



# Legislative Digest

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Executive Director of CISLAC, Auwal Ibrahim Musa (Rafsanjani) (right) exchanging pleasantries with the Honourable Minister for Health, Prof. Isaac F. Adewole at a public event organized in commemoration of the 2017 World No Tobacco Day.

## Nigeria: Defence Corruption and Counterterrorism

By Auwal Ibrahim Musa (Rafsanjani)

*Defence sector corruption remains a major threat to Nigeria's internal security and political stability, weakening Nigerian counterterrorism capacity whilst strengthening insurgency. This problem informed a recent report produced and launched by Transparency International Defence Security Procurement in collaboration with Civil Society Legislative Advocacy Centre (CISLAC) in Abuja. It is on this note that I present the following exclusive review of the report:*

**W**hile the level of corruption in Nigeria's security sector cannot be quantified, the 19-page Report entitled, "Weaponising Transparency: Defence Procurement Reform as a Counterterrorism Strategy in Nigeria" is a significant contribution to the discourse on defence procurement reform. *Cont. on page 4*

Passage of PIGB: CISLAC Lauds Nigerian Senate - P. 11

How Nigerian Women Suffer From Unjust Tax Regime - P. 16

'Tobacco is the Second Major Cause of Mortality in the World' - P. 21

Civil Society Legislative Advocacy Centre (CISLAC) is a non-governmental, non-profit, advocacy, information sharing, research, and capacity building organisation. Its mission is to strengthen the link between civil society and the legislature through advocacy and capacity building for civil society groups and policy makers on legislative processes and governance issues.

CISLAC was integrated as a corporate body (CAC/IT/NO22738) with the Nigeria's Corporate Affairs Commission (CAC) on the 28th December 2006. Prior to this incorporation, however, CISLAC had actively been engaged in legislative advocacy work since 2005. The organisation is also compliant with the Anti-Money Laundering Act 2007. The Organisation reports to SCUML, any transaction that is above One thousand dollars, detailing the payee, purpose and the other KYC (Know Your Customer) requirements. This is done on a weekly or monthly basis depending on the volume of transactions and to ensure appropriate compliance with anti-money laundering laws. Also, CISLAC is registered organisation under the National Planning Commission.

As indicated above, the organisation emerged from the need to address the gaps in legislative advocacy work of civil society and government access to civil society groups. CISLAC's engagement with Federal Ministries, National and State Assemblies, Local Government Administrations, private sector interests, and non-government organisations, has opened a window through which the public and policy officials can interact and collaborate.

CISLAC through its engagement of the governance processes in Nigeria has facilitated the enactment of several primary legislations such as the Fiscal Responsibility Act, Public Procurement Act, and Nigeria Extractive Industry Transparency Initiative Act which promotes transparency and accountability in governance as well as the domestication of international conventions at the Federal and state levels in Nigeria. CISLAC also supported the passage of the Freedom of Information Act. Other pieces of legislations such the National Tobacco Control Bill, National Health Bill, Disability Bill, Gender and Equal Opportunity Bill, Violence and Persons Prohibition Bill, Whistleblower Protection Bill, Prison Reform Bill, etc. are also supported by CISLAC.

As a renowned CSO in Legislative advocacy in the region, CISLAC has on several occasions shared its experience on best practises for legislative advocacy on invitation from its international partners such as the World Bank Parliamentary Forum and the United Nations Millennium Campaign in African countries such as Kenya and Zimbabwe. Similarly, Ghana, Kenya, and Democratic Republic of Congo have also requested support from CISLAC for replication of their work in Legislative advocacy. In many West African countries such as Liberia, Sierra Leone, Ghana, Cameroon, Niger, Togo and Benin Republic, CISLAC has carried out experience sharing and advocacy exercises on the Extractive Industry Transparency Initiative processes through supporting the passage of extractive industry initiative laws in these countries. CISLAC has also undertaken capacity building for legislators, CSOs and Media on policy engagements in the above countries.

CISLAC's sub-granting experience includes grants to national organisations. With skilled, committed, experienced and proactive leadership and employees, particularly in the areas of coalition building, tenacious advocacy, community mobilization and the clout needed to engage lawmakers at all levels, the organization proven capacity to attract international solidarity, engage policy makers and mobilize local civil society groups and communities into action.

## GOAL

"To make legislature accessible and responsive to all".

## VISION

"A Nigeria in which citizens are participating in governance; the government is safeguarding the rights and welfare of the people; and non-state actors are providing space for citizens to demand accountability".

## MISSION

"To increase the legislature and CSOs' impact in the legislative process".

## ADVOCACY VISITS

CISLAC has successfully engaged key members of the National Assembly in order to wield their influence in ensuring that civil society positions are accommodated. In 2006, for instance, CISLAC targeted key players and created public awareness on draft legislation and questionable provisions incorporated by the National Assembly. Such efforts improved the levels of discipline, transparency, and accountability in the management and openness of fiscal responsibility, public procurement, and the nation's extractive Industry sector in Nigeria.

Through such efforts, CISLAC has empowered communities mostly affected by the extractive industry sector, improved the levels of information dissemination, and ensure due process and transparency in the payments made by extractive industry companies to the Federal Government and its agencies. It has also educated State and Federal legislators, their advisory staff, CSOs, the media, and key stakeholders on their oversight roles in legislation and has reviewed their commitment in implementation.

## PUBLICATION OF MONTHLY NEWSLETTERS

CISLAC has strengthened civil society intervention by the publication of a monthly newsletter Legislative Digest and Tobacco Control Update which have been in circulation for both public and legislative consumption since October 2006 and June 2013 respectively. It has been a central medium of accountability, as it monitors the performance of Legislators, and a channel for advocacy on critical issues that need legislation. Also, CISLAC has a wide range of publications such as Textbooks and Policy Briefs.

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# CISLAC, CDD Mourn Prof. Abubakar Momoh

The Board of Trustees, Members of the Advisory Council and staff of Civil Society Legislative Advocacy Centre (CISLAC) and Centre for Democracy and Development (CDD) wish to commiserate with Nigerians on the death of an erudite scholar, a selfless personality and brilliant political scientist, Prof. Abubakar Momoh, who was a Member of our Advisory Council and Director-General of the Electoral Institute until his death.

While we condole with the family, friends, academic world and the entire country on the loss, we do not only recall and commend the memorable and outstanding technical supports we enjoyed from the deceased, but also recount his laudable contributions to humanity, academic world and nation's democracy through persistent advocacy and public outcry for social justice and good governance.

As a founding member of CISLAC, Centre for Democracy and Development (CDD), and other Civil Society Organisations, Prof. Momoh had excelled by voluntarily offering holistic and tremendous supports for the establishment and sustenance of the Centres. He largely contributed to their present tracked records in advocacy for transparency, accountability and good governance within and outside Nigeria.

Serving as Director-General of the Electoral Institute of Independent National Electoral

Commission (INEC), he was at the forefront advocating for free, fair, credible and participatory electoral system through research, capacity building for the staff of the Commission, and engagement of vigorous voter education activities.

Also, as the Dean of the Faculty of Social Sciences at the Lagos State University, LASU and member of Executive of the Academic Staff Union of Universities (ASUU), Prof. Momoh was prominent for his doggedness in maintaining high level integrity and professionalism, and selfless defence of staff and students' welfares, as well as strictly adherence to ethical standard on addressing issues that affected staff and students.

Apart from serving as a member of several technical teams of the African Union Commission (AUC) and election observer to several African countries on behalf of ECOWAS and African Union, Prof. Momoh had served on several government technical committees including being member and coordinator of "Foreign Policy" Subcommittee of Federal Republic of Nigeria "Vision 20:20" Technical Committee; and policy on "Peace Support Operations (PSOS) for the Federal Government.

CISLAC and CDD are presently consulting the immediate family of the deceased and will announce a public event in honour of the great scholar.



A Publication of Civil Society Legislative Advocacy Centre (CISLAC)

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# Nigeria: Defence Corruption and Counterterrorism

Continued from page 1

Nigeria” reveals through undeniable facts, the unforgivable damage Defence corruption has done to the nation's political stability, counter-terrorism efforts, socio-economic development and well-being of the citizens.

Indeed page 13 of the Report highlights more on the consequences of Defence sector corruption, giving cognizance of the sharp increases in the northeast ad hoc defence spending between 2011 and 2015 with fruitless outcome as operations in the region was hampered by equipment, material, and pay shortage.

Corruption is not far-fetched in Nigeria's Defence sector. In 2014, Transparency International Defence Anti-Corruption Index, a

global study of corruption risk levels in national defence establishments, detailed the many areas where corruption risks are high in Nigeria and analysed the consequences. The research showed that lethally armed criminal networks, operating with the tacit support of local and foreign business mafias, and chaperoned by powerful military “Godfathers,” illegally siphon off about US1 billion each year in petroleum.

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A further probe of the study led to more dreadful findings that triggered the production of the Report, which as well reveals how violence extremism thrives in Nigeria as a result exploitative governing structures, unhealthy political struggles, states predation, and systemic corruption.

