

NIGERIAN PEACE CORPS BILL, 2015

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EXPLANATORY MEMORANDUM

A BILL

FOR

AN ACT TO ESTABLISH THE NIGERIAN PEACE CORPS (NPC) TO EMPOWER, DEVELOP AND PROVIDE ALTERNATIVE EMPLOYMENT FOR THE YOUTHS, TO FACILITATE PEACE, COMMUNITY SERVICES, NATION-BUILDING AND FOR OTHER RELATED MATTERS, 2015.

Sponsored by Hon. Abdullahi Umar Faruk

[] Commencement

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

PART I - ESTABLISHMENT, FUNCTIONS AND OBJECTIVES OF

THE PEACE CORPS

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1.-(a) There is established a body to be known as the Nigerian Peace Corps (in this bill referred to as: Peace Corps) and shall be a corporate body with perpetual succession with a Common Seal and may sue and be sued in its corporate name;

Establishment

(b) The Headquarters of the Peace Corps shall be located in the Federal Capital Territory, Abuja, and shall have offices in all the States and Local Governments in Nigeria; and

Objectives of the Peace Corps

(c) Without prejudice to the generality of the provisions relating to the general duties of the Peace Corps set out in the Act, the Objectives of the Peace Corps shall be to Train, Educate and Re-orientate the Youth of this Nation, particularly Students, on their future leadership roles in the society, the Art of Nation-Building, as well as to become good citizens of the Country with due respect for Constituted Authorities, Democratic Norms and the Rule of Laws, and to re-direct the productive energies of the youths towards the Socio-Economic and Political Advancements of the Nation.

2. Functions of Peace Corps shall include:

Functions of the Peace Corps

(a) Promote Social and Economic Development by involving

- 1 Members and Volunteers in the scheme through working with Government,
2 Schools, Non-Profit Organizations, Non-Governmental Organizations, etc. in
3 order to pre-occupy the youths;
- 4 (b) To empower and pre-occupy the Nigerian Youths through job
5 creation and provision of alternative employment;
- 6 (c) Training Nigerian Youths with good virtuous, strong passion and
7 commitment to the Art of Patriotism, Community Services and Nation-
8 Building;
- 9 (d) To Train and Equip the Youths with knowledge for Peace
10 Education, Conflict Mediation, Intervention, Reconciliation and Confidence
11 Building;
- 12 (e) To give distinct orientation to the Youths and engage them in the
13 provision of Essential Services such as:
- 14 (i) Involve members of the Peace Corps in Community Services such
15 as Immunization, Census and Sanitation Exercises, especially in Urban Cities,
16 States and Local Government Capitals;
- 17 (ii) Provision of Refuse Bins, Waste Baskets and handy waste bags in
18 Public Buildings, Buses and Schools in order to obliterate littered materials;
- 19 (iii) Assist in planting of trees and all forms of environmental
20 conservation; and
- 21 (iv) Involve members and volunteers of the Peace Corps in crowd
22 control during public functions and in neighborhood watch in order to curb
23 insecurity within the community.
- 24 (f) Create a Data Bank and a Reservoir of trained, qualified
25 professional and non-professional youths for easy accessibility of manpower
26 from the pool of well-groomed youths whenever the Nation needs their
27 services for either permanent employment or ad-hoc Staff for such National
28 and International programmes as Emergency Relief Services, Voters'
29 Registration, Election Exercise, etc;
- 30 (g) Provide security for all Educational Institutions and check all

1 forms of examination malpractices and other vices, prevalent in Schools
2 and Colleges in order to create a conducive atmosphere for learning. To
3 achieve these, the Peace Corps shall:

4 (i) Establish Peace Corps Club in Schools and Colleges and
5 involving members of the Club in the promotion of internal understanding,
6 Peace Education, Conflict Management and Transformation;

7 (ii) Maintain surveillance on students organizing secret societies;
8 identify their members, associates, modus operandi and to make such
9 discoveries known to the appropriate authorities;

10 (iii) Assist the School Authorities in the maintenance and
11 enforcement of School Rules and Regulations;

12 (iv) Check criminal acts amidst students or intruders and detect any
13 plot by such to vandalize valuable properties of the School or College or any
14 form of dissident act or rioting in order to promote internal peace and
15 security;

16 (v) Set up anti-students loitering Squad periodically to check
17 students loitering within the School premises and in town during school
18 hours, in school uniform;

19 (vi) Organize Holiday Camps for students where they would be
20 involved in less academic work, but more of Games, Creative Work, Martial
21 Art, Citizenship and Leadership activities, as well as other Extra-Curricular
22 Programmes; and

23 (vii) Organize special Conference, Seminars and Workshop in
24 order to equip the Nigerian youths in Leadership Building Mechanism, so
25 as to prepare them mentally, morally and physically for their future
26 leadership roles.

