

# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NATIONAL RENAL CENTRE TO BE CHARGED WITH THE RESPONSIBILITY OF RESEARCH ON CURE, PREVENTION AND MANAGEMENT OF KIDNEY DISEASES AND FOR RELATED MATTERS

*Sponsored by Hon. Bede Eke*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF THE NATIONAL RENAL CENTRE

Establishment of  
the National  
Renal Centre

2 1.-(1) There is hereby established a body to be known as the  
3 National Renal Centre, (NAREC) (herein in this Bill referred to as "the  
4 Centre").

5 (2) The "Centre" shall be a body corporate with perpetual  
6 succession and a common seal; and may sue and be sued in its corporate  
7 name.

8 2.-(1) There is hereby established for the management of "the  
9 Centre" a governing board (in this Act referred to as "the Board") which  
10 shall consist of:

Establishment  
and Membership  
of the Board

11 (a) the Chairman, who shall be appointed by the President,  
12 Commander-in-Chief of the Armed Forces of Nigeria;

13 (b) Representatives of the following Federal Ministries and  
14 Institutions:

15 (i) The Presidency;

16 (ii) three persons to represent the Federal Ministry of Health, with  
17 one each from the Institute of Medical Research and Nigerian Association of  
18 Nephrology;

	1	(iii) one person to represent the Federal Ministry of Women Affairs;
	2	(iv) one person to represent the Federal Ministry of Youth and Social
	3	Development, who shall not be less than a Director as ex-officio;
	4	(v) one person to represent the Federal Ministry of Information and
	5	Communications;
	6	(vi) a representative of Non-governmental organizations engaged in
	7	Kidney care and related campaigns;
	8	(vii) One representative from the Nigerian Medical Associations,
	9	(viii) a representative of the Organized private sector, and
	10	(ix) a representative of Civil Society Organizations including;
	11	(x) The Director-General shall be Secretary to the Board.
Appointment of the Chairman and Members	12	3. -(1) The Chairman and members of the Board shall be appointed by
	13	the President of the Federal Republic of Nigeria;
	14	(2) Members of the Board, other than the Director-General shall be
	15	appointed by the President of the Federal Republic of Nigeria
Schedule	16	4. The supplementary provisions set out in the schedule to this Act
	17	shall have effect with respect to the proceedings of the Board and other matters
	18	contained therein.
Tenure of Office	19	5. The Chairman and members of the Board:
	20	(a) shall each hold office for a period of 4 years on such terms and
	21	conditions as may be specified in their letters of appointment; and
	22	(b) May be re-appointed for an additional period of 4 years and no
	23	more.
Removal from Office	24	6. Notwithstanding the provisions of section 2(5) of this Act the
	25	chairman or any member of the Board may at any time be removed from the
	26	office by the president for inability to discharge the functions of his office
	27	(whether arising from infirmity of mind or body or any other cause).
Allowances	28	7. A member of the Board shall be paid such emoluments, allowances
	29	and benefits as the President of the Federal Republic of Nigeria may, from time
	30	to time approve.

## PART II - FUNCTIONS AND POWERS OF "THE CENTRE"

## 8. The functions of the Centre shall be to:

Functions of  
"the Centre"

(a) Co-ordinate various programmes and projects aimed at improving the health, social and economic well-being of victims of Kidney Diseases and other similarly related cases;

(b) Co-ordinate research on Kidney Diseases and other related cases with a view to providing solutions to most of the challenges facing the victims of the ailments;

(c) Co-ordinate, monitor and advise on all social protection activities of governmental and non-governmental agencies related Renal Diseases;

(d) Maintain a data bank on Kidney Diseases and other related matters;

(e) Develop a national benchmark for a multi-disciplinary diagnostic team, responsible for the diagnosis of Kidney Diseases and other related cases;

## 9. The Powers of the "Centre" shall be to:

Powers of "the  
Centre"

(a) Demand and obtain relevant information, data, statistics and report on matters relating to the cure, prevention and management Kidney Diseases and other related cases;

(b) Liaise with relevant establishments within and outside Nigeria in pursuance of the functions of the Centre;

(c) Initiate and implement programmes geared towards supporting victims of renal failure and other related cases;

(d) Create awareness on Kidney Diseases as well as other similarly related cases;

