

A BILL

FOR

AN ACT TO REPEAL THE NATIONAL CENTRE FOR WOMEN DEVELOPMENT
DECREE NO.11 1995 AND PROVIDE FOR THE RE-ESTABLISHMENT OF THE
NATIONAL CENTRE FOR WOMEN DEVELOPMENT AND FOR RELATED
MATTERS

Sponsored by Hon. Gideon L. Gwani

[] Commencement

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

1 PART 1 - ESTABLISHMENT OF THE NATIONAL CENTRE FOR WOMEN
2 DEVELOPMENT

3 1.-(1) There is hereby established a body to be known as the
4 National Centre for Women Development (in this Act referred to as "the
5 Centre").

Establishment
of the National
Centre for Women
Development

6 (2) The Centre shall-

7 (a) be a body corporate with perpetual succession;

8 (b) may sue and be sued in its corporate name; and

9 (c) may acquire, hold, and dispose of property whether moveable
10 or immoveable.

11 (3) The Centre shall be located in the Federal Capital Territory,
12 Abuja and shall not be subject to the direction, control or supervision of any
13 other authority or person in the performance of its functions under this Act
14 other than the President through the Federal Ministry of Women Affairs.

15 2.-(1) There is hereby established for the management of the affairs
16 of the Centre, a governing Board to be known as the National Centre for
17 Women Development Board (in this Act referred to as "the Board") which
18 shall, subject to this Act, provide the general policy guidelines for the
19 execution of the function of the Centre.

Establishment
of the Governing
Board of the Centre

	1	(2) The Board shall consist of:
	2	(a) A Chairman;
	3	(b) One person to represent the Federal Ministry of Women Affairs;
	4	(c) Six persons drawn from the six geo-political zones with
	5	experience in gender education and administration;
	6	(d) The Director General of the Center.
	7	(3) The Chairman and members of the Board shall be appointed by the
	8	President on the recommendation of the Honourable Minister.
Schedule	9	(4) The supplementary provisions set out in the schedule to this Act
	10	shall have effect with respect to the proceedings of the Board and the other
	11	matters contained therein.
Tenure of office	12	3.-(1) (a) The Chairman and other members of the Board appointed
	13	under section 2(2)(a) and (b) of this Act shall hold office for a period of 3 years
	14	in the first instance and may be eligible for re-appointment for a further period
	15	of 3 years and no more;
	16	(b) on such terms and conditions as may be specified in her letter of
	17	appointment.
	18	(2) The members of the Board shall be paid such remuneration and
	19	allowances as the President may, from time to time, determine.
	20	(3) A member of the Board other than an ex-officio member may
	21	resign his appointment by a notice in writing under his hand, addressed to the
	22	President through the Honourable Minister, shall take effect only upon
	23	acknowledgment by the President.
Cessation of Membership	24	4.-(1) A member of the Board shall cease to hold office if-
	25	(a) he becomes of unsound mind;
	26	(b) he becomes bankrupt or makes a compromise with his creditor;
	27	(c) he is convicted of a felony or of any offence involving dishonesty;
	28	(d) he is guilty of serious misconduct in relation to his duties; or
	29	(e) his interests and duties as a member of the Board are in conflict or
	30	inconsistent with his position or of the Board;

1 (f) he resigns his appointment by a letter addressed to the President;
2 (g) liaise with national regional and international agencies
3 involved in women development programmes.

4 (2) The Chairman and members of the Board shall be appointed by
5 the President on the recommendation of the Honourable Minister.

6 (3) The supplementary provisions set out in the schedule to this Act
7 shall have effect with schedule respect to the proceedings of the Board and
8 the other matters contained therein.

