

A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIA SECURITY AND CIVIL DEFENSE CORPS TRUST FUND AND FOR RELATED MATTERS

Sponsored by Hon Sulaiman Abubakar Gumi

[] Commencement

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

1 PART I - OBJECTIVE AND SCOPE

2 1. The objective of this Bill is to provide a legal framework for Objective
3 management and control of the special intervention fund established under
4 clause 3 of this Bill for training and retraining of personnel of the Nigeria
5 Security and Civil Defense Corps and for the enhancement of the skills of
6 the personnel of the Corps in the handling of operational equipment and
7 machines.

8 2. The Trust Fund established under clause 3 of this Bill covers all Scope
9 personnel of the Nigeria Security and Civil Defense Corps, including its
10 auxiliary staff in Nigeria and abroad for the overall improvement and
11 efficiency in the discharge of their duties and responsibilities.

12 PART II - ESTABLISHMENT AND MANAGEMENT OF THE NIGERIA
13 SECURITY AND CIVIL DEFENSE CORPS TRUST FUND

14 3.-(1) There is established a Fund to be known as the Nigeria and Establishment of
15 Civil Defense Corps Trust Fund (in this referred to as "the Trust fund"). the Nigeria Security
and Civil Defense
Corps Trust

16 (2) The Trust Fund-

17 (a) shall be a body corporate with a common seal; and

18 (b) may sue and be sued in its corporate name.

19 4.-(1) The Fund shall comprise of-

20 (a) A levy of 0.005% of the net profit of all multinational firms and Composition of
21 oil companies operating business in Nigeria; the Fund

1 (b) Any take-off grant and special intervention funds as may be
2 provided by the federal, state and Local Government of the Federation;

3 (c) Such moneys as may be appropriated by the National Assembly to
4 meet the objectives of this Bill in the National budget;

5 (d) Aids, grants and assistance from international bilateral and
6 multilateral agencies, non-governmental organization and the private sectors;

7 (e) Grants, donations, endowments, bequests and gifts, whether of
8 money, lands or any other property whatsoever, from any source; and

9 (f) Monies derived from investment made by the Trust Fund.

10 (2) The sources of monies referred to in paragraphs (d) and (e) of sub-
11 clause (1) of this clause shall be acceptable to the Trust Fund except where the
12 terms and conditions attached to an aid, grants donation or gift are consistent
13 with the objective of the Trust Fund and the provisions under this Bill.

Purpose of
the Fund

14 **5.** The purpose of the trust Fund shall be-

15 (a) to meet the training and re-training needs of the personnel of the
16 Nigeria Security and Civil Defense Corps and its auxiliary staff within and
17 outside Nigeria;

18 (b) for the enhancement of skills of the personnel of the Nigeria
19 Security and Civil Defense Corps and its auxiliary staff for improved
20 proficiency in the use of operational equipment and machineries;

21 (c) for the overall improvement, performance and efficiency in the
22 discharge of the duties and responsibilities of the Nigeria Security and Civil
23 Defense Corps;

24 (d) for the purchase of equipment, machineries, including operational
25 vehicles for the Nigeria Security and Civil Defense Corps;

26 (e) for the construction of notice stations, provision of living
27 facilities, such as quarters or barracks for the Nigeria Security and Civil
28 Defense Corps;

29 (f) to finance the procurement of books, instructional materials,
30 training equipment for use at the Nigeria Security and Civil Defense Corps

1 learning centers and such other similar training institutions;

2 (g) to meet the cost of participation by the personnel of the Nigeria
3 Security and Civil Defense Corps at seminars and conferences relevant to or
4 connected with security or civil defense; and

5 (h) for such other purposes incidental to or connected with the
6 attainment of objective of this Bill.

7 **6.** The Trust fund shall-

Functions of the
Trust Fund

8 (a) receive all monies accruing to the Trust Fund under the
9 provision of this Bill;

10 (b) utilize all monies accruing to the Trust Fund under this Bill to
11 meet the stated objectives of this Bill; and

12 (c) carry out such other activities as considered necessary for the
13 attainment of the objectives of this Bill.

14 **7.-** (1) There is established for the Trust Fund, a Management
15 Board (in this Bill referred to as "the Board") which shall consist of-

Membership of
the Board

16 (a) A chairman who shall-

17 (i) be a person with good knowledge in finance and administrative
18 matters;

19 (ii) have qualifications and experiences as are required to perform
20 the functions of the office under this Bill.

21 (b) 6 persons, each representing a geo-political zone in the country;

22 (c) a representative each of the following Federal ministries, who
23 shall not be below the rank of a Director-

24 (i) Interior; and

25 (ii) Finance.

