

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL ASSEMBLY LIBRARY TRUST FUND FOR THE PURPOSE OF RESEARCH, PROVISION OF LIBRARY EQUIPMENT, AND RELATED FACILITIES, ENHANCE THE RESEARCH OF LEGISLATORS AND STAFF OF THE NATIONAL ASSEMBLY; AND FOR RELATED MATTERS

Sponsored by Hon. Gbefwi G. Jonathan Hon. Stanley Adedeji Hon. Henry Nwawuba

Co-sponsors:

- Hon. Dachung N. Bagos
- Hon. Abdulkarim Usman
- Hon. Ajibola Muraina
- Hon. Ezenwanko Chris
- Hon. Richard Gbende
- Hon. Igwe Chinyere E.

[] Commencement

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

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PART I - OBJECTIVE AND SCOPE AND DURATION

1. The objective of this Bill is to provide a legal framework for management and control of the special intervention fund established under section 3 of this Bill for research and retraining of legislators and staff of the National Assembly and for the provision of state of the art library equipment and other related facilities for the enhancement of the research skills of the legislature in the handling of process of law making.

Objective

PART II - ESTABLISHMENT AND MANAGEMENT OF THE NATIONAL ASSEMBLY LIBRARY TRUST FUND

2.-(1) There is established the National Assembly Library Trust Fund (in this Act referred to as "the Trust Fund").

Establishment of the National Assembly Library Trust Fund

(2) The Trust Fund:

(a) is a body corporate with perpetual succession and a common seal; and

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

3.-(1) The Trust Fund shall consist of:

Sources of the Trust Fund

(a) any take-off grant and special intervention fund as may be provided by the Federal Government;

(b) such money as may be appropriated to meet the objective of this

1 Bill by the National Assembly in the budget;
2 (c) aids, grants and assistance from international bilateral and
3 multilateral agencies, non-governmental organisations and the private sector;
4 (d) grants, donations, endowments, bequests and gifts, whether of
5 money, land or any other property from any source;
6 (e) money derived from investment made by the Trust Fund.

7 (2) Subsection (1) (d) and (e) shall be acceptable to the Trust Fund
8 except where the terms and conditions attached to an aid, grant, donation or gift
9 are inconsistent with the objective of the Trust Fund and the provisions of this
10 Act.

Purposes of the
Trust Fund

11 4. The Trust Fund shall be utilized:
12 (a) for procurement of library equipment for the purposes of training
13 and re-training needs of the legislators and staff of the National Assembly;
14 (b) for the enhancement of the research skills of the legislators and
15 staff of the National Assembly; for improved proficiency in law making;
16 (c) for the overall improvement, performance and efficiency in the
17 discharge of the duties and responsibilities of the National assembly; and
18 (d) to finance the procurement of books, instructional materials,
19 training equipment all forms of infrastructure, including building for use by the
20 National Assembly.

Functions of
the Trust Fund

21 5.-(1) The Trust Fund shall:
22 (a) receive all money accruing to it under this Bill;
23 (b) utilise all money accruing to the Trust Fund under this Act to meet
24 the stated objective of this Act; and
25 (c) carry out such other activities considered necessary for the
26 attainment of the objective of this Bill.
27 (2) A member of the Board of Trustee, other than an ex-officio
28 member, shall hold office for a term of three years in the first instance and may
29 be reappointed for a another term of three years and no more.
30 (3) Members of the Board of Trustee shall be paid such allowances as

1 may be determined by the Board of Trustee in consultation with the National
2 Revenue, Mobilisation, Allocation and Fiscal Commission.

3 **6.**-(1) There is established the National Assembly Library Trust
4 Fund Board of Trustee (in this Act referred to as "the Board of Trustee")

Establishment
and composition
of National Assembly
Library Trust Fund
Board of Trustee

5 (2) The Board of Trustee shall consist of:

6 (a) (i) The President of the Senate

7 (ii) The Speaker of the House of Representatives;

8 (iii) Immediate past President of the Senate

9 (iv) Immediate past Speaker of the House of Representatives

10 (b) (i) The Chairmen of the Joint Committees on Legislative
11 Library Research and Documentation;

12 (ii) The Deputy Chairmen of the Joint Committee on Legislative
13 Library Research and Documentation;

14 (iii) Immediate past Chairmen of the Joint Committee of
15 Legislative Library Research and Documentation.

16 (c) a representative from:

17 (i) International Development Partners;

18 (ii) National Institute for legislative and Democratic Studies;

19 (iii) The Organized Private Sector.

