

NIGERIA NATURAL MEDICINE DEVELOPMENT AGENCY

(ESTABLISHMENT) BILL, 2018

ARRANGEMENT OF SECTIONS

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SCHEDULE

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF NIGERIA NATURAL MEDICINE DEVELOPMENT AGENCY TO PROVIDE RESEARCH, DEVELOP, PROMOTE, COLLATE, DOCUMENT AND PRESERVE NIGERIA'S INDIGENOUS (TRADITIONAL) HEALTHCARE SYSTEMS, MEDICATIONS AND NON-MEDICATIONS HEALING ARTS, SCIENCES, TECHNOLOGIES, BIO-RESOURCES AND FACILITATE THEIR INTEGRATION INTO THE NATIONAL HEALTHCARE DELIVERY SYSTEM AND FOR RELATED MATTERS

Sponsored by Hon. Uzoma Nkem-Abonta

[] Commencement

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

1 PART I - ESTABLISHMENT, ETC. OF NIGERIA NATURAL MEDICINE
2 DEVELOPMENT AGENCY

3 1.-(1) There is hereby established an Agency to be known as
4 Nigeria Natural Medicine Development Agency (NNMDA) (in this Act
5 referred to as "the Agency").

Establishment of Nigeria Natural Medicine Development Agency

6 (2) The Agency:

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

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

10 (c) May acquire, hold and dispose of property whether moveable or
11 immoveable.

12 2.-(1) There is hereby established for the Agency, a board (in this
13 Act referred to as the "Board") which shall consist of:

Establishment and membership of the Board

14 (a) the Chairman shall be a professional with adequate professional
15 qualification and experience in Physical and Life Sciences, or
16 Pharmaceutical Sciences or Science, Technology & Innovation

1 Management;

2 (b) the representative of the Ministry of Science and Technology;

3 (c) the representative of the Ministry of Health;

4 (d) the representative of the Ministry of Agriculture and Rural

5 Development;

6 (e) the representative of the Ministry of Environment;

7 (f) the representative of the Ministry of Trade & Investment;

8 (g) Chairman of the Pharmaceutical Manufacturers Group of the

9 Manufacturers Association of Nigeria (PMG-MAN) or his representative;

10 (h) National President and one representative of the National

11 Association of Nigeria Traditional Medicine Practitioners (NANTMP); and

12 (i) the Director-General/Chief Executive Officer of the Agency who

13 shall be the Secretary of Board.

14 (2) The Chairman and other members of the Board shall be appointed

15 by the President on the recommendation of the Minister.

16 (3) 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.

19 *[Schedule.]*

20 3. The Chairman and members of the Board shall hold office for a

21 period of 4 years and may be re-appointed for a further period of 4 years and no

22 more, on such terms and conditions as may be specified in their letters of

23 appointment.

24 4.-(1) Notwithstanding the provisions of section 3 of this Act, a

25 member of the Board shall cease to hold office as a member, where the

26 member:

27 (a) resigns his appointment as a member of the Board;

28 (b) by notice under his hand addressed to the President of the Federal

29 Republic of Nigeria;

30 (c) becomes of unsound mind;

Tenure of office
of members of
the Board

Removal or
resignation or
cessation of
membership of
the Board from
office

- 1 (d) becomes bankrupt;
- 2 (e) is convicted of a felony or any other offence involving
3 dishonesty or corruption;
- 4 (f) becomes incapable of carrying on the functions of his office
5 either arising from an infirmity of mind or body;
- 6 (g) is certified by the President of the Federal Republic of Nigeria
7 that it is not in the interest of the Agency or of the public for the person to
8 continue in office;
- 9 (h) has been found guilty under the Code of Conduct or serious
10 misconduct in relation to his duties;
- 11 (i) in the case of a person who becomes a member by virtue of the
12 office he occupies, ceases to hold such office; or
- 13 (j) in the case of a person who possesses professional qualification,
14 is disqualified or suspended from practicing his profession in any part of the
15 world, by an order of a competent authority or court.

16 (2) Where a member of the Board ceases to hold office for any
17 reason whatsoever, before the expiration of his tenure, another person
18 representing the same interest he represents shall, be appointed to the Board
19 for the unexpired tenure.

20 5. The Chairman and other members of the Board shall be paid
21 such allowances and expenses in accordance with such rates as may be
22 approved by the Federal Government of Nigeria, from time to time.

