

EPIDEMIOLOGIST-GENERAL OF THE FEDERATION OF NIGERIA
(ESTABLISHMENT ETC.) BILL, 2020

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GENERAL OF THE FEDERAL REPUBLIC OF NIGERIA

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A BILL

FOR

AN ACT TO ESTABLISH THE OFFICE OF EPIDEMIOLOGIST-GENERAL OF THE FEDERATION OF NIGERIA (SGFGN) FOR THE PURPOSES OF PROVIDING PROFESSIONAL ADVICE ON ISSUES OF PUBLIC HEALTH, MEDICAL AND HEALTH SYSTEM ISSUES TO THE PRESIDENT, THE MINISTER OF HEALTH, THE NATIONAL ASSEMBLY AND OTHER OFFICIALS OF THE FEDERAL REPUBLIC OF NIGERIA AND FOR RELATED MATTERS

Sponsored by Hon. Benjamin Okezie Kalu

[] Commencement

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

1 PART I - ESTABLISHMENT OF THE OFFICE OF THE EPIDEMIOLOGIST-
2 GENERAL OF THE FEDERAL REPUBLIC OF NIGERIA

3 1.-(1) This Act regulates the way in which the control of Application
4 communicable diseases is organised and the procedure for the provision of
5 health care services to infected persons (hereinafter provision of medical
6 care), and sets out the obligations of the state, local governments, legal
7 persons and natural persons in the prevention and control of communicable
8 diseases.

9 (2) This Act applies to all natural persons in the territory of the
10 Federal Republic of Nigeria and to legal persons located in the territory of
11 the Federal Republic of Nigeria unless otherwise provided by an
12 international agreement or international convention.

13 2.-(1) There is established the Office of Epidemiologist-General of Establishment
14 the Federal Republic of Nigeria to be headed by the Epidemiologist-General
15 of the Federation.

16 (2) The Office shall be a body corporate with perpetual succession
17 and common seal, the Office can sue. and be sued, hold and dispose

	1	properties and perform its functions independently.
	2	(3) The Office shall have its Headquarters located in Abuja, the
	3	Federal Capital Territory with regional offices in each State of Nigeria.
Procedure of appointment	4	3. The Epidemiologist-General shall be appointed by the President of
	5	the Federal Republic of Nigeria upon recommendation of the Minister of
	6	Health. The appointment shall be subject to confirmation of two-third majority
	7	of the Senate of the National Assembly of Nigeria.
Tenure of office	8	4. The Epidemiologist-General shall upon appointment hold office
	9	for a single term of six (6) years and no more.
Qualifications	10	5. The Epidemiologist-General shall be a medical practitioner
	11	registered with the Medical and Dental Council of Nigeria and in possession of
	12	postgraduate qualification of not less than ten (10) years experience with five
	13	years in epidemiology and shall be not less than thirty-five (35) years.
	14	PART II - DUTIES AND FUNCTIONS OF EPIDEMIOLOGIST- GENERAL
Functions	15	6.-(1) The Epidemiologist-General shall serve as the Chief Medical
	16	Functions Officer of Epidemiology of Nigeria without prejudice to the powers
	17	of the Minister of Health, Minister of State for Health of the Federal Republic
	18	of Nigeria and the Director-General of the Nigerian Centre for Disease
	19	Control, respectively.
	20	(2) The Epidemiologist-General shall be the Chief Adviser of the
	21	Federal Government of Nigeria and its agencies on all public health
	22	epidemiology matters for the purpose of surveillance control, investigation of
	23	communicable diseases.
	24	(3) The Epidemiologist-General shall articulate scientifically based
	25	health policy analysis, and advise the President, the National Assembly, the
	26	Minister of Health, the Director-General of the Nigerian Centre for Disease
	27	Control on the full range of critical epidemiological public health, medical and
	28	health system issues facing the Federal Republic of Nigeria.
	29	(4) The Epidemiologist-General shall elevate the quality of
	30	epidemiological health practice within the professional disciplines by annual

1 publication of appropriate standards and research priorities;

2 (5) The Epidemiologist-General shall provide leadership and
3 management oversight during periods of National Emergencies and out-
4 break of Epidemics by coordinating the federal and national medical
5 agencies and service providers; and

6 (6) The Epidemiologist-General shall promote health and healthy
7 lifestyle by publication of guidelines on epidemiological health matters that
8 affect or are likely to affect citizens.

