

**A HANDBOOK ON LEGISLATIVE PRACTICE AND
PROCEDURE OF THE NATIONAL ASSEMBLY**

A Publication of

**National Institute for Legislative Studies, National Assembly &
National Secretariat of Nigerian Legislatures**

A Handbook on Legislative Practice and Procedure of the National Assembly

Third Edition

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Foreword

The first and second editions of this Handbook were published in 2004 and 2011 respectively, by the National Secretariat of Nigerian Legislatures to enlighten Legislators, Legislative Staff, Scholars and the general Public on the law-making responsibility of the National Assembly, the first arm of government. It discussed among others, the structure of the National Assembly, organization, powers, functions and more importantly, practice and procedure.

Arising from positive responses to the two editions the Handbook has become a veritable reference material. It can be stated without fear of contradiction that the Handbook has served its purpose, which is dissemination of knowledge on how the National Assembly functions.

Indeed, the maiden edition of the Handbook established the foundation for the numerous capacity building programmes organized for legislators, staff and legislative aides. The steady growth and development of the Nigerian Legislature in terms of access to improved infrastructure, knowledge and human capacity attests to the remarkable progress so far recorded despite the enormous challenges the Legislature was confronted with at inception.

In the third edition, chapters Eleven and Twelve have been added to the Handbook while chapters One – Ten and the Annexures were revised in the light of experiences gained since 1999 in the National Assembly in general and on the floors of the Senate and House of Representatives, as well as improved working relations with the Executive and Judiciary arms of government.

I therefore, recommend the Handbook to all Legislators, Staff, Scholars, Researchers and the general reading Public.

SALISU ABUBAKAR MAIKASUWA, OON, mni, FNIM, FFPN, FCEA
Clerk to the National Assembly
November, 2014

Acknowledgement

The publication of the first and second editions of this Handbook enjoyed the support and encouragement of the leadership of the National Assembly over the years. In this regard, I commend former Clerks to the National Assembly, Dr. Ibrahim Salim, CON, Alh. Nasiru Arab, Mr. Oluyemi Ogunyomi and the present Clerk, Salisu A. Maikasuwa, OON, mni, FNIM, FFPN, FCEA.

My predecessor, Dr. R. A. Ahmadu collaborated with Mr. Niyi Ajiboye, former Acting Clerk to the National Assembly and Mr. E. U. Ojogwu to produce the first and second editions of the Handbook. Other contributors were Messrs Christopher Ashiekaa, Friday Effoduh and Joshua Wakawa. I thank them for laying the foundation for this project and painstakingly reading the manuscript and providing concrete suggestions that enhanced the quality of the first and second editions.

Since 1999, the National Assembly has recorded changes, great and small in the practice and procedure of both Houses. Accordingly, the varieties of one era becomes the foot notes of the next, it is in recognition of this fact that the establishment of the National Institute for Legislative Studies in 2011 has necessitated the collaboration between the Institute and the National Secretariat of Nigerian Legislatures in producing the third edition of the Handbook. Accordingly, this new edition of the Handbook on Legislative practice and procedures of the National Assembly was conceived, planned and put into preparation by Dr. Ladi Hamalai, the Director General, NILS and my humble self, as Secretary, National Secretariat of Nigerian Legislatures. We therefore, requested Mr. Niyi Ajiboye, former Acting Clerk of the House of Representatives to edit the Handbook.

The new edition has therefore, benefited greatly from Mr. Niyi Ajiboye's generous agreement to our request. He has brought to the task, the experience and detailed knowledge of the Handbook gained from his acting as co-editor of the first edition and also his experience as former acting Clerk of the House of Representatives January 2006- January 2010. The DG NILS, Dr. Ladi Hamalai reviewed the book and provided additional information, including all the Tables, in each Chapter. A detailed editorial work was also done by the DG.

The production of this edition involved other resources; the dedicated desk officers of the National Secretariat of Nigerian Legislature, who handled chapter 10 of the publication and secretaries from NILS and NSNL who handled the various secretariat demands of the project.

Finally while thanking every contributor to this handbook, any errors or omissions in the text of the book remains my responsibility as Editorial Adviser.

