

# A BILL

## FOR

AN ACT TO ESTABLISH THE NIGERIAN SOCIAL SECURITY SCHEME WHICH SHALL FORMULATE POLICIES FOR GOVERNMENT'S APPROVAL AND IMPLEMENTATION OF A WORKABLE SOCIAL SECURITY SCHEME, ENSURE ACQUISITION OF A SOCIAL SECURITY NUMBER SYSTEM FOR NIGERIANS, ADMINISTER CHILDREN, AGED, ORPHANS AND ELDERLY WELFARE PROGRAMMES; MANAGEMENT OF THE SCHEME'S FINANCES ACTIVITIES; AND OTHER INCIDENTAL MATTERS RELATED THEREWITH

*Sponsored by Senator Nelson Efiong*

[ ] Commencement

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

1 PART 1- ESTABLISHMENT OF THE NIGERIA SOCIAL SECURITY SCHEME

2 1.-(1) There is hereby established a body to be known as the  
3 Nigeria Social Security scheme (in this Act referred to as "the Scheme").

Establishment,  
Composition of  
the Scheme

4 (2) The Scheme:

5 (a) shall be a body corporate with perpetual succession and a  
6 common seal; and

7 (b) may sue or be sued in its corporate name.

8 (3) The scheme headquarters shall be situated In the Federal  
9 Capital Territory Abuja and zonal offices in the six geopolitical zones of the  
10 Federal Republic of Nigeria.

11 2. There shall be established for the Social Security Number  
12 Scheme a governing council which shall be responsible for running the  
13 affairs of the Scheme. The Scheme shall consist of:

Establishment of  
the Governing  
Council

14 (a) Chairman;

15 (b) Permanent Secretary, Federal Ministry of Youths  
16 Development;

- 1 (c) Permanent Secretary, Federal Ministry of Industry;  
2 (d) Permanent Secretary, Federal Ministry of Education;  
3 (e) Permanent Secretary, Federal Ministry of Health;  
4 (f) Permanent Secretary, Federal Ministry of Finance;  
5 (g) Permanent Secretary, Federal Ministry of Culture and Tourism;  
6 (h) Permanent Secretary, Federal Ministry of Women Affairs;  
7 (i) Director, Federal Inland Revenue Services;  
8 (j) Director, National Council for Women Society;  
9 (k) Director-General of the Agency.

Establishment  
of Government  
Council

10 **3.** The Chairman and members of the Scheme shall be appointed by  
11 the President on the recommendation of the Minister for Youth Development  
12 (in this Act to be known as "the Minister") and shall be the supervising Minister  
13 of the Scheme.

Tenure

14 **4.-(a)** The Chairman and members shall hold office for a term of four  
15 (4) years. Their condition of service shall be as in their various letters of  
16 appointment.

17 (b) They may be reappointed for another term of four (4) years and no  
18 more.

Appointment  
of the Director-  
General of the  
Scheme

19 **5.-(1)** There shall be appointed for the Scheme a Director-General  
20 who shall be the Chief Executive Officer and shall be responsible for the day to  
21 day administration of the Nigerian Social Security Number Scheme.

22 (2) The terms and condition of service shall be as in the letter of  
23 appointment. He shall be appointed by the President on the recommendation of  
24 the Minister.

25 (3) There shall be appointed by the Council of the Scheme other staff  
26 and employees to assist the Director-General in the administration of the  
27 Scheme in the headquarters and zonal offices.

28 (4) The President shall upon recommendation of the Minister send on  
29 secondment to the Scheme zonal offices, officers of status not less than  
30 Director who shall head the zonal offices and be responsible the day to day

1 administration of the zonal offices and be the accounting officers.

2           **6.**-(1) A member may be removed from office by the President of  
3 the Federal Republic of Nigeria for inability to discharge the functions and  
4 duties of the office (whether arising from infirmity of mind of body of any  
5 other cause) or for misconduct.

Removal from  
office

6           (2) A member may resign his appointment by giving notice to the  
7 President through the Minister. He shall cease to hold office upon delivery  
8 and receipt of notice.

Resignation

9           **7.** The allowance, emoluments and benefits of members shall be as  
10 approved by the President of the Federal Republic of Nigeria:

Allowances of  
the Members

11           (1) Any member shall, if he/she has an interest in an issue pending  
12 or about to be discussed at the meeting of the Council, disclose such interest.  
13 He shall cease thereof to sit on the board for the purpose of deliberation on  
14 the issue and shall not for the purpose be counted as part of the forum.

15           (2) The nature of the interest of such member shall be disclosed and  
16 declared at the meeting of the board and not thereafter.

17           (3) The disclosed interest shall be recorded in the minutes of the  
18 Council's meeting.

19           PART II - FUNCTIONS AND POWERS OF THE SCHEME

20           **8.** The functions of the Scheme shall include:

Functions of the  
Scheme

21           (1) to formulate policies for government's approval and  
22 implementation, establishment of a workable Social Security Number  
23 Scheme in Nigeria;

24           (2) The Scheme's objective shall be to formulate policies for  
25 government's approval and implementation, establishment of a workable  
26 Social Security Number Scheme,

27           (3) The Scheme provide information on public records and private  
28 databases including marriage/divorce records, criminal/arrest/warrant  
29 records, birth and death records, court records;

30           (4)The Scheme shall provide detailed information of Nigerians

1 such as confirmation of age, date of birth, address history, telephone numbers,  
2 email, addresses, list of relatives, property ownership, criminal driving  
3 violations, civil court filings, dates of marriages and divorce, bankruptcies and  
4 liens and judgments;

5 (5) The Scheme shall facilitate a workable social welfare system,  
6 administer children, aged, orphans and elderly welfare programmes;

7 (6) The Scheme shall among other things ensure the management of  
8 the Scheme's finances and activities; to ensure a functional Nigerian Social  
9 Security scheme and other incidental matters related therewith.

10 (7) to provide for the acquisition of Bio-metrics of all Nigerians to  
11 ascertain the exact population of Nigerians, for security checks, medical  
12 services to determine the real digits and indices for national development;

13 (8) to administer social assistance to children, the aged, orphans and  
14 elderly welfare programmes; the management of the Scheme's finances and  
15 activities;

16 (9) to establish and run programmes for the unemployed graduates  
17 and the fit but not educated and not employed;

18 (10) to maintain a system certified and accredited to receive  
19 applications for registration, correction, replacement of data and the issuance  
20 of social security numbers to Nigerians and other eligible residents in Nigeria;

21 (11) to register and provide social security cards to the un-employed,  
22 less privileged, aged in order to access medical treatment, service provision,  
23 benefit to essential services and other related services as provided under this  
24 Act and other laws in Nigeria;

25 (12) to issue social security number to public and private sector  
26 workers and beneficiaries of this programmes under this Act as well as to  
27 eligible tax payers and their dependents for the purposes of reporting taxable  
28 income to the Federal Inland Revenue Service, state and local government;

29 (13) to introduce welfare packages and presenting same to the Federal  
30 Government of Nigeria for approval of the National Assembly and the

1 implementation of same for the children, unemployed, aged and the elderly,  
2 etc.

3 (14) to create financial grants, schemes and other steps to  
4 encourage self employed of most unemployed;

5 (15) to introduce skill and talent acquisition centers and workshops  
6 for short-term training for unemployed on skills acquisition; and

7 (16) to do all that shall be necessary for the achievement of the  
8 objects above.

9 **10.** The Scheme shall have the powers to:

Powers of the  
Scheme

10 (i) Receive grants and monies from Federal Government, State  
11 Governments, bodies corporate, NGDs and individuals, Government  
12 organizations, Agencies and parastatals. The funds shall be put and operated  
13 in the Scheme's fund called, "Social Security Number Fund". It shall be  
14 hereafter be called "the fund";

15 (ii) The Scheme shall disburse the fund for the purposes contained  
16 in this Act;

17 (iii) The Scheme shall retain the balance in the Fund and ensure  
18 prudent management, accountability and proper utilization of the said  
19 funds;

20 (iv) The Scheme shall have the powers to demand from the Federal  
21 Inland Revenue Service Office 1 % charge called "Social Security Number  
22 Tax" extracted and saved for the Scheme from all individual companies,  
23 contractors seeking tax clearance for whatever purpose;

24 (v) The Scheme shall have a right to approach the Federal Housing  
25 Authority (FHA), Federal Capital Development Authority (FCDA), Federal  
26 Ministry of Works (FMW) and other bodies charged with the private  
27 corporate and company buildings in the Federal Capital Territory and  
28 demand 1 % Social Security tax surcharged as part of approval cost for such  
29 erection to take off;

30 (vi) The Scheme shall have a right to approach all banks for the sum

1 equal to 1 % of the interest on each account (current, savings and deposits) of  
2 all communities, individuals and corporate bodies on monthly basis to be  
3 turned in to the Scheme;

4 (vii) Demand from all banks of 1% of their profits each year before  
5 declaration of dividends as Social Security Tax payable to the Scheme. In event  
6 of default by any such bank, it shall be liable to a fine equal to five million naira  
7 (N5,000,000.) only;

8 (viii) The Scheme shall demand and be paid by all government  
9 corporations example, the Nigeria National Petroleum Corporation - NNPC,  
10 Nigerian Railway Corporation, Tin Mining Corporation, Gem Stone Factory,  
11 Immigration, Customs, PHCN, FAAN, NPA, Water Corporation and other  
12 Government corporate bodies, 1 % of their yearly profits as their Social  
13 Welfare Contributions to the Scheme;

14 (ix) The Nigeria Customs Service shall demand 1 % of importation  
15 cost as social welfare tax on all luxury items, goods and articles imported by  
16 individuals, companies and corporations into Nigeria. Luxury goods shall be as  
17 defined in the definition section hereafter;

18 (x) The FCDA, FHA and all organizations selling land within the FCT  
19 shall pay 1% of the purchase sums to the Scheme's fund;

20 (xi) All further assignments of such interest by original purchasers to  
21 subsequent Assignees shall attract 1 % of the purchase price as Social Welfare  
22 Tax payable to the Scheme. The FCDA and FHA, shall demand and be paid  
23 such 1 % before approving Powers of Attorney thereof to subsequent  
24 Assignees. Such tax shall be paid by Assignors, Vendors and Lessors who shall  
25 grant such powers of Attorney. The Scheme shall demand and be paid such  
26 funds by the various bodies accordingly;

27 (xii) All owners of private developed land with approved building  
28 plans in Abuja shall pay the sum equal to 1% of the prevailing accrued rents in  
29 their premises to fund. The Scheme shall investigate and prosecute defaulters.  
30 If found guilty, they shall pay a fine of equal to One Hundred Thousand Naira

1 (N100,000.00) only and pay thereafter assessed 1 % Social Welfare Tax to  
2 the Scheme;

3 (xiii) To carry out such other activities as appear to it necessary or  
4 expedient for the full and efficient discharge of its functions under this Act.

5 **11.**-(1) The Scheme shall establish and maintain a fund to be called The Fund of the  
6 "Social Security Number Fund" (hereafter referred to as "The fund"). Scheme

7 (2) The fund shall consist of:

8 (a) All monies as may be granted or received from the Multi-  
9 National Corporations in Nigeria, Federal, State, Local Government,  
10 Agencies, Parastatals or any other body whatsoever;

11 (b) Monies from surcharges or fines for violations of the 1 % Social  
12 Security Tax by individuals, corporations, companies as contained in this  
13 Act;

14 (c) 1 % Social Security tax on all banks yearly profits and  
15 individual savings in banks, 1% welfare Tax on purchase landed property in  
16 the FCT, 1% tax on luxury goods, building tax etc.

17 (d) 2% of the Excess Crude Fund shall be allocated to the Nigerian  
18 Social Security Number Scheme;

19 (e) Such monies as may be given to the Scheme from time to time  
20 by the organized private sector and international or private donor  
21 organizations example, UNICEF, WHO, etc. and non-governmental  
22 organizations.

23 (3) The Scheme shall from time to time apply the funds to the  
24 running of the programmes of the Scheme's throughout Nigeria.

25 **12.** Operational Departments of the Scheme are as follows:

26 (i) Finance and Accounts;

27 (ii) Personnel and Administration;

28 (iii) Legal and Corporate Services;

29 (iv) Planning, Research and Statistics;

30 (v) Social Security Number Acquisition; and

Operational  
Departments of  
the Scheme

1 (vi) Procurement and Supply.

2 PART 111- STAFF OF THE SCHEME

3 **13.**-(1) The Director-General, appointed by the President on the  
4 recommendation of the Minister pursuant to section 4(1) of this Act shall have a  
5 term of office of four (4) years and may be appointed for another term of four  
6 (4) years and no more.