9 5.-(1) Notwithstanding the provisions of subsection (2) of this
10 section, the Board shall be responsible for-

Function of the
Board

11 (a) The review of the implementation of policy decisions;

12 (b) designing developmental programmes and activities for the
13 advancement of women;

14 (c) approving the management budget and the appointment of staff
15 for the Centre;

16 (d) convening meetings for the purpose of disseminating
17 information on the activities of the Centre;

18 (e) Generally ensuring effective planning, running and success of
19 the Centre in its bid to promote and develop the advancement of women in
20 Nigeria;

21 (f) Developing controlling and maintaining buildings and facilities
22 in the Centre in good condition fit for the purpose they were established;

23 (g) acquire, hold and manage moveable or immovable property in
24 and outside Abuja with the approval of the Honourable Minister;

25 (h) let or lease any property vested in the Centre;

26 (i) invest its funds in Federal Government bonds and similar
27 securities as it thinks fit;

28 (j) do anything which in its opinion is calculated to facilitate the
29 carrying out of its functions; and

30 (k) carrying out such other activities as are necessary and expedient

1 to the purpose of achieving the objectives set out in this section of this Act.

2 (2) The Board shall also have power to carry out such activities as may
3 appear to it to be incidental or conducive to the attainment of its objects under
4 this Act.

5 (3) The Board shall, from time to time, assess the research
6 consultancy and training programmes relative to productivity and
7 improvement conducted by the Center in collaboration with State Ministries of
8 Women Affairs and other associated institution with the view to ascertaining
9 their suitability to offering them assistance either alone or in co-operation with
10 other professional bodies as may prove the quality and content of productivity
11 and promotion measures for women in Nigeria.

12 (4) The Board may, subject to such conditions as it may impose,
13 delegate any of the powers conferred on it by this Act (including power to
14 appoint and exercise disciplinary control) to any of its committees or the
15 Director General of the Centre, as the case may be.

16 (5) Nothing in this section shall preclude the Board from exercising
17 any of the powers delegate pursuant to subsection (4) of this section.

18 PART II - STAFF OF THE CENTRE

Appointment
of the Director-
General of the
Centre

19 6.-(1) There shall be appointed by the President for the Centre on the
20 recommendation of the Ministry, a Director - General who shall-

21 (a) be the Chief executive and accounting officer of the Centre;

22 (b) have such qualification with wide knowledge and experience in
23 gender matters and administration as are appropriate for a person required to
24 perform the functions of that office under this Act, and

25 (c) hold office for a period of four years in the first instance and may
26 be eligible for re-appointment for a further period of four years and no more.

27 (2) The Director General shall, subject to the General direction of the
28 Centre and the Board be responsible-

29 (a) For the day, to day administration of the Centre;

30 (b) For keeping the books and proper records of the proceedings of the

1 Centre and the Board; and

2 (c) The general direction and control of all other employees of the
3 Centre subject to the directives of the Board and Chairman in accordance to
4 the conditions of service of the Center and Public Service, Rules and
5 Regulation.

6 (3) The Centre shall have power to-

7 (a) employ either directly or on secondment from any civil or
8 public service in the Federation such number of employees as may, in the
9 opinion of the Board be required to assist the Centre in the discharge of any
10 of its functions under this Act, and

11 (b) pay to persons so employed such remuneration (including
12 allowances) as prescribed by the Federal government.

13 7.-(1) Service in the Centre shall be approved service for purposes
14 of the Service in the Pensions Act and the New Pensions Reform Scheme.

Service in the
Centre to be
Pensionable
Cap. 346 LFN

15 (2) Employees of the Centre shall be entitled to pensions, gratuities
16 and other retirement benefits as enjoyed by persons holding equivalent
17 grades in the civil service of the Federation, in accordance to the New
18 Pensions Reform Act.

19 8.-(1) If it appears to the Board that a member of the Board (other
20 than an ex-officio member) or the Director-General should be removed from
21 office on the grounds of misconduct or inability to perform the functions of
22 his office, the Board shall make a recommendation to that effect to the
23 President through the Minister, and if the President, approves the
24 recommendation, he shall, in writing, declare the office of such member or
25 the Director General vacant.