20 (d) a representative of the Central Bank of Nigeria;

21 (e) (i) a person nominated by the President of the Senate;

22 (ii) a person nominated by the Speaker;

23 (f) the Chief Librarian, appointed by the board to serve as a
24 Secretary.

25 (3) A member of the Board of Trustee, other than an ex-officio
26 member:

27 (a) shall hold office for three years in the first instance; and

28 (b) may be reappointed for a another three years and no more.

29 **7.** A member, other than ex-officio member, may resign his
30 appointment by a notice in writing under his hand addressed to the

Resignation by
a member

	1	Preceding Officers of the National Assembly.
Cessation of office	2	8. -(1) member of the Board of Trustee ceases to hold office if he/she:
	3	(a) Becomes of unsound mind;
	4	(b) becomes bankrupt or makes compromises with his/her creditors;
	5	(c) is convicted of a felony or any offence involving fraud dishonesty;
	6	(d) is guilty of corrupt practices or misconduct in relation to his/her
	7	duties.
	8	(2) A member of the Board of Trustees may be removed from office by
	9	the Joint body of the Presiding Officers if they are satisfied that it is not in the
	10	interest of the Trust Fund or Public that the member should continue in that
	11	office.
	12	(3) A member of the Board of Trustees, other than ex-officio
	13	members, may resign his/her appointment by a notice in writing under his/her
	14	hand addressed to the Joint body of Presiding Officers.
	15	(4) Where a vacancy occurs in the membership of the Board of
	16	Trustees, it shall be filled by the appointment of a successor to hold office for
	17	the remainder of the term of office of his predecessor and the successor shall:
	18	(a) represent the same interest; and
	19	(b) be appointed by the Joint body of Presiding Officers.
Schedule	20	(5) The provisions of the Schedule to this Act shall have effect with
	21	respect to the meetings and proceedings of the Board of Trustee and other
	22	related matters.
Removal from office of a member	23	9. Notwithstanding the provisions of sections 7 and 8 of this Act, the
	24	President of the Senate in consultation with the Speaker, House of
	25	Representatives may remove a member from the Board of Trustee if any
	26	circumstance which borders on corruption and other activities that negates the
	27	interest and security of the nation would require the removal of the member
	28	from the Board of Trustee,
Functions of the Board of Trustee t	29	10. The Board of Trustee is responsible for:
	30	(a) setting out the policies and programmes for the research training

- 1 and re-training of legislators and staff of the National Assembly
- 2 (b) approving the disbursement of money from the Trust Fund to
- 3 finance projects or activities of the National Assembly research
- 4 beneficiaries of the proceeds of Trust Fund;
- 5 (c) scrutinizing and approving projects which qualify for financing
- 6 under the Act;
- 7 (d) exercising control over the management of the Trust Fund with
- 8 a view to ensuring accountability and proper utilisation of money in the
- 9 Trust Fund for the purposes set out in this Act;
- 10 (e) carrying out such other activities as are considered necessary
- 11 for the attainment of the objective of this Act;
- 12 (f) updating the Leadership of the National Assembly on its
- 13 activities and progress through annual and audited reports;
- 14 (g) reviewing progress and suggesting improvement within the
- 15 provisions of this Act;
- 16 (h) making and issuing guidelines, to all beneficiaries on
- 17 disbursement from the Trust Fund on the use of money received from the
- 18 Trust Fund; and
- 19 (l) generally regulating the administration, application and
- 20 disbursement of money from the Trust Fund under this Act.
- 21 **11.-(1)** The Board of Trustee has powers to:
- 22 (a) award contracts of any kind or description for any amount,
- 23 whether in local or foreign currency in conformity with the due process
- 24 requirements as provided under any law, rule, guideline or regulation; and
- 25 (b) invest money accruing to the Trust Fund and approve the
- 26 utilisation of the returns on investment in the same way as money accruing
- 27 to the Trust Fund.
- 28 (2) In the discharge of its duty under this Act, the Board of Trustee
- 29 shall:
- 30 (a) through the National Assembly Directorate of Library and

Powers of the
Board of Trustee

1 Research, identify the funding needs of the National Assembly legislative
2 library for the enhancement of the performance of the legislature;

3 (b) enter into contractual arrangements for the purpose of executing
4 approved projects on behalf of the Trust Fund;

5 (c) oversee the implementation of projects financed through money
6 accruing to the Trust Fund; and

7 (d) enter into public-private partnership and private finance initiative
8 arrangements and agreements necessary for the projects execution.