26 (d) a representative of the Nigeria Security And Civil Defence
27 Corps whose rank shall not be lower Deputy Commandant General; and

28 (e) the Executive Secretary, who shall be the Secretary to the
29 Board.

30 (2) the membership of the board shall reflect the six geo-political

1 zones of the federation.

2 (3) the members of the Board shall-

3 (a) be persons with considerable experience from both the public and
4 private sectors to represent the business, financial and education sectors;

5 (b) be appointed by the president on the recommendation of the
6 Minister;

7 (c) other than the ex-official members, each member shall hold office
8 for a term of 4 years in the first instance and may be eligible for reappointment
9 for a further term of 4 years and no more;

10 (d) be paid such remuneration and allowances as may be determined
11 by the Board in consultation with the National Salaries and Wages
12 Commission.

13 (4) The Board shall meet for the conduct of its ordinary meetings 4
14 times in a calendar year.

15 (5) Notwithstanding the provisions of sub-clause (4) of this Clause,
16 the Board may meet to conduct such other business as exigency demands.

17 (6) The supplementary provisions contained in the Schedule to this
18 Bill shall have effect with respect to the proceedings of the Board and other
19 matters contained therein.

Resignation of
a Member

20 **8.** A Member, other than ex-officio member, may resign his
21 appointment by a notice in writing, under his hand, addressed to the President.

Cessation of
Membership

22 **9.** A member of the Board of Trustees shall cease to hold office if he-

23 (a) becomes of unsound mind;

24 (b) becomes bankrupt or makes compromises with his creditors;

25 (c) is convicted of a felony or any offence involving dishonesty; or

26 (d) is guilty of corrupt practices or misconduct in relation to his duties.

27 (2) A member of the Board may be removed from office by the
28 President if he is satisfied that it is not in the interest of the Trust Fund or the
29 public that the Member should continue in that office.

30 (3) Where a vacancy occurs in the membership of the Board, it shall

1 be filled by the appointment of a successor to hold office for the remainder of
2 the term of office of his predecessor, so that the successor shall represent the
3 same interest and shall be appointed by the President.

4 **10.** Notwithstanding the provisions of clauses 8 and 9 of this Bill,
5 the President may remove a member from the Board if any circumstance
6 which borders on corruption and other activities that negates the interest and
7 security of the nation would require the removal of member from the Board.

Removal from
Office of a
Member

8 **11.** The board shall be responsible for-

Functions of the
Board

9 (a) setting out the policies and programs for the training and re-
10 training of personnel of the Nigeria Security and Civil Defense Corps and its
11 auxiliary staff in Nigeria and abroad in accordance with purpose of this Bill;

12 (b) approving the disbursement of monies from the Fund to finance
13 projects or activities of the Nigeria Security and Civil Defense Corps and its
14 institutions;

15 (c) scrutinizing and approving projects which qualify for financing
16 under the Bill;

17 (d) exercising control over the management of the Fund with a
18 view to ensuring accountability and proper utilization of money in the Fund
19 for the purposes set out in this Bill;

20 (e) carrying out such other activities as are considered necessary
21 for the attainment of the objectives of this Bill;

22 (f) updating the Federal Government on its activities and progress
23 through annual and audited reports;

24 (g) reviewing progress and suggesting improvement within the
25 provisions of this Bill;

26 (h) making and issuing guidelines, from time to time, to all
27 beneficiaries on disbursement of monies from the Fund; and

28 (i) generally regulating the administration, application and
29 disbursement of monies from the Fund under this Bill.

Powers of the Board

- 1 **12.** The Board shall have the powers to-
- 2 (1) (a) award contracts of any kind or description for any amount,
- 3 whether in local or foreign currency in conformity with the due process
- 4 requirements as provided under the law, rules, guidelines or regulations; and
- 5 (b) invest monies accruing to the Trust Fund and approve the
- 6 utilization of the returns on investment in the same way as monies accruing to
- 7 the Trust Fund.
- 8 (2) In the discharge of its functions under this Bill, the Board shall-
- 9 (a) through the Ministry, identify the funding needs of the various
- 10 institutions belonging to the Nigeria Security and Civil Defense Corps for the
- 11 enhancement of the performance of the Nigeria Security and Civil Defense
- 12 Corps;
- 13 (b) enter into contractual arrangements of the purpose of executing of
- 14 approved projects on behalf of the Trust Fund;
- 15 (c) oversee the implementation of projects financed through monies
- 16 accruing to the Trust Fund; and
- 17 (d) enter into public-private partnership and private finance initiative
- 18 arrangements and agreements necessary for project execution.

