

Extraordinary



Federal Republic of Nigeria Official Gazette

No. 46

Lagos - 10th March, 2023

Vol. 110

Government Notice No. 30

The following is published as supplement to this *Gazette* :

<i>Act No.</i>	<i>Short Title</i>	<i>Page</i>
11	National Assembly Library Trust Fund (Establishment) Act, 2022	.. A287-300

Printed and Published by The Federal Government Printer, Lagos, Nigeria
FGP 52/42023/1,20

Annual Subscription from 1st January, 2023 is Local : ₦50,000.00 Overseas : ₦65,000.00 [Surface Mail] ₦80,000.00 [Second Class Air Mail]. Present issue ₦3,000 per copy. Subscribers who wish to obtain *Gazette* after 1st January should apply to the Federal Government Printer, Lagos for amended Subscriptions.

A 286

2023 No. 11

*National Assembly Library Trust Fund
(Establishment) Act, 2022*

**NATIONAL ASSEMBLY LIBRARY TRUST FUND
(ESTABLISHMENT) ACT, 2022**



ARRANGEMENT OF SECTIONS

Section :

1. Objectives
 2. Establishment of the National Assembly Trust Fund
 3. Sources of the revenue of the Trust Fund
 4. Purposes of the Trust Fund
 5. Functions of the Trust Fund
 6. Establishment of the Trust Fund Board of Trustee
 7. Cessation of office
 8. Functions of the Board of Trustees
 9. Powers of the Board of Trustees
 10. Establishment of National Assembly Library Trust Fund project implementation committee
 11. Appointment of the Executive Secretary and other staff of the Trust Fund
 12. Functions of the Executive Secretary
 13. Removal of the Executive Secretary
 14. Staff of the Board of Trustees
 15. Pension and gratuity
 16. Fund of the Trust Fund
 17. Accounts of the Trust Fund
 18. Estimates of expenditure
 19. Account and audit
 20. Bi-yearly report
 21. Annual report
 22. Power of the President to issue directives
 23. Transitional and savings provisions
 24. Regulations
 25. Interpretation
 26. Citation
- SCHEDULE

A 288

2023 No. 11

*National Assembly Library Trust Fund
(Establishment) Act, 2022*

**NATIONAL ASSEMBLY LIBRARY TRUST FUND
(ESTABLISHMENT) ACT, 2022**

ACT No. 11

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

[8th Day of February, 2023]

Commence-
ment

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

1. The objective of this Act is to provide a legal framework for the management and control of the special intervention fund established under section 3 of this Act for research and retraining of legislators and staff of the National Assembly and for the provision of state of the art library, that is well stocked with relevant resources, fully functioning equipment and other related facilities for the enhancement of the research skills of the legislators and staff of the National Assembly in the handling of the process of law making and the functions of the National Assembly Library.

Objectives

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
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 revenue of the Trust Fund shall consist of —

Sources of
the Revenue
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 Act by the National Assembly in the budget ;

(c) aids, grants and assistance from international bilateral and multilateral agencies, non-governmental organisations and the private sector ;

(d) grants, donations, endowments, bequests and gifts, whether of money, information, resources, land or any other property from any source ;

(e) money derived from investment made by the Trust Fund.

(2) Subject to subsection (1) (d) and (e) the Trust Fund shall not accept any aid, grant, donation or gift where the terms and conditions attached to the aid, grant, donation or gift are inconsistent with the objective of the Trust Fund and the provisions of this Act.

Purposes
of the
Trust Fund

4. The Trust Fund shall be utilised —

(a) for procurement of library equipment for the purposes of training and re-training needs of the legislators and staff of the National Assembly ;

(b) for the enhancement of the research skills of the legislators and staff of the National Assembly, for improved proficiency in law making ;

(c) for the overall improvement, performance and efficiency in the discharge of the duties and responsibilities of the National Assembly Library ;

(d) to finance the procurement of information resources (print and electronic books, periodicals, pamphlets, newspapers, maps, musical scores, films and recordings), instructional materials, training equipment and all forms of infrastructure, including buildings for use of National Assembly Library ; and

(e) to supplement all budgetary appropriation with projects as regards to the library and not limited to the construction of the National Assembly Library.

