

# A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE COMPLEMENTARY AND ALTERNATIVE MEDICINE (ESTABLISHMENT AND DEVELOPMENT) COMMISSION TO ENCOURAGE, PROMOTE AND CO-ORDINATE TRADITIONAL MEDICINE PRACTICE IN NIGERIA AND FOR RELATED MATTERS CONNECTED THERETO

*Sponsored By Hon. Nasiru Sule Garo*

[ ] Commencement

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

1 PART I - ESTABLISHMENT OF THE COMPLEMENTARY AND ALTERNATIVE  
2 MEDICINE (ESTABLISHMENT AND DEVELOPMENT) COMMISSION

3 1.-(1) There shall be established a commission to be known as Establishment of  
4 Complementary and Alternative Medicine (Establishment and the Commission  
5 Development) Commission of Nigeria (in this Bill referred to as "the  
6 Commission") which shall be a body corporate with perpetual succession  
7 and a common seal and may sue or be sued in its corporate name and may  
8 enter into contracts and incur obligation.

9 2.-(1) The Commission shall consist of- Composition of  
10 (a) A chairman, who shall be a renowned and well respected the Commission

11 person with vast experience in traditional medicine practice;

12 (b) A representative of the Federal Ministries of:

13 (i) Health;

14 (ii) Commerce; and

15 (iii) Science and Technology

16 (c) A representative of the following bodies;

17 (i) 5 persons representing the Association of Traditional Medicine  
18 Practitioners of Nigeria;

	1	(ii) The Director General NAFDAC;
	2	(iii) Director General of National Institute for Pharmaceutical
	3	Research and Development;
	4	(iv) Nigeria National Medical Development Agency;
	5	(v) Nigerian Institute of Medical Research.
Appointment and tenure of members	6	3.-(1) The Chairman and members of the Commission shall be
	7	appointed by the President on the recommendation of the Minister of Health.
	8	(2) A member of the Commission, who is neither a Civil Servant nor a
	9	public officer shall hold office for a period of 4 years in the first instance and
	10	can be reappointed for another 4 years and no more.
Appointment and functions of the Secretary	11	4. There shall be a secretary for the commission, appointed by the
	12	Commission, whose duties inter alia shall be keeping the records, day to day
	13	running of the commission and such other duties assigned to him by the
	14	commission under the direction of the chairman.
Cessation of office	15	5.-(1) A member of the commission may resign his appointment in
	16	writing to the President.
	17	(2) Shall cease to hold office if he:
	18	(a) becomes of unsound mind;
	19	(b) becomes bankrupt;
	20	(c) is convicted of a felony or of any offence involving dishonesty or
	21	corruption;
	22	(3) May be removed from office if the President is satisfied that it is
	23	not in the interest of the Commission or in the interest of the public for the
	24	person to remain in office and the President removes him from office.
	25	(4) Where a vacancy exists in the membership of the Commission, it
	26	shall be filled by the appointment of a successor to serve the remainder of the
	27	term of office of his predecessor.
Remuneration and allowances	28	6. The members and staff of the Commission shall receive such
	29	remunerations and allowances as may be determined by government from time
	30	to time.

1                   PART II - FUNCTIONS AND POWERS OF THE COMMISSION

2                   7. The functions of the Commission are;

Functions of the  
Commission

3                   (i) To encourage, promote and co-ordinate traditional medicine  
4 practice in Nigeria;

5                   (ii) control and regulate the practice of traditional medicine;

6                   (iii) ensure quality and standard and entrench professionalism in  
7 traditional medicine practice;

8                   (v) register and issue qualified practitioners license;

9                   (vi) enhance and encourage training in herbal medicine;

10                  (vii) in conjunction with the Ministry of Health to establish and  
11 identify centers for delivery of complementary and alternative medicine  
12 care across Nigeria;

13                  (viii) give guidelines to NAFDAC on regulations pertaining to  
14 herbal medicine generally;

15                  (ix) develop and constantly review rules and regulations for the  
16 practice of complementary and alternative medicine.

17                  8.-(1) The Commission shall have power to appoint directly, or  
18 employ staff on transfer or on secondment from any public service in the  
19 Federation, such number of employees as the Commission may require to  
20 assist it in the discharge of any of its function.

Staff of the  
Commission

21                  (2) The terms and conditions of service as to remunerations,  
22 allowances, pensions, gratuities and other benefits of the persons employed  
23 by the Commission shall be determined by the Commission from time to  
24 time.

25                  9. The commission may, subject to the provisions of this Bill make  
26 regulations relating generally to the conditions of service of the employees  
27 and such regulations may provide for:

Staff regulations

28                  (a) the appointment, promotion and disciplinary control (including  
29 dismissal) of employees of the commission; and

30                  (b) appeals by such employees against dismissal or other

1 disciplinary measures.

2 PART III - ESTABLISHMENT OF THE STATE COMPLEMENTARY

3 AND ALTERNATIVE MEDICINE CENTERS

Establishment  
of the State  
Complimentary  
and Alternative  
Medicine Centers

4 10.-(1) in each state of the federation and the federal Capital Territory,  
5 Abuja, the Commission may establish a State Complementary And Alternative  
6 Medicine Centre (In this Bill referred to as "the Complementary and  
7 Alternative Medicine Center").

8 (2) A State Complementary and Alternative Medicine Center shall be  
9 headed by a Director appointed by the commission.

10 (3) The Director shall be responsible for coordinating, monitoring  
11 and promoting:

12 (a) Traditional medicine practice in the State;

13 (b) liaising with institutions and bodies engaged in the training,  
14 education or skills acquisition in traditional medicine matters and the process  
15 of accreditation of such bodies; and

16 (c) Performing such other functions as may be assigned to it by the  
17 commission.