Dr. Rabi Audu

Secretary, National Secretariat of Nigerian Legislatures
November, 2014

Chapter One

Structure, Organisation, Facilities and Services

Introduction

Modern democracies are characterized by shared decision-making between the legislative, executive, and judicial branches of government. Each country's Constitution formally structures this interaction by allocating political powers and the relative influence each branch of government has over the other and over policy making (NDI, 2000). Among the branches of government, the legislature occupies a central position in the machinery of governance as a representative body and traditionally vested with formal lawmaking power, giving it some capacity to shape or at least influence public policy. The representation role of the legislature makes it the mouthpiece of constituents and communities. It is also the arm of government that has a decentralized power structure as each Member is equal to the other. The Principal Officers are selected by the Members and are accountable to the Members.

Aside from this traditional role, the parliament performs oversight functions through which the government is held accountable to the electorate. The oversight functions are vested in the Legislature as a fundamental principle of the separation of powers and on account of Parliament being an institution of the people's representatives. These oversight functions are performed within the framework of the Committee system. The Committee system assumes great importance since Parliament in its corporate nature cannot have complete oversight over government and all its activities. The committees employ several oversight tools or mechanisms to effectively carry out their functions. Among the oversight tools employed in Nigeria are questioning and interactions, visits and inspection, bill referral and committee hearings, investigative hearings, examination and approval of appropriation bill, and vetting of the auditor-general's reports. With these oversight tools, the legislative body plays an active role in understanding and monitoring the performance

of the executive arm of government and applies this knowledge to its traditional function of lawmaking.

The Structure, Organization, Facilities and Services in relation to a Law-making Institution are those elements that must be in place to enable it achieve its functions and objectives of lawmaking, representation and oversight. These structures include office infrastructure including Committee rooms and conferencing facilities, equipment, IT systems, library, administrative organs, services and staffing.

Organizational Set-Up for Legislative Work

The Legislative institution is organized in such a way that alongside the political functionaries are legislative officers who provide the services required by these political functionaries as outlined below:

(i) Political functionaries (Legislators).

The National Assembly comprises two Houses — the Senate and the House of Representatives, in accordance with the provision of S.47 of the Constitution of the Federal Republic of Nigeria 1999. The Senate consists of three Senators from each State and one from the Federal Capital Territory, Abuja (S.48) totalling 109 Senators, while the House of Representatives consists of 369 Members representing constituencies of nearly equal population as far as possible (S.49). Each House is headed by a Presiding Officer and a Deputy, who are the political heads (S.50).

(ii) Legislative and Administrative functionaries

Legislative and Administrative functionaries provide the services required and also operate the facilities to enable the legislators perform their functions. Responsible to the two Houses is the Clerk to the National Assembly who is also the Accounting Officer of the National Assembly, assisted by a Deputy Clerk to the National Assembly, who also acts in the absence of the Clerk to the National Assembly. Servicing each of these Houses are the Chamber Deputies of the Clerk to the National Assembly — the Clerks of the Senate and the House of Representatives. The two Officers are responsible to the Clerk to the National Assembly and the Presiding Officers and manage the administrative affairs of their