27 (h) Assist in youth developmental activities, Empowerment and
28 Capacity Building for youth Creativity and Innovations, such as:

29 (i) Identify tools, techniques and the process of critical thinking,
30 creativity, innovation, and discovery to facilitate problem solving;

1 (ii) Initiate and involve the youths in Humanitarian Services in
2 Nigeria and around the world in order to aid transfer of Knowledge and
3 Technology;

4 (iii) Help the People of interested countries in meeting their needs for
5 training young Men and Women and to promote a better understanding of
6 Nigerians on the parts of the peoples served;

7 (iv) Serves as Orderlies to members of the Executives, Parliament,
8 Judiciary and Traditional Rulers that are not covered by existing Security
9 Agencies;

10 (v) Engage members as Tourists Assistants and guide, to Nigerians
11 and foreigners on visit to the Country, Tourists Sites and other National and
12 State Monuments & Heritage;

13 (vi) Creation and management of Public Toilets on highways,
14 including enlightenment against defecation in public places and enforcement
15 of the laws against defecation in public places, Recreational Centers,
16 Tourist Sites, etc; and

17 (vii) To check all forms of examination malpractices as may be
18 perpetuated by students, invigilators, teachers, lecturers and other educational
19 staff.

20 3. Discharge such other functions that will facilitate the
21 accomplishment of its objectives.

22 PART II - GOVERNING BOARD COMPOSITION AND POWERS

Governing Board
of the Peace Corps

23 4. There is established for the management of the Peace Corps a
24 Governing Board (in this Act referred to as "the Board").

Composition of
the Board of
the Peace Corps

25 5. The Board shall consist of:

26 (a) A Chairman;

27 (b) A representative each of the following Ministries/Agencies:

28 (i) Ministry of Youth Development;

29 (ii) Ministry of Employment, Labour and Productivity;

30 (iii) Ministry of Environment;

- 1 (iv) Ministry of Education;
 2 (v) Institute for Peace and Conflict Resolution;
 3 (vi) National Orientation Agency;
 4 (vii) National Poverty Eradication Programme;
 5 (viii) National Directorate of Employment;
 6 (ix) Ministry of Tourism and;
 7 (c) The National Commandant to serve as Secretary.

8 6. -(a) The Chairman shall be a person having cognate experience
 9 and proven capacity in discharging his responsibilities to facilitate the
 10 accomplishment of the Peace Corps Objectives;

Qualification of
 the Chairman and
 other members of
 the Peace Corps

11 (b) A member referred to in Section 5(2) shall not be below the rank
 12 of Director or its equivalent in the force;

13 (c) A member referred to in Section 5(2) shall be a person having
 14 cognate experience and proven capacity to discharge his duties.

15 7. -(a) The Chairman and members of the Board shall be appointed
 16 by the President, Federal Republic of Nigeria on the recommendation of the
 17 Minister.

Appointment of
 the Chairman and
 Members of the
 Board of the
 Peace Corps

18 (b) Without prejudice to the provisions of this Act, the Minister
 19 shall perform the functions of the Board where:

20 (i) The Board has not been constituted;

21 (ii) The Board has been dissolved; and

22 (iii) The provisions of the schedule to this Act shall have effect with
 23 respect to the proceedings of the Board and other matters contained therein.

24 8. The Chairman and other members of the Board, other than ex-
 25 officio members;

Tenure of Office
 etc.

26 (a) Shall hold office for a period of Four (4) Years on such terms
 27 and conditions as contained in their letters of appointment; and

28 (b) May be re-appointed for one further period of Four (4) Years
 29 and no more.

Removal from
Office

1 9. -(a) Notwithstanding the provisions of Section 8 of this Act, a
2 member may at any time be removed from office by the President of the
3 Federal Republic of Nigeria if:

4 (i) He is unable to discharge the functions of his office whether arising
5 from infirmity of the body or mind;

6 (ii) He is convicted by a Court of Law of a felony, fraud or any serious
7 act of misconduct; and

8 (iii) He without permission of the Board is absent for more than three
9 consecutive meetings of the Board without such permission is absent from the
10 country for a period exceeding one year.

11 (b) The Chairman or member may resign by a notice addressed
12 through the Secretary to the Government of the Federation to the President and
13 such notice of resignation shall become effective from the date of acceptance of
14 the resignation by the President.

