Critical National Assets and Infrastructure Center
(establishment) Bill, 2019
Arrangement of clauses

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A BILL
FOR
AN ACT TO ESTABLISH CRITICAL NATIONAL ASSETS AND INFRASTRUCTURE CENTER TO BE SADDLED WITH THE RESPONSIBILITY OF IDENTIFICATION, PRIORITIZING, COORDINATION AND POLICY DEVELOPMENT FOR PROTECTION OF THE INFRASTRUCTURES AND FOR RELATED MATTERS

Sponsored by Hon Mohammed Tahir Monguno

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

PART I - ESTABLISHMENT OF THE CRITICAL NATIONAL ASSETS AND INFRASTRUCTURE CENTER

1.-(1) There is established an institution to be known as Critical National Assets and Infrastructure Center (in this Bill referred to as "the Center").

(2) The Center shall be a corporate body with a perpetual succession and a common seal, may sue and be sued in its corporate name.

(3) The Center shall operate in the presidency under the office of the National Security Adviser.

2. The objectives of the Center include:

(a) to provide coordinative role between relevant institutions for the protection of critical national infrastructures; and

(b) ensure protection of critical national infrastructures.

3. The National Security Adviser shall have power to:

(a) determine the general policy of the Center;

(b) identify critical national infrastructures;

(c) provide for the discipline and general welfare of staff of the Center; and
(d) issue permits to non-governmental organization that are dealing
with protection of Critical National Infrastructures.

PART II - FUNCTIONS OF THE CENTER

4. The functions of the Center include:

(a) inter-agency coordination for protection of critical National
Infrastructure;

(b) prioritizing critical National Infrastructure that requires
protection;

(c) policy development for protection of the infrastructures; and

(d) any other function that may be assigned to the Center by the
President of the Federal Republic of Nigeria.

PART III - STRUCTURE OF THE CENTER

5.-(1) There shall be established for the Center, such departments as
the Center may deem necessary.

(2) Each Department shall be headed by a Director who shall be
professionally qualified to hold the office appointed through competitive
process.

(3) Subject to the approval of the Council, the management
committee, established under Clause 6 of this Bill, may create additional
departments, divisions and units as it may deem necessary to achieve the
objective of the Center.

6. There is established for the Center, a State Office in each of the
State of the Federation and Federal Capital Territory to carry out some of the
functions of the Center.

7.-(1) There is established for the Center, a management committee
comprising of all the Directors, the Permanent Secretary of the Center and
National Security Adviser who shall be the Chairperson of the Committee.

(2) The management committee shall be responsible for the general
administration of the Center.

(3) The Council may create additional committees, either standing or
ad-hoc, and give it specific function.

8.- (1) Permanent Secretary in the Office of the National Security Adviser, shall be appointed for the Center, who shall possess appropriate qualification and cognate working experience as the Council may determine.

(2) The Permanent Secretary shall:

(a) be the chief -Executive officer of the Center and shall be responsible for all matters relating to the day-to-day management and operations of the Center;

(b) be appointed by the President, Commander in-Chief of the Armed Forces, of the Federal Republic of Nigeria, on the recommendation of the Federal Civil Commission; and

(c) shall hold office for a period of four years and may be re-appointed for further term of four years and no more.

(3) There shall be appointed by the Council for the Center, a Secretary who shall qualify as a legal practitioner and was so qualified for a period of not less-than 10 years.

(4) The Secretary shall be answerable to the Permanent Secretary of the Center.

Staff of the Center

9.- (1) The staff of the Center other than those mention in this Bill, shall be employed according to the procedure stipulated by the Council.

(2) The Staff can be on permanent or temporary appointment on the terms which preclude the grant of pension and gratuity.

(3) The provisions of Pension Reform Act, 2004 apply to the service of this Center.

10.- (1) The Council may, subject to the provision of this Bill, make staff regulation relating generally to the condition of service of the employees of the Center, such regulation may provide for appointment, promotion, discipline and appeals of the staff of the Center.
(2) The staff regulation made under sub-clause (1) of this clause shall not have effect until they are approved by the Minister and gazetted.

PART IV - FINANCIAL PROVISIONS

11.- (1) The Center shall establish and maintain a fund which shall be applied towards the promotion of the objectives of this Bill.

(2) At the beginning of every year, the Council shall approve budget for the Center.

(3) There shall be paid and credited to the Fund established for the Center:

(a) sums appropriated by the federal government to the Center;

(b) sums donated by the Federal, State and Local Governments;

(c) gifts, donations and contributions from national and internationals Institutions and philanthropist; and

(d) fees, if any, charged by the Center for services rendered.

12.- (1) The Center shall manage and apply its Fund in accordance with the general guidelines made by the Management Committee and subject to the approval of the Council.

(2) The Center shall apply its Funds in the:

(a) administration of the Center;

(b) fees payable for procurement; and

(c) consultancy services made for the benefits of the Center, if any.

13. The Center may, with the written approval of the Council and Power to borrow money subject to the guidelines and policy of the Federal Government, borrow such money needed for the exercise of its function, provided that such borrowing shall be made on the terms and condition that do not compromise the competence of the Center.

PART V - MISCELLANEOUS PROVISIONS

14. A person who has a cause of action against the Center shall:

(a) give the Center three months' notice of intention to commence an action in writing disclosing the cause of action and be served to the principal
office of the Center; and

(b) any cause of action against the Center for any claim must commence within four years from the date the cause of action arose.

15. Any document, summons, notices, process or any other thing Service of process required or authorized to be served to the Center shall be served by delivering same to the office of the Director-General of the Center.

16.- (1) Every member of the Council, agents or employees of the center shall be indemnified from the Fund of the Center against any liability incurred in defending any proceeding brought against the persons under this Clause, in the person's capacity as member, agent or employee of the Center.

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(2) For the purpose of official functions of members and staff of the Center, the members and the staff of the Center shall enjoy the provisions of Public Officers Protection Act.

17. The Center may subject to the provisions of Land Use Act and any other applicable Law, have powers to lease, rent or acquired an interest in land and other/properties.

18. The National Security Adviser shall have power to make regulations to give effect to the provisions of this Bill.

19. This Bill may be cited as the Critical National Assets and Infrastructure Center (Establishment) Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to establish Critical National Assets Infrastructure Center to be saddled with the responsibility of identification, prioritizing, coordination, and policy development for protection of the infrastructures.