Similarly, a number of scandals have been recorded around the so-called 'security votes', which allow politicians to appropriate millions of dollars behind closed doors simply by evoking 'national security'. As a result, funds that are meant to buy equipment and even pay salaries go missing, leaving the military badly equipped, demoralized and incapacitated.

Amidst claims by Nigerian security agencies that they are being underfunded, it has revealed that a total N4.62trillion was allocated to the federal security sector from 2010 to 2015. How this huge sum was spent however remains unclear as there are no reliable performance reports by the security agencies. The Ministry of Defence's refusal to make its spending public has further made difficult to track the nation's investment on the military and allied agencies.

The efforts of security agencies – the military, police, secret police – to containing violence and insurgencies has been attributed to incapacity and deep corruption prevents the military from.

In 2010, the government





*Executive Director of CISLAC, Auwal Ibrahim Musa (Rafsanjani) (2nd right) addressing the audience at the report launch.*

awarded a \$470m (£274m) contract for security across the capital. However, few of the hundreds of cameras installed function, yet the work was paid for and signed off. Since this increased security effort, there have been series of bombings in Abuja, and yet despite the investment, the security agencies cannot track from where the bombs originate.

### Defence Corruption and Procurement Process

Procurement is one of the Defence's activities most vulnerable to corruption. In addition to the volume of transactions and the financial interests at stake, corruption risks are exacerbated by the complexity of the process, the close interaction between Defence officials and businesses, and the multitude of stakeholders. Identified types of corruption in the Defence procurement process include embezzlement, undue influence in the needs assessment, single source contracts, unaccountable and overpaid agents,

obscure defence budgets, fraud in bid evaluations, invoices or contract obligations.

It has been revealed that more than half of foreign bribery cases occurred to obtain a public procurement contract with almost two-thirds of foreign bribery cases occurring in sectors closely associated with contracts or licencing through public procurement. It is on this note that page 10 of the Report shows excessive secrecy and needless confidentiality typically employed to halt the disclosure of Defence budget and procurement process, including the weak and exceptional legislative oversight activities associating with the Defence financial system, as contains in page 11.

The direct costs of Defence

procurement corruption include loss of public funds through misallocations or higher expenses and lower quality of goods, services and works. Those paying the bribes seek to recover their money by inflating prices, billing for work not performed, failing to meet contract standards, reducing quality of work or using inferior materials, in case of public procurement of works. This results in exaggerated costs and a decrease in quality.

Another mind-blowing corruption in Defence procurement was portrayed in September 2014, when a jet owned by the President of Christian Association of Nigeria (CAN), Pastor Ayodele Oritsejafa was caught in South Africa stashed with \$9.3 million undeclared cash allegedly meant for the purchase of arms through black market.

“  
*Procurement is one of the Defence's activities most vulnerable to corruption.*  
 ”

Though the Nigerian government presented documents to show that the deal was legal, however, South African authorities dismissed the explanation, stressing that the alleged deal contravene the provision of section 30 of the Financial Intelligence Centre Act No. 38 of 2001 of South Africa which stipulates that “a person intending to convey an amount of cash in excess of prescribed sum of \$10,000 to or from South Africa must report the prescribed particular concerning the conveyance to a person authorized by the minister for this purpose”.

Similarly, page 7 of the Report exposed pervasive corruption in Defence sector by Nigerians, who under the influence of political connection stole 1.34 trillion naira (\$6.8 billion) over the period of seven years in the shape of arms equipment deals; as well as another \$2 billion which was reportedly stolen or diverted under the watch of the former National Security Advisor, Colonel Sambo Dasuki.

Appropriate amendment to the Freedom of Information Act has become imperative to compliment Public Procurement Act in advancing fight against defence corruption, and provide guidelines for separating confidential from non-confidential information to



*Cross-section of participants at the official launch.*

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mitigate abuses by setting out what information on budgets and procurements could be disclosed.



*Cross-section of participants at the official launch.*

Moreover, for genuinely confidential procurements, Transparency International (TI) has recommended that a separate legal procedure could be designed allowing for monitoring by a confidential Senate Committee and a Unit with suitable security clearance within the Bureau for Public Procurement (BPP).

Constructive working relationship among executive, legislative and civil society to publish guidelines that allow for proper scrutiny of how such security votes are budgeted, spent and monitored.

More importantly, passage of appropriation legislation like Whistleblower Protection Bill and continuous legislative oversight activities to interrogate Defence procurement activities without fear or favour are paramount for sustenance fight against Defence procurement corruption.

I hope relevant stakeholders will effectively utilise holistic recommendations itemised and highlighted in the Report to interrogate the endemic and systemic corruption associating with Nigeria's Defence sector and restore transparency and accountability in Defence procurement process.

# Law Enforcement and Money Laundering in Nigeria

In Nigeria, alarming cases of money laundering and other financial crimes despite efforts to tackle them are quite disheartening. Statistics released by anti-corruption agencies like EFCC, ICPC and international agencies revealed that trillions of naira meant for national development has been mismanaged or looted by corrupt leaders, officials and other Nigerians since the independence.

Meanwhile, a study by United Nations Convention against Corruption (UNCAC) Coalition has revealed that corruption around the world is facilitated by the ability to launder and hide proceeds derived from the abuse of power, bribery and secret deals. According to the UNCAC, “dirty money enters the financial system and is given the semblance of originating from a legitimate source often by using corporate vehicles offering disguise, concealment and anonymity. For example, corrupt politicians used secret companies to obscure their identity in 70 percent of more than 200 cases of grand corruption survey by the World Bank.”

The report further lamented that proceeds of corruption are lodged in foreign banks or invested in luxurious mansions, expensive cars or lavish lifestyles. The culprits do this “with impunity and in blatant disregard for the citizens or customers they are supposed to



serve”.

More importantly, it is noteworthy that cases of money laundering are not farfetched in Nigeria, as most high-profile corruption cases have remained inconclusive. Indeed, some former state governors who have cases to answer have brazenly come back to political reckoning. They confidently walk the streets today, deliberating on national issues.

We must however, commend the EFCC for its on-going doggedness in the pursuit of corruption cases—which paved ways for money laundering with resultant present socio-economic under-development, through its recently introduced whistleblowing mechanism.

Transparency International (TI),

Nigeria Chapter has hitherto been at the forefront demanding full operationalization and effective implementation of existing legislation and introduction of enabling ones to stem the growing menace. It is on this note that the Chapter extends collaboration with the National Orientation Agency to raise public and policy awareness against corruption at all levels.

## Money laundering and Nigerian leaders

It is worrisome that while other countries take serious exception to money laundering, some past political administrations did not only handle it with levity, but was largely part of the dreadful activities. Recalled, after the death of General Sani Abacha's on June 8, 1998, General Abdulsalami Abubakar assumed power and on July 13, 1998, he instituted a Special Investigation Panel to establish cases of swindled public funds and recover to the federal government coffers, monumental looting of the treasury by his late

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predecessor. The panel was also to identify the culprits and recover all properties or assets illegally acquired by the culprits.

The panel consequently secured records from the apex bank which revealed that between November 1994 when Abacha took over and June 1998 when he died, Abacha had taken from the CBN funds totaling \$2,263,520,497 in cash withdrawals, travelers' cheques and telegraphic transfers, in the name of security vote.

Shamefully, in the early 2014, President Goodluck Jonathan honoured the late Head of State, with a Centenary Award for his contributions to the nation, while the United States ordered a freeze on \$458m in assets stolen by the former dictator and his accomplices.

Similarly, James Ibori, who governed the oil-rich Delta State between 1999 and 2007 was in September 2013 sentenced for 13 years imprisonment in Britain after pleading guilty in February 2012 to 10 counts of fraud and money-laundering worth 50 million pounds (\$79 million). Ibori was reportedly hid some of his assets in the oil firm Oando and money passed from the company's accounts to Ibori's Swiss accounts. Ibori's case remains one of the biggest embezzlement cases witnessed in Britain, the successful prosecution of Ibori was also a rare example of a senior Nigerian politician being held to account for the corruption that



blights Africa's most populous country.

It would be interesting to disclose that prior to his sentence in Britain, on December 17, 2009, a Federal High Court sitting in Asaba, Delta State, discharged and acquitted Ibori of all 170 charges of corruption brought against him by EFCC.

According to Global Integrity Group, a Washington-based corruption monitoring organization, \$129 billion was "fraudulently transferred out of Nigeria in 10 years." This figure amounts to N20.6trillion stolen from Nigeria by public office holders in 10 years.

Another mind-blowing money laundering case is that of former Minister of Petroleum Resources, Mrs. Diezani Alison-Madueke, who was reportedly linked to \$153million laundered from public purse to United Kingdom.

Efforts by the 7th House of Representatives launch an investigation into the Minister's alleged squandering of 10 billion naira of government funds within two years on the maintenance of a private jet proved abortive as a result of poor political will in the fight against corruption by the previous administration.

TI's campaign on law enforcement and money laundering

The Transparency International, Nigeria Chapter has hitherto approached law enforcement and money laundering related issues in Nigeria from advocacy for strengthen anti-graft institutions for productive and efficiency in the discharge of their established mandates; legislative and policy advocacy on whistleblowing protection to aid anti-graft efforts and processes; advocacy for effective implementation Freedom of Information (FOI) Act to promote transparency and accountability in the public sphere through citizens' accessibility and timely realisation of information; advocacy for strengthen public procurement process through effective implementation of Public Procurement Act 2007; and advocacy for effective and proactive judicial system.