Establishment of the Nigeria Security and Civil Defense Corps

- 19 **13.**-(1) for the purpose of implementing any project approved by the
- 20 Board under this Bill, there is established the Nigeria Security and Civil
- 21 Defence Corps Trust Implementation Committee (in this Bill referred to as the
- 22 "Implementation Committee")
- 23 (2) The implementation Committee established under sub-clause (1)
- 24 of this Clause is comprised of the Minister, who shall be the Chairman of the
- 25 Committee; and
- 26 (3) such other member, not exceeding six in number, with proven
- 27 integrity to be appointed by the Board.
- 28 (4) The Implementation Committee is responsible to the Board in the
- 29 execution of duties and responsibilities assigned to it by the Board.

1 PART III - STAFF OF THE TRUST FUND

2 14.-(1) The Executive Secretary of the Trust Fund shall be Appointment of
3 appointed by the President on the recommendation of the Minister. the Executive
4 Secretary and
5 other Staff of the
6 Trust Fund

7 (2) The Executive Secretary shall-

8 (a) be a person of unquestionable character and integrity; and

9 (b) have qualifications and experience as are appropriate for a
10 person required to perform the functions of that office under this Bill; and

11 (3) The Executive Secretary shall hold office-

12 (a) for a term of four years in the first instance and may be eligible
13 for re-appointment for another term of four years and no more; and

14 (b) on such other terms and conditions as may be specified in his
15 letter of appointment.

16 15. The Executive Secretary shall-

17 (a) be the Chief Executive and Accounting Officer of the Trust
18 Fund;

19 (b) be responsible for the day to day administration of the Trust
20 Fund;

21 (c) be Secretary to the Board;

22 (d) keep proper records of the proceedings of the Board;

23 (e) work closely with the Implementation Committee established
24 under Clause 13 of this Bill in carrying out such duties and responsibilities
25 as may be assigned by the Board;

26 (f) be in charge of the general direction and control of all other
27 employees of the Trust Fund; and

28 (g) carry out such other duties as may be requested of him by the
29 Board.

30 16.-(1) Notwithstanding the provisions under clause 14 of this Bill, Removal of the
the Executive Secretary may be removed from office by the President where Executive
Secretary
any circumstances arises which in the opinion of the President makes the
Executive Secretary no longer capable of carrying out the duties and

Functions of the
Executive Secretary

1 responsibilities of the office.

2 (2) A person appointed as the Executive Secretary upon the removal
3 of an Executive Secretary under sub-clause (1) of this Clause shall serve the
4 unexpired period of the term of his predecessor in office or the remainder of the
5 term of the Trust Fund, whichever is shorter.

Staff of the
Trust Fund

6 17.-(1) The Board may appoint such other members of the staff in the
7 opinion of the Board to be staff of the Board necessary to assist the Trust Fund
8 in carrying out its functions under this Bill.

9 (2) The terms and conditions of the service (including terms and
10 conditions as to the remuneration, payment of allowances, and other benefits)
11 of persons employed by the Board for the Trust Fund shall be in line with the
12 general conditions of service as obtainable in the Public Service of the
13 Federation.

14 (3) The Board shall have power to appoint, either on transfer or on
15 secondment from any public service of the federation, such number of
16 employees required for the effective discharge of the duties and function of
17 Trust Fund under this Bill.

Severance
Allowance

18 18. Service in the Trust Fund shall be for the Duration of the Trust
19 Fund and accordingly employees of the Trust Fund, in respect of their service
20 as shall be entitled to other retirement benefits and severance allowances as
21 shall be approved by the Board.

22 PART IV - FINANCIAL PROVISIONS

Financial
Provisions for
the Management
of the Fund Trust

23 19. There is established under this Bill a general Fund for the day to
24 day Administration of the Trust Fund comprising of-

25 (a) annual budgetary allocation appropriated by National Assembly
26 for the management of the Trust Fund

27 (b) take-off grants such other monies as may from time to time be
28 made available to the Trust Fund to meet the cost of Administration; and

29 (c) all other monies which may from time to time to be made available
30 for the running of the trust Fund.