(e) Act as government agency for catalyzing and mobilizing resources at all tiers of government and throughout the country for the purpose of addressing the challenges of renal Diseases and other related cases;

Functions and  
Powers of the  
Board

1 (f) Carry out such activities as are necessary or expedient for the  
2 performance of its functions under this Act;

3 PART III - FUNCTIONS AND POWERS OF THE BOARD

4 10. The Board shall:

5 (a) Determine the overall policies of the Centre, including its  
6 financial and operating procedures and ensure the effective implementation of  
7 the policies and procedures;

8 (b) Establish committees, as may be expedient which shall be charged  
9 with specific functions delegated by the Board;

10 (c) Appoint, promote and discipline employees for the proper  
11 discharge of the functions of the Centre;

12 (d) Design strategies for mobilizing and synergizing resources  
13 throughout the economy for the purpose of addressing the challenges of  
14 Autism, Down syndrome and other related cases;

15 (e) Relate with Community Based Organizations (CBO), Non -  
16 Governmental Organizations (NGO's), and other stakeholders to develop  
17 funding options for indigent victims of Kidney Diseases and for related cases;

18 (f) Establish, encourage and promote training program for the  
19 employees of the Centre and other appropriate persons from the public or  
20 private organizations;

21 (g) Promote multi - sectoral and multi-disciplinary collaboration and  
22 encourage networking among the civil society organizations;

23 (h) Assess from time to time the research, consultancy, training and  
24 advocacy program on Kidney Diseases, and other related matters conducted by  
25 various institutions with a view to:

26 (i) Ascertain their sustainability, and,

27 (ii) Offering them such assistance, either alone or in co-operation  
28 with other related bodies as may improve the contents and quality of their  
29 work;

30 (iii) the Board may, subject to such conditions as it may impose,

1 delegate any of its functions under this act to any of its committees or to the  
2 Director - General;

3 (iv) nothing in this section shall prevent the Board from  
4 performing or exercising any of the functions and powers so delegated and;

5 (v) open and operate ordinary and domiciliary account for the  
6 Centre in recognized banking institutions in Nigeria as stipulated by extant  
7 financial guidelines of the Federal Government;

8 (k) enter into agreement with public or private organizations and  
9 individuals to develop, utilize, coordinate and share such information as are  
10 determined to be appropriate by the Board for the performance of its  
11 functions under this Act, and

12 (l) Carry out such other activities which are connected with its  
13 other functions or as may be assigned to it by the Ministry of Health or other  
14 relevant authorities.

#### 15 PART IV - STRUCTURE OF THE "CENTRE"

16 11. The Centre shall have:

Structure of the  
"Centre"

17 (a) A Planning, Research and Statistics Directorate to be headed by  
18 a Director;

19 (b) A Prevention and Management Directorate to be headed by a  
20 Director;

21 (c) An Administration and Finance Directorate to be headed by a  
22 Director;

23 (d) Transplant and Organ Bank Directorate to be headed by a  
24 Director;

25 (e) Such other Directorates as may be required for the proper  
26 performance of the functions of the Centre, such Directorates shall be  
27 determined by the Board and approved by the Federal Ministry of Health.

#### 28 PART V - STAFF OF THE CENTRE

29 12.-(1) there shall be appointed for the Centre by the President of  
30 the Federal Republic of Nigeria, a Director General, who shall be a person

Appointment of  
Director-General

1 with good knowledge of Medicine especially, specialized in the area of  
2 Nephrology and other related disciplines.

3 (2) The Director General shall be:

4 (a) The Chief Executive of the Centre;

5 (b) Be responsible for the day -to-day administration of the Centre,  
6 keep the books and records of the Board; and

7 (c) Be subject to the supervision and control of the Board.

8 (3) The Director-General shall hold office for a term of 5 (five) years  
9 and may be renewed for another term and no more.

Appointment  
of other staff

10 13.-(1) The Board may from time to time, appoint for the Centre such  
11 other, staff, as it may deem necessary to assist the Director-General in the  
12 performance of the function of the Centre and the Board.

13 (2) The Terms and Conditions of service (including remuneration,  
14 allowances, benefits and pensions) of officers and employees of the Centre  
15 shall be determined by the Board on the recommendation of the Federal Civil  
16 Service Commission.