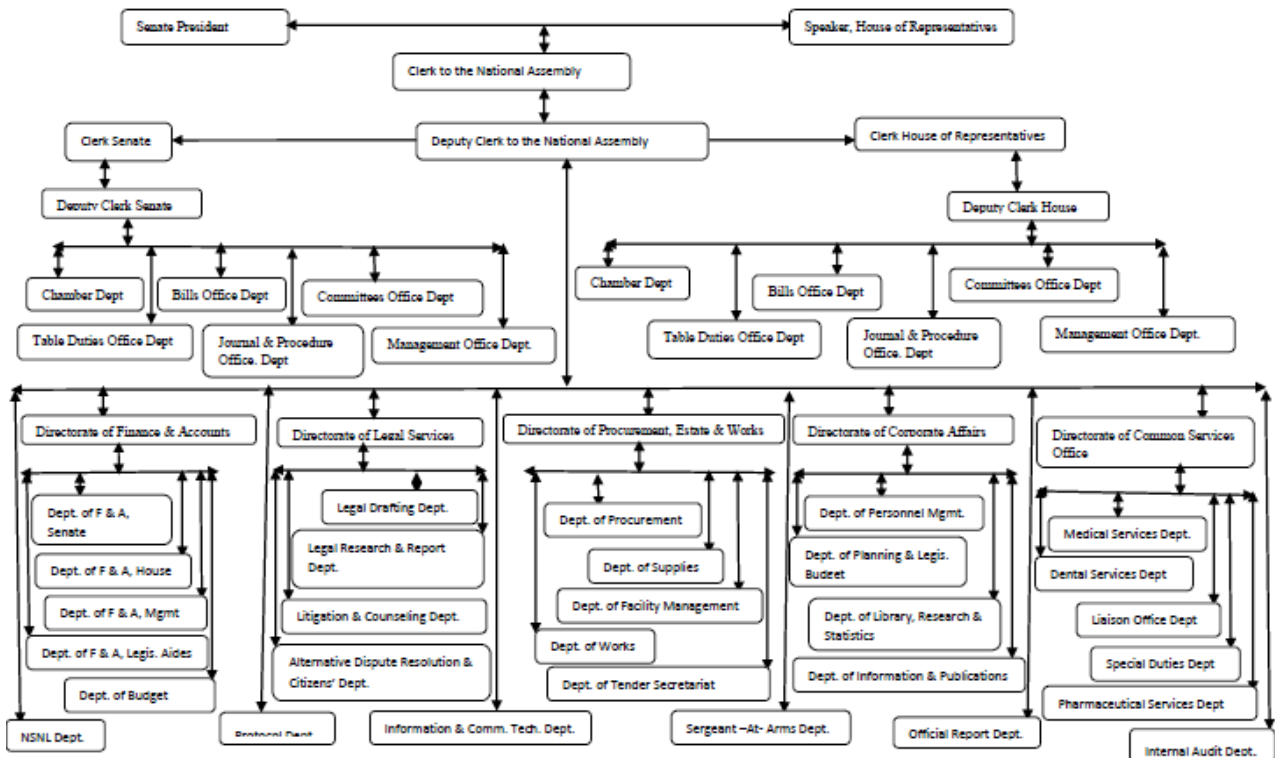
respective Houses as well as execute their legislative decisions on behalf of the Clerk to the National Assembly. Each House is a Legislative Directorate headed by the Clerk of the House and composed of officers who carry out the legislative work of the respective Houses and implement their political decisions under the directive of the respective Clerks (S.51).

Built upon this constitutional arrangement are provisions made in the Standing Orders of each of the Houses for other political functionaries: House Leaders, Party Leaders, Whips and Committee Chairmen. The Standing Orders of each House have made provisions and defined functions of the following: the leaders of the Houses and their Deputies, the Party leaders and their Whips, Chairmen and Deputy Chairmen of Committees.

In addition to this basic political arrangement and apart from performing their law-making roles in the Chamber, Members are also assigned to Committees and Sub-Committees. This arrangement greatly eases the law-making process through division of labour. Thus, by their contributions in Committees, Members play a more significant role in the formulation and consideration of public policy than they do in open debate on the floor of the House.

For further realization of the objectives of law-making, there are established a number of Directorates which provide specialized services to the two Houses. These Directorates, known as the Support Services Directorates include: Directorate of Finance and Accounts, Legal Services, Procurement Estate and Works, Corporate Affairs and Common Services. The Directorates are headed by Secretaries (equivalent of Permanent Secretaries in the Civil Service). Each Directorate is comprised of several Departments headed by Directors. The five Directorates complement the two legislative Directorates - Senate and House of Representatives headed by Clerk, Senate and Clerk, House of Representatives respectively. The Clerk to National Assembly oversees all the Directorates.

ORGANIZATIONAL CHART OF THE NATIONAL ASSEMBLY



Furthermore, there are principal Departments under the direct supervision and control of the Clerk to the National Assembly: These are the, Information and Communication Technology (ICT), National Secretariat of Nigerian Legislatures, Sergeant-at-Arms, Official Report and Internal Audit.

Facilities

Institutional infrastructure and facilities that are provided and upgraded regularly to support legislative work include the following:

- well-constructed and acoustically appropriate deliberating Chambers
- 8 hearing rooms in white house and 4 in the new Senate and House wings (see table 3 for details);
- about 92 well equipped Committee Rooms in the two houses at the White House and the New Wings as detailed in Table 3;

- well-equipped specially built offices for the Presiding Officers: The President of the Senate and the Speaker of the House of Representatives as well as their Deputies.
- well-equipped offices for Principal officers of the two chambers and all other members of the National Assembly as each Member has an office suite (see Tables 1 and 2 for details);
- a well-equipped library with up-to-date reference and research materials;
- a Printing Department with excellent and modern machinery;
- suitable and well equipped Members and staff restaurants;
- computer services within easy reach of Members;
- telephone and postal services;
- photocopiers, adequate supply of stationery items and accessories;
- Internet facilities as detailed in Table 4; and
- Vehicles