The Chapter maintains outcries to Nigerian government and relevant authorities through regular dialogues, press conferences, press releases and advocacy visits on the need to strengthen the mandate of anti-graft institution for efficient and productive service delivery.

*Adapted from a paper presented by the Executive Director of CISLAC, Auwal Ibrahim Musa (Rafsanjani), at the Opening Ceremony of a Training on the use of INTERPOL Policing Capabilities in Cocaine Trafficking Investigations, organised by INTERPOL General Secretariat Headquarters, Lyon France in Abuja from 3rd to 12th May 2017.*

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# Passage of PIGB: CISLAC Lauds Nigerian Senate



By Abubakar Jimoh

**T**he Civil Society Legislative Advocacy Centre (CISLAC) has commended the giant legislative stride by Upper Chamber of the National Assembly that resulted in recent passage of the long awaited Petroleum Industry and Governance Bill (PIGB), after over twelve years in different legislative sessions of the Assembly.

The Centre made this known in a statement signed by its Executive Director, Auwal Ibrahim Musa (Rafsanjani).

The statement said passage of the PIGB formed a major campaign promise of the present

administration to be delivered; the commitment which was reiterated in the Federal Government's Short and Medium Term Priorities to grow Nigeria's Oil & Gas Industry 2015–2019, fancifully labelled the “7 Big Wins” with a time lapse at the first quarter of 2017.

“We note that the Bill as passed reflected many of the proposals put forward by civil society, including CISLAC and her partners during the Public Hearing session held on the Bill, especially the unbundling of the Nigeria National Petroleum Corporation (NNPC) to separate her commercial role from her regulatory functions, among others.

“It would be recalled that

CISLAC had reservations about the splitting of the Bill initially because of the possibility that the other components may never be attended to and uses the this opportunity to remind the National Assembly that the Bill has left out fiscal issues which remain the most important aspect of the old PIB,” it noted.

It however, urged Senate to immediately commence work on the outstanding parts on which the passed Bill is silent as it had promised, as it is the only way to demonstrate trustworthiness and sustain confidence of Nigerian people.

The statement also called on the House of Representatives to as a matter of urgency, consider the Bill or adopt the Senate version to conclude the legislative process for onwards assent by the President.

“We call on the President to promptly assent to the Bills, whenever they are transmitted to him, after legislative process, as we believe the Bill if implemented will provide appropriate legal and regulatory framework in the oil and gas sector, it added.

*It however, urged Senate to immediately commence work on the outstanding parts on which the passed Bill is silent as it had promised, as it is the only way to demonstrate trustworthiness and sustain confidence of Nigerian people.*

## Senate Seeks Robust Economy

The Nigerian Senate has urged Nigerians on more cooperation in building a strong economy for sustainable democracy in the country.

This call was made by the Senate President, Abubakar Bukola Saraki in a statement by his Special Adviser on Media and Publicity, Yusuph Olaniyonu in commemoration of the nation's Democracy Day.

He said the real challenge to the sustenance of Nigeria's fledgling democratic journey was the absence of a solid economy that guarantees the citizens high standards of living and even development nationwide.

He also advocated resilient democratic institutions, saying it was only by respecting the values they

represent that the nation could guarantee stability, development and consistency.

Similarly, the Deputy Senate President, Ike Ekweremadu, in his goodwill message, noted that the major hindrance to the country's democracy was the arbitrary deployment of power

by the political leadership, thus undermining the rule of law.

Stressing the need to uphold constitutionalism and the rule of law, he added that democratic dividends were not just limited to provision of good roads, hospitals, electricity, but also incorporate other socio-economic infrastructure that are still grossly inadequate.

## Reps Extend Content Act to Power, Other Sectors

The House of Representatives has said its on-going work Bill to extend the Nigerian Content Act to other key sectors of the economy such as power, construction, information communication technology and telecommunications was to enable Nigerians enjoy the sectors.

Members of the House of Representatives Committee on Local Content led by its Chairman, Hon. Emmanuel Ekon, disclosed this when the committee paid an oversight visit to the Nigerian Content Development and Monitoring Board's (NCDMB) premises and project sites in Yenagoa, Bayelsa

State.

The Committee chairman said the first reading on the Bill to extend the Nigerian Content Act to other key sectors has been passed, adding that the House members currently are fine tuning it.

Also, speaking at the Polaku pipemill site, Hon. Ekon stated that the location met all requirements for citing such a facility including proximity to natural gas needed to generate electricity for the plant's operations, access to road, which is a driver for transporting raw materials and finished products.

## Dogara Laments Low Awareness of Legislature's Role by Nigerians

The Speaker, House of Representatives, Rt. Hon. Yakubu Dogara has said many Nigerians were still ignorant of the role of the legislature as a vital arm of government.

Dogara said the glaring ignorance on the part of many Nigerians had continued to put the legislature under terrific pressure and challenge.

Speaking in Kabba, Kogi state, the Speaker said: "Constituents inundate legislators with requests and demands that are clearly outside the functions of the parliament."

He urged Nigerians to be abreast of the constitutional duties of the parliament, saying its role is purely law making, oversight and representation.

Dogara said the 8th Assembly would continue to intervene in critical areas of infrastructural across the country. "It is in realisation of this national call to service that many legislators through the Zonal Intervention Initiative provide some incentives and projects that are expected to drive the economic activities in our various constituencies.

"As a parliament, we are fully committed to making laws that will improve the well-being of Nigerians, ensure meaningful growth and development as well as promoting peace, unity, fairness, equity and justice," the speaker said.

## Reps Want Borehole Drilling Regulation Enforced

The House of Representatives has resolved to regulate drilling of boreholes and to investigate the state of public water system in Nigeria.

The resolution followed a motion moved by Hon. Rimamnde Kwewum at a plenary, recently.

Mr. Kwewum noted that public water system in almost all the states of the Federation is either non-existent, inadequate, archaic or not functional. He said estate developers, including government agencies, are required to make provisions for efficient and healthy water system, but this is usually not the case. "In trying to meet their water needs, Nigerians have resorted to digging boreholes, most times without approvals or environmental impact assessment being undertaken. This uncontrolled and unplanned digging of boreholes may have potentials of creating major

environmental crisis in the future and the water obtained from the boreholes are usually not tested and certified for human consumption, thereby exposing unwary citizens to health hazards," he said.

The House adopted the motion and urged the Federal Ministry of Water Resources to publish and enforce existing policies and regulations on the digging of boreholes in the Federal Capital Territory, Abuja.

The House further mandated its committees on FCT, Housing, Environment and Habitat, Water Resources and Climate Change to investigate the non-provision of water by estate developers in Abuja and recommend measures to ensure that all estates have access to the public water system or create estate water systems to reduce the indiscriminate digging of boreholes in the FCT.

## House Moves to Enforce the use of Pedestrian Bridges

The House of Representatives on has called on Nigerian Police and the Nigerian Security and Civil Defence Corps (NSCDC) to enforce the use of pedestrian bridges on the highways.

The call followed a motion moved by Hon. Johnson Oghuma. The House asked the Inspector-General of Police and the Commandant-General of the NSCDC to as a matter of urgency deploy their personnel at various points on the highways where the pedestrian bridges are located to enforce their use and provide security on

the bridges.

Hon. Oghuma noted that pedestrians still prefer to cross the highways directly rather than using the pedestrian bridges, thereby endangering their lives.

"There is little or no enforcement mechanism to compel pedestrians to use the bridges and if drastic measures are not taken to enforce adherence to the use of pedestrian bridges, the trend will likely continue and more lives will be lost through pedestrians being knocked down by speeding vehicles," he said.

## Lagos Assembly Wants House Owners to Obtain Approval

In response to the incessant cases of building collapse, the Lagos State House of Assembly has asked relevant state-owned agencies in the sector to brace up and stop the trend.

The Chairman of the House Committee on Physical Planning and Urban Development, Hon. Setonji David, made the disclosure that the state would no longer tolerate violations of its rules and regulations on building

construction.

He spoke against the backdrop of the collapse of a three-storey building under construction at Richard Abimbola Street, Ilesamaja, Lagos, on Thursday, killing at least three people while 19 some construction workers were rescued alive.

Also, on March 9, 2016, at least 34 people were killed after a five-storey building still under construction

collapsed in Lekki District, Lagos, among several cases in the state with fatalities.

"It is very unfortunate that another building has collapsed in Lagos. It is painful that we have lost precious souls again due to the negligence and lack of expertise of contractors. Our officials at the state level must brace up to stem the trend," he lamented.

## Kwara House seeks inputs on 11 Bills, passes Disability Bill

The Kwara House of assembly has called on experts and other residents of the state to provide inputs on 11 bills it is presently considering for passage.

The Speaker, Dr Ali Ahmad, made the call in a statement in Ilorin. It said the bills included the Public Procurement Bill, Administration of Criminal Justice Bill, Revenue Court Amendment Bill and the Urban and Regional Planning Bill.

