

CHARTERED INSTITUTE OF FINANCE AND CONTROL OF NIGERIA
(ESTABLISHMENT) BILL, 2020
ARRANGEMENT OF SECTIONS

Section:

PART I - ESTABLISHMENT, MEMBERSHIP, FUNCTIONS, AND POWERS
OF THE INSTITUTE

1. Establishment of Chartered Institute of Finance and Control of Nigeria
2. Functions of the Institute
3. Membership of the Institute
4. Membership Privileges
5. Duties of members and code of conduct
6. Governing Council of the Institute
7. Functions of the Council
8. Tenure of office and cessation of membership of the Council
9. Remuneration of members of the Council
10. Establishment of the Board of Trustees

PART II - THE REGISTRAR AND OTHER STAFF OF THE INSTITUTE

11. The Registrar of the Institute
12. Other Staff of the Institute

PART III - FINANCIAL PROVISIONS

13. Fund of the Institute
14. Financial Records and Audit
15. Power to accept gifts

PART IV - REGISTER AND PUBLICATION OF REGISTER OF MEMBERSHIP

16. Publication of register of membership
17. Eligibility for Registration on the Register of Members
18. Instructions and examinations leading to approved qualification
19. Areas of practice for registered members of the Institute

PART V - INVESTIGATIVE PANEL AND DISCIPLINARY TRIBUNAL

20. Establishment of Investigative Panel for the Institute
21. Establishment of a Disciplinary Tribunal for the Institute

PART VI - MISCELLANEOUS PROVISIONS

22. Breach of Code of Conduct for members of the Institute
23. False or reckless statement to procure registration
24. Impersonating as member of the Institute
25. Falsification of Register
26. Penalties
27. Power to make Regulations, Rules and guidelines
28. Limitation on suits against the Institute.

PART VII - FINAL PROVISIONS

29. Transitional and saving Provisions
 30. Interpretation
 31. Short Title
- Schedule

A BILL

FOR

AN ACT TO ESTABLISH THE CHARTERED INSTITUTE OF FINANCE AND CONTROL OF NIGERIA CHARGED WITH THE RESPONSIBILITY FOR DETERMINING THE STANDARDS OF KNOWLEDGE AND SKILLS TO BE ATTAINED BY PERSONS SEEKING TO BECOME FINANCE AND CONTROL PROFESSIONALS; AND FOR RELATED MATTERS

Sponsored by Hon. Yusuf Adamu Gagdi

[] Commencement

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

1 PART I - ESTABLISHMENT, MEMBERSHIP, FUNCTIONS AND POWERS
2 OF THE INSTITUTE

3 1.-(1) There is established the Chattered Institute of Finance and
4 Control of Nigeria (in this Bill, referred to as "the Institute").

Establishment of Chartered Institute of Finance and Control of Nigeria

5 (2) The Institute:

6 (a) Is a body corporate with perpetual succession and a common
7 seal;

8 (b) May sue and be sued in its corporate name; and,

9 (c) May, subject to the Land Use Act, hold, acquire and dispose of
10 any property, movable or immovable.

11 2. The Institute is responsible for:

Functions of the Institute

12 (a) Determining what standards of knowledge and skill are to be
13 attained by persons seeking to become registered as Chartered Finance and
14 Control Professionals (in this Bill referred to as "the Professionals"), and
15 raising the standards from time to time as circumstances may permit;

16 (b) Preparing and maintaining, in accordance with the provisions
17 of this Bill, the register of corporate members, fellows, associates, student
18 member, honorary fellows, and the publication of the list of registered

1 members from time to time;

2 (c) Building professional capacity and providing professional
3 guidance to members for enhanced service delivery in the Institute's areas of
4 practice;

5 (d) Conduct researches to advance professional studies in Finance
6 and Control;

7 (e) organize conferences; seminars and symposia for professional
8 development and cross fertilization of professional skills and ideas amongst
9 members on related matters and to make appropriate recommendations to
10 government in the formulation of fiscal and monetary policies, and organizing
11 professional post qualification courses for its members;

12 (f) licensing, regulating and providing professional proficiencies and
13 guidance to members in practice and to persons who shall practice as finance
14 and control professionals;

15 (g) promoting the integration and application of Information
16 Technology (IT) in finance and control processes and practices;

17 (h) issuing code of conduct booklet to serve as guide for professional
18 behavior of members of the Institute as stated in Bye-law.

19 (i) Provide and maintain a library, physical and online, comprising
20 books and publications for the advancement of knowledge in financial
21 management, and such other books and publications as the Council may think
22 necessary for the purpose; and

23 (j) Encourage research into Finance and Control theories and
24 methods and allied subjects to the extent that the Council may consider
25 necessary.

Membership
of the Institute

26 **3.-(1)** Members of the institute shall be drawn from finance
27 technicians, graduates of finance, post graduate degree holders in Finance,
28 professors of Finance and others practicing as Finance and Control
29 professionals or other related disciplines.

30 (2) Subject to the provisions of this Act, a person admitted to the

1 membership of the Institute shall possess adequate interest, knowledge and
2 understanding of finance and related matters, and shall be registered as a
3 member in any of the following categories:

4 (a) Corporate Membership;

5 (b) Fellow Membership;

6 (c) Associate Membership;

7 (d) Graduate Membership;

8 (e) Student Membership;

9 (3) (a) A person qualifies to be registered and enrolled as a Fellow,
10 if he satisfies the Council that he:

11 (i) is the holder of an approved academic qualification;

12 (ii) is an Associate member of the Institute for at least five years;

13 (iii) has attended all Mandatory Continuous Professional
14 education programme, seminars and symposia organized by the Institute;

15 (iv) Pays the entire Institute's annual subscription, dues and levies;

16 (v) Has published articles in two editions of the Institute's journal;

17 (vi) Has creditably held a senior finance and control position in an
18 organization or company established pursuant to the provisions of laws of
19 Nigeria, or has held a senior lecturing position in a higher educational
20 institution for at least 10 years; and

21 (vii) Is in private practice in the areas of practice of the Institute at
22 the time of application.

23 (b) As an Associate Member, if he:

24 (i) has passed all the stages of the Institute's qualifying
25 examination, and

26 (ii) is inducted as a fit and proper person to be registered and
27 enrolled as an Associate Member;

28 (b) As a Student Member, if he:

29 (i) has satisfied the Council that he is undergoing undergraduate
30 studies for the award of degree in Finance or other related discipline as may

- 1 be determined by the Council; and
- 2 (ii) He is a fit and proper person to be enrolled as student member.
- 3 (4) As Honorary Fellow if he :
- 4 (a) has been in continuous employment of a reputable organization in
- 5 the areas of practice of the Institute for at least 10 years preceding the date of
- 6 his application or nomination to the Institute for registration as an honorary
- 7 fellow;
- 8 (b) has contributed to human capacity development in the country,
- 9 and
- 10 (c) Is an employer of labour with knowledge of finance.
- 11 (5) Corporate membership may be awarded to corporate organization
- 12 with:
- 13 (a) a functional working relationship with the Institute;
- 14 (b) At the date of application, employ not less than 25 persons 5 of
- 15 which must be employees involved in finance and control processes within the
- 16 company;
- 17 (c) have been licensed to carry out a business with high corporate
- 18 finance content in Nigeria (in the case of a company); and
- 19 (d) Satisfied any other condition which the Council may approve.
- 20 (6) A corporate membership is conferred at the discretion of the
- 21 Council and the admission does not confer automatic professional membership
- 22 of the Institute on any member of the company or organization.
- 23 (7) A corporate member shall ensure that its employees are registered
- 24 with the Institute to promote ethical standards and self-regulation in the
- 25 approved areas of practice for members of the institute.
- 26 (8) A person shall, when enrolled or registered, as the case may be,
- 27 receive a certificate in such form as the Council may approve for the purpose.
- 28 (9) Every member is required to attend a number of mandatory
- 29 training programmes as may be specified by the Council which may serve as a
- 30 prerequisite for upgrading and re- certification.

1 4.-(1) A Person registered as Fellow or Associate of the Institute Membership
2 shall be entitled to use after his name, the following acronyms respectively: privileges

3 (a) Fellow, Chartered Institute of Finance and Control, (FCIFC);

4 (b) Associate, Chartered Institute of Finance and Control,
5 (ACIFC).

6 (2) A person registered as a Fellow or Associate of the Institute
7 shall have the right to affix his seal and stamp on every document endorsed
8 by, or emanating from him.

9 (3) A Person registered as a Fellow or Associate of the Institute
10 shall be awarded a certificate of qualification, practicing certificate, plaque
11 and other membership details, in such form as the Council may approve.

12 5.-(1) Every registered member of the Institute shall:

Duties of members
and code of conduct

13 (a) Observe the rules, regulation and code of conduct as may be
14 prescribed or adopted by the Institute to enhance sound finance practice; and

15 (b) Uphold the objectives, purposes and interest of the Institute to
16 the best of his ability;

17 (c) Uphold the dignity and reputation of the Institute, and

18 (d) Observe the provision of this Bill and other regulations made by
19 the Council.

20 6.-(1) There shall be established for the Institute, a Governing
21 Council (in this Bill referred to as "the Council") charged with the
22 responsibility for the general control and superintendence of the activities,
23 affairs and programmes of the Institute

Governing Council
of the Institute

24 (2) The Council shall consist of:

25 (a) The President of the Institute, who shall:

26 (i) be a person with good knowledge of Finance preferably a
27 professor of Finance or any other person with academic qualifications not
28 below M.Sc in Finance;

29 (ii) a Fellow of the Institute who has paid his financial dues up to
30 date; and

	1	(iii) possesses such experiences and qualifications to enable him
	2	perform effectively as the President of the Institute.
	3	(b) The Vice-president of the Institute, who shall possess similar
	4	qualifications as those of the President under Section 6(2)(a) of this section;
	5	(c) Two members from the Board of Trustees established under this
	6	Bill;
	7	(d) The Registrar of the Institute who shall be the Secretary to the
	8	Council.
	9	(3) The supplementary provisions set out in the Schedule to this Bill
	10	shall have effect with respect to the proceedings of the Council and other
	11	matters contained in the Schedule.
Schedule	12	(4) Subject to subsection (3), the Council may make Standing Orders
	13	for the regulation of its proceedings and meetings.
	14	(5) Decisions and acts of the Council are binding on the Institute.
Functions of the Governing Council	15	7.-(1) The Council shall:
	16	(a) approve the registration, enrolment or conferment of Fellowship
	17	or Membership on persons seeking to be members of the Institute;
	18	(b) approve the appointment of the Registrar of the Institute;
	19	(c) approve the rules, regulations and code of conduct as may be
	20	adopted by the Institute to guide the professional conduct of members of the
	21	Institute;
	22	(d) adopt rules for the appointment, promotion and discipline of Staff
	23	of the institute by the Registrar.
Tenure of Office and Cessation of Membership of the Governing Council	24	8.-(1) The President and members of the Council, other than the ex-
	25	officio Members, shall hold office for two years in the first instance from the
	26	date of investiture and may be elected or re-appointed for another term of two
	27	years and no more.
	28	(2) The office of the President or any member of the Council becomes
	29	vacant where:
	30	(a) He resigns his office by notice in writing under his hand addressed

1 to the Registrar of the Institute;

2 (b) He becomes of unsound mind or is incapable of discharging his
3 duties due to infirmity of mind or body;

4 (c) He is declared bankrupt by a court of competent jurisdiction;

5 (d) He is found guilty of gross misconduct relating to his duties or
6 is convicted of a felony or of any offence involving dishonesty, fraud,
7 corruption or embezzlement; or

8 (e) In the case of an ex -officio member, he ceases to hold the office
9 on the basis of which he became a member of the Council.

10 **9.** Members of the Council are entitled to allowances; travel
11 expenses and such other benefits as may be determined by the Council.

Remuneration
of Members of
the Council

12 **10.**-(1) There is for the Institute, a Board of Trustees (in Bill
13 referred to as "the Board") whose membership shall consist of:

Establishment
of the Board of
Trustees

14 (a) the promoters, and founding members of the Institute and such
15 other person(s) that the Board deemed qualified to be co-opted as members;

16 (2) In the event of death of a member, the Board shall unanimously
17 appoint a successor to fill the vacancy arising in the membership of the
18 Board as a result of the death of a Member.