Functions
of the
Trust Fund

5. The Trust Fund shall —

(a) receive all money accruing to it under this Act ;

(b) utilise all money accruing to the Trust Fund under this Act to meet the stated objective of this Act ; and

(c) carry out such other activities considered necessary for the attainment of the objective of this Act.

Establishment
of the Trust
Fund Board
of Trustees

6.—(1) There is established the National Assembly Library Trust Fund Board of Trustees (in this Act referred to as “the Board of Trustees”).

(2) The Board of Trustees shall consist of —

(a) the President of the Senate ;

(b) the Speaker of the House of Representatives ;

(c) past President of the Senate provided that he was not removed from office ;

(d) past Speaker of the House of Representatives provided that he was not removed from office ;

(e) the Chairman of the Committee in each House charged with the responsibility of overseeing the National Assembly Library ;

(f) the Deputy Chairman of the Committee in each House charged with the responsibility of overseeing the National Assembly Library ;

(g) the past Chairman of the Committee in each House charged with the responsibility of overseeing the National Assembly Library provided that he was not removed from office ;

(h) the Clerk to the National Assembly or his representative not below the rank of a Secretary or its equivalent ;

(i) a representative each of —

(i) International Development Partners,

(ii) National Institute for Legislative and Democratic Studies, and

(iii) the organised private sector,

(j) a representative of the Central Bank of Nigeria (CBN) ;

(k) a person appointed by the President of the Senate ;

(l) a person appointed by the Speaker of the House of representatives ; and

(m) the Executive Secretary, appointed by the Board to serve as the Secretary.

(3) The position of the Chairman of the Board of Trustees shall be rotated between the President of the Senate and the Speaker of the House every two years commencing from the date of inauguration of the Board.

(4) A member of the Board of Trustees other than an ex-officio member —

(a) shall be appointed by the President of the Senate and the Speaker of the House of representatives ;

(b) shall hold office for four years in the first instance ; and

(c) may be reappointed for another four years and no more.

7.—(1) A member of the Board of Trustees ceases to hold office if he —

(a) becomes of unsound mind ;

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

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

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

Cessation
of office

(2) A member of the Board of Trustees may be removed from office by the President of the Senate and the Speaker of the House of Representatives if they are satisfied that it is not in the interest of the Trust Fund or public that the member should continue in that office.

(3) A member of the Board of Trustees, other than ex-officio members, may resign his appointment by a notice in writing addressed to the President of the Senate and the Speaker of the House of Representatives.

(4) Where a vacancy occurs in the membership of the Board of Trustees, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor and the successor shall —

(a) represent the same interest ; and

	<p>(b) be appointed by the President of the Senate and the Speaker of the House of Representatives.</p>
Schedule	<p>(5) The provisions of the Schedule to this Act shall have effect with respect to the meetings and proceedings of the Board of Trustees and other related matters.</p>
Functions of the Board of Trustees	<p>8. The Board of Trustees is responsible for —</p> <p>(a) setting out the policies and programmes for the research training and re-training of legislators and staff of the National Assembly ;</p> <p>(b) approving the disbursement of money from the Trust Fund to finance projects or activities of the National Assembly Library ;</p> <p>(c) scrutinising and approving projects which qualify for financing under the Act ;</p> <p>(d) exercising control over the management of the Trust Fund with a view to ensuring accountability and proper utilisation of money in the Trust Fund for the purposes set out in this Act ;</p> <p>(e) carrying out such other activities as are considered necessary for the attainment of the objective of this Act ;</p> <p>(f) updating the President of the Senate, the Speaker of the House of Representatives, and the Committee in each House charged with the responsibility of overseeing the National Assembly Library, on its activities and progress through annual and audited reports ;</p> <p>(g) reviewing progress and suggesting improvement within the provisions of this Act ;</p> <p>(h) making and issuing guidelines, to all legislators and staff of the National Assembly on disbursement from the Trust Fund on the use of money received from the Trust Fund ; and</p> <p>(i) generally regulating the administration, application and disbursement of money from the Trust Fund under this Act.</p>
Powers of the Board of Trustees	<p>9.—(1) The Board of Trustees has powers to —</p> <p>(a) award contracts of any kind or description for any amount, whether in local or foreign currency in conformity with the due process requirements as provided under any law, rule, guideline or regulation ; and</p> <p>(b) invest money accruing to the Trust Fund and approve the utilisation of the returns on investment in the same way as money accruing to the Trust Fund.</p>