The statement said the state legislature had opened its doors for the public for two weeks to offer their support, reservations, objections and even rejection of the bills being considered.

It said the House had always advocated the people's participation in the way their affairs were being

regulated in the state, urging experts in various fields to avail the legislature of their views on the bills.

In a related development, the Assembly has passed the People with Disabilities Bill into law to, among other things, protect the rights of physically challenged persons in the state and give them more opportunities like other persons.

The bill, sponsored by Aishat Ibrahim, representing Ilorin East Constituency), was passed after the house considered its features at the committee of the whole which lasted less than an hour.

The Speaker, Dr Ali Ahmad, directed the Clerk of the House, Alhaji Muhammed Katsina to produce a clean copy of the bill for Governor AbdulFatah Ahmed assent.

## Kaduna Assembly Repeals Traffic Agency Law

Kaduna State House of Assembly has repealed the state's Traffic Law and Environmental Law Enforcement Agency (KASTELEA) Law No.12 of 2014 and in its place passed a new law to establish the state traffic authority.

The Deputy Speaker, Mr John Kwaturu, made this known at a plenary held recently.

Kaduna State Traffic Law Enforcement Authority 2017, was passed by the assembly during the sitting, giving a new body mandate to take over only traffic matters excluding the handling of environmental issues.

Kwaturu said the new body would implement and enforce the provision of the Road Traffic Law cap 135 Law of Kaduna State 1991 and Road Traffic

Regulation 2007.

It would also direct and control traffic on public roads in the state, inspect vehicles, issue certificate of road worthiness, impound erring vehicles, and enlighten motorists on road safety measures.

The agency is also mandated to safeguard the roads from encroachment by traders, motor parks, hawkers and beggar. Other responsibilities include registering and licencing driving schools, installation of road traffic signs, and designating bus stops and terminals in the state.

The Deputy Speaker directed the Clerk of the Assembly to forward a clean copy of the law to Gov. Nasiru El-Rufa'i for his assent.

## Rivers Assembly Seeks Review of Constitution

The Rivers State House of Assembly has sought prompt review of the Constitution to allow development in the states.

The Minority Leader of the Rivers State House of Assembly, Hon. Benibo Anabraba, made this call at a special session of the House to commemorate Rivers State Golden Jubilee celebration.

He particularly wanted labour matters transferred to the concurrent list so as to enable states legislate on them, since according to him, the state assembly was being inundated with petitions of either discrimination against Rivers citizens or outright denial of employment by most IOCs, or firms

"It is our hope as a state assembly, especially in a state like Rivers State, that the Constitution of the Federal Republic of Nigeria allow us to perform more functions, remove some of the things in the exclusive list and put them in the concurrent list.

"Mr Speaker, for instance, the issue of labour, which has always come before this house where our citizens would complain of discrimination from IOCs and other firms operating in Rivers State, complaining that they have either refused to employ them or do not engage them or do not carry out their corporate social responsibilities.

"If labour is brought into the concurrent list where the state assembly can legislate on it, we would be able to regulate the employment and industrial actions in our state because even the resources we have are in the exclusive list, and if we cannot control our natural resources, surely, we should be able to be part of the exploration or the industrial actions being taken on these natural resources", he explained.

From L-R: Kolawole Banwo, Snr. Program Officer, CISLAC; Ezenwa Nwagwu, Convener, Partner for Electoral Reform; Eva-Marie Anderson, Snr. Legal Researcher, TI Defence and Security Programme; Auwal Ibrahim Musa (Rafsanjani), Executive Director, CISLAC; Esq. Jonson Ojogbane, Snr. Special Assistant to the Executive Chairman, EFCC; Jaiye Gaskia, Executive Director, Protest to Power; Salaudeen Hashim, Program Officer, CISLAC.



Group photo of Civil Society groups at a Sensitisation Campaign meeting on the implementation of National Tobacco Control Act 2015 organised by CISLAC with support from African Capacity Building Foundation (ACBF) in Calabar, Cross River state.



Group photo of participants at Bi-monthly of the National Civil Society Consultative Forum on Peace and Security organised by CISLAC in Abuja.

## CALL FOR CONSULTANT

<b>Title of Activity</b>	<b>FACILITATE STRATEGY UPDATE AND ACTION PLAN FOR IMPLEMENTATION FOR CISLAC/TI NIGERIA</b>
<b>Period of Service</b>	<b>JUNE 2017</b>
<b>Background</b>	
<p>The Civil Society Legislative Advocacy Centre (CISLAC), as National Contact of Transparency International, (TI) has been mandated by the TI- International Secretariat (TI-S), Berlin, to engage a consultant to <b>facilitate strategy update and action plan for implementation</b> as part of process requirement to become a full-fledged TI National Chapter in Nigeria. This is being pursued within the framework of our new project “<b>Tackling Inequalities in Nigeria through Transparent, Accountable and Participatory Governance</b>” which is being implemented in collaboration with TI- S in Berlin, with support from the Ford Foundation under their governance project.</p> <p>The main objective of the assignment is to update Transparency International strategy for Nigeria as well as a detailed implementation plan. While the overall objective of the project is to strengthen the presence of TI and the anti-corruption movement at large in the country through enhanced accountability, transparency and public engagement.</p> <p><b>The Consultancy: Facilitate Strategy Update and Action Plan for Implementation for CISLAC/TI Nigeria</b></p> <p>This consultancy is part of the project activities aimed at updating TI strategy for Nigeria as well as a detailed implementation plan that will be adopted at the one day TI Nigeria Strategic Planning Workshop/ validation programme.</p> <p>A consultant with track records in strategic plan development is thus needed to work with CISLAC/TI–S on this assignment. The selected consultant will also facilitate the session at the <b>one day TI Nigeria Strategic Planning Workshop/ validation programme</b> where the document will be validated and adopted for implementation.</p>	
<b>Terms of Reference</b>	
<p><b>Qualification:</b> The required consultant with over 15 years of experience on anti-corruption, strategic development, governance and human rights issues will be required.</p> <ul style="list-style-type: none"> <li>x Proficiency in the use of Microsoft office package</li> <li>x Demonstrable knowledge of the strategic planning process.</li> <li>x Demonstrable ability, enthusiasm and experience in carrying out the task</li> </ul> <p><b>Desirable</b></p> <ul style="list-style-type: none"> <li>x Understand the anti-corruption programing and other governance projects especially as it relates to the NGO management.</li> </ul> <p>Upon selection of consultant by CISLAC, the consultant shall be notified by a written mail accompanied by a contract to be signed and returned immediately due to the short time frame. Interested applicants are expected to submit their expression of interest with an updated CV and a cover letter on or before the <b>close of business by Friday 9th June, 2017</b> through the following email addresses <a href="mailto:cislac@cislacnigeria.net">cislac@cislacnigeria.net</a> copy to <a href="mailto:l.adefolahan@cislac.org">l.adefolahan@cislac.org</a>.</p>	
<b>Schedule of work-</b>	
<p>This work involves the consultant to work with TI-S, Integrated Expert and CISLAC Team on this project</p> <ul style="list-style-type: none"> <li>- Review of the initial TI strategic plan developed</li> <li>- Interview with key CISLAC staff and TI-S</li> <li>- Scheduled visit with key CISLAC staff</li> </ul>	
<b>Number of fee days:</b> Four days	
<b>Timeline for assignment:</b> June 12 <sup>th</sup> to 30 <sup>th</sup> 2017 (3weeks)	
<b>Deliverables:</b>	
<ul style="list-style-type: none"> <li>- Presentation of the draft updated strategic plan at the validation workshop</li> <li>- Final submission of clean strategic plan with implementation plan to CISLAC/TI</li> </ul>	

# Group Bemoans Poor Use Of Security Votes



*Nigerian military personnel at a check point in the North East.*

By Salaudeen Hashim

A group of non-state actors has described “poor funding” and “inadequate training facilities” as major factors impeding effective performance by Nigeria Armed Forces in combating the growing insecurity in the country.

The group reveals this in a Declaration issued after a focus

group dialogue organised by Civil Society Legislative Advocacy Centre (CISLAC) in collaboration with Transparency International-UK (DSP) with the support from CSSF of the Foreign and Commonwealth Office (FCO) held in Katsina state, to strengthen accountability in Nigeria Defence sector.

The group, which consists of Katsina State Women Forum,

Government House Press Corps, Katsina State community influence and opinion Leaders, Good Governance Advocacy Groups, Students Union Government (SUGs) and Community Based Organizations bemoaned and described as “very unfortunate”, the poor utilisation of security votes, breeding insecurity instead of providing security.

It said: “Unfortunately, that money is not accounted for because it is unconstitutional. It is not only the governors that collect it, other top government functionaries also collect security votes, yet there is so much insecurity in the land

“Security is worth more than the money usually proposed but the big question is, will the money be used for the purpose intended? Nigeria's prime problem is corruption, disloyalty and

“  
*...the poor utilisation of security votes, breeding insecurity instead of providing security.*  
 ”

dishonesty centered on lack of patriotism. If there is less corruption in our security service coupled with proper supervision and discipline, the spate of insecurity in the nation may be tame.

