

NATIONAL YOUTH DEVELOPMENT COMMISSION (ESTABLISHMENT, ETC.)

BILL, 2015

ARRANGEMENT OF CLAUSES

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A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL YOUTH DEVELOPMENT COMMISSION

Sponsored by Hon. Samaila Suleiman

[] Commencement

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

1 PART I - ESTABLISHMENT, ETC. OF THE NATIONAL YOUTH
2 DEVELOPMENT COMMISSION AND THE GOVERNING BOARD

3 1.-(1) There is hereby established a body to be known as National
4 Youth Development Commission (to be referred herein as “the
5 Commission”).

Establishment of
the National Youth
Development
Commission

6 (2) The Commission-

7 (a) shall be a body corporate with perpetual succession and a
8 common seal;

9 (b) may sue and be sued in its corporate name.

10 (3) The Commission shall have its head office in Federal Capital
11 Territory (FCT) and shall establish an office in the six (6) geo-political zones
12 of the country.

13 2.-(1) There is hereby established for the Commission a governing
14 Board (to be referred to as (“the Board”), which shall consist of:

Establishment of
Governing Board
of the Commission

15 (a) a Chairman;

16 (b) Six other members (with one member representing each geo-
17 political zone of the country);

18 (c) one representative of Ministry of Youth Development;

19 (e) one person to represent the Federal Ministry of Finance;

20 (f) one person to represent National Youth Council of Nigeria;

21 (g) the Director General of the Commission; and

1 (h) two executive Directors;

2 (2) The Chairman and other members of the Board shall:

3 (a) be appointed by the President, Federal Republic of Nigeria,
4 subject to the confirmation of the Senate;

5 (b) be persons of proven integrity and ability, and

6 (3) The members of the Board referred to in paragraphs (I-2) of sub-
7 clause (I) of this clause shall be part-time members.

Schedule

8 (4) The Supplementary provisions set out in the Schedule to this Bill
9 shall have effect with respect to the proceedings of the Board and the other
10 matters contained therein.

Tenure of Office

11 3.-(1) Subject to the provisions of clause 4 of this bill, a member of the
12 Board, other than an ex-officio member, shall hold office for a term of 4 years at
13 the first instance and may be re-appointed for a further term of 4 years.

14 (2) A member of the Board other than ex-officio member, may resign
15 his appointment by notice, in writing under his hand and addressed to the
16 President, which resignation shall take effect only upon receipt by the
17 President.

Cessation of
Membership of
the Board etc.

18 4.-(1) Notwithstanding the provisions of clause 1 of this bill, a person
19 shall cease to hold office as a member of the Board if-

20 (a) he becomes bankrupt or make a compromise with his creditors;

21 (b) he is convicted of a felony or any offence involving dishonesty or
22 fraud;

23 (c) he becomes of unsound mind, or incapable of carrying out his
24 duties;

25 (d) he is guilty of a serious misconduct in relation to his duties;

26 (e) in the case of a person who possess a professional qualifications
27 and disqualified or suspended from practicing his profession in any part of the
28 world by an order of the professional body;

29 (f) he resigns his appointment by a letter addressed to the President of
30 the Federal Republic of Nigeria.

1 (2) Where a vacancy occurs in the membership of the Board it shall
2 be filled by the appointment of a successor to hold office for the remainder of
3 the term of office of his predecessor, so however, that the successor shall
4 represent the same interest and shall be appointed by the President, Federal
5 Republic of Nigeria, subject to the confirmation of the Senate.

6 5.-(1) There shall be paid to every member of the Board such
7 emolument, allowances and benefits as may be approved by the President of
8 the Federal Republic of Nigeria.

Allowances of
Members

9 PART II - FUNCTIONS AND POWERS OF THE COMMISSION, ETC

10 6.-(1) The Commission shall-

11 (a) formulate policies and guidelines for the development of Youth
12 in the country;

13 (b) conceive, plan and implement, in accordance with the set rules
14 and regulations, projects and programmes for the sustainable development
15 of Youth in the fields of education, employment, including professional
16 development;

17 (c) cause the census of Youth to be documented in order to ascertain
18 measures which are necessary to promote physical and socio-economic
19 development;

20 (d) prepare master plans and schemes designed to promote the
21 participation of the Youth in professional development in Leadership,
22 Science and Technology and also the estimates of the costs of implementing
23 such master plans and schemes;

24 (e) implement all the measures approved for the development of
25 Youth by the Federal Government;

26 (f) identify factors that lead to youth restiveness and assist the
27 States in the formulation and implementation of policies to ensure sound and
28 efficient management of Youth;

29 (g) assess and report on any project being funded or carried out for
30 Youth and ensure that funds released for such projects and programmes are

