Why we’re amending rape, finance control laws, by NLRC chief

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Why we’re amending rape, finance control laws, by NLRC chief  
  
The Chairman of the Nigerian Law Reform Commission (NLRC), Professor Jummai Audi, has explained why her agency engaged in the amendment of laws on rape and related offences, and the Finance (Control and Management) Act.  
  
Speaking at two separate workshops held for stakeholders in Abuja, Prof. Audi said the amendment of the laws formed part of the NLRC’s mandate to consistently update existing laws to conform with current realities.  
  
She said her commission was reforming the laws on the offence of rape and other related sexual offences under the Criminal Code Act and Penal Code Act, Laws of the Federal Capital Territory (FCT) 2007 “to be in tune with new ways of committing those crimes and international best practice.”  
  
Prof. Audi and other speakers at the worksop held on December 7 noted that incidents of rape and related offences were on the increase in the country following the last corona virus induced lock down.  
  
According to her, some of the amendments proposed in relation to the laws on rape and related offences include the need to alter the current definition of rape in the Criminal Code and Penal Code of the FCT to conform with the definition of rape in the Violence Against Persons (Prohibition) (VAPP) Act 2015.  
  
There is also the proposal to alter the definition of “consent” in rape cases under the Criminal and Penal Codes to provide for certainty on what constitutes “consent” in the application of the law.  
  
The NLRC is also proposing, among others, the inclusion of provisions on marital or spousal rape in the Criminal and Penal Codes as it is the case in advanced societies like the United Kingdom, Australia and India.  
  
Prof. Audi, at an earlier workshop on the reform of the 63-year old Finance (Control and Management) Act 1958, said the amendment was to address the defects in the Act to strengthen public finance and management in the country to aid national development.  
  
She added that the amendment would provide the needed legals basis for the various financial instruments introduced by the Federal Government.  
  
Some of such instruments, Malami noted, include the Treasury Single Account (TSA), International Public Sector Accounting Standards (IPSAS), Integrated Personnel and Payroll Information System (IPPIS), Zero Based Budgeting (ZBB), Presidential Initiative on Continuous Audit (PICA), among others.  
  
NLRC chief, who noted that the law, enacted in 1958 was last amended in 1965, said the ongoing amendment has proposed an increase in the benchmark of the Contingencies Fund from N100million to N10billion, as well as provide for offences and penalties in order to ensure compliance with the provisions of the Act.  
  
She added other defects being addressed in the reform include: redefining the term”Accountant-General” and defining the terms “Accounting Officer” and “Auditor-General.”  
  
“The provision of objectives in the Act to give clear goal of what the Act seeks to achieve; to provide for the manner of financial accounts to be rendered to the National Assembly by the Minister of Finance and the responsibility of the Finance Minister in ensuring that the supervision, control and management of the financial affairs of Nigeria translates to the development of the economy.  
  
“To provide for the powers and duties of the Accountant-General of the Federation, Auditor-General of the Federation and Accounting Officers in government Ministries, Departments and Agencies in the Act for purposes of accountability and transparency in the management of public funds.  
  
“Provide for preservation of unexpended votes in respect of on-going or uncompleted projects.  
  
“To remove obsolete funds in the Act such as Sir Alfred Jone’s Bequest, K. W. Marchant Memorial Fund, etc. and include new funds such as th Sovereign Wealth Fund, Crisis Intervention Fund and others,” Prof Audi said.