

# A BILL

## FOR

AN ACT TO AMEND THE PETROLEUM PRODUCTS PRICING REGULATORY AGENCY (ESTABLISHMENT, ETC.) ACT CAP 8 LFN FOR THERE TO BE PRICING DIFFERENTIAL BASED ON DISTANCE AND LOGISTIC AND FOR THERE TO BE IN THE GOVERNING COUNCIL ONE REPRESENTATIVE FROM EACH STATE OF THE FEDERATION AND FOR THE POSITION OF THE EXECUTIVE SECRETARY TO BE ROTATED AMONG THE SIX GEO POLITICAL ZONE WITH A TENURE OF 3 YEARS NOT RENEW ABLE AND FOR ALL MEMBERS OF THE GOVERNING COUNCIL TO HOLD OFFICE FOR A TENURE OF 3 YEARS NON-RENEW ABLE AND FOR THE FEDERAL GOVERNMENT BY THE 2ND SCHEDULE OF THIS ACT TO PRIVATIZE ALL REFINERIES WITHIN 12 MONTHS OF THIS ACT AND FOR RELATED MATTERS, 2019

*Sponsored by Hon. Oghene Emma Egoh*

[ ] Commencement

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

- 1           **1. The Petroleum Products Pricing Regulatory Agency** Amendment of
- 2           (Establishment, etc.) Act Cap 8 LFN herein referred to as "the Act" is hereby the Principal Act
- 3           amended as follows: Cap. 8 LFN, 2003
- 4           **2. Section 2(b) is amended by adding xxvi to section 2(b) and** Amendment of
- 5           reads as follows: Section 2 of the
- 6           2(b)(xxvi) one representative from each state of the Federation. Principal Act
- 7           **3. Section 3 of the Act is amended by deleting (a) and (b) and** Amendment of
- 8           rearranged as (a) thus: Section 3 of the
- 9           (3) Tenure of office, etc. Principal Act
- 10          (a) The Chairman and other members of the Board shall hold office
- 11          for three years nonrenewable.
- 12          While (3)(c) becomes (3)(b).

Amendment of  
Section 4(1) of  
the Principal Act

1                   4. Section 4(1) of the Act is amended by deleting 4(1) and rearranged  
2 as follows:

3                   (5) The appointing authority may, at any time by a notice in writing  
4 remove any member of the board from his office if:

5                   (a) he becomes of unsound mind;

6                   (b) he becomes bankrupt or makes a compromise with his creditors;

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

8                   (d) he is guilty of serious misconduct in relation to his duties;

9                   (e) he is unable to perform the functions of his office;

Amendment of  
Section 7 of the  
Principal Act

10                  5. Section 7 of the Principal Act is amended by providing a proviso  
11 and arranged as follows:

12                  In determining the pricing policy of petroleum products, the Agency  
13 shall vary prices from state to states. States that are closer to the depot shall sell  
14 higher price, taking into cognizance the cost of transporting the petroleum  
15 products from depot to distant states

Amendment of  
Section 8 of the  
Principal Act

16                  6. Section 8(3)(a) is amended by deleting "four," and replacing it  
17 with 'Three' and also deleting "in the first instance and may be appointed for a  
18 further term years and no more" to be replaced with "nonrenewable" which  
19 shall be arranged as follows:

20                  8(3)(a) for a term of three years nonrenewable; and

21                  8(3)(b) is amended by deleting "on such terms and conditions as may  
22 be specified in his letter of appointment" and replaced with "the position of the  
23 Executive Secretary shall be rotated among the six geo political zones" which  
24 shall be arranged as follows:

25                  8(3)(b) the position of the Executive Secretary of the Agency shall be  
26 rotated among the six geo political zones.

Amendment of  
Section 13 of the  
Principal Act

27                  7. Section 13 of the Principal Act is amended by deleting the content  
28 of the section and replacing it with a new content and arranged as follows;

29                  (13) The Agency shall prepare and submit to the National Assembly  
30 and the Federal Executive Council through the President, not later than six

1 months after the end of each year, a report in such form as he may direct on  
2 the activities of the Agency during the immediate proceeding year, and shall  
3 include in such report a copy of the audited accounts of the Agency for that  
4 year and the auditor's report on the account

5 8. The Federal Government shall by the second schedule of this  
6 Act privatize all refineries within 12 months of this Act.

12 months deadline  
to implement  
schedule 2

7 9. This Bill may be cited as Petroleum Products Pricing  
8 Regulatory Agency (Establishment, etc.) (Amendment) Bill, 2019.

Citation

EXPLANATORY NOTE

This Bill seeks to amend the Petroleum Products Pricing Regulatory Agency/  
(establishment, etc.) Act cap 8 LFN for there to be pricing differential of  
petroleum product based on distance and logistic and for there to be in the  
governing council one representative from each state of the federation and  
for the position of the executive secretary to be rotated among the six geo  
political zone with a tenure of 3 years not renewable and for all the member  
of the governing Board of the Agency to hold office for a tenure of 3 years  
non-renewable and for the federal government to abide by the 2nd schedule  
of this Act to privatize all refineries within 12 months of this act.

Above all, this Bill seeks to enthrone transparency in the accounts of the  
Agency by mandating the Agency to give National Assembly reports and  
audited account of the Agency. Under the Principal Act, only the president  
has access to the audited account of the Agency.

It should also be noted that the second schedule of the Principal Act has it  
that the federal government should privatize all refineries since 2003 but it is  
yet to be implemented.