Table 1: Distribution of offices for Hon. Members in the House of Representatives New Building in the 7th National Assembly by Floors

Floor	No. of Offices Allocated to Senator	% of Total
Ground Floor	68	18.89
1st Floor	71	19.72
2nd Floor	70	19.44
3rd Floor	83	23.06
4th Floor	68	18.89
Total	360	100.00

Source: Underlying data from Personnel Management Department, Sergt-At-Arms, NASS

Table 2: Distribution of offices to Senators in the Senate New Building in the 7th National Assembly by Floors

Floor	No. of Offices Allocated to Senator	% of Total
Ground Floor	17	15.60
1st Floor	25	22.94
2nd Floor	25	22.94
3rd Floor	25	22.94
4th Floor	17	15.60
Total	109	100.00

Source: Underlying data from Personnel Management Department, NASS

Table 3: Committees' Meeting Rooms in the National Assembly

Location	Public Hearing Rooms	Committee Rooms/Meeting Rooms
New Wing (Senate)	2	21 1 st Floor: 3: Rooms 107, 117 & 120 2 nd Floor: 4: Rooms 204, 2011, 221, 224 3 rd Floor: 8: Rooms 304, 305, 312, 313, 323, 324, 327 & 328 4 th Floor: 6: Rooms: 426, 427, 430, 431, 428 & 439
White House (Senate)	4	21
White House (House of Reps.)	4	24
New Wing (House of Reps.)	2	26

Source: Estate and Works

Information Communication Technology Infrastructure in NASS Complex

i. Access to Computer Systems

- All of the legislators (109 Senators and 360 Members) are provided with personal laptops. In addition, the office of each legislator is provided with a desktop computer, shredder, printer and photocopier
- All of the 147 committees (56 in the Senate and 91 in the House) have at least one desktop computer system, 1 printer, and 1 photocopier. The bigger committees have several computer systems
- The committee rooms in the House of Representatives have motorized /wall presentation systems and associated projection system (26 LCD projector systems
- NASS Departments are also provided with computer systems and accessories for their operations. Senior management staff are also provided with laptops computers and iPad.

ii. Servers/Services

- NASS has a total of the 5 high performance servers and 2 in progress, all managed by the ICT Department.

Table 4: IT Servers in NASS

S/N	Server	Qty. of Server (s)	Remarks
1	DNS and DHCP	2	functional
2	Antivirus	1	functional
3	Network Application Monitoring Software (Solarwind)	2	functional
4	Mail and Exchange	2	In progress

These servers are used for the following network services:

- Email services
- Web, domain and dynamic host configuration service
- Price intelligence Database

Other servers include: 2 servers for official reporters, 1 e-library server, 1 Server for Medical Directorate, 1 Server for Finance and Accounting System.

iii. Internet Connectivity

- The White House Complex is serviced by a dedicated fibre optic internet connection as the primary, and VSAT as the secondary, means of access to internet.
- All the offices in the new Senate Building and new House Building and the extension have dedicated internet connectivity.

iv. Local Area Network Infrastructure

- The White House Complex has LAN infrastructure. This is currently being upgraded
- New Senate and House Wings have modern structured LAN cabling in place and functional
- Work on LAN in the two buildings in Annex is on-going.

- Switches have been upgraded to Cisco 3900 series

Staffing

In order for a Legislature to perform its traditional role satisfactorily — that is being functional, accountable, informed, independent and representative — Legislative Aides and other support services are a *sine-qua-non*. There are not less than 2,424 legislative aides in NASS working with the 460 Members. 11 of the Aides possess Ph.D. degrees, 171 masters' degree and the bulk of them, about 1006 are first degree holders. See Table 5 for details.