7 (2) The Board shall appoint for the Scheme such other staff, officers  
8 and employees as may from time to time be deemed necessary for the purpose  
9 of the Scheme to assist the Director-General in the day to day administration of  
10 the Scheme.

11 (3) The Scheme shall re-deploy or second 6 Zonal Directors and other  
12 Staff from other Ministries to head the six (6) geopolitical zones offices of the  
13 Scheme carry out objects and functions of the Scheme.

14 (4) The terms and conditions of the officers and employees shall be  
15 contained in their letters of appointment.

16 (5) The Scheme has a right to appoint or employ such other staff on  
17 terms not pensionable and nothing in this Act shall preclude the Council's from  
18 exercising this right.

19 (6) The remuneration, allowances, benefits and pensions for the  
20 officers and employees in section 12 (2), (3), (4) (b) and (5) above shall be  
21 determined by the Council and approved by the Minister and paid from the  
22 fund of the Scheme.

23 PART IV - ADMINISTRATION OF THE SOCIAL SECURITY CARDS

Operation of  
the Bio-Metrics  
& Social Security  
Cards

24 **14.**-(1) The Scheme shall solely be responsible for all operations and  
25 administration of Bio- metrics and Social Security Cards in Nigeria.

26 (2) The Scheme shall:

27 (a) maintain a system certified and accredited to receive applications  
28 for registration, correction, replacement of data and the issuance of social  
29 security numbers to Nigerians and other eligible residents in Nigeria;

30 (b) register and raise social security identity cards to the un-

1 employed, less privileged, aged and payers to access medical treatment,  
2 service provision, benefit to essential, services and other related services as  
3 provided under this Act and other laws in Nigeria;

4 (c) issue social security number to public and private sector  
5 workers and beneficiaries of this programmes under this Act as well as to  
6 eligible tax payers and their dependents for the purposes of reporting taxable  
7 income to the Federal Inland Revenue Service, state and local government;

8 (d) from time to time maintain and update where necessary a  
9 databank of the bio-data of files from which the social security cards shall be  
10 printed from;

11 (e) ensure that social security cards shall be required to open bank  
12 account, benefit from bursary payments or allowances to students of tertiary  
13 institutions, obtain a credit card, get a driver's licence, buy a car, get  
14 domestic health insurance, open a retirement account; and

15 (f) such other matters related to under this Act.

16 **15.-(1)** The Scheme shall ensure the establishment and correction  
17 system which contain all the information received on original applications  
18 for social security numbers (eg. Name, Date and place of birth, sex, both  
19 parent names, Race/Ethnic Data); the mailing addresses (official, business  
20 and residential) of the individuals who filed applications, descriptions of the  
21 documents submitted, and any changes in the information on the  
22 applications are submitted by the social security number holders; email  
23 addresses, telephone numbers.

24 (2) The Social Security Card System shall also contain  
25 applications supported by evidence suspected or determined to be  
26 fraudulent;

27 (3) The Social Security Card System shall also note cross-  
28 references where multiple numbers have been issued to the same individual,  
29 and an indication may be shown that a benefit have been made under a  
30 particular social security number/s.

Social Security  
Cards information



1 (6) And for any act connected with all or any of its functions under  
2 this Act.

3 **19.**-(1) The Scheme shall, not later than 30th September in each Annual Estimate  
4 year, submit to the Minister an estimate of its expenditure and income  
5 (including payments to the casual) for the next succeeding year.

6 (2) The Scheme shall keep proper accounts in respect of each year  
7 and proper records in those accounts and shall cause its accounts to be  
8 audited within six (6) months after the end of each year by auditors  
9 appointed with guidelines supplied by the Auditor General of the  
10 Federation.

11 **20.** The Scheme shall prepare and submit to the Federal executive Annual Report  
12 council, through the Minister, not later than six (6) months after the end of  
13 each year, the report in such form as he may direct on the activities of the  
14 Scheme during the immediate preceding year, and shall include in such  
15 report a copy of the audited account of the Council for that year and the  
16 auditor's Report on the accounts.

17 **21.**-(1) The Scheme shall have the power to accept gifts of lands, Power to accept  
gift  
18 money or other property from individuals, communities, body corporate,  
19 etc.

20 (2) The Scheme shall not accept any gift if the terms and conditions  
21 of the gift are inconsistent with the objects and functions of the Scheme.

22 **22.**-(1) The Scheme shall from time to time as it deems necessary Power to borrow  
23 borrow by overdraft such funds as may be required for performance of its  
24 functions under the Act.

25 (2) All such borrowings shall be on approval of the Minister. The  
26 Scheme shall state the amount and reason for such overdraft in its  
27 application to the Minister.

28 (3) The Minister shall upon application approve the sum requested  
29 or place a ceiling limit for the council's borrowings. The sum to be borrowed  
30 may be in foreign currency.



1 General or to the Directors in the zonal offices in whose jurisdiction  
2 whereupon the Act alleged was committed or omission occurred. Service  
3 shall suffice if such documents are sent by registered post to the principal  
4 office of the Scheme addressed to the Director General.

5           **27.**-(1) In all actions and suits against the council, no execution  
6 shall be levied against the Scheme's property save and except upon prior  
7 service of a notice of intention to levy execution on the Scheme.

Restriction on  
execution against  
property of the  
Scheme

8           (2) such notice shall be for not less than three (3) months upon  
9 obtaining judgment against the Scheme.

10           (3) All judgments shall be discharged from the Funds of the  
11 Scheme save and except where appeal has been lodged against such  
12 judgments given by a court.

13           **28.**-(1) Any member of the Board, the Director-General, Directors,  
14 Staff or employee of the Scheme shall be indemnified out of the funds of the  
15 Scheme against any liability incurred in defending any action against the  
16 Board whether civil or criminal.

Indemnity to  
officer

17           **29.**-(1) A member of the Board, Director-General, Directors, Staff  
18 or other employee shall take oath of secrecy upon employment or  
19 appointment to keep secret whatever information which by virtue of his  
20 employment comes to his knowledge.

Secrecy

21           (2) A member of the Board, Director-General, Directors, Staff or  
22 other employee shall:

23           (a) Not use for his personal gain any information, which comes to  
24 his knowledge in exercise of his powers or in the ordinary course of his duty;

25           (b) Not disclose any information required to under paragraph (c)  
26 hereunder of this subsection except same is required by the court or in such  
27 other circumstances as may be prescribed by the court or in such other  
28 circumstances as may be prescribed by the Board, from time to time;

29           (c) Treat as confidential any information, which has come to his  
30 knowledge in the exercise of his powers or is obtained by him in the

1 performance of his duties under this Act.

2 (3) (a) any violation of the provision of subsection (2) of this Section  
3 shall amount to an offence and such member, Director-General, Directors,  
4 officer or other staff of the Scheme shall upon being found guilty be liable upon  
5 conviction to a fine of not less than N20,000.00 or to imprisonment for a term  
6 not exceeding two (2) years or to both fine and term of imprisonment;

7 (b) Such member, Director-General, Director, officer or other  
8 employee of the Scheme shall upon being found guilty sentenced and/or fined  
9 shall be relieved of his duty.

Directives by  
the Minister

10 **30.** The Minister shall give directives to the Scheme or Director-  
11 General of a general nature relating to matters of policy with regard to  
12 exercising of the Scheme's or his functions as he may consider necessary and it  
13 shall be the duty of the Board or Director-General to comply with the directives  
14 or cause them to be complied with.

Regulations

15 **31.** The Scheme may with the approval of the Minister make  
16 Regulations necessary and expedient for giving full effect to provisions of this  
17 Act and for the due administration of its provision.

#### 18 PART IV - CHILD WELFARE SERVICES

19 **32.** Each plan by the Scheme for child welfare services under this Act  
20 shall:

21 (a) Provide that the individual or agency that administers or  
22 supervises the administration of the Scheme services program will administer  
23 or supervise the administration of the plan in accordance with this Act. to the  
24 extent that child welfare services are furnished by the staff of the State agency  
25 or local agency administering the plan, a single organizational unit in such  
26 State or local agency, as the case may be, will be responsible for furnishing  
27 such child welfare service;

28 (b) Provide for coordination between the services provided for  
29 children under the plan and other services and assistance provided with a view  
30 to provide welfare and other related services which will best promote the

1 welfare of such children and their families;

2 (c) Provide standards and requirements are with respect to child  
3 day care services except insofar as eligibility for such services is involved;

4 (d) Provide for the training and effective use of paid  
5 paraprofessional staff, with particular emphasis on the full-time or part-time  
6 employment of persons of low income, as community services aides, in the  
7 administration of the plan, and for the use of paid workers and volunteers in  
8 providing services and in assisting any advisory committees established by  
9 the State agency in co-operation with the relevant State Agency contain a  
10 description of the services to be provided and specify the geographic areas  
11 where such services will be available;

12 **33.**-(1) The Scheme shall rank annually the activities of State  
13 Agencies in the order of their success in placing recipient of assistance under  
14 their program funded under this Act into long-term private sector jobs,  
15 reducing the overall welfare caseload, and when a practicable method for  
16 calculating this information becomes available, diverting individuals from  
17 formally applying to the State programme and receiving assistance.

Ranking of state  
agencies

18 (2) In ranking State under this subsection the Scheme shall take  
19 into account the average number of minor children living at home in families  
20 in the State that have incomes below the poverty line and the amount of  
21 funding provided each state for such families.

22 (3) The Scheme shall review the programme of the 3 States most  
23 recently ranked highest under the relevant section of the Act that provide  
24 parents with work experience, assistance in finding employment and other  
25 work preparation activities and support services to enable the families of  
26 such parents to leave the programme and become self-sufficient.

27 (4) The Scheme may make grants to public or private non-profit  
28 institutions of higher learning, and to public or private nonprofit agencies  
29 and organizations engaged in research or child-welfare activities, for special  
30 research or demonstration projects in the field of child-welfare which are of

1 regional or national significance and for special projects for the demonstration  
2 of new methods or facilities which show promise of substantial contribution to  
3 the advancement of child welfare:

4 (a) To the state or local agencies responsible for administering, or  
5 supervising the administration of, the plan under this part, for projects for the  
6 demonstration of the utilization of research (including findings resulting there-  
7 from) in the field of child welfare in order to encourage experimental and  
8 special types of welfare services; and

9 (b) To public and private nonprofit institutions of higher learning for  
10 special projects for training personnel for work in the field of child welfare,  
11 including traineeships with such stipends and allowances as may permitted by  
12 the Scheme.

13 For contracts or jointly financed cooperative arrangements with states and  
14 public and other organization and agencies for the conduct of research, special  
15 projects, or demonstration projects relating to such matters.

16 **34.** The Scheme may make grants to public or private nonprofit  
17 entities submitting applications under this section for the purpose of  
18 conducting demonstration projects to develop alternative care arrangements  
19 for infants who do not have health conditions that require hospitalization and  
20 who would otherwise remain in unnecessary hospitalization.

21 **35.** The Demonstration Projects conducted under subsection (1) may  
22 include:

23 (a) Projects designed to prevent the inappropriate hospitalization of  
24 infants and to allow infants described in section (1) to remain with or return to a  
25 parent in a residential setting, where appropriate care for the infant and suitable  
26 treatment for the parent (including treatment for drug or alcohol addiction)  
27 may be assured, with the goal (where possible) of rehabilitating the parent and  
28 eliminating the need for such as are for the infant;

29 (b) Projects that assure appropriate, individualized' care for such  
30 infants in a foster home or other non-medical residential setting in cases where

1 such infant does not require hospitalization and would otherwise remain in  
2 unnecessary hospitalization;

3 (c) Projects to demonstrate methods to recruit, train, and retain  
4 foster care families;

5 (d) Such other projects as the Scheme determines will best serve  
6 the interests of such infants and will serve as models for projects that  
7 agencies or organizations shall engage in;

8 (e) The Scheme may approve an application for a grant to  
9 governmental or non- governmental bodies for higher learning to provide  
10 traineeship with only if the application. Provides assurances that each  
11 individual who receives a stipend with such traineeship (in this section  
12 referred to as a "recipient") will enter into, an agreement with the institution  
13 under which the recipient agrees;

14 (f) To participate in training at a public or private nonprofit child  
15 welfare agency on a regular basis (as determined by the Scheme) for the  
16 period of the traineeship:

17 (i) To be employed for a period of 3 years or such other period of  
18 years equivalent to the period of the traineeship, in a public or private  
19 nonprofit child welfare agency in any State, within a period of time after  
20 completing the postsecondary education for which the traineeship was  
21 awarded;

22 (ii) To furnish to the institution and Agency evidence of  
23 compliance with sub-paragraphs (a) and (b) above.