19 (3) The membership of the board shall not exceed five members.

20 (4) The Board shall comprise of:

21 (a) a Chairman;

22 (b) a Vice Chairman;

23 (c) A Secretary; and

24 (d) Two other Members.

25 (5) The Board shall act as an advisory body to the Council on issues
26 relating to the activities of the Institute in addition to the discharge of other
27 functions prescribed under this Bill;

28 (6) The Board shall adopt its Standing Orders for regulation of its
29 proceedings and meetings;

30 (7) The Board may mediate any dispute referred to it by the

1 Registrar or the Council and where there is failure to resolve same may be
2 referred to the Investigative Panel established under this Bill;

3 PART II - THE REGISTRAR AND OTHER STAFF OF THE INSTITUTE

The Registrar
of the Institute

4 11.-(1) There is hereby established the office of the Registrar of the
5 Institute who shall be:

6 (a) the Chief Executive of the Institute and charged with the general
7 responsibility for matters affecting the day-to-day management and operations
8 of the Institute;

9 (b) is responsible to the Council and for:

10 (i) Taking the minutes of meetings of the Council;

11 (ii) Keeping records and conducting the correspondence of the
12 Council; and

13 (iii) Issuing notices for the meetings of the Council.

14 (c) is responsible for any other duty or function as may be necessary
15 for the effective and efficient running of the Institute;

16 (d) Shall correct, in accordance with the Council's directions, any
17 entry In the register, which the council directs him to correct as being, in the
18 council's opinion, an entry which was incorrectly made;

19 (e) Shall make, from time to time, any necessary alternation in the
20 registered Member who has died;

21 (f) Shall remove from the register the name of any enrolled or
22 registered member who has died;

23 (g) Shall cause a print of each edition of the register and of each list of
24 the corrections to be deposited at the principal office of the Institute;

25 (h) Shall keep the register and lists so deposited and made available at
26 all reasonable times, for inspection by members of the public;

27 (i) Shall pay its employees such remuneration, allowances and other
28 benefits as may from time to time; and

29 (j) recruit, discipline and promote such other staff of the Institute in
30 accordance with Terms and Conditions of Service of the Institute as may be

1 approved by the Council.

2 (2) The Registrar shall possess such academic qualifications not
3 below M.Sc in Finance including relevant cognate experience in Finance
4 and Control as may be approved by the Council.

5 (3) In addition to other duties under this Bill, the Registrar shall
6 prepare and maintain, in accordance with the rules and regulations made by
7 the Council, a Register of the names, addresses, approved qualifications and
8 such other qualifications and particulars as may be specified in the rules, of
9 all persons who are enrolled, under this Act as:

10 (a) Corporate Members;

11 (b) Fellows;

12 (c) Full Members;

13 (d) Associate Members;

14 (e) Graduate Members;

15 (f) Student Members;

16 (g) Honorary Fellows;

17 **12.** The Council may, on the recommendation of the Registrar,
18 approve the appointment of such other staff as it may consider necessary to
19 assist the Registrar in the discharge of his duties.

Other Staff of
the Institute

20 PART III - FINANCIAL PROVISIONS

21 **13.**-(1) The Institute shall establish and maintain a Fund (in this
22 Bill referred to as "the Fund") for the purpose of this act.

Fund of the
Institute

23 (2) The fund shall consist of:

24 (a) All fees and other moneys payable to the Council under this
25 Bill; and

26 (b) Such money as may be payable to the Council, whether in the
27 course of the performance of its functions or not.

28 (3) There shall be paid out of the fund:

29 (a) The remuneration and allowances of the Registrar and other
30 employees of the Institute; and

1 (b) Such reasonable travelling and subsistence allowance of members
2 of the Council in respect of the time spent on the business of the Council as the
3 Council may, with the approval of the Council, determine.

4 (4) The Council may invest money in the fund in any Treasury Bills,
5 Bonds or other security instrument issued by or on behalf of the Federal
6 Government in Nigeria as may be approved by the Council.

7 (5) The Council may borrow money for the purposes of the Institute,
8 and any interest payable on money borrowed shall be paid out of the fund.

9 (6) The Council may approve the creation of a Finance Education
10 Scholarship Scheme (in this Bill referred to as " the Finance Education
11 Scholarship or FES for short").

12 (7) The FES shall be managed by a FES Management Committee
13 with membership recommended by [he Registrar and approved by the Council.

14 (8) The FES shall be awarded to indigent students undertaking studies
15 in tertiary institutions for the award of degrees in Finance or other related
16 subjects as may be approved by the Council.

17 (9) The Council may create other fellowships to promote the study of
18 Finance as a distinct discipline where desirable.

Financial Records
and Audit of
Accounts

19 **14.-(1)** The Institute shall:

20 (a) keep proper accounts on behalf of the Institute in respect of each
21 year and proper records in relation to those accounts; and

22 (b) Cause the accounts to be audited by an external auditor and, when
23 audited, the accounts shall be submitted to the members of the Institute for
24 approval at the meeting of the Institute.

25 (2) The Institute shall not later than 15th October in each financial
26 year, submit to the Council for approval, its estimate of revenue and
27 expenditure in respect of the following financial year.

28 (3) The Institute shall prepare and submit to the Council, not later than
29 31st July in each financial year, a report on its activities during the preceding
30 financial year and the report shall be accompanied by a copy of the audited

1 accounts of the Institute for that period and of the auditor's report on the
2 accounts.

3 **15.**-(1) The Institute may accept gift of land, money or other
4 property upon such terms and conditions, if any, as may be specified by the
5 person or organization making the gift.

Power to accept
gifts

6 (2) The Institute shall not accept any gift if the conditions attached
7 to the gifts are inconsistent with the functions of the Institute or any other
8 law in Nigeria.

9 PART IV- REGISTER AND PUBLICATION OF REGISTER OF MEMBERSHIP

10 **16.**-(1) The Registrar shall maintain a Register of Membership
11 and:

Publication of
Register of
Membership

12 (a) Cause the contents of the register of members to be published
13 and put on sale, and the publication shall be updated annually; and

14 (b) Ensure that copies of the Publication are deposited at the
15 principal office of the Institute for the purpose of inspection by members of
16 the public.

17 (2) Any edition of the register published under this section by the
18 authority of the Registrar, or documents purporting to be prints of an edition
19 so published and of the list of corrections to that edition so published, shall,
20 without prejudice to any other mode of proof, be admissible in any
21 proceeding as evidence that any person specified in the publication or
22 document as being registered was so registered at the date of the edition or of
23 the list of corrections, as the case may be, and that any person not so
24 specified was not so registered.

25 **17.**-(1) A person is entitled to be registered as a finance and control
26 professional if he-

Eligibility for
Registration on
the Register of
Members

27 (a) passes the qualifying examination accepted by the Council and
28 completed the practical training prescribed by the Institute under this Bill;

29 (b) holds any other qualifications acceptable by the Institute for the
30 time being; or

1 (c) Qualifies for registration as a member in any of the categories
2 specified under section 3 of this Bill.

3 (2) An applicant for registration shall, in addition to satisfying
4 stipulated conditions, set and approved by the Council:

5 (a) be of good character;

6 (b) be within the age prescribed under this Bill or meet requisite age
7 requirement as may be approved by the Council; and

8 (c) not have been convicted in Nigeria or elsewhere, of an offence
9 involving fraud or dishonesty.

10 (3) The Institute shall, from time to time, publish particulars of
11 qualifications for the time being accepted by the Council for Registration as a
12 Finance and Control Professionals.

13 (4) The Council may, for the purposes of this Bill approve any-

14 (a) course of training at an approved institution or location intended
15 for persons who are seeking to become or are already members financial
16 professional and administrator and experts and which the Council considers is
17 designed to confer on any person completing it sufficient knowledge and skills
18 for admission into the Institute; and

19 (b) qualification, which, as a result of an examination taken in
20 conjunction with a course of training approved by the Council under this
21 section, indicates that the candidate has sufficient knowledge and skills for
22 certification to practice as a Finance and Control Professional.

Instructions and
Examinations
leading to approve
qualification

23 **18.**-(1) The Council is to ensure that its members are kept abreast with
24 nature of the instructions and examinations given at approved institution or
25 location(s) to any person attending approved course(s) of training and may
26 appoint, either from among its own members or otherwise, persons to visit
27 approved institutions, or to participate in the invigilation such examinations.

28 (2) A person appointed under this subsection (1) shall report to the
29 Council on the sufficiency of the:

30 (a) Instruction given to persons attending approved courses of

1 training at institutions visited by him; and

2 (b) Examination invigilated by him

3 (3) The Council may, if it deems fit, withdraw any approval given
4 under this Act in respect of any course, qualification or institution, but
5 before withdrawing such an approval the Council shall:

6 (a) Give two weeks' notice that it proposes to do so to any person in
7 Nigeria appearing to the Council to be the person by whom the course is
8 conducted or the qualification is granted or the Institution is controlled, as
9 the case may be; and

10 (b) Afford each such person an opportunity of defence before the
11 Council.

12 **19.-(1)** Members of the Institute shall practice as professional
13 funds raisers through the identification of costless and riskless sources of
14 financial resources of any kind for financing of any project in both the public
15 and private sectors.

Areas of practice
for registered
members of the
Institute

16 (2) Members-in-practice shall also be concerned with advising
17 clients on the combination of financial resources (best financing-mix) to cut
18 waste and constitute viable capital structure.

19 (3). Members shall:

20 (a) Render financial advisory services to high net worth
21 individuals and corporate organizations including credit analysis and
22 financial product pricing;

23 (b) Serve as finance professionals, controllers, Finance Managers,
24 Financial Advisers, Fund Managers and generally render finance
25 consultancy services;

26 (c) Design mechanisms for effective finance and control in
27 organizations;

28 (d) Render advisory service relating to venture capital and business
29 finance;

- 1 (e) Be involved in rating services, including credit and finance rating;
- 2 (f) Render professional financial risk assessment and development of
- 3 financial feasibility studies including revenue and debt profile of business
- 4 entities;
- 5 (g) Provide advisory services relating to procurement, fiscal or
- 6 financial prudence, project management and asset acquisitions;
- 7 (h) Render corporate finance services to corporate clients and
- 8 individuals in the area of retirement planning;
- 9 (i) Practice as financial and investment planners;
- 10 (j) Practice in the areas of oil and gas financing;
- 11 (k) Practice as wealth managers and financial administrators; and
- 12 (l) Capital budgeting and financial planners.

13 PART V- INVESTIGATIVE PANEL AND DISCIPLINARY TRIBUNAL

Establishment
of the Investigating
Panel for the
Institute

14 **20.**-(1) There is established the Chartered Institute of Finance and

15 Control of Nigeria's Investigative Panel (in this Bill referred to as panel") is

16 charged with the duty to wit:

17 (a) Conducting a preliminary investigation into any case reported to

18 the Registry where it is alleged that a member has misbehaved in his capacity as

19 a Finance and Control Professional, or is, for any other reason the subject of

20 proceedings before the Tribunal;

21 (b) Ascertaining the gravity of alleged professional misconduct by

22 members of the Institute and to make recommendations to the Tribunal

23 regarding cases referred to it for investigation; and

24 (c) investigate any member before referring the case to the Tribunal.

25 (2) The Panel shall consist of three members appointed by the Council

26 as follows:

27 (a) A reputed fellow with high level of integrity and objectivity as the

28 Chairman;

29 (b) A member of the Institute, not below five years of post-induction

30 experience; and

1 (c) A legal practitioner to act as the secretary.

2 **21.**-(1) There is established the Chartered Institute of Finance
3 and Control of Nigeria's Disciplinary Tribunal (in this Bill referred to as "the
4 Tribunal") charged with the duty of:

Establishment
of the Disciplinary
Tribunal for the
Institute

5 (a) Considering and deciding cases of professional misconduct
6 involving members of the Institute referred to it by the panel; and.

7 (b) Considering any other case of which the Tribunal has
8 cognizance under the provision of this Bill.