(2) In the discharge of its duty under this Act, the Board of Trustees shall —

(a) through the National Assembly Directorate of Library and Research, identify the funding needs of the National Assembly Library for the enhancement of the performance of the legislature ;

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

(c) oversee the implementation of projects of the National Assembly Library financed through money accruing to the Trust Fund ;

(d) enter into public-private partnership and private finance initiative arrangements and agreements necessary for the National Assembly Library projects execution ;

(e) be entitled to one vote each on the Board of Trustees and simple majority of all Board of Trustees members shall be necessary for a decision ; and

(f) in case of equality of votes, the Chairman or any other member performing the functions of the Chairman shall have a second or deciding vote.

10.—(1) For the purpose of implementing any project approved by the Board of Trustees under this Act, there is established the National Assembly Library Trust Fund Project Implementation Committee (in this Act referred to as “the Implementation Committee”).

Establishment
of National
Assembly
Library
Trust Fund
Project
Implementation
Committee

(2) The Implementation Committee shall consist of —

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

(b) Chairman of the Committee in each House charged with the responsibility of overseeing the National Assembly Library ; and

(c) such other members, not exceeding four in number with proven integrity, appointed by the Board of Trustees.

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

11.—(1) The President of the Senate and the Speaker of the House of Representatives shall appoint the Secretary for the Trust Fund who shall be referred to as the Executive Secretary.

Appointment
of the
Executive
Secretary
and other
staff of the
Trust Fund

(2) The Executive Secretary shall —

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

	<p>(b) qualifications and experience as are appropriate for a person required to perform the functions of that office under this Act.</p> <p>(3) The Executive Secretary shall hold office —</p> <p>(a) for a single term of five years which shall not exceed one year of the subsequent Assembly in which he was appointed ; and</p> <p>(b) on such other terms and conditions as may be specified in his letter of appointment.</p>
Functions of the Executive Secretary	<p>12. The Executive Secretary —</p> <p>(a) is to be the Chief Executive and Accounting Officer of the Trust Fund ;</p> <p>(b) is to be responsible for the administration of the Trust Fund ;</p> <p>(c) is to be the Secretary to the Board of Trustees ;</p> <p>(d) shall keep proper records of the proceedings of the Board of Trustees ;</p> <p>(e) shall work closely with the Implementation Committee in discharging such duties and responsibilities as may be assigned to him by the Board of Trustees ;</p> <p>(f) is in charge of the general direction and control of all other employees of the Trust Fund ;</p> <p>(g) discharge such other duties as may be directed by the Board of Trustees ; and</p> <p>(h) shall produce and implement the strategic plan as approved by the board.</p>
Removal of the Executive Secretary	<p>13.—(1) The Executive Secretary may be removed from office by a resolution of the National Assembly where any circumstances arise which in the opinion of the President of the Senate and Speaker of the House of Representatives makes the Executive Secretary no longer capable of discharging the duties and responsibilities of his office.</p> <p>(2) A person appointed as the Executive Secretary to replace the former Executive Secretary shall serve the unexpired term of his predecessor in office or the remainder of the term of the Trust Fund, whichever is shorter.</p>
Staff of the Board of Trustees	<p>14.—(1) The Board of Trustees shall with the approval of the National Assembly Service Commission, appoint such other staff as it may deem necessary to assist the Executive Secretary to perform his functions under this Act.</p> <p>(2) The terms and conditions of services (including terms and conditions as to the remuneration, payment of allowances and other benefits) of the staff</p>

of the Trust Fund shall be in accordance with the general condition of service obtainable in the National Assembly Service.

