

A BILL

FOR

AN ACT TO ESTABLISH A CENTRE FOR SCIENTIFIC RESEARCH INTO PLANT
MEDICINE AND FOR RELATED MATTERS

Sponsored by Hon. James Abiodun Falake

[] Commencement

ENACTED by National Assembly of the Federal Republic of
Nigeria:

- 1 1.-(1) There is established a Centre to be known as the Centre for Establishment
2 Scientific Research into Plant Medicine (herein after called "the Centre"). of the Centre
- 3 (2) The Centre shall be body Corporate with perpetual succession
4 and, a common seal, and may sue and be sued in its Corporate name.
- 5 2.-(1) There is established for the Centre, a governing body (herein Establishment
6 called "the Council"). of the Council
- 7 (2) Membership of the Council shall consist of:
- 8 (a) a Chairman, who shall be a person with a recognized
9 qualification in Plant Medicine or a related subject, and to be appointed by
10 the Minister;
- 11 (b) a representatives of the National Universities Commission;
- 12 (c) a representative of the Deans of Universities conducting
13 research in Plant Medicine;
- 14 (d) a representative of the Deans of Faculty of Pharmaceutical
15 Studies in the Nigerian Universities
- 16 (e) the Chief Medical Officer of the Centre;
- 17 (f) a representative of the Pharmaceutical Council of Nigeria;
- 18 (g) two persons with special interest in Plant Medicine
- 19 (3) Ex-officio Member other than the Chairman shall be appointed
20 by the Minister in consultation with the relevant bodies;

Tenure of Office 1 3.-(1) Subject to this Bill, Members of the Council other than ex-
2 officio members shall hold office for a term of four years, and may be eligible
3 for appointment for another four years and no more.

4 (2) A member of the Council may by notice in writing addressed to the
5 Minister resign from office.

6 (3) Where a member of the Council resigns, dies or in otherwise
7 removed from office, the Minister may appoint another person to fill such
8 vacancy created, and for the remainder of the un-exhausted term of the last
9 occupant of the office.

Remuneration 10 4.-(1) A Member of the Council other than the Chief Medical Director
11 of the Centre, may be paid such remuneration as may be determined in
12 accordance with the terms of their appointment.

13 (2) The Council may however pay to members of the Council or any
14 other person attending meetings of the Council such allowances and expenses
15 as may be determined by the Council.

Functions of
the Council 16 5. The Council shall have the following functions:

17 (i) Advise the Government on the presentation and restriction of the
18 exportation of certain Medical Plants;

19 (ii) advise the Federal Government from time to time, on the
20 desirability or otherwise of importing certain Medical Plants or their
21 preparation into the country;

22 (iii) To encourage the use of medically proven preparations as
23 effective substitutes for conventional drugs; and

24 (iv) May perform any other functions as may be assigned to it by the
25 Council.

Powers of the
Council 26 6. The Council shall exercise such power as:

27 (1) The Council shall have the custody, control, and use of the
28 common seal of the Council;

29 (2) the Council shall encourage the use of medically proven
30 preparations as effective substitutes for conventional drugs;

1 (3) the Council is responsible for the management and
2 administration of the revenue and property of the Council and shall subject
3 to the function of the Council as prescribed in this Act have general control
4 over the conduct of the affairs of the Council including its public relations.

5 (4) to perform any other function as may be assign to it by the
6 Council.

7 7.-(1) The Minister shall appoint a suitable person to be the Chief
8 Medical Director of the Council on the terms and conditions determined by
9 the President.

Staff of the
Centre

10 (2) The Chief Medical Director shall be:

11 (a) the Chief Executive of the Council, the Administrative Head
12 and Chief Disciplinary Officer of the Council shall exercise general
13 supervision over the work and general authority over the employees of the
14 Council;

15 (b) responsible to the Council for maintaining and promoting the
16 good, order and efficiency of the Council;

17 (c) the Council may employ on the terms and conditions that are
18 determined by the Council Research Officers and any other persons as ~~may~~
19 be required for the proper and efficient performance of the councils
20 functions;

21 (d) the Chief Medical Director and other employees of the Council
22 shall be public officers.

23 8. The Council may grant to it employees pensions, allowances
24 and gratuities as may be prescribed under the Pensions Reform Act, 2014.

Pension

25 9. The funds of the Centre include:

Funds of the
Centre

26 (1) subventions from the Government;

27 (2) moneys accruing to the Centre in the performance of its
28 function under this Act;

29 (3) donations, endowments, grants, investments and money from
30 any other source approved by the Centre.

