

A BILL

FOR

AN ACT TO REPEAL THE NATIONAL DIRECTORATE OF EMPLOYMENT ACT CAP 28 LAWS OF THE FEDERATION OF NIGERIA, 2004 AND TO ESTABLISH THE NATIONAL YOUTH EMPLOYMENT AND DEVELOPMENT AGENCY TO PROVIDE FOR THE PROMOTION, COORDINATION AND THE EMPLOYMENT OF YOUTHS THROUGHOUT NIGERIA AND FOR OTHER MATTERS CONNECTED THEREWITH

Sponsored by Senator Bassey Albert Akpan

[] Commencement

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

1 1. -(1) There is hereby established a body to be known as The Establishment of
2 National Youth Employment and Development Agency (in this Bill referred the Agency
3 to as the "Agency").

4 (2) The Agency shall be a body corporate with perpetual
5 succession and a common seal and may sue and be sued in its corporate
6 name, with power, subject to the provisions of this Bill, to acquire, hold and
7 dispose of property both movable and immovable.

8 2.-(1) The main objectives of the Agency are to: Objectives of
9 the Agency

10 (a) develop an Integrated Youth Employment and Development
11 Plan and Strategy for Nigeria;

12 (b) develop guidelines for the implementation of an integrated
13 national employment and youth development policy and make
14 recommendations to the President;

15 (c) initiate, design, co-ordinate, evaluate and monitor all programs
16 aimed at integrating the youth into the economy and society in general;

17 (d) initiate credit initiatives; an integrated package of micro-credit,
enterprise training and business support, targeted at the youth with the

- 1 potential for self-employment;
- 2 (e) engage with the key stakeholders in youth development and
3 empowerment like the educational institutions, the private sector, the media,
4 Civil Society Organizations and Networks, Government and Public Sectors, to
5 increase access to education, vocational training and soft skills to meet the
6 needs of the employment market;
- 7 (f) establish national schemes and apprenticeship/internship
8 programs to enable the youth to acquire a range of skills that they will need to
9 be employable;
- 10 (g) review and assess macro-economic planning and address their
11 impact on youth while seeking to mainstream youth development across all
12 sectors of the economy;
- 13 (h) integrate entrepreneurship, savings and investment culture and
14 education into the education system at appropriate levels;
- 15 (i) partner and assist organs of state, the private sector and non-
16 governmental organisations and community based organisations on initiatives
17 directed at attainment of employment and skills development;
- 18 (j) initiate programmes directed at poverty alleviation, urban and
19 rural development and the combating of crime, substance abuse and social
20 decay amongst youth;
- 21 (k) establish annual national priority programmes in respect of youth
22 development and employment;
- 23 (l) promote a uniform approach by all organs of state, the private
24 sector and non-governmental organisations, to matters relating to or involving
25 youth development; and
- 26 3. Perform or implement any other policy as may be determined by
27 the Board from time to time.
- 28 4.-(1) Basic responsibilities for strengthening the youth sector in
29 Nigeria and for supporting the creation of employment through youth
30 participation in decision making.

1 (2) Responsibilities of institutions in the public and private sector
2 to young people and youth organizations in relevant areas.

3 (3) Voluntary work and informal education of young people.

4 (4) Instructions for licensing of youth centers.

5 5. -(1) Youth development interventions and programmes shall be
6 guided by the following principles:

Principal of
youth development

7 (a) recognition of the manner in which youth has been affected by
8 the imbalances of the past and the need to redress these imbalances through
9 more equitable policies, programmes and the allocation of resources;

10 (b) promotion of equal opportunity and equal treatment of youth
11 and the promotion of a gender-inclusive approach to the development of
12 youth, where the social influences of gender, disability, the impact of sexism
13 and the particular circumstances of young women are recognised;

14 (c) creation of an environment which supports the continued
15 development and learning of youth;

16 (d) promotion of youth's participation in:

17 (i) democratic processes;

18 (ii) community and civic decision-making; and

19 (iii) development at all levels;

20 (e) recognition of youth development as an important mandate;

21 (f) responsiveness to the needs, aspirations and challenges of youth
22 in a realistic and participatory manner;

23 (g) recognition of the importance of cultural and spiritual diversity
24 as a basis for youth development;

25 (h) promotion of the value of sustainability in order to ensure that
26 the needs of youth are met without compromising the ability of future
27 generations to meet their own needs;

28 (i) recognition in youth development initiatives of the peculiar
29 needs of rural youth; and

30 (j) transparency, accountability and accessibility.

