

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL COUNCIL FOR PUBLIC ASSISTANCE TO WIDOWS, DEPENDENT CHILDREN, AND ORPHANS AND FOR RELATED MATTERS, 2019

Sponsored by Hon. Chukwuma Umeoji

[] Commencement

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

1 1.-(1) There shall be established for the Federation a body to be
 2 known as the National Council for Public Assistance to Widows, Dependent
 3 Children, Orphans and Victims of Terrorism (in this Bill referred to as "the
 4 National Council") which shall under that name be a body corporate with
 5 perpetual succession and common seal and may sue or be sued in its
 6 corporate name.

Establishment of the National Council for Widows, Dependent Children, Orphans and Victims of Terrorism

7 (2) The National Council shall have its headquarters in the Federal
 8 Capital Territory, Abuja and Community Registration Offices in each of the
 9 Local Government Areas, which are hereby established.

10 2.-(1) There shall be for the National Council, a Governing Board
 11 of Trustees (in this Bill referred to as "the Board of Trustees") which shall
 12 consist of-

Establishment and Composition of the Board of Trustee of the National Council

13 (a) a Chairperson, who shall be-

14 (i) the Chief Executive Officer of the National Council;

15 (ii) a person of proven integrity, ability and character, with
 16 acceptable qualification;

17 (iii) appointed by the President, subject to confirmation by the
 18 Senate;

19 (b) two persons from each of the six geopolitical zones of the
 20 Federation and one from the Federal Capital Territory, who shall be-

1 (i) of proven integrity with acceptable qualification and experience
2 management and administrative procedures;

3 (ii) recommended for appointment by the Minister for Women Affairs
4 and Minister for Youth Development;

5 (iii) appointed by the President subject to confirmation by the Senate;.

6 (c) one representative each from-

7 (i) the National Council of Women Societies, whose organization has
8 to do with widows, orphans and dependent children;

9 (ii) the National Association of Women Lawyers;

10 (iii) the Nigerian Union of Teachers;

11 (iv) the Nursing Association of Nigeria;

12 (d) one representative each, not below the rank of a Director from-

13 (i) the Federal Ministry of Women Affairs;

14 (ii) Federal Ministry of youth Development;

15 (iii) the Federal Ministry of Education,

16 (iv) the Federal Ministry of Justice,

17 (v) the Federal Ministry of Interior.

18 (3) The members of the Board of Trustees appointed pursuant to
19 paragraphs (c) and (d) of subsection (2) of this section shall be appointed by the
20 President on the recommendation of the relevant bodies to which they belong.

21 (4) For the avoidance of any doubt, the composition of the members
22 of the Board of Trustees of the National Council shall reflect the Federal
23 character of Nigeria.

Tenure of office

24 3.-(1) Subject to the provisions of section 5 of this Bill, a member,
25 other than an ex-officio member-

26 (a) shall hold office for a period of five years from the date of his
27 appointment and shall be eligible for reappointment;

28 (b) may resign his appointment by writing under his hand, a letter
29 addressed to the President, and his membership shall terminate on the date of
30 receipt of the letter of resignation; and

1 (c) members shall serve on part time basis and shall be paid such
2 remuneration and allowances as the Revenue Mobilisation, Allocation and
3 Fiscal Commission may, from time to time, determine.

4 (2) A member of the Board of Trustees, other than an ex-officio
5 member shall not while holding office in the Board hold any other office of
6 emolument, whether in private business in the Federal or State Public
7 Service,

8 4. The supplementary provisions contained in the Schedule to this
9 Bill shall have effect with respect to the proceedings of the Board of Trustees
10 of the National Council, and other matters relating thereto.

11 5. -(1) A member of the Board of Trustees of the National Council
12 may only be removed from office by the President for inability to discharge
13 the functions of his office (whether arising from infirmity of mind or body or
14 any other cause) or for misconduct.

Proceedings of
the Board of
Trustee

Removal of a
members and
cessation of
membership

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

16 (a) any member who is absent from three consecutive meetings of
17 the Board of Trustees in a particular year shall file an explanation to the
18 Chairman for consideration by the Board of Trustees, and if the explanation
19 is not accepted by the members of the Board of Trustees; or

20 (b) where the Board of Trustees is satisfied that the continued
21 presence on the Board by any member is not in the interest of the overall
22 objectives and functions of the National Council, may recommend to the
23 President that the member be removed and declare the office of that member
24 vacant.