Removal from
office of member
of the Board and
Director-General

26 (2) Without prejudice to subsection (1) of this section-

27 (a) any member who is absent from two consecutive ordinary
28 meetings of the Board shall file his explanation in writing with the Secretary
29 for consideration by the Board and if the explanation is not accepted, the
30 Board shall recommend to the Minister that the member be removed from

1 office and the Minister may declare, in writing, the office of the member
2 vacant;

3 (b) where the Board is satisfied that the continued presence on the
4 Board of any member is not in the national' interest or the interest of the Centre
5 the Board may recommend to the Minister that the member be removed from
6 office and the Minister May declare, in writing, the office of that member
7 vacant.

8 9.-(1) If it appears to the Board that there are reasons for believing that
9 any person employed as a member of the senior staff of the Centre other than
10 the Director -General, should be removed from office on grounds of
11 misconduct or inability to perform the functions of his office the Board shall-

12 (a) give a notice of those reasons to the person concerned;

13 (b) afford him an opportunity of making representations in person on
14 the matter to the Board;

15 (c) if the person concerned or any three members of the Board so
16 request within the period of one month beginning with the date of the notice,
17 make arrangements;

18 (d) for the appropriate committee of the Board to investigate the
19 matter and to report on it to the Board, and

20 (e) for the person in question to be afforded an opportunity of
21 appearing before and being heard by the investigating committee on the matter.

22 (2) If the Board after considering the report of the investigating
23 committee under subsection (1)(c) of this section is satisfied that the person in
24 question should be removed from office, the Board may remove the person
25 concerned by an instrument in writing signed by the Chairman of the Board.

26 (3) The Director General may, in a case of misconduct by a member of
27 staff which in the opinion of the Director-General is prejudicial to the interest
28 of the Centre suspend such member and any suspension shall forthwith be
29 reported to the Board.

30 (4) For good cause, any member of staff may be suspended for office

1 or his appointment may be terminated by the Board and for the purpose of
2 this subsection "good cause" means:

3 (a) any physical or mental incapacity which the Board, after
4 obtaining medical advice, considers to render the person concerned unfit for
5 the discharge of the functions of his office;

6 (b) conduct of a scandalous or other disgraceful nature which the
7 Board considers to be such as to render the person concerned unfit to
8 continue to hold his office; or

9 (c) Conduct which the Board considers to be such as to constitute a
10 failure or inability of the person concerned to discharge the functions of his
11 office or to comply with the terms and conditions of his office or to comply
12 with the terms and conditions of his service.

13 (5) Any person suspended pursuant to subsection (3) or (4) of this
14 section shall be placed on half pay and the Board shall, before the expiration
15 of a period of three months after the date of such suspension, consider the
16 case against that person and come to a decision as to-

17 (a) whether to continue such person's suspension and if so, on what
18 terms (including the proportion of his emoluments to be paid to him);

19 (b) whether to reinstate such person to his office, in which case the
20 Board shall restore his full emoluments to him with effect from the date of
21 the suspension;

22 (c) whether to terminate the appointment of the person in question
23 in which case such as person shall not be entitled to the proportion of his
24 emolument withheld during the period of the suspension; or

25 (d) whether to take such lesser disciplinary action against such
26 person (including the restoration of such promotion of his emoluments that
27 might have been withheld) as the Board may determine, and in any case
28 where the Board, pursuant to his section, decides to continue a person's
29 suspension or decides to take further disciplinary action against a person, the
30 Board shall before the expiration of a period of three months from such

1 decision, come to a final determination in respect of the case concerning any
2 such person.

3 (6) A person who signs the instrument of removal by virtue of
4 Subsection (1) of this section shall serve or cause it to be served on the Person
5 Concerned, a copy of the instrument.

6 (7) Nothing in the foregoing provisions of this section shall Prevent
7 the Centre from making such regulations for the discipline of other Categories
8 of staff and workers of the Centre as it may think fit.