Remuneration of
members of the
governing board
of the Agency

23 PART II - OBJECTIVES AND FUNCTIONS OF THE AGENCY AND BOARD

24 6. The Agency shall:

- 25 (a) research, develop, promote, collate, document and preserve
26 Nigeria's indigenous (traditional) healthcare systems, medications and non-
27 medications healing arts, sciences, technologies and bio-resources and
28 facilitate their integration into the National healthcare delivery system;
- 29 (b) conduct ethno-medicinal/ethno-veterinary surveys, with a
30 view to developing a comprehensive inventory of Medicinal, Aromatic and

Functions of the
Agency

1 Pesticidal Plants (MAPPs) and animal/animal parts and minerals and other bio-
2 diversities of Nigeria used in Natural Medicine;

3 (c) Promote the active cultivation of Medicinal, Aromatic, Pesticidal
4 Plants and other raw materials through the development of appropriate species
5 identification, good agricultural and collection practices and technologies for
6 adoption by farmers;

7 (d) develop and disseminate MAPPs post-harvest processing
8 technologies and techniques, to ensure good quality raw materials, value
9 addition, herbal therapies formulation and production;

10 (e) cultivate and grow medicinal, aromatic and pesticidal plants and
11 ensure proper identification of active substances used in natural medicine
12 practice and the translation of relevant information into Nigerian languages;

13 (f) establish model experimental farms and activity centres in each of
14 the six geopolitical zones of the country;

15 (g) establish and maintain a virtual/digital library and National
16 Databank, Information Reference Centre on Nigeria's indigenous (traditional)
17 health systems, medication and non-medication healing arts, science and
18 technologies;

19 (h) research, collate, document and disseminate all published and
20 unpublished research works and findings on all aspects of traditional medicine,
21 products and practices including medicinal, aromatic and pesticidal plants,
22 indigenous health sciences and technology;

23 (i) support, facilitate and promote the conduct of safety assessment,
24 observational studies and clinical trials of Nigeria traditional therapies;

25 (j) stimulate, support, and facilitate, the development of policies and
26 legal instruments for the protection and preservation of the Nation's
27 Intellectual Property Rights, traditional medicine knowledge and biodiversity;

28 (k) facilitate and support the development of appropriate benefit
29 sharing regimes and promote awareness about issues of intellectual property
30 rights with regards to traditional medicine knowledge, biodiversity and

1 prevent bio piracy;

2 (l) educate practitioners of traditional medicine to improve their
3 products development and practice skills and encourage the documentation
4 of their Traditional Medicine Knowledge through sensitization and
5 interactive workshops and trainings;

6 (m) demystify and increase public awareness and interest in the
7 development, promotion and rational utilization of appropriate natural
8 medicines, products and services;

9 (n) collaborate with other stakeholders to explore/promote the
10 establishment of model natural medicine clinics attached to existing
11 hospitals in all zones of the country;

12 (o) promote interaction and collaboration between Nigeria
13 practitioners of natural medicine and conventional health practitioners and
14 their counterparts in other parts of the world;

15 (p) encourage the active participation and involvement of Nigerian
16 traditional medicine practitioners in the activities of international, bilateral,
17 multilateral and non-governmental organizations;

18 (q) establish a model school of Natural Medicine, as a training arm
19 of the Agency and seek accreditation/affiliation with appropriate bodies and
20 higher institutions, to carry out manpower development and training of
21 interested individuals and entrepreneurs;

22 (r) publish and maintain a Directory of Nigerian Traditional
23 Medicine Practitioners for collaborative research and development
24 purposes;

25 (s) perform such other functions as deemed necessary or expedient
26 for the actualization of the objectives under this Act.

27 7.-(1) The Board shall:

28 (a) formulate policies and advise the Federal Government on
29 strategies and best practices to achieve the mandates, objectives and
30 functions of the agency;

Functions of the
Board

1 (b) receive and consider proposals, recommendations and
2 suggestions by Committees, other bodies and persons on subjects relating to
3 the functions of the Agency;

4 (c) consider and approve the work plans, estimates, financial
5 statements, Audited Accounts and Development Plans of the Agency;

6 (d) consider and approve changes in the location of offices of the
7 Agency and the Management structure.