Establishment
of National
Assembly Library
Trust Fund Project
Implementation
Committee

9 **12.**-(1) For the purpose of implementing any project approved by the
10 Board of Trustee under this Act, there is established the National Assembly
11 Library Trust Fund Project Implementation Committee (in this Act referred to
12 as "the Implementation Committee").

13 (2) The Implementation Committee shall consist of:

14 (a) the Speaker, House of Representatives as Chairman;

15 (b) Joint Chairmen of the Committee on Legislative Library Research
16 and Documentation;

17 (c) Such other members, not exceeding four in number with proven
18 integrity, appointed by the Board of Trustee.

19 (3) The Implementation Committee is responsible to the Board of
20 Trustee in the execution of the duties and responsibilities assigned to it by the
21 Board of Trustee.

22 PART III - CHIEF LIBRARIAN AND STAFF OF THE TRUST FUND

Appointment
of the Chief
Librarian and
other Staff of
the Trust Fund

23 **13.**-(1) The President of the Senate shall, in agreement with the
24 Speaker of the House of Representatives, appoint the Executive Secretary for
25 the Trust Fund who shall be referred to as the Chief Librarian.

26 (2) The Chief Librarian shall:

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

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

30 (3) The Chief Librarian shall hold office:

1 (a) for a time of three years in the first instance and may be eligible
2 for re-appointment for another term of three years and no more; and

3 (b) on such other terms and conditions as may be specified in
4 his/her letter of appointment.

5 **14. The Chief Librarian:**

Functions of the
Chief Librarian

6 (a) Is to be the Chief Executive and Accounting Officer of the Trust
7 Fund

8 (b) is to be responsible for the administration of the Trust Fund;

9 (c) is to be the Secretary to the Board of Trustee;

10 (d) shall keep proper records of the proceedings of the Board of
11 Trustee;

12 (e) shall work closely with the Implementation Committee in
13 discharging out such duties and responsibilities as may be assigned to him
14 by the Board of Trustee

15 (f) is in charge of the general direction and control of all other
16 employees of the Trust Fund; and

17 (g) discharge such other duties as may be directed by the Board of
18 Trustee

19 **15.-(1)** The Chief Librarian may be removed from office by a
20 resolution of the National Assembly where any circumstances arise which in
21 the opinion of the leadership of the National Assembly makes the Chief
22 Librarian no longer capable of discharging the duties and responsibilities of
23 his office.

Removal of the
Chief Librarian

24 (2) A person appointed as the Chief Librarian to replace the former
25 Chief Librarian shall serve the unexpired term of his predecessor in office or
26 the remainder of the term of the Trust Fund, whichever is shorter.

27 **16.-(1)** The Board of Trustee may appoint such other staff as may,
28 in the opinion of the Board of Trustee, be necessary to assist the Trust Fund
29 in performing its functions under this Act.

Staff of the Board
of Trustee

30 (2) The terms and condition of services (including terms and

1 condition as to the remuneration, payment of allowances and other benefits) of
2 person employed by the Board of the Trust Fund shall be in line with the
3 general condition of services as obtainable in the National Assembly Service.

4 (3) The Board of Trustee may appoint, either on transfer or
5 secondment from any National Assembly Service, such number of employees
6 required for the effective discharge of the duties of Trust Fund under this Act.

Severance
Allowance

7 17. Service in the Trust Fund shall be for the duration of the Trust
8 Fund and employees of Severance allowance, the Trust Fund, in respect of their
9 services, are entitled to other retirement benefits and severance allowances as
10 may be approved by the Board of Trustee.

11 PART IV - FINANCIAL PROVISIONS

Fund of the
Trust Fund

12 18.-(1) There is established under this Act a general fund (in this Act
13 referred to as "the Fund of the Trust Fund. Fund") for the administration of the
14 Trust Fund.

15 (2) The Fund shall consist of:

16 (a) annual budgetary allocation appropriated by National Assembly
17 for the management of the Trust Fund;

18 (b) take -off grants and such other money as may be made available to
19 the Trust Fund to meet the cost of administration; and

20 (c) all other money which may be made available for the running of
21 the Trust Fund.

Accounts of the
Trust Fund

22 19.-(1) There shall be maintained for the Trust Fund, an account into
23 which shall be paid all money accruing to the Trust Fund under section 4 of this
24 Act.

25 (2) The Board of Trustee shall also open and maintain an account with
26 the Central Bank of Nigeria (CBN) for the Trust Fund into which shall be paid
27 money received for management of the Trust Fund under section 19 (2) of this
28 Act.