Funds of the  
Commission

18 11.-(1) The Commission shall establish and maintain a fund  
19 (hereinafter referred to as "the fund") which shall be applied towards the  
20 discharge of its functions under this Bill.

21 (2) The fund shall consist of-

22 (a) such sums as may be provided to the commission by the  
23 Government of the Federation;

24 (b) any money raised for the Commission by way of gift, loans, grants  
25 or aid, testamentary disposition by individuals, corporate bodies or  
26 international donors; and

27 (c) proceeds from assets of the commission that may from time to  
28 time accrue to the commission.

Power to borrow  
and accept gifts

29 12.-(1) the commission may:

30 (a) subject to general guidelines issued by the Government of the

1 Federation, borrow by way of loan or over draft from any source within the  
2 country, monies required by the commission for meeting its obligations and  
3 discharge of its functions under this Bill;

4 (b) Subject to the provisions of this Bill and condition or term  
5 attached to the funds or property acquired, invest the funds for efficient  
6 discharge of its function;

7 (c) Accept gifts of land, money or other property provided that  
8 conditions attached to the gift are not inconsistent with the purpose, aims  
9 and objectives of the commission.

10 **13.** The Commission shall defray from the fund expenditures Expenditure  
11 incurred by it, including but not limited to-

12 (a) the cost of administration;

13 (b) Payment of salaries, fees, remunerations, allowances, pensions  
14 and gratuities and reimbursement payable to members and employees of the  
15 commission; and

16 (c) any service rendered to or anything done in connection with its  
17 functions under this Bill.

18 **14.-(1)** The Commission shall, not later than 30th September in Annual estimate  
19 each year, submit to the National Assembly an estimate of its income and accounts and  
20 expenditure for the succeeding year. audit

21 (2) The commission shall cause to be kept proper books of account  
22 and records in the performance of its functions under this Bill.

23 (3) The account of the commission shall be audited by auditors  
24 appointed from a list of auditors and in accordance with the Guidelines  
25 issued by the Auditor- General of the federation and the fees of the auditors  
26 and the expenses for the audit generally shall be paid from the fund of the  
27 commission.

28 **15.** The commission shall submit to the president not later than Annual report  
29 30th June, of each financial year after, a report on the activities of the  
30 commission and its administration during the preceding year and shall



1 include, in the report, the audited account of the commission and the auditor's  
2 comment.

3 **PART IV - MISCELLANEOUS PROVISIONS**

Regulations

4 **16.** The commission may with the approval of the Minister of Health  
5 of the federation make regulations as in its opinion are necessary or expedient  
6 for giving full effects to the provisions of this Bill and the due administration of  
7 its provisions.

Interpretation

8 **17.-(1)** Subject to the provisions of this Act, the provisions of the  
9 Public Officers Protection Act is applicable to any legal proceedings instituted  
10 against any officer or employee of the Commission:

11 "Complementary and Alternative Medicine Center" means the state  
12 Complementary and Alternative Medicine Center established under section 10  
13 of this Bill;

14 "Chairman" means the chairman of the commission appointed under section 2  
15 (1) of this Bill;

16 "Commission" means the Complementary and Alternative Medicine  
17 (Establishment and Development) Commission established under section 1 (1)  
18 of this Bill.

Citation

19 **18.** This Bill may be cited as the Complementary and Alternative  
20 Medicine (Establishment and Development) Commission Bill, 2016.

21 **SCHEDULE**

22 **SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION**

23 *Proceedings of the commission*

24 **1.** Subject to the Bill and section 27 of the interpretation Act, the  
25 commission shall have power to regulate its proceedings and may make  
26 standing rules with respect to the holding of its meetings, and those of its  
27 committees notices to be given, the keeping of minutes of its proceedings the  
28 custody and production for inspection of such minutes and such other matters  
29 as the commission may, from time determine.

30 **2.** There shall be at least four ordinary meetings of the commission in

1 every calendar year and subject thereto, the commission shall meet  
2 whenever it is convened by the chairman, and if the chairman is requested to  
3 do so by notices given to him by not less than four other members, he shall  
4 convene a meeting of the commission to be held within 14 days from the  
5 date on which the notice was given.

6 **3.** Every meeting of the commission shall be presided over by the  
7 chairman and if the chairman is unable to attend a particular meeting, the  
8 members present at the meeting shall elect one of them to preside at the  
9 meeting.

10 **4.** The quorum of any meeting of the commission shall consist of  
11 the chairman (or in an appropriate case, the person presiding at the meeting  
12 pursuant to paragraph 2 of this schedule) and four other members, except  
13 that any quorum must include at least three members outside the service.

14 **5.** A question put before the commission at a meeting shall be  
15 decided by consensus and where this is not possible, by a majority of the  
16 votes of the members present and voting.

17 **6.** The chairman shall, in the case of an equality of votes, have a  
18 casting vote in addition to his deliberative vote.

19 **7.** Where the commission seeks the advice of any person on a  
20 particular matter, the board may invite that person to attend for the such  
21 period as it deems fit, but a person who is so invited by virtue of this  
22 paragraph shall not be entitled to vote at any meeting of the commission and  
23 shall not count towards the quorum.

#### EXPLANATORY MEMORANDUM

The Bill seeks to establish the Complementary and Alternative Medicine (Establishment and Development) commission with the responsibility to promote, encourage and co-ordinate the practice of traditional medicine in Nigeria.