Functions of
the Agency

- 1 5.-(1) The Agency shall, in order to achieve its mandate and
2 Objectives:
- 3 (a) establish competencies and capabilities in its operations including
4 the following functional areas:
- 5 (i) economic participation;
- 6 (ii) policy research and development;
- 7 (iii) governance, training and development;
- 8 (iv) National Youth Development Fund;
- 9 (v) Employment and poverty alleviation.
- 10 (b) establish offices of the Agency at the State and local levels and
11 appoint the necessary personnel to those offices;
- 12 (c) Shall demand 1 % on yearly basis and to be paid by the Federal and
13 all State government, Corporations, Five and Three Star Hotels whose mandate
14 is to generate funds;
- 15 (d) Shall demand 1 % of importation cost as National Youth
16 Employment Tax on all luxury items, goods and articles imported by
17 individuals, companies and corporations into Nigeria.
- 18 (2) The Agency may, in order to achieve its objectives:
- 19 (a) carry out or cause to be carried out any investigation that it deems
20 necessary;
- 21 (b) consider such recommendations, suggestions and requests
22 concerning youth affairs as it may receive from any source; or
- 23 (c) conduct or cause to be conducted such research as it may deem
24 necessary.
- 25 (3) The Agency shall establish, manage and administer a National
26 Youth Development Fund.
- 27 (4) The Agency shall establish a Central Youth Action Council which
28 shall be a voluntary organisation of youth organisations operating in Nigeria.
29 The Central Youth Action Council shall be an advisory structure for youth,
30 which shall represent the interests of youth organisations at the national

1 government organisations or institutions and mechanisms of international
2 youth.

3 (5) The Agency shall, for purposes of subsection (3) and within its
4 available resources, amongst others:

5 (a) provide career guidance services;

6 (b) provide access to information regarding products and services
7 of the National Youth Development Fund;

8 (c) create and administer databases of employment opportunities;

9 (d) provide financial assistance to youths to enable them to further
10 their careers;

11 (e) provide financial assistance to small, micro and medium
12 enterprises, and cooperatives owned by youths;

13 (f) provide mentoring services aimed at empowering youths in the
14 economy;

15 (g) provide bridging programmes for youths to facilitate the
16 transition from school or training to the work environment;

17 (h) provide training regarding the concepts and principles of
18 entrepreneurship and business to youths;

19 (i) provide training relating to the personal development of youths;

20 (j) provide training and guidance relating to the establishing and
21 managing of businesses for youths;

22 (k) provide training for unemployed youths to enhance their life
23 and professional skills which would enable them to be self-employed and be
24 integrated into the economy;

25 (l) provide opportunities for training, that will promote service to
26 communities and the nation at large; and

27 (m) provide such other services as may be necessary to achieve the
28 aim contemplated in subsection (3).

29 6. -(1) The Agency shall, annually submit to the National Assembly

1 a report on the status of youth development through the Ministry of Youth
2 Development.

3 (2) The Agency shall annually submit to the National Assembly a
4 report on:

- 5 (i) progress on the implementation of this Act;
6 (ii) the financial status of the Agency; and
7 (iii) any other matter relating to youth development

Role of organs
of government,
the Private
Sector, the Media
and Civil Society
Organizations
in youth
development

8 7.-(1) Organs of state shall:

- 9 (a) take national priorities in respect of Employment and youth
10 development into account in planning their activities; and
11 (b) submit, in the prescribed manner, annual reports to the Agency
12 regarding the implementation of youth development priorities

Control and
management of
affairs of the
Agency

13 8. The affairs of the Agency shall be managed by a Board, which
14 shall:

- 15 (a) determine the operational policy and direction of the Agency; and
16 (b) exercise control generally over the exercise of its powers and
17 execution of its functions.

Composition,
appointment and
conditions of
service of the
Board

18 9.-(1) There shall be constituted for the Agency, a management board
19 (in this Bill referred to as "the Board"), which shall give guidelines for the
20 management of the affairs of the Agency.