1 properly utilised;

2 (h) tackle unemployment problems that arise by lack of proper
3 education and skills and advise the Federal Government on the best way to
4 tackled such problems;

5 (i) register, regulate and monitor all the activities of Youth
6 Associations, Unions and Clubs;

7 (j) in conjunction with Educational Tax Fund, the commission shall
8 create educational loan scheme that will allow Youth to access free interest loan
9 for the funding of their educational and professional pursuit with the tenor of
10 repayment of not more than 6years;

11 (k) execute such other works and perform such other functions which,
12 in the opinion of the Commission, are required for the development of Youth in
13 Nigeria; and

14 (2) In exercising its functions and powers under this clause, the
15 Commission shall have regard to the varied and specific contributions of each
16 State of the Federation in Youth management and utilisation.

17 (3)The Commission shall be subject to the direction, control or
18 supervision in the performance of its functions under this bill by the President
19 of the Federal Republic of Nigeria.

Power of the
Board

20 7.-(1) The Board shall have power to:

21 (a) manage and supervise affairs of the Commission;

22 (b) make rules and regulations for carrying out the functions of the
23 Commission;

24 (c) enter and inspect premises, projects and such places as may be
25 necessary for the purposes of carrying out its functions under this bill;

26 (d) pay the staff of the Commission such remuneration and
27 allowances as determine by the National Salaries, Income and wages
28 Commission;

29 (e) enter into such contracts as may be necessary or expedient for the
30 discharge of its functions;

1 (f) do such other things as are necessary and expedient for the
2 efficient performance of the functions of the Commission;

3 PART III - STRUCTURE OF THE COMMISSION

4 8.-(1) There shall be established in the head office of the Commission, the following Directorates: Structure of the
Commission

5 (a) the Directorate of Administration & Finance;

6 (b) the Directorate of Education & Professional Development;

7 (c) the Directorate of Employment and Social Security;

8 (d) the Directorate of Business and Entrepreneurship
9 Development;

10 (f) the Directorate of Youth Motivation and Conflict Resolution;

11 (g) the Directorate of Registration, Regulation & Monitoring;

12 (h) the Directorate of Planning, Research and Management
13 Information System.

14 (2) The Board may with the approval of the President of the Federal
15 Republic of Nigeria increase the number of directorates as it may deem
16 necessary and expedient to facilitate the realization of the objectives of the
17 Commission.

18 9.-(1). There shall be for the Commission a Management
19 Committee which shall- Establishment of
the Management
Committee

20 (a) consist of a Chairman who shall be the Director General of the
21 Commission, two Executive Directors, the Directors responsible for the
22 Directorates established under clause 8 of this bill and such number of other
23 members as may be determined from time to time by the Board;

24 (b) be responsible to the Board for the general administration of
25 the Commission.

26 10.-(1) There is hereby established for the Commission, a National
27 Youth Development Advisory Committee (in this bill referred to as "the
28 Advisory Committee") which shall consist of- Establishment of
the National Youth
Development
Advisory
Committee

29 (a) the representatives of Governors of the 36 States of the
30

1 Federation and the Minister, Federal Capital Territory;

2 (b) two other persons as may be determined, from time to time, by the
3 President.

4 (2) The Advisory Committee shall be charged with the responsibility
5 of advising the Board and monitoring the activities of the Commission, with a
6 view to achieving the objective of the Commission.

7 (3) The Advisory Committee may make rules regulating its own
8 proceedings.

9 PART IV - STAFF

Appointment of
Director-General

10 11.-(1) There shall be for the Commission, a Director-General, and
11 two Executive Directors who shall be from different geo-political zones and
12 shall:

13 (a) have such qualification and experience as are appropriate for a
14 person required to perform the function of those offices under this bill;

15 (b) the Director-General shall be the chief executive and accounting
16 officer of the Commission;

17 (c) be appointed by the President and confirmed by the Senate; and

18 (d) hold office on such terms and conditions specified in the letter of
19 appointment and subject to the provision of clause 3 of this bill.

20 (2) The Director-General shall, subject to the general direction of the
21 Board be responsible:

22 (a) for the day to day administration of the Commission;

23 (b) for keeping the books and proper records of the proceeding of the
24 Board; and

25 (c) for:

26 (i) the administration of the secretariat of the Board; and

27 (ii) the general direction and control of all other employees of the
28 Commission.

29 (3) The Board shall have power to-

30 (a) employ either directly or on secondment from any civil or public

1 service in the Federation such number of employees as may, in the opinion
2 of the Board, be required to assist the Board in the discharge of any of its
3 functions under this bill; and

4 (b) pay to persons so employed such remuneration (including
5 allowances) as the Board may determine.

