

A BILL

FOR

AN ACT TO PROVIDE MEASURES AIMED AT CREATING AND PROMOTING COORDINATION IN YOUTH DEVELOPMENT AND FOR THAT PURPOSE ESTABLISH THE NATIONAL YOUTH DEVELOPMENT COMMISSION AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH

Sponsored by Senator Obinna Ogba

[] Commencement

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

1 1. In this Act, unless the context otherwise indicates- Interpretation

2 "Commission" means the National Youth Development Commission
3 established by section 2;

4 "Board" means the Board of the Commission referred to in section 8;

5 "National Youth Development Policy" means the National Youth
6 Development Policy referred to in section 3(a);

7 "Financial Year" means the period from 1st April in any year to 31st March in
8 the next year;

9 "Members" means a member of the Board appointed in terms of section 9;

10 "Prescribed" means prescribed by regulation in terms of section 19;

11 "Regulation" means any regulation made in terms of section 19;

12 "This Act" includes any regulation promulgated in terms of this Act;

13 "Youth" means persons between the ages of 14 and 35.

14 2.-(1) There is hereby establish an Commission to be known as the Establishment
15 National Youth Development Commission (in this Act referred to as the of Commission
16 Commission).

17 (2) The Fund shall be a body corporate with perpetual succession
18 and a common seal;

19 (3) May sue and be sued in its corporate name;

Objects of
Commission

1 (4) May hold and dispose of property whether movable or
2 immovable.

3 3.-(1) The objects of the Commission are to:

4 (a) develop the National Youth Development Policy-and Strategy for
5 Nigeria;

6 (b) develop guidelines for the implementation of an national youth
7 development policy and make recommendations to the President;

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

10 (d) guide efforts and facilitate economic participation and
11 empowerment, and achievement of education and training;

12 (e) partner and assist organs of state, the private sector and non-
13 governmental organisations and community based organisations on initiatives
14 directed at attainment of employment and skills development;

15 (f) initiate programmes directed at poverty alleviation, urban and
16 rural development and the combating of crime, substance abuse and social
17 decay amongst youth;

18 (g) establish annual national priority programmes in respect of youth
19 development;

20 (h) promote a uniform approach by all organs of state, the private
21 sector and non-governmental organisations, to matters relating to or involving
22 youth development; and

23 (i) endeavour to promote the interest generally of the youth,
24 particularly young people with disabilities.

25 (2) Nothing contained in this Act precludes the Commission from
26 directly implementing any programme or intervention aimed at advancing its
27 objects in terms of this Act.

Principles of
youth development

28 4. Youth development interventions and programmes must be guided
29 by the following principles-

30 (a) recognition of the manner in which youth has been affected by the

1 imbalances of the past and the need to redress these imbalances through
2 more equitable policies, programmes and the allocation of resources;

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

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

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

10 (i) democratic processes;

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

12 (iii) development at all levels;

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

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

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

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

21 (i) recognition in youth development initiatives of the peculiar
22 needs of rural youth; and

23 (j) transparency, accountability and accessibility.

24 5.-(1) The Commission must, in order to achieve its objects:

25 (a) establish competencies and capabilities in its operations

26 including the following functional areas:

27 (i) National Youth Service and Social Cohesion;

28 (ii) Economic Participation;

29 (iii) Policy, Research and Development;

30 (iv) Governance, Training and Development;

- 1 (v) Youth Advisory and Information Services; and
2 (vi) National Youth Fund;
- 3 (b) establish offices of the Commission at States and local levels and
4 appoint the necessary personnel to those offices.
- 5 (2) The Commission may, in order to achieve its objects:
- 6 (a) carry out or cause to be carried out any investigation that it deems
7 necessary;
- 8 (b) consider such recommendations, suggestions and requests
9 concerning youth affairs as it may receive from any source; or
- 10 (c) conduct or cause to be conducted such research as it may deem
11 necessary.
- 12 (3) The Commission must, for purposes of subsection (3) and within
13 its available resources, amongst others:
- 14 (a) provide career guidance services;
- 15 (b) provide access to information regarding products and services of
16 the National Youth Fund;
- 17 (c) create and administer databases of employment opportunities;
- 18 (d) provide financial assistance to youths to enable them to further
19 their careers;
- 20 (e) provide financial assistance to small, micro and medium
21 enterprises, and cooperatives owned by youth;
- 22 (f) provide monitoring services aimed at empowering youths in the
23 economy;
- 24 (g) provide bridging programmes for youths to facilitate the transition
25 from school or training to the work environment;
- 26 (h) provide training regarding the concepts and principles of
27 entrepreneurship and business to youths;
- 28 (i) provide training relating to the personal development of youths;
- 29 (j) provide training and guidance relating to the establishing and
30 managing of businesses for youths;