9 (2) The Tribunal is made up of five members appointed by the
10 Council to wit:

11 (a) a Chairman who is a legal practitioner of not more than 15 years
12 Post-call experience who is highly knowledgeable in the provisions of this
13 Bill, the Code of Professional Conduct for members approved by the
14 Council as well the provisions of extant Finance Laws of the National
15 Assembly;

16 (b) A Fellow of the Institute;

17 (c) A member of the Institute, not below five years of post-
18 induction experience;

19 (d) The legal adviser of the Institute; and

20 (e) The Registrar of the Institute as the secretary.

21 (3) The Panel and Tribunal shall respectively adopt rules to
22 regulate its proceedings.

23 **PART VI - MISCELLANEOUS PROVISIONS**

24 **22.** Where a member is-

25 (a) adjudged by the Tribunal to be in breach of the prescribed
26 Professional code of conduct for members;

Breach of Code
of Conduct for
members of the
Institute

27 (b) convicted in any court of law having power to award
28 imprisonment for an offence (whether or not punishable with
29 imprisonment), which in the opinion of the Tribunal is incompatible with the
30 status of a member of the Institute; or

1 (c) The Tribunal is satisfied that the name of any person has been
2 fraudulently enrolled or registered,

3 (1) The Tribunal may give a direction, reprimanding the person, or
4 ordering the Registrar to strike his name off the relevant part of the register.

5 (2) The Tribunal may defer its decision under section until a
6 subsequent meeting of the Tribunal, but no:

7 (a) Decision shall be deferred under this section for any period
8 exceeding two years in the aggregate; and

9 (b) Person shall not be a member of the Tribunal for the purpose of
10 reaching a decision, which has been deferred, unless he was present as a
11 member of the Tribunal when the decision was deferred.

12 (3) When the Tribunal gives a decision under this Act, the Tribunal
13 shall cause notice of the decision to be served on the person to whom it relates.

14 (4) The person to whom a decision is given, may at any time within 30
15 days from the date of service on him of notice of the decision, appeal against
16 the decision to the Federal High Court.

17 (5) A decision of the Tribunal under this Bill, takes effect where:

18 (a) No appeal under this section is brought against the direction within
19 the time limited for such an appeal, on the expiration of that time;

20 (b) an appeal is brought and is withdrawn or struck out for want of
21 prosecution, on the withdrawal or striking out of the appeal; and

22 (c) An appeal is brought and is not withdrawn or struck out, if and
23 when the appeal is dismissed and shall not take effect in accordance with the
24 provisions of this subsection.

25 (6) A person whose name is struck off the Register in pursuance of a
26 decision of the Tribunal under this Bill, is not entitled to be enrolled or
27 registered again, except in pursuance of another decision in that regard given
28 by the Tribunal on the application of that person or reversal of such decision
29 against him on appeal to the Federal High Court.

30 (7) When a decision under this section for the striking off of a person's

1 name from the register is made, no further application by that person shall be
2 made until the expiration of such period from the date of the decision.

3 **23.** Any person, who for the purpose of procuring the registration
4 of any name, qualification or other matter:

False reckless
statement to
procure registration

5 (a) Makes a statement, which he believes to be false, or

6 (b) Recklessly makes a statement, which is false, commits an
7 offence.

8 **24.** A person, not being a member of the Institute of certified by the
9 Institute as a Finance Control Professional, who Impersonates or portrays
10 himself as a member of the Institute and receives reward through such acts
11 of impersonation, commits an offence.

Impersonating
as member of
the Institute

12 **25.** A person, including the Registrar or any other employee of the
13 Institute, who willfully makes any falsification in any matter relating to the
14 register or with intent to defraud, alters any entry in the register, commits an
15 offence.

Falsification of
Register

16 **26.** Where no penalty is specified in respect of an offence under
17 this Bill, the person who commits such an offence shall be liable upon
18 conviction:

Penalties

19 (a) In the case of an individual, to a fine not exceeding
20 N500,000.00 or to both such fine and imprisonment;

21 (b) In the case of a corporate entity, to a fine not exceeding
22 N750,000.

23 **27.-(1)** Subject to the provisions of this Bill and approval of the
24 Council, the Institute may, make rules and regulation or issue guidelines
25 with respect of the enforcement of any of the provisions of this Bill,
26 including:

Power to make
regulations, rules
and guidelines

27 (a) Regulation of membership registration and keeping of register;

28 (b) Specifying the and any annual subscription to be paid to the
29 Institute in respect of the entry of names on the Register and authorizing the
30 Registrar to refuse to enter a name on the register until any fee specified for

1 the entry has been paid; and

2 (c) Regulating the making of applications for enrolment or
3 registration, and providing for the evidence to be produced in support of the
4 application;

5 (2) The Council may on the recommendation of the Registrar of the
6 Institute approve rules for regulating the conduct of finance and control
7 professionals including guidelines on-

8 (a) The training of suitable persons as finance and control
9 professionals;

10 (b) The licensing of people practicing as Finance and Control
11 professionals;

12 (c) The fees to be paid by all categories of membership; and

13 (d) Restrictions on the right and privileges of members when all
14 prescribed conditions have not been met.

15 (3) The Council may approve rules, prescribing the amount and due
16 date for payment of the annual subscriptions and for such purposes, different
17 amounts may be prescribed by the rules according to the categories of
18 membership:

19 (a) Rules when made shall if the Council approves shall be published
20 in the print media and in the Federal Government gazette.

Limitation on
suits against
the Institute

21 **28.**-(1) A suit shall not be commenced against the Institute before the
22 expiration of a period of one month notice of intention to commence the suit,
23 which shall have been served upon the Institute by the intending plaintiff or his
24 authorized agent, and the notice shall state:

25 (a) The cause of action;

26 (b) The particulars of the claim;

27 (c) The name and place of abode of the intending plaintiff; and

28 (d) The reliefs sought.

29 (2) The notice referred to in subsection (1) and any other document
30 required or authorized to be served upon the Institute under the provisions of

1 this Act or any other enactment or law may be served by delivering the same
2 to the President, Chairman, Councilor the Registrar of the Institute or by
3 sending it by registered post to the principal office of the Institute.

4 PART VII - FINAL PROVISIONS

5 29.-(1) All assets, funds, resources, movable or immovable
6 property which immediately before the commencement of this Act held on
7 behalf of the Institute shall, by virtue of this Act, be vested in the Chartered
8 Institute of Finance and Control of Nigeria

Transitional and
saving provisions

9 (2) Any person immediately before the commencement of this Act
10 being a holder of an office in the Chartered Institute of Finance and Control
11 of Nigeria shall on the commencement of this Act be deemed to have been
12 appointed to his office by the Chartered Institute of Finance and Control of
13 Nigeria.

14 30. In this Bill:

Interpretation

15 "Board" means Board of Trustees;

16 "Council" means the Governing Council of the Institute established under
17 section 6 (1) of this Bill;

18 "Disciplinary Tribunal" means the Chartered Institute of Finance and
19 Control of Nigeria Disciplinary Tribunal established under 21 of this Bill;

20 "Enrolled" in relation to a fellow, a member, an associate member means
21 registered by the Registrar on of the Register of members of the Institute as a
22 fellow, member, associate member as the case may be;

23 "Fees" include annual subscriptions and other levies;

24 "Finance and control professional" means and include persons registered to
25 practice as members of the institute as financial controllers, Finance
26 managers, financial advisers, fund managers, fund raisers, financial risk
27 analysts in consideration for compensation, fee or remuneration received or
28 to be received, and whether by himself or in partnership with any other
29 person he generally-

30 (a) engages himself in the practice of finance and control;

1 (b) renders professional services or assistance in or about matters of
2 principles of finance; or

3 (c) He renders any other service which falls in the areas of practice
4 under section 19 of this Bill or any other area(s) that may by the rules made by
5 the Council designated as service constituting practice areas for Finance and
6 Control Professionals in Nigeria.

7 "Institute" means the Chartered Institute of Finance and Control of Nigeria
8 established under section 1 of this Act;

9 "Panel" means the Chartered Institute of Finance and Control of Nigeria
10 Investigative Panel established under this Bill;

11 "Member" means enrolled Fellow, Full Member, Associate Member, Graduate
12 Member, Student Member or a registered Special or Corporate Member, as the
13 case may be, and "membership of the Institute" shall be construed accordingly;

14 "President" and "Vice President" means respectively the office holder under
15 those names in the Institute;

16 "Register" means the register maintained in pursuance to the provisions of this
17 Bill;

18 "Registrar" means the registrar of the Chartered Institute of Finance and
19 Control of Nigeria appointed pursuant to the provisions of this Bill.

20 "Tribunal" means the Chartered Institute of Finance and Control Disciplinary
21 Tribunal established under this Bill.

Short title

22 **31.** This Bill may be cited as the Chartered Institute of Finance and
23 Control of Nigeria (Establishment) Bill, 2020.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE PROVISIONS OF
THE COUNCIL.

PART I - PROCEEDINGS OF THE COUNCIL

1. Subject to the provisions of this Bill and the provisions of the Interpretation Bill (providing for decisions of a body to be taken by a majority of the members of the body and for the Chairman to have a second or casting vote), the Council may make Standing Orders regulating the proceedings of the Council or any committee thereof.

2. The Council shall meet at least two times in a year and at such other times as the President of the Council may from time to time determine and in any case, shall not meet more than four times in a year.

3. Every meeting of the Council shall be chaired by the President of the Council and if the President is unable to attend, the Vice President shall chair such meeting.

4. The quorum for the meeting of the Council shall be any number above one-third of the total number of members of the Council and in the case of any of its committees shall not be less than half of the members of such committee.

5. Where Standing Orders made under paragraph 1 of this Part of this Schedule provide for the Council to co-opt persons who are not members of the Council, such persons may advise the Council on any matter referred to them by the Council but shall not be entitled to vote at a meeting of the Council or count towards a quorum.

6. Subject to its Standing Orders, the Council may appoint such number of standing and ad-hoc committees as it thinks fit to consider and report on any matter with which the Council is concerned.

7. Every committee appointed under paragraph 6 of this Schedule shall be presided over by a member of the Council and shall be made up of such number of persons, not necessarily members of the Council, as the

1 Council may determine in each case.

2 8. A decision of a Committee shall be of no effect until it is confirmed
3 by the Council.

4 PART II - MISCELLANEOUS

5 9. The fixing of the seal of the Council shall be authenticated by the
6 signature of the chairman and the Council Secretary/Registrar.

7 10. Any contract or instrument which, if made or executed by any
8 person not being a body corporate would not be required to be under seal, may
9 be made or executed on behalf of the Council by any person, generally or
10 specially authorized to act for that purpose by the Council.

11 11. Any document purporting to be a contract, instrument or other
12 document duly signed or sealed on behalf of the Council shall be received in
13 evidence and shall unless the contrary is proved, be presumed to have been so
14 signed and sealed.

15 12. The validity of any proceeding of the Council or of any of its
16 committees shall not be affected by:

17 (a) Any vacancy in the membership of the Council or any of its
18 committees;

19 (b) Any defect in the appointment of any member; or

20 (c) Reason of the fact that any person not entitled to do so took part in
21 the proceedings.

22 PART III - FACULTIES OF THE INSTITUTE

23 13. Pursuant to the provisions of this Bill, the following faculties are
24 hereby established to facilitate and coordinate professional development
25 programmes of the Institute-

26 (a) Insolvency and Financial Engineering;

27 (b) Public Finance Management;

28 (c) Development and International Finance;

29 (d) Corporate Finance Management;

30 (e) Economics of Finance;

- 1 (f) Financial Risk Management;
2 (g) Project Finance and Oil and Gas Financing; and
3 (h) Finance in the Digital World – ICT.

4 14. Any member of the Council and any person holding a position
5 on a committee of the Council who has a personal interest in any contract or
6 arrangement entered into or proposed to be considered by the Council or its
7 committee shall not be present at any deliberation relating to the contract
8 arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Chartered Institute of Finance and Control of Nigeria to be charged with the responsibility for registration of person aspiring to become Finance and Control professionals in Nigeria and to generally promote the development and ethical practice of finance as a distinct discipline in Nigeria.