“The issue of transparency and accountability and its importance in the Nigeria Defence annual budget cannot be overemphasized. But often times, what we see is the opposite and the usual language used is ‘that of security reasons’ details of expenditures of Nigeria Defence budget are not advisable to be disclosed.

“Also, all security votes paid to state governments are never accounted for because Governors are not compelled by law to do so despite the increase in the loss of innocent lives at all levels.

The group pledged to intensify advocacy to the President for sound financial management of Nigeria security sector to achieve an efficient and effective security force to appropriately address citizens’

“  
*The group pledged to intensify advocacy to the President for sound financial management of Nigeria security sector to achieve an efficient and effective security force...*  
 ”

legitimate security needs, stressing that “deficiencies in the entire budget management and arms purchases will certainly lead to weak budgetary and procurement processes with a gap in economic and security benefits”.

They further committed to build and sustain advocacy on strictly adherence to public expenditure management, principles of comprehensiveness, discipline, legitimacy, flexibility, predictability, contestability, honesty, information, transparency and accountability.

“We endorse an improvement in the existing structure of Ministry of Defence as well as strengthening of the audit unit of the Defence Headquarters to ensure some levels of independence for proper accountability. This is important because sound fiscal policy and its attendant fiscal responsibility can have important long-run effects on the security of a nation through its desired impact on growth of productivity, reduction of insecurity and inequality and increased national saving,” the actors added.



*Combat-ready military personnels patrolling the streets of troubled areas to maintain peace.*

# How Nigerian Women Suffer From Unjust Tax Regime

By Abubakar Jimoh

While imposition of tax remains a vital instrument for the promotion of resource re-allocation, social equity through wealth distribution, women marginalisation in tax processes and responsibilities of government towards its citizens has hitherto constituted public and policy debates, but with little effort to address the emergent plights of women under unwary tax regime.

With increasing incidence of taxation in the contemporary tax reforms, Nigerian women are worst hit by the socio-economic burden of the various gender-insensitive tax policies.

It would be recalled that in September 2015, Nigeria joined the rest of the world at United Nations' High Level Plenary Summit for the adoption of Structural Development Goals (SDGs) with 17 goals and 169 targets as part of the global efforts to build a comprehensive development plan in order to complete the unfinished business of the Millennium Development Goal (MDGs).



Pic: KOMU.com

Adopting the SDGs, at country level with Goal 1 and 5 promising to: end poverty and hunger in all its forms everywhere; and achieve gender equality and empower all women and girls, respectfully, Nigeria is committed to address poverty and ensure equal opportunity for women in all socio-economic and political ramifications. However, the existing gender-biased tax regime remains a major impediment that if not strictly addressed may backpedal or obstruct the country's success in the

implementation of SDGs.

In every tax regime, women are either implicit or explicit marginalised. Explicit marginalisation in the analysis of German Technical Cooperation (GTZ) emanates from specific provisions of the law, regulations or proceedings that deliberately treat men and women differently, while implicit marginalisation describes differences in the way the tax system (or any tax policy measure) affects men's and women's well-being.

Explicit marginalisation occurs in the Personal Income Tax system where the tax law discriminates against married women with respect to tax reliefs and allowances. Hence children's allowances are claimed by the husband as long as he is not legally separated from his wife. Implicit marginalisation on the other hand is found in marriage tax marginal rates, Value Added Tax (VAT), excise or selective taxes, import duties and export duties.

Besides, various assessments of the Personal Income Tax burden

“  
*Besides, various assessments of the Personal Income Tax burden have revealed that the average tax paid for equivalent levels of income is higher for female taxpayer than male, as married men are granted the tax relief on the assumption that men are breadwinners.*  
 ”



have revealed that the average tax paid for equivalent levels of income is higher for female taxpayer than male, as married men are granted the tax relief on the assumption that men are breadwinners.

It is noteworthy that apart from constituting over 50 percent of the world's population, women perform two-third of the world's work, and receive one-tenth of the income. They in proportion represent 70 percent of the world's one billion poorest people.

Similarly, majority of Nigerian women face real-time poverty, gross inequality, molestation and injustice resulting from insensitive tax collection and administration processes, which deny them the opportunity to meaningfully earn and contribute positively towards the nation's development. The degree of molestation from multiple and unjust taxation/levies regime is evident and well documented in various encounters by Civil Society Legislative Advocacy Centre (CISLAC) with women, especially in informal sectors across the country.

While women constitute a high percentage of the population engaging in informal sector business like farming and trading, the local market women are the worst hit by the era of multiple taxes and harassments from some unscrupulous tax collectors, who endlessly extort whopping sums from the innocent women.

It is worrisome that the era of multiple taxations has led to drastic loss in profit generation, and continuous discouragement of women's participation in the nation's socio-economic development as against Goal 5 of the SDGs with specific pledge to "achieve equality and empower all women and girls".

As related to the women in formal sector, although Nigeria has the highest population in African continent, as reports by 2012

“  
*It is worrisome that the era of multiple taxations has led to drastic loss in profit generation, and continuous discouragement of women's participation in the nation's socio-economic development as against Goal 5 of the SDGs...*  
 ”

Gender in Nigeria Report, with 38 percent of its women lacking formal education as against 25 percent for men, the disparity in education attainment largely undermines women's earning capacity and well-being under personal income or direct tax burden as most women earn too little to pay a significant amount of personal income tax. Indeed, the heavy tax rate imposes on taxpayers through personal income tax poses unequal impact on women.

Also, the imbalanced Value Added Tax (VAT) system is another endemic challenge to the women's earning and well-being. The VAT Amendment Act 2007 removed the 5 percent fixed rate and gave the Minister of Finance Power to determine the VAT rate. Exercising the authority, the Minister of Finance raised the rate to 10 percent, but later repealed its decision with the rate returned to the initial 5 percent. Nigerian women are known to purchase more goods and services that promote health, education and nutrition compared to men.

In 2004, the Nigeria Living Standards Survey report by the National Bureau of Statistics showed that over 50% of the expenditure by female headed households was on non-food items

which as likely to attract VAT. This in the observations of GTZ creates the potential for women to bear a larger burden of VAT, especially if the VAT system does not provide for exemptions, reduce rates or zero-rating.

Given the existing intense tax burden on women, it has become imperative that policy and development interventions through taxation must take cognisance of the plights of women in order promote sustainable economic growth and poverty eradication, if Nigeria is determined to achieve its global commitments under Goal 1 and 5 of the Sustainable Development Goals (SDGs).

The National Tax Policy should be reviewed with committed and sincere efforts to address gender insensitivity in the collection, administration and utilisation of tax revenues as well as mainstreaming of gender-sensitivity into tax practices and tax policy formulation.

More importantly, appreciable efforts must be made by the governments to resolve the growing incidence of multiple taxation/levies in the informal sector, especially at local government level as self-employed and poor women are mostly victims of multiple taxation/levies which consequently reduce their profits and welfare.

COMMUNIQUE ISSUED AT THE END OF A ONE-DAY LEGISLATIVE AND MEDIA DIALOGUE ON MATERNAL HEALTH ORGANIZED BY CIVIL SOCIETY LEGISLATIVE ADVOCACY CENTRE (CISLAC) WITH SUPPORT FROM THE MACARTHUR FOUNDATION, HELD AT ROYAL HOTEL, DUTSE JIGAWA STATE ON 18TH MAY, 2017.

PREAMBLE:

Civil Society Legislative Advocacy Centre (CISLAC) organized a One-day Legislative and Media Dialogue on Maternal Health. The Dialogue aimed at bringing Jigawa State's legislature and the media under one roof to brainstorm on necessary legislative action to address current maternal health funding challenges in the state for effective, efficient and affordable maternal and child healthcare delivery in the state. The meeting drew over 20 participants representing State House of Assembly and the Media. After exhaustive deliberations on various thematic issues, the following observations and recommendations were made:

Observations:

1. The Jigawa State House of Assembly has fully mainstreamed the state's Civil Society Group participation in legislative processes.
2. The State House of Assembly has embarked on persistent community outreach as monitoring and evaluation process to harmonise feedback on communities' perspectives on the implementation of legislation.
3. The State House of Assembly exhibits and encourages political accountability and transparency through involvement of stakeholders' participation and contribution including the civil society groups in legislative process.
4. Inadequate infrastructural facilities remain impeding challenge to maternal healthcare accessibility, especially across grassroots in the state.
5. Apart from frequent complications from pregnancy and childbirth, other reasons for the high maternal mortality in the State include low Anti-natal care coverage which stands at 20.1%; low professional and facility based delivery rates which stands at 5.1% and 4.5% respectively; and low modern contraceptive prevalence rate standing at 0.2%.
6. Capacity gaps among the Legislative and Executive arms in appropriation process and development of memo to access budgetary allocation delay release of the allocation for timely maternal and child health interventions.
7. While the State records high rate of severely acute malnourished children, the State House of Assembly has set up a committee to devise innovative approach to mitigate the malnutrition challenges in the presence dwindling donors' resources.
8. The State Assembly had increased budgetary allocation to nutrition from N270million to N300million in the 2017 Appropriation Act.