24 (4) If the recipient fails to comply with subparagraph (a) or (b) and  
25 does not qualify for any exception the Scheme may prescribe for the  
26 recipient, to repay to the Agency (in whole or in part) the amount of the  
27 stipend, plus interest and if applicable, fees collected in accordance with  
28 regulations by the Scheme.

29 **36.-(1)** The Scheme shall conduct (directly, or by grant, contract, or  
30 interagency agreement) a national survey based on random sampling of

1 children who are at risk of child abuse or neglect, or are adjudged by the  
2 Scheme to have been abused or neglected.

3 (2) In conducting the survey the Scheme shall carefully consider  
4 investigating the data collected from cases of confirmed abuse or neglect and  
5 follow each case' so as to obtain information on, among other things:

6 (a) The type of abuse or neglect involved;

7 (b) The frequency of contact with state or local agencies;

8 (c) Whether the child involved has been separated from the family,  
9 and if so, under what circumstances;

10 (d) The number, type and characteristics of out-of-home placement s  
11 of the child;

12 (e) The average duration of each placement.

Preparation of  
Report

13 37.-(1) From time to time, the Scheme shall prepare reports outlining  
14 the results of the survey required by this Act.

15 (2) The Scheme shall make available to the public any report prepared  
16 under sub-section 1, in writing or in the form of an electronic data tape.

17 (3) The Scheme may charge (and charge fees) for furnishing of  
18 reports under this section.

19 38.-(1) In the case of any project which includes the use of funds  
20 authorized under this sub section (1) for the care of infants in foster homes or  
21 other child care residential settings away from their parents, there shall be  
22 developed for such infant a case plan.

23 (To the extent that such infant is not otherwise covered by such plan).

24 (2) In evaluating applications from entities proposing to conduct  
25 demonstration projects under this subsection, the Agency shall give priority to  
26 those projects that serve areas most in need of alternative care arrangements for  
27 infants.

Confirmation  
of projects

28 39.-(1) No project maybe funded unless the application therefore  
29 contains a confirmation that it will:

30 (a) Provide for adequate evaluation;

- 1 (b) Provide for coordination with state and local governments;
- 2 (c) Provide for community education with regard to the  
3 unnecessary hospitalization of infants;
- 4 (d) Use, to the extent practical, other available private, local, state,  
5 Federal sources for the provision of direct services; and
- 6 (e) Meet such other criteria as the Scheme may prescribe.
- 7 **40.** Grants may be used to pay the costs of maintenance and of  
8 necessary medical and social services (to the extent that these costs are not  
9 otherwise paid for under other titles of this Act) and for such other purposes  
10 as Scheme may allow.
- 11 **41.** The Scheme may provide training and technical assistance to  
12 grantees when requested.
- 13 **42.** Payments of grants under contracts or arrangements under this  
14 section may be made in advance or by way of reimbursement, and in such  
15 installments, as the Scheme may determine; and shall be made on such  
16 conditions as the Scheme finds necessary to carry out the purposes of the  
17 grants, contracts, or other arrangements. For such fiscal year for carrying out  
18 the purpose for which such amounts are allotted, the Scheme shall make  
19 such amounts available in the subsequent fiscal year for carrying out such  
20 purposes.
- 21 **43.** The determination of the Scheme for any fiscal year shall be  
22 made not later than the end of the first quarter of the subsequent fiscal year.  
23 The re-allocation of amount shall be made as close as practicable to the date  
24 on which such determination is made.
- 25 **44.** Notwithstanding provision of this Act, the Scheme may not  
26 reduce or terminate assistance under its programme based on a refusal of an  
27 individual to engage in work required in accordance with this Act if the  
28 individual is a single custodial parent caring for a child who has not attained  
29 6 years of age, and the individual demonstrates inability (as determined by

Payments of  
grants

1 the Scheme) to obtain needed child care, for one or more of the following  
2 reasons:

3 (a) Unavailability of appropriate child-care center within a  
4 reasonable distance from the individual's home or work place;

5 (b) Unavailability or unsuitability of informal child-care by a relative  
6 or under other, arrangements; and

7 (c) Unavailability of appropriate and affordable formal child cares  
8 arrangements.

9 **45.** An adult in a family receiving assistance under a programme  
10 funded under this Act may fill a vacant employment position in order to engage  
11 in a work activity.

12 **46.** No adult in a work activity, which is funded, in whole or in part,  
13 by funds provided by the Federal or State Government shall be employed or  
14 assigned:

15 (a) When any other individuals is on layoff from the same or any  
16 substantially equivalent job; or

17 (b) If the employer has terminated the employment of any regular  
18 employee or otherwise caused an involuntary reduction of its workforce in  
19 order to fill the vacancy so created with an adult described in subparagraph (a).

20 **47.** Nothing in this section shall preempt or supersede any provision  
21 of State or Local law that provides greater protection for employees from  
22 displacement.

23 **48.** Every State Agency, Non-governmental Organization or the  
24 Scheme that operates a program funded under this Act is encouraged to accord  
25 the highest priority to requiring adults in parent families and adults in single-  
26 parent families that include older preschool or school age children to be  
27 engaged in work activities.

28 **49.-(1)** The Scheme shall make foster care maintenance payments  
29 under this Act with respect to a child the removal from the home occurred  
30 pursuant to a voluntary placement agreement entered into by the child's parent

1 or legal guardian, or was as a result of a judicial determination to the effect  
2 that continuation therein would be contrary to the welfare of such child and  
3 that reasonable consideration for the child's welfare has been made.

4 (2) Such child's placement and care are the responsibility of; the  
5 State agency administering the state plan or any other public or private  
6 agency with whom the state agency administering or supervising the  
7 administration has made an agreement which is still in effect.

8 (3) Such child has been placed in a foster home or child-care  
9 institution as a result of the voluntary placement agreement or judicial  
10 determination referred to in subsection (1) and such child would have  
11 received aid in or for the month in which such agreement was entered into or  
12 court proceedings leading to the removal of such child from home were  
13 initiated, or Would have received such aid in or for such month if application  
14 had been made thereof or had been living with a relative within six months  
15 prior to the month in which such agreement was entered into or such  
16 proceedings were initiated, and would have received such aid in or for such  
17 month if in such month he had been living with such a relative and  
18 application thereof had been made.

19 (4) In case where the child is an alien disqualified under art' law in  
20 force in Nigeria from receiving aid in or for the month in which such  
21 agreement was entered into or court proceeding leading to the removal of the  
22 child from the home were instituted, such child shall be considered to have  
23 satisfied the requirements of this Act with respect to that month.

24 **50.** For the purposes of this Act, whether this payments therefore  
25 are made to such individual or to a public or Non-Governmental  
26 Organization for child-care agency, or child-care institution, whether the  
27 payments thereof are made to such institution or to a public or Non-  
28 Governmental Organization for child-placement or child-care agency,  
29 which payments shall be limited so as to include in such payments only

1 those items which are included in the term "foster care maintenance  
2 payments".

3 **51.** Notwithstanding any other provision of this Act, the Scheme may  
4 make payments with respect to amounts expended by any state as foster care  
5 maintenance payments under this section, in the case of children removed from  
6 their homes pursuant to voluntary placement agreements as described in this  
7 section.

8 **52.** No payment may be made under this Act with respect to amounts  
9 expended by any state or its agency or Non Governmental Organization under  
10 this section, in the case of any child who was removed from his home pursuant  
11 to a voluntary placement agreement and has remained in voluntary placement  
12 for a period exceeding of 180 days, unless there has been a judicial  
13 determination by a court of competent Jurisdiction (within the first 180 days of  
14 such placement) to the effect that such placement is in the best interests of the  
15 child.

16 **53.** In any case where:

17 (a) The placement of a minor child in foster care occurred pursuant to  
18 a voluntary placement agreement entered into by the parents or guardians of  
19 such child as provided in section (73); and

20 (b) Such parents or guardians request (in such manner and form as the  
21 Scheme may prescribe) that the child be returned to their home or to the home  
22 of a relative, the voluntary placement agreement shall be deemed to be revoked  
23 unless the state agency or non governmental agency opposes such request and  
24 obtains a judicial determination, by a court of competent jurisdiction, that the  
25 return of the child to such home will not be in the child's best interests.

26 **54.** Any child with respect of whom foster care maintenance payment  
27 is made under this Act is deemed to be a dependent child and deemed to be a  
28 recipient of aid to families with dependent children.

29 **55.** A child whose expenses in a foster home or child care institution  
30 are covered by the foster care maintenance payments being made in respect to

1 the minor's parent, shall be considered a child with respect to whom foster  
2 care maintenance payments are made under this section.

3 **56.** It shall be a criminal offence for a family that includes an adult  
4 who has received assistance under this Act where such adult fails to ensure  
5 that the minor dependent children of such adult attend school.

6 **57.** Nothing in this section shall prohibit the Scheme from  
7 sanctioning a family which includes an adult who is above the age of 20 and  
8 below the age of 51 and who has received assistance under this Act if such  
9 adult does not have, or is not working towards attaining, a secondary school  
10 certificate or its recognized equivalent unless such adult has been  
11 determined in the judgment of medical, psychiatric, or other appropriate  
12 professionals to lack the requisite capacity to complete successfully a course  
13 of study that would lead to a secondary school certificate or its recognized  
14 equivalent by this Act determined to have a signified barrier to self-  
15 sufficiency, pursuant to criteria established by the Scheme.

16 **PART V - BILATERAL AGREEMENTS**

17 **58.** The President of the Federal Republic of Nigeria is authorized  
18 (subject to this Act) to enter into a contract establishing bilateral agreement  
19 between the social welfare system established by this Act and the social  
20 security system of any foreign country, for the purposes of establishing  
21 entitlement to, and the amount of, old-age, survivors, disability, or  
22 derivative benefits based on a combination of an individual's period of  
23 coverage under the social welfare system established by this Act and the  
24 social security system of such foreign country. Any agreement establishing a  
25 bilateral agreement pursuant to this section shall provide.

Bilateral  
agreement

26 **59.-(1)** Any contract establishing a bilateral agreement pursuant to  
27 section 82 shall provide:

Period of coverage

28 (a) that in the case of an individual who has at least Six (6) quarters  
29 coverage and periods of coverage under the social security system of a  
30 foreign country which is a party to such agreement, periods of coverage of

1 such individual under such social security system of such foreign country may  
2 be combined with periods of coverage under this title and otherwise considered  
3 for the purposes of establishing entitlement to and the amount of old-age,  
4 survivors, and disability insurance benefits under this title;

5 (b) that employment or self-employment, or any service which is  
6 recognized as equivalent to employment or self-employment under this Act or  
7 the social security system of a foreign country which is a party to such  
8 agreement, shall, on or after the effective date of such agreement, result in a  
9 period of coverage under the system established under this Act or under the  
10 system established under the laws of such foreign country, but not under both,  
11 and the methods and conditions for determining under which system  
12 employment, self-employment, or other services shall result in a period of  
13 coverage;

14 (c) that where an individual's periods coverage are combined, the  
15 benefit amount payable under this Act shall be based on the proportion of such  
16 individual's period of coverage which was completed under this Act.

Foreign residence

17 **60.** Any such agreement may provide that an individual who is  
18 entitled to cash benefits under this shall notwithstanding the provisions of this  
19 Act receive such benefits while he resides in a foreign country which is a party  
20 to such agreement.

Inconsistency  
clause

21 **61.** Any such agreement may contain other provisions which are not  
22 inconsistent with the other provisions to this Act and which the president  
23 deems appropriate to carry out the purposes of this section.

Regulation

24 **62.** The Scheme shall make rules and Regulations and establish  
25 procedures which are reasonable and necessary to implement and administer  
26 any agreement which has been entered into in accordance with this section.

Reports to the  
Senate and House  
of Representatives

27 **63.** Any agreement to establish a bilateral agreement entered into  
28 pursuant to this section shall be transmitted by the President to each House of  
29 the National Assembly together with a report on the estimated number of  
30 individuals who will be affected by the agreement and the effect of the

1 agreement on the estimated income and expenditure of the programs  
2 established by this Act.

3 **64.** Such an agreement shall become effective on any date, provide  
4 in the agreement, which occurs after the expiration of the period Approved  
5 by the Senate and House of Representatives.

Effective data  
of Agreements

6 **65.** Agreement under this Act shall not become effective if, during  
7 such period either the Senate or House of Representative adopts a resolution  
8 of disapproval of the agreement.

A Resolution

9 **66.**-(1) The Federal Inland Revenue Service shall make available  
10 information returns filed to the Scheme for the purposes of this Act the  
11 Scheme and the Federal Inland Revenue Service are authorized to enter into  
12 an agreement for the processing by the Scheme of information contained in  
13 returns filed.

