

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL CENTRE FOR CANCER RESEARCH AND TREATMENT AND FOR OTHER CONNECTED PURPOSES

Sponsored by Senator Mao Oluwabunwa

[] Commencement

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

1 1. There is hereby established the National Centre for Cancer
2 Research and Treatment (in this Act referred to as "the Centre").

Establishment of
the National
Centre for Cancer
Research and
Treatment

3 2. -(1) The centre shall have the following as functions:

Objectives and
functions of the
Centre

4 (a) to provide national leadership in cancer research, control and
5 treatment;

6 (b) to guide scientific improvements to cancer prevention,
7 treatment and care;

8 (c) to coordinate and liaise between the wide range of groups and
9 health care providers with an interest in cancer;

10 (d) to make recommendations to the Government about cancer
11 policy and priorities;

12 (e) to oversee a dedicated budget for research into cancer;

13 (f) to assist with the implementation of Government policies and
14 programs in cancer control;

15 (g) to provide financial assistance, out of money appropriated by
16 the National Assembly, for research and treatment as mentioned in
17 paragraph (8) and for the implementation of policies and programs
18 mentioned in paragraph (f).

19 (2) The centre may carry out such other activities as are necessary

1 or expedient for the full discharge of any of the functions of the centre under
2 this Act.

Establishment
of the Advisory
Board

3 3.-(1) There is hereby established a Board to be known as The
4 National Centre for Cancer Research and Treatment Advisory Board (in this
5 Act referred to as the "Board").

6 (2) The Board shall be a body corporate with perpetual succession and
7 a common seal and may sue and be sued in its corporate name.

Membership
of the Board

8 4. The Board shall consist of:

9 (a) a Chairman to be appointed by the President;

10 (b) Permanent Secretary Ministry of Health;

11 (c) a representative each of:

12 (i) Pharmaceutical Council of Nigeria;

13 (ii) Nigerian Medical and Dental Council of Nigeria;

14 (iii) National Association of Nigerian Nurses and Midwives;

15 (iv) Five persons with relevant qualification and cognate experience
16 who shall represent public interest.

17 (d) the Director of the Centre.

Tenure of Office
members

18 5. -(1) Subject to the provision of this Section, a member of the Board
19 shall hold office for four years and shall be eligible for re-appointment for a
20 further period of four years.

21 (2) Notwithstanding the provisions of Subsection (1) of this section,
22 the President may at anytime remove a member from the Board.

23 (3) Any member may, in writing under his hand addressed to the
24 Minister at anytime.

25 (4) The office of a member of the Board shall become vacant if:

26 (a) the period of his appointment has expired;

27 (b) he absents himself without leave of the Board from three
28 consecutive meetings of the Board and without reasonable excuse for so doing;

29 (c) he is guilty of misconduct in his office as a member and a
30 resolution of the Board approves the termination of his membership;

1 (d) he dies, resigns or is removed from office.

2 (5) Soon after the office of a member of the Board becomes vacant,
3 the authority by whom he was appointed shall appoint another person in his
4 place in accordance with the provisions of this Act.

5 (6) Members of the Board, other than ex-officio members, shall be
6 paid out of money at the disposal of the Board, such remunerations and
7 allowances as the Minister may, with the approval of the President
8 determine.

9 (7) The provisions contained in the schedule proceedings to this
10 Act shall have effect with respect to the proceedings of the Board and other
11 matters contained therein.

12 6. The Board shall have power to:

Power of the
Board

13 (a) erect, provide equip and maintain research, centres, training
14 schools with state of the art facilities as are necessarily suitable for the or
15 required for any of the objects of the centre;

16 (b) encourage and provide for research at the centre;

17 (c) accept gifts, legacies and donations which are consistent with
18 the objects of this centre;

19 (d) enter into contract;

20 (e) acquire and hold movable and Immovable property;

21 (f) with the approval of the Minister:

22 (i) subject to the land use Act sell, mortgage, transfer or otherwise
23 deal with movable or immovable property;

24 (ii) borrow at interest on the security of land or movable property of
25 the Board such moneys as the Board may, from time to time require for the
26 purpose of this Act;

27 (iii) invest the funds of the Board as it thinks fits.