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL ICONS, SYMBOLS LEGACY AGENCY (NISLA) AS A REVENUE GENERATING AGENCY OF THE FEDERAL GOVERNMENT OF NIGERIA FOR THE PURPOSE OF PRODUCTION, SALES AND DISTRIBUTION OF UNIFORM PRODUCTS SUCH AS THE NIGERIAN NATIONAL FLAG, THE COAT OF ARMS, AND PRINTING OF COPIES OF THE NATIONAL ANTHEM IN THE NIGERIAN LANGUAGES AND FOR PRESERVATION OF ALL NATIONAL ICONS AND SYMBOLS AS A LEGACY FOR FUTURE GENERATIONS AND FOR RELATED MATTERS

Sponsored by Hon. Babajimi Benson

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE AGENCY, GOVERNING BOARD, ETC.

2 1.-(1) There is established the National Icons, Symbols Legacy
 3 Agency (NISLA) (in this bill referred to as "Agency") which shall have such
 4 powers and exercise such functions as are conferred on it by this Bill.

Establishment of the National Icons, Symbols Legacy Agency (NISLA)

5 (2) The Agency-

6 (a) shall be a body corporate with perpetual succession and a
 7 common seal;

8 (b) may sue and be sued in its corporate name; and

9 (c) may acquire, hold and dispose of interests in movable and
 10 immovable property for the purpose of carrying out its functions under this
 11 Bill.

12 2. The Object of the Agency shall be to preserve national symbols
 13 as legacies for future generations, and to serve as a revenue generating
 14 agency of the Federal Government for the purpose of promoting unity

Object and purpose of the Agency

	1	through the production, sales, and printing of all symbols and icons of Nigeria.
Establishment of the Governing Board, Membership and Tenure of office of the Governing Board of the Agency etc.	2	3.-(1) There is hereby established for the Agency, a Governing
	3	Board(in this bill referred to as "Board") which shall exercise overall
	4	supervision of the Agency in accordance with the provisions of this Bill.
	5	(2) The Board shall consist of a chairperson and six other members
	6	drawn from the six geo-political zones of Nigeria, one the members of the
	7	Board shall be a representative of a relevant CIVIL SOCIETY organization
	8	with cognate experience in the subject matter of this Bill, whom shall serve as
	9	Secretary of the Board;
	10	(3) The Members of the Board shall be appointed by the President on
11	the recommendation of the Secretary to the Government of the Federation, and	
12	the Agency shall be under the supervision of the office of the Secretary to the	
13	Government of the Federation.	
14	(4) The persons appointed to be members of the Board shall be	
15	persons appearing to the President to be suitably qualified by reason of their	
16	professional, academic or administrative qualifications or by their attainments	
17	in any field of human endeavour.	
18	(5) Subject to sub-clause (6) of this clause, a person appointed as a	
19	member of the Board shall hold office for three years and shall be eligible for	
20	re-appointment for one further period of three years.	
21	(6) The President may terminate the appointment of a member of the	
22	Board on grounds of misbehavior or inability to discharge the duties of his	
23	office by reason of physical or mental incapacity.	
24	(7) The supplementary provisions set out in the Second Schedule	
25	shall have effect with respect to the proceedings of the Board and other matters	
26	mentioned therein.	
Functions and Powers of the Board and Agency	27	4. The Board shall-
	28	(a) providing general policy guidelines of the Agency and supervise
	29	the implementation of such policies;
	30	(b) review and approve the strategic plans of the Agency;

1 (c) consider and approve the research to be undertaken by the
2 Agency;

3 (d) appointing, promoting, transferring and imposing discipline on
4 employees of the Agency;

5 (e) with the prior approval of the Federal Civil Service
6 Commission, determine the remuneration and allowances (and in
7 appropriate cases, pensions, gratuities and other terminal benefits) to be
8 paid to such employees and such other conditions of service of the
9 employees as it may think appropriate;

10 (f) issuing such regulations, orders and guidelines as may be
11 recommended to it by the Agency and considered to be necessary for the
12 implementation of policies of the Federal Government;

13 (g) consider and approve the annual estimate and investment plans
14 of the Agency;

15 (h) appoint one or more committees to carry out on behalf of the
16 Board such functions as the Board may determine. A committee appointed
17 by the Board shall consist of the number of persons as determined by the
18 Board, of whom not more than one third shall be persons who are not
19 members of the Board and a person other than a member of the Board shall
20 hold office on the committee in accordance with the terms of the instrument
21 by which he is appointed. A decision of a committee of the Board shall be of
22 no effect until it is confirmed by the Board; and

23 (i) doing such other things as are in the opinion of the Board
24 necessary to ensure the efficient performance of the functions of the Agency
25 under this Bill.

26 The Agency shall-

27 (a) undertake identification of all the national symbols and icons of
28 Nigeria and publish a list of such national symbols and icons within three
29 months after the enactment of this Bill;

30 (b) ensure the preservation of all national symbols and icons in

1 both digital and manual formats;

2 (c) be solely responsible for the uniform printing and sale of all
3 national symbols and Icons;

4 (d) account for all amounts so collected for the sale of all national
5 symbols and icons in a manner to be prescribed by the President;

6 (e) in conjunction with the Nigerian Immigration Service conduct
7 oral and written examinations to evaluate and ascertain that applicants for
8 citizenship have basic knowledge of national symbols and national anthem;

9 (f) in conjunction with the Ministry of Education, conduct oral and
10 written examinations in schools to inculcate and ensure that students have
11 knowledge of national symbols and anthem;

12 (g) institute measures designed to promote national unity in Nigerians
13 for this purpose and shall liaise with academic, professional and media houses
14 in Nigeria;

15 (h) do such other things as are in the opinion of the Board necessary to
16 ensure the efficient performance of the object of the Agency under this Bill.

17 PART III - APPOINTMENT OF FUNCTIONARIES OF THE AGENCY

Director General
of the Agency

18 5.-(a) There shall be a Director General for the Agency, who shall be
19 the chief accounting officer of the Agency;

20 (b) The Secretary to the Government of the Federation shall nominate
21 any person to serve as the Director-General subject to confirmation of the
22 President and provided that such a person has served not less than fifteen years
23 in the public service, five of those years on the cadre of a Director;

24 (c) The supplementary provisions set out in the third Schedule shall
25 have effect with respect to Staff Appointments, Promotions, Discipline,
26 Remuneration, etc. and other matters mentioned therein.

27 PART IV - FINANCIAL PROVISIONS

Funds of the
Agency

28 6.-(a) The Agency shall establish and maintain such bank accounts to
29 be applied towards the discharge of its functions which shall consist of and to
30 which shall be credited:

1 (b) a percentage as stipulated by the President and appropriated by
2 the National Assembly not less than five percent (5%) of all sales made in
3 the preceding financial year, which sum shall be deployed to pay part or all
4 the capital and recurrent expenditures of the Agency;

5 (c) all other moneys which may from time to time, accrue to the
6 Agency from other services;

7 (d) annual appropriation, subvention or other budgetary allocation
8 from the annual budget and appropriation of the Federal Government for the
9 duration of five (5) years from the date of commencement of this Bill and
10 thereafter the Agency shall become self-funded; and

11 (e) all monies accruing to the Agency by way of gifts, grants-in-aid,
12 testamentary dispositions, endowments and contributions from any source.

13 **7.** The Agency may from time to time, apply the proceeds of the
14 funds established under Section 7 of this Bill to:

Proceeds of
Funds

15 (a) the cost of administration of the Agency;

16 (b) paying the emoluments, allowances and benefits of members of
17 the Board and for reimbursing members of the Board or of any committee of
18 the Board for such expenses as may be expressly authorized by the Board;

19 (c) the payment of the salaries, fees or other remuneration or
20 allowances to the officers and other employees of the Agency;

21 (d) the development of any property vested in or owned by the
22 Agency; and

23 (e) any other payment for anything incidental to the foregoing
24 provisions or in connection with or incidental to any other function of the
25 Agency.

26 **8.** -(a) The Agency shall, not later than 30th August in each year
27 submit to the Secretary Government of the Federation an estimate of its
28 expenditure and income - for the next succeeding year for the purpose of
29 submission to the National Assembly for appropriation.

Annual Estimates
and Accounts

30 (b) The Agency shall keep proper books of accounts in respect of

	1	each year and proper records in relation to those accounts and shall cause a
	2	comprehensive audit of all its accounts to be undertaken and completed within
	3	three months after the end of each financial year by auditors appointed from the
	4	list provided and in accordance with guidelines supplied by the Auditor-
	5	General for the Federation.
Annual report, etc.	6	9. -(a) The Agency shall, not later than the 30th day of June in each
	7	year, submit to the Auditor-General of the Federation, a report of its activities
	8	during the immediate preceding year and shall include in such report the duly
	9	audited accounts of the Agency;
	10	(b) The Auditor-General shall within 30 days of receipt of the report,
	11	present a copy of the report to the-
	12	(i) Federal Executive Council; and
	13	(ii) National Assembly.
Power to accept gifts	14	10. -(a) The Agency may accept any gift of land, monetary or other
	15	property on such terms and conditions, if any as may be specified by the person
	16	or organization making the gift and agreed to by the Board;
	17	(b) The Agency shall not accept any gift if the conditions attached by
	18	the person or organization offering the gift are inconsistent with any law in
	19	force or with the functions of the Agency.
Investment	20	11. The Board may, subject to the provisions of this Law and the
	21	conditions of any trust created in respect of any property, invest all or any of its
	22	funds in any security or any other fund as may, from time to time, be approved
	23	by the Secretary.
	24	PART V - PENAL PROVISIONS
Penalties	25	12. -(a) Three months after the enactment of this bill, any person found
	26	printing or making any Nigerian national symbol for both personal and
	27	commercial purposes shall upon conviction pay a sum of N200,000.00 to the
	28	Agency;
	29	(b) Three months after the enactment of the Bill, any person found
	30	selling unauthorized Nigerian national flag shall upon conviction pay the sum

1 ofN50,000 to the Agency.

2 PART VI - MISCELLANEOUS

3 **13.** As from the date of commencement, this Agency shall be
 4 responsible for administration of provisions of the following legislation
 5 listed under Clause 14 of this Bill: FLAGS AND COAT OF ARMS ACT,
 6 1960; Counterfeit Currency Offence (Special Provisions) Act, 1984.

Consequential
Amendments,
Repeals and
Savings

7 **14.** In this Bill-

Interpretation

8 "Fund" means the Funds of the Agency established by Clause 7 of this Bill;

9 "Governing Board" or "the Board" means the Governing Board of National

10 Icons, Symbols Legacy Agency established by Clause 2 of this Bill;

11 "Symbols" means the Nigerian national flag, coat of arms or any other
 12 symbol that has been adopted to represent Nigeria;

13 "Secretary" means the Secretary to the Government of the Federation or the
 14 representative.

15 **15.** This Bill may be cited as National Icons, Symbols Legacy
 16 Agency Bill, 2020.

Citation

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Icons, Symbols legacy Agency (NISLA) as a revenue generating agency of the federal government of Nigeria for the purpose of production, sales and distribution of uniform products such as the Nigerian national flag, the coat of arms, and printing of copies of the national anthem in the Nigerian languages and for preservation of all national icons and symbols as a legacy for future generations and for related purposes.

1 (d) he has been educated up to at least School cert level or its
2 equivalent.

Election of
Mayor General

3 **3.-(1)** An election to the office of Mayor of the Federal Capital
4 Territory shall be held on a date to be appointed by the Independent National
5 Electoral Commission.

6 (2) An election to the office of Mayor of the F.C.T shall be held on a
7 date not earlier than one hundred and fifty days and not later than one hundred'
8 and twenty day before the expiration of the term of office of the last holder of
9 that office.

10 (3) Where an election to the office of the Mayor of F.C.T one of the
11 two or more candidates nominated for the election is the only candidate after
12 the close of nomination by reason of the disqualification, withdrawal,
13 incapacitation, disappearance or death of the other candidate, the Independent
14 National Electoral Commission shall extend the time for nomination.

15 (4) For the purpose of an election under this section, the Federal
16 Capital Territory shall be regarded as one constituency.

17 (5) Every person who is to vote at an election of a member of a
18 legislative house shall be entitled to vote at an election to the office of mayor of
19 the F.C.T.