25 (3) Any member appointed to any vacant position resulting from
26 the application of the provisions of this section shall represent the same
27 interests which the predecessor represented, and subject to satisfactory
28 performance and conduct, shall complete the term which, if the predecessor
29 had continued in office, he would have completed,

1 PART II - THE FUNCTIONS AND POWERS OF THE NATIONAL COUNCIL

Functions and
powers

2 6. -(1) The Functions of the National Council shall be to-

3 (a) provide financial assistance and aid in the form of assistance
4 benefit payment and reasonable comfort to any widow who-

5 (i) is underemployed or unemployed or unemployable;

6 (ii) earns wages that is less than 30 per cent of the approved minimum
7 wage in the State where she is resident; or-8 (iii) has a dependent child under her care, and which dependent child
9 is her offspring, living with her, but lacking adequate upkeep or support;10 (b) provide financial assistance and reasonable comfort for any
11 orphan under the age of 18 years who lacks adequate upkeep or support, care,
12 attention and love;13 (c) require and encourage any widow registered under any assistance
14 or aid programme carried on by the National Council to work, and to provide
15 fair employment for any able-bodied unemployed widow who possesses
16 certain educational qualifications or vocational skill, within a reasonable
17 period after the death of her husband;18 (d) provide free legal aid for any widow, with or without a dependent
19 child or children, and any orphan (hereinafter in this Bill referred to as
20 "Recipient(s)" as the case may be) who requires such legal aid for the purpose
21 of securing any entitlements or rights to any property or legacies or
22 testamentary dispositions which is being, or is reasonably believed to be, about
23 to be, or has been, denied or withdrawn or refused or taken away from any such
24 Recipient;25 (e) endeavour to provide reasonable accommodation, housing or rent
26 subsidy, as the case may be, for any Recipient who is a widow, and who is
27 underemployed or unemployed or unemployable, and who has been or is about
28 to be ejected from an apartment or a house where she is resident before and
29 after the death of her husband;

30 (f) intercede or participate in any negotiation with any public or

1 private concern, on behalf of any Recipient who is a widow, with or without
2 a child under her care, to obtain or secure a reasonably extended period of
3 occupation (which period of occupation shall not be less than six months
4 thereafter), in any staff quarter or apartment provided by the said public or
5 private concern as accommodation for her husband before his deceased;

6 (g) provide reasonable amount of subsidy for the medical expenses
7 incurred by any Recipient, within a reasonable limit, and as the National
8 Council may, from time to time, determine;

9 (h) require and encourage any illiterate Recipient who is a widow
10 to participate in the adult literacy programmes and vocational or skills
11 acquisition training courses which shall be carried out by each Community
12 Registration Office of the National Council.

13 (i) carry out a regular and coordinated enlightenment campaign
14 programme such as workshops, seminars and conferences to educate the
15 general public on the psychological torture and deprivations which a
16 Recipient who is either a widow or parentless child, undergo, and stress the
17 need for the society to render assistance, aid and comfort to the
18 aforementioned Recipients, and to behave humanely and compassionately
19 toward them at all times;

20 (j) assist or guarantee the procurement of the short-term interest
21 free loan from any financial concern on the behalf of any low-income
22 Recipient who is an unemployed, widow, for the purpose of enabling the
23 Recipient to set up any small-scale business in any part of the Federation;

24 (k) establish orphanages, Institutions, Foster Homes or Child Care
25 Centres, as the case may be, in each Senatorial District of the Federation for
26 Recipients who are orphans under the age of 18 years, and provide the said
27 Recipients with basic educational and vocational training, health care
28 facilities, reasonable feeding allowance, adequate upkeep and support,
29 freely, without any exaction of fees or payment, whatsoever;

30 (l) generally improve the living conditions of any Recipient who is

1 a dependent child or orphan in order to enable them to be productive citizens of
2 Nigeria;

3 (m) establish a national information clearing house on widows and
4 orphans, to collect, analyze and distribute information on the needs of widows
5 and parentless children; and

6 (n) do any other thing, which in the opinion of the National Council
7 will assist in furthering the attainment of the functions directed to be carried out
8 under this subsection of this section.