Allowances

15 10. A member shall be paid such allowance as the Federal
16 Government may from time to time direct.

Powers of the
Board

17 11. The Board shall be responsible for:

18 (a) Providing the general policies and guidelines relating to major
19 expansion programmes of the Peace Corps;

20 (b) The supervision of management and general administration of the
21 Peace Corps;

22 (c) Recruiting regular members and volunteers of the Peace Corps;

23 (d) Organizing basic developments and refresher courses for
24 members of the Peace Corps;

25 (e) Fixing, with the approval of the Minister the terms and conditions
26 of service of members and employees of the Peace Corps, including their
27 remuneration; and

28 (f) Do such other things, which in the opinion of the Board are
29 necessary to ensure the efficient performance of the functions of the Peace
30 Corps.

1 PART III - STAFF AND MEMBERSHIP OF THE PEACE CORPS

2 12. -(a) There shall be for the Peace Corps a National Commandant National
3 who shall be appointed by the President and Commander-in-Chief on the Commandant of
4 recommendation of the Minister; the Peace Corps

5 (b) The National Commandant shall:

6 (i) Hold office in the first instance for a period of Five (5) years and
7 shall be eligible for reappointment for a further period of Five (5) years and
8 no more;

9 (ii) On such terms and conditions as may be specified in his letter of
10 appointment;

11 (iii) The National Commandant shall be the Chief Executive and
12 Accounting Officer of the Peace Corps;

13 (iv) The National Commandant shall in the performance of his
14 function be directly responsible to the President and Commander-in-Chief
15 of the Armed Forces, but shall regularly consult with Minister and the
16 Board;

17 (v) The National Commandant shall be responsible for the
18 execution of the policies of the Peace Corps and its day-to-day
19 administration; and

20 (vi) Subject to the provisions of this Act, the National
21 Commandant shall hold office on such terms and emolument as may be
22 specified in his letter of appointment, and as may from time to time, be
23 approved by the President.

24 13. -(a) The Board shall appoint for the Peace Corps such number Deputy National
25 of Deputy National Commandants, National Corps Secretary, Assistant Commandants,
26 National Commandants, Commandants and such officers and other Ranks National
27 and employees as it may, from time to time, deemed necessary for the Secretary, Assistant
28 purposes of the effective administration of the Peace Corps; National
and other
employees of the
Peace Corps

29 (b) The terms and conditions of service (including remunerations,
30 allowances, benefits and pensions) of regular members and employees of

1 the Peace Corps shall be as determined by the Board using same criteria as may
2 be applied to other similar Agencies with the approval of the Minister; and

3 (c) The Volunteers of the Peace Corps shall, for any period they are on
4 duty for the Peace Corps, be paid such allowances and other benefits, as may be
5 approved by the Minister.

Membership of
the Peace Corps

6 **14. Membership/Personnel of the Peace Corps shall consist of:**

7 (a) Regular members and volunteers;

8 (b) Officers and other Ranks;

9 (c) Members of the Corps shall be Nigerians within the ages of 18-35
10 years as at the time of enlistment; and

11 (d) Regular Members, Volunteers and other Staff shall be recruited by
12 the Board periodically to meet the personnel requirements of the Peace Corps.

Pensions

13 **15. -(a)** The service in the Peace Corps shall be approved service for
14 the purposes of the Pensions Act and, accordingly, regular members and
15 employees of the Peace Corps shall be entitled to pensions, gratuities and other
16 retirement benefits as prescribed under the Pensions Act;

17 (b) Notwithstanding the provisions of Sub-Section (a) of this Section,
18 nothing in this Act shall prevent the appointment of a person to any office on
19 such terms, which preclude the grant of pension, gratuity or other retirement
20 benefit in respect of that office;

21 (c) For the purposes of the application of the provisions of the
22 Pensions Act, any power exercisable by the Minister or other authority of the
23 Federal Government, other than the power to make regulations under Section
24 23 of the Act, is hereby vested in and shall be exercisable by the Peace Corps
25 and not by any other person or authority;

26 (d) Service in the Peace Corps shall be approved service for the
27 purpose of the Pensions Reform Act 2004 and, accordingly, officers and the
28 other persons employed in the Peace Corps shall; be entitles to pensions,
29 gratuities and other benefits as are prescribed here under; and

30 (e) For the purpose of the application of the provisions of the Pension

1 Reform Act, 2004 any power exercisable there under by a Secretary to the
2 Government of the Federation or other authority of the Government of the
3 Federation, other than the power to make regulations under Sections 23
4 thereof is hereby vested in and shall be exercisable by the Peace Corps and
5 not by any other persons or authority.