Table 5: Comparative Analysis of Distribution of Legislative Aides in the 7th Assembly as at September 2014 in the Senate and House by Educational Qualifications

Educational Qualifications	Senate		House	
	No. of Legislative Aides	% over Total	No. of Legislative Aides	% over Total
Ph.D.	3	0.5	9	0.5
M.Sc.	63	10.7	108	5.9
PGD	22	3.7	51	2.8
B.Sc.	251	42.6	813	44.3
HND	107	18.2	281	15.3
ND/NCE	82	13.9	327	17.8
Diploma	22	3.7	66	3.6
Grade II	9	1.5	48	2.6
WAEC/Equivalent	30	5.1	132	7.2
Total	589	100.0	1835	100.0

Source: Underlying data from Personnel Management Department, NASS and National Assembly Service Commission (NASC)

The National Assembly Management is staffed by a strong team of experts and officers totalling 3,281. Eight of them, including, DCNA, Clerk Senate and Clerk House, are Permanent Secretaries equivalent while the Clerk to National Assembly is the Head of service of NASS. The staff provide basic support services such as management of finances and expenditure, Chamber services, official report services, legal services, information, medical, maintenance, printing and library and research services. See Table 6 for details.

Table 6: Distribution of Permanent Staff of National Assembly by Categories as at October 2014

Category of Officer	Number of Staff	%
Consolidated (CON)	9	0.12
Directors	43	1.36
Senior	2,919	88.92
Junior	315	9.60
Total	3,286	100.00

Source: Personnel Management Department, National Assembly, Abuja

Duties of the Clerk to the National Assembly

The duties of the Clerk to the National Assembly include:

- Coordinating Legislative activities of both Houses;
- Chief Administrative and Accounting Officer;
- Forwarding passed laws to the President of the Federal Republic for assent;
- Enrolment of Acts of the National Assembly;
- Ordering the printing of such laws on vellum paper;
- Conveying to the President, through the Secretary to the Government of the Federation, Resolutions of the National Assembly;
- Sitting at the head of the Table in the Chamber at Joint Sessions of the National Assembly;
- Defence of the National Assembly Budget before the Appropriations Committee of each House and giving evidence before the Public Accounts Committee.

As the Chief Administrative Officer of the National Assembly, the Clerk to the National Assembly advises the two Presiding Officers of the Houses on administrative and legislative matters. The C.N.A also consults with the Presiding Officers as and when necessary, briefing them on a continuous basis in respect of matters of national and international concerns involving the National Assembly.

In all these matters, the Clerk to the National Assembly is continuously assisted by the Deputy Clerk to the National Assembly to whom some specific responsibilities are delegated.

The Clerks of the Senate and the House of Representatives perform legislative and administrative functions as heads of the Departments of their respective Houses and report to the Clerk to the National Assembly as occasion warrants. Under them are other Legislative Staff from the Deputy Clerks down the line. They service the Chambers, the various Committees and perform other services for Members both collectively and individually.

Common Services Division performs services that aid Members individually and collectively by facilitating the law-making process.

Special Aides on Consultancy Basis

Provisions are also made to enable Committees hire the services of consultants on an ad-hoc basis. These consultants perform specific services for which they are paid. Recommendation for hiring consultants by Committees is made through the Clerk to the National Assembly to the Presiding Officers of each House in the first instance.

The National Assembly Service Commission (NASC)

The National Assembly Service Commission (NASC) was established by the National Assembly Service Commission Act of 2000 (which was repealed and re-enacted on the 30th of June, 2014) with the responsibility of managing the workforce of the National Assembly. Under the Act, all staff appointments, promotions, salary payment, transfer or secondment to other government ministries, agencies, or departments are to be handled by the Commission.

On the recommendation of the Senate President and the Speaker of the House of Representatives, the President of the Federal Republic of Nigeria appoints the leadership of the commission which consists of a chairman and twelve other members called commissioners. The Commissioners have a five years tenure after which they are eligible for another one term only. At least 2 Commissioners represent each of the six geo – political zones in the country. The Secretary to the Commission acts as the accounting officer and is also responsible for the day to day administration of the commission, as well as the keeping of books and proper records of the proceedings of the commission.

The Commission is made up of the following components:

1. Office of the Chairman
2. Legal Unit
3. Protocol and Public Relations Unit
4. Offices of the Commissioners
5. Office of the Secretary to the Commission
6. Legislative Aide Division
7. Department of Administration & Supplies
8. Department of Finance & Accounts
9. Department of Planning, Research & Statistics
10. Department of Appointment, Promotions, Discipline & Appeals

National Assembly Budget

The National Assembly has been operating on a Budget of about N150,000,000,000.00 (One Hundred and Fifty Billion Naira) for the past 5 years. Over 80% of the Budget goes to recurrent expenditure as detailed on Table 7 below.