9 (2) Subject to the provisions of this Bill, the National Council shall
10 have powers to-

11 (a) determine any person or persons who shall be eligible to
12 participate or obtain the public assistance or aid benefits directed to be offered
13 and rendered under this Bill, after due examination and verification of the
14 application and the claims made therein by a Recipient shall have been
15 certified within 30 days after the application and claims were filed;

16 (b) determine the extent of its commitment in any particular financial
17 year, and the nature of assistance or aid or payments or allowances that may be
18 made to any Recipient who is registered in any of the Community Registration
19 Office located in each Senatorial District of the Federation;

20 (c) carry out a regular random monitoring, survey and special study of
21 the social and economic activities, lifestyle and living conditions of any
22 Recipient registered under this Bill, in order to determine the extent of the
23 efficacy, efficiency and effectiveness of any assistance or aid programme
24 provided for any such Recipient;

25 (d) suspend, discontinue or terminate the provision of any assistance
26 or aid programme or benefit payment or allowance rendered or made, as the
27 case may be, to any Recipient registered under the National Council if-

28 (i) in the opinion of the Board of Trustees, it is reasonably believed or
29 ascertained that any such Recipient is not so entitled or qualified;

30 (ii) a Recipient, who is a dependent child or orphan, has attained the

1 age of 21 years;

2 (iii) a Recipient, who is a widow, is reasonably believed to own
3 properties valued in excess of five hundred thousand Naira, or earns salaries,
4 allowances, wages or income which is above the minimum wage payable in
5 the State where she resides;

6 (iv) any of the information, data or claims presented to the National
7 Council by a Recipient is found to be false in any material particular, or is
8 designed or calculated to deceive or defraud or mislead the National
9 Council;

10 (v) a Recipient, who is a widow, becomes married to another man
11 or is deceased;

12 (vi) a Recipient is found to have been registered in more than one
13 Community Registration Office of the National Council without proper
14 notification of a change of place of residence or any acceptable reason;

15 (vii) a court of law or tribunal so rules;

16 (viii) a Recipient is convicted for any criminal offence by a court of
17 law or tribunal in the Federation;

18 (ix) a Recipient is found to have traveled out of the country for a
19 period of over six months for any reason;

20 (e) recommend to the appropriate authority the prosecution of any
21 Recipient who obtains any assistance or aid rendered by the National
22 Council through fraud or deceit or double-dealing or duplicity; and

23 (j) publish from time to time, a comprehensive list of Recipients in
24 each Community Registration Office in the Federal Government Official
25 Gazette or in not less than three national dailies.

26 PART III - SPECIAL PROVISIONS AS REGARDS ELIGIBILITY FOR

27 OBTAINING ASSISTANCE BENEFITS, ETC. BY A RECIPIENT

28 7.-(1) Subject to the provisions of this Bill, eligibility for the
29 assistance benefit payments specified to be made herein shall be based on
30 need, and in that regard the National Council shall certify, register and

Eligibility of
recipients of
assistance benefits

1 render assistance or aid benefits to any person who -

2 (a) who is a widow;

3 (b) is a dependent child below the age of 18 years, an offspring and
4 member of the household of a widow specified under paragraph (a) of this
5 subsection; and

6 (c) who is an orphan.

7 (2) Notwithstanding the foregoing provisions of this section, the
8 National Council shall have powers to issue shorter or provisional registration
9 period for a Recipient who, in its opinion, is a widow that -

10 (a) possesses substantial likelihood of improved changes in earning
11 an income; and

12 (b) is physically and mentally fit and aged between 21 and 60 years.

13 (3) The National Council shall have powers to disqualify or exclude
14 or expel or suspend, from the assistance benefit payments specified under this
15 Bill, any Recipient who-

16 (a) refuses to cooperate in providing any information necessary to
17 determine eligibility;

18 (b) is found to have knowingly transferred assets in order to qualify
19 for participation in the assistance benefit payments rendered under this Bill;

20 (c) is physically and mentally fit, aged between 21 and 60 years, but-

21 (i) refuses to register for employment at the time of registration with
22 the Community Registration Office of the National Council and every six
23 months thereafter;

24 (ii) refuses to conduct any required job search activities;

25 (iii) refuses to accept, without good cause, any offer of employment
26 which pays not less than 80 percent of the basic minimum wage payable in the
27 State where she resides;

28 (iv) voluntarily quits a job without good cause; or

29 (v) is found to be a drug addict or alcoholic undergoing treatment.

30 (4) Without prejudice to the provisions of subsection (1) of this, the

1 section, the National Council shall not register any widow or any dependent
2 child of a widow or any orphan who is a lunatic, or disabled or handicapped
3 or incapacitated person in any form, but may refer any such person coming
4 before it to the relevant government body for attention.