8 (e) approve the appointment of principal officers of the Agency that
9 are necessary for proper discharge of its functions and mandate;

10 (f) devise strategies for attracting funds and contributions to the
11 Agency in line with existing financial regulations;

12 (g) enter into research and production partnerships with companies,
13 firms/organizations or individuals as may be necessary for the performance of
14 the functions of the Agency in line with existing financial regulations and with
15 the approval of the Board and consent of the Minister;

16 (h) submit to the Minister ,through the Board ,the annual report and
17 audit of the Agency; and

18 (i) carry out any other duties as the board may approve with the
19 consent of the Minister from time to time, direct;

20 (j) constitute committees as may be necessary and charged with
21 specific functions delegated by the Board.

Appointment
of the Director-
General and staff
of the Agency

22 8.-(1) There shall be for the Agency, a Director-General to be
23 appointed by the President on the recommendation of the Minister.

24 (2) The Director-General shall be:

25 (a) a person who possess not less than 15 years post qualification and
26 research experience in physical and life sciences, or pharmaceutical sciences
27 or technology & innovation management;

28 (b) the chief executive and accounting officer of the agency; and

29 (c) responsible for the execution of the policies and the day to day
30 administration of the agency.

1 (3) Notwithstanding the provisions of subsection (1) of this
2 section, the Director-General shall:

- 3 (a) be the head of the secretariat and Secretary to the Board;
4 (b) keep and secure the records of the Board;
5 (c) issue notices of the meetings of the Board;
6 (d) be responsible for the taking and preparation of the minutes of
7 the Board, from time to time; and
8 (e) perform such other functions as may be assigned by the Board.

9 (3) The Director-General shall hold office for a period of 4 years in
10 the first instance and may be re-appointed for another term of 4 years and no
11 more, on such terms and conditions as may be specified in his letter of
12 appointment.

13 9.-(1) The Agency shall appoint:

Appointment
of other staff
of the Agency

14 (a) Zonal Activity Centres Co-ordinator not below the Rank of
15 Chief Research Officer who shall be in charge of each of the Activity Centre
16 in the six geo-political zones;

17 (b) such other number of employees as may in the Opinion of the
18 Agency be expedient and necessary for the proper and efficient performance
19 of the functions of the Agency.

20 (2) The Zonal Activity Centres Co-ordinators shall:

- 21 (a) be professionals with adequate qualifications and experience in
22 relevant fields;
23 (b) be head at the zones that they co-ordinate;
24 (c) assist the Director-General/Chief Executive Officer in the
25 management of the Agency;
26 (d) execute and implement the policies of the Agency as they apply
27 to their zones;
28 (e) supervise the work of Research Officers and other support staff
29 under his Centre and render regular reports as may be required by the
30 Director-General/Chief Executive Officer from time to time;

1 (f) prepare annual projects/programmes and draft expenditure
2 estimates for their Centres, and

3 (g) perform such other functions as may be assigned by the Director-
4 General/Chief Executive Officer from time to time.

5 (3) Appointment of Senior and Junior Staff of the Agency shall be in
6 accordance with approved guidelines of the Federal Government as contained
7 in the scheme of service in the Federal Public Service.

8 (4) The terms and conditions of service (including remuneration,
9 allowances, benefits and pension) of the employees of the Agency shall be in
10 accordance with the terms and conditions of service in the Federal Public
11 Service as may be approved by the Public Service of the Federation.

12 (5) The Board shall have power to:

13 (a) appoint such number of employees as may, in the opinion of the
14 Board be required to assist the Agency in the discharge of any of its functions
15 under this Act,

16 (b) pay to persons so employed, such remuneration (including
17 allowance) as are applicable to Public Service Federation.

18 PART III - STRUCTURE OF THE AGENCY

Structure of the
Agency

19 10.-(1) The Agency shall with the approval of the Minister through
20 the Board, have its Head Office in Abuja.

21 (2) The Agency shall be composed of the following departments:

22 (a) Research Policy, and Innovation Planning;

23 (b) Products Development and Quality Assurance;

24 (c) Bioresources Development and Conservation;

25 (d) Digital Library and ICT;

26 (e) Administration and Supplies;

27 (f) Finance and Accounts;

28 (g) Legal Unit;

29 (h) Protocol and Public Relations;

30 (i) Procurement;

1 (j) Zonal Activity Coordinators; and

2 (k) Staff Clinic.