Tenure of Office
Mayor

20 **4.-(1)** Subject to the provision of this constitution a person shall hold
21 the office of the Mayor of the F.C.T until:

22 (a) when his successor in office takes the oath of that office;

23 (b) he dies without holding such office;

24 (c) the date when his resignation from office taken effect; or

25 (d) he otherwise cease to hold office in accordance with the provision
26 of this constitution.

27 (2) Subject for the provision of this constitution, the Major of F .C.T
28 shall vacate his office at the expiration of a period of four years commencing
29 from:

30 (a) in the case of a person first election as mayor under this

1 constitution he took the oath of allegiance and oath of office; and

2 (b) the person last elected to that office took the oath of allegiance
3 and oath of office or would but for his death have taken such oaths.

4 **5.-(1)** No person shall be qualified for election for the office of Mayor of F.C.T if: Disqualification

6 (a) subject to the provision of this constitution, he has voluntarily
7 acquired the citizenship of a country other than Nigeria or except in such
8 cases as may be prescribed by the National assembly, he has made a
9 declaration of allegiance to such the country;

10 (b) he has been elected to such office at any two previous elections;

11 (c) under the law in any part of Nigeria, he is adjudged to be a
12 lunatic or otherwise declared to be unsound mind;

13 (d) he is under a sentence of death imposed by any competent court
14 of law or tribunal in Nigeria or a sentence of imprisonment for any offence
15 involving dishonesty or fraud;

16 (e) being a person employed in the public service of the federation
17 of any state, he has not resigned, withdrawn or retired from the employment
18 of at least thirty days to the date of the election;

19 (f) he is a member of any secret society; or

20 (g) he has presented a forged certificate to the independent national
21 electoral commission.

22 **6.-(1)** The Mayor shall not during the period when he holds office,
23 hold any executive office or paid employment in any capacity whatsoever. Mayor
disqualification
from other jobs

24 **7.** This Bill may be cited as the Constitution of the Federal
25 Republic of Nigeria 1999 (Alteration) Bill, 2020. Short title

EXPLANATORY NOTE

This Bill seeks to alter the Constitution of the Federal Republic of Nigeria 1999 to create the office of Mayor for the Federal Capital Territory Administration.

NIGERIA POLICE ACADEMY (ESTABLISHMENT, ETC) BILL, 2020

ARRANGEMENT OF CLAUSES

Sections:

PART I- ESTABLISHMENT OF THE NIGERIA POLICE ACADEMY

1. Objects of the Academy
2. Establishment of Nigeria Police Academy
3. Powers of the Academy
4. Establishment of Nigeria Police Academy Council
5. Membership of the Council
6. Functions and Powers of the Council
7. First meetings of the Council, Academy Board and Senate
8. Removal of a Member of Council from Office.

PART II - PRINCIPAL OFFICERS AND OTHER STAFF OF THE ACADEMY

9. Appointment and Tenure of the Commandant of the Academy
10. Removal from Office of Commandant of the Academy
11. Appointment and Tenure of the Deputy Commandant of the Academy
12. Removal from Office of the Deputy Commandant of the Academy.
13. Appointment and Tenure of the Provost of the Academy
14. Removal from Office of the Provost of the Academy
15. Procedure for the Appointment of the Provost
16. Registrar of the Academy
17. Bursar of the Academy
18. Librarian of the Academy
19. Appointment and tenure of the Registrar, Bursar and Librarian of the Academy
20. Remuneration of Principal Officers of the Academy
21. Resignation of Appointments in the Academy
22. Appointment of other staff of the Academy
23. Service in the Academy to be Pensionable

PART III - FINANCIAL PROVISIONS

24. Fund of the Academy
25. Power to Accept Gift
26. Power to Borrow
27. Financial Year and Academic Calendar
28. Accounts and Audit
29. Annual Estimates and Budget
30. Annual Report
31. Bank Account

PART IV - TRANSFER OF PROPERTY TO THE ACADEMY

32. Transfer of property to the Academy
33. Restriction on disposal of landed property of the Academy
34. Compulsory acquisition of Land for overriding public interest.

PART V - MISCELLANEOUS

35. Visitation
 36. Commissioning of Cadets
 37. Exclusion or Discrimination on Account of Race, Religion, etc.
 38. Supremacy of the Police Act
 39. Implementation of Policies of the Academy
 40. Establishment of Committees, etc.
 41. The seal of the Academy
 42. Regulations, Rules and Guidelines
 43. Transitional Arrangements
 44. Limitation of law suit against the Academy
 45. Restriction on execution against property of the Academy
 46. Indemnity of officers of the Academy
 47. Union activities
 48. Interpretation
 49. Short title
- Schedules

A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIA POLICE ACADEMY AS A DEGREE AWARDDING INSTITUTION TO PROVIDE ACADEMIC AND PROFESSIONAL TRAINING AND FOR RELATE) MATTERS

Sponsored by Hon. Gagdi Adamu Yusuf

[] Commencement

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

1 PART 1- ESTABLISHMENT OF THE NIGERIA POLICE ACADEMY

2 1. The objects of the Academy are to:

Objects of the Academy

3 (a) Provide each Officer Cadet with a broad and balanced
4 curriculum consisting of Police and academic training, general and
5 professional Police duties designed to serve as a foundation for his
6 progressive development as an Officer in the Nigeria Police Force;

7 (b) Develop in each Officer cadet, a commitment to those moral
8 qualities and standard required for leadership that are defined by the ideals
9 of unity, honour and service to the country;

10 (c) Encourage the advancement of learning and to hold out the
11 opportunity of acquiring higher education in liberal, scientific, legal,
12 professional and other discipline to Officer cadets of the Nigeria police force
13 and those of other nations that the Federal Government of Nigeria may from
14 time to time decide;

15 (d) Provide courses of instruction and other facilities for the pursuit
16 of teaching and learning in all the faculties of the Academy as may be
17 established and make those facilities available on proper terms to members
18 of the Nigeria Police as are qualified to benefit from them;

19 (e) Nurture, equip and produce globally competitive police officers
20 with requisite knowledge, skills and attitudes suitable for leadership,

- 1 scholarship, policing and community service;
- 2 (f) Encourage and promote academic excellence in the Academy
- 3 (g) Conduct research in relevant fields of learning and human
- 4 endeavour;
- 5 (h) Align its activities to the security, social, cultural and economic
- 6 needs of the people of Nigeria;
- 7 (i) Prepare cadets through well-articulated theory and practical, for
- 8 careers of service and achievement; and
- 9 (j) Carry out any other activities as are necessary or expedient for the
- 10 performance of its function under this act.

Establishment
of the Police
Academy

11 **2.**-(1) There is established a body to be known as the Nigeria Police
12 Academy (in this Act referred to as "The Academy").

13 (2) The Academy as a Police academic and professional institution
14 shall have the power to award degrees, diplomas and certificates in accordance
15 with the highest academic standards as may be prescribed by the National
16 Universities Commission, from time to time.

17 (3) The Academy:

18 (a) Shall be a body corporate with perpetual succession and a
19 common seal;

20 (b) May sue or be sued in its corporate name; and

21 (c) May acquire, hold or dispose, grant, charge, purchase or mortgage
22 any of its property, movable or immovable, wherever situate subject to the
23 provisions of the Land Use Act, for the purpose of carrying out any of its
24 functions under this act.

Powers of the
Academy

25 **3.**-(1) For the purposes of carrying out the objects of the Academy
26 under section 2 of this Act, the Academy shall:

27 (a) Establish one Nigeria Police Academy which is situated in Wudil,
28 Kano State with such faculties, and departments and other teaching and
29 research units within the Academy as may be necessary and desirable from
30 time to time, on the approval of the National Universities Commission;

1 (b) Institute professorship, readership, lectureship or other posts
2 and establish offices and make appointments as may be considered
3 appropriate;

4 (c) Institute and award fellowships, scholarships, exhibitions,
5 bursaries, medals, prizes, distinctions, awards and other forms of
6 recognition or title;

7 (d) Be responsible for the welfare of its members of staff and Police
8 Officers serving in the Academy;

9 (e) Be responsible for the discipline of its members of staff and
10 refer matters relating to Police Officers serving in the Academy to the
11 Inspector-General of Police.

12 (f) Conduct examinations, award degrees, diplomas, certificates
13 and other distinctions to the persons pursuing approved courses of studies
14 and having satisfied the requirements prescribed by the Academy under this
15 Act;

16 (g) Conduct research in relevant fields of learning and other human
17 endeavours;

18 (h) Engage top quality lecturers, instructors and other staff of
19 international standards aimed at creating a centre of excellence in mandate
20 fields of study in the Academy;

21 (i) Withdraw from, any cadet of the Academy, for good cause,
22 degree, diploma, certificate, fellowship, studentship, bursary, medal, prize
23 or other academic titles as deemed appropriate by the Academy;

24 (j) Demand and receive from students, except cadets from the
25 Nigeria Police for the purpose of instructions such fees as the Academy, may
26 from time to time, determine;

27 (k) Accept gifts, legacies and donations provided that the terms and
28 conditions attached to such gifts, legacies or donations are not inconsistent
29 with the objects and purpose for the establishment of the Academy;

30 (l) Erect, provide, equip and maintain libraries, parade grounds,

1 laboratories, lecture halls, halls of residence, refectories, sports grounds,
2 playing fields and other buildings as are necessary for the carrying out of the
3 objects of the Academy under this Act;

4 (m) Hold public and inaugural lectures, symposia and seminars;

5 (n) Undertake printing, publishing and selling of books and journals
6 of the Academy; and

7 (o) Undertake such other activities considered appropriate for a
8 degree-awarding Academy of the highest standard and do all such acts or
9 things that are incidental to the attainment of objects, functions and powers of
10 the Academy under this Act.

11 (2) The Academy shall subject to any limitations or conditions
12 imposed by statute:

13 (a) Invest any money belonging to the Academy by way of
14 endowment, whether for general or special purposes, with power to vary any
15 such investment, from time to time;

16 (b) Invest such other monies as may not be immediately required for
17 current expenditure in any investment or securities and in the purchase or
18 improvement of land, with power to vary any such investments from time to
19 time;

20 (c) Deposit any monies for the time being not invested with any
21 approved bank on deposit or current account; or

22 (d) Borrow, whether on interest or not and if need be upon the security
23 of any of the property movable or immovable of the Academy, such monies as
24 the Council may from time to time require or expedient to borrow or to
25 guarantee any loan, advances or credit facilities.

