



STATE OF NIGERIA
2016, LAW NO. 10

A Law to establish the Imo State Social Services Stabilization Fund and for other related matters.

Long Title

BE IT ENACTED by the Imo State House of Assembly of Nigeria as follows –

Enactment

PART 1 – PRELIMINARY

1. This Law may be cited as the Imo State Social Services Stabilization Fund Law, 2016.

Citation

2. In this Law, unless the context otherwise requires –

Interpretation

“Bank” means a Financial Institution or Establishment which among other things, invests money deposited by customers, pays it out when required, makes loans at interest and exchanges currency etc;

“Board” means the Imo State Social Services Stabilization Fund Board of Trustees established under Section 6 of this Law;

“business” means a financial and commercial transaction;

“Company” means an institution created to conduct business;

“Corporate Organizations” mean organizations that exist independent of their owners i.e. corporations that have powers and liabilities separate and distinct from those of their owners;

"establishment" means a public or private business or other organization or the place where an organization operates;

"Federal Government" means the Federal Government of Nigeria;

"functions" include powers and duties;

"fund" means the Imo State Social Services Stabilization Fund established under Section 3 of this Law;

"Governor" means the Governor of Imo State of Nigeria;

"member" means a member of the Board of Trustees and includes the chairman;

"public" means publicly owned;

"State" means Imo State of Nigeria;

"State Government" means Imo State Government;

"Task Force" means the Task Force established under section 14 of this law.

PART II - ESTABLISHMENT OF THE FUND

3. There is hereby established, a Fund to be known as the Imo State Social Services Stabilization Fund.

*Establishment
of the fund*

4. The Fund is established for the following purposes -

*Purpose of
the fund*

- (a) the development and provision of social services in Imo State; and
- (b) the provision of specialist health services to indigent citizens of Imo State

5. The sources and accounts of the fund shall consist of –

*Sources and
accounts of
the fund*

- (a) donations made by Civil/Public Servants, individuals, Companies and Corporate Organizations, Local Government Councils, State and Federal establishments, Oil Companies, Business Enterprises, Insurance Companies, Banks and other financial houses;
- (b) special social service levies introduced by the Imo State Government as specified in the schedule to this Law to be paid by taxable adults, Civil/Public Servants, Corporate Organizations, Companies, Oil Companies, Business Enterprises, Banks and other Financial Houses, etc in accordance with the assessment done by the Task Force created by this law; and
- (c) rents collected from Government establishments.

PART III - ESTABLISHMENT OF A BOARD OF TRUSTEES AND COMPOSITION OF THE BOARD

6(1) There is hereby established for the Fund, a Board of Trustees to be known as the Imo State Social Services Stabilization Fund Board of Trustees (hereinafter referred to as "the Board")

*Establishment
of Board and
composition*

(2) The Board shall comprise –

- (a) the Secretary to the Government of Imo State;
- (b) the Chief of Staff to the Governor;
- (c) the Accountant-General of Imo State;
- (d) the Permanent Secretary, Ministry of Health, Social Development and Women Affairs;
- (e) an officer of the Ministry of Finance to be nominated by the Commissioner of Finance; and
- (f) four other members appointed by the Governor, one of whom shall be the chairman.

- (3) The terms of appointment of the chairman and members of the Board including their remuneration shall be stated in their letters of appointment.

7. The functions of the Board shall include -

*Functions of
the Board*

(a) being responsible for the administration and management of the Fund as directed by the Governor;

(b) ensuring that all monies received or realized for the purpose of the fund are paid into the internally generated revenue account of the State within twenty four hours of receipt of such monies and that report of such payment is made officially to the Board for its records;

(c) operating the Bank Accounts of the fund subject to directives from the Governor of Imo State;

(d) approving expenditure and projects/programs submitted to it by the Task Force established under this law; and

(e) disbursing funds from the resources and accounts of the Fund whenever the need arises

8(1) The Fund is authorized to operate Bank Account(s).

*Bank
Accounts of
the Board*

(2) The signatories to the Bank account(s) shall be as directed by the Governor.

9. Notwithstanding the provisions of this law, payment out of the fund for administrative expenses shall be made only with the approval of the Governor of Imo State.

*Payment for
administrative
expenses*

10. The Board shall regulate its own proceedings and may make standing orders for the purposes of carrying out its functions under this law.

*Board to
regulate its
own
proceedings*

11(1) The Board shall keep and maintain proper accounts and records of all its transactions.

Accounts and records of the Board

(2) The accounts of the Fund and the Board shall be audited every year by the Auditor-General of Imo State.

12. The Board shall prepare and submit quarterly reports to the Governor.

Submission of quarterly report

13(1) The Board shall hold meetings whenever the need arises: Provided that there shall be at least one meeting every month.

Meetings of the Board

(2) The chairman shall preside at every meeting of the Board but in the absence of the chairman, the members present shall appoint one of their members to be the chairman for that meeting.

(3) At a meeting of the Board, five members present shall form a quorum.

PART V - ESTABLISHMENT OF A TASK FORCE

14. There is hereby established, a Task Force which shall be called the Social Services Stabilization Fund Task Force.

Establishment of the task Force

15. The Task Force shall comprise –

Composition of the Task Force

(a) a representative of the Ministry of Justice not below Grade Level 15;

(c) a representative of the Ministry of Education not below Grade Level 15;

(d) three persons appointed by the Governor, to represent the three geo-political zones of Imo State, out of which one shall be appointed as the Chairman;

- (e) a representative of the Accountant-General not below the rank of a Director in the Imo State Civil Service; and
- (f) a consultant to be appointed by the Governor of Imo State.