3 (3) The Agency shall have power to establish such other
4 departments or units as may be required for actualization of its functions
5 under this Act, from time to time.

6 (4) The Agency shall with the approval of the Board and consent of
7 the Minister establish:

8 (a) Zonal Activity centers in the six geo-political zones to
9 coordinate the execution of the functions of the Agency;

10 **11.** The Board shall promote within the Agency well-qualified and
11 experienced persons as directors, to be in charge of the departments and such
12 other members of staff as may be considered necessary for the performance
13 of the function set out in this Act.

Appointment of
Directors and
other staff of the
Agency

14 PART IV - FINANCIAL PROVISIONS

15 **12.**-(1) There is established for the Agency, a fund from which shall
16 be defrayed all expenditure incurred by the Agency.

Establishment
of a fund for the
Agency

17 (2) There shall be paid and credited to the fund:

18 (a) any allocation to the Agency from the Consolidated Revenue
19 Fund of the Federation;

20 (b) any subvention or money as may from time to time, be granted
21 or lent to the Agency by the Federal, a State or a Local Government;

22 (c) special grant of 0.1% of import duties collected on all imported
23 herbal therapies and devices;

24 (d) contributions from the Organized Private Sector, Donor
25 Agencies, Non-Governmental Organisations (NGOs) and international
26 organisations;

27 (e) money accruing from fees, awards and charges for services
28 rendered by the Agency;

29 (f) all monies raised for purposes of the Agency by way of gifts,
30 grants, aids, testamentary disposition or otherwise;

1 (g) such other monies or assets as may from time to time accrue to the
2 Agency.

Expenditure of
the Agency

3 13. The Agency shall, subject to the extant financial regulations
4 apply the proceeds of the fund to:

5 (a) cost of establishing and maintaining the head office of the Agency
6 at Abuja;

7 (b) research, development, documentation, planning, and production
8 activities necessary for the achievement of the objectives of the Agency;

9 (c) Human capacity building/training and provision of scholarships
10 and awards for specialized training of the employees of the Agency;

11 (d) publication and promotion of research results and locally
12 manufactured medicinal, indigenous medication and non-medication
13 products;

14 (e) payment of all Patent acquisition expenses, consultancies,
15 contracts, fluctuation, variations, legal fees and cost on contract
16 administration; and

17 (f) undertaking of such other activities as are connected with all or any
18 of the functions of the Agency.

19 (g) payment of allowances of members of the Board and committees
20 constituted by the Agency.

Annual estimates

21 14.-(1) The Board shall submit to the Minister not later than 31st
22 October of each year, its programme of work and estimates of its income and
23 expenditure for the following year.

24 (2) The Board shall cause to be kept, proper accounts and records of
25 the Agency in respect of each financial year in relation to the accounts.

Accounts and
Audit

26 15. They Agency shall, not later than 30th of June of each financial
27 year, submit its accounts to auditors appointed from the list of qualified
28 auditors in accordance with guidelines laid down by the Auditor-General of the
29 Federation and the auditor's fees and expenses shall be paid from the Funds of
30 the Agency.

1 16.-(1) The Agency shall prepare and submit to the Minister Annual report
2 through the Board an annual report of its activities not later than 30th June of
3 each year and such report shall include a copy of the audited accounts and
4 the auditor's report of the Agency.

5 (2) The Agency shall, not later than 30th September of each year
6 submit to the Minister through the Board, an annual report of each of its
7 subsidiary institutions for the proceeding year.

8 17. The Board may invest any surplus funds of the Agency in Disposal of
9 profit-yielding ventures and notwithstanding the power of the Agency, the surplus funds
10 President may issue to the Agency directives as he thinks necessary to the
11 disposal of any surplus funds for the Agency.

12 18.-(1) The Agency may with the approval of the Board and Power to borrow
13 consent of the Minister and in line with financial regulations from time to money
14 time borrow by overdraft or otherwise, such sums as it may require for the
15 performance of its functions under this Act.

16 (2) The Agency shall not, without the approval of the Board and
17 Consent of the Minister, borrow money which exceeds, at any time, in line
with financial regulations.

18 (3) Notwithstanding subsection (1) of this section, the Agency
19 shall not borrow in foreign currency, without the prior approval of the
20 President.

21 (4) For the purpose of this section, any money borrowed by the
22 Agency from any of its affiliated units shall be disregarded.