Recommendations:

1. Strengthen the State Government and Local Governments working relationship to promote accessibility to maternal healthcare facilities and services, especially in the grassroots.

2. Establishing an enabling platform for health sector program managers and State House of Assembly Committees on Health and Appropriation to critically look at the health budget and proffer either to increase or make changes on priorities health needs.
3. Creative and innovative media to support maternal and child health investigative journalism and documentaries on case studies as an advocacy tool in decision making.
4. Re-creating Civil Society Liaison Unit of the State House of Assembly to foster smooth participation of Civil Society engagement and encourage accountability platform.
5. Creating a legislative budget and research Department in the State House of Assembly to be coordinated by legislative experts on budgetary processes as a feedback mechanism to harmonise citizens' inputs to inform legislative decision in Appropriation process.
6. Strengthen capacity in memo development and presentation to access maternal health budgetary allocation.

Call to immediate action:

- State House of Assembly to ensure adequate funds are allocated to health sector.
- State House of Assembly to track the Ministry of Health budget through adequate oversight activities to ensure funds are judiciously utilized.
- To bridge capacity gaps in the legislature and media.
- State House of Assembly to re-create a CSOs Liaison Office to enhance legislative-CSOs working relation.
- State House of Assembly to create a Budget and Research Office in Assembly.
- The media to design and air programmes, drama, jingles to raise policy and public awareness and consciousness on maternal and child health.
- Media to strengthen collaboration with legislature and civil society to promote effective implementation of budgetary allocation to maternal and child health.
- Media to set agenda for maternal health issues through free-airtime programmes.

*Signed:*

1. Auwal Ibrahim Musa (Rafsanjani)  
Executive Director, CISLAC
2. Hon. Musa Sule Dutse  
Chairman Appropriation Committee, Jigawa State House of Assembly
3. Tijani Zakari  
Secretary, Committee on Education
4. Anas Abdullahi  
Radio Jigawa

**DECLARATION OF ACTION AFTER A TWO-DAY NUTRITION BUDGET TRACKING WORKSHOP FOR 12 NORTHERN STATES OF NIGERIA ORGANISED BY THE FEDERAL MINISTRY OF BUDGET AND NATIONAL PLANNING IN PARTNERSHIP WITH CIVIL SOCIETY LEGISLATIVE ADVOCACY CENTRE (CISLAC) AND UNITED NATIONS CHILDREN'S FUND (UNICEF) HELD AT GRAND CENTRAL HOTEL, KANO STATE ON 10TH AND 11TH MAY 2017**

The Federal Ministry of Budget and National Planning in partnership with Civil Society Legislative Advocacy Centre (CISLAC) and United Nations Children's Fund (UNICEF) organized a two-day Budget Tracking Workshop for 12 northern states' Policy Makers and Civil Society. The Workshop aimed at bringing the States Ministries of Health, Agriculture, Budget and Planning, Water Resources, Education, Women Affairs and Social Development and Primary Health Development Agencies with specific nutrition budget under one roof to: collate focused states nutrition budget data (2010-2016 financial year), share and agree on budget tracking methodology and tools to track and analyse nutrition budget allocation, releases and expenditure in state government ministries, departments and agencies and other stakeholders to inform policy and advocacy towards increasing funding to scale up nutrition interventions in the selected states.

The meeting drew over 70 participants from States Ministries of Health, Agriculture, Budget and Economic Planning, States Primary Health Care Development Agencies, Ministry of Budget and National Planning, Federal Ministry of Health, UNICEF Chiefs of Field Office Sokoto and Katsina, Civil Society Organisations and the Media. After exhaustive deliberation on various thematic issues, we the participants:

**Recognised** that proper nutrition, especially within the first 1000 days, provides a sound footing for a brighter start of life with greater potentials of attaining a healthier life, better educational outcomes, and improved productivity in adulthood leading to higher Gross Domestic Product (GDP) of countries

**Also recognised** that while adequate and sustainable funding for nutrition remains paramount to promote healthy and secured society, sustainable growth in the twelve Northern States that participated in this workshop cannot be achieved without prioritised attention to nutrition investment at all levels.

**Further recognised** that embracing multi-sectoral approach through adequate budgetary allocation to nutrition related activities in the line Ministries, Departments and Agencies will enhance concerted nutrition sensitive intervention as a delivery platform for nutrition specific intervention to address malnutrition scourge in the states.

**Expressed concern** over delay in domestication and implementation of the existing national policy guidelines on nutrition such as the National Policy on Food and Nutrition and the National Strategic Plan of Action for Nutrition by the States, that hampers efforts to addressing nutrition through a multi-sectoral approach.

**Also expressed concern** over inadequate Ready to Use Therapeutic Foods (RUTF) across the States that further poses a threat to saving lives of children with conditions of Severe Acute Malnutrition, thus drawing back the efforts in addressing childhood malnutrition and mortality.

**Noted** that inadequate budgetary allocation to nutrition and delay or non-release of funds allocated for nutrition related activities by some state governments are inherent systemic challenges in complementing donors' efforts in scaling up interventions in nutrition in view of the fact most of the current interventions are donor-driven which has serious implications for sustainability.

**Also noted** that timely release of funds for 2017 nutrition budget implementation will help to scale-up nutrition interventions and leverage donor resources for treatment of Severe Acute Malnutrition, scale up of infant and young child feeding practices and the control of micronutrients deficiency.

**Affirmed** that supporting domestication and effective

implementation of the National Policy on Food and Nutrition with functional State Committee on Food and Nutrition as well as costed Nutrition Plan of Action by the States will provide guidelines and enhance planning for policy formulation towards maternal and child nutrition intervention and financing.

**Committed** to effectively deploy skills and knowledge gathered from this Workshop to inform evidence-based advocacy in tracking, monitoring and reporting nutrition budget for timely release and judicious utilisation of nutrition budgetary allocation to both nutrition sensitive and nutrition specific interventions in our respective states.

**Also committed** to work towards adequate budgetary allocation for the procurement of RUTF for Community Management of Acute Malnutrition (CMAM) continuation and scale-up nutrition activities.

**Further committed** to leverage support from UNICEF to help states develop a budget tracking document to enhance appropriate tracking and monitoring process.

**Will** prioritize malnutrition as a major health and developmental challenges that is contributing to impeding socio-economic development of Northern Nigeria

**Shall effectively** strengthen collaboration among the line Ministries, Departments and Agencies, with specific focus on key developmental sectors and Local Government Authorities to project the nutrition sensitive and nutrition specific interventions

**Resolved** to work with Director of Planning with the support of UNICEF in our respective states to utilise the budget documents (2010-2016) to develop a substantive budget tracking document to inform policy decision.

**Signed:**

1. **Hussaini Maisamari Yelwa**  
Ministry of Budget and Economic Planning, Kebbi State
2. **Suleiman Mamman**  
Gmobe State Nutrition Officer
3. **George M. Sha'a**  
ASPC, Adamawa State
4. **Dahiru Sambo Usman**  
SPC, Bauchi State
5. **Aminu Sarkin-Hatsi Kudai**  
BEPD, Jigawa State
6. **Phoebe Sukai Yayi**  
Ministry of Budget and Planning, Kaduna State
7. **Abubakar Abande**  
YOSADP, Yobe
8. **Hyelapila Bwala**  
Ministry of Budget and Planning, Borno State
9. **Samaila Bakwai Umar**  
Zamfara State Primary Health Care Board
10. **Faruku Dandare**  
Ministry of Agriculture, Sokoto State
11. **Muhammad Ya'u**  
Ministry of Budget and Planning, Kano State
12. **Muhammad Kabir Bara'u**  
Ministry of Budget and Economic Planning, Katsina State

# Constitutional Amendments and Matters Arising (2)

By Usman A. Aliyu

## Judiciary

Section 233, 237, 207, 261, and part I amendments. These amendments cover: the establishment of Federal Character Tribunal for the prosecution of violation of the federal character; creation of the office of Attorney General of the federation and of a state distinct and separate from the minister of justice or commissioner of justice; to provide for all appeals from the Court of Appeal to the Supreme Court to be by leave of the Supreme Court except in the case of interpretation of the constitution, death sentence and fundamental human rights; to allow two justices of the court of appeal sitting in chambers to dispose any application of code of proceedings if the justice been the interest of justice does not require an oral hearing of the application; establishment or criminal division of the federal high court to try electoral offences, terrorism cases, economic and financial crime cases etc.

## Financial Autonomy for Local Government

Being the third tier of government in a given society, the Local Government Council exercises social, economic, and political functions and powers in its area of jurisdiction, according to the instrument establishing it.

The 1979 guidelines for local government reforms defined local government councils as government at local level expenses through the representative councils established by law to exercise specific powers within defined areas.

The Revenue Mobilization Allocation and Fiscal Commission through its powers of section 103 of the constitution had so far allocated huge sum of money to the local government councils since the returning of 1999 democratic dispensation to date. For instance, from January 2005 to 3rd December 2013 the third tier of government received 3.3 trillion between 2010 and 2012 as statutory allocation.

The present constitutional amendment seeks to abrogate the state joint local government account and pumps money due to local government controls directly to their respective accounts, defines the fund of the state government, that is internally generated revenue (IGR) from which a portion shall be paid into the local government allocation account.