1 (k) provide training for unemployed youths to enhance their life
2 and professional skills which would enable them to be integrated into the
3 economy;

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

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

8 6.-(1) The Commission must, every three (3) years, submit to the
9 President a report on the status of youth.

Reporting by
Commission

10 (2) The Commission must annually submit to the President a report
11 on:

12 (i) the progress on the implementation of this Act;

13 (ii) the financial status of the Commission; and

14 (iii) any other matter relating to youth development.

15 (3) The President must table reports referred to in subsection (1) to
16 the National Assembly within a reasonable time.

17 7.-(1) Federal and state departments must:

18 (a) take national priorities in respect of youth development into
19 account in planning their activities; and

20 (b) submit, in the prescribed manner, annual reports to the
21 Commission regarding their implementation of youth development
22 priorities.

Role of Federal
and State bodies,
companies and
Civil Society
Organisations in
Youth Development

23 (2) The Commission must publish a report after it has been tabled
24 in the National Assembly.

25 (3) The Commission must lobby companies and close corporations
26 which employ more than twenty (20) employees, and civil society
27 organisations to implement youth development priorities established by it.

28 8.-(1) There is hereby established for the management of the affairs
29 of the Commission, a governing Board (in this Act referred to as "the

Control and
management of
the Commission

1 Board") which shall, subject to this Act, have general control of the
2 Commission.

3 (2) The Board shall consist of:

4 (a) chairman;

5 (b) 6 other members representing the six geopolitical zones; and

6 (c) One representative each of the following Federal Ministries and
7 bodies (not below the rank of a director) that is:

8 (i) Youths development;

9 (ii) Finance;

10 (iii) education;

11 (iv) employment, labour and productivity;

12 (v) health;

13 (vi) National Youth Service Corps;

14 (vii) Organised Private Sector;

15 (viii) Civil Society Organisation;

16 (d) the Executive Director of the Commission.

17 (3) The Chairman and other members of the Board shall:

18 (a) be appointed by the President subject to the confirmation of the
19 Senate;

20 (b) be persons with proven integrity.

21 (4) The supplementary provisions contained in the Schedule to this
22 Act shall have effect with respect to the proceedings of the Board and other
23 matters mentioned therein.

Tenure of office

24 9.-(1) The members of the Board appointed under section 2 (2) (a) and
25 (b) of this Act shall hold office for a period of 4 years in the first instance and
26 may be eligible for re appointment for a further period of 4 years and no more.

27 (2) The members of the Board shall be paid such remuneration and
28 allowances as the Revenue Mobilization Allocation and Fiscal Commission
29 may, from time to time, determine.

30 (3) A member of the Board other than an ex officio member may

1 resign his appointment by a notice in writing under his hand, addressed to
2 the Minister and which resignation shall take effect only upon
3 acknowledgment by the Minister.

4 **10.**-(1) A member of the Board shall cease to hold office if:

Cessation of
membership

5 (a) he becomes of unsound mind;

6 (b) he becomes bankrupt or makes a compromise with his
7 creditors;

8 (c) he is convicted of a felony or of any offence involving
9 dishonesty; or

10 (d) he is guilty of serious misconduct in relation to his duties.

11 (2) A member of the Board may be removed from office by the
12 President, if, he is satisfied that it is not in the interest of the Fund or the
13 interest of the public that the member should continue in office.

14 (3) Where a vacancy occurs in the membership of the Board, it
15 shall be filled by the appointment of a successor to hold office for the
16 remainder of the term of office of his predecessor, so however that the
17 successor shall represent the same interest and shall be appointed by the
18 President.