9 (7) The Epidemiologist-General of the Federation shall provide
10 leadership in overseeing the implementation of quality epidemiological
11 improvement methods designed to improve the clinical performance of
12 health facilities at all levels of health care.

13 (8) The Epidemiologist-General shall be charged with protecting,
14 promoting and improving the health of the public and country through
15 effective public health enlightenment, health information dissemination and
16 advocacy.

17 (9) Epidemiologist-General shall offer evidence-based advice to
18 the Minister of Health, the National Assembly and the President and
19 Commander-in-Chief of the Armed Forces of the Federal Republic of
20 Nigeria on all critical epidemiological national health issues and health
21 challenges facing the Nation.

22 (10) Shall collaborate with the Federal Ministry of Health, and the
23 Nigerian Centre for Disease Control on policy matters relating to public
24 health in general.

25 (11) The Epidemiologist-General of the Federation shall establish
26 a medical panel of experts to ascertain the epidemiological health
27 status/medical fitness of prospective Ambassadors, Diplomats and related
28 political and public office holders before their assumption of duty within
29 and outside Nigeria. An Ambassador, Diplomat and other related political or
30 public office holder certified medically fit shall be issued a Medical

1 Certificate of Fitness by the Office of the Epidemiologist-General of the
2 Federation.

3 (12) Shall maintain and lead a commissioned Medical Emergency
4 Corps of committed epidemiologists and professionals who shall respond to
5 health emergencies and humanitarian crises of public health importance in
6 collaboration with the Federal Ministry of Humanitarian Services. The
7 Epidemiologist-General of the Federation shall be a statutory member of the
8 Board of Management of the National Emergency Management Agency
9 (NEMA) and shall superintend the co-ordination and management of NEMA's
10 Medical emergency preparedness and response activities.

11 (13) Shall be a statutory member of the Federal Committee on
12 Prerogative of Mercy for prisoners.

13 (14) Shall be the Chief Public Health and Epidemiological Adviser to
14 the President and Commander-in-Chief of the Armed Forces of the Federal
15 Republic of Nigeria, and to the nation. He shall be the epidemiological health
16 ombudsman of the nation.

17 (15) Shall articulate and develop up-to-date evidence-based
18 guidelines and protocols on the management of epidemiological medical
19 conditions and ensure the dissemination to health facilities, personnel
20 throughout the country.

21 (16) Shall develop standardized medical procedures within the
22 available resources that will be applicable anywhere in the country. This is to
23 enhance the quality of health care in Nigeria.

24 (17) Shall institute a clinical governance and audit system or
25 mechanism to promote improvement of epidemiological healthcare and ensure
26 compliance with the set clinical guidelines/protocols.

27 (18) Shall ensure coordinated and sustained healthcare practice,
28 especially as it concerns patients care, welfare of healthcare workers, defining
29 the requirements for specific jobs within the health sector and ensuring
30 availability and adequacy of training to meet the needs of the health system.

1 (19) Shall collaborate with the National Health Insurance Scheme
2 to ensure that all Nigerians are covered by one form of health insurance or
3 the other.