29 (3) The accounts referred to in subsections (1) and (2) shall be
30 managed in accordance with the extant financial regulations

- 1 (4) The Board of Trustee shall apply the proceeds of:
- 2 (a) the Trust Fund for the purposes set out in section 5 of the Act;
- 3 and
- 4 (b) the money referred to in subsection (2) to meet the cost of
- 5 administration, including payment of salaries, fees, other remunerations and
- 6 allowances payable:
- 7 (i) to members of the Board of Trustee and employees of the Trust
- 8 Fund, and
- 9 (ii) for payment of experts, professionals and consultants engaged
- 10 by the Board of Trustee for Trust Fund.

11 **20.** The Board of Trustee shall, not later than 30th June of every
 12 year, submit to the Estimates Of leadership of the National Assembly an
 13 estimate of its income and expenditure during expenditure the succeeding
 14 year.

Estimates of
Expenditure

15 **21.** The Board of Trustee shall cause to be kept for the Trust Fund
 16 proper accounts and Account and audit records and when certified by the
 17 Board of Trustee, these accounts shall be audited by auditors appointed from
 18 the list and in accordance with the guidelines supplied by the Auditor-
 19 General for the Federation.

Account and
audit

20 **22.-(1)** The Trust Fund is exempted from the payment of income
 21 tax on any income Exemption from tax accruing from investments made by
 22 the Trust Fund or otherwise.

Exemption from
tax

23 (2) The provisions of any enactment relating to the taxation of
 24 companies or trust funds do not apply to the Trust Fund.

25 PART V - SUBMISSION OF REPORTS AND SUPPLEMENTARY PROVISIONS

26 **23.** The Board of Trustee shall, at the end of every six months,
 27 submit to the Leadership Quarterly report of the National Assembly a report
 28 on its activities and the administration of the Trust Fund.

Bi-yearly report

29 **24.** The Board of Trustee shall, not later than six months before
 30 end of each year, submit to the President a report on the activities and the

Annual report

	1	administration of the Trust Fund during the preceding year and shall include in
	2	such reports the auditor's report.
Power of the President to issue directives	3	25. The President of the Senate in consultation with the Speaker,
	4	House of Representatives may give to the Board of Trustee directives of a
	5	general nature with regard to the performance by the Board of Trustee of its
	6	functions under this Act for compliance by the Board of Trustee.
Regulations	7	26. The Board of Trustee may, with the prior approval of the
	8	Leadership, make such regulations deemed necessary or expedient for giving
	9	full effect to the provisions of this Act.
Transitional provisions	10	27. Except as provided for under section 2 of this Act, at the
	11	expiration of the six year duration of the Trust Fund referred to in that section,
	12	the Trust Fund shall have six months to wind up its activities, including the
	13	settlement of all liabilities and thereafter handover all outstanding assets of the
	14	Trust Fund to the National Assembly.
Interpretation	15	28. In this Act:
	16	"Board" means the National Assembly Library Trust Fund Management Board
	17	of Trustee, established under section 7 of this Act;
	18	"due process" means compliance with extant financial rules and regulations on
	19	public procurement of goods, works and services;
	20	"Executive Secretary" means the Executive Secretary of the Trust Fund
	21	appointed under section 14 (1) of this Act;
	22	"Leadership" means the leadership of the National Assembly;
	23	"Staff" means officers of the National Assembly; and
	24	"Trust Fund" means the National Assembly Library Trust Fund established
	25	under section 3 (1) of this Act.
Citation	26	29. This Bill may be cited as the National Assembly Library Trust
	27	Fund (Establishment) Bill, 2020.

1 SCHEDULE

2 *Section 9 (5)*

3 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD PROCEEDINGS

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

7 2. The quorum of the Board of Trustee shall be the Chairman and
8 10 other members, three of whom shall be from the private sector, and the
9 Board of Trustee shall determine the quorum of any committee.

10 3. The Board of Trustee shall meet at least four times in each year,
11 and the Board of Trustee shall meet whenever it is summoned by the
12 Chairman, or if the Chairman is required to do so by notice given to him by at
13 least 10 members of the Board of Trustee, he shall summon a meeting of the
14 Board of Trustee to be held within 14 days from the date on which the notice
15 was given.

16 4. At any meeting of the Board of Trustee, the Chairman shall
17 preside but, in his absence, the members present at the meeting shall appoint
18 one of them to preside at the meeting.

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

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

27 *Committees*

28 7. The Board of Trustee may set up such number of committees to
29 perform, on behalf of the Board of Trustee such of its functions as the Board
30 of Trustee may determine.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Assembly Library Trust Fund for the purpose of research, provision of library equipment, and related facilities, enhance the research capacity of Legislators and Staff of the National Assembly