Discipline of
junior staff

9 10.-(1) If any junior staff is accused of misconduct or inefficiency, the
10 Director-General may suspend him for not more than three months and
11 forthwith shall direct the matter to the appropriate committee-

12 (a) to consider the case; and

13 (b) to make recommendation as to the appropriate action to be taken
14 by the Director-General.

15 (2) In all cases under this section, the junior staff be informed in
16 writing of the charges against him and be given reasonable opportunity to
17 defend himself.

18 (3) The Director-General may, after considering the
19 recommendations made pursuant to sub-section (1)(b) of this section, dismiss,
20 terminate, retire or downgrade the junior officer concerned.

21 (4) Any person aggrieved by the Director-General's decision under
22 subsection (3) of this section, may within a period of 21 days from the date of
23 the receipt of the letter communicating the decision to him address a petition to
24 the Board to reconsider his case and the Board's decision thereon shall be final.

25 PART III - FINANCIAL PROVISION

Functions of
the Centre

26 11.-(1) There shall be established and maintained for the Centre a
27 fund into which shall be paid and credited-

28 (a) all sums accruing to the Centre from the Federal Government or
29 any other persons or State Government; revenue generated from the Center's
30 Facilities;

1 (b) all monies accruing to the Centre by way of gifts, loans
2 testamentary dispositions, endowments or contributions from philanthropic
3 persons or organizations and other international organizations or bodies;

4 (c) all other assets that may from time to time, accrue to the Centre
5 such as from fund raising, other sources in the execution of its functions or in
6 respect of any property vested in the Centre or otherwise howsoever;

7 (d) foreign aid and assistance from bilateral/multilateral agencies;
8 and

9 (e) all other sums which may, from time to time, accrue to the
10 Centre.

11 **12.-(1)** The Centre shall, from time to time, apply the funds at its
12 disposal to-

Expenditure by
the Centre

13 (a) the cost of administration and maintenance of the Centre;

14 (b) publicize and promote the activities of the Centre;

15 (c) pay allowance, expenses and other benefits of members of the
16 Board and Committee of the Board; and

17 (d) undertake such other activities as are connected with all or any
18 of the functions of the Centre under this Act.

19 **13.-(1)** The Centre may engage in fund raising activities provided
20 that funds shall not be raised outside Nigeria without the prior approval of
21 the Minister.

Power to raise
fund and accept
gifts

22 (2) The Centre may accept gifts of land, money, building, work of
23 art, materials or other property connected with its functions under or
24 pursuant to this Act within or outside Nigeria on such terms and conditions,
25 if any, as may be specified by the person or organization making the gift.

26 (3) The Centre shall not accept any gift if the conditions attached
27 by the person or organization making the gift are inconsistent with the
28 functions of the Centre under this Act.

29 **14.-(1)** The Centre shall cause to prepare a budget based on the call
30 circular for such from the Government.

Annual estimates
and accounts

1 (2) The Board shall cause to be kept proper account of the Centre and
 2 proper records in relation thereto and when certified by the Centre the accounts
 3 shall be audited by auditors appointed from the list and in accordance with the
 4 guidelines supplied by the Auditor-General for the Federation.

Annual report

5 15.-(1) The Centre shall not later than 3 months immediately
 6 proceeding the beginning of each year, submit to the Minister, a report on the
 7 activities and administration of the Centre during the immediate proceeding
 8 year and shall include in such reports audited accounts of the Centre and the
 9 auditor's report thereon.

Exemption from
tax

10 16.-(1) The Centre shall be exempted from the payment of tax on
 11 any income accruing from investments made by the Centre or
 12 otherwise tax however.

13 (2) The provisions of any enactment relating to the taxation of
 14 companies or trust funds shall not apply to the Centre or the Board.

Power to borrow

15 17.-(1) The Board may, from time to time, borrow by overdraft or
 16 otherwise such money as the Centre may require for the performance of its
 17 functions under this Act.

18 (2) The Board shall not, without the approval of the President through
 19 the Minister, borrow money which exceeds, at any time, the limit set by
 20 Government.