Processing of  
Tax Data

14 (2) Notwithstanding the provisions of any law, every State Board  
15 of Internal Revenue shall make available to the commission such documents  
16 as may be agreed upon as being necessary for purposes of such processing.  
17 The Scheme shall process any withholding tax statement or other  
18 documents made available to the Scheme.

19 **67.** Any agreement made pursuant to this section shall remain in  
20 force until modified or otherwise amended by mutual agreement of the  
21 agency and the Federal and State Board of Inland Revenue Services.

Amendment

22 **68.** A work activity engaged in under a program operate with funds  
23 provided under this Act shall not violate an existing contract for services or a  
24 collective bargaining agreement, and such a work activity that would violate  
25 a collective bargaining agreement shall not be undertaken without the  
26 written consent of the labour Organization and employers concerned.

Prohibition  
against violation  
of contracts

27 **69.**-(1) An adult participant in a work activity engaged in under a  
28 program operated with funds provided under this Act shall not be employed  
29 or assigned.

Prohibitions

30 (a) When any other individual is on layoff from the same or any

1 substantially equivalent job;

2 (b) If the employer has terminated the employment of any regular  
3 employee or otherwise caused an involuntary reduction in its workforce with  
4 the intention of filling the vacancy so created with the participant;

5 (c) If the employer has caused an involuntary reduction to less than  
6 full time in hours of any employee in the same or a substantially equivalent job  
7 to working conditions or employee shall be equally applicable to working  
8 condition of other participants engaged in work activity under a program  
9 operated with funds provided under this Act.

Non-  
discrimination

10 **70.**-(1) In addition to the protections provided under the provisions of  
11 any written law an individual may not be discriminated against by reason of  
12 gender with respect to participation in work activities engaged in under a  
13 program operated with funds provided under this Act.

14 (2) Nothing in subsection (1) shall be construed to affect the  
15 workmen's compensation Act.

16 (3) Nothing in subsections (1) and (2), shall be construed to preempt  
17 any law that affords Greater protections to employees or to other participants  
18 engaged in work activities under a program funded under this Act.

19 (4) Health and safety standards established under law otherwise  
20 applicable to working conditions or employee shall be equally applicable to  
21 working condition of other participants engaged in work activity under a  
22 programme operated with funds provided under this Act.

Confidentiality

23 **71.** Notwithstanding the provision of any law which establishes  
24 safeguards against the use or disclosure of information about applicants or  
25 recipients of assistance under the State program funded by this Act, the  
26 safeguards shall not prevent the agency administering the programme from  
27 furnishing the names, addresses, telephone numbers, and identifying case  
28 number information of non-custodial parents residing in the services delivery  
29 area for the purposes of identifying and contacting non-custodial parent  
30 regarding participation in the program under this Act.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

PART VI - FAMILY WELFARE

72. The Scheme shall establish a program, designed to serve all political subdivision in State (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work and support services to enable them leave the program and become self-sufficient:

Family welfare programme

(a) require a parent or caretaker receiving assistance under the program to engage in work once the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier;

(b) ensure that parents and caretakers receiving assistance under the program engage in work activities;

(c) take reasonable steps, as it deems necessary to restrict the use and disclosure of information about individual and families receiving assistance under the program attributable to funds provided by this Act;

(d) set goals and take action to prevent and reduce the incidence of teenage pregnancies, with special emphasis on teenage pregnancies, and establish programmes for reducing the illiteracy ratio of each State;

(e) establish a programme, designed to reach State and local law enforcement officials, the education system, and relevant counseling services, that provides training for dealing with rape victims teenage mothers.

73. The Scheme shall:

Indigent families

(i) Provide assistance to indigent families so that children may be cared for in their own homes or in the homes of relatives;

(ii) to end the dependence of indigent parents on government benefits by providing employment (both skilled and unskilled) and marriage;

(iii) Prevent and reduce the incidence of single parentage and establish a scheme for preventing and reducing the incidence of these single

Non-custodial  
parents

1 parentage; and

2 (iv) Encourage the formation and maintenance of families.

3 **74.**-(1) An entity that operates a project with funds provided under  
4 this Act may use the funds to provide services to non-custodial parents with  
5 respect to whom the requirements of the following sub clauses are met.

6 (2) The non-custodial parent is unemployed, underemployed, or  
7 having difficult in paying child support obligations.

8 (3) At least one of the following applies to a minor child of the non-  
9 custodial parent (with preference in the determination of the non-custodial  
10 parents to be provided services under this paragraph to be by the entity to those  
11 non-custodial parents with minor children who meet, or who have custodial  
12 parents who meet, the requirements of item:

13 (a) the minor child or the custodial parent of the minor child meets the  
14 requirements of sub-clause (i) of clauses (ii);

15 (b) the, minor child is eligible for, or is receiving, benefits under a  
16 program funded under this Act:

17 (i) the minor child received benefits under the program funded under  
18 this minor Act in the 12-month period preceding the date of the determination  
19 but no longer receives such benefits,

20 (ii) the minor child is eligible for, or is receiving assistance under any  
21 other law in the Federal Republic of Nigeria. In the case of a non-custodial  
22 parent who becomes enrolled in the project on or after the date of the enactment  
23 of this clause, the non-custodial parent is in compliance with the term of an oral  
24 or written personal responsibility contract entered into among the non-  
25 custodial parent, the entity, and (unless the entity demonstrates to the Agency  
26 that the entity is not capable of coordinating with such agency) the agency  
27 responsible for administering the plan under the Act, which was developed  
28 taking into account the employment and child support status of the non-  
29 custodial parent, which was entered into not later than 30 days (or, at the option  
30 of the entity, not later than 90 days) after the non-custodial parent was enrolled

1 in the project, and which, at a minimum, includes the following:

2 (a) a commitment by the non-custodial parent to cooperate, at the  
3 earlier opportunity, in the establishment of the paternity of the minor child,  
4 through voluntary acknowledgment or other procedure, and in the  
5 establishment of a child support order;

6 (b) a commitment by the non-custodial parent to cooperate in the  
7 payment of child support for the minor child, which may include a  
8 modification of an existing support order to take into account the ability of  
9 the non-custodial parent to pay such support and the participation of such  
10 parent in the project;

11 (c) a commitment by the non-custodial parent to participate in  
12 employment or related activities that will enable the non-custodial parent to  
13 make regular child support payments, and if the noncustodial parent has not  
14 attained 20 years of age, such related activities may include completion of  
15 high school, a professional qualification degree, and other education  
16 directly related to employment;

17 (d) a description of the services to be provided under this section  
18 and a commitment by the non-custodial parent to participate in such  
19 services, that are designed to assist the non-custodial parent obtain and  
20 retain employment, increase earning, and enhance the financial and  
21 emotional contributions to the well-being of the minor child.

22 **75.-(1)** In order to protect custodial parents and children who may  
23 be at risk of domestic violence, the preceding provisions of this sub-clause  
24 shall not be construed to affect any other provision of law requiring a  
25 custodial parent to cooperate in establishing the paternity of a child or  
26 establishing or enforcing a support order with respect to a child, or entitling a  
27 custodial parent to refuse, for, good cause, to provide such cooperation as a  
28 condition of assistance or benefit, under any program, shall not be construed  
29 to require such cooperation by the custodial parent as a condition of  
30 participation of either parent in the program authorized under, this Act and

Protection of  
custodial parents

1 shall not be construed to require a custodial parent to cooperate with or  
2 participate in any activity under this subsection.

3 (2) The entity operating a project under this sub-section with funds  
4 provided under this Act shall consult with domestic violence prevention and  
5 intervention organizations, Welfare department and other relevant  
6 governmental agencies in the development of the project.

Work participation  
if parent if engage  
in work for 20  
hours per week

7 **76.** For purpose of determining monthly participation rates recipient  
8 who is the only parent or guardian in the family of a child who has not attained 6  
9 years of age is deemed to be engaged in work for a month if the recipient is  
10 engaged in work for an average of at least 20 hours per week during the month.

Single or married  
head of household

11 **77.** For purposes of determining monthly participation rates a  
12 recipient who is married or a head of household and has not attained 20 years of  
13 age is deemed to be engaged in work for month in a fiscal year if the recipient:

14 (a) maintains satisfactory attendance at secondary school or the  
15 equivalent during the month;

16 (b) participates in education directly related to employment; and

17 (c) for an average of at least 20 hours per week during the month

Limitation on  
number of  
persons who  
may be treated  
as engaged in  
works by reason  
of participation  
in education  
activities

18 **78.-(1)** For purposes of determining monthly participation rates under  
19 not more' than 30 percent of the number of individuals in all families and in 2-  
20 parent families, respectively. In a State who are treated as engage in work for a  
21 month may consist of individuals who are determined to be engaged in work  
22 for the month by reason of participation in vocational educational training, or  
23 deemed to be engaged in work for the month.

24 (2) In each calendar year the Agency shall publish in the Federal  
25 Gazette, on or before computing benefits under primary insurance and for  
26 adjusting wages and self-employment income in the case of an individual who  
27 becomes eligible for an old-age insurance benefit, or (if earlier) becomes  
28 eligible for a disability insurance benefit or dies, in the following year.

Entitlement to  
hospital insurance  
benefits

29 PART VII - ENTITLEMENT TO HOSPITAL INSURANCE BENEFITS

30 **79.-(1)** Every individual who:

1 (a) has attained the age of 65, and  
2 (b) is entitled to monthly insurance benefits and would be entitled  
3 to Hospital insurance benefits except that he has not filed an application  
4 therefore (or application has not been made for a benefit the entitlement to  
5 which for any individual is a condition of entitlement therefore), or would be  
6 entitled to such benefits but for the failure of another individual, 'who meet  
7 such criteria throughout a month, and, in conformity with regulations of the  
8 Scheme, files an application for hospital insurance benefits.

9 (2) Every individual who:

10 (a) has not attained the age of 65, and

11 (b) is entitled to, and has for 24 calendar months been entitled to:

12 (i) disability insurance benefit,

13 (ii) child's insurance benefits by reason of a disability, or

14 (iii) widow's insurance benefits or widower's insurance benefits by  
15 reason of a disability; or

16 (c) is, and has been for not less than 24 months, a disabled; or

17 (d) has filed an application, in conformity with regulations of the  
18 Scheme, for hospital insurance benefits and would meet the requirements of  
19 subsection (2) as determined under the disability criteria.

20 (3) The filing of the application under this subsection where  
21 deemed to be the filing of an application for the disability-related benefits  
22 shall be entitled to hospital insurance benefits, for each beginning with the  
23 later of January 1, 2013 or if earlier, with the month preceding month which  
24 he attains the age 65.

25 (4) For purposes of subsection (1) (b):

26 (a) entitlement of an individual to hospital insurance benefits for a  
27 month shall consist of entitlement to have payment made under, and subject  
28 to the limitations on his behalf for in-patient hospital services, post-hospital  
29 extended care services, and home health services furnished him in Nigeria  
30 (or outside Nigeria in the case of inpatient hospital services such month,

1 except that no such payment may be made for post-hospital extended care  
2 services furnished before the 11 of January 2013, and no such payment may be  
3 made for post-hospital required to qualify such services for payment which  
4 occurred:

5 (i) after the 31 January 2015, or on or after the first day of the month  
6 which he attains the age of 65, whichever is later, or

7 (ii) if he was entitled to hospital insurance benefits pursuant to  
8 subsection 1 (b) of this section, at a time when he was so entitled; and

9 (b) an individual shall be deemed entitled to monthly insurance  
10 benefits for the month in which he died if he would have been entitled to such  
11 benefits, for such month had he died in the next month.

Determination

12 **80.**-(1) For purposes of determining entitlement to hospital insurance  
13 benefits under this Act in the case of widows and widowers thereof-

14 (a) the term "65 years of age" shall be deemed to read "65" "age" and  
15 the phrase "before she attained 65 years of age" and the phrase "before he  
16 attained 65 years of age" shall each be deemed to read "based on a disability";

17 (b) each month in, the period commencing with the first month for  
18 which an individual is first eligible for supplementary security income benefits  
19 shall be included as one of the 24 months for which such individual must have  
20 been entitled to widow's or widower's insurance benefits on the basis of  
21 disability in order to become entitled to hospital insurance benefits on that  
22 basis.

23 (2) for purposes of determining entitlement to hospital insurance  
24 benefits under this subsection that is in the case of an individual under age 65  
25 who is entitled to benefits or widower's insurance benefits based on disability  
26 for the month before the first month in which such individual was so entitled to  
27 old-age insurance benefits (but ceased to be entitled to such widow's or  
28 widower's insurance benefit upon becoming entitled to such old-age insurance  
29 benefits, such individual shall be deemed to have continued to be entitled to  
30 such widow's insurance benefits or widower's insurance benefits for and after

1 such first month.