6 PART IV -APPOINTMENT, PROMOTION, OFFENSES AND

7 DISCIPLINE OF STAFF

8 16.-(a) The Senior Staff of the Rank of Commandant and above
9 shall be appointed by the President and Commander-in-Chief of the Armed
10 Forces upon nomination by the National Commandant and on the
11 recommendation of the Board;

Appointment and
Promotion of Staff
of the Peace Corps

12 (b) The promotion matters of officers below the ranks shall be
13 vested with the Board on the recommendation of the National Commandant;

14 (c) The post of the Deputy National Commandant shall be a
15 terminal post on which the holder shall retire from Peace Corps as may
16 be determined by the President, and Commander-in-Chief of the Armed
17 Forces;

18 (d) The National Commandant shall, in consultation with the
19 Board, establish such number of offices/units in the Headquarters and
20 recruit officers to discharge responsibilities;

21 (e) If for any reason, the National Commandant is unable to
22 perform his functions and there exist a vacancy in the office of the National
23 Commandant, the Board may designate an officer who is next in rank to the
24 National Commandant to act as the National Commandant during the period
25 of his inability or vacancy until a National Commandant is appointed in
26 accordance with the provisions of this Act and the officer shall while so
27 acting have all the powers to perform all the functions of the National
28 Commandant.

29 17.-(a) The appointment of Staff of the Peace Corps shall be
30 governed, mutatis mutandis, by the general terms and conditions of service

Appointment of
Staff of the
Peace Corps

1 as the Board may, after consultation with the Federal Civil Service
2 Commission or related organizations determine.

3 (b) The Board may, subject to the provisions of this Act, make Staff
4 Regulations relating generally to the Conditions of Service of the Staff of the
5 Peace Corps; and without prejudice to the generality of the foregoing. Such
6 regulations may provide for:

7 (i) The appointment, promotion, termination, dismissal and
8 disciplinary control of the Staff of the Peace Corps; and

9 (ii) Appeals by such Staff against wrongful dismissal or other
10 disciplinary measures, and until such regulations are made any instrument
11 relating to the conditions of Service of Officers in the Civil Service of the
12 Federation or related organization shall be applicable with such modifications
13 as may be necessary, to the staff of the Peace Corps.

14 (c) The Staff of the Peace Corps shall be public officers as defined in
15 the Constitution of the Federal Republic of Nigeria 1999 (as amended).

16 (d) Staff Regulations made under Sub-Section 17(b) of this Section
17 shall not have effect until it has been approved by the Board, and when so
18 approved, the Board shall cause them to be brought to the notice of all affected
19 persons.

Offences of the
Staff of the
Peace Corps

20 18. A Peace Corps member who:

21 (a) Performing his duties in contravention of the objects of the Peace
22 Corps;

23 (b) Perpetrate or involved in fraud, embezzlement or any form of
24 misappropriation of fund;

25 (c) Takes part in any subversive activity, including mutiny of any
26 offence;

27 (d) Abets, incites, conceals or condones the commission of any
28 offence;

29 (e) Takes part in an illegal assembly of persons with intention to

1 breach public peace, destroy property or assault any person or group of
2 persons;

3 (f) Having knowledge that an offence or any illegal act is about to
4 be committed, fails to inform his superior officer;

5 (g) Takes part in a strike; and

6 (h) Offers violent assault on his' Superior Officer commits an
7 offence and is liable on conviction to imprisonment for a term of not less
8 than one year.

9 19.-(a) The National Commandant may delegate his powers in
10 respect of discipline of Junior Staff to Deputy or Assistant National
11 Commandants in the Headquarters and State Commandant who shall
12 discipline such staff in their Departments and commands respectively in
13 accordance with existing Peace Corps Regulations;

Discipline of the
Staff of the Peace
Corps

14 (b) The power of appointment, promotion and discipline of the
15 junior Staff of the Peace Corps vested in the National Commandant.

