

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL CENTRE FOR STROKE MANAGEMENT AND FOR RELATED MATTERS

Sponsored by Hon. Segun Ogunwuyi

[] Commencement

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

1 PART 1 - ESTABLISHMENT OF THE NATIONAL CENTRE FOR STROKE
2 MANAGEMENT

3 1.-(1) There is hereby established a body to be known as the
4 National Centre for Stroke Management (in this Act referred to as "the
5 Centre") which shall be a body corporate with perpetual succession and a
6 common seal and may sue and be sued in its corporate name.

Establishment
of the National
Centre for Stroke
Management

7 (2) There shall be established a branch of the Centre in each state of
8 the Federation in order to ensure effective service delivery.

9 (3) The supplementary provision in the schedule to this Act shall
10 have effect with respect to the proceedings of the board or its committees
11 and other matters.

12 2. There shall be established for the centre a governing board (in
13 this Bill referred to as "the Board") which shall consist of a Chairman, who
14 shall be appointed by the President and the following other members, that is:

Governing
Council of the
Board

15 (i). one person to represent the Ministry responsible for health;

16 (ii) two persons to represent the Ministries of Health of the States
17 of the Federation;

18 (iii) one person to represent the Nigerian Medical Association;

19 (iv) one person to represent the Neurology Association of Nigeria;

20 (v) two persons to represent Nigerian Universities;

	1	(vi) one person to represent the Federal Teaching Hospitals in
	2	Nigeria;
	3	(vii) two persons to be appointed on individual merit on a nationwide
	4	basis who shall have wide experience of service in the public or private sector;
	5	and
	6	(viii) the Director-General, who shall be an ex-officio member of the
	7	Board but shall not have the right to vote at the meetings of the Board.
Tenure of Office	8	3.-(1) A member of the Board other than an ex-officio shall hold office
	9	for a term of four years and no more
	10	(2) Members of the Board shall be paid allowances as may be
	11	determined by the Board in consultation with the National Salaries, Wages and
	12	Income Commission.
Resignation of members of the Board	13	4. A member may resign his appointment by a notice in writing,
	14	addressed to the President.
Cessation of membership	15	5. A member ceases to hold office if he:
	16	(a) becomes of unsound mind;
	17	(b) is withdrawn by the body he represents;
	18	(c) is convicted of felony or any offence involving dishonesty;
	19	(d) is guilty of misconduct in relation to his duties.
Removal from office of a member	20	6. Notwithstanding the provisions of section 3 of this Act, the
	21	President may remove a member from the board if any circumstance arises
	22	which would require the removal of the member from the board.
Functions of the Centre	23	7. The functions of the Centre shall be to:
	24	(a) provide diagnostic, curative and rehabilitative services;
	25	(b) provide ambulatory and domiciliary neurological treatment,
	26	employing the services of neurologists and other medical practitioners;
	27	(c) collate data on stroke cases reported to the centre and other health
	28	facilities in the country;
	29	(d) conduct research and collate information on the most effective
	30	methods for prevention, treatment and management of stroke;

1 (e) carry out enlightenment campaigns to educate Nigerians on
2 effective measures to be adopted for preventing stroke;

3 (f) offer medical advice to persons predisposed to stroke and other
4 neurological complications;

5 (g) offer such assistance to neurology departments or units in
6 hospitals in various parts of the federation, as the Board may deem
7 necessary;

8 (h) advise the government of the Federation or of a State on all
9 matters relating to stroke and effective measures for reducing its occurrence;

10 (i) carry out such other activities as are necessary or expedient for
11 the performance of its functions under this Act.

12 PART II - STAFF OF THE CENTRE

13 **8.**(1) There shall be appointed by the President on the Appointment of
14 recommendation of the Minister, a Director-General to the Centre, who the Director-
15 shall have appropriate qualification and experience in neurology. General of the
Centre

16 (2) The Director-General shall be the Chief Executive of the Centre
17 and shall be responsible for the execution of the policy of the Centre and the
18 day-to-day running of the affairs of the Centre.

19 (3) The Director-General shall hold office in the first instance for a
20 period of four years and shall be eligible for re-appointment for one further
21 term of two years and no more.

22 **9.**(1) Notwithstanding the provision of subsection 3 of section 8 of Removal of the
23 this Act, the Director-General may be removed from office by the President Director-General
24 if he deems it necessary for the attainment of the objectives of the Centre.

25 (2) A person appointed as the Director-General after such removal
26 in subsection (1) shall serve the unexpired period of the term of his
27 predecessor-in-office.

28 **10.**(1) The Centre may, from time to time, appoint such other staff Appointment of
29 as it may deem necessary to assist the Director-General in the performance other staff
30 of the functions of the Centre.

1 (2) The remuneration and tenure of office of the other employees of
2 the Centre shall be determined by the Centre after consultation with the
3 Minister.

4 (3) Notwithstanding the provision of sub-section (1) of this section,
5 employees of the Centre may be appointed by the Board by way of transfer
6 from the public service of the Federation.

Application of
Pensions Act

7 **11.**-(1) It is hereby declared that service in the Centre shall be
8 pensionable under the Pensions Act and accordingly, employees of the Centre
9 shall, in respect of their services in the Centre, be entitled to pensions,
10 gratuities, and other retirement benefits as are prescribed there-under.

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

14 (3) For the purpose of application of the Pensions Act, any power
15 exercisable there-under by the Minister or authority of the Federal Government
16 (not being the power to make regulations under section 23 thereof) is hereby
17 vested in and shall be exercisable by the Centre and not by any other person or
18 authority.