Establishment
of Nigeria Police
Academy Council

26 **4.** There is established for the Academy a Council to be known as the
27 Nigeria Police Academy Council (in this Act referred to as "The Council")
28 which shall:

29 (a) Initiate or approve the policy of the Academy, and

30 (b) Give the Academy directions on general or specific matters,

- 1 **5.** The council shall consist of: Membership of
- 2 (a) The Minister responsible for Police Affairs as Chairman; the Council
- 3 (b) The Permanent Secretary responsible for Police Affairs;
- 4 (c) The Inspector-General of Police or his designate;
- 5 (d) The Chairman of Police Service Commission or his
- 6 representative;
- 7 (e) The Commandant of the Academy;
- 8 (f) The Provost of the Academy;
- 9 (g) The Director of Police Services in the Ministry responsible for
- 10 Police Affairs;
- 11 (h) Permanent Secretary responsible for Education or his
- 12 representative;
- 13 (i) The Deputy Inspector-General of Police in charge of Training
- 14 and Development or his representative;
- 15 (j) Executive secretary of National Universities Commission or his
- 16 representative;
- 17 (k) Four persons appointed by the Senate of the Academy from
- 18 among its members;
- 19 (l) Three persons appointed by the President and Visitor to
- 20 represent civil society organisations working on Police or public service
- 21 reforms, human rights and transparency or gender related issues; and
- 22 (m) The Registrar of the Academy, who shall be Secretary to the
- 23 Council.
- 24 **6.-(1)** The council shall: Functions and
- 25 (a) Exercise control and supervise the policy, finances, public powers of the
- 26 relations and property of the Academy; Council
- 27 (b) Appoint the Academy Provost, professors and other academic
- 28 and administrative staff of the Academy;
- 29 (c) Stipulate the terms and conditions of every appointment and
- 30 determine the remuneration of the principal officers and other staff of the

- 1 Academy that are not Police Officers and scope of their responsibilities;
- 2 (d) Promote and discipline erring staff of the Academy that are not
- 3 Police Officers on the advice of the appropriate committee;
- 4 (e) Consider and approve the Academy's annual budget or estimates,
- 5 external auditor's report and variation therein;
- 6 (f) Approve recommendations made for the appointment of emeritus
- 7 professors;
- 8 (g) Appoint bankers, auditors or any other officers or agents that may
- 9 be required for the Academy;
- 10 (h) Ensure that proper records of the assets and liabilities of the
- 11 Academy are kept;
- 12 (i) Have power to make regulations for the effective implementation
- 13 of the provisions of this Act and may recommend any amendment to this Act;
- 14 (j) Ensure that income and expenditure account and any other
- 15 accounts of the Academy are kept and audited annually by auditors appointed
- 16 by the council with the audit report submitted to the Council;
- 17 (k) Approve the academic and Police Curriculum of the Academy;
- 18 (l) Provide facilities and buildings including libraries, classrooms,
- 19 lecture theatres, medical facilities, hostels, work stations, laboratories, parade
- 20 grounds, road networks, street lights, water, sports facilities, stadia, furniture
- 21 and other facilities needed for the carrying on the mandate of the Academy
- 22 under this Act in collaboration with relevant Authorities;
- 23 (m) Receive report from any committee set up by the Council of the
- 24 Academy;
- 25 (n) Set criteria for cadets admission into the Academy and constitute
- 26 the Admission Selection Board; and
- 27 (o) Exercise all such powers as may be conferred on the Council by
- 28 this Act or by any regulation made pursuant to this Act;
- 29 (2) The Council may delegate any of its powers or functions to any
- 30 person, authority or committee except for its powers to approve any regulation

1 made pursuant to this Act;

2 (3) Approve the creation for any Office, Department or Committee
3 as may be considered necessary or expedient for the smooth running of the
4 Academy.

5 7.-(1) The Council shall meet as at when required for the
6 performance of its functions under this Act and in accordance with the
7 provisions of the First Schedule to this Act.

First meetings
of the Council,
Academy Board
and Senate

8 (2) The first meeting of the Council under this Act shall be
9 convened by the Chairman in such manner as he may determine.

10 (3) The first meeting of the Academy Board under this Act shall be
11 convened by the Commandant on such date and in such manner as he may
12 determine.

13 (4) The first meeting of the Senate as Constituted in this Act shall
14 be convened by the Provost of the Academy on such date and in such manner
15 as he may determine.

16 8.-(1) The Office of a member of the Council shall become vacant
17 if:

Removal of a
Members of the
Council from
Office

18 (a) He ceases to hold the Office on the basis of which he became a
19 member of the Academy; or

20 (b) The President is satisfied that it is not in the interest of the
21 Academy or of the public for the person to continue in Office as a member of
22 the Council of the Academy.

23 (3) Where the Council is satisfied that a member of the Council
24 should be removed from Office on grounds of misconduct, unsound
25 mind/insanity, inability to perform the functions of the Office or elevated to
26 a rank higher than that required for the appointment into the Office, the
27 Council shall make a recommendation to the President through the Minister
28 and the President, after making such enquiries which he considers
29 necessary, may approve the recommendation made by the Council and may

1 by an instrument in writing signed by him, remove or suspend that member
2 from Office.

3 PART II - PRINCIPAL OFFICERS AND OTHER STAFF OF THE ACADEMY

Appointment
and tenure of
the Commandant
of the Academy

4 **9.**-(1) The Police Service Commission, shall on the recommendation
5 of the Inspector-General of Police, appoint for the Academy, a Commandant,
6 who shall be a member of the Nigeria Police Force.

7 (2) A person to be appointed the Commandant for the Academy shall
8 not be below the rank of Assistant Inspector-General of Police with a minimum
9 qualification of Master Degree from a recognized university.

10 (3) The person so appointed shall hold Office for a single term of Five
11 (5) years.

12 (4) The Commandant shall:

13 (a) Be the Chief Executive and Chief Accounting Officer of the
14 Academy;

15 (b) Be responsible for the day-to-day administration of the Academy;

16 (c) Keep the books and records of the Academy;

17 (d) Be responsible for the presentation of programmes and plans for
18 the approval of the Council, as are necessary to carry into effect approved
19 policy or any directive of the Council;

20 (e) Hold Office in accordance with Police posting regulations and be
21 accountable to the council; and

22 (f) Carryout any other duties as may be assigned to him under this Act
23 or by the Council.

Removal from
Office of
Commandant
of the Academy

24 **10.**-(1) A person so appointed as the Commandant shall be eligible for
25 removal from Office under the following circumstances:

26 (a) On condition of gross misconduct;

27 (b) Unsound mind or insanity;

28 (c) Failure to perform the functions of his Office; and

29 (d) Where he is elevated to a rank higher than that required for the
30 appointment into the Office.

1 **11.**-(1) The Police Service Commission, shall on the
2 recommendation of the Inspector-General of Police, appoint for the
3 Academy, a Deputy-Commandant for the Academy who shall be a member
4 of the Nigeria Police Force.

Appointment
and Tenure of
the Deputy
Commandant of
the Academy

5 (2) A Person to be appointed the Deputy-Commandant for the
6 Academy shall not be below the rank of Commissioner of Police, with a
7 minimum qualification of First Degree from a recognized university.

8 (3) The Deputy Commandant shall assist the Commandant in the
9 Day-to-day administration of the Academy and in all matters relating to
10 professional training of Cadets and Police Officers in the Academy or any
11 other responsibility as may be assigned by the Commandant or the Council
12 to him.

13 (4) In the Absence of the Commandant, the Deputy Commandant
14 shall act in his stead and be accountable to the Commandant.

15 **12.**-(1) A person so appointed as the Deputy Commandant shall be
16 eligible for removal from Office under the following circumstances:

Removal from
Office of the
Deputy
Commandant of
the Academy

17 (a) On condition of gross misconduct;

18 (b) Unsound mind or insanity;

19 (c) Failure to perform the functions of his Office; and

20 (d) Where he is elevated to a rank higher than that required for the
21 appointment into the Office.

22 **13.**-(1) There shall be appointed for the Academy, a Provost by the
23 Academy Governing Council who shall in relation to the Academy, be
24 accorded priority over all other members of the Academy except the
25 Chairman of the Council and the Commandant.

Appointment
and Tenure of
the Provost of
the Academy

26 (2) The Provost shall hold Office for a non-renewable single term
27 of Five (5) years.

28 (3) Subject to the provisions of this Act, the Provost of the
29 Academy shall be:

1 (a) A professor with pedigree of proven performance and academic
2 excellence;

3 (b) Responsible for directing and coordinating the academic activities
4 in the Academy;

5 (c) Perform such other functions as may be assigned to him by the
6 Council and the Commandant;

7 (d) Under the direction of the commandant the Provost shall be the
8 Chairman of the Academic and Police Curriculum Committee for the
9 commissioning of the Cadets;

10 (3) The Provost shall be a member of the Council, Chairman of the
11 Academic and Police Curriculum Committee or any Committee constituted by
12 any of the bodies under the Academy in this Act.

Removal from
Office of the
Provost of the
Academy

13 **14.**-(1) A person so appointed as the Provost shall be eligible for
14 removal from Office under the following circumstances:

15 (a) On condition of gross misconduct;

16 (b) Unsound mind or insanity;

17 (c) Failure to perform the functions of his Office; and

18 (d) Fraudulent Academic Practices.

Procedure for
the appointment
of Provost of
the Academy

19 **15.**-(1) The provost of the Academy shall be appointed following an
20 interview conducted for candidates of professoral rank by a panel of the
21 Council, which shall be composed of:

22 (a) The Permanent Secretary in the Ministry responsible for Police
23 Affairs;

24 (b) Deputy Inspector-General of Police responsible for Training and
25 Development;

26 (c) Commandant of the Academy;

27 (d) Representative of the National Universities Commission;

28 (e) Two members of the senate; and

29 (f) Registrar of the Academy who shall serve as the Secretary to the
30 Panel.

1 (2) The recommendation of the interview panel shall be presented
2 to the Council and the Council shall in turn, deliberate and make the final
3 decision on the candidate to be appointed as the Provost of the Academy.

4 16.-(1) There shall be appointed for the Academy, a Registrar, who
5 shall be an excellent administrator and the Chief Administrative officer
6 responsible to the Commandant for the day-to-day administration of the
7 Academy other than financial affairs of the Academy.

Registrar of the
Academy

8 (2) The Registrar shall, by virtue of his Office, be the Secretary to
9 the Council, the Academic and Police Curriculum Committee and the
10 Convocation for the commissioning of Cadets and all other statutory bodies
11 and committees and shall carry out any function as may be assigned to him
12 under this Act or by the Council and the Commandant.

13 (3) The Registrar shall be a serving Police Officer not below the
14 rank of an Assistant commissioner of Police.

15 (4) The Registrar must possess a minimum qualification of a
16 Masters degree and must have previously served in the Academy or any
17 Police training institutions for at least two years.

18 17.-(1) There shall be for the Academy, a Bursar who shall be a
19 Police Officer not below the rank of Assistant Commissioner of Police.

Bursar of the
Academy

20 (2) The Bursar must possess a Bachelors degree or its equivalent in
21 Accounting and/or numerate courses and professional Accounting
22 qualification(s).

23 (3) He shall be the Chief Financial Officer of the Academy and be
24 responsible to the Commandant for the day-to-day administration and
25 control of the financial affairs of the Academy.

26 18.-(1) There shall be for the Academy, a Librarian, who shall be a
27 Police Officer not below the rank of Assistant Commissioner of Police.

Librarian of the
Academy

28 (2) The Librarian must possess a degree in Library Science and be
29 responsible to the Provost of the Academy for the day-to-day administration

	1	of the Library in the Academy, coordination of all library services in the
	2	Academy.
Appointment and tenure of the Registrar, Bursar and Librarian of the Academy	3	19. The Registrar, Bursar and Librarian shall by their appointment in
	4	the Academy hold Office for a term of Four (4) years renewable for another
	5	term of four years subject to their satisfactory performance and no more.
Remuneration of Principal Officers of the Academy	6	20. The Principal Officers specified under this part of the Act shall be
	7	paid such remuneration on such terms and conditions as may be specified in
	8	their respective instrument of appointment.
Resignation of appointments in the Academy	9	21. Except for the Commandant and Deputy Commandant, any other
	10	Officer mentioned under this Act may resign his/her appointment by notice in
	11	writing addressed to the Commandant.
Appointment of other staff in the Academy	12	22. -(1) There shall be appointed by the Council for the Academy other
	13	Officers of directorate cadre, such as:
	14	(a) Director of Academic Planning;
	15	(b) Director of Public Planning;
	16	(c) Director of Health Services, who shall be a serving Police Medical
	17	Doctor;
	18	(d) Director of Legal Services, who shall be a serving Police Officer
	19	not below the rank of Deputy Commissioner of Police;
	20	(e) Director of Information Communication Technology;
	21	(f) Director of Cadet Affairs, who shall be a serving Police Officer not
	22	below the rank of Deputy Commissioner of Police;
	23	(g) Director of Police Training and Courses, who shall be a serving
	24	Police Officer not below the rank of Deputy Commissioner of Police;
	25	(h) Director of Works, who shall be a serving Police Officer not below
	26	the rank of Deputy Commissioner of Police;
	27	(i) Director of Administration; who shall be a serving Police Officer
	28	not below the rank of Deputy Commissioner of Police; and
	29	(j) Any other Director as may be appointed by the Council.
	30	(2) Notwithstanding the provisions of subsection (1) of this Section,

1 the Inspector-General of Police shall post the Officers listed in paragraphs
2 (c), (d), (D), (g), (h) and (i) of subsection (1) of this section.

3 (3) The Senate shall on behalf of the Council appoint for the
4 Academy Deans of Faculties, Head of Departments and other teaching and
5 research units of the Academy as may be specified by the Council.