19 **11.**-(1) The Board may establish Committees, including the:

Committees of
Board

20 (a) Executive Management Committee;

21 (b) Credit Risk Committee;

22 (c) Human Resource and Remuneration Committee;

23 (d) Audit Committee; and

24 (e) Development Committee to assist in the performance of its
25 functions.

26 (2) The Board must determine the composition, rules and
27 procedures of committees established in terms of this section.

28 (3) The Board may invite persons who are not members of the
29 Board to serve on any of its committees, but such persons may not be
30 appointed as chairpersons of such committees.

1 (4) The Board may dissolve or reconstitute a committee as is
2 necessary.

3 (5) Any decision taken by a committee established under this section
4 must be ratified by the Board.

5 PART III - STAFF OF THE COMMISSION

Appointment
of Executive
Director, etc.

6 12.-(1) There shall be appointed for the Fund an Executive Director
7 who shall be appointed by the President on the recommendation of the
8 Minister.

9 (2) The Executive Director shall subject to the general control of the
10 Board:

11 (a) be responsible for the implementation of the decisions of the
12 Board and the day to day administration of the affairs of the Fund;

13 (b) be responsible for keeping proper records of the proceedings of
14 the Board; and

15 (c) be the head of the Board's secretariat and be responsible for the
16 administration thereof and the direction and control of all other employees of
17 the Commission with the approval of the Board.

18 (3) The Executive Director shall hold office for such period of time as
19 may be determined by his or her letter of appointment.

Other Staff of
the Commission

20 13.-(1) The Board shall have power to appoint either on transfer or on
21 secondment from any public service in the Federation, such number of
22 employees as may, in the opinion of the Board, be required to assist the Fund in
23 the discharge of any of its functions under this Act; and shall have power to pay
24 to persons so employed such remuneration (including allowances) as the Board
25 may, from time to time, determine.

26 (2) The terms and conditions of service (including terms and
27 conditions as to remuneration, allowance, pensions, gratuities and other
28 benefits) of the person employed by the Commission shall be as determined by
29 the Board from time to time.

Staff regulations

30 14.-(1) The Board may, subject to the provisions of thi Act, make staff

1 regulations relating generally to the conditions of service of the employees
2 of the Commission and without prejudice to the generality of the foregoing,
3 such regulations may provide for:

4 (a) the appointment, promotion and disciplinary control (including
5 dismissal) of employees of the Fund; and

6 (b) appeals by such employees against dismissal or other
7 disciplinary measures and until such regulations are made, any instrument
8 relating to the conditions of service of officers in the Civil Service of the
9 Federation shall be applicable, with such modifications as may be
10 necessary, to the employees of the Fund.

11 (2) Staff regulations made under subsection (1) of this section shall
12 not have effect until approved by the President.

13 **15.** It is hereby declared that service in the Commission shall be
14 public service for the purposes of the Pensions Reform Act 2004 and,
15 accordingly, officers and other persons employed in the Fund shall, in
16 respect of their service in the Fund, be entitled to pension, gratuities and
17 other retirement benefits as are prescribed there under, so however that
18 nothing in this Act shall prevent the appointment of a person to any office on
19 terms which preclude the grant of a pension or gratuity in respect of that
20 office.

Pensions

21 **16.-(1)** The funds of the Commission consist of:

22 (a) money appropriated by the National Assembly;

23 (b) interest on investments of the Commission;

24 (c) money lawfully received from any other source; and

25 (d) donations and contributions lawfully received by the
26 Commission from any other source.

Funding and
investments

27 (2) The Commission may invest any of its funds not immediately
28 required:

29 (a) subject to any investment policy;