28 (g) do anything which in its opinion, may advance the objects of
29 which the centre was set up.

Director and
other Staff of
the Centre

1 7. -(1) There shall be a director of the centre who shall be appointed by
2 the President, on the recommendations of the Minister.

3 (2) A person shall not be qualified to be appointed as a Director, unless
4 he is a medical Doctor with at least twenty years research and administrative
5 experience in a reputable establishment.

6 (3) The Board shall not exercise any disciplinary control over the
7 director, without the approval of the Minister.

8 (4) Subject to the provision of this Act and the control of the Board
9 over the matters affecting finance of the centre, the director shall be the chief
10 executive of the centre and shall be charged with the general responsibility for
11 the management and administration of the affairs of the centre and in
12 particular:

13 (a) direct and regulate the programme of work at the centre;

14 (b) promote research within and outside of the centre;

15 (c) keep safe custody of all records of the centre;

16 (d) demand and receive from any person attending training or courses
17 at the centre fees as the Board may, from time to time determine;

18 (e) prepare and present to the Board annual and other reports on the
19 progress of work at the centre and on the expenditure or liabilities by the centre;

20 (f) be responsible for the day to day running and management of the
21 centre;

22 (g) exercise such powers and performs such duties as may be
23 determined from time to time by the President.

Appointment of
the Secretary
and other Staff

24 8. -(1) There shall be for the center an administrative secretary who
25 shall be appointed by the Board to perform such duties as may be assigned to
26 him by the Board.

27 (2) Subject to Section 7 of this Act, the Board may appoint such other
28 staff for the centre as it may determine and pay to its staff such remunerations
29 and allowances as payable to persons on equivalent in the civil service of the
 federation.

1 **9.-(1)** Service in the centre shall be approved service for the Pension Reform
2 purposes of the Pension Reform Act 2004 Act 2004

3 (2) Officers and employees in the centre shall be entitled to
4 pensions, gratuities and other retirement benefits as a prescribed in the
5 Pension Reform Act 2004, so however that nothing in this Act shall prevent
6 the appointment of a person to any office on terms which or other retirement
7 benefit in respect of that office.

8 **10.-(1)** The Board shall establish and maintain a fund from which Financial
9 shall be defrayed with the general or specified approval of the Minister in ay Provision
10 case, all expenditure incurred by the Board.

11 (2) There shall be paid and credited to the fund established in
12 pursuance of subsection (1) of this section:

13 (a) such sums as may be provided by the Federal Government or a
14 State Government for payment into the fund;

15 (b) all moneys raised for the general purposes of the centre;

16 (c) all moneys accruing to the Board on behalf of the centre by any
17 means, including grants -in- aid, endowments and donations.

18 (d) all charges, dues, fees for services rendered by the fund.

19 **11.-(1)** The Board shall keep proper accounts in respect of each Account and
20 year and proper records in relation to those accounts and shall cause to be Audit
21 prepared in each year:

22 (a) a statement showing the income and expenditure of the centre
23 for immediately proceeding year; and

24 (b) a statement of the assets and liabilities of the centre as at the last
25 day of the immediately proceeding year.

26 (2) The Board shall cause every statement prepared under this
27 section to be audited within six months after the end of the year to which the
28 statement relates by auditors appointed from the list and in accordance with
29 the guidelines supplied by the Auditor General for the Federation.