16 (c) Appeal against all decisions concerning the discipline of such
17 staff be with the Senior Staff Disciplinary Committee;

18 (d) The power to discipline the Senior Staff is vested with the
19 Disciplinary Committee hereby established; and

20 (e) The Senior Staff Disciplinary Committee shall comprise the
21 following members:

22 (i) The Deputy National Commandant and the Assistant National
23 Commandant with the Deputy National Commandant serving as Chairman,
24 while in the absence of the Deputy National Commandant, the most Senior
25 Assistant National Commandant shall serve as Chairman;

26 (ii) The Provost Marshall;

27 (iii) The Head of Legal Matters;

28 (iv) National Corps Secretary;

29 (v) In addition to function specified in Sub-Section 19(e) of this
30 section, the Senior Staff Disciplinary Committee shall consider and

1 determine appeals emanating from decisions of the Junior Staff Disciplinary
2 Committee of the Peace Corps. The decisions such appeals shall be final;

3 (vi) Appeal against the decisions of the Senior Staff Disciplinary
4 Committee shall lie with the Board; and

5 (vii) The National Commandant shall in relation to the Staff of the
6 Peace Corps ensure:

7 (i) Probity and accountability;

8 (ii) Maintenance of a system of screening and vetting at the
9 recruitment stages and which shall be a continuous exercise throughout the
10 career of personnel in the Peace Corps; and

11 (iii) Maintenance of a policy of continuous Staff assessment.

12 (viii) The National Commandant shall promulgate and distribute a
13 Code of conduct to Staff of the Peace Corps the breach of which shall attract the
14 appropriate penalty stipulated therein; and

15 (ix) For the purpose of proper legal guidance and accountability, the
16 Heads of the Legal and Audit Departments shall report directly to the National
17 Commandant.

18 PART V - ADMINISTRATIVE STRUCTURES AND ZONAL COMMANDS

19 OF THE PEACE CORPS

20 20.-(a) The Peace Corps Headquarters shall be in the Federal Capital
21 Territory and headed by the National Commandant;

22 (b) There shall be established in National Headquarters of the Peace
23 Corps various Departments each of which shall be headed by an officer not
24 below the rank of Deputy National Commandant. The Departments are:

25 (i) Finance and Administration;

26 (ii) Training and Operations;

27 (iii) Planning, Development and Statistics;

28 (iv) Intelligence and Security;

29 (v) General Duties;

30 (vi) Monitoring and Evaluation;

1 (vii) Personnel, Record and Welfare; and

2 (viii) Logistics and Supplies.

3 (c) Each of these departments shall be established at the various
4 Command structure of the Peace Corps as provided in Sub-Sections 21(a)
5 above and shall be headed by an Officer not below the rank of Assistant State
6 Commandant.

7 **21.-(a)** The Board shall:

8 (i) Divide Nigeria into such number of Zones as it may, from time
9 to time determine for the effective organization of the Peace Corps; and

10 (ii) Establish, in each Zone, a Zonal Command, which shall be
11 headed by an officer not below the rank of Assistant National Commandant.

12 (b) The Zonal Command shall, subject to the direction and overall
13 command of Peace Corps, be responsible for coordinating the activities of
14 the Peace Corps in the Zone.

15 **22.-(a)** The Peace Corps shall have a State Command in each State
16 of the Federation and the Federal Capital Territory, Abuja; and

17 (b) The State Command shall, subject to the directive and overall
18 command of the Peace Corps Headquarters and Zonal Command, be
19 responsible for carrying out the functions of the Peace Corps in the State and
20 the Federal Capital Territory, Abuja.

21 **23.-(a)** The Peace Corps shall have a Local Command in each
22 Local Government of the Federation and the Federal Capital Territory,
23 Abuja; and

24 (b) The Local Government Command shall, subject to the directive
25 and overall command of the Peace Corps and State Command, be
26 responsible for carrying out the functions of the Peace Corps in each of the
27 Local Government or Area Council in the Federal Capital Territory, Abuja.

28 **24.-(a)** The Peace Corps shall have a Squadron Command in each
29 Educational Institution in the Federation, which shall be headed by a
30 squadron Commander; and

Zones and Zonal
Commands of the
Peace Corps

State Command

Local
Government
Command

Squadron
Command

1 (b) The squadron Command shall subject to the direction and overall
2 command of the Peace Corps State Command be responsible for carrying out
3 the functions of the Peace Corps in the State and the Federal Capital Territory,
4 Abuja.

5 PART VI -FINANCIAL PROVISIONS

Funds of the
Peace Corps

6 25. The Peace Corps shall establish and maintain a Financial
7 Account(s) with Commercial Banks into which shall be paid and credited:

8 (a) All subventions and budgetary allocation from the Federal
9 Government;

10 (b) All sums accruing to Peace Corps from donation made by Local
11 and International Donor Agencies;

12 (c) Statutory allocations from Federal Government;

13 (d) Gifts from three tiers of Government, their Ministries/Agencies
14 and Private Corporations;

15 (e) Loans, grants and aid for specific projects; and

16 (f) Bequests.