19 (4) Subject to subsection (2) of this section, the Pensions Act shall in
20 its application by virtue of subsection (3) of this section to any office, have
21 effect as if the office were in the civil service of the federation within the
22 meaning of the Constitution of the Federal Republic of Nigeria 1999.

23 PART III - FINANCIAL PROVISIONS

Fund of the
Centre

24 **12.**-(1) The Centre shall establish a fund from which shall be defrayed
25 all expenditure incurred by the Centre for the purpose of this Act.

26 (2) There shall be paid and credited to the fund established in
27 pursuance of subsection (1) of this section, such payments as may be made to
28 the Centre by the Federal Ministry of Health for the running expense of the
29 Centre and all other payments or monies, from time to time accruing to the
30 Centre.

1	13. The Centre may from time to time, apply the proceeds of the	Expenditure of the Centre
2	fund established in pursuance of section 12 of this Act:	
3	(a) to the cost of administration of the Centre;	
4	(b) to payment of salaries, fees or other remunerations or	
5	allowances and pensions, superannuation, allowances and gratuities	
6	payable to members or employees of the Centre, so however that no	
7	payment of any kind under this paragraph shall be made to any person who is	
8	in receipt of emoluments from the Government of the Federation or of a	
9	State;	
10	(c) for the maintenance of any property vested in the Centre; and	
11	(d) for and in connection with any of its functions under this Act.	
12	14. -(1) The Centre shall submit to the minister not later than 30th	Annual estimates and accounts
13	September in each year, an estimate of its expenditure and income during the	
14	next succeeding year.	
15	(2) The Centre shall keep proper accounts in respect of each year	
16	(and proper records in relation thereto) and shall cause the accounts to be	
17	audited by an auditor appointed from the list in accordance with the	
18	guidelines supplied by the Auditor-General of the Federation.	
19	15. The Centre shall prepare and submit to the President through	Annual reports
20	the Minister not later than 30th June in each year, a report in such form as he	
21	may direct on the activities of the Centre, on or during the immediate	
22	preceding year, and shall include in such report a copy of the audited	
23	accounts of the Board for that year and the Auditor-General's report thereon.	
24	16. Subject to the provisions of this Act, the Minister may give to	Power of Minister to give directives
25	the Board directives of a general character or relating generally to matters of	
26	policy with regards to the exercise by the Centre of its functions and it shall	
27	be the duty of the Centre to comply with such directives.	
28	17. In this Act, unless the context otherwise requires-	Interpretation
29	"centre" means National Centre for Stroke Management;	
30	"chairman" means the chairman of the governing board of the centre;	

1 "function" includes power and duty;
2 "minister" means the Federal Minister in charge of health;
3 "president" means the president of the Federal Republic of Nigeria.

Short title

4 **18.** This Bill may be cited as the National Centre for Stroke
5 Management Bill, 2018.

SCHEDULE

*[Section 1(3)]*SUPPLEMENTARY PROVISIONS RELATING TO THE PROCEEDINGS
OF THE BOARD

10 1. Subject to this Act and Section 27 of the Interpretation Act (which.
11 provides for decisions of a statutory body to be taken by a majority of its
12 members and for the chairman to have a second or casting vote), the Board may
13 make standing orders regulating the proceedings of the Board or any
14 committee thereof.

15 2. Every meeting of the Board shall be presided over by the Chairman
16 or if the chairman is unable to attend a particular meeting, the members present
17 at the meeting shall elect one of their numbers to preside at the meeting.

18 3. The quorum at a meeting of the Board shall consist the Chairman
19 (or, in an appropriate case, the person presiding at the meeting pursuant to
20 Paragraph 2 of this schedule) and five other members.

21 4. Where upon any special occasion, the Board desires to obtain the
22 advice of any person on any particular matter, the Board may co-opt that person
23 to be member for as many meetings as may be necessary, and that person, while
24 co-opted, shall have all the rights and privileges of a member, except that he
25 shall not be entitled to vote or count towards a quorum.

26 5.-(1) Subject to its standing orders, the Board may appoint such
27 number of standing and ad-hoc committees as it thinks fit, to consider and
28 report on any matter with which the Board is concerned.

29 (2) Every committee appointed under the provisions of sub-
30 paragraph (1) of this paragraph shall be presided over by a member of the

1 Board and shall be made up of such number of persons, not necessarily
2 members of the Board, as the Board may determine in each case.

3 6. The decision of a committee shall be of no effect until confirmed
4 by the Board.

5 7. The fixing of the seal of the Centre shall be authenticated by the
6 signature of the Chairman or the Director-General of the Centre.

7 8. Any contract or instrument which, if made by a person not being
8 a body corporate, would not be required to be under seal, may be made or
9 executed on behalf of the Centre by the Director-General or by any other
10 person generally or specifically authorized to act for that purpose by the
11 Centre.

12 9. Any document purporting to be a contract, instrument or other
13 document signed or sealed on behalf of the Centre shall be received in
14 evidence and unless the contrary is proved, be presumed without further
15 proof, to have been so signed or sealed.

16 10. The validity of any proceedings of the Board or a committee
17 thereof shall not be adversely affected:

18 (a) by any vacancy in the membership of the Board or committee;

19 (b) by any defect in the appointment of a member of the Board or
20 committee, or

21 (c) by reason that a person not entitled to do so took part in the
22 proceedings.

23 11. Any member of the Board or Committee thereof, who has a
24 personal interest in any contract or arrangement entered into or proposal to
25 be considered by the Board or Committee, shall forthwith disclose his
26 interest to the Board or Committee and shall not vote on any question
27 relating to the contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for the establishment of the National Centre for Stroke Management to provide effective diagnostic, curative and rehabilitative services for stroke victims in order to reduce the incidents of stroke and its negative effects among Nigerians.