17 (3) The staff of the Centre shall be:

18 (a) Public Servants as defined in the 1999 Constitution of the Federal  
19 Republic of Nigeria; and

20 (b) Governed by the rules governing the Civil Service of the  
21 Federation.

Pensions Cap.  
346 LFN

22 14.-(1) Service in the "Centre" shall be approved service for the  
23 purpose of the Pensions Act and accordingly, officers and other persons  
24 employed in the Centre shall, in respect of their services in the Centre, be  
25 entitled to pension, gratuities and other retirement benefits as are prescribed  
26 there under:

27 (2) Notwithstanding subsection (1) of this section, the Centre may  
28 appoint a person to any office on the terms, which preclude the grant of a  
29 pension, gratuity or retirement benefits.

30 (3) For the purpose of the application of the Pension Act, any power

1 exercisable there under by a Minister or other authority of the Government  
2 of the Federation other than the power to make regulations is hereby vested  
3 and shall be exercisable by the Board and not by other persons or authority.

4 PART VI - FINANCIAL PROVISIONS

5 15.-(1) The Centre shall establish and maintain a fund from which Funding of the  
Centre  
6 all expenditures incurred by the Centre shall be defrayed.

7 (2) The Fund shall comprise fund derived from but not limited to  
8 the following sources:

9 (a) Such funds as may be appropriated to the Centre from time to  
10 time by the National Assembly;

11 (b) Gifts, loans, grants, aids, etc; and

12 (c) 0.02% of profit of manufacturing companies in Nigeria;

13 (d) 0.03% of Profit of Alcoholic beverages and Nicotine producing  
14 companies;

15 (e) All other assets that may from time to time accrue to the Centre;

16 16. The Centre may accept gifts and grants of money or aids or Gift and Monies  
17 other property from national and multilateral organization and upon such  
18 term and conditions if any, as may be agreed upon between the donor and the  
19 Centre provided such gift are not inconsistent with the objectives and  
20 functions of the Centre under this Act.

21 17.-(1) The Centre shall not later than 30th September in each Budget and  
Expenditure  
22 financial year prepare and present to the National Assembly through the  
23 President for approval, a statement of estimated income and expenditure for  
24 the following financial year.

25 (2) Notwithstanding the provision of subsection (1) of this section,  
26 the Centre may also, in any financial year, submit supplementary or adjust  
27 statements of estimated income and expenditure to the National Assembly  
28 through the President for approval.

29 (3) Subject to subsection (1) and (2) of this section, the Centre shall  
30 apply the proceeds of the Centre's fund:

- 1 (a) To meet the administration and operating costs of the Centre;
- 2 (b) For the payment of salaries, wages, fees and other allowances,
- 3 retiring benefits such as pensions and gratuities and other remunerations
- 4 payable to the Director - General and staff of the Centre;
- 5 (c) For the purchase or acquisition of property or other equipment and
- 6 other capital expenditure and for maintenance of any property acquired or
- 7 vested in the Centre; and
- 8 (d) For or in connection with all or any of the functions of the Centre
- 9 under this Act or its subsidiary legislation.

Financial Year  
and Audit Centre's  
Account

10 **18.-(1)** The financial year shall start on 1st January of each year and

11 end 3rd December of the same year.

12 (2) The Centre shall keep proper records of its accounts to be audited

13 within six months from the end of each financial year by auditors whose appointment

14 shall be approved by the Board and shall be subjected to reappointment on

15 annual basis provided that such Auditors are on the list of Auditors approved

16 from time to time by the Auditor-General of the Federation.

Annual Report  
to the National  
Assembly

17 **19.** The Centre shall prepare and submit to the National Assembly

18 annually, through the President not later than six (6) months after the end of its

19 financial year, a report on the activities of the Centre's audited accounts for the

20 year under review together with auditor's report thereon.

Exemption  
from Taxation

21 **20.** The provision of any enactment relating to the taxation of

22 companies or trust funds shall not apply to the Centre.

