

(HB. 835)

A BILL

FOR

AN ACT TO PROVIDE FOR RELIEF ON CORPORATE TAX LIABILITY,
SUSPENSION OF IMPORT DUTY ON SELECTED GOODS AND DEFERRAL
OF RESIDENTIAL MORTGAGE OBLIGATIONS TO THE FEDERAL MORTGAGE
BANK OF NIGERIA FOR A FIXED TERM TO PROTECT JOBS AND ALLEVIATE
THE FINANCIAL BURDEN ON CITIZENS IN RESPONSE TO THE ECONOMIC
DOWNTURN OCCASIONED BY THE OUTBREAK OF COVID-19
DISEASE AND FOR RELATED MATTERS

Sponsors:

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Commence-
ment.

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

PART I — AIMS, OBJECTIVES AND APPLICATION

1. The Aims and objectives of this Act are:

(a) to provide temporary relief to companies and individuals to
alleviate the adverse financial consequences of a slowdown in
economic activities brought on by the outbreak of the Covid-19
Disease in Nigeria;

(b) to protect the employment status of Nigerians who might
otherwise become unemployed as a consequence of management
decision to retrench personnel in response to the prevailing economic
realities;

(c) to provide for a moratorium on mortgage obligations for
individuals at a time of widespread economic uncertainty;

(d) to eliminate additional fiscal bottleneck on the importation of
Medical Equipment, Medicines, Personal Protection Equipment and

1 other such medical necessities as may be required for the treatment
2 and management of the Covid - 19 Disease in Nigeria, to ease the
3 burden of importation and financial burden, thereby fostering easier
4 access and reduction in the price; and

5 (e) to cater for the general financial wellbeing of Nigerians
6 pending the eradication of this pandemic and a return to economic
7 stability.

8 2. The provisions of this Act shall apply throughout the Federal
9 Republic of Nigeria.

10 PART 2 — RATE OF TAX AND SPECIAL TAX REBATE

11 3. Notwithstanding the provision of any other law in force in
12 Nigeria, any employer duly registered under Companies and Allied
13 Matters Act (CAMA), Cap. C20, LFN, 2004, which maintains the
14 same employee status without retrenching their staff as at 1st of March,
15 2020 till the rest of the year ending 31st of December, 2020 shall be
16 entitled to 50 per cent income tax rebate on the total of the actual
17 amount due or paid as Pay As You Earn (PAYE) Tax under the Personal
18 Income Tax Act, Cap. C8, LFN 2004 (as amended).

19 4. The following circumstances shall not preclude the rebate to
20 employers under this section:

21 (a) where an employee dies of natural causes;

22 (b) where employee voluntary leaves the employment or has
23 already indicated interest to leave the employment before 1st of
24 March, 2020; or

25 (c) where the employee breaches the Labour Act, Cap. L1, LFN,
26 2004.

27 5. Under this section, the following words shall be interpreted
28 as:

29 "Rebate" shall mean 100 per cent refund of employer's income
30 tax which shall be 50 per cent of PAYE Tax due or paid on employees
31 of such employer who maintain the same status of employees from

1 1st of March, 2020 till 31st of December or such further period as
2 the President may stipulate. -

3 "Employers" shall mean and be interpreted to include entities
4 registered both in Part A and Part B of Companies and Allied Matters
5 Act.

6 6. Section 3 of this Act does not apply to employers partly or
7 wholly under the Petroleum Profit Tax Act, Cap. P13, LFN, 2004.

8 7. The President of the Federal Republic of Nigeria shall have
9 the power to extend the rebate period for the duration during which the
10 COVID-19 disease remains an urgent and severe public health
11 emergency, subject to ratification by a majority of the members of the
12 National Assembly.

13 PART 3 — DEFERRAL OF PAYMENT OF MORTGAGES

14 UNDER THE NATIONAL HOUSING FUND

15 8. Notwithstanding the provisions of National Housing Fund Act,
16 2018 or anything contained in any other Act, law or regulation in force
17 in Nigeria, all payment of mortgage obligations on residential
18 mortgages obtained by individual contributors to the National Housing
19 Fund are hereby deferred for a period of One Hundred and Eighty
20 (180) days effective from the 1st of March, 2020.

21 9. The President shall have the power to seek a further extension
22 of the deferral for a period not exceeding One Hundred and Eighty
23 (180) days, subject to a majority vote by members of the National
24 Assembly.

25 PART 4 — IMPORT DUTY WAIVER ON MEDICINES

26 AND MEDICAL GOODS

27 10. Notwithstanding anything contained in any other Act, law or
28 regulation in force in Nigeria, import duty waiver is hereby granted
29 on Medical Equipment, Medicines, Personal Protection Equipment
30 and other such medical necessities as may be required for the treatment
31 and management of the Covid-19 Disease in Nigeria.

1 11. The Minister of Health may by regulations published in the
2 Gazette specify such goods that qualify under this section.

3 12. The import duty waiver under this section shall take effect
4 from the 1st of March, 2020 and shall remain in force until the 31st of
5 December 2020.

6 13. The President may exercise his powers under Section 13 (1)
7 (a) of the Customs, Excise, Tariffs, etc. (Consolidated) Act to further
8 extend this waiver.

Citation.

9 14. This Bill may be cited as the Emergency Economic Stimulus
10 Bill, 2020.

EXPLANATORY NOTES

This Bill seeks to Provide for Relief on Corporate Tax Liability, Suspension of Import Duty on Selected Goods and Deferral of Residential Mortgage Obligations to the Federal Mortgage Bank of Nigeria for a fixed term to protect jobs and alleviate the financial burden on citizens in response to the economic downturn occasioned by the outbreak of COVID-19 disease and for related matters.