21 (3) Notwithstanding subsection (1) of this section, where the sum to
 22 be borrowed is in foreign currency, the Board shall not borrow the money
 23 without the approval of the President through the Minister.

Investment
Cap. 449 LFN

24 18.-(1) The Centre may, subject to the provisions of this Act and the
 25 conditions of any trust created in respect of any property, invest all or any of its
 26 funds in any security prescribed by the Trustee Investments Act or in such other
 27 securities as may, from time to time, be approved by the Minister.

PART IV - LEGAL PROCEEDING

Limitation of
suits against the
Centre, etc
Cap. 379 LFN

29 19.-(1) Subject to the provisions of this Act, the Provisions of the
 30 Public Officers Protection Act shall apply in relation to any suit instituted

1 against an officer or employee of the Centre.

2 (2) Notwithstanding anything contained in any other enactment,
3 no suit against a member of the Board or the Director-General or any other
4 officer or employee of the Centre for any act done in pursuance or execution
5 of this Act or any other enactment or law, or of any public duty or authority in
6 respect of any alleged neglect or default in the execution of this Act or any
7 other enactment or law, duty or authority, shall lie or be instituted in any
8 court unless it is commenced-

9 (a) within three months next after the Act, neglect or default
10 complained of; or.

11 (b) in the case of a continuation of damage or injury, within six
12 months next after the ceasing thereof.

13 (3) No suit shall be commenced against a member a of the Board or
14 the Director-General or any other officer or employee of the Centre before
15 the expiration of a period of one month after written notice of the intention to
16 commence the suit shall have been served on the Centre by the intending
17 plaintiff or his agent.

18 (4) The notice referred to in subsection (3) of this section shall
19 clearly and explicitly state the cause of action, the particulars of the claim,
20 the name and place of abode of the intending plaintiff and the relief which he
21 claims.

22 **20.** A notice summons or other document required or authorized to
23 be served on the Centre under the provisions of this Act or any other
24 enactment or law may be served by delivering it to the Director-General or
25 by sending it by registered post addressed to the Director-General at the
26 principal office of the Centre.

Service of
Documents

27 **21.**-(1) In any action or suit against the Centre, no execution or
28 attachment of process in the nature thereof shall be issued against the Centre
29 before the expiration of a period of months written notice of the intention to
30 execute or attach given to the Centre.

Restriction of
execution against
property of the
Centre

1 (2) Any sum of money which by the judgment of any court has been
2 awarded against the Centre shall, subject to any direction given by the court,
3 where notice of appeal against the judgment has been given, be paid from the
4 fund of the Centre.

Indemnity of
Officers

5 22. A member of the Board or the Director-General or any officer or
6 employee of the Centre shall be indemnified out of the assets of the Centre
7 against any liability incurred by him in defending any proceeding, whether
8 civil or criminal, if the proceeding is brought against him in his capacity as a
9 member, Director-General, officer or other employee of the Centre.

Secretary

10 23.-(1) A member of the Board or the Director-General or any other
11 officer or employee of the Centre shall-

12 (a) not, for his personal gain, make use of any information which has
13 come to his knowledge in the exercise of his power or is obtained by him in the
14 ordinary course of his duty as a member of the Board or as the Director General,
15 officer or employee of the Centre;

16 (b) treat as confidential any information which has come to his
17 knowledge in the exercise of his powers or is obtain by him 111 the
18 performance of his duties under this Act;

19 (c) not disclosed any information referred to under paragraph (b) of
20 this subsection, except when required to do so by a court or in such other
21 circumstances as may be prescribed by the Centre, from time to time.

22 (2) Any person who contravenes the provisions of subsection (i) of
23 this section commits an offence and is liable on conviction to a fine not less
24 than N20,000 or imprisonment for term not exceeding 2 years or to both such
25 fine and imprisonment.

Directives by
the Minister, etc.

