

A BILL

FOR

AN ACT TO ESTABLISH CANCER REGISTRY, TO MAKE PROVISION FOR THE
COMPILATION OF A STATISTICAL RECORD OF THE INCIDENCE OF CANCER;
TO PROVIDE A BASIS FOR DIRECTION OF PROGRAMMES FOR RESEARCH
AND FOR CANCER PREVENTION AND FOR RELATED MATERS

Sponsored by Hon. Ossai Nicholas Ossai

[] Commencement

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

1 1.-(1) The Director General shall be appointed by the President of
2 the Federal Republic of Nigeria upon a recommendation by the Minister of
3 Health.

Appointment of
Director-General

4 (2) A person shall be qualified for appointment as the Director
5 General of the Registry if the person:

6 (a) Is a Medical Doctor registered under the Medical and Dental
7 Practitioners Act of Nigeria;

8 (b) Posses a postgraduate degree on cancer disease;

9 (c) He has at least ten years proven experience and versed on
10 cancer disease.

11 (3) The Director General shall be the Accounting Officer and Chief
12 Executive of the Cancer Registry.

13 2.-(1) The Director General shall cease to hold office if:

Cessation as a
Director General

14 (a) He dies;

15 (b) He resigns from office by a notice in writing addressed to the
16 President;

17 (c) He becomes of unsound mind;

18 (d) He becomes bankrupt;

- 1 (e) He is convicted of a felony or of any offence involving dishonesty;
 2 (f) He is guilty of a serious misconduct in relation to his duties;
 3 (g) He is removed from office by the President, if it is not in the
 4 interest of the public that he should continue in office.

5 (2) Where a vacancy occurs in the office of the Director General, the
 6 President shall appoint a replacement in accordance with the provisions of this
 7 Act.

Tenure of
Office

8 3. The Director General shall be appointed for a term of four years,
 9 subject to re-appointment for another second term of four years.

Staff and
Remuneration

10 4. The staff of the Cancer Registry shall be paid such remuneration
 11 and allowances as the Revenue Mobilization Allocation and Fiscal
 12 Commission may, from time to time determine.

Maintenance
of Cancer
Registry

13 5.-(1) The Director General shall maintain or arrange for the
 14 maintenance of a Cancer Registry.

15 (2) The purposes of the Cancer Registry are:

16 (a) to provide information on the incidence of, and mortality from,
 17 cancer; and

18 (b) to provide a basis for cancer survival studies and research
 19 programmes.

Reporting of
Cancer

20 6.-(1) Where a cancer test indicates the presence of cancer in any
 21 person (including a deceased person), the person in charge of the laboratory
 22 where that test was carried out shall cause a report of that test to be made to the
 23 Director General for the purposes of the Cancer Registry.

24 (2) Where a post-mortem examination of any deceased person
 25 indicates the presence of cancer in that person, the person who carried out that
 26 examination shall cause a report of that examination to be made to the Director
 27 General for the purposes of the Cancer Registry.

28 (3) Every report under subsection (1) or subsection (2):

29 (a) shall be made within the prescribed time; and

30 (b) shall be made in the prescribed form and manner.

1 (4) No person is required to make a report under this section with
2 respect to:

3 (a) any cancer test that indicates the presence of cancer in any
4 person (including a deceased person); or

5 (b) any post-mortem examination of any deceased person that
6 indicates the presence of cancer in that person:

7 if the first-mentioned person has good reason to believe that the presence of
8 that particular cancer in that other person has already been reported to the
9 Director General, whether in a report made under this section or pursuant to
10 any arrangements that were in place before the commencement of this Act or
11 otherwise.

12 7.-(1) Where any report made under section 7 of this Act is
13 incomplete in any respect by reason that the person making the report does
14 not have available to that person certain information necessary to enable a
15 complete report to be made, the Director General may, for the purpose of
16 obtaining that information, by notice in writing require any person (being a
17 medical practitioner or the person in charge of any hospital) that the Director
18 General reasonably believes may have all or any of that information to
19 provide to the Director General such information as may be specified in the
20 notice.

Director General
may require
supply of further
information

21 (2) Every person to whom a notice is given under sub section (1)
22 and who has any of the information specified in that notice shall provide that
23 information within such time, and in such form and manner, as may be
24 specified in the notice.

25 (3) In subsection (1), medical practitioner means a person who is,
26 or is deemed to be fully registered with the Medical and Dental Practitioners
27 of Nigeria.

28 8.-(1) No proceedings, civil or criminal, shall lie against any
29 person by reason of that person having made available any information for
30 the purposes of complying with the requirements of section 7 or section

Protection
against actions

- 1 8(2). (2) Nothing in subsection (1) applies in respect of proceedings for an
2 offence against section 10.
- Offences 3 9. A person commits an offence and is liable on conviction to a fine
4 not exceeding N500,000.00 or imprisonment not exceeding 3 years who-(a)
5 fails, without reasonable excuse, to comply with the requirements of section 7
6 or section 8(2); or (b) knowingly supplies information that is false or
7 misleading in purported compliance with section 7 or section 8(2).
- Regulations 8 10. The Minister may from time to time, make regulations for all or
9 any of the following purposes:
10 (a) prescribing the form and manner in which reports are to be made to
11 the Director General under section 7:
12 (b) prescribing the time within which reports are to be made to the
13 Director General under section 7:
14 (c) declaring any type of cancer to be a cancer to which this Act does
15 not apply;
16 (d) providing for such other matters as are contemplated by or
17 necessary for giving full effect to this Act and for its due administration.
- Interpretation 18 11. In this Act, unless the context otherwise requires-
19 (1) Cancer:
20 (a) means a malignant growth of human tissue that, if unchecked:
21 (i) is likely to spread to adjacent tissue or beyond its place of origin;
22 and
23 (ii) may have the propensity to recur; and
24 (b) without limiting the generality of paragraph (a), includes
25 carcinoma-in-situ, carcinoma, sarcoma (including Kaposi's sarcoma), any
26 mixed tumour, leukaemia, any type of lymphoma, and melanoma;
27 (c) but does not include:
28 (i) any secondary or metastatic cancer, except where the primary
29 cancer is not identified:
30 (ii) any type of cancer that is declared by regulations made under this

1 Act to be a cancer to which this Act does not apply.

2 (2) Cancer Test-- means any examination or test (including the
3 examination of any blood, cytological or tissue biopsy specimen, or other
4 material) that is carried out in any pathology laboratory to determine the
5 presence or absence of cancer in any person (including a deceased person);

6 (3) Minister--means the Minister in-charge of Federal Ministry of
7 Health.

8 **12.** This Bill may be cited as the Cancer Registry Bill, 2019.

Short title

EXPLANATORY MEMORANDUM

This Bill seeks to take into cognizance the present increase and spread of the attack of cancer disease globally and the deadly consequences it has on people. This necessitated the need to embark on programmes for research and massive preventive measures.