6 12.-(1) Service in the Commission shall be approved service for
7 the purposes of the Pension Act, 2004 (as amended).

Service in the
Commission
should be
pensionable

8 (2) The officers and other persons employed in the Commission
9 shall be entitled to pensions, gratuities and other retirement benefits as are
10 enjoyed by persons holding equivalent grades as in the Federal Civil
11 Service.

12 (3) Nothing in subclause (1) and (2) of this clause shall prevent the
13 appointment of a person to any office on terms, which preclude the grant of
14 pension and gratuity in respect of that office.

15 (4) For the purposes of the application of the provisions of the
16 Pensions Act, any power exercisable thereunder by the Minister or other
17 authority of the Government of the Federation, other than the power to make
18 regulations is hereby vested in and shall be exercisable by the Commission,
19 and not by any other persons or authority.

20 PART V - FINANCIAL PROVISIONS

21 13.-(1) The Commission shall establish and maintain a fund from
22 which shall be defrayed all expenditure incurred by the Commission.

Funds of the
Commission

23 (2) There shall be paid and credited to the fund established
24 pursuant to subclause (1) of this clause-

25 (a) there shall be paid and credited to the fund such monies as may
26 in each year be approved by the National Assembly for the purpose of the
27 Commission;

28 (b) 2% of monies collected as tuition fees from government owned
29 universities and colleges;

30 (c) Such monies as may from time to time be granted or lent to or

1 deposited with the commission by the Federal Government, any other body or
2 institution wether local or foreign;

3 (e) all monies raised for the purposes of the Commission, local or
4 foreign by way of subventions, gifts, loan, grants-in-aid, testamentary
5 disposition, or otherwise; and

6 (f) proceeds from all other assets that may, form time to time, accrue
7 to the Commission.

8 (3) The fund shall be managed in accordance with the rules made by
9 the Board, and without prejudice to the generality of the power to make rules
10 under this subclause, the rules shall in particular contain provisions:

11 (a) specifying the manner in which the assets or the fund of the
12 Commission are to be held, and regulating the making of payments into and out
13 of the fund; and

14 (b) requiring the keeping of proper accounts and records for the
15 purpose of the fund in such form as may be specified in the rules.

16 **14. Expenditure of the Commission**

17 -(1) The Commission shall apply the proceeds of the fund established pursuant
18 to clause 13 of this bill to-

19 (a) the cost of administration of the Commission;

20 (b) the payment of salaries, fees, remuneration, allowances, pensions
21 and gratuities payable to the members of the Board specified in section 5 of
22 this bill or any committee of the Board and the employees of the Commission;

23 (c) The payment for all contracts, including mobilization,
24 fluctuations, variations, legal fees and cost on contract administration;

25 (d) the payment for all purchases; and

26 (e) undertaking such other activities as are connected with all or any
27 of the Functions of the Commission under this bill.

Gift to the
Commission

28 **15.-(1)** The Commission may accept gifts of land, money or other
29 property on such terms and conditions, if any, as may be specified by the person
30 or organisation making the gift.

1 (2) The Commission shall not accept any gift if the conditions
2 attached by the person or organisation making the gift are inconsistent with
3 the functions of the Commission under this bill.

4 **16.-(1)** The Commission may, with the consent of the President of Power to Borrow
5 the Federal Republic of Nigeria, borrow on such terms and conditions as the
6 Commission may determine, such sums of money as the Commission may
7 require in the exercise of its functions under this bill.

8 **17.-(1)** The Board shall, not later than 30th September in each Annual estimates
9 year, submit to the National Assembly through the President an estimate of and expenditure
10 the expenditure and income of the Commission during the next succeeding
11 year for approval.

12 (2) The Board shall cause to be kept proper accounts of the
13 Commission in respect of each year and proper records in relation thereto
14 and shall cause the accounts to be audited not later than 6 months after the
15 end of each year by auditors appointed from the list and in accordance with
16 the guidelines supplied by the Auditor-General of the Federation.

17 **18.** The Commission shall, at the end of every quarter in each year, Quarterly Report
18 submit to the President of the Federal Republic of Nigeria report on the
19 activities and administration of the Commission.

20 **19.-(1)** The Board shall prepare and submit to the President of the Annual Report
21 Federal Republic of Nigeria, not later than 30th December in each year, a
22 report in such form as the President may direct on the activities of the
23 Commission during the immediately preceding year, and shall include in the
24 report a copy, of the audited accounts of the Commission for that year and
25 the auditor's report thereon.

26 (2) The President shall, upon receipt of the report referred to in
27 subclause (1) of this clause, cause a copy of the report and the audited
28 accounts of the Commission and the auditor's report thereon to be submitted
29 to the National Assembly.