4 (20) Shall fulfill other requests as may be referred to him/her by the
5 President and Commander-in-Chief of the Armed Forces of the Federal
6 Republic of Nigeria or as may be required by him/her by the Constitution or
7 any Act of the National Assembly

8 PART III - STAFF, FINANCIAL PROVISIONS AND MISCELLANEOUS

9 7.-(1) The Epidemiologist-General shall appoint numbers of
10 persons to fill the vacant positions of Directors, and members of staff of the
11 various Department of the Office of Epidemiologist-General, provided such
12 appointments shall reflect the Federal Character of Nigeria;

Staff of the Office
of the Epidemiologist-
General Appointment
and Removal

13 (2) Other public officers of the Federation or of states of the
14 Federation may transfer their services or be seconded to the Office of
15 Epidemiologist-General.

16 (3) For the purposes of the Pensions Reform Act, 2014, any other
17 power is vested in the Epidemiologist-General.

18 (4) Deputy Epidemiologist-General who shall be appointed by the
19 Epidemiologist-General.

20 (5) The Deputy Epidemiologist-General shall be a health
21 professional of proven integrity of the status of a private health practitioner
22 in possession of specialized degree in epidemiology with at least five years
23 or if he is lecturer medical doctor shall be of the status of professor, chief
24 consultant or a private practitioner with a Fellowship of West Africa
25 Postgraduate Medical college or National Post graduate Medical College or
26 its equivalent of at least 10 years. The Deputy Epidemiologist-General shall
27 also possess the licence to practice the discipline in all the 36 states and FCT
28 and shall not be less than thirty years of age.

29 (6) The duties of the Deputy Epidemiologist-General shall be as
30 directed by the Epidemiologist General. He or She shall also possess the

1 power to act as Epidemiologist-General in the event of removal or death of a
2 serving Epidemiologist-General until another Epidemiologist-General is
3 appointed.

4 (7) The Epidemiologist-General shall also have the power to appoint
5 a maximum of five Directors of proven qualifications, competence, integrity
6 and possessing wide experience as the Administrative Heads of the five
7 Directorates of the Office of Epidemiologist-General of the Federation of
8 Nigeria.

9 (8) The remuneration of the Epidemiologist-General of the
10 Federation and other staff of the Office of the Surgeon-General shall be
11 prescribed by the Revenue Mobilization, Allocation and Fiscal Commission.

12 (9) The Epidemiologist-General of the Federation shall be removed
13 from office by the President and Commander-in-Chief of the Armed Forces of
14 the Federal Republic of Nigeria, subject to confirmation by two-third majority
15 of the Senate.

16 (10) In the event of removal of the Epidemiologist-General of the
17 Federation, an acting Epidemiologist-General of the Federation shall be
18 appointed by the President and Commander-in-Chief of the Armed Forces of
19 the Federal Republic of Nigeria. The acting Surgeon-General of the Federation
20 shall serve for not more than three months before a substantive
21 Epidemiologist-General of the Federation is appointed.

22 (11) The grounds of removal shall include:

23 (a) If he/she is declared to be of unsound mind;

24 (b) If he/she is declared bankrupt;

25 (c) Convicted of corruption by a competent Court of Law;

26 (d) Other offences as contained in the code of medical ethics, if
27 convicted by a medical tribunal or court of competent jurisdiction.

Funds of the Office
Epidemiologist-
General

28 **8.-(1)** The sources of money for the discharge of the functions of the
29 Office of the Epidemiologist-General shall include-

30 (a) Allocations, Subventions and other funds approved by the

1 National Assembly of the Federal Republic of Nigeria;

2 (b) Donations from the World Health Organisation (WHO), and
3 other local and international donors;

4 (c) Fees and charges accruing to the Office of Epidemiologist-
5 General in performance of its functions under this Act; and

6 (d) Grants.

7 **9.**-(1) The Office of Epidemiologist-General shall keep books of
8 account and proper records in relation to them and the accounts and records
9 of the Office shall be in a form as approved by the Auditor-General of the
10 Federal Republic of Nigeria.

Annual report
procedure and
form of book
keeping and
accounts

11 (2) The accounts of the Office of Epidemiologist-General shall be
12 audited by the Auditor-General (.the Federation within three (3) months
13 after the end of each financial year.