5 (5) A Recipient, who is a widow, desiring to change her place of
6 residence outside the jurisdiction of any particular Community Registration
7 Office where she resides or to any other part of the Federation shall notify
8 the National Council or the appropriate Community Registration Office
9 within 30 days in writing under her hand, of such change, and shall state her
10 new address and any other information related thereto.

11 8.-(1) Subject to the provisions of this Bill, the National Council
12 shall make such monthly payments of allowances and subsidies as the
13 National Assembly may, from time to time, determine for the upkeep and
14 support of a Recipient who is -

- 15 (a) a widow with her dependent children;
16 (b) a widow without a dependent child; and
17 (c) an orphan under the age of 18 years.

18 (2) For the avoidance of any doubt, the number of dependent
19 children of anyone widow eligible for consideration to receive the payments
20 specified under subsection (1) of this section shall not be more than four
21 children who shall be under the age of 18 years.

22 (3) Any payment of allowances or subsidies due to a Recipient who
23 is a widow with or without a dependent child or children shall be signed for
24 and collected by the widow, while payments due to an orphan shall be paid
25 directly to the Orphanage or Institution or Foster Home or Child Care
26 Center, as the case may be, where the orphan is admitted or to a care giver
27 where the orphan is not in an institution.

28 9.-(1) Each Community Registration Office of the National
29 Council shall, at all times, ensure a prompt and courteous discharge of its
30 duties and responsibilities to every Recipient, and to that extent, shall-

Directions as to
payment of
assistance benefits
to recipient

Obligations of the
National Council

1 (a) not arbitrarily withdraw or deduct or suspend or terminate the
2 issuance or provision of any entitlements or economic benefits due to any
3 Recipient, except in accordance with the provisions of this Bill;

4 (b) entertain complaints and give an opportunity to any person who is
5 denied or refused registration or any payment to appeal for a reconsideration;

6 (c) regularly undertake research to improve the administration and
7 effectiveness of the public assistance or aid programmes carried on by each
8 Community Registration Office;

9 (d) develop ways of measuring the impact and effectiveness of the
10 various assistance benefit payments made on the living conditions of
11 individual Recipients.

12 (2) Accordingly, the management and staff of each Community
13 Registration Office of the National Council shall be required to carry out a
14 regular interactive and counseling programme for every Recipient in order to
15 express their love and care to them.

16 PART IV - ORGANISATION AND STAFF OF THE NATIONAL COUNCIL

Appointment and
duties of the
Secretary

17 10.-(1) There shall be appointed for the National Council a Secretary
18 who shall have such-qualifications and experience as are applicable to the
19 Chairman appropriate for a person required to perform the functions of the
20 office under this Bill, that is to say-

21 (a) issue notices of the meetings of the Board of Trustees of the
22 National Council as may be directed by the Chairman or the National Council;

23 (b) be responsible for preparing the minutes of the meetings of the
24 National Council;

25 (c) be responsible for keeping and securing the records of the National
26 Council;

27 (d) be the head of the Secretariat staff of the National Council and be
28 responsible for the administration thereof, and the direction and control of
29 other employees of the National Council, with the approval of the Chairman;
30 and

1 from the list of auditors and in accordance with the guidelines laid down by
2 the Auditor-General of the Federation.

3 (4) The auditors appointed under subsection (3) of this section shall on
4 completion of the audit of the accounts of the National Council for each
5 financial year, prepare and submit to the National Council two reports, that
6 is to say-

7 (a) a general report setting out the observations and recommendations of the
8 said auditors on the financial affairs of the National Council and that of the
9 Community Registration Office in each Senatorial District of the Federation
10 for that year, and on any important matters which the auditors may consider
11 necessary to bring to the notice of the National Council; and

12 (b) a detailed report containing the observations and recommendations of
13 the auditors on all aspects of the operations of the National Council for that
14 year.

15 **Annual reports**

16 18. In addition to any other report prescribed under this Bill, the National
17 Council shall prepare and submit to the Minister and the National Assembly,
18 not later than the last day of the month of June of each financial year, a report
19 on all aspects of the operations of the accounts of the National Council
20 during the immediately preceding financial year, and shall include in that
21 report, a copy of the audited accounts of the National Council for the year
22 and the auditors report thereon.