Expenditure of
the Peace Corps

17 26. The Peace Corps may, from time to time, apply the proceeds of the
18 fund established in Section 25 of this Act:

19 (a) To the cost of administration of the Peace Corps; and

20 (b) To the payment of salaries, fees or other remuneration or
21 allowances, gratuities payable to the officers and other employees of the Peace
22 Corps, so that no payment of any kind under this paragraph (except such as may
23 be expressly authorized) shall be made to any person who is in receipt of
24 emoluments from the Federal or State Governments;

25 (c) For the maintenance of any property vested in the Peace Corps;

26 (d) For and in connection with all or any of its functions under this
27 Act;

28 (e) The accounts of the Peace Corps shall be subject to external audit.

29 The National Commandant shall, by the first week of March each year render
30 to the President and Commander-in-Chief of the Armed Forces through the

1 Minister returns of income and expenditure after the approval of the Board.

2 27.-(a) The Peace Corps shall, not later than 30th September in
3 each year submit to the Minister an estimate of its expenditure and income
4 (including payments to the Peace Corps Fund) during the next succeeding
5 year after approval by the Board; and

Annual Estimates
and Accounts

6 (b) The Peace Corps shall keep proper accounts in relation to those
7 accounts and shall cause its accounts to be audited within six months after
8 the end of each year by auditors appointed from the list and in accordance
9 with the guidelines supplied by the auditor - General of the Federation.

10 28. The Peace Corps shall prepare and submit to the Federal
11 Executive Council through the Minister after approval by the Governing
12 Board, not later than six months after the end of each year, a report in such
13 form as he may direct on the activities of the Peace Corps during the
14 immediate preceding year, and shall include in such report a copy of the
15 audited accounts of the Peace Corps for that year and the auditor's report on
16 the accounts.

Annual report

17 29.-(a) The Peace Corps may accept gift of land, money or other
18 property on such terms and conditions, if any, as may be specified by the
19 person or organization making the gift; and

Power to accept
gifts

20 (b) The Peace Corps shall not accept any gift if the conditions
21 attached by the person or Organization offering the gift are inconsistent with
22 the functions or objectives of the Peace Corps.

23 30.-(a) The Peace Corps may, from time to time, borrow by
24 overdraft or otherwise such sums as it may require for the performance of its
25 functions under this Act;

Power to borrow

26 (b) The Peace Corps shall not, without the approval of the Board,
27 borrow money, which exceeds, at any time, the amount set by the Boards;
28 and

29 (c) Notwithstanding Sub-Section 30(a) of this Section, where the
30 sum to be borrowed is in foreign currency, the Peace Corps shall not borrow

1 the sum without the prior approval of the Board.

Investment

2 **31.** Peace Corps may, subject to the provisions of this Act and the
3 conditions of any trust created in respect of any property, invest all or any of its
4 funds in any security prescribed by the Trustee Investments Act in such other
5 securities as may, from time to time, be approved by the Minister.

Exemption from
tax

6 **32.**-(a) The Peace Corps shall be exempted from payment of any
7 income tax on any income accruing from investments made by the Board for
8 the Peace Corps; and

9 (b) The provisions of any enactment relating to the taxation of
10 company or trust funds shall not apply to the Peace Corps or the Board.

11 PART VII - LEGAL PROCEEDINGS

Limitation of
suits against the
Peace Corps

12 **33.**-(a) Subject to the provisions of this Act, the provisions of the
13 Public Officers Protection Act shall apply in relation to any suit instituted
14 against any officer employee of Peace Corps; and

15 (b) Notwithstanding anything contained in any other enactment, no
16 suit against any member of the Board or the National Commandant or any other
17 officer or employee of the Peace Corps for any act done in pursuance or
18 execution or in respect of any alleged enactment or law, or of any public duty or
19 authority or in respect of any alleged neglect or default in the execution of this
20 Act or any other enactment or law, duty or authority, shall lie or be instituted in
21 any court unless it is commenced:

22 (i) Within three months after the act, neglect or default complained of
23 and/or

24 (ii) In the case of a continuation of damage or injury, within six
25 months after the ceasing thereof.

26 (c) No suit shall be commenced against a member of the Board or the
27 National Commandant or any other officer or employee of the Peace Corps
28 before the expiration of a period of one month after written notice of intention
29 to commence the suit shall have been served on Peace Corps by the intending
30 plaintiff or his agent.

1 (d) The notice referred to in Sub-Section 33(c) of this section shall
2 clearly and explicitly state:

3 (i) The cause of action;

4 (ii) The particulars of claim;

5 (iii) The name and place of abode of the intending plaintiff; and

6 (iv) The relief, which the plaintiff claims.