23 19.-(1) Subject to the approval of the Board and consent of the Investment on
24 Minister and in line with investment and partnership regulations of the production of
25 country, the Agency may invest in the profitable production of capital goods capital goods
26 by joint-ventures, partnerships, shareholding or as sole proprietors, as the and use of surplus
27 case may be, and the net income so generated shall be paid into the fund of fund
28 the Agency.

29 (2) The Agency may invest any surplus funds in profit yielding
30

1 ventures, and notwithstanding that power, the Board with the consent of the
2 Minister and in line with the extant financial regulations may, issue to the
3 Agency, directives as he may think necessary with regard to the disposal of any
4 surplus funds of the Agency.

5 PART V - MISCELLANEOUS

Application of
the Pensions
Reform Act

6 20.-(1) Service in the employment of the Agency shall be as approved
7 service under the Pensions Reform Act, accordingly, employees of the Agency
8 shall, in respect of their services be entitled to pension and other retirement
9 benefits as are prescribed in the Act.

10 (2) Notwithstanding the provisions of subsection (1) of this Section,
11 nothing in this Act shall prevent the appointment of a person to any office on
12 terms, which preclude the grant of a pension and gratuity in respect of that
13 office.

14 (3) For the purpose of the application of the Pensions Reform Act, any
15 power exercisable thereunder by the President or authority other than the
16 Federal Government (not being the power to make Regulations under Section
17 11 of the Act), shall be vested in and exercisable by the Institute.

18 (4) Subject to subsection (2) of this Section, the Pensions Reform Act,
19 shall in its application of subsection (3) of this section, have effect as if, the
20 office were in the public service of the Federation within the meaning of the
21 Constitution of the Federal Republic of Nigeria 1999 (as Amended).

Staff regulations

22 21.-(1) The Board may make staff regulations relating generally to the
23 terms and conditions of service of the employees of the Agency in line with the
24 conditions in the Federal Public Service and without prejudice to the generality
25 of the foregoing, such regulations may provide for:

26 (a) remuneration and tenure of office of members of staff of the
27 Agency;

28 (b) appointment, promotion, fringe benefits and productivity
29 incentive, for members of staff of the Agency; and

30 (c) appeal procedure for members of staff of the Agency against

1 dismissal or other disciplinary measures.

2 (2) Staff regulations made under subsection (1) of this section
3 shall not have effect until approved by the Minister and published in the
4 Federal Government official Gazette.

5 22.-(1) The Agency may accept gifts of land, money or other
6 property, upon such terms and conditions if any, suitable to the Agency, as
7 may be specified by the person or organization making the gift.

Power to accept
gifts

8 (2) The Agency shall not accept any gift if the conditions attached
9 by the person or organization making the gift are inconsistent with the
10 objectives and functions of the Agency.

11 23. The Minister may give to the Agency directives of a general
12 character, relating to the policies and functions of the Agency, and the
13 Agency shall comply with such directives.

Power to give
directives

14 24.-(1) No suit shall be commenced against the Agency, before the
15 expiration of a period of one month after written notice of intention to
16 commence the suit have been served upon the Agency.

Legal proceedings

17 (2) The notice shall specify the Plaintiff or his Agent and clearly
18 state:

- 19 (a) cause of action;
20 (b) particulars of claim;
21 (c) name and place of abode of the intending plaintiff; and
22 (d) relief which he claims.

23 (3) The notice referred to in subsection(1) of this section of any
24 summons, notice or other document required or authorized to be served on
25 the Agency under the provision of this Act or any other enactment or law,
26 may be served by:

27 (a) delivering same to the Director-General,

28 (4) In any action or suit against the Agency, no execution or
29 attachment or process of any nature thereof, shall be issued against the
30 Agency, but any sum of money which may, by the judgment of the court, be

