

A BILL

FOR

AN ACT TO PENALIZE THE POOR QUALITY, SHABBY, SHODDY AND SUB-STANDARD EXECUTION OF BUILDINGS, BRIDGES AND ROAD CONSTRUCTION CONTRACTS IN ALL FEDERAL GOVERNMENT MINISTRIES, AGENCIES, PARASTATALS BY CONTRACTORS AND RESIDENT SUPERVISORY ENGINEERS AND FOR RELATED MATTERS, 2024

Sponsored by Hon. Aderemi A. Oseni

[] Commencement

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

1 PART I - EXECUTION OF POOR QUALITY, SHODDY OR SUB-STANDARD

2 JOBS BY CONTRACTORS AND BY DIRECT LABOUR

3 1.-(1) Any person who-

4 (a) as a contractor or a person; be it an individual or a corporate
5 body that is awarded a contract for the construction, repair, rehabilitation of
6 buildings, roads, bridges and related projects who does a poor quality,
7 shabby, shoddy or sub-standard job shall be guilty of an offence and upon
8 conviction shall-

9 (i) in the case of an individual be sentenced to imprisonment for
10 5 years, without option of fine;

11 (ii) In the case of a body corporate, a penalty not less than 60%
12 percent of the value of the job to be refunded to government, and its
13 company and the Directors shall be blacklisted from participating in any
14 form in bidding, winning, from being awarded any contract or acting as a
15 sub-contractor thereof.

16 (b) As an employee of any government ministry, agency or
17 parastatal who participated or is part of the execution of any contract for the
18 construction, repairs, rehabilitation of buildings, roads, bridges and related

Offences in relation to poor quality, shoddy and substandard execution of buildings, bridges and road construction contracts in Federal Government agencies

1 projects who does a poor quality, shabby, shoddy or sub-standard job shall be
2 guilty of an offence and upon conviction shall-

3 (i) be sentenced to imprisonment for 5years, without option of fine,
4 and shall be made to refund not less than 60% of the total contract sum to the
5 government, and upon return shall not desire to be promoted for a period of 5
6 years.

Offences by body
corporate

7 **2.** Any staff, consultant or Resident Supervisory Engineer or any
8 person howsoever described that approved or signs off any poorly executed,
9 sub-standard, shabbily executed contract for the construction, repair,
10 rehabilitation of buildings, roads, bridges and related projects and recommend
11 or advice that payment should be made for same by any Federal ministry,
12 agency or parastatal shall be guilty of an offence and upon conviction shall-

13 (a) In the case of an individual be sentenced to imprisonment for
14 5years, without option of fine;

15 (b) In the case of a body corporate as a consultant or howsoever
16 described, a penalty not less than 20% percent of the value of the job to be
17 refunded to government, and the company and its Directors shall be blacklisted
18 from participating in any form in bidding, winning, from being awarded any
19 contract or as a sub-contractor thereof.

Offences by
Resident
Supervisory
Engineers

20 **3.** Procedure of Trial of offences-

21 (a) Offences under herein created shall be triable summarily by the
22 Federal High Court and the procedure applicable in the case of summary trial of
23 offences before the court shall apply to the same extent for the purposes of trials
24 for offences herein created;

25 (b) The prosecuting authority shall be the Attorney General of the
26 Federation of any agency or person authorized by him.

Short title

27 **4.** This Bill may be cited as the Execution of Federal Government
28 Contracts (Offences) Bill, 2024.

EXPLANATORY MEMORANDUM

This Bill seeks to regulate the execution of buildings, bridges and road construction contracts in all federal government ministries, agencies and parastatals.