## Devolution of Powers

Second schedule, part I and part II was altered to decongest the executive list to give more powers to states. It substituted “post and telegraph” with “post and telecommunication” and removed pensions, railways, stamp duties and wages from the exclusive legislative list to concurrent legislative list and added arbitration environment, healthcare, housing, road safety, prison, land and agriculture, youth and public complaints to the concurrent legislative list.

## Salaries/Wages and Pension/Gratuities

Item 33 of the Exclusive Legislative List “labour including trade union industrial relation; conditions, safety and welfare of labour industrial disputes; prescribing a national minimum wage for the federation or any part thereof and industrial arbitrations.

The issue of labour presently becomes one of the most controversial and technical to be dealt with in the country. The federal government has about 2.1 million workers apart from 50,000 workers uncovered recently after introducing the integrated personnel payroll system (IPPS), which indicates that the federal workers is either wholly or partly involved in padding (such as ghost workers) which increased recurrent expenditure to the federal government, while millions graduates struggle for job.

The present administration of President Muhammadu Buhari realized that the majority of the states were unable to pay monthly salaries and pensions. As a result, the bailout package was introduced to solve the problem but 23 states which received bailout on the condition to pay outstanding salaries for their workers

*Continued on page 22*

# 'Tobacco is the Second Major Cause of Mortality in the World' – Experts

By Abubakar Jimoh

“Tobacco is associated with a number of devastating health problems such as coronary heart disease, lung cancer, cardiovascular and respiratory diseases as well as stroke leading to upsurge in the number of NCDs arising from direct and indirect consumption of tobacco products,” Tobacco Control activist, Tunde Salman has said.

Salman made this disclosure recently while addressing Civil Society groups at a Sensitisation Campaign meeting on the implementation of National Tobacco Control Act 2015 organised by Civil Society Legislative Advocacy Centre (CISLAC) with support from African Capacity Building Foundation (ACBF) in Calabar, Cross River state.

He said the sensitization meeting on the new Tobacco Control Legislation across the South-South was paramount to equip Civil Society in the zone with important provisions of the Law in order to effectively take a stake in implementation of the Act.

“The global tobacco epidemic kills about six million people annually out of which 600,000 are non-smokers. About eight million

- *‘Tobacco Control Act must be effectively implemented to achieve its public health goals’ – Anya*
- *‘Unfettered access to tobacco or exposure to tobacco use has a negative health impact’ – Salman*



*Anya sensitising the civil society groups at the meeting.*

people are also estimated to be at risk of losing their lives by year 2030, most especially from the developing countries like Nigeria.

“Tobacco is the second major cause of mortality in the world leading to untimely deaths of millions of people worldwide.

“As unfettered access to tobacco or exposure to tobacco use has a

negative health impact, strengthening awareness and understanding of National Tobacco Control Act for effective advocacy campaign is imperative to combat incessant health and socio-economic challenges associating with tobacco use.

“The magnitude of tobacco epidemic in the country suggests the need to sustain public awareness campaigns on the dangers of tobacco use and benefits of supporting comprehensive control measures in Nigeria,” Salman explained.

In his analysis, the motivation for consumption of tobacco products is largely derived from the addictive effect of its major chemical constituent (nicotine) on the nervous system. It is “one of the most commonly used additive

“  
*The magnitude of tobacco epidemic in the country suggests the need to sustain public awareness campaigns on the dangers of tobacco use and benefits of supporting comprehensive control measures in Nigeria...*  
 ”

substances containing several chemicals that remain injurious to human health”.

“The harmful impact of tobacco use is what has motivated several countries to implement stringent control measures on the consumption and advertisement of tobacco. The devastating effects of tobacco use and or exposure to tobacco products cannot be overemphasised which underscored the need for its control in most jurisdictions,” he cautioned.

While in 2012 Nigeria's Global Adults Tobacco Survey (GATS) Country Report puts the tobacco prevalence rate in the country at 5.6 per cent (4.7million), the 2013 National Demographic and Health Survey reveals more unfavourable indices, stating that 92 per cent of Nigerian men engage in tobacco use.

Presenting the World Health Organisation (WHO) Framework Convention on Tobacco Control, Snr. Program Officer, CISLAC, Okeke Anya, noted that Convention was developed in response to the globalization of the tobacco epidemic.

“It is an evidence-based treaty that reaffirms the right of all people to the highest standard of health. The Convention represents a



*Cross-section of civil society groups at the meeting.*

milestone for the promotion of public health and provides new legal dimensions for international health cooperation,” he said.

According to him, parties to the Convention were seriously concerned about the increase in the worldwide consumption and production of cigarettes and other tobacco products, particularly in developing countries, as well as about the burden this places on families, on the poor, and on national health systems.

“They recognised that scientific evidence has unequivocally established that tobacco consumption and exposure to

tobacco smoke causes death, disease and disability, and that there is a time lag between the exposure to smoking and the other uses of tobacco products and the onset of tobacco-related diseases.

“The parties were also determined to promote measures of tobacco control based on current and relevant scientific, technical and economic considerations,” the Snr. Program Officer added.

He however, warned that though the enactment of a strong tobacco control law in Nigeria was an important step, the law must be effectively implemented to achieve its public health goals.

## Constitutional Amendments and Matters Arising (2)

*Continued from page 20*

diverted and used it in other means as revealed by ICPC.

Therefore, the issue of salaries and pension transferred from federal government to the state government but also be included in first line charge of the state government.

### Establishment of State Police

The Federal House of Representatives approved the establishment of state police in the 36 states of the federation and Federal Capital Territory Abuja. The bill seeks to alter section 214 of the constitution to provide for establishment of state and community police in the country which passed second reading in the house. The advantages of this bill are less than its disadvantages.

The bill will add more power which may be used to threat and harass opposition. Decentralisation of police will bring enormous threats to state government critics. It will encourage those states that are agitating for succession which is a threat to the unity and existence of Nigeria as a country.

Instead of creating the state police, the National Assembly should look into laws that will enhance the Nigerian Police Force while the state government should provide job opportunities, supporting community vigilant for improving security in the states.

The law makers should therefore, consider that the beneficial amendment of the constitution that promotes unity in diversity of the country, protects people's rights, ensure political stability, extends political participation to the grass roots.

