

Functions and
powers of the
National Planning
Office

- 1 **4.** The Planning Office shall-
- 2 (a) provide policy advice on all spheres of national economic
- 3 planning as may be requested by the Minister;
- 4 (b) set national priorities and goals, and encourage government
- 5 agencies, corporate bodies and workers' unions to support the accomplishment
- 6 of such priorities and goals as may be contained in guidelines issued by the
- 7 Office, from time to time;
- 8 (c) undertake periodic review and appraisal of the human and material
- 9 resource capabilities to advance the development and effective utilization of
- 10 the human and material resources;
- 11 (d) formulate and prepare long term, medium term and short-term
- 12 national development plans, and co-ordinate such plans at the Federal, State
- 13 and Local Government levels;
- 14 (e) monitor projects and progress relating to plan implementation,
- 15 draw up national economic priorities and programmes, and map out
- 16 implementation strategies;
- 17 (f) advise on changes and adjustments in institutions and
- 18 management techniques as well as delivery culture necessary for the alignment
- 19 of actions with plans, targets and goals;
- 20 (g) conduct research into various aspects of national interest and
- 21 public policy in collaboration with relevant government Ministries,
- 22 Departments and Agencies, and ensure that the implications and results of
- 23 findings in such research are implemented towards the enhancement of
- 24 national economic, social, technological, defence and security capabilities and
- 25 management;
- 26 (h) mobilise popular, group and institutional consensus in support of
- 27 government policies and programmes;
- 28 (i) manage multilateral and bilateral economic co-operation,
- 29 including development aid and technical assistance programming;

1 (j) focus on key national development issues and suggest ways for
2 their efficient;

3 (k) determine how best the Fundamental Objective and Directive
4 Principles of State Policy contained in the Constitution of the Federal
5 Republic of Nigeria, 1999 (as amended) can be achieved;

6 (l) deal with matters relating to regional economic cooperation
7 including Economic Community of West African States, the African Union
8 and United Nations in collaboration with the Ministry; and

9 (m) carry out such other activities as are necessary or expedient for
10 the full discharge of any of the functions conferred on the Office under this
11 Act.

12 (2) The Planning Office shall in the discharge of its duties under
13 this Act, have power to-

14 (a) ask for; and obtain from any government agency or other
15 private institutions statistical or other information relevant to the functions
16 of the Office under this Act;

17 (b) advise the President as to the appropriate measures to be
18 undertaken by agencies or bodies in order to ensure their conformity with
19 national policies or programmes through the Minister;

20 (c) issue guidelines and circulars regarding plan preparation and,
21 implementation;

22 (d) make representation in the legislature for and on behalf of the
23 President through the Minister; and

24 (e) provide advisory services on matters referred it by the Federal,
25 State or Local Government and relevant agencies on any matter it considers
26 pertinent to national development.

27 (3) The Planning Office shall provide secretariat for the following
28 Bodies-

29 (a) National Economic Council;

30 (b) Conference of Ministers and Commissioners responsible for

	1	economic planning;
	2	(c) Joint Planning Board; and
	3	(d) National Economic Advisory Council.
Administrative Structure of the National Planning Office	4	5. -(1) The National Planning Office shall be headed by a Director -
	5	General appointed by the President on the recommendation of the Minister and
	6	subject to confirmation by the National Assembly.
	7	(2) The Director - General of the National Planning Office shall be a
	8	person of recognized experience in economics, law or finance, and must have
	9	been in active practice for a period not less than 15 years.
	10	(3) The Director - General of the Planning Office shall report directly
	11	to the Minister.
	12	(4) The Director - General of the Planning Office shall hold office for a
	13	period of four years and may be reappointed by the President for a further
	14	period of four years and no more.
	15	(5) The Planning Office shall establish and operate such number of
	16	Departments and Special Units as may be determined by the Minister.
	17	(6) The Planning Office may, from time to time, appoint or second
	18	staff from the public service in line with extant rules and regulations as it may
	19	deem necessary for the performance of the functions of the Planning Office
	20	under this Act.
	21	PART III - ESTABLISHMENT OF BUDGET OFFICE
Establishment of Budget Office	22	6. -(1) There is established the Budget Office ("the Budget Office").
	23	(2) The Budget Office shall operate as an extra - Ministerial;
	24	Department under the supervision of the Ministry of Budget and National
	25	Planning.
	26	(3) The Budget Office-
	27	(a) shall be a body corporate with perpetual succession and a common
	28	seal; and
	29	(b) may sue or be sued in its corporate name.