Annual estimate	1	12. The Board shall cause to be prepared not later than
	2	1st June in each year an estimate of the expenditure necessary to carryout the
	3	programme approved by the Board during the immediately preceding year, and
	4	shall not later than 31st October in each year, submit to the Minister the
	5	estimate of expenditure and that of its income during the next succeeding year.
Annual Report	6	13. -(1) The Board shall prepare and submit to the Minister once
	7	every year a report, in such form as the Minister may direct, on the activities of
	8	the Board during the immediately proceeding year, and shall include in the
	9	report a copy of the credited accounts of the center fir that year and the auditor's
	10	report thereon.
Power to Give Directive	11	14. The minutes may give directives of a general power to nature with
	12	regard to the carrying out the objects of the centre under this Act and it shall be
	13	the duty of comply with such directives.
Regulation	14	15. The Board may, with the approval of the Minister, may make
	15	regulations generally for carrying into effect the provisions of this Act and due
	16	administration of the centre.
Interpretation	17	16. In this Act unless the context other wise requires:
	18	"Board" means the National Centre for Cancer Research and Treatment
	19	Advisory Board established under Section 3 (1) of this Act;
	20	"Cancer" means the uncontrolled growth of the cells in the human body and the
	21	ability of these cells to migrate from the original site and spread to distant sites
	22	and includes but is not limited to skin cancer, lung cancer, colon cancer, breast
	23	cancer (in women), and prostate cancer (in men), cancer of the kidneys,
	24	ovaries, uterus, pancreas, bladder, rectum, and blood and lymph node cancer
	25	(leukemias and lymphomas);
	26	"Centre' means the National Centre for Cancer research and Treatment
	27	established by Section 1 of this Act;
	28	"Director" means the Director of the centre appointed under Section 7(1) of this
	29	Act;
	30	"Minister" means the Minister charged with the responsibility for matters

1 relating to Health;

2 "Power" includes duties and functions.

3 17. This bill may be cited as the National Centre for Cancer Citation
4 Research and Treatment (Establishment) Etc Bill, 2015.

5 SCHEDULE

6 *Section*

7 *Proceedings of the Board, etc*

8 1. Subject to this Act and Section 27 of the Interpretation Act, the
9 Board may make standing orders to regulate the proceedings of the Board or
10 any committee thereof.

11 2. -(1) The Board shall meet not less than two times in every year
12 for the exercise of its functions under this Act and at such times and places as
13 the chairman may, from time to time appoint.

14 (2) The chairman shall, if required to be so by notice in writing by
15 not less than five other members, call a special meeting of the Board to be
16 held within 28 days from the date on which the notice is given.

17 (3) Any notice given under sub-paragraph (2) of this paragraph
18 shall state the matters to be discussed at the special meeting and any matter
19 not so stated shall not be discussed at the meeting.

20 (4) At every meeting of the Board, the chairman shall preside and in
21 his absence the members present shall appoint one of their numbers to
22 preside at that meeting.

23 3. The quorum of the Board shall be four and the quorum of any
24 committee of the Board shall be determined by the Board.

25 4. Minutes of every meeting of the Board shall be regularly entered
26 in a book to be kept for the purpose and shall, after approval by members, be
27 signed by the chairman at the next ensuing meeting.

28 5. The Board may act notwithstanding any vacancy in its
29 membership or any defect in the appointment of a member or the fact that
30 any person not entitled to do so took part in the proceedings.

1 **6. -(1) The seal of the Board shall not be used or affixed to any**
2 **document, except in pursuance of a resolution duly passed at a properly**
3 **constituted meeting of the Board.**

4 **(2) The fixing of the seal of the Board shall be authenticated by the**
5 **signature of chairman or the director or of some other member authorized**
6 **generally or specifically to act for that purpose by the Board.**

7 **(3) Any contract or instrument which, if made or executed by a person**
8 **not being a body corporate, would be required to be under seal, may be made or**
9 **executed on behalf of the Board by any person generally or specially**
10 **authorised to act for that purpose by the Board.**

11 **(4) Any document purporting to be document duly executed under the**
12 **seal of the Board shall be received in evidence and shall, unless the contrary is**
13 **proved, be presumed to be so executed.**

14 **7. Members of the Board who are not public officers shall be paid out**
15 **of the money at the disposal of the Board such traveling and other allowances,**
16 **in accordance with such scales as may be approved, from time to time, by the**
17 **Minister.**

18 **8. Any member of the Board or a committee thereof who has a**
19 **personal interest in any contract or arrangement entered into or purposed to be**
20 **considered by the Board or a committee thereof shall forthwith disclose his**
21 **interest to the Board or committee and shall not vote on any question relating to**
22 **such contract or arrangement.**

EXPLANATORY MEMORANDUM

The Bill seeks to provide for the establishment of the National Centre for Cancer research and Treatment to research into cancer and to provide treatment to patients in Nigeria.