Donations	1	10. A donation shall be made directly to the Centre which shall be
	2	utilize in furtherance of any of its objectives under this Act.
Estimates of expenditure	3	11.-(1) The Chief Medical Director shall each financial year prepare
	4	and submit not later than two months before the commencement of that
	5	financial year an estimates of expenditure in respect of the Council
	6	Administration and Research Projects during that financial year.
	7	(2) The Council shall consider the estimates and shall after submit
	8	same through the Ministry responsible for Health to the National Assembly for
	9	approval.
	10	(3) The Council shall ensure that the funds of the Council are
	11	employed solely for the purposes for which they were approved and in
	12	accordance with the financial regulations made by Minister on the
	13	recommendations of the Council Accounts and Audit
	14	12. The Council shall cause to be prepared an Accounts Audit of the
	15	Centre not later than six months after the end of each financial year and submit
	16	same to the Minister in the form prescribed by Minister which report shall
	17	include the statement of accounts and the Minister shall as soon as practicable
	18	lay the report before the National Assembly.
Annual Report	19	13.-(1) the Centre shall not, later than six months after the end of each
	20	financial year submit an annual report through the Council to the Minister in
	21	the form prescribed by Minister and the Minister shall as soon as practicable
	22	lay the report before National Assembly.
	23	(2) The audit report of the Auditor-General shall be included in the
	24	annual report of the Centre and the annual report of the Centre shall be
	25	published in the manner determined by the Minister.
Minister's Power	26	14. The Minister is may make regulations generally for the Council
	27	and the Council subject to this Act.
General powers of the Centre	28	15.-(1) The Centre may subject to the provisions of this Bill for a
	29	purpose which in the Councils' opinion necessary or expedient for or in
	30	connection with the proper performance of the functions of the Centre, acquire

1 and hold movable or immovable property, sell, lease, Mortgage or otherwise
2 alienate or dispose of that property and enter into any other transaction.

3 (2) Where there is a hindrance to the acquisition of property by the
4 Centre, the property may be acquired for the Centre.

5 (3) A person shall not charge or dispose of land or buildings of the
6 Centre without the consent in writing of the Council, which may be signified
7 by the signature of the Chairman or of any other person duly authorised by
8 the Council to act in that behalf.

9 16. The Minister may make Regulation on the recommendations
10 of the Council for the purpose of giving effect to this Act.

Regulations of
the Council

11 17. The Council may make appropriate Rules for the proper
12 administration of the Centre.

Rules

13 18. Subject to the Constitution, the Centre shall be exempted from
14 the payment of the taxes, rates and duties approved in writing by the
15 Minister responsible for finance.

Exemption from
Rates and Taxes

16 19. In this Bill, unless the context otherwise requires:

Interpretation

17 "Centre" means the Centre for scientific Research into Plant Medicine
18 established section 2 of this Bill;

19 "Council" means the Council for Scientific Research into Plant Medicine
20 and any other Council established by the Government on the advice of the
21 Council;

22 "Finance year" means financial year of the Government;

23 "Functions" includes powers and duties;

24 "Minister" means the Minister responsible for Health;

25 "Member" includes the Chairman of the Council except the Chief Medical
26 Director of the Council;

27 "Scientific Research" includes research into social cultural and any other
28 aspect of plants medicine;

29 "Research Officer" means an officer of a status comparable to that of a

1 University Teacher or a person belonging to the Academic Staff of any of the
2 University.

Short title

3 20. This Bill may be cited as the Center for Scientific Research into
4 Plant Medicine, (Establishment) Bill, 2017.

5 SCHEDULE

6 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

7 *Proceedings of the Council*

8 1.-(1) Subject to the provision of Section 27 of the Interpretation Act,
9 the Council shall conduct its proceedings in accordance with the Regulations
10 made on their behalf by the governing council.

11 (2) The Council shall meet for the conduct of business as such time as
12 the Chairman of the Council may appoint but shall meet at least once in every
13 quarter of the year.

14 (3) The Chairman of the Council may at any time and shall at the
15 request in writing of not less than four members of the Council, summon a
16 meeting of the Council.

17 2.-(1) Where the Council is to obtain the advice of any person on any
18 particular matter, it may co-opt such a person as a member whether or not
19 expressly convened for the purpose of considering the particular matter, but the
20 co-opted member shall not be entitled to vote or shall not count towards a
21 quorum.

22 (2) The Chairman shall in the case of equality of votes at any council
23 meeting, exercise a casting vote.

24 3.-(1) The Common Seal of the Council shall not be used or fixed to
25 any document except in pursuance of a resolution duly passed at a proper
26 constituted meeting of the Council and contained in the minutes of such
27 meeting.

28 (2) The fixing of the seal of the Council shall be authenticated by the
29 signature of the Chairman of the Council and some other members authorized
30 generally or specifically by the Council to act for that purpose.