2 (3) For purposes of determining entitlement to hospital insurance  
3 benefits under this subsection any disabled widow aged 50 or older who is  
4 entitled to mother's insurance benefits (and who would have been entitled to  
5 widow's insurance benefits by reason of disability if she had filed for such  
6 widower aged 50 or older who is entitled to father's insurance benefits (and  
7 who would have been entitled to widower's insurance benefits by reason of  
8 disability if he had filed for such widower's benefits), upon application for  
9 such widow's or widower's insurance benefits.

10 (4) For purposes of determining entitlement to hospital insurance  
11 benefits under this subsection in the case of an individual in subsection 4 (a)  
12 (ii) of section 104, the entitlement of such individual to widow's or  
13 widower's insurance benefits or by reason of a disability shall be deemed to  
14 be the entitlement to such benefits that would result if such entitlement were  
15 determined without regard to the provisions of this section. The 24 months  
16 for which an individual has to have entitled to specified monthly benefits on  
17 the basis of disability in order to become entitled to hospital insurance  
18 benefits on such basis effective with any particular month (or to be deemed  
19 to have enrolled in the supplementary medical insurance program, or the  
20 basis of such entitlement, where such individual had been entitled to  
21 specified monthly benefits of the same type during a previous period which  
22 terminated:

23 (a) more than 60 months before the month in which his current  
24 disability began or

25 (b) more than 84 months before the month in which his current  
26 disability began; and

27 (c) shall not include any month which occurred during such  
28 previous period, unless the physical or mental impairment which is the basis  
29 for disability is the same as (or directly related to) the physical or mental  
30 impairment which served as the basis for disability in such previous period.

Special provision  
relating to coverage  
under Medicare  
programme

1                   **81.** Notwithstanding any provision to the contrary, every individual  
2                   who:

3                   (a) is fully or currently insured or would be fully or currently insured  
4                   if his service as an employee were included within the meaning of the term  
5                   "employment" for purpose of this Act and were included within the meaning of  
6                   the term "employment" for purposes of this Act;

7                   (b) is entitled to monthly insurance benefits under this Act or would  
8                   be entitled to a monthly insurance benefit if Medicare qualified government  
9                   employment were included within the meaning of the term "employment" for  
10                  purposes on this Act; or

11                  (c) is the spouse or dependent child of an individual described in  
12                  subparagraph (a) or (b); is medically determined to have end state renal  
13                  disease; and has filed an application for benefits under this section; shall, in  
14                  accordance with the succeeding provisions of this section, be entitled to  
15                  benefits and eligible to enroll co-insurance provisions of that Act.

End stage renal  
disease

16                  **82.**-(1) Entitlement of an individual to benefits and eligibility to  
17                  enroll by reasons of this section on the basis of end stage renal disease shall  
18                  begin with:

19                  (a) the third month after the month in which a regular course of renal  
20                  dialysis is initiated, or

21                  (b) the month in which such individual receives a kidney transplant,  
22                  or (if earlier) the first month in which such individual is admitted as an inpatient  
23                  to an institution which is a hospital (and such additional requirements as the  
24                  Scheme may prescribe for such institutions) in preparation for or anticipation  
25                  of kidney transplantation, but only if such transplantation occurs in that month  
26                  or in either of the next two months. Whichever first occurs (but not earlier than  
27                  one year preceding the month of the filing of an application for benefits under  
28                  this section); and

29                  (2) Shall end, in the case of an individual who receives a kidney  
30                  transplant, with the thirty-sixth month after the month in which such individual

1 receives such transplant or, in the case of an individual who has not received  
2 a kidney transplant and no longer requires a regular course of dialysis, with  
3 the twelfth month after the month in which such course of dialysis is  
4 terminated.

5 **83.** Entitlement for HIV/AIDS, cancer and other terminal medical cases shall be based on medical reports of such individual's regulation by the  
6 Scheme. HIV/AIDS  
cancer and other  
terminal illnesses

8 **PART VIII - DISABILITY INSURANCE BENEFIT PAYMENTS**

9 **84.-(1)** Every individual who:

10 (a) has filed an application for disability insurance benefits;

11 (b) has not attained retirement age;

12 (c) is under a disability.

13 (2) Shall be entitled to a disability insurance benefit, for each  
14 month beginning with the first month after his waiting period in which he  
15 becomes entitled to such insurance benefits; or for each month beginning  
16 with the first month during all of which he is under a disability and in which  
17 he becomes so entitled to such insurance benefits, but only if he was entitled  
18 to disability insurance benefits which terminated, or had a period of  
19 disability which ceased, within the 50 month period preceding the first  
20 month in which he is under such disability, and ending with the month  
21 preceding whichever of the following months is the earliest:

22 (a) the month in which he dies;

23 (b) the month in which he attains retirement age;

24 (c) the termination month; or

25 (d) for purposes of the preceding subparagraph, the termination  
26 month for any individual shall be the third month following the month in  
27 which his disability ceases.

28 (3) Except that, in the case of an individual who has a period of trial  
29 work the termination month shall be the earlier of the third month following  
30 the earliest month after the end of such period of trial work with respect to

Disability  
insurance benefit  
payment

1 which such individual is determined to no longer be suffering from a disability,  
2 physical or mental impairment, or the third month following the earliest month  
3 in which such individual engages or is determined able to engage in substantial  
4 gainful activity, but no event earlier than the first month occurring after the 36  
5 months following such period of trial work in which he engages or is  
6 determined able to engage in substantial gainful activity.

Non-payment

7 **85.**-(1) No payment may be made to an individual who would not  
8 meet the definition of disability in this section for any month in which he  
9 engages in substantial gainful activity, and no payment may be made for such  
10 month to any person on the basis of the wages and self-employment incomes of  
11 such person.

12 (2) In the case of a deceased individual, the requirement may be  
13 satisfied by an application for benefits filed with respect to individual within 3  
14 months' after the month in which died.

Amount for  
individual  
disability  
insurance benefit

15 **86.**-(1) An individual's disability insurance benefit for any month  
16 shall be equal to his primary insurance amount for such month as though he had  
17 attained 62 years in:

18 (a) the first month of his waiting period, or

19 (b) the first month for which he become entitled to such disability  
20 insurance benefits, and as though he had becomes entitled to old-age insurance  
21 benefits in the month in which the application for disability insurance benefits  
22 was filed and he was entitled to an old age insurance benefits for each month for  
23 which he was entitled to a disability insurance benefit.

Filing an  
application

24 **87.**-(1) Application for disability insurance benefits filed before the  
25 first month in which the applicant satisfies the requirements for such benefits  
26 shall be deemed a valid application shall be deemed to have been filed in the  
27 first month) only if the applicant satisfies the requirements for such benefits  
28 before the Scheme makes a final decision on the application.

29 (2) Notwithstanding the provision of subsection (1) of this section,  
30 where no request for notice and opportunity for a hearing thereon is made or if

1 such a request is made before a decision made upon the evidence adduced at  
2 the hearing is made (regardless of whether such decision becomes the final  
3 decision of the Scheme) an individual who would have been entitled to a  
4 disability insurance benefits for any month he had filed application  
5 therefore before the end of such month shall be entitled to such benefits for  
6 such month if application is filed before the end 12th month immediately  
7 succeeding such month.

8 **88.**-(1) An individual shall be insured for disability insurance  
9 benefits in any month if he would have been a fully insured individual if he  
10 had attained age of 62 and filed application for the benefits on the first day  
11 such month, and he had not below 20 quarters of coverage during' the 40  
12 quarters period which ends with the quarters in which such month occurred.

Disability  
insurance Scheme

13 (2) If such month ends before the quarters in which he attains (or  
14 would attain) 31 years of age not below one-half (and not below 6) of the  
15 quarters during the period ending with the quarters in which such month  
16 occurred and beginning after he attained years of age where quarter of  
17 coverage, or (if the number of the quarter in such period is below 12) not  
18 below 6 of the quarters in the 12 quarters period ending with such quarter  
19 were quarters of coverage.

20 (3) In the case of an individual (not otherwise insured under this  
21 section who had a prior period of disability that began during a period before  
22 the quarter in which he attains 31 years of age, not below one-half of the  
23 quarters beginning after such individual attained 21 years of age and ending  
24 with the quarter in which such month occurs are quarters of coverage, or (if  
25 the number of quarter in such period is below 12) not below 6 of the quarters  
26 in the 12-quarter period ending with such quarter are quarters of coverage.  
27 Except that the provisions of subsection 2 of this section shall not apply in  
28 the case of an individual who is blind (within the meaning of "blindness").

29 (4) For purposes of subsection 1, 2, 3, of this section, when the  
30 number of quarters in any period is an odd number, such number shall be

1 reduced by one, and a quarter shall not be counted as part of any period by one,  
2 and a quarter shall not be counted as part of any period if any part of such  
3 quarter was included in a period of disability unless such quarter was a quarter  
4 of coverage.

By reason of  
blindness

5 **89.**-(1) In the case of an individual who has attained 55 years of age  
6 and is blind, inability by reason of such blindness to engage in substantial  
7 gainful activity requiring skills or abilities comparable to those of any gainful  
8 activity in which he has previously engaged with some regularity and over a  
9 substantial period of time .

10 (2) For the purpose of subsection (1) an individual shall be  
11 determined to be under a disability only if his physical or mental impairment of  
12 such severity that he is not only unable to do his previous work but cannot,  
13 considering his age, education, and work experience, engage in any other kind  
14 of substantial gainful work which exists in the national economy, regardless of  
15 whether such work exists in the immediate area in which he lives, or whether a  
16 specific job vacancy exists for him or whether he would be hired if he applied  
17 for work.

Disability  
determination  
process

18 **90.**-(1) In determining whether an individual's physical or mental  
19 impairment is of a sufficient medical severity that such impairment could be  
20 the basis of eligibility under this Act, the Scheme shall consider the combined  
21 effect of all of the individual's impairment without regard to whether any such  
22 impairment, if considered separately would be of such severity.

23 (2) If the commission does find a medically severe combination of  
24 impairment the combined impact of the impairment shall be considered  
25 throughout the disability determination process.

26 (3) An individual shall not be considered to be disabled for purposes  
27 of this Act if alcoholism or drug addiction would (but for this subsection) be a  
28 contributing factor material to the commission's determination that the  
29 individual is disabled.

- 1                   **91.**-(1) The Scheme shall by regulations, prescribe the criteria for      Criteria for  
2                   determining when services performed or earnings derived from services      determining  
3                   demonstrate an individual' ability to engage in substantial.      disability
- 4                   (2) No individual who is blind shall be regarded as having  
5                   demonstrated an ability to engage in substantial gainful activity on the basis  
6                   of earning alone.
- 7                   (3) Notwithstanding the provisions of subsection (2), in  
8                   determining whether an individual is able to engage insubstantial gainful  
9                   activity by reason of his earning, where his disability is sufficiently severe to  
10                  result in a functional limitation requiring assistance in order for him to work,  
11                  there shall be excluded from such earning an amount equal to the cost (to  
12                  such individual) of any attendant care services, medical devices, equipment,  
13                  artificial limb and similar items and services (not including routine drugs or  
14                  routine medical services unless such drugs or services are necessary for the  
15                  control of the disabling condition) which are necessary (as determined by  
16                  the Scheme in regulations) for that purposes, whether or not such assistance  
17                  is also needed to enable him to carry out his normal daily functions; except  
18                  that the amount to be excluded shall be subject to such reasonable limits as  
19                  the Scheme may prescribe.
- 20                  **92.** In determining when services performed or earnings derived      Gainful activity  
21                  from services demonstrate an individual's ability to engage in substantial  
22                  gainful activity, the Scheme shall apply the criteria in this Act with respect to  
23                  services performed by any individual with due regard to the legality of such  
24                  services.
- 25                  **93.** An individual shall not be considered to be under a disability      Medical and  
26                  unless he furnishes such medical and other evidence of the existence      scientific  
27                  therefore as the Scheme may require.      evidence required
- 28                  An individual's statement as to pain or other symptoms shall not alone be  
29                  conclusive of disability as defined in this section; there must be medical  
30                  signs and findings, established' by medically acceptable clinical or

1 laboratory diagnostic techniques, which show the existence of a medical  
2 impairment that result from anatomical, physiological, or psychological  
3 abnormalities which could reasonably be expected to produce the pain or other  
4 symptoms all aged and which, when considered with all evidence required to  
5 be furnished under this paragraph (including statements of the individual or his  
6 physician as to the intensity and persistence of such pain or other symptoms  
7 which may reasonably be accepted as consistent with the medical signs and  
8 finding), would lead to a conclusion that the individual is under a disability.

