

A BILL

FOR

AN ACT TO AMEND THE CHILD'S RIGHTS ACT CAP C50, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO INCLUDE THE PROHIBITION OF SALE OF ALCOHOL BY OR TO A MINOR; PROHIBIT THE PURCHASE OF ALCOHOL FOR A MINOR; GRANT THE POLICE THE RIGHT TO CONFISCATE ALCOHOL FOUND IN POSSESSION OF A MINOR AND FOR RELATED MATTERS

Sponsored by Hon. Omoregie Ogbeide-Ihama

[] Commencement

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

1 1. The Child's Rights Act, Cap C50, Laws of the Federation,
2 2004(hereinafter referred to as the 'Principal Act') is amended as set out
3 hereunder.

4 2. The Principal Act is amended by inserting in the existing Part
5 III after Section 25 and before the existing Section 26 the following
6 provisions as follows:

PART III

25B. Sale of Alcohol to Minors:

9 (1) Any person who sells or supplies any alcohol or allows it to be
10 sold or supplied to a person under the age of 18 years, whether for his own
11 use or not, is guilty of an offence and is liable on conviction to three(3) years
12 of imprisonment or a fine not exceeding the sum of three hundred thousand
13 naira.

14 (2) ~~It is a defence to a charge under Subsection (1) if the defendant~~
15 proves that he had reasonable grounds to believe that the person to whom he
16 sold or supplied the alcohol had attained the age of 18 years.

25C. Sale of Alcohol by Minors:

18 (1) It is an offence to allow a person under the age of 18 to sell or

1 supply alcohol unless the sale has been specifically approved by a responsible
2 person who in this case must be a person who has parental responsibility for the
3 child or any other with whom the child is living with.

4 (2) Anyone who contravenes the provision of Subsection (1) commits
5 an offence and is liable on conviction to 5 years imprisonment or to a fine of five
6 hundred thousand naira.

7 25D. Giving Alcohol to a Minor:

8 (1) Anyone who gives or causes to be given to any person under the
9 age of 18 years any alcohol except under the order of a certified medical
10 practitioner in the case of sickness is guilty of an offence and on conviction
11 shall be liable to 5 years imprisonment.

12 25E. Purchasing Alcohol for a Minor:

13 (1) Any person who purchases or acquires alcohol with the intention
14 of supplying the alcohol or any of it to a person under the age of 18 years
15 commits an offence and on conviction is liable to 5 years imprisonment.

16 (2) No person shall be guilty of an offence against Subsection (1) by
17 purchasing or supplying alcohol for any other person who then supplies it to a
18 third person who is under the age of 18 years, unless it is proved that the
19 defendant knew or had reasonable grounds to believe that the alcohol was
20 intended for the under age.

21 25F. Purchasing of Alcohol by Minors:

22 (1) It is an offence for someone under 18 years to purchase or attempt
23 to purchase alcohol.

24 (2) Anyone who contravenes the above provision commits an offence
25 and shall be prosecuted in accordance with the law governing juveniles.

26 25G. Confiscation of Alcohol:

27 (1) The Police and Nigeria Security and Civil Defence Corps shall
28 have the right to confiscate both open and sealed containers of alcohol in
29 possession of any person apparently under the age of 18 years whom he finds
30 drinking in the street or public place and alcohol seized shall be disposed of in

1 such manner as the Police Authority may direct.

2 3. Section 277(1) of the Principal Act IS amended by including **Interpretation**
3 the following words and their meanings;

4 "Alcohol" in this Bill means any intoxicating drink;

5 "Minor" in this Bill means a child or a person under the age of Eighteen (18)
6 years

7 4. This Act may be cited as the Child's Rights (Amendment) Bill, **Citation**
8 2016.

EXPLANATORY NOTES

This Bill seeks to amend the Child's Rights Act to prohibit the sale of alcohol by or to a minor, prohibit the purchase of alcohol for a minor, prohibit the giving of alcohol to a minor, to grant the police the right to confiscate any alcohol found in possession of a minor and other related matters.