23 **PART VI - OFFENCES, PENALTIES AND LEGAL PROCEEDINGS**

24 19. -(1) Any person who-

25 (a) being a recipient or seeking to be a recipient or beneficiary of
26 any of the assistance or aid programmes or activities or obligations carried
27 on by the National Council knowingly or unknowingly provides any
28 information or data or report which is false in every material particular and
29 which is calculated to cheat, deceive, defraud and steal funds or obtain
30 certain benefits or obligations from the National Council; or

Offences

1 knowledge in the exercise of his powers or obtained by him in the ordinary
2 course of his duty under this Bill;

3 (b) treat as confidential any information which has come to his
4 knowledge in the exercise of his powers or is obtained by him in the
5 performance of his functions under this Bill; and

6 (c) not disclose any information referred to under paragraph (b) of this
7 subsection except when required to do so by an Arbitration Board or court or in
8 such other circumstances as may be prescribed by the Board of Trustees of the
9 National Council, from time to time.

10 (2) Any person who contravenes the provisions of subsection (1) of
11 this section commits an offence and is liable on conviction to a fine of not less
12 than 20,000 Naira or imprisonment to a term not exceeding two years or to both
13 such fine and imprisonment.

Access to
records, etc.

14 26.-(1) For the purpose of carrying out the functions of the National
15 Council under this Bill, the Chairman or any officer of the National Council
16 authorized in that behalf shall-

17 (a) have a right of access to all the records of Federal, State and Local
18 Government departments, agencies or councils charged with responsibility for
19 the registration of births, deaths or marriages in the Federation or any
20 government department, agency or Council to which the National Council is
21 connected; and

22 (b) by notice in writing served on a person in charge of any
23 government department, agency or council in the Federation, to which the
24 National Council is connected or concerned, supply information on such
25 matters as may be specified in the notice.

26 (2) It shall be the duty of any person or authority required to supply
27 information pursuant to subsection (1) of this section to comply with the notice
28 within a reasonable period of time.

Bye-laws as to
conditions of
service of staff

29 27.-(1) The National Council with the approval of the President or the
30 National Assembly make bye laws relating generally to the conditions of e staff

1 service of the staff of the National Council, and without prejudice to the
2 generality of the foregoing, such bye laws may provide for-

3 (a) the appointment and disciplinary control of all employees of the
4 National Council; and

5 (b) appeals by such employees against dismissal or other
6 disciplinary measures.

7 (2) The bye laws made in pursuance of subsection (1) of this
8 section need not be published in the Federal Gazette but the National
9 Council shall bring them to the notice of all concerned persons in such
10 manner as it may, from time to time, determine the National Council;

11 "National Council" means the National Council for Public Assistance to
12 Widows, -Dependent Children and Orphans established under section 1 (1)
13 of this Bill;

14 "Used" in relation to this Bill and as specified under section 7 (1) of the same
15 Bill, refers to a situation in which a Recipient has neither income nor
16 resources sufficient to provide subsistence compatible with reasonable
17 minimum acceptable standard of decent living and health in a civilized
18 society;

19 "orphan" in relation to this Bill, includes any child under the age of 18 years
20 whose parents are both deceased;

21 "President" means the President of the Federal Republic of Nigeria; and

22 "widow" means a woman whose husband is deceased.

23 30.-(1) This Bill may be cited as the National Council for Widows, Citation
24 Dependent Children and Orphans (Establishment, Special Provisions, etc.)
25 Bill, 2019.

26 (2) The provisions of this Bill are in addition to, and not a
27 deprecation of the provisions of any other law or regulation relating to
28 widows or dependent children or orphans in the Federation.

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SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD OF TRUSTEES

Proceedings of the Board of Trustees

Cap. 192, LFN.

1. Subject to this Bill, and section 27 of the Interpretation Act (which provides for decision of a statutory body to be taken by a majority of its members and for the person presiding to have a second casting vote) the Board of Trustees of the National Council may make standing orders regulating their meetings or the meetings of any committee thereof.

2.-(1) The Board of Trustees shall meet not less than five times in a year and subject thereto, the Board of Trustees shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice given to him by not less than five other members, he shall summon a meeting of the Board of Trustees to be held within fourteen days from the date on which the notice is given.

(2) Every meeting of the Board of Trustees shall be presided over by the Chairman or in his absence, the members present at the meeting shall elect one of their number to preside at the meeting.