26 24. The Minister may give to the Centre or the Director-General in
27 writing such directives of a general nature or relating generally to matters of
28 policy with regard to exercise of its or his functions as he may consider
29 necessary and it shall be the duty of the Centre or the Director-General to
30 comply with the directives or cause them to be complied with.

1 25. The Centre may, with the approval of the Minister, make such Regulations
2 regulations as in its opinion are necessary or expedient for giving full effect
3 to the provisions of this Act and for the due administration of its provisions.

4 26. The National Centre for Women Development Decree 1995 Repealed of
5 No. 11 is hereby repealed. Decree No. 11.
1995

6 (2) The Centre established pursuant to the National Centre for
7 Women Development Decree No. 11, 1995 shall continue to exist as if the
8 same was established under this Act.

9 (3) It is hereby declared that without limiting the provisions of the
10 interpretation Act, the repeal of the above enactment shall not affect any
11 document made or anything whatsoever done or purported to have been
12 done under the enactments so repealed.

13 (4) Every order, requirement, certificate, notice, direction,
14 decision, authorization, consent, application, request, contract, agreement
15 or thing made, issue, given or done under any enactment repealed by this Act
16 shall if in force and have effect at the commencement of this Act continue to
17 be in force and have effect as if made, issued, given or done under the
18 corresponding provisions of this Act.

19 27. In this Act, except the context otherwise requires- Interpretation

20 "Board" means the Governing Board of the Centre established under section
21 2 of the Act;

22 "Chairman" means the chairman of the Governing Board of the Centre;

23 "Centre" means the National Centre For Women Development established
24 under section 1 of this Act;

25 "Minister" means the Federal Minister charge with the responsibility for
26 matters relating to Gender issues and women empowerment.

27 "Functions" includes powers and duties;

28 "Director-General" means the Director General of the Centre;

29 "Public Officer" means a member of the public service of the Federation.

1 (a) consist of such number of person (not necessarily members of
2 the Board as may be determined by the Board), and a person, other than a
3 member of the Board, shall hold office on the committee in accordance with
4 the terms of his appointment; and

5 (b) be presided over by a member of the Board.

6 (3) The quorum of any committee set up by the Board shall be as
7 may be determined by the Board.

8 (4) A decision of a committee of the Board shall be of no effect until
9 it is confirmed by the Board.

10 *Miscellaneous*

11 7. The fixing of the seal of the Centre shall be authenticated by the
12 signature of the Chairman, the Director-General or any other person
13 generally or specifically authorized by the Board to act for that purpose.

14 8. Any contract or instrument which, if made by a person not
15 being a body corporate, would not be required to be under seal may be made
16 or executed on behalf of the Centre by the Director-General or by any other
17 person generally or specially authorized by the Board to act for that purpose.

18 9. Any document purporting to be a contract, instrument or other
19 document duly signed or sealed on behalf of the Centre shall be received in
20 evidence and shall, unless the contrary is proved, be presumed without
21 further proof to have been so signed or sealed.

22 10. The validity of any proceedings of the Board or of any of its
23 committees shall not be affected by-

24 (a) any vacancy in the membership of the Board, or committee;

25 (b) any defect in the appointment of a member of the Board or
26 committee; or

27 (c) reason that any person not entitle to do so took part in the
28 proceedings of the Board or committee.

29 11. A member of the Board or a committee who has a personal
30 interest in any contract or arrangement entered into or proposed to be

- 1 considered by the Board or such committee shall forthwith disclose his interest
- 2 to the Board and shall not vote on any question relating to the contract or
- 3 arrangements
- 4 12. No member of the Board shall be personally liable for any act or
- 5 omission done or made in good faith while engaged in the business of the
- 6 Centre.

EXPLANATORY MEMORANDUM

The Bill seeks to repeal the National Centre for Women Development Decree No. 11 1995 and re-establish the National Centre for Women Development to, among other things, promote and faster the empowerment of the Nigerian women politically, socially and economically.

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