30 (b) in such manner as may be approved by the Minister of Finance

Annual Estimate	1	17. The Board shall not later than 31st October submit to the National
	2	Assembly an estimate of its expenditure and income during the next
	3	succeeding year
Power to accept gifts	4	18.-(1) The Board may accept gifts of land, money or other property
	5	upon such terms and conditions, if any, as may be specified by the person or
	6	organisation making the gift.
	7	(2) The Board shall not accept any gift if the condition attached by the
	8	person or organisation making the gift are inconsistent with the objectives of
	9	the Fund under this Act.
Exemption from Tax	10	19. The Board shall be exempted from the payment of income tax on
	11	any income accruing from investments made by the Board or otherwise
	12	howsoever.
Annual estimates account and audit	13	20.-(1) The Board shall cause to be prepared not later than 30
	14	September in each year an estimate of the expenditure and income of the Fund
	15	during the next succeeding year and when prepared, they shall be submitted to
	16	the Minister.
	17	(2) The Board shall cause to be kept proper accounts of the Fund and
	18	proper records in relation thereto and when certified by the Board, such
	19	accounts shall be audited by auditors appointed by the Board from the list and
	20	in accordance with the guidelines supplied by the Auditor General for the
	21	Federation
Annual report	22	21. The Board shall not later than three months before the end of each
	23	year submit to the National Assembly a report on the activities and the
	24	administration of the Board in relation to the Fund during the immediately
	25	preceding year and shall include in such reports the auditor's report thereon.
Regulations	26	22. The President may, after consultation with the Board, make
	27	regulations regarding:
	28	(a) any matter which in terms of this Act may or must be prescribed;
	29	(b) any action in order to promote compliance with this Act; and
	30	(c) any ancillary or incidental administrative or procedural matter that

1 it is necessary to prescribe for the proper implementation or administration
2 of this Act.

3 23. This Bill may be cited as the National Youth Development Commission Bill, 2017. Citation

5 SCHEDULE

6 *Section 2 (4)*

7 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

8 *Proceedings of the Board*

9 1.-(1) Subject to this Act and Section 27 of the Interpretation Act,
10 the Board may make standing orders regulating its proceedings or those of
11 any of its committees.

12 *[Cap. 123.]*

13 (2) The quorum of the Board shall be the chairman and seven other
14 members and the quorum of any committee shall be determined by the
15 Board.

16 2.-(1) The shall Board meet not less than two times In each year and
17 subject thereto, the Board shall meet whenever it is summoned by the
18 Chairman; and if the Chairman is required to do so by notice given to him by
19 not less than four other members, he shall summon a meeting of the Board,
20 to be held within fourteen days from the date on which the notice is given.

21 (2) At any meeting of the Board, the Chairman shall preside but if
22 he is absent, the members present at the meeting shall appoint one of their
23 numbers to preside at that meeting.

24 (3) Where: the Board desires to obtain the advice of any person on a
25 particular matter the Board may co opt him to the Board for such period as it
26 thinks fit; but a person who is in attendance by virtue of this subparagraph
27 shall not be entitled to vote at any meeting of the Board and shall not count
28 towards a quorum.

29 *Committees*

30 3.-(1) The Board may appoint one or more committees to carry out,

1 on behalf of the Board some of its functions as the Board may determine.

2 (2) A committee appointed under this paragraph shall consist of such
3 number of persons (not necessarily members of the Board) as may be
4 determined by the Board; and a person other than a member of the Board shall
5 hold office on the committee in accordance with the terms of his appointment.

6 (3) A decision of a committee of the Board shall be of no effect until it
7 is confirmed by the Board.

8 *Miscellaneous*

9 4.-(1) The fixing of the seal of the Commission shall be authenticated
10 by the signature of the chairman or of any other person authorized generally or
11 specially to act for that purpose by the Board.

12 (2) Any contract or instrument which, if made or executed by a person
13 not being a body corporate, would not be required to be under seal may be made
14 or executed on behalf of the Commission by the chairman or any person
15 generally or specially authorized to act for that purpose by the Board.

16 (3) Any document purporting to be a document duly executed under
17 the seal of the Commission shall be received in evidence and shall, unless and
18 until the contrary is proved, be presumed to be so executed.

19 5. The validity of any proceeding of the Board or of a Committee
20 thereof shall not be adversely affected by any vacancy in the membership of the
21 Board or Committee, or by any defect in the appointment of a member of the
22 Board or of a Committee, or by reason that a person not entitled to do so took
23 part in the proceedings of the Board or Committees.

EXPLANATORY MEMORANDUM

The Bill seeks to provide measures aimed at creating and promoting coordination in Youths in Nigeria.