7 **34.** A notice, summons or other document required or authorized
8 to be served on the Corps under the provisions of this Act or any other
9 enactment or law may be served by delivering it to the National
10 Commandant or by sending it by registered post and addressed to the
11 National Commandant at the principal office of the Peace Corps.

Service of
documents

12 **35.--(a)** In any action or suit against the Peace Corps, no execution
13 or attachment of process in the nature thereof shall be issued against the
14 Peace Corps unless a notice of less than three months of the intention to
15 execute or attach has been given to the Peace Corps; and

Restriction on
execution against
property of the
Peace Corps

16 (b) Any sum of money, which may, by the judgment of any Court,
17 be awarded against the Peace Corps shall, subject to any directions given by
18 the Court where notice of appeal against the judgment has been given, be
19 paid from the general reserve fund of the Peace Corps.

20 **36.** A member of the Board or the National Commandant or any
21 officer or employee of the Peace Corps shall be indemnified out of the assets
22 of the Peace Corps against any liability incurred by him in defending any
23 proceeding, whether civil or criminal, if the proceeding is brought against
24 him in his capacity as a member, National Commandant, officer or other
25 employee of the Peace Corps.

Indemnity of
Officers

26 **37.** A member of the Board or the National Commandant or any
27 other officer or employee of the Peace Corps shall:

Secrecy

28 (a) Not, for his personal gain, make use of any information, which
29 has come to his knowledge in the exercise of his powers or is obtained by
30 him in the ordinary course of his duty as a member of the Board as the

1 National Commandant, officer or employee of the Peace Corps;
 2 (b) Treat as confidential any information, which has come to his
 3 knowledge in the exercise of his powers or is obtained by him in the
 4 performance of his duties under this Act;
 5 (c) Not disclose any information referred to under paragraph (b) of
 6 this Sub-Section except when required to do so by any Court or in such other
 7 circumstances as may be prescribed by the Board, from time to time; and
 8 (d) A person who contravenes the provisions of Sub-Section 37 (a) of
 9 this Section commits an offence and is liable on conviction to a fine of not less
 10 than One Hundred Thousand Naira (N100,000:00) only or imprisonment for a
 11 term not exceeding Two (2) years.

Power to obtain information

12 **38.-(a)** For the purpose of carrying out the functions conferred on the
 13 Peace Corps under this Act, the National Commandant or any other officer or
 14 employee of the Peace Corps authorized in that behalf:

15 (i) Shall have a right of access to all the records of any person or
 16 authority affected by this Act for the specific purpose of discharging his duties
 17 under this Act; and

18 (ii) May by notice in writing served on any person or premises,
 19 require that person or authority to furnish information on such matters as may
 20 be specified in notice.

21 (b) The person or authority served with the notice under Sub-Section
 22 38(a) shall furnish information as required under Sub-Section 38(a) of this
 23 section and comply with the notice within a reasonable time.

24 **PART VIII - DISSOLUTION OF THE EXISTING PEACE CORPS OF**
 25 **NIGERIA AND SAVINGS**

Dissolution of the existing Peace Corps of Nigeria

26 **39.-(a)** The body known as the Peace Corps of Nigeria (in this Section
 27 referred to as the "Dissolved Peace Corps") existing before the commencement
 28 of this Act is dissolved;

29 (b) Accordingly, there shall be vested in the Peace Corps immediately
 30 at the commencement of this Act and without further assurance, all assets,

1 funds, resources and other movable or immovable property which
2 immediately before the commencement of this Act were in the Dissolved
3 Peace Corps;

4 (c) As from the commencement of this Act:

5 (i) All rights, interests, obligations and liabilities of the Dissolved
6 Peace Corps existing immediately before the commencement of this Act
7 under any contract or instrument, or at law or in equity, shall by virtue of this
8 Act be assigned to and vested in Peace Corps;

9 (ii) Any contract or instrument as mentioned in Paragraph C(i) of
10 this Sub-Section shall be of the same force and effect against or in favour of
11 the Peace Corps and shall be enforceable as fully and effectively as if,
12 instead of been a party thereto; and

13 (iii) The Peace Corps shall be subject to all obligations and
14 liabilities to which the Dissolved Peace Corps was subject immediately
15 before the commencement of this Act, and all other persons shall, as from
16 the commencement of this Act have the same rights, powers and remedies
17 against the Peace Corps as they had against the Dissolved Peace Corps
18 immediately before the commencement of this Act.