- 1 7.-(1) The Budget Office shall- Functions and
powers of the
Budget Office
- 2 (a) provide objective and timely information, analyses and
- 3 estimates related to federal economic and budgetary decisions;
- 4 (b) prepare annual budget of the Federal Government;
- 5 (c) oversee Federal Government budget implementation and
- 6 budget monitoring;
- 7 (d) ensure the implementation of fiscal policies of the Federal
- 8 Government to maintain aggregate fiscal discipline;
- 9 (e) allocate resources in accordance with Federal government
- 10 priorities;
- 11 (f) develop a framework for the Federal Government annual
- 12 budget and specify fiscal policy objectives of the Federal Government;
- 13 (g) analyse the macroeconomic framework and its associated
- 14 medium-term expenditure framework;
- 15 (h) identify and analyse major fiscal risks to develop expenditure
- 16 estimates;
- 17 (i) coordinate the preparation of Medium-Term Sector Strategy
- 18 (MTSS) across the Federal Government, Ministries, Departments and
- 19 Agencies; and
- 20 (j) ensure that the MTSS significantly drives annual budget
- 21 estimates with the issuance of Budget Call Circulars (BCC) that clearly links
- 22 medium term expenditure framework, MTSS and the annual budget; and
- 23 (k) do such other things that are necessary to promote delivery of
- 24 services in line with approved budget.
- 25 (2) The Budget Office shall in the discharge of its duties under this
- 26 Act, have power to-
- 27 (a) issue guidelines, framework and circulars on matters relating
- 28 to budget preparation and implementation;
- 29 (b) advise the Federal Government on all matters relating to budget
- 30 preparation and implementation;

1 (c) request and obtain information from any government agency that
2 may be relevant in the discharge of its functions.

Administrative
structure of the
Budget Office

3 **8.**-(1) The Budget Office shall be headed by a Director - General
4 appointed by the President on the recommendation of the Minister and subject
5 to confirmation by the National Assembly.

6 (2) The Director - General of the Budget Office shall be a person of
7 recognized experience in economics or finance, and must have been in active
8 practice for a period not less than 15 years.

9 (3) The Director - General of the Budget Office shall report directly
10 to the Minister.

11 (4) The Director - General of the Budget Office shall hold Office for a
12 period of four years and may be reappointed by the President for a further term
13 of four years and no more.

14 (5) The Budget Office shall establish and operate such number of
15 Departments and Special units as may be determined by the Minister.

16 (6) The Budget Office may, from time to time, appoint or second staff
17 from the public service in line with extant rules and regulations as it may deem
18 necessary for the performance of the functions of the Planning Office under
19 this Act.

20 PART IV - CENTRAL MONITORING, DELIVERY AND EVALUATION OFFICE

Establishment
of the Central
Monitoring
Delivery and
Evaluation Office

21 **9.**-(1) There is the Central Monitoring, Delivery and Evaluation
22 Office ("CMDE Office").

23 (2) The CMDE Office shall operate as an extra -Ministerial
24 Department under the supervision of the Ministry of Budget and National
25 Planning.

26 (3) The CMDE Office-

27 (a) shall be a body corporate with perpetual succession and a common
28 seal; and

29 (b) may sue or be sued in its corporate name.

- 1 **10.**-(1) The CMDE Office shall- Functions and
powers of the
CMDE Office
- 2 (a) act as the direct monitoring and evaluation platform for the
- 3 President with regards to the priority areas;
- 4 (b) coordinate and monitor performance of Ministries,
- 5 Departments and Agencies of the Federal Government;
- 6 (c) be responsible for peer review of cabinet ministers;
- 7 (d) coordinate the process of identifying presidential priorities and
- 8 set targets in consultation with relevant Federal ministries;
- 9 (e) support the Federal! Government in the area of development of
- 10 ministries' mandates and in the preparation of performance bonds to be
- 11 signed by the minister and permanent secretaries;
- 12 (f) support Federal ministries to ensure that resources and efforts
- 13 are focused on the delivery of agreed priorities, especially in the
- 14 implementation of annual performance plans and resolution of issues
- 15 impeding delivery;
- 16 (g) sensitize citizens and citizens-based organisations, working
- 17 with Open Government Partnership (OGP) on presidential priorities;
- 18 (h) track and provide validated quarterly reports to the President on
- 19 the implementation of priorities, programmes and projects, in collaboration
- 20 With Federal Ministries, development partners and individuals; and
- 21 (i) provide sufficient guidance to Federal ministries to meet the
- 22 requirements for effective racking of Presidential priorities, policies,
- 23 programmes and projects including the development of templates and
- 24 capacity building.
- 25 (2) CMDE Office shall in the discharge of its duties under this Act,
- 26 have power to-
- 27 (a) conduct spot checks for verification and validation of
- 28 performance data submitted by federal ministries working with citizens-
- 29 basedorganisations under the umbrella of the OGP;
- 30 (b) coordinate quarterly and annual performance reviews working

1 with reputable independent assessors, as may be approved by the Minister;

2 (c) coordinate annual ministerial performance review retreats as may
3 be approved by the President; and coordinate engagement with citizens on
4 priority projects and providing up to date information.