(3) The Board of Trustees shall with the approval of the National Assembly Service Commission, appoint, either on transfer or secondment from the Public Service of the Federation or a State, such number of staff required for the effective discharge of the duties of the Trust Fund under this Act.

15. Service under the Trust Fund shall be pensionable service under the Pension Reform Act provided that nothing in this section shall exclude the Trust Fund from employing staff on non-pensionable terms and conditions.

Pension and
gratuity
Act No. 4,
2014

16.—(1) There is established a general fund for the Trust Fund (in this Act referred to as “the Fund”) for the administration of the Trust Fund.

Fund of the
Trust Fund

(2) The Fund shall consist of —

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

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

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

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

Accounts
of the
Trust Fund

(2) The Board of Trustees shall also open and maintain an account with the Central Bank of Nigeria (CBN) for the Trust Fund into which shall be paid money received for management of the Trust Fund under section 3 of this Act.

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

(4) The Board of Trustees shall apply the proceeds of —

(a) the Trust Fund for the purposes set out in section 4 of the Act ; and

(b) the money referred to in subsection (2) to meet the cost of administration, including payment of salaries, fees, other remunerations and allowances payable —

(i) to members of the Board of Trustees and employees of the Trust Fund, and

(ii) for payment of experts, professionals and consultants engaged by the Board of Trustees for Trust Fund.

Estimates of expenditure	18. The Board of Trustees shall, not later than 30th June of every year, submit to the President of the Senate, the Speaker of the House of Representatives and the oversighting committee an estimate of its income and expenditure of the succeeding year.
Account and audit	19. The Board of Trustees shall cause to be kept for the Trust Fund proper accounts and Account and audit records and when certified by the Board of Trustees, these accounts shall be audited by auditors appointed from the list supplied by the Auditor-General of the Federation and in accordance with the guidelines supplied by the Auditor-General of the Federation.
Bi-yearly report	20. The Board of Trustees shall, at the end of every six months, submit to the President of the Senate and Speaker of the House of Representatives, and the Committee in each House responsible for overseeing the National Assembly Library, a report on its activities and the administration of the Trust Fund.
Annual report	21. The Board of Trustees shall, not later than six months before end of each year, submit to the President of the Senate, the Speaker of the House of Representatives and the Committee in each House responsible for overseeing the National Assembly Library, a report on the activities and the administration of the Trust Fund during the preceding year and shall include in such reports the auditor's report.
Power of the President to issue directives	22. The President of the Senate and the Speaker, House of Representatives may give to the Board of Trustees directives of a general nature with regard to the performance by the Board of Trustees of its functions under this Act for compliance by the Board of Trustees.
Transitional and savings provisions	23. From the commencement of this Act, any — <p>(a) asset liability or property which belong to the National Assembly Library Project Limited shall be vested in the National Assembly Library Trust Fund ; and</p> <p>(b) appointment, contract or transaction made by the National Assembly Library Project Limited shall be deemed to have been made by the National Assembly Library Trust Fund.</p>
Regulations	24. The Board of Trustees may, with the prior approval of the Leadership, make such regulations deemed necessary or expedient for giving full effect to the provisions of this Act.
Citation	25. In this Act — <p>“<i>Board</i>” means the National Assembly Library Trust Fund Management Board of Trustees, established under section 6 of this Act ;</p>

“*committee*” means standing committee, or any special ad-hoc committee established by either or both Houses, charged with the responsibility of carrying out oversight functions on the National Assembly Library Trust Fund established under this Act ;

“*due process*” means compliance with extant financial rules and regulations on public procurement of goods, works and services ;

“*Executive Secretary*” means the Executive Secretary of the Trust Fund appointed under section 13 (1) of this Act ;

