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NATIONAL ASSEMBLY SERVICE COMMISSION
ACT, 2000



ARRANGEMENT OF SECTIONS

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SCHEDULE
NATIONAL ASSEMBLY SERVICE COMMISSION
ACT, 2000
2000 ACT No. 7

AN ACT TO REPEAL THE NATIONAL ASSEMBLY SERVICE COMMISSION
ACT CAP. 236 LAWS OF THE FEDERATION OF NIGERIA 1990, TO PROVIDE
FOR A NEW COMMISSION TO REFLECT THE CURRENT STRUCTURE OF
THE NATIONAL ASSEMBLY; AND FOR CONNECTED PURPOSES.

[30th October, 2000]

Commencement.

ENACTED by the National Assembly of the Federal Republic of Nigeria -
NATIONAL ASSEMBLY SERVICE COMMISSION

1. The National Assembly Service Commission Act Cap. 236 Laws of the Federation of Nigeria 1990 is repealed.
LFN.
2. (1) There is established a body to be known as the National Assembly Service Establishment of Commission (in this Act referred to as “the Commission”) National Assembly
(2) The Commission shall be a body corporate with perpetual succession and shall have power to sue and be sued.
Commission.
3. (1) The Commission shall comprise a Chairman and 12 other members.
Membership of
(2) The Chairman shall be the Chief Executive of the Commission.
The Commission.
(3) The President of the Senate shall, upon consultation with the Speaker of the House of Representatives, submit to the President of the Federal Republic of Nigeria a proposed list out of which the President of the Federal Republic of Nigeria shall nominate for appointment a Chairman and members of the Commission.
(4) The President of the Federal Republic of Nigeria shall appoint the Chairman and Members Of the Commission from the list submitted to him in accordance with the provision of Subsection (3) of this section subject to the confirmation of the Senate.
(5) At least 2 members of the Commission shall be drawn from each of the six geo-political Zones of Nigeria.
(6) A member of the Commission shall hold office for a period of five years from the date Of his appointment and he may be re-appointed for another one term only.
(7) The provision in First Schedule to this Act shall have effect with respect to the First Proceedings of the Commission or its Committees and other matters.
Schedule.
(8) Where a vacancy occurs in the membership of the Commission, it shall be filled by the Appointment of a successor in accordance with the provisions of section 3(4) of this Act To hold office for the remainder of the term of office of his predecessor and such a Successor shall represent the same geo-political interest.

- (9) The composition of the Commission, the staffing and the conduct of its affairs 1999 shall reflect the federal character of Nigeria as enshrined in section 14(3) of the Constitution. Constitution of the Federal Republic of Nigeria.
4. (1) No person shall be for appointment as a member of the Commission, if
 Qualification
 (a) he is not qualified or if he is disqualified for election as a member for of the House of Representatives;
 Membership.
 (b) within the preceding 10 years, he has been removed as a member of any of the bodies established by section 153 of the Constitution 1999 of the Federal Republic of Nigeria, or as the holder of any other Constitution.
 Office on the ground of misconduct.
- (2) Any person employed in the Public Service of the Federation or of a State shall not be disqualified for appointment as a Chairman or member of the Commission.
- (3) Where such person has been duly appointed on full-time basis, he shall, on his appointment, be deemed to have resigned or retired from his former office as from the date of his appointment.
5. (1) The Chairman or any member of the Commission shall be removed from that Removal office by the President acting upon an address supported by two-thirds majority from Office.
 of each House of the National Assembly praying that he be so removed for inability to discharge the functions of the office (whether arising from infirmity of mind or body or any other cause) or for misconduct.
- (2) Notwithstanding the provision of subsection (1) of this section, the Chairman Or any member of the Commission shall be removed from office by the National Assembly upon a resolution by two-thirds majority of members of each House for inability to discharge the function of the office or for misconduct.
- (3) A member of the Commission shall cease to be a member if any circumstances arise that, if he were not a member of the Commission, would cause him to be disqualified for appointment as such a member.
- (4) Upon the coming into force of this Act, or upon the expiration of the life of the Commission at any time or upon a vacancy occurring in the membership of the Commission, the President shall send the appropriate nominations to the National Assembly within thirty days of being requested so to do.
6. (1) There shall be a Secretary to the Commission who shall be appointed by the Appointment Commission and shall:-
 of Secretary
 (a) be a senior officer not below the rank of a Director in the Federal Civil to the Service;
 Commission.
 (b) be the accounting officer of the Commission; and
 (c) hold office on such terms and conditions as to emoluments and other conditions of service as approved by the National Assembly.
- (2) The Secretary shall, subject to the general direction of the Commission, be responsible:-

- (a) for the day to day administration of the Commission; and
- (b) for keeping the books and proper records of proceedings of the Commission.