5 (3) The CMDE Office shall serve as Secretariat to Implementation
6 Committees for the Presidential priority policies, programmes and projects.

Administrative
structure of the
CMDE Office

7 **11.**-(1) The CMDE Office shall be headed by a Director - General
8 appointed by the President on the recommendation of the Minister and subject
9 to confirmation by the National Assembly.

10 (2) The Director - General of the CMDE Office shall be a person of
11 recognised experience in public policy formulation and administration and
12 must have been in active practice for a period not less than 15 years.

13 (3) The Director - General of the CMDE Office shall report directly to
14 the Minister.

15 (4) The Director - General of the CMDE Office shall hold office for a
16 period of four years and may be reappointed by the President for a further term
17 of four years and no more.

18 (5) The CMDE Office shall establish and operate such number of
19 Departments and Special Units as may be approved by the Minister

20 (6) The CMDE Office may, from time to time, appoint or second staff
21 from the public service in line with extant rules and regulations as it may deem
22 necessary for the performance of the functions of the Planning Office under
23 this Act.

24 PART V - FINANCIAL PROVISIONS

Funding of the
National Planning
Office, Budget
Office and the
CMDE Office

25 **12.**-(1) There shall be established and maintained a Fund by each of
26 the Offices established under this Act.

27 (2) There shall be credited into each Fund established under
28 subsection (1) of this section-

29 (a) all budgetary allocations approved by the National Assembly for
30 each of the Offices;

1 (b) such funds as may, from time to time, be provided by the
2 Federal Government by way of grant or loan;

3 (c) grants and donations the conditions off which are not
4 inconsistent with the objectives of this Act; and

5 (d) Such other sums as may from time to time accrue to each of the
6 objectives in the execution of its functions under this Act.

7 Each of the Offices may from time to time, apply the proceeds of its funds-

8 (a) To perform its functions under this Act;

9 (b) To the cost of administration of the Office; and

10 (c) for the maintenance of any property vested in the Office.

11 **13.** The Offices may accept gifts of money, land and other property Power to accept
12 on such terms and conditions, if any or as may be specified by the person or gifts
13 organisation which offers the gift, where it is in line with the provisions of
14 this Act.

15 **14.**-(1) Each of the Offices may, with the approval of the Minister, Power to borrow
16 borrow funds to execute the functions of the Office subject to terms that are
17 consistent with its functions under this Act.

18 (2) (a) The Offices may with the approval of the President borrow
19 money which exceeds, at any time, the limit set by the Government of the
20 Federation; or

21 (b) where the sum to be borrowed is in foreign currency.

22 **15.**-(1) The Offices shall, not later than 31st October in each year or Account and
23 such time as may be prescribed under the Financial Regulations or other Audit
24 relevant regulations, prepare and submit to the Minister, an estimate of its
25 income and expenditure for the next succeeding year.

26 (2) Each of the Offices shall keep proper accounts and records of its
27 incomes and expenditure, assets and liabilities, end shall-

28 (a) prepare in respect of each year, a statement of accounts in
29 manual and electronic form; and

30 (b) cause the accounts to be audited not later than six months after

1 the end of the year to which such accounts relate, by auditors appointed by the
2 Office from the list and in accordance with the guidelines issued by the
3 Auditor-General for the Federation.

4 (3) An auditor appointed under subsection (2) of this section shall
5 have access to all records relating to the accounts which are kept by each of the
6 Offices or its agents and shall have power to require from any personnel or
7 agent of the Office such information and explanation as in the auditor's opinion
8 are necessary for the purpose of the audit.

Annual report

9 **16.** Each of the Offices shall, not later than six months after the
10 expiration of each financial year, prepare and submit to the Minister, an annual
11 report of its activities and operations during the previous year and shall include
12 in such report, a copy of its audited accounts and the auditor's report for the
13 year.

14 PART VI - MISCELLANEOUS

Fewer of the
President to give
directives

15 **17.** The President may, from time to time, give general; or specific
16 directive to the Offices established under this Act with regard to the exercise by
17 of the functions under this Act.

Power to make
rules, guidelines
and regulations

18 **18.**-(1) Each of the Offices may, with the approval of the Minister,
19 make regulations generally to give effect to the provisions of this Act.

20 (2) The contravention of any rule, guideline or regulation issued
21 under any of the provisions of this Act shall constitute an offence and shall be
22 punishable as prescribed in the particular rules, guidelines or regulations.

Collaboration
with other bodies

23 **19.** The Offices established under this Act may collaborate with the
24 private sector, labour unions, universities, research institutes, non-
25 governmental organisations and such other bodies as may be useful in
26 promoting plan formulation, acceptability, budget and implementation.