21 (2) The Board shall consist of:

- 22 (a) a Chairman, who shall be the Minister for Employment, Labour
23 and Productivity (in this Bill referred to as the 'Minister') and fourteen other
24 members to be appointed by the President on the recommendation of the
25 Minister that is:

- 26 (a) a representative from the financial institutions; Nexim, Bank of
27 Industries,
28 (b) a representative of the Organised Civil Society,
29 (c) a representative of the Nigerian Labour Congress,
30 (d) a representative of the National Association of Nigerian Students,

- 1 (e) a representative from each of the following Ministries:
- 2 (i) Youth Development,
- 3 (ii) Employment, Labour and Productivity,
- 4 (iii) Industries,
- 5 (iv) Finance,
- 6 (v) Education,
- 7 (f) two other persons to be nominated at the discretion of the
- 8 Minister in charge of Youth Development to represent the interest not
- 9 otherwise represented,
- 10 (g) a representative of the National Youth Service Corps,
- 11 (h) a representative of the Nigerian Universities Commission,
- 12 (i) the Director General of the Agency.
- 13 (b) members under Section 9 (2) who are non- permanent members
- 14 shall be appointed by their parent bodies.
- 15 (3) Members must be appointed in a manner ensuring:
- 16 (a) participation by youth in the nomination process;
- 17 (b) transparency and openness; and
- 18 (4) Members must reflect the demographics and geographical
- 19 spread of Nigeria.
- 20 (5) Members hold office for a period of three (5) years, and may be
- 21 re-appointed for a further term of five years and no more
- 22 (6) A member appointed to fill a vacancy holds office for the
- 23 unexpired portion of the term of the member he or she replaces.
- 24 (7) The conditions of service, salary and allowances of the
- 25 Chairman and other members shall be such as may be prescribed by the
- 26 Revenue Mobilization, Allocation and Fiscal Commission
- 27 (8) Members who are employed by an organ of state are not entitled
- 28 to remuneration, or any allowance, but must be reimbursed for out-of-
- 29 pocket expenses by the Board

Disqualification,
removal from
office and
resignation of
members

1 **11.**-(1) the Chairman or any other permanent member may resign his
2 office by giving notice thereof in writing to the President and on such
3 resignation being accepted, the Chairman or the member shall be deemed to
4 have vacated his office.

5 * (2) a non-permanent member may vacate his office upon the service
6 on the Chairman of a letter of withdrawal by the appointing authority of his
7 parent body; or if he:

8 (a) has been adjudged as insolvent;

9 (b) has been convicted of an offence, which in the opinion of the
10 President, involves moral turpitude, or any conviction that is grave enough to
11 warrant a removal or non-appointment;

12 (c) has become physically or mentally incapable of acting as a
13 member;

14 (d) has acquired such financial or other interest as is likely to affect
15 prejudicially his functions as a member; or

16 (e) has so abused his office as to render his continuance in office
17 prejudicial to the public interest, provided that a person shall not be removed
18 from office as Chairman or other member under the section unless he has been
19 given a reasonable opportunity of being heard in the matter.

Appointment of
Director-General
and other staff
of the Agency

20 **12.**-(1) The Board shall appoint a suitably qualified person as the
21 Director General, who must have not less than ten years of experience in
22 human resource management.

23 (2) The Director General is an employee of the Agency and is
24 accountable to the Board.

25 (3) The Director General shall:

26 (a) ensure that the functions of the Agency in terms of this Act are
27 performed;

28 (b) report to the Board on the proper functioning of the Agency; and

29 (c) complete a report on the activities of the Agency for each financial
30 year and submit the report to the Board for approval.

1 (4) The Director General holds office for an agreed term not
2 exceeding five years and may be reappointed upon the expiry of that term of
3 office

4 (5) the Agency may also determine the number, nature and
5 categories of other officers and employees required to assist the Agency in
6 the discharge of its functions:

7 (a) The salary and allowances payable to and other terms and
8 conditions of service of the officers and employees such be such as are
9 applicable to similar service in the public service of the Federation;

10 (b) The Agency may appoint consultants required to assist in the
11 discharge of its functions on such terms and conditions as may be
12 determined by regulation.

13 13.-(1) The Director General is responsible for, amongst others:

Duties of
Director General

14 (a) exercising an appropriate level of leadership for the
15 organization;

16 (b) effectively communicating a vision, management philosophy,
17 and business strategy to the Agency's employees;

18 (c) the general and active management of the business affairs of the
19 Agency;

20 (d) the general supervision and direction of all other officials of the
21 Agency;

22 (e) developing and recommending to the Board a sound long-term
23 strategy for the Agency that meets the needs of the Agency, government,
24 communities, employees, and other stakeholders;

25 (f) ensuring that the strategies of the Agency are effectively
26 implemented with timely progress towards strategic objectives;

27 (g) obtaining and allocating resources consistent with strategic
28 objectives and making timely adjustments in strategies when market
29 conditions and other forces demand a change;

30 (h) carrying out a comprehensive budgeting process and

- 1 monitoring the Agency's financial performance against the budget;
- 2 (i) submitting annual reports, financial statements and financial
- 3 position of the Agency to the Board; and
- 4 (j) developing an annual strategic plan and budget.