Table 7: Structure of National Assembly Budget, 2009 – 2014

Year	Total	Capital	Recurrent	% of Recurrent Budget
2009	106,642,333,760	5,250,000,000	101,392,333,760	95.08
2010	154,205,234,695	16,190,000,000	138,015,234,695	89.50
2011	150,000,000,000	11,789,930,000	117,460,070,001	78.31
2012	150,000,000,000	19,746,970,000	125,892,139,991	83.93
2013	150,000,000,000	16,619,424,284	132,850,797,952	88.57
2014	150,000,000,000	16,179,424,284	133,321,820,460	88.88

Source: Budget Details, (Appropriation Act Federal Republic of Nigeria)

The recurrent activities include salaries and allowances of Staff and Legislators, administrative costs, committee activities such as oversight, public hearings etc., printing of official reports, communications, constituency offices, Aides, consultants, security and general maintenance of facilities. Others including funding of NILS and the National Assembly Service Commission. The capital budget covers construction, equipment, vehicles, furniture, and IT infrastructure among others.

The National Institute for Legislative Studies (NILS)

The National Institute for Legislative Studies (NILS) is an organ of the National Assembly established by an Act of the National Assembly in 2011. NILS builds on the success of the Policy Analysis and Research Project (PARP) which was established in 2003 as a capacity building institution of the National Assembly with the financial support of the African Capacity Building Foundation. For seven years, PARP had helped to strengthen the capacities of legislators and staff, and ensured that the positions and proposals advanced by the National Assembly were informed by requisite research, and analytical support. The vision of NILS is to be a world class facility that would support the sustenance of dynamic and effective legislature in Nigeria and in the sub region.

Under the enabling law, NILS is charged with the responsibilities to amongst other things:

- act as a centre of excellence for research and publication on democratic governance and legislative practice and procedures;
- act as a centre for continuing education on democracy and legislation;
- conduct periodic short and refresher courses for National and State Legislators, staff, committee Clerks and political aides on legislative practice and procedure, democracy and good governance.
- Provide Research Reports for Legislation for National Assembly, committees and the Legal Services Department of the National Assembly.
- promote and protect constitutional due process in legislative practices.
- initiate and encourage Legislative Drafting courses in tertiary institutions in Nigeria and abroad.
- run and maintain quality and world class libraries and databases on legislative system and democratic governance.
- Initiate and execute any project that would help to generate ideas and policies for good governance.
- Award appropriate professional certificates and testimonials according to the training and teaching offered.
- improve the capacity of legislators to sustain and consolidate democratic governance through deliberation and policy formulation;
- improve the technical capacity of legislative staff, committee secretaries and political aides to process appropriation bills and policy oversight of the executive;
- document and publish for public use the history and politics of the legislature in governance in Nigeria from colonial period to the present;
- conduct periodic training on democratic principles for members of the Armed Forces;
- monitor elections;
- provide interface between democratic institutions and the civil societies;

- sensitize the Nigerian public to imbibe, support and defend democratic and legislative ethics;

The Institute has been effectively implementing in mandate as stated above. It is noteworthy that the Institute has begun to run both part time and full time courses leading to the award of:

1. Post Graduate Diploma in Legislative Studies;
2. Post Graduate Diploma in Parliamentary Administration
3. Post Graduate Diploma in Legislative Drafting
4. Masters' Degree in Legislative Studies
5. Master's Degree in Parliamentary Administration
6. Master's Degree in Legislative Drafting

The Institute's permanent site on Shehu Yar'adua Way, is being developed by Julius Berger (PLC).

The Institute has a Governing Council chaired by the Deputy President of the Senate and Alternate Chaired by the Deputy Speaker of the House of Representatives. The Council is comprised of six Senators and six members of the House (representing each geo-political zone), the Clerk to National Assembly, and Chairman of the National Assembly Service Commission and the Director General of the Institute who is a member Secretary.

Conclusion

In conclusion, the chapter has demonstrated the adequacy of the physical infrastructure and facilities in National Assembly, as well as that of support staff. However, the dynamics of the deployment of such infrastructure and staff resources in relation to the efficient implementation of the functions of NASS require a different set of performance indicators. The quality of staff, efficient use of facilities and effectiveness of legislative processes and procedures would determine the performance level of the legislative arm of government. The deciding factor for improving performance level may then be sustained capacity development of staff and parliamentarians as well periodic process re-engineering.

Motivational issues and strong political will to maintain standards, independence and effectiveness of the legislature are also issues to grapple with.

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