1 PART VI- MISCELLANEOUS

Establishment of
Monitoring
Committee

2 20.-(1) There is hereby established for the Commission a Monitoring
3 Committee which shall consist of such number of persons as the President may
4 deem fit to appoint from the public or civil service of the Federation.

5 (2) The Monitoring Committee shall-

6 (a) monitor the management of the funds of the Commission and the
7 implementation of the projects of the Commission, and

8 (b) have access to the books of account and other records of the
9 Commission at all times, and submit periodical reports to the President.

Office and
premises of the
Commission

10 21.-(1) For the purpose of providing offices and premises necessary
11 for the performance of its functions under this bill, the Commission may,
12 subject to the Land Use Act:

13 (a) purchase or take on lease any interest in land, or other property;

14 and

15 (b) construct offices and premises and equip and maintain same.

16 (2) The Commission may, subject to the Land Use Act, sell or lease
17 out any office or premises held by it, which office or premises is no longer
18 required for the performance of its functions under this bill.

Directives by
the President,
Federal Republic
of Nigeria

19 22.-(1) Subject to the provision of this bill, the President may give to
20 the Commission directives of a general nature or relating generally to matters
21 of Policy with regard to the performance by the Commission of its functions
22 and it shall be the duty of the Commission to comply with the directives.

Limitation of
suits against
Commission

23 23.-(1) Subject to the provisions of this bill, the provisions of the
24 Public Officers Protection Act shall apply in relation to any suit instituted
25 against any officer or employee of the Commission.

26 (2) Notwithstanding anything contained in any other law or
27 enactment, no suit shall lie against any member of the Board, the Director
28 General or any other officer or employee of the Commission for any act done in
29 pursuance or execution of this bill or any other law or enactment, or of any
30 public duty or authority or in respect of any alleged neglect or default in the

1 execution of this bill or such law or enactment, duty or authority, shall lie or
2 be instituted in any court unless-

3 (a) it is commenced within three months next after the act, neglect
4 or default complained of; or

5 (b) in the case of a continuation of damage or injury, within six
6 months next after the ceasing thereof.

7 **24.** -(1) A notice, summons or other document required or authorised
8 to be served upon the Commission under the provisions of this bill or any
9 other law or enactment may be served by delivering it to the Director
10 General or by sending it by registered post and addressed to the Director
11 General at the principal office of the Commission.

Service of
documents

12 **25.**-(1) In any action or suit against the Commission, on execution
13 or attachment of process in the nature thereof shall be issued against the
14 Commission.

Restriction on
Execution against
property of the
Commission

15 (2) Any sum of money which may be the judgement or any court be
16 awarded against the Commission shall, subject to any direction given by the
17 court where notice of appeal of the said judgement has been given, be paid
18 from the general reserve fund of the Commission.

19 **26.**-(1) A member of the Board, the Director General, any other
20 officer or employee of the Commission shall be indemnified out of the assets
21 of the Commission against any proceeding, whether civil or criminal, in
22 which judgement is given in his favour or in which he is acquitted, if any
23 such proceeding is brought against him in his capacity as a member of the
24 Board, the Director General, officer or employee of the Commission.

Indemnity of
officers

25 (2) The President if he thinks fit, may, within twelve months after
26 the commencement of this act, by order published in the Gazette, make
27 additional transitional or saving provisions for the better carrying out of the
28 objectives of this Commission.

29 **27.**-(1) The Commission may, with the approval of the President
30 make regulations, generally for the purposes of giving full effect to this Bill.

Registration

1 *Committees*

2 1.-(1) The Board may appoint one or more committees to carry out
3 on behalf of the Board such functions as the Board may determine.

4 (2) A committee appointed under this paragraph shall consist of
5 such number of persons as may be determined by the Board and a person
6 shall hold office on the committee in accordance with the terms of his
7 appointment.

8 (3) A decision of a committee of the Board shall be of no effect until
9 it is confirmed by the Board.

10 *Miscellaneous*

11 1.-(1) The fixing of the seal of the Commission shall be
12 authenticated by the signatures of the Chairman or any other member of the
13 Board generally or specifically authorised by the Board to act for the
14 purpose and the Director General.

15 (2) A document purporting to be a document duly executed under
16 the seal of the Commission shall be received in evidence and shall, unless
17 and until the contrary is proved, be presumed to be so executed.

18 (3) The validity of any proceedings of the Board or of a committee
19 shall not be adversely affected by-

20 (a) a vacancy in the membership of the Board or committee;

21 (b) a defect in the appointment of a member of the Board or
22 committee; or

23 (c) Reason that a person not entitled to do so took part in the
24 proceedings of the Board or committee.