7. (1) The Commission shall:-

Functions of

(a) formulate and implement guidelines for its functions;

the

(b) appoint person to hold or act in the office of:-

Commission.

- (i) the Clerk to the National Assembly,
- (ii) the Deputy Clerk to the National Assembly,
- (iii) the Clerk of the Senate,
- (iv) the Clerk of the House of Representatives,
- (v) the Deputy Clerk of the Senate,
- (vi) the Deputy Clerk of the House of Representatives, and
- (vii) all other offices in the service of the National Assembly;

(2) The Commission may:-

- (a) make appointments on promotion and transfer and confirm such appointments; and
 - (c) dismiss and exercise disciplinary control over persons holding or acting in such offices.
- (3) Where the Commission thinks it expedient that any vacancy in the staff of the National Assembly should be filled by a person holding office in the Civil Service of the Federation or of State, it shall notify the appropriate Civil Service Commission to that effect and the Commission may, after consultation with the Civil Service Commission concerned, cause such vacancy to be filled by way of secondment or transfer.
- (4) Where any member of a Civil Service is seconded under Subsection (3) of this section, he shall be without prejudice to any pension rights which, but for the secondment, would still accrue to him.
- (5) A person seconded pursuant to subsection (3) of this section, may elect subject to the approval of the Commission to be transferred to the service of the National Assembly, in which case any previous service in the Civil Service concerned shall count as service for the purpose of pension subsequently payable by the Commission.
- (6) Any member of staff of the National Assembly may elect to transfer or be seconded to any other Public Service of the Federation and such right of transfer or secondment shall not operate to the disadvantage of the officer concerned.
- (7) In exercising its power to make appointments or exercise disciplinary control over persons, the Commission shall not be subject to the direction or control of any authority or person.
- (8) The Commission shall have power to pay its staff such remunerations as are approved by the National Assembly.

8. (1) The Commission may, subject to such conditions as it may think fit delegate any of its

Power of

powers under section 7 of this Act to:-

delegation

(a) any of its members; or

and certain

(b) a committee consisting of such persons (one of whom shall be named as restriction Chairman) as may be prescribed by the Commission; or thereon.

(c) the Clerk of the National Assembly or to any other officer in the service of the National Assembly;

but no such delegation shall prevent the exercise by the Commission of any power vested in it by this Act.

- (2) Notwithstanding subsection (1) of this section, or any other provision of this Act, the Commission shall not delegate any of its powers in respect of offices of the Clerk to the National Assembly, the Deputy Clerk to the National Assembly, the Clerk of the Senate, the Clerk of the House of Representatives, Deputy Clerk of the Senate, the Deputy Clerk of the House of Representatives and such other staff not below Grade Level 08.

STAFF OF THE NATIONAL ASSEMBLY

9. The staff of the National Assembly shall comprise:-
Staff of the
(a) the Clerk of the National Assembly;
National
(b) the Deputy Clerk to the National Assembly;
Assembly
(c) the Clerk of the Senate;
Prescribed.
(d) the Clerk of the House of Representatives,;
(e) the Deputy Clerk of the Senate;
(f) the Deputy Clerk of the House of Representatives; and
(g) holders of the offices set out in Second Schedule to this Act.

APPOINTMENT OF ACTING CLERK TO NATIONAL ASSEMBLY

10. Except by resolution of each House of the National Assembly, no person shall act in the
Appointment
office of the Clerk to the National Assembly for a period exceeding six months.
Of Acting

Clerk to the

National

Assembly.
11. Notwithstanding the provisions of section 7 (2) (b) of this Act, a person holding the office
Removal from
of the Clerk to the National Assembly shall only be removed by the Commission acting
office of the
on an address supported by a simple majority of each House of the National Assembly
Clerk to the
praying that he be so removed for inability to discharge his functions due to infirmity of
National
mind or body or any other cause or for misconduct.
Assembly.
12. (1) Notwithstanding the provisions of the Pension Act, it is hereby declared that
Pension Cap.
Service in the National Assembly shall be service in the public service of the
346. LFN
Federation for the purposes of that Act and, accordingly, officers and other
Staff of the National Assembly shall in respect of their services in the National
Assembly be entitled to such pensions, gratuities and other retirement benefits
As are prescribed in that Act.
(2) For the purposes of the application of the provisions of the Pension Act, any

Power exercisable by a Minister or other authority of the Government of the Federation (not being the power to make regulations under section 23 of that Act) are hereby vested in and shall be exercisable by the Commission and not By any other person or authority.