*Cont. from back page*

20	HB. 661	A Bill for an Act to Amend the Motor Vehicles (Prohibition of tinted glass) Act, Cap. M21, Laws of the Federal Republic of Nigeria, and to increase some penalties and for other related matters	2017	Second reading	Hon. Jerry Alagbaoso
21	HB. 660	A Bill Or An Act To Repeal The Miscellaneous Offences Act, Cap. F30, laws of the federal republic of Nigeria, 2004 and or other related matters	2017	Second reading	Hon. Idris Ahmed Wase
22	HB. 549	A Bill For An Act To Provide For The Inclusion Of Major Indigenous Languages In Primary And Secondary Schools Curriculum In Nigeria And For Other Related Matters	2017	Second reading	Hon. Ayodele Oladimeji
23	HB. 379, 498, 552, 670	A Bill For An Act To Amend The Explosives Act, Cap. E18, Laws Of The Federation Of Nigeria, 2004 Relating To Their Regulations, Penalties For Defaulters, To Make Provisions For The Control Of Importation, Manufacture, Distribution, Storage, Possession, And Use Of Firecrackers And Explosives, To Repeal The Explosives Act, Cap. E18, Laws Of The Federation, 2004 And Re-Enact the explosives Act, 2016 to make comprehensive provisions for the use and control of explosives in Nigeria, and for other matters connected therewith	2017	Second reading	Hon. Rimamnde Shawulu Kwewum
24	HB. 1014	A Bill For An Act To Amend The Nigerian Technical Aid Corps Act Cap. N135 LFN, 2004 And For Related Matters	2017	First reading	Hon. Samuel Ikon
25	HB. 1015	A Bill For An Act To Provide For The Establishment Of The Directorate Of Technical Cooperation In Africa And For Related Matters	2017	First reading	Hon. Samuel Ikon
26	HB. 1016	A Bill For An Act To Provide For The Establishment Of The New Partnership For Africa's Development Commission	2017	First reading	Hon. Samuel Ikon
27	HB. 1017	A Bill For An Act To Establish The Pharmaceutical Technologists And Pharmacy Technicians Regulatory Board Of Nigeria To Be Vested With The Responsibility Of Determining Standards Of Knowledge And Skills To Be Attained By Persons Seeking To Become Pharmaceutical Technologist And Pharmacy Technicians And For Related Matters	2017	First reading	Hon. Mahmud A. mohammed
28	HB. 1018	A Bill For An Act To Establish The Federal College Of Dental Technology And Therapy To Provide For Courses Leading To Award Of Degrees, Diploma, And Certificates In The Dental Technology, Dental Therapy And For Related Matters	2017	First reading	Hon. Patrick Asadu
29	HB. 1019	A Bill for an Act to Provide for the Establishment of the Erosion Control Prevention Commission and Vest it with the Responsibility for the Prevention Control, Management and Redress of Erosion and for Related Matters	2017	First reading	Hon. Obinna Chidoka
30	HB. 713	A Bill For An Act To Provide For The Equitable, Beneficial, Efficient And Sustainable Development, Management, Use And Conservation Of Nigeria's Surface And Groundwater Resources, To Establish Institutional Arrangements For Nigeria's Water Resources Sector , To Regulate The Water Resource Sector And For Other Related Matters	2017	Second reading	Hon. Aliyu Ahman B. Pategi
31	HB. 691	A Bill For An Act To Repeal The Statutory Corporations Pensionable Officers (Retiring Age Limit) Act, Cap. S13, Laws Of The Federation Of Nigeria, 2004 And For Other Related Matters	2017	Second reading	Hon. Mohammed Umaru Bago
32	HB. 572	A Bill For An Act To Establish The Nigerian Marine Development Bank, Among Other Things To Carry On The Business Of Marine Credit Insurance And For Other Related Matters	2017	Second reading	Hon. Mohammed Garba Gololo
33	HBs. 936, 953	A Bill For An Act To Amend The Teachers Registration Council Of Nigeria Act, Cap. T5, Laws Of The Federation Of Nigeria, 2004 To Provide For The Change Of Name Of The Council, Regulating And Enforcing Compliance In Both Public And Private Schools With The Minimum Standard Requirement For Teachers Among Other Things And For Other Related Matters	2017	Second reading	Hon. Olamide Johnson Oni and Hon. Mohammed Garba Gololo
34	HB. 1022	Institute Of Environmental Practitioners Of Nigeria (Establishment) Bill	2017	First reading	Hon. Obinna Chidoka
35	HB. 1023	Federal Capital Territory, Kidnapping And Hostage Taking Act (Prohibition) Bill	2017	First reading	Hon. Samuel Ikon
36	HB. 1024	Chartered Institute Of Taxation Of Nigeria Act (Amendment) Bill	2017	First reading	Hon. Solomon Ahwinahwi
37	HB. 1025	Estate Surveyors and Valuers (Registration, etc) act (Amendment) Bill	2017	First reading	Hon. Hassan A. Omale
38	HB. 1026	Sheriffs And Civil Processes Act (Amendment) Bill	2017	First reading	Hon. Dozie F. Nwankwo
39	HB. 662	A Bill For An Act To Amend The Ministers Statutory Powers And Duties (Miscellaneous Provisions) (Amendment) Act, Cap. M14, Laws Of The Federation Of Nigeria, 2004 To Delete The Provision Requiring A Minister Who Delegates Any Of His Powers Or Duties Under The Act To Notify Of Such Delegation In The Federal Gazette And Replace The Requirement With A Written Notice And For Other Related Matters	2017	Second reading	Hon. Umar Buba Jibril
40	HBs. 64, 332, 400	A bill for an act to repeal and re-enact the oil and gas export free zone authority act to provide for the designation and establishment of oil and gas free zones and special investment areas in Nigeria; establishment of the oil and gas investment and free zones authority, a bill for an act to amend the oil and gas export free zones authority act, cap. O5, laws of the federation of Nigeria, 2004 with a view to providing for the designation and establishment of oil and gas free zones and sub-zones in Nigeria and a bill for an act to repeal	2017	Second reading	Hon. E. Y Orker-Jev, Hon. Uzoma Nkem Abonta, Hon. Darlington Nwokocho, and Hon. Sylvester Ogbaga

# BILLS UPDATE (MAY, 2017)

Compiled by CISLAC

S/N	BILL NO	BILL NAME	YEAR	STAGE	SPONSOR(S)
1	HB. 398	A Bill To Amend The Pension Reform Act, 2014 to exclude Members of the Nigerian Police, the Nigerian Security and Civil Defence Corps, Nigeria Customs Service, Nigerian Prison Service, Nigerian Immigration Service, and Economic and Financial Crimes Commission from the Application of the Contributory Pension Scheme; and Other Related Matters.	2017	Second reading	Hon. Oluwole Oke
2	HB. 474	A Bill for an Act to Establish the National Food Reserve Agency for the Purposes of Facilitating Food production, processing, storage and marketing of food and grains and other commodities for strategic purposes and other related matters	2017	Second reading	Hon. Munir Dan Agundi
3	HB. 993	A Bill for an Act to Amend the Flag and Coats of Arms, Cap. F 30, Laws of the Federation of Nigeria, 2004 to Regulate the Display and Use of the National Flag, Certain Flags and the National Coats of Arms and for Other Related Matters.	2017	Second reading	Hon. Samuel Ifeanyi Onuigbo
4	HB. 767	A Bill For An Act To Provide For The Regulations Of Arbitrary Change Of Name In Nigeria And, In Exceptional Cases, Provide For The Procedure To Change Name In Nigeria, Offences And Penalties For Violations And For Other Related Matters	2017	Second reading	Hon. Gyang Istifanus Dung
5	HB. 647	A Bill for an act to amend the council of ministers (evidence) act, cap. C12, Laws of the federal republic of Nigeria, 2004 to make the provisions of the act apply to the federal executive council and for other related matters.	2017	Second reading	Hon. Gideon Gwani
6	Hb. 692	A Bill To Make Provisions For The Prohibition Of Stigmatization Of Persons Who Are Victims Of Insurgency Of Militancy From Reintegration Within The Community And To Provide For The Prosecution And Punishment Of Any Person Or Group Of Persons Who Stigmatize Such Victims With A View To Upholding And Projecting Their Fundamental Rights To Dignity And Free Association As Provided By The Constitution Of The Federal Republic Of Nigeria, 1999 And For Other Related Matters	2017	Second reading	
7	SB. 147	A Bill For An Act To Amend The National Youth Service Corps Act CAP N84 LFN 2004 To Provide For Free And Compulsory Acquisition Of Vocational Skills By Corps Members And For Such Related Matters	2017	Second reading	Sen. Stella Oduah
8	SB. 133	A Bill For An Act To Provide For The Establishment Of Federal Entrepreneurship Centres At Local Government Areas And For Other Related Matters Connected Thereto	2017	Second reading	Sen. Mao Ohuabunwa
9	SB. 376	A Bill For An Act To Make Comprehensive Provisions For The Confiscation, Forfeiture, And Management Of Proceeds Of Crime Derived From Unlawful Activities And For Connected Matters	2017	Second reading	Sen. Mohammed Hassan
10	SB. 195	A Bill For An Act To Provide For Reporting, Managing, And Enforcing Of Unclaimed Funds To Establish The Unclaimed Funds Regulatory Authority And The Unclaimed Funds Regulatory Trust Fund	2017	Second reading	Sen. Robert Boroffice Sen. Mustapha Bukar
11	SB. 396	A Bill For An Act To Provide For The Establishment Of The Chartered Polymer Institute Of Nigeria And For Other Matter Connected Thereto	2017	Second reading	Sen. Chukwuka Utazi
12	SB. 285	A Bill For An Act To Establish And Regulate The Nigerian Assets Management Agency Charged With The Responsibility Of Managing All Government Assets Including Those Seized, Forfeited Or Taken Over By The Federal Government Bodies Such As ICPC, EFCC, Police, Customs, NSCDC	2017	Second reading	Sen. Mustapha Bukar
13	SB. 153	A Bill For An Act To Provide For The Establishment Of National Institute Of Credit Administration And For Other Matters Connected Therewith	2017	Second reading	Sen. Ben Murray Bruce
14	SB. 338	A Bill For An Act To Regulate The Manufacture, Importation, Distribution And Quality Control Of Fertilizer In Nigeria And For Other Related Matters	2017	Second reading	Sen. Abdullahi Adamu
15	SB. 144	A Bill For An Act To Repeal The National Directorate Of Employment Act CAP N28 LFN 2004 And To Establish The National Youth Employment And Development Agency To Provide For The Promotion, Coordination And The Employment Of Youths Throughout Nigeria And For Other Related Matters	2017	Second reading	Sen. Bassey Albert Akpan
16	SB. 371	A Bill For N Act To Establish The Society Safety Nets Service To Provide For Reduction Of Hard-Core Poverty Among Rural And Urban Vulnerable Groups, Sustainable Development Goals And Implementation Of Social Protection Systems And Measure In Nigeria And For Other Related Matters	2017	Second reading	Sen. Rilwan Akanbi
17	HB. 682	A Bill For An Act To Amend The Animal Diseases (Control) Act, Cap. A17, Laws Of The Federal Republic Of Nigeria, 2004 To Increase Some Penalties And For Other Related Matters	2017	Second reading	Hon. Ahmed Babba Kaita
18	HB. 799	A Bill for an Act to Amend the School Year (Variation) Act, Cap. S2, Laws of the Federal Republic of Nigeria, 2004 to Streamline School Year for Schools and Colleges in Nigeria and for Other Related Matters	2017	Second reading	Hon. Chukwuka W. Onyema
19	HB. 681	A Bill For An Act To Amend The Law Officers Act, Cap. L8, Laws Of The Federal Republic Of Nigeria, 2004 To Provide For The Appointment Of Law Officers And Their Entitlements To Practice In The Courts Of Nigeria As Well As The Limit To The Powers Of The Solicitor - General Of The Federation And For Other Related Matters	2017	Second reading	Hon. Bola Ayorinde

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