (iv) the impact of the exercise of any of its mandate or function;

22 (v) any impediments to the achievements of the objects and functions
23 under this Bill or any written law; and

24 (vi) any other information relating to its functions that the Agency
25 considers necessary;

26 (c) cause the annual report to be published and the report shall be
27 publicized in such manner as the Agency may determine.

28 **PART VI - MISCELLANEOUS PROVISIONS**

Request for
information

29 **18.** The Agency shall publish and publicize important information
30 within its mandate affecting the nation:

1 (a) The Agency shall, in such manner as it shall consider
2 appropriate, publish a notice for public information specifying:

3 (i) the location of its principal office; and

4 (ii) its address or addresses, telephone numbers and other means of
5 communication or contact with the Agency.

6 (b) A request for information by a citizen:

7 (i) shall be addressed to the Director General or such other person
8 as the Agency may for that purpose designate;

9 (ii) may be subject to the payment of a reasonable fee; and

10 (iii) may be subject to confidentiality requirements of the Agency;

11 (c) Subject to this Bill, the Agency may decline to give information
12 to an applicant on the following grounds:

13 (i) the request is unreasonable in the circumstances;

14 (ii) the information requested is at a deliberative stage by the
15 Agency;

16 (iii) failure of payment of a prescribed fee; or

17 (iv) failure of the applicant to satisfy confidentiality requirements
18 by the Agency;

19 **19.** All property, assets, rights, liabilities, obligations, agreements
20 and other arrangements existing at the commencement of this Bill and
21 vested in, acquired, incurred or entered into by or on behalf of the Special
22 Adviser to the President on Ethics and Values, shall upon the
23 commencement of this Bill, be deemed to have vested in or to have been
24 acquired, incurred or entered into by or on behalf of the Agency to the same
25 extent as they were enforceable by or against the Agency before the
26 commencement of the Bill.

Transitional
provisions

27 **20.** Where the transfer of any property transferred to or vested in
28 the Agency under Clause 19 is required by any written law to be registered,
29 the Agency shall, within three months from the commencement of this Bill
30 or within such other period as the written law may prescribe, apply to the

1 appropriate registering authority for the registration of the transfer and
2 thereupon the registering authority shall, at no cost to the Agency or any person
3 by way of registration fees, stamp or other duties:

4 (a) make such entries in the appropriate register as shall give effect to
5 the transfer;

6 (b) where appropriate, issue to the Agency a certificate of title or other
7 statutory evidence of ownership of the property or make such amendments on
8 such certificates or in the appropriate register as may be necessary; and

9 (c) make any necessary endorsements on such deeds or other
10 documents as may be presented to such registering authority relating to the
11 title, right or obligation concerned.

12 **21.** Any person who immediately before the coming into effect of
13 this Bill is a principal office holder in the National Ethics and Values
14 Compliance Office, existing before commencement of this Bill, shall continue
15 in Office and be deemed to have been appointed to his/her office by the Agency
16 established by this Bill, unless the office occupied by the person is no longer
17 available under the new organizational structure of the Agency. This Bill shall
18 be the basis for the regularizations of the employment of the staff.

19 **22.** On the commencement of this Bill:

20 (a) the National Ethics and Values Compliance Office shall cease to
21 exist and its rights and obligations shall reside in the Agency and the
22 employment of its Director General appointed by the former Special Adviser to
23 the President on Ethics and Values shall terminate;

24 (b) the Director of Finance and Accounts of the National Ethics and
25 Values Compliance Office, existing before commencement of this Bill, shall
26 act as the Director-General of the Agency until such a time that the President
27 appoints the first Director-General:

Interpretation

28 **23.** In this Bill, unless the context otherwise requires:

29 "Chairman" means The Vice President of Nigeria;

30 "Agency" means Agency for National Ethics and Values Compliance

1 established under this Bill;

2 "assets" includes any property, movable and immovable and incomes
3 owned by a person;

4 "business" means any profession, vocation, trade, or any adventure or
5 concern in the nature of trade and excludes farming;

6 "emolument" means any salary, wage, over-time or leave pay, commission,
7 fee, bonus, gratuity, benefit, advantage (whether or not that advantage is
8 capable of being turned into money or money's worth), allowance, pension
9 or annuity paid, given or granted in respect of any employment or office;

10 "liabilities" includes responsibilities according to law to satisfy a debt, duty
11 or obligation quantifiable in monetary value, instant and contingent;

12 "Act" or "Act of the National Assembly" means any law made by the
13 National Assembly and includes any law which takes effect under the
14 provisions of the constitution as an Act of the National Assembly;

15 "appointment" or its cognate expression includes appointment on
16 promotion and transfer or confirmation of appointment;

17 "Salaries and Remuneration" means the Salaries and Remuneration of the
18 Agency established under this Bill;

19 "Director of Finance and Accounts of the National Ethics and Values
20 Compliance Office" means the person listed as the Director of Finance and
21 Accounts on the list of principal staff in the letter sent to the Vice President
22 of Nigeria in response to the letter from the State House dated September 9,
23 2015 ref: SH/OVP/DCOS/NEVC/Vol.1/01:

24 **24.** This Bill may be cited as the Agency for National Ethics and Short title
25 Values Compliance (Establishment, Etc.) Bill, 2019.

1 SCHEDULE 1

2 *Clause 9 (d)*

3 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC

4 1. Subject to this Bill and to section 27 of the Interpretation Act:

5 (a) The Board may make standing orders regulating its own
6 proceedings or those of any of its committee;

7 (b) The quorum of the Board shall be the Chairman or the person
8 presiding at the meeting, the Director-General and one third of other members
9 of the Board;

10 (c) The quorum of any committee of the Agency shall be as
11 determined by the Board;

12 (d) The Board shall meet not less than four times in each year and
13 subject thereto, the Board shall meet whenever it is summoned by the
14 Chairman;

15 (e) At any meeting of the Board the chairman shall preside but if he is
16 absent, the members present at the meeting shall appoint one of their number to
17 preside at that meeting;

18 (f) Where the Board desires to obtain the advice of any person on a
19 particular matter, the Board may co-opt him as a member for such period as it
20 thinks fit; but a person who is a member by virtue of this paragraph shall not be
21 entitled to vote at any meeting of the Board and shall not count towards a
22 quorum.

23 2. The Board may appoint one or more committees to carry out on
24 behalf of the Board such of its functions as the Board may determine:

25 (a) A committee appointed under this paragraph shall consist of such
26 number of persons (not necessarily all members of the Board) as may be
27 determined by the Board;

28 (b) A person shall hold office on the committee in accordance with the
29 terms of his appointment;

30 (c) A decision of a committee of the Board shall be of no effect until it

1 is confirmed by the Board.

2 3. The fixing of the seal of the Agency shall be authenticated by
3 the joint signatures of the Chairman (or any other member of the Board
4 generally, or specifically authorized by the Board to act for that purpose) and
5 the Director-General.

6 4. The validity of any proceedings of the Board or of a committee
7 thereof shall not be affected by any vacancy in the membership of the Board
8 or committee, or by any defect in the appointment of a member of the Board
9 or of a committee, or by reason that a person not entitled to do so took part in
10 the proceedings of the Board or committee.

11 5. Any member of the Board and any person holding office on a
12 committee of the Board, who has a personal interest in any contract or
13 arrangement entered into or proposed to be considered by the Board or a
14 committee thereof, shall forthwith disclose his interest to the Board and
15 shall not vote on any question relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Agency for National Ethics and Values Compliance to provide for the Functions and Powers of the Agency, the qualifications and procedures for the appointment of the Chairman and Members.