- (3) Nothing in the forgoing provisions of this section shall prevent the appointment of a person to any office in the National Assembly on terms which preclude the grant of a pension or gratuity in respect of service in that office.
13. (1) **Staff** Subject to the provisions of this Act, the Commission may make regulations relating generally to the conditions of service, including the power to fix salaries Regulations. and allowances of the staff of the National Assembly and, without prejudice to the generality of the foregoing, such regulations may provide for:-
- (a) the composition of membership of the committee referred to in section 8 of this Act,
 - (b) the appointment, promotion, and disciplinary control (including dismissal) of staff of the National Assembly; and
 - (c) appeals by such staff against dismissal or other disciplinary measures and until such regulations are made, any instruments relating to the conditions of service of persons in the service of the Federation shall, with such modifications as may be necessary, be applicable to the staff of the National Assembly.
- (2) Any regulations made under section (1) of this section, need not be published in the Federal Gazette but the Commission shall cause them to be laid before each House of the National Assembly and to be brought to the notice of all affected persons through publications in the House Journal of either the Senate or the House of Representatives or in such manner as it may from time to time, determine.

FUND OF THE COMMISSION

14. (1) The National Assembly shall establish a fund for the National Assembly Service Fund of the Commission and provision for the fund shall be made in the annual budget of Commission. the National Assembly.
- (2) There shall be paid and credit to the Fund establish pursuant to subsection (1) of this section:-
- (a) such monies as may from time to time, be granted or deposited with the Commission by the National Assembly or any body or institution within the country;
 - (b) all monies raised for the purposes of the Commission by way of gifts, loans, grant-in-aid, testamentary dispositions or otherwise; and
 - (c) proceeds from all other assets that may from time to time accrue to the Commission.
- (3) The Commission shall defray from the fund all expenditures incurred by it and shall include:-
- (a) the cost of administration;
 - (b) the payment of salaries, fees or other remunerations or allowances and pensions and gratuities payable to members and employees of the Commission; and
 - (c) anything done in connection with any of its functions under this Act.

ANNUAL ESTIMATES AND EXPENDITURE

15. (1) The Commission shall not later than 30th September in each year, submit to the Annual National Assembly an estimate of the income and expenditure of the Commission Estimates and Expenditures during the succeeding year.
- (2) The Commission shall cause to be kept proper accounts of the Commission in respect of each year and proper records of such accounts which shall be audited not later than six months after the end of each year by auditors appointed by the National Assembly from the list and in accordance with the guidelines supplied By the Auditor-General of the Federation.
16. The Commission may, subject to the approval of each House of the National Assembly, Borrowing. borrow by way of loan or overdraft from any source within the country any sums required by the Commission for meeting its obligations and discharging its functions under this Act.
17. For the purpose of providing offices and premises necessary for the performance of its Offices and Premises functions under this Act, the Commission may subject to the Land Use Act:-
- (a) purchase or take on lease any interest in land, or other property; and
- (b) equip and maintain same subject to the approval of the National Assembly. Commission.

SUPPLEMENTARY

18. In this Act, unless the context otherwise requires:-
- Interpretation.
- “ the Chairman” means the Chairman of the Commission;
- “ the Commission” means the National Assembly Service Commission established by section 2 of this Act;
- “ the Member” means any member of the Commission appointed under section 3 of this Act, including the Chairman; and
- “ the Secretary” means the Secretary to the Commission appointed pursuant to section 6 of this Act.
19. This Act may be cited as the National Assembly Service Commission Act, 2000. Short Title.

FIRST SCHEDULE

Section 3 (7)

PROCEEDINGS OF THE COMMISSION

1. At any meeting of the Commission, the Chairman shall preside and in his absence such member of the Commission as the other members may elect from among themselves for that purpose, shall preside.
2. The quorum for meetings of the Commission shall be five.
3. The Commission shall have power to regulate its own proceedings and may make standing

orders for that purpose and subject to such standing orders and paragraph (2) of this Schedule, may function notwithstanding any vacancy in its membership or the absence of any member.

4. The Commission may appoint one or more committees to carry out on behalf of the Commission, such of its functions as the Commission may determine but no decision of any such Committee shall have effect unless ratified by the Commission.
5. The Commission may co-opt persons who are not members of the Commission to any meeting Of the Commission or any Committee and such persons may take part in the deliberations of the Commission or any committee but shall not be entitled to vote.