Limitation of
suits against the
Office

27 **20.**-(1) Subject to the provisions of this Act, the provisions of the
28 Public Officers Protection Act shall apply in relation to any suit instituted
29 against any officer or employee of any of the Offices established under this Act.

30 (2) Notwithstanding anything contained in any other law, no suit shall

1 lie or be instituted in any court against the any of the Offices established
 2 under this Act, a Director-General or employee of any of the Offices
 3 established under this Act for an act done pursuant to or in execution of this
 4 Act, any law, any public duty or authority or in respect of any alleged neglect
 5 or default in the execution of this Act or such law, duty or authority, unless-

6 (a) it is commenced within three months after the act, neglect or
 7 default complained of; or

8 (b) in the case of a continuation of damage or injury, within six
 9 months next after the ceasing of it.

10 (3) A suit shall not be commenced against any of the Offices, a
 11 Director - General or an employee of any of the Offices established under
 12 this Act before the expiration of a period of one month after written notice of
 13 intention to commence the suit have been served upon the particular Office.

14 (4) The notice referred to in subsection (3) of this section shall
 15 clearly and explicitly state the cause of action, particulars of the claim, name
 16 and place of abode of the intending plaintiff and relief sought.

17 **21.**-(1) In any action or suit against any of the Offices established
 18 under this Act, no execution or attachment shall be issued or levied against
 19 the particular Office, unless-

Restriction on
 execution of an
 order against the
 property of the
 Office

20 (a) at least three months' notice of the intention to execute judgment
 21 or attach the Office's property has been given to the Office; and

22 (b) the consent or approval of the Attorney-General of the
 23 Federation is obtained.

24 (2) Subject to any direction given by a competent court where
 25 notice appeal has not been given, any sum of money, which may by the
 26 judgment of any court be awarded against any of the Offices established
 27 under this Act, shall be paid from the Fund of that particular Office.

28 **22.**-(1) The National Planning Commission Act, Cap 466, LFN
 29 2004, is repealed.

Repeal, savings
 and transitional
 provisions

30 (2) Without prejudice to section 6 of the Interpretation Act, the

1 repeal of the Act specified in subsection (1) of this section, shall not affect
2 anything done or purported to be done under or pursuant to the repealed Act.

3 (3) Every regulation, order, requirement, contract, certificate, notice,
4 direction, decision, authorisation, consent, application, ongoing cases in the
5 courts, request or thing made, issued, given or done under the repealed Act
6 shall, if in force at the commencement of this Act, continue to be in force and
7 have effect as if made, issued, given or done under this Act.

8 (4) With effect from the commencement of this Act-

9 (a) the Budget and National Planning Arm under the Federal Ministry
10 of Finance, Budget and National Planning is transferred to the Federal
11 Ministry of Budget and National Planning;

12 (b) the Capital Budget Department of (he Federal Ministry of Finance
13 is transferred to the Budget Office established under this Act;

14 (c) the Central Delivery Coordination Unit (CDCU), the Budget
15 Monitoring and Evaluation Department in the Budget Office, Monitoring and
16 Evaluation Information Unit and the Infrastructure Coordinating Unit in the
17 National Planning arm is merged to form the Central Monitoring, Delivery and
18 Evaluation Office ('CMDE Office) established under this Act;

19 (d) staff of the National Planning and Budget Arm of the Federal
20 Ministry of Finance, Budget and National Planning are transferred to the
21 Planning Office end Budget Office respectively;

22 (e) staff of the CDCU, the Budget Monitoring and Evaluation
23 Department of the Budget Office, Monitoring and Evaluation and National
24 Information (National Planning) and Infrastructure Delivery Coordinating
25 Unit of the National Planning arm are transferred to the CMDE Office;
26 provided that each office or unit, shall review its current organogram and
27 departmental structure to enable it discharge its functions effectively.

Interpretation

28 **23.** In this Act-

29 "Budget Office" means the Budget Office established under section 7 of this
30 Act;

1 "CMDE Office" means the Central Monitoring, Delivery and Evaluation
2 Office established under section 10 of this Act;
3 "LFN" means Laws of The Federation of Nigeria;
4 "Minister" means the Minister responsible for Budget and National
5 Planning;
6 "Offices" means Planning Office, Budget Office and CMDE Office
7 established under this Act;
8 "Planning Office" means the National Planning Office established under
9 section 4 of this Act; and "Repealed Act" means the National Planning
10 Commission Act.

11 **24.** This Bill may be cited as the Budget and National Planning Short title
12 Bill, 2024.

EXPLANATORY MEMORANDUM

*(This Memorandum does not form part of this Act but is intended to
explain its purport)*

This Bill seeks to repeal the National Planning Commission Act; make provisions for an effective and comprehensive legal and institutional framework for national planning and budget implementation; and ensure greater accountability and transparency in fiscal operations.