

A BILL

FOR

AN ACT TO AMEND PUBLIC OFFICERS PROTECTION ACT, CAP. P 41, LAWS OF THE FEDERATION OF NIGERIA, 2004; TO PROVIDE FOR THE SUSPENSION OF THE PUBLIC OFFICER FACING CRIMINAL TRIAL FROM OFFICE THEREBY STOPPING THE OFFICER FROM DISCHARGING ANY FUNCTION, COLLECTING SALARY OR ALLOWANCES RELATING TO THE OFFICE OCCUPIED DURING THE PERIOD OF THE TRIAL AND FOR RELATED MATTERS

Sponsored by Hon. Uduak Alphonsus Odudoh

[] Commencement

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

- 1 **1.** The Public Officers Protection Act (in this Bill referred to as
2 "the Principal Act") is amended as set out in this Bill. Amendment of
Cap. P14 LFN,
2004
- 3 **2.** The Principal Act is amended by inserting: Insertion of new
Section 3 and
Section 4
- 4 (a) after Section 2 (d) new Section "3(1) and (2)":
- 5 "3(1) Any Public Officer who has been accused of committing a
6 financial crime and facing trial before a Court of law shall be suspended
7 from office within the period of trial.
- 8 (2) A Public Officer referred to under sub-clause (1) of this Clause
9 who is subsequently convicted and sentenced shall forfeit:
- 10 (a) status of Public Officer;
- 11 (b) salary and allowance within the period of suspension; and
- 12 (c) any benefit accruing to the office.
- 13 (3) Notwithstanding the provisions of sub-clause (1) of this Clause,
14 a Public Officer who is a member of the legislature shall be suspended from
15 participating in any Committee work until the case before the Court against
16 the member is finally determined".

Interpretation	1	3. In this Bill:
	2	"Public Officer" includes any individual holding public office;
	3	"Public Office" includes any office responsible for discharging Official
	4	functions for the public.
Citation	5	4. This Bill may be cited as Public Officers Protection (Amendment)
	6	Bill, 2023.

EXPLANATORY MEMORANDUM

This Bill seeks to amend Public Officers Protection Act, Cap. P 41, Laws of the Federation of Nigeria, 2004; to provide for the suspension of a Public Officer facing criminal trial from Office thereby stopping the Officer from discharging any function, collecting salary or allowances relating to the office occupied during the period of the trial and to prevent any interference with the trial process.