6 23.-(1) Service in the Academy shall be approved service for
7 purposes of the Pension Reform Act and accordingly employees of the
8 Academy shall, in respect of their services, be entitled to Pensions and other
9 retirement benefits as are enjoyed by persons holding equivalent Offices in
10 the Public Service of the Federation.

Service in the
Academy to be
Pensionable

11 (2) For the Police Officers serving in the Academy, the existing law
12 on Pension for Police Officers shall apply.

13 (3) Notwithstanding the provisions of Subsection (1) of this
14 section, nothing in this Act shall prevent the appointment of a person to any
15 Office on terms which preclude the grant of Pension in respect to that Office.

16 PART III - FINANCIAL PROVISIONS

17 24.-(1) There is established for the Academy, a fund which shall
18 consist of:

Fund of the
Academy

19 (a) Budgetary and extra budgetary allocations received from the
20 Government of the Federation including grants and annual subventions;

21 (b) All monies held immediately before the commencement of this
22 Act by the Nigeria Police Academy, Wudil, Kano;

23 (c) Gifts, loans, endowment, grants-in-aids, testamentary
24 disposition, donations, bequest or other voluntary contributions where the
25 terms and conditions attached are not inconsistent with the functions of the
26 Council;

27 (d) All foreign aids and monetary assistance received by the
28 Council under any agreement or arrangement with any international body or
29 organization with the approval of the Government of the Federation;

1 (e) Monies paid as fees to the Academy by students other than Cadets;

2 (f) Fees, charges, dues or monies, publications and services rendered
3 by the Academy;

4 (g) Revenue accruing to the Academy, including interests accruing
5 from monies invested by the Academy; and

6 (h) Such other monies as may be received by the Academy from
7 investments and any other money accruing to the Academy from other sources.

8 (2) Any money received by the Academy in form of endowments,
9 gifts or donations shall be entered in a register kept for the purpose, showing
10 the names of donors and any special conditions attached, where such money is
11 accepted by the Academy.

12 (3) Any property, money or funds donated for a specified purpose
13 shall be applied, administered and expended specifically for the purpose it was
14 meant.

15 (4) The fund established pursuant to Subsection (1) of this section
16 shall be managed in accordance with extant Financial Regulations applicable
17 in the Public Service of the Federation.

18 (5) Any money withdrawn from the fund established in subsection (1)
19 of this section shall be applied for the specific purposes for which it was
20 withdrawn.

21 (6) The Academy may apply the fund established under subsection (1)
22 of this section:

23 (a) To pay the costs of administration, charges and expenses of the
24 Academy;

25 (b) To discharge the cost of maintaining the Main Campus and other
26 campuses of the Academy;

27 (c) For the development and maintenance of any property used vested
28 in or owned by the Academy;

29 (d) For the payment of the allowances and other benefits of members
30 of the Council or any committees set by it;

1 (e) For payment of emoluments, allowances, benefits and other
2 entitlements of the Principal Officers and other staff of the Academy;

3 (f) For payment for all purchases made by the Academy and the
4 training of members of its staff;

5 (g) For provision of scholarships, bursaries and awards for
6 specialized training of members of staff of the Academy;

7 (h) For payment to publicize and promote the activities of the
8 Academy;

9 (i) For payments for the support of national and international
10 scientific and professional organizations;

11 (j) For payments of annual and other subscriptions and
12 contributions to national and international scientific and professional
13 organizations;

14 (k) For the payment of all consultancies, legal fees and costs of
15 contracts awarded by the Academy; and

16 (l) For any other expenditure as may be approved by the Council, from time
17 to time, in connection with all or any of its functions and powers under this
18 Act.

19 **25.**-(1) The Academy may accept gift of land, money or other
20 property on such terms and conditions, if any, as may be specified by the
21 person or organisation making the gift.

Power to accept
gift

22 (2) The Academy shall not accept any gift, if the terms and
23 conditions attached by the person or organization making the gift are
24 inconsistent with the provisions of this Act.

25 (3) All property, money or funds donated for any specific purpose
26 shall be applied and administered in accordance with the purpose for which
27 they were donated and shall be accounted for, specifically.

28 **26.** The Academy with the approval of the president, borrow such
29 sums by way of loan, overdraft or from any other source, as may be required
30 for the performance of its functions and meeting its obligations under this

Power to borrow

1 Act; and any interest payable on monies so borrowed shall be paid out of the
2 fund of the Academy.

Financial Year
and Academic
Calendar

3 **27.**-(1) The financial year of the Academy shall commence on the 1st
4 day of January of each year and end on the 31st day of December of the same
5 year or any such time as may be prescribed by the financial regulations issued
6 by the Federal Government of Nigeria from time to time.

7 (2) The Council shall determine the academic calendar of the
8 Academy.

Accounts and
Audit

9 **28.**-(1) The Academy shall keep proper accounts and records of its
10 receipts, payments, assets and liabilities in respect of each year manually and
11 electronically and shall:

12 (a) Cause the accounts to be audited, within three months from the end
13 of each financial year, by auditors appointed from the list and in accordance
14 with the guidelines issued by the Auditor- General for the Federation; and

15 (b) Prepare a Statement of Account in respect of each year in such
16 form and manner as may be approved by the Federal Government from time to
17 time.

18 (2) An Auditor appointed pursuant to subsection (1) of this section
19 shall:

20 (a) Have access to all accounts and other records relating to such
21 accounts as are kept by the Academy and shall have the power to require from
22 any staff of the Academy such information and explanation as in the Auditor's
23 opinion are necessary for the purpose of the audit; and

24 (b) Be paid from the funds of the Academy.

25 (3) The Audited accounts and records of the Academy shall be
26 submitted to the Council for consideration and subsequently forwarded to the
27 Auditor-General of the Federation.

Annual Estimates
and Budget

28 **29.**-(1) The Academy shall not later than the 31st of March of each
29 financial year or such earlier date as the Council may determine, prepare and
30 submit an estimate of its income and expenditure for the next succeeding year

1 to the Council for consideration and submission to the Minister for onward
2 transmission to the National Assemble for approval.

3 **30.** The Council shall cause to be prepared, an Annual Report, Annual Report
4 which shall include the Audited Accounts of the Academy for the previous
5 financial year and a statement of its Assets and Liabilities as at the last day of
6 the financial year.

7 **31.** All monies received on account of the Academy shall be paid Bank Account
8 into such accounts as may be approved to be opened by the Council or any
9 account designated by the Federal Government of Nigeria.

10 PART IV - TRANSFER OF PROPERTY TO THE ACADEMY

11 **32.** All property held by or on behalf of the Academy by any Transfer of
12 provisional Council, planning and implementation committee or any property to the
13 interim body by whatsoever name called, shall by virtue of this Act and Academy
14 without further assurances vest in the Academy and such property shall be
15 held for the purpose of this Act.

16 **33.** The Council shall not dispose of or charge any land or an Restriction on
17 interest in any landed property including any land transferred to the disposal of landed
18 Academy by this Act, held by or on behalf of the Academy except with the property to the
19 prior consent and approval of the Visitor. Academy

20 **34. Compulsory Acquisition of Land for Overriding Public Interest**

21 Subject to the Land Use Act, which provides for the compulsory acquisition
22 of land for overriding public interest, any requirement of land by the
23 Academy shall be deemed to be for the overriding public interest purpose of
24 the Federation.

25 PART V - MISCELLANEOUS

26 **35.-(1)** The Visitor may, as circumstances require, not being less Visitation
27 than once in every five years, conduct a visitation to the Academy or cause a
28 visit to be made to the Academy by such persons as the Visitor may appoint
29 to look into any of the affairs of the Academy where the need arises.

30 (2) It shall be the duty of the bodies or persons in the Academy to:

1 (a) Make available to the visitor or to the persons conducting a
2 visitation under this section, such facilities and assistance as may be
3 reasonably required for the purposes of the visit; and

4 (b) Comply with any instruction that is consistent with the provisions
5 of this section, which may be directed by the Visitor in consequence of his visit.

Commissioning
of Cadets

6 **36.**-(1) A Cadet shall be commissioned by the Order of the President
7 after successful completion of Police training and fulfilling all Academic and
8 Police Curriculum requirements of the Academy as provided in this Act.

9 (2) Any Cadet withdrawn before being commissioned on disciplinary
10 grounds or such other grounds except on medical or compassionate grounds
11 shall not be granted use of the Academy degree, certificate or transcript, as the
12 case may be.

13 (3) Cadets on training in the Academy shall be entitled to monthly
14 allowance as may be determined from time to time, by the Council, on the
15 recommendation of the Finance and General purposes Committee of the
16 Academy.

Exclusion or
discrimination
on account of
race, religion,
etc.

17 **37.**-(1) Cadets of the Academy shall not be required to satisfy any
18 requirements as to race, including ethnic group, sex, place of birth or family
19 origin, religious or political persuasion, as a condition to becoming or
20 continuing to be Cadets at the Academy, the holder of any degree of the
21 Academy or of any appointment or employment in the Academy or as a
22 member of anybody established pursuant to this Act.

23 (2) A person shall not be subjected to any disadvantage or accorded
24 any advantage in the Academy, by reference to any of the matters specified in
25 subsection (1) of this Section.

Supremacy of
the Police Act

26 **38.** Where any of the provisions of this Act relating to matters
27 affecting the appointment, promotion and discipline of a Cadet is inconsistent
28 with the Police Act, the provisions of the Police Act shall prevail.

Implementation
of policies of
the Academy

29 **39.** Any policy initiated by the Academy, other than as provided for in

1 section 4 of this Act, shall not be implemented without prior approval of the
2 Council.

3 **40.**-(1) Bodies established under this act, shall have the
4 power to constitute committees consisting of members of that body and shall
5 be subject to the provisions of sections 6(2) of this Act, authorize a
6 committee established by it to exercise on its behalf, such functions as may
7 be delegated to the committee.

Establishment
of Committees,
etc.

8 (2) Subject to subsection (1) of this section, any two or more of the
9 bodies established by this Act may arrange for the holding of joint meetings
10 of those bodies or for the appointment of committees consisting of members
11 of those bodies for the purpose of considering any matter with the
12 competence of those bodies or any of them and either of dealing with it or
13 reporting on it to those bodies or any of them.

14 (3) Except as may be otherwise provided under this Act, statute or
15 regulations to regulate the quorum and procedure of any committee or
16 subcommittee established under this Act shall be such as may be determined
17 by the body constituted.

18 (4) Nothing in subsections, (1), (2) and (3) of this section shall be
19 construed as enabling the council to empower any other body to make
20 statute, regulations or to award degree or other qualification of the Academy.

21 **41.**-(1) The seal of the Academy shall be such as may be
22 administered by the Council and the affixing of the seal of the Academy shall
23 be signed by the Commandant and the Registrar.

The Seal of the
Academy

24 (2) Academic Certificates issued by the Academy shall have the
25 Academy seal affixed and signed by the Provost and the Registrar of the
26 Academy.

27 (3) Any contract or instrument which, if made or executed by a
28 person not being a body corporate, would not be required to be under seal,
29 may be made or executed on behalf of the Academy by any authorized
30 person.

1 (4) Any division established in the Academy and designated by
2 statute as a faculty shall be organized in accordance with the provisions of the
3 second schedule to this Act.

Regulations,
Rules and
Guidelines

4 42.-(1) The Council may make Statutes, Regulations, Rules or
5 Guidelines to regulate the carrying out of any activities and programmes of the
6 Academy or Authority or any matter connected with the Academy or for the
7 effective implementation of any of the provisions of this Act.

8 (2) Subject to the provisions of subsection (1) of this Section, the
9 Council shall have power to amend its Statutes, Regulations, Rules or
10 Guidelines made under this Act provided that the proposal for amendment shall
11 be passed by two-third majority of the Council members.

12 (3) Notwithstanding the provisions of subsection (2) of this Section,
13 the Council shall have power to approve, amend or reject any proposal for
14 amendments as may be deemed necessary.

15 (4) Where under this Act it is provided that proposals or
16 recommendations are to be made and submitted by one authority or to more
17 immediate authorities, it shall be the duty of every such authorities to forward
18 such proposal or recommendation received by it to the appropriate authority
19 and such intermediate authority may if it deems fit, forward therewith its own
20 comments on such proposal or recommendation.

