A BILL

FOR

AN ACT TO ESTABLISH A NATIONAL POVERTY ERADICATION PROGRAMME
AND TO PROVIDE FOR RELATED MATTERS

Sponsored by Hon. Olufemi Bandele Adebanjo

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

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Establishment, seal and functions of the Programme

1.-(1) There is established a Programme to be known as the
National Poverty Eradication Programme

(2) The Programme shall have perpetual succession and a common
seal and may sue or be sued in its corporate name, and may, in connection
with the purposes of this Act purchase, hold, manage and dispose of any
property, and enter into such contracts, as may be necessary or expedient.

(3) The headquarters of the Programme shall be at Abuja with
centers in any other geopolitical zones or states as the board way direct

2. Function of the Programme shall be:

. (1) to nurture and grow new and small businesses, products,
innovations and entrepreneurs by supporting them through the early stages
of development for poverty eradication;

(2) to advise and promote policy and programmes regarding the
eradication of poverty in Nigeria;

(3) to ensure proper planning and coordination of all poverty-based
programmes within the broad guidelines of the programme of action;

(4) to regularly review and identify obstacles to the
implementation of the programme of action and to advise on feasible
solutions to overcome them;

(5) to monitor and evaluate programmes and activities of the
programme of action;
(6) to mobilise and evaluate programmes and activities of the
programme of action;
(7) to advise on programmes and budgets for the implementation of
the programme of action;
(8) to act as a clearinghouse for information and data on the situation
of poverty and activities designed to benefit poverty in Nigeria;
(9) to disseminate research and development findings on the needs
and problems of poverty through seminars, workshops, publications and other
means of communication;
(10) to work in close cooperation with and to coordinate the activities
of all persons, institutions, sectors and organisations, involved in poverty-
based activities;
(11) to grant credit facility to the poor
(12) do such other things as are necessary or incidental to the effective
performance of the foregoing functions of the Programme.

The Board

3.-(1) There is hereby established for the Programme a governing
board which shall consist of the following members to be appointed by the
President:
(a) The Chairman who shall be a person with wide knowledge and
distinction in one or more in the fields of small businesses, products,
inventions and entrepreneurs
(2) The appointment of the six part-time members from the six geo-
political zones who shall have wide knowledge and distinction in one or more
in the fields of small businesses, products, innovations and entrepreneurs.
(3) The following are ex officio members of the Board:
(a) (i) the Federal Ministry of Industry;
(ii) the Federal Ministry of Science and Technology;
(iii) the National Planning Commission;
(iv) the Agricultural or Industrial Research Institutes;
(v) the Indigenous Fabricators and Manufacturers of Machinery;
(vi) the Federal Ministry of Finance;
(vii) the Development Banks for Small and Medium Scale Industries;
(viii) the Bank of Industry;
(ix) the Manufacturers' Association of Nigeria;
(x) the National Association of Small Scale Industries (NASSI);

and

(b) the Director-General of the Agency.

(4) There shall be a Secretary to the Board who shall be appointed by the Board:

(i) the Executive Secretary of the Council who shall be an ex-officio member with no voting right.

(5) Any member of the board may resign his or her office by writing under his or her hand addressed to the Minister, or may be removed from office by the Minister for inability to perform the functions of his or her office or for any other sufficient reason.

(6) Any member of the board ceasing to hold office shall be eligible for reappointment for one more time and that shall be final.

4.- (1) The board shall meet for the discharge of its functions under this Act at least once every month at such time and place as the chairperson may appoint or upon the request in writing of three members of the board.

(2) The chairman shall preside at all meetings of the board, and in his or her absence such member of the board as the members present shall appoint shall preside.

(3) The board may invite any number of persons to act as consultants or advisers at any of its meetings as it may think fit:

(4) Questions proposed at a meeting of the board shall be determined by a simple majority of the members of the board present and
voting; and in the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.

(5) Four members shall form a quorum.

(6) Any member of the board who has any personal interest in any transaction of the board or any matter before the board shall disclose the nature of his or her interest to the board and shall be disqualified from taking part in the deliberations of the board with respect to that transaction or matter; and the failure to make any disclosure required by this section may constitute a sufficient reason for the removal of the member from the board.

(7) Subject to subsections (1) to (6), the board may regulate its own procedure.

5. The chairman and the other members of the board and any other person attending any meeting of the board may be paid such remuneration or allowances as the Minister may, after consultation with the Minister responsible for finance, determine.

Staff

6.(1) The Programme shall have a secretary and other senior management staff who shall be appointed by the Minister for such period and upon such terms and conditions as the Minister may determine.

(2) The general manager shall devote his or her full time to the affairs of the Programme.

(3) Subject to this Act and to the general control of the board on matters of policy, the general manager shall be responsible for the management of the funds, property and business of the Programme and for its administration and organisation and the control of the staff of the Programme.

7.(1) The board may, subject to section 7, from time to time, and on such terms and conditions as it thinks fit, appoint such officers and employees as may be necessary for the proper and efficient discharge of the functions of the Programme, and may also delegate to the general manager either alone or
together with other persons the power to appoint such class of employees as
it may specify.

(2) Public officers may be seconded to the Programme or otherwise
give assistance to it.

(3) The board may grant pension, gratuities or retiring benefits to
the officers and other employees of the Programme and may require them to
contribute to any pension, provident fund or superannuation scheme.