Medical evidence  
by acceptable  
clinical or  
laboratory  
techniques

9 **94.**-(1) Objective medical evidence of pain or other symptom  
10 established by medically acceptable clinical or laboratory techniques must be  
11 considered in reaching a conclusion as to whether the individual is under a  
12 disability.

13 (2) Any Non-Governmental and State hospital, clinic, laboratory, or  
14 other provider of medical services, or physician not in the employ of the  
15 Federal or State Government, which supplies medical evidence required and  
16 requested by the Scheme shall be entitled to payment from the Scheme for the  
17 reasonable cost of providing such evidence.

Medical relevant

18 **95.**-(1) In making any determination with respect to whether an  
19 individual is under a disability or continues to be under a disability, the Scheme  
20 shall consider all evidence available in such individual's case record, and shall  
21 develop a complete medical history of at least the preceding twelve months for  
22 any case in which a determination is made that the individual is not under a  
23 disability.

24 (2) In making any determination the Scheme shall make every  
25 reasonable effort to obtain from the individual's treating physician (or other  
26 treating health care provider) all medical evidence, including diagnostic tests,  
27 necessary in order to properly make such determination, prior to evaluating  
28 medical evidence obtained from any other source on a consultative basis.

Disability  
resulting from  
commission of  
crime

29 **96.**-(1) Notwithstanding any other provision of this Act, (1) Any  
30 physical Or medical impairment which arises in connection with the Scheme of

1 an offence by an individual which constitutes a felony under applicable law  
2 and for which such individual is subsequently convicted or which is  
3 aggravated in connection with such an offence (but only to the extent so  
4 aggravated), shall not be considered in determining whether an individual is  
5 under a disability.

6 (2) Any physical or mental impairment which arises in connection  
7 with an individual's confinement in prison, or other penal institution or  
8 correctional facility pursuant to such individual's conviction of an offence  
9 constituting a felony under any applicable law, or which is aggravated in  
10 connection with such a confinement (but to the extent so aggravated), shall  
11 not be considered in determining whether such individual is under a  
12 disability for purposes of benefits payable for any month during which such  
13 individual is so confined.

14 97.-(1) No benefit shall be payable under this section to an  
15 individual for any month, after the third month, in which he engages in  
16 substantial gainful activity during the 36- months period following the end  
17 of his trial work period employment income of an individual entitled to a  
18 benefit under subsection (1) of this section for any month for which the  
19 benefit of such individual under subsection is not payable under this section.

Exceptions in  
case of gainful  
employment

20 98. A recipient under this Act based on the disability by reason of  
21 any mental or physical impairment may be determined not to be entitled to  
22 such benefits on the basis of a finding that physical or mental impairment on  
23 the basis of which such benefits are provided has ceased to exist, or is not  
24 disability only if such finding is supported by:

Standard for  
review for  
termination of  
disability

25 (a) substantial evidence which demonstrates that there has been  
26 any medical improvement in the individual's impairment or combination of  
27 impairments (other medical improvement which is not related to the  
28 individual's ability to work);

29 (b) and the individual is now able to engage in substantial gainful  
30 activity; or

1 (c) substantial evidence which consists of new medical evidence and  
2 a new assessment of the individual's residual functional capacity; and

3 (i) Although the individual has not improved medically, he or she is  
4 nonetheless a beneficiary of advances in medical or vocational therapy or  
5 technology (related to the individual's ability to work), and the individual is  
6 now able to engage in substantial gainful activities;

7 (ii) States that although the individual has not improved medically, he  
8 or she has undergone vocational therapy (related to the individual's ability to  
9 work), and the individual is now able to engage in substantial gainful activity;

10 (iii) Substantial evidence which demonstrates that, as determined on  
11 the basis of new or improved diagnostic techniques or evaluations the  
12 individual's impairment or combination of impairment is not as disabling as it  
13 was considered to be at the time of the most recent prior decision that he or she  
14 was under a disability or continued to be under a disability, and that therefore  
15 the individual is able to engage in substantial gainful activity; and

16 (iv) Substantial evidence (which may be evidence on the record at the  
17 time any prior determination of the entitlement to the benefits based on  
18 disability was made, or newly obtained evidence which relates to that  
19 determination) which demonstrates that a prior determination was in error.

20 PART IX - REHABILITATION SERVICES.

Period of trial  
work

21 **99.**-(1) The term "period of trial work", with respect to an individual  
22 entitled to benefits, means a period of months beginning and ending as  
23 provided in subsections (3) and (4) of this section.

24 (2) Any services rendered by an individual during a period of trial  
25 work shall be deemed not to have been rendered by such individual in  
26 determining whether his disability has ceased in a month during such period.  
27 For purposes of this sub-section the term "services" means activity (within  
28 legal precincts) which is performed for remuneration or gain or is determined  
29 by the Agency to be of a type normally performed for remuneration or gain.

30 (3) A period of trial work for any individual shall begin with the month

1 in which he becomes entitled to disability insurance benefits, or, who has  
2 attained the age of eighteen, with the month in which he becomes entitled to  
3 such benefits or the month in which he attains the age of eighteen, whichever  
4 in the case of an individual entitled to widow's or widower's insurance  
5 benefits who became entitled 1-0 such benefits prior to attaining 60 years-or  
6 age. with the month in which such individual becomes so entitled.

7 (4) Notwithstanding the preceding subsection, no period of trial  
8 work may begin for any individual prior to the beginning of the month  
9 following the month in which this Act is enacted; and no such, period may  
10 begin for an individual in a period of disability of such individual in which  
11 he had a previous period of trial work.

12 (5) A period of trial work for any individual shall end with the close  
13 of whichever of the following months is the earlier:

14 (a) the Ninth month, in any period of 60 consecutive months, in  
15 which the individual renders services (whether or not such nine months are  
16 consecutive); or

17 (b) the month in which his disability ceases.

18 **100.** For purposes of making vocational rehabilitation services  
19 more readily available to disabled individuals who are:

Costs of  
rehabilitation  
services from  
trust funds

20 (a) entitled to disability insurance benefits;

21 (b) entitled to child's insurance benefits after having attained 18  
22 years of age (and are under a disability);

23 (c) entitled to widow's insurance benefits prior to attaining 60 years  
24 of age; or

25 (d) entitled to widower's insurance benefits prior to attaining 60  
26 years of age to the end that savings will accrue to the Rehabilitation Funds

27 J

28 (2) For the purpose of rehabilitating such individuals, there is  
29 authorized to be appropriated for each fiscal year such sums as may be  
30 necessary to enable the Scheme obtain the reasonable and necessary cost s of

	1	vocational rehabilitation services furnished such individuals (including
Refusal to accept vocational rehabilitation	2	services during their waiting periods).
	3	<b>101.</b> -(1) In cases where the furnishing of such services results in the
	4	performance by such individuals of substantial gainful activity for a
	5	continuous period of nine months, and where such individuals receive benefits
	6	(except that no reimbursement under this Act shall be made for services
	7	furnished to any individual receiving such benefits for any period after the
	8	close of such individual's ninth consecutive month of substantial gainful
	9	activity or the close of the month in which his entitlement to such benefits
	10	ceases, comes first).
	11	(2) In cases where such individuals, without good cause, refuse to
	12	continue to accept vocational rehabilitation services or fail to cooperate in such
	13	a manner as to preclude their successful rehabilitation services to the
	14	successful return of an individual, without good cause, refused to continue to
	15	accept vocational rehabilitation services or failed to cooperate in such a
	16	manner as to preclude successful rehabilitation, and the determination of the
	17	amount of costs to be reimbursed under this subsection shall be made by the
Mode of payment	18	Scheme in accordance with criteria formulated by the Scheme.
	19	<b>102.</b> -(1) The Scheme may provide services in agreement, or contract
	20	with other public or private agencies, organizations, institutions, or
	21	individuals. The provision of such services shall be subject to the same
	22	conditions as apply under section 1.
	23	(2) Payments under this subsection shall be made in advance or by
	24	way of reimbursement, with necessary adjustments for overpayments,
	25	underpayment I and treatment Referrals for Individuals with an Alcoholism or
	26	Drug Addiction Condition.
Duties of the Scheme on rehabilitation	27	<b>103.</b> The Scheme shall carry out the following activities:
	28	(1) The Scheme shall ensure that job placement centers are
	29	established in every Local Government Area are consistent with provisions of
	30	the Constitution of the Federal Republic of Nigeria.

1 (2) The job placement centres established under this Act shall  
2 provide employment services to individuals who receive assistance under  
3 this Act:

4 (3) Any person who receives assistance under this Act shall register  
5 with the job placement centre in the Local Government Area where he  
6 resides.

7 (4) The Scheme shall through job placement centres established  
8 under this Act in collaboration with the National Population Commission  
9 collate, collect and maintain a data on employment and unemployment in  
10 Nigeria.

11 (5) The Agency shall established and maintain asylums for persons  
12 of all manner of diseases and ailments including leprosy, lame and invalids.

13 (6) The Scheme shall establish and run special homes for old  
14 persons, widows, widowers, the lame, blind, orphans, homeless and  
15 motherless and destitute.

16 (7) Nothing in this Act shall preclude the Scheme from  
17 collaborating with other Governmental agencies and non-governmental  
18 organizations engaged in the specific area of social welfare services.

Jurisdiction of  
courts

19 PART X - JURISDICTION OF COURTS

20 **104.**-(1) The Federal High Court or High Court of a State or the  
21 High Court of Federal Capital Territory shall have jurisdiction to try  
22 offences under this Act.

23 (2) The Court shall have power, notwithstanding anything to the  
24 contrary in any other enactment to hear and determine every Civil and  
25 Criminal proceeding arising from this Act.

26 (3) Every Court shall give accelerated hearing to proceedings  
27 under this Act and shall ensure that undue technicalities and delays are  
28 avoided in proceedings under this Act.

Action may be  
concluded within  
one year

29 **105.**-(1) The Court may on its own motion or on the application of  
30 parties that direct proceedings under this Act be concluded within one

	1	calendar year from the date the proceedings commenced.
Grievance	2	(2) The Chief Judge of the Federal High Court or a High Court of a
	3	State or the High Court of the Federal Capital Territory, shall by an order,
	4	designate a Court of competent jurisdiction to hear and determine all cases or
	5	other offences arising under this Act.
Appeal	6	<b>106.</b> Each State Scheme to which a grant is made under this Act shall
	7	establish and maintain a procedure for grievances or complaints from
	8	employees and claimants alleging violations of rights.
Judicial review of adverse decision	9	<b>107.</b> Not later than 30 days after a complainant receives an adverse
	10	decision under the procedure the complainant may appeal the decision to a
	11	Claims Appeal Panel which shall be independent of the arms of Government
	12	that is administering the programs operated with funds provided under this Act.
Establishment of claims Appeal Panel	13	<b>108.</b> Within 90 days after the date of a final decision by the Claims
	14	Appeal Panel under this section with respect to an adverse decision, the
	15	claimant or grievant decision may obtain judicial review of the final decision
	16	(and the findings incorporated into the final decision) by filing an action in the
	17	Federal or State High Court by way of Judicial review in accordance with the
	18	Civil procedure rules of the relevant High Court.
Restriction on proceeding	19	<b>109.-(1)</b> There shall be established by the Scheme in every Local
	20	Government of the Federation a Claims Appeal Panel, whose members shall
	21	be:
	22	(a) a legal Practitioner not below 7 years at the Bar;
	23	(b) a police officer not below the rank of Superintendent;
	24	(c) a civil servant not below level 14.
	25	<b>110.-(1)</b> No staff or agent of the Scheme shall be sued or any
	26	proceedings commenced or continued against such staff or agent on account of
	27	act or omission to act under this Act without leave of the High Court.
	28	(2) The claimant may by notice appeal the action, in whole or in part,
	29	to the Claims, Appeal Panel (in this section referred to as the Panel) by filling an
	30	appeal.

1 (3) The Claims Appeal Panel shall not be bound by strict rules of  
 2 Evidence under the evidence Act, but shall adopt any rule of procedure that  
 3 shall ensure that justice is done.

4 (4) The Claims Appeal Panel shall consider an appeal filed by a  
 5 claimant on the basis of such documentation as the Scheme and the claimant  
 6 may submit and as the Panel may require to support the decision of the  
 7 Panel.

8 (5) In deciding whether to uphold an adverse action or any portion  
 9 of such an action, the Panel shall conduct a thorough review of the issues and  
 10 take into account any relevant evidence.