16. The functions of the Task Force shall include –

*Functions of
the Task
Force*

- (a) identification of Individuals, Companies, Corporate Organizations, Local Government Councils, civil/public servants, political office holders, State establishments, shop owners, Oil Companies, Insurance Companies, Banks and other Financial Houses etc that can make donations to the fund;
- (b) carrying out enlightenment programs on the benefits of the Fund;
- (c) assessment of levies to be paid by civil servants, public servants, political office holders, individuals, Companies and Corporate Organizations, Oil Companies, Insurance Companies, Banks and other financial houses, shop owners, commercial vehicle operators, tricycle operators and commercial motor cycle operators etc.
- (d) submission and recommendation to the Board for approval, assessment made in relation to the persons and organizations listed in paragraph (c) above;
- (e) preparation of comprehensive programs and plans for the Fund and submission of same to the Board;
- (f) ensuring the execution of programs and projects approved by the Board;
- (g) ensuring that demand notices for levies are distributed and enforcing payment by defaulters; and

(h) submission of comprehensive reports of its activities on a quarterly basis to the Board.

17(1) The Task Force shall meet at such times and at such places as the chairman may determine: Provided however that it shall meet at least twice in a month.

*Meetings of
the Task
Force*

(2) The Task Force shall, subject to the approval of the Board, regulate its proceedings and activities.

18(1) Any person who –

*Penalties for
defaulters*

(a) misappropriates money belonging to the Fund is guilty of an offence and shall on conviction be liable to a fine which shall be double of the amount so misappropriated or imprisonment for two years or to both such fine and imprisonment;

(b) neglects or refuses to pay the levy as contained in the Schedule to this Law one month after receipt of the demand notice, shall in addition to the levy, be surcharged to the tune of 50% of the amount stated on the demand notice;

(c) neglects or refuses to pay the levy even after being surcharged as stated in paragraph (b) of this Section, is guilty of an offence and shall on conviction be liable to a fine which shall be 30% of the total sum of the levy as contained in the schedule and the 50% surcharge for neglect or refusal to pay or to two years imprisonment or both such fine and imprisonment. This fine shall be paid in addition to the original levy contained in the schedule and the 50% surcharge as provided in paragraph (b) of this section.

(2) Offences under this law shall be tried by Magistrate Courts in the state.

19. Any subsequent review or assessment of the levies in the schedule to this law shall be approved by the State Executive Council and confirmed by the House of Assembly.

*Board to
approve
Assessment*

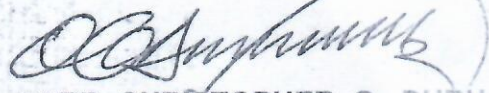
20. The Task Force is authorized to use any legal means to ensure compliance to the provisions of this Law.

*Enforcement
of payment of
levy*

SCHEDULE
SECTION 5(b)
TABLE OF LEVIES TO BE PAID

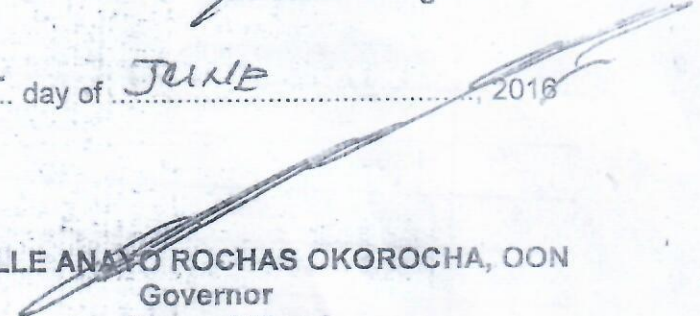
S/No	Name	Amount	Period
1.	Taxable Adults not being civil/public servants	₦ 2,000.00	Yearly
2.	Civil/Public Servants	₦ 2,000.00	Yearly
3.	Hotels	₦50,000.00	Yearly
4.	Fast food outlets	₦20,000.00	Yearly
5.	Restaurants	₦10,000.00	Yearly
6.	Other types of shops	₦ 1,000.00	Yearly
7.	Commercial bus operators	₦ 2,000.00	Yearly
8.	Taxi operators	₦ 1,000.00	Yearly
9.	Commercial motorcycle and tricycle operators	₦ 500.00	Yearly
10.	Companies/Corporate organizations, e.g. Banks, Insurance Companies, Construction Companies, Manufacturing Companies, Luxurious Bus Operators-etc	₦50,000.00	Yearly
11.	Law Chambers and other small firms	₦ 5,000.00	Yearly
12.	Other Business Enterprises	₦ 5,000.00	Yearly
13.	Multinational Oil Companies	₦500,000.00	Yearly

This printed impression has been carefully compared by me with the Bill which has been passed by the House of Assembly and found by me to be a true and correct printed copy of the said Bill.


BARR. CHRISTOPHER O. DURU
Clerk of the House of Assembly
Imo State of Nigeria

Assented to by me this 8TH day of JUNE, 2016




OWELLE ANAYO ROCHAS OKOROCHA, OON
Governor
Imo State of Nigeria

Assent withheld by me thisday of, 2016

OWELLE ANAYO ROCHAS OKOROCHA, OON
Governor
Imo State of Nigeria

Passed again by the Imo House of Assembly by two-thirds majority this
Day of, 2016.



RT. HON. IHIM IHEANACHO CELESTINE
Speaker
Imo State House of Assembly