

## A

## BILL FOR

- Long title. A Law to establish the Akwa Ibom State Audit Service Commission, Offices of the Auditor-General for Akwa Ibom State and Auditor-General for Local Governments and for other matters connected therewith.
- Commencement. ( )
- Enactment. **BE IT ENACTED** by the Akwa Ibom State House of Assembly as follows –

## PART I

*Establishment and Membership*

- Establishment. 1. (1) There is hereby established a Commission to be known as the Audit Service Commission.
- (2) The Commission shall be a body corporate with perpetual succession and a common seal, and shall have power to sue and be sued in its corporate name and own, hold and dispose of property whether movable or immovable.
- Membership. 2. (1) The Commission shall consist of –
- (a) a Chairman who shall be knowledgeable and experienced in audit matters;
  - (b) four other members two of which shall be qualified Auditors and the other two shall have considerable knowledge and experience in financial matters; and
  - (c) the following ex-officio members –
    - (i) the State Auditor-General;
    - (ii) the Auditor-General for Local Governments; and
    - (iii) the Permanent Secretary, State Civil Service Commission.

(2) The Chairman and members shall be appointed by the Governor subject to confirmation by the State House of Assembly.

*Qualification for membership.*

3. (1) No person shall be qualified for appointment as a member of the Commission if –

- (a) he is of questionable character;
- (b) within the preceding ten years he has been removed as a member of any of the bodies established by Section 197 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) or as the holder of any other office on the ground of misconduct; or
- (c) he has been convicted of a criminal offence by a Court of competent jurisdiction or tribunal.

(2) Any person employed in the Public Service of the Federation or of a State shall not be disqualified for appointment as a Chairman or member of the Commission provided that where such person has been duly appointed, he shall on his appointment be deemed to have resigned from his former office upon accepting the offer of appointment.

*Tenure of office.*

4. A member of the Commission, shall hold office for a period of four years from the date of his appointment and may be re-appointed for another term of four years only.

*Cessation of office.*

5. (1) The Chairman and any of the members shall cease to hold office if he –

- (a) resigns his membership of the Commission in writing by a letter addressed to the Governor; or
- (b) is permanently incapacitated or dies; or
- (c) is convicted of an offence which involves moral turpitude; or
- (d) is involved in any act that may be considered inimical to the interest of the Offices or the State; or

(e) becomes bankrupt or made a compromise with his creditor.

(2) The removal of the Chairman or any member shall be confirmed by a two-third majority of the State House of Assembly, where such removal is based on misconduct or on inability to perform the functions of his office.

*Filling of vacancy.*

6. At the commencement of this Law, or upon the expiration of the tenure of members of the Commission, at any time or upon a vacancy occurring in the membership of the Commission, the Governor shall within thirty days appoint a person to fill the vacancy, and such appointment shall be subject to confirmation by the State House of Assembly.

*Remuneration and Allowances.*

7. The Chairman and members of the Commission shall be paid such remuneration and allowances as may be prescribed by extant laws.

*Secretary to Commission.*

8. (1) The Commission shall have a Secretary who shall be –

(a) a public officer within the directorate cadre in the State Civil Service; and

(b) the Accounting Officer of the Commission.

(2) The Secretary shall hold office on such terms and conditions as may be specified in his letter of appointment for a term of four years in the first instance, and may be re-appointed for a further term of four years and no more.

(3) Subject to the general direction of the Commission, the Secretary shall be responsible for the day-to-day administration of the Commission and for the keeping of books and proper records of proceedings of the Commission.

(4) The Secretary shall perform all other duties affecting the Commission as may be assigned to him by the Chairman.

## **PART II**

### ***Functions and Powers***

*Functions.*

9. The Commission shall –