SECOND SCHEDULE

Section 9 (g)

STAFF OF THE NATIONAL ASSEMBLY

I. OFFICE OF THE CLERK TO THE NATIONAL ASSEMBLY

- (i) Clerk of the National Assembly
- (ii) Deputy Clerk to the National Assembly

DIVISIONS AND HEADS

(i)	Medical .. .. .	..	..	..	..	Director, Medical Services
(ii)	Internal Audit .. .. .	..	..	..	..	Deputy Director
(iii)	Sergeant-at-Arms.. .. .	..	..	..	..	Sergeant-at-Arms
(iv)	Protocol .. .. .	..	..	..	..	Deputy Director
	(a) Senate Protocol .. .. .	..	..	..	..	Assistant Director
	(b) House of Representatives .. .. .	..	..	..	..	Assistant Director
(v)	National Secretariat of Nigerian Legislature .. .. .	..	..	..	..	Deputy Director
	(b) Lagos Liaison Office .. .. .	..	..	..	..	Assistant Director

II. OFFICE OF THE CLERK OF THE SENATE

- (i) Clerk of the Senate
- (ii) Deputy Clerk of the Senate

DIVISIONS AND HEADS

(i)	Chamber .. .. .	..	..	..	..	Principal Clerk Assistant
(ii)	Committee.. .. .	..	..	..	..	Principal Clerk Assistant

III. OFFICE OF THE CLERK, HOUSE OF REPRESENTATIVES

- (i) Clerk of the House of Representatives
- (ii) Deputy Clerk of the House of Representatives

DIVISIONS AND HEADS

(i)	Chamber .. .. .	..	..	..	..	Principal Clerk Assistant
(ii)	Committee.. .. .	..	..	..	..	Principal Clerk Assistant

IV. DEPARTMENTS OF THE NATIONAL ASSEMBLY

1. PERSONNEL DEPARTMENT Director

DIVISIONS AND HEADS

- | | | | | | | | |
|----|-------|--|----|----|----|-----------------|--|
| | (i) | Appointment, Promotion and Discipline | .. | .. | .. | Deputy Director | |
| | (ii) | Training and Staff Welfare.. | .. | .. | .. | Deputy Director | |
| 2. | | FINANCE AND SUPPLIES DEPARTMENT.. | .. | .. | .. | Director | |
| | | DIVISIONS AND HEADS | | | | | |
| | (i) | Supplies.. | .. | .. | .. | Deputy Director | |
| | (ii) | Accounts.. | .. | .. | .. | Deputy Director | |
| | (iii) | Budget .. | .. | .. | .. | Deputy Director | |
| 3. | | LEGISLATIVE BUDGET AND PLANNING DEPARTMENT... | .. | .. | .. | Director | |
| | | DIVISIONS AND HEADS | | | | | |
| | (i) | Legislative Budget.. | .. | .. | .. | Deputy Director | |
| | (ii) | Planning.. | .. | .. | .. | Deputy Director | |
| 4. | | LIBRARY, RESEARCH AND COMPUTER SERVICES DEPARTMENT... | .. | .. | .. | Director | |
| | | DIVISIONS AND HEADS | | | | | |
| | (i) | Library and Research.. | .. | .. | .. | Deputy Director | |
| | (ii) | Computer and Statistics.. | .. | .. | .. | Deputy Director | |
| 5. | | INFORMATION AND PUBLICATION DEPARTMENT... | .. | .. | .. | Director | |
| | | DIVISIONS AND HEADS | | | | | |
| | (i) | Information.. | .. | .. | .. | Deputy Director | |
| | (ii) | Official Report.. | .. | .. | .. | Deputy Director | |
| | (iii) | Printing and Publication.. | .. | .. | .. | Deputy Director | |
| 6. | | LEGAL SERVICES DEPARTMENT.. | .. | .. | .. | Director | |
| | | DIVISIONS AND HEADS | | | | | |
| | (i) | Legal Drafting.. | .. | .. | .. | Deputy Director | |
| | (ii) | Litigations and Counselling.. | .. | .. | .. | Deputy Director | |
| 7. | | ESTATE AND WORKS DEPARTMENT.. | .. | .. | .. | Director | |
| | | DIVISIONS AND HEADS | | | | | |
| | (i) | Electrical and Mechanical .. | .. | .. | .. | Deputy Director | |
| | (ii) | Building and Civil.. | .. | .. | .. | Deputy Director | |
| | (iii) | Transport.. | .. | .. | .. | Deputy Director | |
| | (iv) | Maintenance .. | .. | .. | .. | Deputy Director | |
| 8. | | Such other staff as may be necessary for running the affairs of the National Assembly. | | | | | |

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the National Assembly Service Commission Act Cap. 236 Laws of the Federation of Nigeria 1990 and to provide for the establishment of a new Commission to reflect the current structure of the National Assembly.

I Certify, in accordance with section 2(1) of the Acts Authentication Act, 1961, that this is a true Copy of the Bill passed by both Houses of the National Assembly.

IBRAHIM SALIM, CON
Clerk of the National Assembly
2nd day of October, 2000.