- 1 paid from the general reserve of the Agency.
- Regulation 2 25. The Board may, with the approval of the Minister, make
3 regulations for the operation of this Act, including the prescription of:
4 (a) methodologies for payment of monies into the fund of the Agency;
5 (b) fees to be paid for services rendered by the Agency; and
6 (c) such other fees or charges as may be imposed for the services
7 rendered by the Agency from time to time.
- Acquisition of
interest in land
or property 8 26.-(1) For the purpose of providing offices and premises necessary
9 for the performance of its functions, the Agency may subject to the Land Use
10 Act:
11 *[Cap 202 LFN.]*
12 (a) purchase or take on lease any interest in land, farms, building or
13 property; and
14 (b) build, equip and maintain offices and premises.
15 (2) The Agency may, subject to the Land Use Act, sell out any land or
16 office premises held by it, which is no longer required for the performance of its
17 functions under this Act.
18 *[Cap 202 LFN.]*
- Limitation of
suit against the
Agency 19 27.-(1) Subject to the provisions of this Act, the provisions of the
20 Public Officers Protection Act shall apply to any suit instituted against the
21 Agency, an officer of the Agency or employee of the Agency.
22 (2) No suit shall lie or be instituted in any court against the Agency, a
23 member of the Board or any principal officer or employee of the Agency for an
24 action carried out in pursuance to the execution of this Act or any enactment, or
25 of any public duty in respect of any alleged neglect or default in the execution
26 of this Act or duty or authority, unless it is commenced;
27 (a) within three months of such act, neglect or default complained
28 thereof; or
29 (b) in the case of a continuation of damages or injury, within six
30 months after the ceasing of the act, neglect or default.

1 (3) No suit shall be commenced against the Agency, a member of
2 the Board or any principal officer or employee of the Agency before the
3 expiration of a month after written notice of the intention to commence the
4 suit has been served on the Agency by intending plaintiff or his agent.

5 (4) The plaintiff to in subsection(3) of this Section shall
6 clearly state the cause of action, particulars of the claim, the name and place
7 of abode of the intending plaintiff and the relief sought.

8 28.-(1) Any notices or other document required or authorized to be
9 served on or given to an person for the purposes of this Act, may be served or
10 given by delivering it to that person, or by leaving it at his usual or last
11 known place of residence or business or at the address specified by him in
12 any notice, application or other document made, given or tendered to the
13 Agency under this Act, or by posting it by registered mail to him at that place
14 of residence or business or at that address.

Service of Notice

15 (2) Where any of such notice or other document sent by registered
16 mail, unless the contrary is proved, it shall be deemed to have been delivered
17 to him when it would have been delivered in the ordinary course of posting a
18 mail unless the contrary is established and in proving the delivery, it shall be
19 sufficient to prove that there is return post office slip showing actual
20 delivery.

21 (3) Where any of any purpose under this Act, a notice or document
22 is required to be served on a firm or company, the notice or document may be
23 served on the Secretary, Executive Office, or other officer holding a similar
24 position in the organization and the service unless otherwise directed by the
25 Agency, be deemed to be served on all persons who are members of the
26 organization.

27 (4) Any Service of Notice or process on the Agency shall be by
28 registered post or by personal service on any Principal Officer of the
29 Agency.

30 29.-(1) In any action or suit against the Agency, no execution or

Restriction on
execution against
property of the
Agency

1 attachment of process shall be issued against the Agency unless, not less than
2 three months notice of the intention to execute or attach has been given to the
3 Agency.

4 (2) Any sum of money, which by the judgment of any court, has been
5 awarded against the Agency shall, subject to any direction given by the court,
6 where notice of appeal against the judgment has been given, be paid from the
7 fund of the Agency.

Indemnity of
officers of the
Agency

8 30. A member of the Board, Director-General or employee of the
9 Agency shall be indemnified out of the assets of the Agency against any
10 proceedings brought against him in his capacity as a member of the Board,
11 Director-General, officer or employee of the Agency where the act complained
12 of is not ultra vires his power.

Duty of secrecy

13 31.-(1) A member of the Board or the Director-General or any other
14 officer of the Agency shall:

15 (a) not, for his personal gain, make use of any information which has
16 come to his knowledge in the exercise of this power or is obtained by him in the
17 ordinary course of his duty as a member of the Board or as a Director-General
18 or officer of the Agency;

19 (b) treat as confidential any information which has come to his
20 knowledge in the exercise of his power or is obtained by him in the
21 performance of his duties under this Act; and

22 (c) not disclose any information referred to under paragraph (b) of this
23 subsection, except when required to do so by a court or in such other
24 circumstances as may be prescribed by the Board from time to time.

25 (2) Any person who contravenes the provisions of subsection (1) of
26 this section commits an offence and is liable on conviction to a fine of not less
27 than NI 00,000.00 or imprisonment for a term not exceeding 2 years or to both
28 such fine and imprisonment.