(4) No matter or thing done by any employee of the Programme
shall if it is done bona fide for the purposes of executing any provision of this
Act subject any such employee or any person acting by his or her direction to
any civil liability.

Financial provisions

8.—(1) The funds of the Programme shall consist of:

(a) any grant from the Government of a capital nature;

(b) any loan raised by the Programme for the purposes of its
functions under this Act;

(c) any monies that may become payable to the Programme in the
discharge of its functions under this Act;

(d) any fund made to the Programme by annual budget

9.—(1) The Programme may, subject to the approval of the Minister
in consultation with the Minister responsible for finance, borrow sums
required by it for meeting any of its obligations or discharging any of its
functions under this Act.

(2) An approval given under subsection (1) may be either general
or limited to a particular borrowing or otherwise and may be either
unconditional or subject to conditions.

(3) A person lending money to the Programme shall not be bound to
inquire whether the borrowing of money is within the power of the
Programme.
10.-(1) The Programme shall, within such period from the end of each 
financial year as the Minister shall determine, make and submit to the Minister 
for his or her approval estimates of the income and expenditure of the 
Programme for the next ensuing year.

(2) No expenditure shall be made out of the funds of the Programme 
unless the expenditure has been approved by the Minister under the estimates 
for the year in which the expenditure is to be made or in any other estimates 
supplementary to those estimates.

11. In the discharge of its functions under this Act, the Programme 
shall so conduct its business that taking one transaction with another, and 
taking one year with another:

(a) its revenue is sufficient for meeting all charges including interest 
on capital and loans properly chargeable to revenue account;

(b) sufficient provision is made to provide for depreciation of assets;

and

(c) where any loss or bad debt arises in respect of any transaction, 
provision is made in respect of other transactions whether of similar nature or 
otherwise, to offset the amount of such loss or debt.

12. The Programme may invest any monies under its control in any 
investment or project approved by the Minister in consultation with the 
Minister responsible for finance.

13.-(1) The Programme shall keep proper books of account and 
proper records in relation to them.

(2) For the purposes of this section, proper books of account shall be 
deemed not to have been kept with respect to the business of the Programme if 
there are not kept such books as are necessary to give a true and fair view of the 
state of the affairs of the Programme and to explain its transactions.

(3) The accounts shall, in respect of every financial year, be subject to 
audit by the Auditor General or an auditor appointed by him or her.

(4) The Auditor General shall deliver to the Minister a copy of the
audited accounts of the Programme not later than six months from the end of
the financial year to which they relate.

(5) The Minister shall lay before Parliament a copy of the audited
accounts delivered under subsection (4).

In this section, "financial year" means the period of twelve months ending
on 31st December, or such other period of twelve months as the Minister, by
writing under his or her hand, may authorise the Programme to adopt as its
financial year.

Miscellaneous provisions

14.- (1) Subject to such terms and conditions regarding periodic
payments as may be stipulated by the custodian board, there is transferred to
the Programme the whole of the shares in each of the specified companies.

(2) For the avoidance of any doubt, the transfer of shares effected
by subsection (1) shall not affect the continuance of any specified company
as a separate entity or any liability or obligation owed by the company; and
pursuant to section 3(4), each specified company shall maintain its own
separate accounts, subject to the Companies and Allied matters Act and the
direction of the Programme.

(3) The Minister may, in consultation with the custodian board and
the Minister responsible for finance, amend the Schedule to this Act.

15. The Minister may, subject to this Act, give to the Programme
written directions of a general or specific nature relating to the functions of
the Programme, and the Programme shall be bound to comply.

16. The Programme shall, not later than six months after the end of
each financial year, make and submit to the Minister a report showing the
performance of the Programme during that financial year, including the
extent to which any direction given by the Minister during that financial year
has been carried out.

17.- (1) The board may, with the prior approval of the Minister,
make byelaws not inconsistent with this Act regulating the following matters:
(a) procedure at the meetings of the board;
(b) terms and conditions of service of the officers and employees of
the Programme;
(c) welfare schemes for the employees of the Programme;
(d) legal proceedings by or against the Programme;
(e) the custody of the seal of the Programme; and
(f) generally the conduct of the business of the Programme, including
the control of the management and staff of the specified companies.

(2) Notwithstanding the Interpretation Act, it shall not be necessary to
publish in the Gazette the byelaws made by the board under this section, but the
byelaws may be published in such manner as the board, with the approval of the
Minister, may think fit.

Savings

18. All appointments made or contracts entered before this enactment
shall not be affected and shall continue to be in existence according to their
tenure or terms

Savings

19. Any appointment made or contract entered prior to this Act shall
continue to remain in force and operate in their due course

Regulations

20.-(1) The Minister may, in consultation with the board, make
regulation generally for better carrying out the provisions and principles of this
Act.

Interpretation

21. In this Act, unless the context otherwise requires:

"Programme" means National Poverty Eradication Programme established
under section 2 of this Act;

"Minister" means the Minister responsible for trade and investment.

Citation

22. This Bill may be cited as National Poverty Eradication
Programme Bill, 2021.
EXPLANATORY MEMORANDUM

This Bill seeks to establish a National Poverty Eradication Programme and to nurture and grow new and small businesses, products, innovations and entrepreneurs by supporting them through the early stages of development for poverty eradication.