19 (d) Notwithstanding or cause of action pending or existing
20 immediately before the commencement of this Act by or against the
21 dissolved Peace Corps in respect of any right, interest, obligations or
22 liability of the Dissolved Peace Corps may be commenced, continued or
23 enforced by or against Peace Corps as if this Act has not been made;

24 (e) Notwithstanding the provisions of this Act, but subject to such
25 directions as may be issued by Peace Corps, a person who immediately
26 before the commencement of this Act was a volunteer or regular member of
27 or held office in the Dissolved Peace Corps shall be deemed to have been
28 transferred to the Peace Corps on terms and conditions not less favourable
29 than those obtaining immediately before the commencement of this Act, and
30 service in the Dissolved Peace Corps shall be deemed to be service in Peace

1 Corps for purpose of pension; and

2 (f) All regular officers of the Peace Corps before dissolution shall
3 retain their Ranks and Positions immediately after this Act takes effect.

4 PART IX - MISCELLANEOUS

Directives by
the Minister

5 40.-(a) The Minister may give to the Peace Corps, the Board or the
6 National Commandant such directives":

7 (i) Of a general nature or relating generally to matters of policy with
8 regard to the exercise of its function; and

9 (ii) With respect to the maintenance and securing of public safety and
10 order, as he may consider necessary and the Peace Corps, the Board or the
11 National Commandant shall comply with the directives or cause them to be
12 complied with

13 (b) Subject to the provisions of Sub-section 44(a) of this Section, a
14 Governor of a State may give to a State Commandant such directives with
15 respect to the maintenance and securing of public safety and order in the State
16 as he may consider necessary and it shall be the duty of the State Commandant
17 to comply with the directives or cause them to be complied with.

Regulations

18 41. The Peace Corps or the Board may, with the approval of the
19 Minister, make such regulations as in its opinion are necessary or expedient for
20 giving full effects to the provisions of this Act and for the due Administration of
21 its provisions.

Interpretation

22 42. In this Act:

23 "The Peace Corps" means the Nigeria Peace Corps established under Section I
24 of this Act;

25 "Minister" means the Minister charged with responsibility for matters relating
26 to Youth Development; and

27 "The Board" means the Governing Board of the Nigerian Peace Corps.

28 43. This Act may be cited as the Nigerian Peace Corps Act, 2015.

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1 SCHEDULE

2 ADDITIONAL SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD,

3 ETC

4 *Proceedings*5 44. -(a) The Board shall, for the purpose of this Act, meet not less
6 than four times in each year;7 (b) The Board shall meet whenever it is summoned by the
8 Chairman and if the Chairman is required to do so by a notice given to him
9 by not less than five other members, he shall summon a meeting of the
10 Board to be held within Fourteen (14) days from the date on which the
11 notice is given; and12 (c) Where the Board desires to obtain the advice of any person on a
13 particular matter, the Board may co-opt him to the Board for such period as
14 it thinks fit but a person who is a member by virtue of this sub-paragraph
15 shall not be entitled to vote at any meeting of the Board and shall not count
16 towards a quorum.17 *Committees*18 45.-(a) The Board may appoint one or more Committees to carry
19 out, on behalf of the Board, its functions under this Act as the Board may
20 determine;21 (b) A committee appointed under this paragraph shall consist of
22 such number of persons (not necessarily members of the Board as may be
23 determined by the Board) and a person other than a member of the Board
24 shall hold office in the Committee in accordance with the terms of his
25 appointment; and26 (c) A decision of a Committee of the Board shall be of no effect
27 until it is confirmed by the Board.28 *Seal*29 46.-(a) The fixing of the Seal of the Peace Corps shall be
30 authenticated by the signature of the Chairman or any other person

1 authorised generally or specifically to act for that purpose by the Board and the
2 National Commandant;

3 (b) Any contract or instrument, which if made or executed by a person
4 not being a body corporate, would not be required to be under seal, may be
5 made or executed on behalf of the Board by the National Commandant or any
6 person generally or specially authorised to act for the purpose by the Board;
7 and

8 (c) Any document purporting to be a document duly executed under
9 the seal of the Board shall be received in evidence and shall, unless and until the
10 contrary is proved, be presumed to be executed.

11 EXPLANATORY MEMORANDUM

12 This Bill seeks to provide a statutory existence of the Nigerian Peace Corps
13 (NPC) which shall be a body charged with the responsibility to Empower,
14 Develop and provide Alternative Employment for the Youths, to facilitate
15 Peace, Community Services, and for other Related Matters, 2015.

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