Interpretation

29 32. In this Act, unless the context otherwise requires:

30 "Agency" means Nigeria Natural Medicine Development Agency established

- 1 by section 1 of the Act;
- 2 "Board" means the Governing Board of the Agency established by section 2
3 of this Act;
- 4 "Chairman" means Chairman of the Board;
- 5 "Fund" means the Fund of the Agency established under section 14 of this
6 Act;
- 7 "Member" means member of the Board;
- 8 "Minister" means Minister charged with the responsibility for Science and
9 Technology;
- 10 "President" means President of the Federal Republic of Nigeria.

11 33. This Bill may be cited as the Nigeria Natural Medicine Short title
12 Development Agency (Establishment) Bill, 2018.

13 SCHEDULE

14 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

15 1.-(1) Subject to this Act and section 27 of the Interpretation Act,
16 the Board may make standing orders regulating its proceedings or those of
17 any of its committees.

18 [Cap. 192 LFN 1990]

19 (2) The quorum of the Board shall be the 2/3 of members or 5
20 members including the Chairman or the person presiding at the meeting and
21 the quorum of any committee of the Agency shall be as determined by the
22 Board.

23 2.-(1) The Board shall meet not less than four times in each year
24 and subject thereto, the Board shall meet whenever it is summoned by the
25 Chairman and if the Chairman is required to do so by notice given to him by
26 not less than four other members, he shall summon a meeting of the Board to
27 be held within 14 days from the date on which the notice is given.

28 (2) At any meeting of the Board, the Chairman or in his absence,
29 any member duly chosen by the Board shall preside at that meeting.

30 3.-(1) The Board shall meet to conduct business at such places and

1 on such days as the Chairman may appoint.

2 (2) A question put before the Board at a meeting shall be decided by
3 consensus and where this is not possible, by a majority of the votes of the
4 members present and voting.

5 (3) The Chairman shall in the case of an equality of votes, have a
6 casting vote in addition to his deliberative vote.

7 4. Where the Board desires to seek the advice of any person on a
8 particular matter, the Board may co-opt the person as a member for such period
9 as it thinks fit, but a person who is in attendance by virtue of this subparagraph
10 shall not be entitled to vote at any meeting of the Board and shall not count
11 towards the quorum.

12 *Committees*

13 5.-(1) The Board may appoint one or more committees to carry out on
14 behalf of the Board, such of its functions as the Board may determine.

15 (2) A Committee appointed under this schedule shall consist of such
16 number of persons as may be determined by the Board, and a person other than
17 a member of the Board shall hold office on the committee in accordance with
18 the terms of his appointment.

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

21 *Miscellaneous*

22 6.-(1) The fixing of the seal of the Agency shall be authenticated by
23 the signature of the Director-General/Chief Executive Officer or of some other
24 person authorized generally by the Board to act for that purpose.

25 (2) Any contract or instrument which, if made or executed by any
26 person not being a body corporate, would not be required to be under seal, may
27 be made or executed on behalf of the Agency by the Director- General/Chief
28 Executive Officer or a person specially authorized to act for that purpose by the
29 Board.

30 (3) Any document purporting to be duly executed under the seal of the

1 Agency shall be received in evidence and shall unless and until the contrary
2 is proved, be presumed to be so executed.

3 (4) The validity of any proceedings of the Board or its committees
4 shall not be adversely affected by-

5 (a) any vacancy in the membership of the Board or of any
6 committee thereof;

7 (b) reason that a person not entitled to do so took part in the
8 proceedings, or

9 (c) any defect in the appointment of a member of the Board or
10 Committee.

11 7. Any member of the Board and any person holding office on a
12 Committee of the Board, who has a personal interest in any contract or
13 arrangement entered into or proposed to be considered by the Board or a
14 Committee thereof shall:

15 (a) forthwith disclose his interest to the Board or Committee, as the
16 case may be; and

17 (b) not vote on any question relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks among other things to put in place a Legal framework for the continuous growth of Nigerian Natural Medicine Development Agency to provide Research, Develop, Promote, Collate, Document and preserve Nigeria's indigenous (Traditional) Healthcare Systems, Medications and Non-Medications Healing Arts, Sciences, Technologies, Bio-Resources and facilitate their integration into the National Healthcare delivery system.