- 1 **20.**-(1) There shall be maintained for the Trust Fund an account Accounts of Trust
2 into which shall be paid all monies accruing to the Trust Fund in line with the Fund
3 provisions of Clause 4 of this Bill.
- 4 (2) The Board shall also open and maintain an account into which
5 shall be paid monies received for management of the Trust Fund by virtue of
6 the provision of clause 23 of this Bill.
- 7 (3) The accounts referred to in sub-clause (1) and (2) of this Clause
8 shall be managed in accordance with the extant financial regulations.
- 9 (4) The Board shall from time to time-
- 10 (a) apply the proceeds of the Trust Fund established under Clause 3
11 of this Bill for purpose set out in Clause 5 of the Bill; and
- 12 (b) apply the proceeds of the monies referred to in sub-clause (2) of
13 this clause to meet the cost of administration, including payment of salaries,
14 fees and other remunerations and allowances payable to members of the
15 Board and employees of the Trust Fund, and payment of experts,
16 professionals and consultants engaged by the Board for the Trust Fund.
- 17 **21.** The Board shall not later than 30th June of every year submit Budgetary
18 to the Minister an estimate of its income and expenditure during the Provisions and
19 succeeding year. Estimates
- 20 **22.** The Board shall cause to be kept for the Trust Fund proper Annual Estimate
21 accounts and records and when certified by the Board, these accounts shall Account and Audit
22 be audited by auditors appointed from the list and in accordance with the
23 guidelines supplied by the Auditor-General of the Federation.
- 24 **23.**-(1) the Trust Fund shall be exempted from the payment of Exemption from
25 income tax on any income accruing from investments made by the Trust Tax
26 Fund or otherwise how so ever.
- 27 (2)The provisions of any enactment relating to the taxation of the
28 companies or trust funds shall not apply to the Trust Fund.
- 29 PART V - SUBMISSION OF REPORTS AND SUPPLEMENTARY PROVISIONS
- 30 **24.** The Board shall at the end of every three months submit to the Quarterly Reports

	1	President a report on its activities and on the administration of the Trust Fund.
Annual Report	2	25. The Board shall not later than three months before end of each
	3	year submit to the President a report on the activities and administration of the
	4	Trust Fund during the preceding year and, shall include in such reports the
	5	Auditor's report thereon.
Power of the President to issue Directives	6	26. The President may give to the Board directives of a general nature
	7	with regard to the exercise by the Board of its functions under this Bill for
	8	compliance by the Board.
Regulations	9	27. The Board may, with the prior approval of the President make
	10	such regulations as deemed necessary or expedient for giving full effect to the
	11	provisions of this Bill.
Interpretation	12	28. In this Bill-
	13	"Board" means the Nigeria Security and Civil Defense Corps Trust Fund
	14	Management Board, established under Clause 6 of this Bill;
	15	"Trust Fund" means the Nigeria Security and Civil Defense Corps Trust Fund
	16	established under clause 3 of this Bill;
	17	"Minister" means the Minister charged with responsibility for Interior and the
	18	Ministry shall be construed accordingly;
	19	"Personnel" means officers and men of the Nigeria Security and Civil Defense
	20	Corps, its auxiliary staff and all of its staff, employees or officers within and
	21	outside Nigeria.
Citation	22	29. This Bill may be cited as the Nigeria Security and Civil Defense
	23	Corps Trust Fund (Establishment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Security and Civil Defense Corps Trust Fund to among others things, galvanize and make available funds for the training and retraining of the personnel of the Corps, provide State of Art Security equipment and machineries to improve the general welfare of the personnel of the Corps and enhance their capacity and ability to effectively discharge their constitutional responsibility of providing security to the Nigerians and Public infrastructure.

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SCHEDULE

(Clause 7)

SUPPLEMENTARY PROVISIONS ELATING TO THE BOARD PROCEEDINGS

1. Subject to the provisions of this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of its committee.

2. The quorum of the Board shall be the Chairman and ten other members, and the Board shall determine the quorum of any committee.

3. The Board shall meet not less than four times in each year and subject thereto the Board shall meet whenever it is summoned by the Chairman, or if the Chairman is required to do so by notice given to him by not less than Ten members of the Board, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice was given.

4. At any meeting of the Board, the chairman shall preside but in his absence, the members present at the meeting shall appoint one of them to preside at the meeting.

5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt the person to the Board for such period as it thinks fit, but a person who is in attendance by the virtue of this sub-paragraph is not entitled to vote at any meeting of the Board and does not count towards a quorum.

6. All members of the Board shall have equal rights and privileges, and where there is equality in vote, the Chairman shall have a casting vote.

Committees

7. The Board may appoint such number of committees to carry out, on behalf of the Board such of its functions as the Board may, from time to time, determine.

8. A committee appointed under paragraph 7 of this schedule shall consist of such number of persons (not necessarily members of the Board) as