Delegation and
assignment

5 **14.-(1)** The Board may delegate any of its powers or assign any of its

6 duties to the Director General or any employee of the Agency.

7 (2) The Director General may delegate any power or assign any duty

8 conferred or imposed upon the Director General by or under this Act to:

9 (a) any other employee of the Agency with appropriate knowledge

10 and experience; or

11 (b) any other person, after consulting the Board.

12 (3) A delegation or assignment under subsections (1) and (2) must be

13 in writing and:

14 (a) may be subject to any conditions determined by the Board or the

15 Director General;

16 (b) does not prevent the exercise of that power or the performance of

17 that duty by the Board or the Director General; and

18 (c) may be withdrawn or amended by the Board or the Director

19 General.

Funds of the
Agency

20 **15.-(1)** The funds of the Agency shall consist of:

21 (a) money appropriated by the National Assembly for that purpose;

22 (b) interest on investments of the Agency;

23 (c) money lawfully received from any other source as donations and

24 contributions; and which must be disclosed not later than 90 days after receipt,

25 (d) monies accruing from taxable dividends of multinational

26 corporations, banks corporate bodies and other financial institutions.

Power to
accept gifts

27 **16.-(1)** the Agency may accept gifts of land, money or other property

28 on terms and conditions as may be prescribed by the person or organisation

29 making the gift.

30 (2) the Agency shall not accept any gift if the conditions attached by

1 the person or organisation making the gift are inconsistent or will
2 compromise the Agency in the discharge of its functions under this Act.

3 17.-(1) The Agency may with the prior approval of the Chairman of
4 the Board, invest in any manner authorised by law, such of its funds as is not
5 immediately required for its use. Power to invest
funds

6 18.-(1) The President may, after consultation with the Board, make
7 regulations regarding: Regulations

8 (a) any matter which in terms of this Act may or must be prescribed;

9 (b) any action in order to promote compliance with this Act; and

10 (c) any ancillary or incidental administrative or procedural matter
11 that it is necessary to prescribe for the proper implementation or
12 administration of this Act.

13 19.-(1) It is hereby declared that service in the Agency shall be
14 approved service for the purposes of the Pensions Act, and accordingly,
15 officers and other persons employed in the Agency, shall in respect of their
16 services in the Agency be entitled to pensions, gratuities and other
17 retirement benefits in respect of that office. Application of
Pensions Act

18 (2) For the purposes of the application of the provisions of the
19 Pensions Act, any power exercisable thereunder by the Minister or other
20 authority of the government of the Federation is hereby vested in and shall
21 be exercisable by the Agency and not by any other person or authority.

22 20.-(1) The National Directorate of Employment Act Cap 28, Laws
23 of the Federation of Nigeria 2004 (LFN) is hereby repealed. Repeal

24 21. In this Act unless the context otherwise requires: Interpretation

25 'Agency' means the National Youth Employment And Development
26 Agency;

27 'Board' means the board established by this bill to manage the affairs of the
28 Agency;

29 Director General' means the Director General of the Agency appointed
30 pursuant to section 12 (1) of this bill;

1 Empowering young people means creating and supporting the enabling
2 conditions under which young people can act on their own behalf, and on their
3 own terms;

4 'Minister' means the Minister for the time being, charged with the
5 responsibility for matter relating to employment and 'Ministry' shall be
6 construed accordingly;

7 'State' include the Federal Capital Territory, Abuja;

8 "Young" people are developed when they acknowledge that they have or can
9 create choices in life, are aware of the implications of those choices, make an
10 informed decision freely, take action based on that decision and accept
11 responsibility for the consequences of those actions;

12 "Youth' means the age group of young people between eighteen (18) and thirty
13 five (35).

Short title

14 **22.** This Bill may be cited as the National Directorate of Employment
15 Act Cap N28 LFN, 2004 (Repeal and Re- Enactment) Bill, 2015.

EXPLANATORY MEMORANDUM

This Bill seeks to repeal the National Directorate of Employment Act Cap N28 LFN 2004 and to establish the National Youth Employment and Development Agency and for other matters connected therewith.