11 (6) The Panel shall make a final determination with respect to an  
 12 appeal filed not more than 60 days after the date the appeal is filed.

Procedure and  
 hearing

13 **111.**-(1) The Scheme shall within 14 days after the date the  
 14 commencement of any adverse action under this Act with respect to a  
 15 claimant, the Scheme shall notify the claimant of the adverse action,  
 16 including any penalty thereto.

17 (2) The procedure adopted shall include an opportunity for fair  
 18 hearing and remedies for violation of rights which may continue during the  
 19 pendency of the 'this Act and may include:

20 (a) suspension or termination of payments from funds provided  
 21 under this Act;

22 (b) prohibition of placement of a participant with an employer that  
 23 has violated the provision of this Act;

24 (c) where applicable, reinstatement of an employee, payment of  
 25 lost wages and benefits, and re-establishment of other relevant terms,  
 26 condition and privilege of employment; and

27 (d) where appropriate other equitable relief.

Establishment of  
 Old-age reserve  
 account

28 **PART XI - ESTABLISHMENT OF OLD AGE RESERVE ACCOUNT**

29 **112.** The Scheme shall maintain a special Account to be known as  
 30 Old-Age Reserve Account.

Appropriation  
 for Old Age  
 benefits

Director to be qualified	1	<b>113.</b> The Scheme shall appropriate to the account for every fiscal year
	2	an amount sufficient for payments for Old-age benefits.
	3	<b>114.</b> The Old-age Reserve Account shall be operated by a Director
	4	appointed by the Scheme who shall be a person sufficiently qualified as a
Submission of statement	5	chartered accountant or chartered banker or a Pension consultant of not below
	6	10 years post qualification experience.
Director may invest funds	7	<b>115.</b> The Director shall for each financial year submit to the Scheme
	8	statement of an estimate of the appropriations to be made to the Account.
	9	<b>116.</b> It shall be the duty of the director to invest such portion of the
	10	amount credited to the Account as is not, in his judgment required to meet
Annual report	11	current withdrawals, provided that such investment shall be put in an interest
Old age benefits payments	12	yielding account, which interest shall form part of the Account.
	13	<b>117.</b> The Director shall prepare an annual report of the Account.
	14	<b>118.</b> -(1) Every qualified individual under this Act shall be entitled to
	15	receive, with respect to the period beginning on the date he attains the age of
	16	sixty-five or 1st January, 2013, whichever is the later, and ending on the date of
	17	his death, an old-age benefit (payable as nearly as practicable in equal monthly
	18	installments) as follows:
	19	(a) if the total wages (as defined in its Act determined by the Scheme
	20	to have been paid to him, with respect to employment after 31st. December
	21	2013, and before he attained the age of sixty-five, were not more than N50,000
	22	the old-age benefit shall be monthly at one-half of per-cent of such total wages;
	23	(b) if such total wages were more than N50,000 the old-age benefit
	24	shall be at a monthly rate equal to the sum of the following:
	25	(i) one-half of 1 per-cent of N50,000 plus,
	26	(ii) one-half of 1 per-cent of the amount which such total wages
	27	exceeded N50,000 and did not exceed N50,000 plus,
	28	(iii) One-twenty-fourth of 1 percent of the amount by which such total
	29	wages exceeded N6,000,000.
	30	(2) If the Scheme finds at anytime that more or less than the correct

1 amount has theretofore been paid to any individual under this section, then  
2 under regulations made by the Scheme proper adjustments shall be made in  
3 connection with subsequent payments under this section to the same  
4 individual.

5 (3) Whenever the Scheme finds that any qualified individual has  
6 received wages with respect to regular employment after, he attained the age  
7 of sixty-five the old-age benefit payable to such individual shall be reduced,  
8 for each calendar month in any part of which such regular employment  
9 occurred, by an amount equal to one months benefit.

10 (4) Such reduction shall be made, under regulations prescribed by  
11 the Scheme by deductions from one or more payments of old-age benefits to  
12 such individual.

Payment upon  
death

13 **119.-**(1) If any individual dies before attaining the age of sixty-  
14 five, there shall be paid to his estate an amount equal to 3 1/2 per cent of the  
15 total wages to be determined by the Scheme to have been paid to him, with  
16 respect to employment after 31st December, 2015.

17 (2) If the Scheme finds that the correct amount of the old-age  
18 benefit payable to a qualified individual during his life was less than 3 1/2  
19 per cent of the total wages by which such old-age benefit was measurable,  
20 then there shall be paid to his estate a sum equal to the amount, if any, by  
21 which such 3 1/2 per cent exceeds the amount (whether more or less than the  
22 correct amount) paid to him during his life as old-age benefit).

23 (3) If the Scheme finds that the total amount paid to a qualified  
24 individual under an old- age benefit during his life was less than the correct  
25 amount to which he was entitled under this Act and that the correct amount  
26 of such old-age benefit was 3 1/2 per cent, or more of the total wages by  
27 which such old-age benefit was measurable.

28 (4) The there shall be paid to his estate a sum equal to the amount, if  
29 any, by which the correct amount of the old-age benefit exceeds the amount  
30 which was so paid to him during his life.

Payment to aged  
individual not  
qualified for  
benefit

1                   **120.**-(1) There shall be paid in a lump sum to any individual who upon  
2                   attaining the age of sixty-five, is not a qualified individual an amount equal to  
3                   3112 per cent of the total wages determined by the Scheme to have been paid to  
4                   him, with respect to employment after 31st December, 2015, and before he  
5                   attained the age of sixty-five.

6                   (2) After any individual becomes entitled to any payment under  
7                   subsection (1) of this section no other payment shall be made under this title in  
8                   any manner measured by wages paid to him, except that any part of any  
9                   payment which is not paid to him before his death shall be paid to his estate.

Amount of  
N25,000 or less  
payable to estate

10                  **121.** The amount payable to an estate under this section is N25,000  
11                  and may, under regulations prescribed by the Scheme be paid to the persons  
12                  found by the Scheme to be entitled thereto without the necessary of compliance  
13                  with the requirements of law with respect to the administration of such estate.

Over payments  
during life

14                  **122.** Where Scheme finds that the total amount paid to a qualified  
15                  individual under an old-age benefit during his life was more than the correct  
16                  amount to which he was entitled under this Act and was 3112 per cent or more  
17                  of the wages by which such old-age benefit was measurable then upon his death  
18                  there shall be repaid to the Scheme by his beneficiaries in-title the amount, by  
19                  which such total amount paid to him during his life exceeds the correct amount  
20                  to which he was entitled.

Method of  
making payments

21                  **123.** The Scheme shall from time to time certify to the director the  
22                  name and address of each person entitled to receive a payment under this Act  
23                  the amount of such payment, and the time at which it should be made, and the  
24                  director shall subject to this Act make payment in accordance with the  
25                  certification by the Scheme.

Benefits at 75  
years of age for  
certain uninsured  
individual

26                  **124.**-(1) Every individual who has attained 75 years of age and is a  
27                  resident of the Federal Republic of Nigeria and is a citizen of the Federal  
28                  Republic of Nigeria or alien lawfully admitted for permanent residence who  
29                  has resided in the time continuously during the 5 years immediately preceding  
30                  the month in which he filed application under this section.

1 (2) Has filed application for benefits under this section, shall  
2 (subject to the limitations in this section) be entitled to a benefit under this  
3 section for each month beginning with the first month in which he or she  
4 becomes so entitled to such benefits and ending with the month preceding  
5 the month in which he dies. No application under this section which is filed  
6 by an individual more than 3 months before the first month in which he  
7 meets the requirements of subsection (1), (2) and (3) shall be accepted as an  
8 application for purposes of this section.

9 (3) The benefit amount to which an individual is entitled under this  
10 section for any month shall be the amount most recently established by the  
11 Scheme.

12 (4) The benefit amount of any individual under this section for any  
13 month shall be reduced (but not below zero) by the amount for any periodic  
14 benefit under a governmental pension system for which he is eligible for  
15 such month.

16 **125.** In the case of a husband and wife only one of whom is entitled  
17 to benefits under this section for any month, the benefit amount, after any  
18 reduction under paragraph (1), shall be further reduced (but not below zero)  
19 by the excess (if any) of the total amount of any periodic benefits under  
20 governmental pension systems for which the spouse who is not entitled to  
21 benefits under this section is eligible for such month, over the benefit  
22 amount as determined without regard to this section.

23 **126.-(1)** In each calendar year the Scheme shall publish in the  
24 federal gazette, on or before the November the formula for computing  
25 benefits under primary insurance and for adjusting wages and self-  
26 employment income in the case of an individual who becomes eligible for an  
27 old-age insurance benefits or dies, in the following year.

28 (2) A year shall not be counted as the year of an individual's death  
29 or eligibility for the purposes of this subsection:

30 (i) in any case where such individual was entitled to a disability

Reduction for  
government  
pension scheme  
under the pension  
Act

Publication of  
formula for  
computing  
benefits

1 insurance benefit for any of the 12 months immediately preceding the month of  
2 such death or eligible for the disability insurance benefit or benefit to which he  
3 was entitled during such 12 months;

4 (ii) in the case of an individual who was entitled to a disability  
5 insurance benefit for any of the 12 months before the month in which he  
6 became entitled to an Old-age insurance benefit, became entitled to a disability  
7 insurance benefits, or died, the primary insurance amount for determining any  
8 benefit attributable to that entitlement, resettlement, or death is the greater.

9 (iii) in the primary insurance amount upon which such disability  
10 insurance benefit was based, increased by the amount of each general benefit  
11 increase that would have applied to such primary insurance amount had the  
12 individual remained entitled to such disability insurance benefit until the  
13 month in which he became so entitled or retired or died; the case of an  
14 individual who was entitled to a disability insurance benefit for any month, and  
15 with respect to whom a primary insurance amount is required to be computed at  
16 any time after the close of such of the period of the individual's disability  
17 whether because of such individual's subsequent entitlement to old-age  
18 insurance benefits or to a disability insurance benefit based upon a subsequent  
19 period of disability, or because of such individual's death) the primary  
20 insurance amount so computed may in no case be less than the primary  
21 insurance amount with respect to such former disability insurance benefit was  
22 most recently determined.

23 (3) For purpose of this act Individual is deemed to be eligible for old-  
24 age insurance benefits, for month beginning with the month in which he attains  
25 62 years of age, or for disability insurance benefits, for the months beginning  
26 with the month in which his period of disability began as provided under this  
27 Act except as provided in subsection (2) in cases where fewer than 12 months  
28 have elapse since the termination of a prior period of disability.

29 **127.-(1)** In the case of a husband and wife of whom are entitled to  
30 benefits under this section for any month, the benefit amount of each spouse,

1 after any reduction under this section shall be further reduction (but not  
 2 below zero) by the excess (if any) of (a) the total amount of any periodic  
 3 benefits under governmental pension systems for which the other spouse is  
 4 entitled for such month, over the benefit amount of such other spouse as  
 5 determined without regard to this paragraph.

6 (2) For purposes of this subsection, in determining whether an  
 7 individual is eligible, for periodic under a governmental pension system,  
 8 such individual shall be deemed to have filed application for such benefits,  
 9 to the extent the entitlement depends on an application by such individual's  
 10 spouse, such spouse shall be deemed to have application, and to the extent  
 11 that entitlement depends on such individual or his or her spouse having  
 12 retired, such individual and his or her spouse shall be deemed to have retired  
 13 before the month for which the determination of eligibility is being made.

Eligibility  
formula

14 **128.** In each calendar year the Scheme shall adopt a formula which  
 15 is to be applicable to individuals who become eligible for old-age or  
 16 disability insurance benefits, or who die (before becoming eligible for such  
 17 benefits), in the following calendar year.

Time of eligibility

18 **129.** A year shall not be the year of an individual's death or  
 19 eligibility in any case where such individual was entitled to a disability  
 20 insurance benefit for any of the 12 months immediately preceding the month  
 21 of such death or eligibility (but there shall be counted instead the year of the  
 22 individual's eligibility for the disability insurance benefits to which he was  
 23 entitled during such 12 months).

Non-reduction  
on basis of wages  
and self-  
employment

24 **130.** When an individual who is entitled to benefits on the basis of  
 25 the wages and self-employment income of any insured individual and to  
 26 whom this section applies would be entitled to child's insurance benefits for  
 27 a month in the basis of the wages and self-employment income of one or  
 28 more other insured individuals, the total monthly benefits to which all  
 29 beneficiaries are entitled on the basis of such wages and self-employment  
 30 income shall not be reduced.