Transitional
Arrangements

21 43.-(1) Subject to the provisions of this Act, the Principal Officers of
22 the Nigeria Police Academy, Wudil Kano, existing before the coming into
23 effect of this Act are deemed to have been transferred to the Academy
24 established under this Act under the same terms and conditions.

25 (2) Subject to any direction to the contrary which may be given in that
26 regard by the Council, any person who was a member of staff or was employed
27 by the Nigeria Police Academy before the coming into effect of this Act, shall
28 continue in Office and be deemed to have been appointed under this Act for
29 purposes of Pension, and become the holder of the appointment at the
30 Academy with such status, designation and functions which corresponds with

1 those which appertained to him as a member of staff on such an
2 employment.

3 (3) Properties held immediately before the commencement date of
4 this Act on behalf of the Academy by any person shall, by virtue of this Act,
5 be vested in the Academy established under this Act.

6 (4) The Academy established under this Act shall be subject to all
7 the obligations and liabilities to which the former Academy was subject
8 immediately before the commencement of this Act and all other persons
9 shall have the same rights, powers and remedies against the Academy
10 established by this Act as they had against the Academy immediately before
11 the commencement of this Act.

12 (5) Any proceeding or cause of action pending or existing
13 immediately before the commencement of this Act by or against the
14 Academy in respect of any right, interest, obligation or liability of the
15 Academy may be continued or commenced, as the case may be, and any
16 determination of a court of law, tribunal or other Commission or person may
17 be enforced by or against the Academy established by this Act to the same
18 extent that such proceeding, cause of action or determination might have
19 been continued, commenced or enforced by or against the Academy subject
20 to the provisions of this Act.

21 (6) As from the commencement of this Act, any disciplinary
22 proceeding pending or existing against any employee of the Academy shall
23 be continued and completed by the Academy established under this Act.

24 **44.**-(1) Subject to the provisions of this Act, the provisions of the
25 Public Officers Protection Act shall apply to any suit instituted against the
26 Academy, an officer or employee of the Academy.

Limitation of
Law Suit against
the Academy

27 (2) No suit shall lie or be instituted in any court against the
28 Academy, a member of the Council, any principal officer or employee of the
29 Academy, for an action carried out in pursuance or execution of this Act or
30 any enactment or law, or of any public duty or authority in respect of any

1 alleged neglect or default in the execution of this Act or any other enactment or
2 law, duty or authority, unless it is commenced:

3 (a) Within three months of such act, neglect or default complained of;

4 (b) In the case of a continuation of damages or injury, within six
5 months next after the ceasing of the act, neglect or default.

6 (3) No suit shall be commenced against the Academy, a member of the
7 Council, any Principal Officer or employee of the Academy before the
8 expiration of a period of one month after written notice of the intention to
9 commence the suit has been served on the Academy by the intending plaintiff
10 or his agent.

11 (4) The notice referred to in subsection (3) of this section shall clearly
12 and explicitly state the cause of action, the particulars of the claim, the name
13 and place of abode of the intending plaintiff and the relief sought.

14 (5) The notice referred to in subsection (1) of this section and any
15 summons, notice or other document required or authorized to be served on the
16 Academy under this Act or any other law, may be served by:

17 (a) Delivering it to the Commandant of the Academy; or

18 (b) Sending it by registered post addressed to the Commandant of the
19 Academy at the Main Campus of the Academy.

Restriction on
execution against
property of the
Academy

20 **45.** In any action or suit against the Academy, no execution shall be
21 levied or attachment process issued against the Academy unless not less than
22 30 days' notice of the intention to execute or attach has been given to the
23 Academy.

Indemnity of
Officers of the
Academy

24 **46.** A member of the Council, Principal Officer or employee of the
25 Academy shall be indemnified out of the assets of the Academy, against any
26 proceedings brought against him in his capacity as a member of the Council,
27 Principal Officer or employee of the Council where the act complained of is not
28 ultra vires his powers.

Union activities

29 **47.-(1)** No civilian personnel employed in any capacity whether or
30 not a member of a trade union shall engage or take part in any union activities.

1 (2) Any civilian who contravenes the provisions of subsection (1)
2 of this Act shall be guilty of an offence and liable on conviction to a fine of
3 not less than N20,000.00 (twenty thousand naira) and not more than
4 N50,000.00 (fifty thousand naira) or to imprisonment of not less than six
5 months or to both.

6 **48.** In this Act, unless the context otherwise requires:

Interpretation

7 "Academic staff" means a member of staff of the Academy whose sole and
8 primary responsibility is teaching, research and community service;

9 "Academic year" means two semesters covered by a period of not more than
10 twelve calendar months within which students must complete a level of
11 study;

12 "Administrative staff" means those persons in the employment of the
13 Academy other than academic staff who hold administrative, professional
14 or technical posts;

15 "Alumni Association" means any association recognized by the Council as
16 being representative of graduates or former students of the Academy;

17 "Approving authority" means the Federal Executive Council;

18 "Academy" means the Nigeria Police Academy, Wudil, Kano:

19 "Council" means the Council established under section 7 of this Act;

20 "Commandant" means the Commandant of the Nigeria Police Academy,
21 Wudil, Kano:

22 "Deputy Commandant" means the Deputy Commandant of Academy;

23 "Cadet" means an undergraduate in training at the Academy undergoing
24 training to be a Police Officer;

25 "Graduate" means a person on whom a degree other than an honorary degree
26 has been conferred by the Academy;

27 "Faculty" means any Faculty established by the Academy;

28 "Functions" includes powers and duties;

29 "Instructor or Lecturer" means a person holding a full time appointment as a
30 member of the teaching or research or instructing staff of the Academy;

1 "Minister" means the Minister of the government of the Federation responsible
2 for Police Affairs;

3 "Nigeria Police" means the Nigeria Police Force established under the
4 Constitution of the Federal Republic of Nigeria;

5 "Notice" means notice in writing;

6 "Officer" means a staff of senior rank holding an administrative post, but does
7 not include Visitor and members of the Council;

8 "Postgraduate" means students pursuing or continuing formal education after
9 graduation from an institution of higher learning including students pursuing
10 programmes whose entry requirements are Bachelor's degree or Higher
11 National Diploma from a recognized university or polytechnic;

12 "Prescribed" means prescribed by Law, Statutes or Regulations;

13 "President" means President of the Federal Republic of Nigeria;

14 "Principal Officer" means the officers mentioned in Part II of this Act;

15 "Professor" means a person designated as a professor of the Academy in
16 accordance with provision made in that behalf by Statute or by Regulation;

17 "Property" means rights and assets;

18 "Regulations" means rules and regulations made pursuant to the provisions of
19 this Act,

20 "Student" means a person who is not a Nigerian Police Cadet but admitted into
21 the Academy for the purpose of being trained;

22 "Undergraduate" means a person undergoing a course of study at the Academy
23 pursuant to the acquisition of a first degree; and

24 "Visitor" means the President, Commander-In-Chief of the Armed Forces of
25 the Federal Republic of Nigeria who is also the Proprietor of the Academy.

26 **49.** This Bill may be cited as the Nigeria Police Academy
27 (Establishment, Etc) Bill, 2020.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

FIRST SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

[Section 7(1)]

Proceedings of the Council

1.-(1) Subject to the provisions of this Act, the Council may make standing orders regulating its proceedings or any of its committees.

(2) Questions for determinations shall be decided by a majority of the members present and voting and in the event of equality of votes, the chairman, shall have a second or casting vote.

(3) Standing orders made for a committee shall provide for the committee to report to the Council on any matter referred to it by the Council.

(4) The quorum of the Council shall be one-third of the members of the Council and the quorum of a committee of the Council shall be fixed by the Council.

(5) The Council may invite any person to attend and participate at any of its meetings provided that a person so co-opted shall only be in attendance and shall not count towards the quorum or vote at the meeting.

Meetings of the Council

2.-(1) The Council shall meet as and when necessary for the performance of its functions under this Act and shall meet at least twice a year in accordance with the provision of this Schedule.

(2) At any meeting of the Council, the Chairman shall preside or in his absence, the members present at the meeting, shall appoint one of their members to preside.

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

1 (4) Notwithstanding anything in the foregoing provisions of this
2 paragraph, the inaugural meeting of the Council shall be summoned by the
3 Commandant in consultation with the Minister.

4 *Committees*

5 3.-(1) The Council may appoint one or more committees to carry out
6 on behalf of the Council such functions as the Council may determine.

7 (2) A Committee appointed under this paragraph shall consist of the
8 number of persons determined by the Council of whom not more than two
9 thirds may be persons who are not members of the Council.

10 (3) A person other than a member of the Council shall hold office on a
11 committee of the Council in accordance with the terms of the letter by which he
12 is appointed.

13 (4) A decision of a committee of the Council shall be of no effect until
14 it is confirmed by the Council.

15 *Miscellaneous*

16 4.-(1) The fixing of the seal of the Council shall be authenticated by
17 the signature of the Chairman, the Registrar or any other members of the
18 Council authorized generally or specially by the Council to act for that
19 purpose.

20 (2) Any contract or instrument which, if made or executed by a person
21 not being a body corporate, would not be required to be sealed, may be made or
22 executed on behalf of the Council, by any person generally or specially
23 authorized by the Act, for that purpose by the Council.

24 (3) Any document purporting to be a document duly executed under
25 the seal of the Council shall be received in evidence and shall, unless the
26 contrary is proved, be deemed to be so executed.

27 (4) The validity of any proceedings of a committee of the Council
28 shall not be adversely affected by any vacancy in membership of the Council
29 by any defect in the appointment of a member of the Council or of a person to
30 serve on the committee, or by reason that a person not entitled to do so took part

1 in the proceedings.

2 (5) Any member of the Council and any person holding Office on a
3 committee of the Council, who has a personal interest in any contract or
4 arrangement entered into or proposed to be considered by the Council or a
5 committee of the Council shall disclose his interest, and shall not vote on any
6 question relating to the contract or arrangement.

7 (6) A person shall not by reason only of his membership of the
8 Council be treated as holding an Office in the public service of the
9 Federation.

10 SECOND SCHEDULE

11 COMMITTEES OF THE ACADEMY

12 *Standing Committees of the Council*

13 1.-(1) For the purpose of carrying out its responsibilities under this
14 Act, the following standing committees are to be established by the Council:

- 15 (a) Finance and General Purpose Committee;
- 16 (b) Appointments, Promotions and Disciplinary Committee
17 (AP&DC);
- 18 (c) Tenders Board;
- 19 (d) Academy Board; and
- 20 (e) Admission Selection Board.

21 (2) Provisions shall be made by Rules for the constitution and
22 terms of reference of the Committee referred to in sub-section (1) of this
23 section as deemed appropriate by the Council.

24 *Finance and General Purpose Committee*

25 2.-(1) There shall be a Committee of the Council to be known as the
26 Finance and General Purpose Committee, which shall subject to the
27 direction of the Council to exercise control over the property and the
28 expenditure of the Academy.

29 (2) The Finance and General Purpose Committee shall consist of:

- 30 (a) The Chairman of the Council who shall be the Chairman of the

- 1 Committee at any meeting at which he is present;
- 2 (b) The Commandant;
- 3 (c) five other members of the Council appointed by the Council; and
- 4 (d) two members appointed by the Senate.
- 5 (3) The functions of the Finance and General Purpose Committee
- 6 shall be to:
- 7 (a) consider and make recommendation to the Council on the draft
- 8 annual estimate of income and expenditure for each financial year;
- 9 (b) advice the Council on deposits and investments of money
- 10 belonging to the Academy;
- 11 (c) recommend to the Council rules and procedures in the Financial
- 12 Regulation for the control of expenditure and administration of Academy's
- 13 finances;
- 14 (d) consider and decide on request for variation within the approved
- 15 annual estimates from any unit of the Academy, subject to the approval of the
- 16 Council;
- 17 (e) advice the Council on any matter relating to the development of
- 18 the Academy sites as may be referred to it by the Council;
- 19 (f) carry out any other function as may be delegated to it from time to
- 20 time by the Council.
- 21 (4) The quorum of the Committee shall be five members including the
- 22 Chairman and the Commandant.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigeria Police Academy as a Degree awarding Institution to provide academic and professional training.