Miscellaneous

23 **21.-(1)** The Centre may make regulation not inconsistent with this

24 Act;

25 (a) Concerning any matter that:

26 (i) May or may not be prescribed in terms of a provision of this Act; or

27 (ii) is necessary to prescribe for the effective carrying out of the

28 objectives of the Act;

29 (b) Providing for payment, by the National Assembly for this

30 purpose, or compensation to any person or dependents of any person, whose



1 death, bodily injury or disablement results from any event occurring in the  
2 course of the performance of any function entrusted to such person in terms  
3 of this Act.

4 (2) The Board may, with the approval of the President make the  
5 regulations for the effective operation of this Act.

6 22. Subject to the provision of this Act, the provision of the public  
7 officers' protection Act shall apply in relation to any suit instituted against an  
8 officer or employee of the Centre.

Limitations  
against Suit

9 23. A notice summons or other document required or authorized to  
10 be served upon the Board under the provisions of this Act or any other law or  
11 enactment may be served by delivering it to the Director - General or by  
12 sending it by registered post and addressed to the Director - General at the  
13 principal office of the Board.

Service of  
Documents

14 24. In any action or suit against the Board, no execution or  
15 attachment of process shall be issued against the Board.

Restriction on  
Executive and  
Properties of  
Commission

16 25. In this Bill unless the context otherwise requires "Centre"  
17 means National Renal Centre to be charged with the Research on Cure,  
18 Prevention and Management Kidney and other related cases established by  
19 section 1 of this Bill.

Interpretation

20 "Function" includes duties and powers;

21 "President" means President of the Federal Republic of Nigeria.

22 26. This Bill is called the National Renal Centre (Establishment)  
23 Bill, 2017.

Short Title

## 24 SCHEDULE

### 25 SUPPLEMENTARY PROVISION RELATING TO THE CENTRE, ETC

#### 26 *Proceedings of the Centre*

27 1- (1) Subject to this Bill and Section 20 of the interpretation Act,  
28 the Centre may make standing orders regulating its proceeding or those of its  
29 committee;

30 (2) The quorum of the Centre's Board shall be the Chairman or the

1 person presiding at the meeting, and three (3) other members of the Board and  
2 the quorum of any committee of the Centre shall be as determined by the  
3 Centre.

4 2.-(1) The Centre shall meet whenever it is summoned by the  
5 chairman and if the Chairman is required to do so by giving him not less than  
6 four (4) other members, he shall summon a meeting of the Centre to be held  
7 within twenty-four (24) days from the date upon which the notice is given.

8 (2) Where the Centre desires to obtain the advice of any person on a  
9 particular matter, the Centre may co-opt him to the Centre for such period of  
10 time it deems fit, but a person who is in attendance by virtue of this  
11 subparagraph shall not be entitled to vote at any meeting and shall not count  
12 towards a quorum.

13 *Committee*

14 3.-(1) The Centre may appoint one or more committee to carry out, on  
15 behalf of the Centre such functions as the Centre may determine.

16 (2) The Committee appointed under this paragraph shall consider  
17 such number of persons as may be determined by the Centre and a person shall  
18 hold office in the committee in accordance with the term of his appointment.

19 (3) A decision of a committee of the Centre shall be of no effect until it  
20 is confirmed by the Centre.

21 4.-(1) the fixing of the seal of the Centre shall be authenticated by the  
22 signature of the Chairman or any other member of the Centre generally or  
23 specified by the Centre to act for the purpose and the Chief Executive.

24 (2) Any contract or instrument which, if made or executed by a person  
25 not being a body corporate, would not require to be under seal may be made or  
26 executed on behalf of the Centre by the Chief Executive or any person  
27 generally or specified authorized by the Centre to act for the purpose.

28 (3) A document purporting to be a document duly executed under seal  
29 of the Centre shall be received in evidence and shall, unless and until the  
30 contrary is proved, be presumed to so execute.

- 1                   5. The validity of any proceeding of the Centre or of a committee  
2 shall not be adversely affected by:  
3                   (a) A vacancy in the membership of the Centre or committee;  
4                   (b) A defect in the appointment of a member of the Centre or  
5 committee; or  
6                   (c) Reason that a person not entitled to do take part in the  
7 proceedings of the Centre or committee.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Centre for Research, cure, prevention and management of Kidney Diseases, to serve as an autonomous body to co-ordinate and implement programmes for Research, Cure, Prevention and Management of Kidney Diseases and other related cases in Nigeria.