“*National Assembly Library Project LTD/GTE*” means the company with registration number 1955907, incorporated under the Laws of the Federal Republic of Nigeria with registered office at the Three Arms Zone, National Assembly Complex, Abuja, Nigeria ;

“*past Chairman, past Deputy Chairman, past President of the Senate and past Speaker of the House of Representatives*” means the occupiers of these offices in the just concluded immediate past National Assembly ;

“*Staff*” means officers of the National Assembly Library ;

“*Trust Fund*” means the National Assembly Library Trust Fund established under section 3 (1) of this Act ; and

“*Investments*” means tangible and intangible property that can be bought or money put to use to get future interest locally or intentionally, established under section 3 of this Act.

26. This Act may be cited as the National Assembly Library Trust Fund (Establishment) Act, 2022. Citation

SCHEDULE

Section 9 (5)

SUPPLEMENTARY PROVISIONS RELATING TO THE
PROCEEDINGS OF THE BOARD

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

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

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

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

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

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

Committees

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

8. A committee set up under paragraph 7 shall consist of such number of persons (not necessarily members of the Board of Trustees) as may be determined by the Board of Trustees, and the person, other than a member of the Board of Trustees, shall hold office on the committee in accordance with the terms of his appointment.

9. A decision of a committee of the Board of Trustees is of no effect until it is confirmed or ratified by the Board of Trustees.

Miscellaneous

10. The affixing of the seal of the Trust Fund shall be authenticated by the signature of the Chairman or of any other person authorised generally or specially to act for that purpose by the Board of Trustees.

11. Any contract or instrument made or executed by a person not being a body corporate, that would not be required to be under seal may be made or executed on behalf of the Board of Trustees by the Chairman or any person generally or specifically authorised to act for that purpose by the Board of Trustees.

12. Any document purporting to be a document duly executed under the seal of the Trust Fund shall be received in evidence and is, unless the contrary is proved, presumed to be so executed.

13. The validity of any proceeding of the Board of Trustees or committee is not adversely affected by —

(a) any vacancy in the membership of the Board of Trustees or committee ;

(b) any defect in the appointment of a member of the Board of Trustees or of a committee ; or

(c) reason that a person not entitled to do so took part in the proceedings of the Board of Trustees or committee.

I, certify, in accordance with section 2 (1) of the Acts Authentication Act, Cap. A2, Laws of the Federation of Nigeria 2004, that this is a true copy of the Bill passed by both Houses of the National Assembly.

OJO O. A., fnia, fcia
Clerk to the National Assembly
9th Day of January, 2023.

EXPLANATORY MEMORANDUM

This Act establishes 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 Library.

SCHEDULE TO THE NATIONAL ASSEMBLY LIBRARY TRUST FUND (ESTABLISHMENT) BILL, 2022

(1) <i>Short Title of the Bill</i>	(2) <i>Long Title of the Bill</i>	(3) <i>Summary of the Contents of the Bill</i>	(4) <i>Date Passed by the Senate</i>	(5) <i>Date Passed by the House of Representatives</i>
National Assembly Library Trust Fund (Establishment) Bill, 2022.	An Act to establish the National Assembly Library Trust Fund for the purpose of research, provision of library equipment, and related facilities in order to enhance the research of legislators and staff of the National Assembly ; and for related matters.	This Bill establishes the National Assembly Library Trust Fund for the purpose of research, provision of library equipment, and related facilities in order to enhance the research of legislators and staff of the National Assembly.	13th December, 2022.	8th December, 2022.

I certify that this Bill has been carefully compared by me with the decision reached by the National Assembly and found by me to be true and correct decision of the Houses and is in accordance with the provisions of the Acts Authentication Act Cap. A2, Laws of the Federation of Nigeria, 2004.

I ASSENT



Ojo O. A., fnia, fcia

Clerk to the National Assembly

9th Day of January, 2023.

MUHAMMADU BUHARI, GCFR

President of the Federal Republic of Nigeria

8th Day of February, 2023.