Entitlement on  
grounds of divorce

- 1                   **131.** When any individual is entitled to monthly benefits as a divorced  
2 spouse:  
3                   (a) or as a surviving divorced spouse; or  
4                   (b) for any month, the benefit to which he or she is entitled on the basis  
5 of the wages and self-employment income of such insured individual for such  
6 month shall be determined without regard to this section, and the benefits of all  
7 other individuals who are entitled to such monthly benefits on the wages and  
8 self-employment income of such insured individual shall be determined as if  
9 no such divorced spouse or surviving divorced spouse were entitled to benefits  
10 for such month.
- Total monthly  
benefits on  
grounds of wages  
and self-  
employment
- 11                   **132.** The provision of any other law notwithstanding, when:  
12                   (i) two or more persons are entitled to monthly benefits for a  
13 particular month on the basis wages and self-employment income of an insured  
14 individual and for such particular month) the provision of this subsection are  
15 applicable to such monthly benefits; and  
16                   (ii) such individual's primary insurance amount is increased for the  
17 following month under any provision of this Act, then the total of monthly,  
18 benefits for all persons on the basis of such wages and self-employment  
19 income for such particular month, as determined under the provisions of this  
20 subsection, shall for purposes of determining the total monthly benefits for all  
21 persons on the basis of such wages and self-employment income for months  
22 subsequent to such particular month be considered to have been increased by  
23 the smallest amount that would have been required in order to assure that the  
24 total of monthly benefits payable on the basis of such wages and self-  
25 employment income for any such subsequent month will not be less.
- Rules, regulations  
and standard for  
increasing and  
reducing benefits
- 26                   **133.**-(1) It shall be duty of the Scheme to set up rules, regulations and  
27 standard for increasing and reducing benefits to persons under this Act:  
28 Provided that the Scheme shall have regard to the insurance Act, the National  
29 Health Insurance Act, Contributory Pensions Act.  
30                   (2) Not be later than six (6) months after the end of every fiscal year,

1 the Scheme shall transmit to the National Assembly a report describing:  
 2 (a) whether the State Agency are meeting:  
 3 (i) the participation rates as Prescribed by this Act,  
 4 (ii) The objects of increasing employment and earnings of indigent  
 5 families, and child support collections; and  
 6 (b) decreasing teenage pregnancies and child abuse;  
 7 (c) the demographic and financial characteristics of families  
 8 applying for assistance, receiving assistance, and families that become  
 9 ineligible to receive assistance;  
 10 (d) the characteristic of each State Agency program funded under  
 11 this Act;  
 12 (e) the trends in employment and earnings of indigent families with  
 13 dependents living at home  
 14 (2) With respect to families and individuals participating in a  
 15 programme operated with funds provided under Act:  
 16 (a) the total number of such families and individuals;  
 17 (b) the number of such families and individual whose participation  
 18 in such a program was terminated during a month.  
 19 (3) The Scheme shall prescribe such regulations as may be  
 20 necessary to define the data elements with respect to which reports are  
 21 required by this subsection, and shall consult with the Ministers of Labor,  
 22 Health and Social Security in formulating data with respect to programs  
 23 operated with funds provided under this Act.

Reports to the  
Minister

24 PART XII - MISCELLANEOUS PROVISIONS

25 **134.** The Scheme shall submit to the minister report of its activities  
 26 every (6) months from the date of the inauguration of the Scheme.

Annual report to  
the National  
Assembly

27 **135.** The Scheme shall submit to the National Assembly an Annual  
 28 Report of its activities.

Repeal

29 **136.** At the commencement of this Act, the Department for Public

Savings	1	Assistance to Widows, Dependent Children and Orphans of the Ministry of
	2	health shall cease to exist.
	3	<b>137.</b> Nothing in this Act shall invalidate the Provisions of the Pension
	4	Reforms Act 2004:
Penalty	5	(a) Nothing in this Act shall invalidate the provision of the National
	6	Health Insurance Scheme Act Laws of the Federation of Nigeria, 2004.
	7	<b>138.</b> -(1) Any person who in any application for any payment under
	8	this Act makes any false statement as to any material facts knowing same to be
	9	false shall be guilty of an offence and shall on conviction be sentenced to
	10	imprisonment for not less than seven years or a fine for One Million Naira or
	11	both.
	12	(2) The Claims appeal panel and the court shall in imposing penalty
Right under the Act	13	under this Act take into consideration the severity of the Act and whether
	14	failure to act is intentional.
	15	<b>139.</b> The right of any person to any payment under this Act shall not
	16	be transferable, and none of the sums paid or payable or rights existing under
Interpretation	17	this Act shall be subject to execution, levy, attachment, Garnishee proceedings,
	18	Bankruptcy, insolvency or any such legal process.
	19	<b>140.</b> In this Act except the context otherwise admits:
	20	"Spouse" means a wife;
	21	The term "surviving spouse" means a widow or a widower;
	22	The term "wife" means the wife of an individual, but only if she:
	23	(i) is the mother of his son or daughter, was married to him for a period
	24	of not less than one year immediately preceding the day on which her
	25	application is filed, or
	26	(ii) in the month prior to the month of her marriage to him:
	27	(a) was entitled to, or on application therefore and attainment of 62
	28	years of age in such prior month would have been entitled to, benefits had
	29	attained eighteen years and was entitled to;
	30	(b) on application therefore would have been entitled to, benefits;

1 (c) was entitled to, or upon application therefore and attainment of  
2 the required age (if any) would have been entitled to, a widow's child's (after  
3 attainment of 18 years of age), for purposes of clause.

4 (2) A wife shall be deemed to have been married to an individual  
5 for a period of one year throughout the month in which occurs the first  
6 anniversary of her marriage to such individual a divorced wife shall be  
7 deemed not to be married throughout the month in which she becomes  
8 divorced:

9 The term "Fully insured individual" means any individual who had not  
10 below 1st - 31st December, 2013, quarter of coverage (whenever acquired)  
11 for each calendar year (or, if later, the year in which he attained 21 years) and  
12 before the year in which he died or if earlier the year in which he attained 62  
13 years of age, except that in no case shall an individual be a fully insured  
14 individual unless he has at least 6 quarters of coverage, or

15 (2) 40 quarters of coverage, or

16 (3) in the case of an individual who died before 1st January, 2013, 6  
17 quarters of coverage, not counting as an elapsed year any year part of which  
18 was included in a period of disability currently insured individual.

19 (b) "Currently insured individual" means any individual who had  
20 not less than six quarters of coverage during the thirteen quarter period  
21 ending with:

22 (i) the quarter in which he died,

23 (ii) the quarter in which he became entitled to old-age insurance  
24 benefits, the quarter in which he became entitled to primary insurance  
25 benefits under this title as in effect prior to the enactment of this Act, or

26 "Social security system" means, with respect to a foreign country, a social  
27 insurance or pension system which is of general application in the country  
28 and under which periodic benefits, or the actuarial equivalent thereof, are  
29 paid on account of old age, death, or disability; and

30 The term "period of coverage" means a period of payment of contributions

1 or a period of earnings based on wages for employment or on self-employment  
2 income, or any similar period recognized as equivalent thereto under this Act or  
3 under the social security system of a country which is a party to an agreement  
4 entered into Crediting periods of coverage; conditions of payment of benefit.

5 "Political subdivision" includes an instrumentality of:

6 (a) a State,

7 (b) one or more political subdivisions of a state, or

8 (c) a state and one or more of its political subdivisions.

9 "Employee" includes an officer of the Federal or State Government or political  
10 subdivisions;

11 "Retirement system" means a pension, annuity, retirement, or similar fund or  
12 system established by a state or by a political subdivision thereof.

13 "Coverage group" means:

14 (a) employee of the state other than those engaged in performing  
15 service in connection with a proprietary function;

16 (b) employee of a political subdivision of a State other than those  
17 engaged in performing service in connection with a proprietary function;

18 (c) employee of a state engaged in performing service in connection  
19 with a single proprietary function; or

20 (d) employee of a political subdivision of a state engaged in  
21 performing service in connection with a, single proprietary function.

22 "Wages" means all remuneration for employment, including the cash value of  
23 all remuneration paid in any medium other than cash, except that such term shall  
24 not include that part of the remuneration with, after remuneration equal to  
25 N50,000 has been paid to an individual by an employer with respect to  
26 employment during any calendar year, is paid to such employer with respect to  
27 employment during such calendar year.

28 "Adult" means an individual who is not a minor.

29 "Minor" means an individual who:

30 (a) has not attained 18 years of age; or

1 (b) has not attained 19 years of age and is a full-time student in a  
2 secondary school (or in the equivalent level of vocational or technical  
3 training).

4 "Fiscal year" means any 12-months period ending on 30th December of a  
5 calendar year.

6 "Child welfare services" means public social services, which are directed  
7 toward the accomplishment of the following purposes:

8 (a) Protecting and promoting the welfare of all children,

9 (b) Including handicapped, homeless, dependent, or neglected  
10 children;

11 (c) preventing or remedying, or assisting in the resolution of  
12 problems which may result in, the neglect, abuse, exploitation, or  
13 delinquency of children; preventing the unnecessary separation of children  
14 from their families by identifying family problems, assisting families in  
15 resolving their problems, and preventing breakup of the family where the  
16 prevention of child removal is desirable and possible;

17 (d) restoring to their families' children who have been removed, by  
18 the provision of services to the child and the families;

19 (e) placing children in suitable foster homes, in cases where  
20 restoration to the biological family is not possible or appropriate;

21 (f) assuring adequate care of children away from their homes, in  
22 cases where the child cannot be returned home or cannot be placed for  
23 adoption.

24 In conjunction with other income and resources, meet all the need of the  
25 individuals with respect to whom such payments are made;

26 Undertaking and continuing special efforts to protect the welfare of such  
27 individual and to improve, to the extent possible, his capacity for self-care  
28 and to manage funds.

29 Periodic review by the Agency or its agents for the determination to  
30 ascertain whether conditions justifying such determination still exist, with

1 provision for termination of such payments if they do not and for seeking  
2 judicial appointment of a guardian or other legal representative, if and when it  
3 appears that such action will best serve the interest of such needy individual.  
4 Opportunity for a fair hearing before the state agency on the determination  
5 referred to in the Act for any individual with respect to whom it is made.

6 At the option of a state (if its plan approved under this Act so provides), such  
7 term need not include money payments to an individual who has been absent  
8 from such state for a period in excess of 90 consecutive days (regardless of  
9 whether he has maintained his residence in such state during such period) until  
10 he has been present in such state for 30 consecutive days in the case of such an  
11 individual who has maintained his residence in such state during such period or  
12 90 consecutive days in the case of any other such individual, and may include  
13 rent payments made directly to a public housing agency on behalf of a  
14 recipient or a group or groups of recipients of assistance under such plan.

15 Fully insured individual" means any individual who has not below:

16 One quarter of coverage (whenever acquired) for each calendar year elapsing  
17 after 31st December, 2013, (or, if later, the year in which he attained 21 years of  
18 age) and before the year in which he died or (if earlier) the year in which he  
19 attained 62 years of age, except that in no case shall an individual be a fully  
20 insured individual unless he has at least 6 quarters of coverage.

21 (1) 40 quarters of coverage.

22 (2) In the case of an individual who died before 31st December, 2013,  
23 6 quarters of coverage.

24 Not counting as an elapsed year any year any part of which was included in a  
25 period of disability currently insured individual.

26 "Currently insured individual" means any individual who had not less than six  
27 quarters of coverage during the thirteen quarters period ending with:

28 (a) the quarter in which he died,

29 (b) the quarter in which he became entitled to old-age insurance  
30 benefits,

1 (c) the quarter in which he become entitled to primary insurance  
2 benefits under this title as in effect prior to the enactment of this section, in  
3 the case of any individual entitled to disability insurance benefits, the  
4 quarter in which he most recently become entitled to disability insurance  
5 benefits, not counting as part of such thirteen-quarter period any quarter any  
6 part of which was included in a period of disability unless such quarter was a  
7 quarter of coverage.

8 (1) "Eligible applicant" means a non Governmental organization  
9 for a service delivery area in ,a state, a political subdivision of a state, or a  
10 private entity applying in conjunction with a government agency for such a  
11 service delivery area or with such a political subdivision, that submits a  
12 proposal developed in consultation with the Governor of the state.

Citation

13 **141.** This Act may be cited as the Nigerian Social Security Scheme  
(Establishment etc,) Bill, 2016.

#### EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigerian Social Security Scheme which shall formulate policies for government's approval and implementation, establishment of a workable Social Security Scheme, to ensure Acquisition of Bio-metrics of all Nigerians for multi- purpose use or a Social security number system, administer children, aged, orphans and elderly welfare programmes; the management of the Scheme's finances and activities; to ensure a functional Nigerian Social Security scheme and other incidental matters related therewith.