14 (3) The Auditor-General of the shall not later than six (6) months
15 after the end of each financial year, forward to the Minister of Health, a copy
16 of the audited accounts of the Office of the Epidemiologist-General for the
17 financial year immediately preceding.

18 **10.** The financial year of the Office of the Epidemiologist-General
19 shall be the same as the financial year of the Government of the Federal
20 Republic of Nigeria.

Financial year of
the Office of the
Epidemiologist-
General

21 PART IV - TRANSITIONAL AND FINAL PROVISIONS

22 **11.** Notwithstanding the provisions of Section 12 of the Nigerian
23 Centre for Disease Control, the service of any staff of the Directorate of
24 Epidemiology of the Nigerian Centre for Disease Control is hereby
25 preserved and continues as a staff of the Office of the Office of the
26 Epidemiologist-General for the purposes of salary or pension whichever
27 occurs first.

Transfer of Service
of staff of the
Directorate of
Epidemiology of
Nigerian Centre
for Disease Control

28 **12.** In this Bill, the following definitions are used:

Interpretation

29 (1) "infectious agent" means a priori, virus, bacterium,
30 microscopic fungus, protozoan, helminth or arthropod, and their

1 components and toxins capable of causing communicable diseases;

2 (2) "communicable disease" means a disease, or carrier state with no
3 signs of disease, which is caused by the entry of an infectious agent into the
4 human body which is transmitted or with regard to which there is reason to
5 believe that it may be transmitted directly or indirectly person-to-person or
6 animal-to-person;

7 (3) "extremely dangerous communicable disease" means a disease
8 with a high level of infectiousness which spreads rapidly and extensively or
9 which is serious or life-threatening. For the purposes of this Act, the plague,
10 cholera, yellow fever, viral hemorrhagic fevers and tuberculosis are extremely
11 dangerous communicable diseases;

12 (4) "person suffering from a communicable disease" means a person
13 who has been diagnosed as having a communicable disease using methods
14 accepted by medical science;

15 (5) " person suspected of being infected" means a person who has
16 been exposed to similar conditions as a person suffering from a communicable
17 disease or who may have been infected by a person suffering from a
18 communicable disease but who has not developed any symptoms of disease by
19 the time he or she undergoes a medical examination;

20 (6) "control of communicable diseases" means the application of
21 health protection measures which enable the early detection and consequent
22 testing and treatment of persons suffering from communicable disease and of
23 persons suspected of being infected in order to ascertain the causes and mode
24 of their infection, prevent the spread of the communicable disease and prevent
25 healthy person from being infected;

26 (7) "epidemic" means an outbreak of a communicable disease which
27 calls for infection control measures to be applied extensively;

28 (8) "surveillance" means systematic collection, analysis,
29 interpretation and dissemination of health data, including epidemiological
30 studies of communicable diseases and risk factors for contracting

1 communicable diseases for the purpose of prevention of the spread and
2 control of communicable diseases;

3 (9) "disease outbreak" means the occurrence of cases of
4 communicable disease connected with the same source of infection or
5 spread factor in excess of what would normally be expected within a certain
6 period.

7 **13.** Section 1 (1) of the Nigerian Centre for Disease Control is Repeal and
8 hereby repealed and the function(s) of prevention and control of Consequential
9 communicable diseases is hereby vested in the Office of the Epidemiologist- Amendment
10 General of the Federal Republic of Nigeria as established by this Bill.

11 **14.** This Bill may be cited as the Office of Epidemiologist-General Short title
12 Bill, 2020.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Office of Epidemiologist-General of the Federation of Nigeria for the purposes of providing a coordinated, systematic emergency response for prevention and control of communicable disease (such as the Covid-19) that affect or are likely to affect public health within Nigeria and to expert professional advice on communicable diseases and health, medical and health system issues to the President, the Minister of Health, the National Assembly and other officials of the Federal Republic of Nigeria.