3. The quorum at a meeting of the Board of Trustees of the National Council shall consist of the Chairman (or in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 (2) of this Schedule) and eight other members.

4. Where upon any special occasion the Board of Trustees desires to obtain the advice of Any person on any particular matter, the Board of Trustees may co opt that person to be a member for as many meetings as may be necessary, and that person while so co opted shall have all the rights and privileges of a member except that he shall not be entitled to vote.

Committees

5.-(1) Subject to its standing orders, the Board of Trustees may appoint such number of standing and ad hoc committees as it thinks fit to

1 (e) perform such other duties as may be determined and directed by
2 the National Council.

3 (2) The Secretary appointed under subsection (1) of this section
4 shall be paid such salary
5 and allowances as may be specified in his letter of appointment.

6 11.-(1) There shall be appointed for each Community Registration
7 Office in the Federation, a District Coordinator who shall-

Appointment and
duties of a district
coordinator

8 (a) carry out a proper examination, verification and subsequent
9 registration of persons eligible to participate in the assistance and aid
10 programmes specified and offered under this Bill;

11 (b) be the head of the Secretariat staff in the Community
12 Registration Office;

13 (c) transmit to the Headquarters of the National Council not later
14 than seven days, information and data on each Recipient registered in
15 anyone week for participation in the assistance and aid programmes
16 specified and offered under this Bill;

17 (d) perform such other duties as may be assigned to him by the
18 Chairman or the Board of Trustees; and

19 (e) be paid such salary and allowances as may be specified in his
20 letter of appointment.

21 (2) The District Coordinator appointed under subsection (1) of this
22 section shall be a person of proven integrity, qualification and experience
23 necessary to perform the responsibilities of his office and the functions
24 specified under this Bill.

25 12.-(1) The Federal Government or a State Government may, on an
26 application made to it-

Special provisions
as regards
secondment

27 (1) The National Council second certain category of officers in the
28 public service of the Federation or, as the case may be, of a State to assist the
29 National Council in the discharge of its functions under this Bill.

30 (2) The National Council may, if it deems it necessary to do so,

1 appoint persons not in the public service of the Federation to perform such
2 duties as the National Council may direct.

Service in the
National Council
pensionable

3 13.-(1) Subject to subsection (2) of this section, persons employed in
4 the National Council shall in respect to their service in the National Council be
5 entitled to pensions, gratuities and other retirement benefits as prescribed
6 under the Pensions Act in respect of persons holding equivalent posts, and
7 accordingly, and notwithstanding the provisions of the said Pensions Act, it is
8 hereby declared that service in the National Council shall be approved service
9 for the purposes of that Act.

10 (2) Nothing in this section shall prevent the appointment of a person
11 to any office or position in the National Council on terms and conditions which
12 preclude the grant of a pension or gratuity in respect of service in that office or
13 position.

14 PART V - FINANCIAL PROVISIONS

Establishment of
Fund for the
National Council

15 14.-(1) The National Council shall establish and maintain a Fund
16 from which shall be defrayed all expenditures incurred by the National
17 Council.

18 (2) Subject to the provisions of this Bill, there shall be paid and
19 credited to the Fund established pursuant to subsection (1) of this section-

20 (a) the annual subvention or allocation received from the Federal
21 Government for the implementation of the responsibilities of the National
22 Council;

23 (b) such moneys as may, from time to time, be lent to or deposited
24 with or granted to the National Council by the Federal Government or any
25 government of a State or Local Government Council of Nigeria or any other
26 appendage of government;

27 (c) all moneys raised for the purpose of this Bill by way of gifts,
28 donations, grants in aid, testamentary dispositions, contributions from
29 individuals, corporate or philanthropic organizations, local and international
30 non-governmental organizations, etc. concerned with the purpose of this Bill

1 or otherwise howsoever;

2 (d) all subscriptions, fees and charges payable to the National
3 Council; and (e) interest on investments made by the National Council and
4 payments from all other assets at may, from time to time, accrue to the
5 National Council.

6 (3) The National Council shall, from time to time, apply the
7 proceeds of the Fund established pursuant to subsection (1) of this section -

8 (a) to the funding of the various activities, benefit payments, and
9 obligations directed to be carried out under this Bill by each Community
10 Registration Office of the National Council in each Senatorial District of the
11 Federation;

12 (b) to the payment of salaries, fees or other remuneration
13 allowances and pensions, gratuities and other retirement benefits payable to
14 the members of the Board of Trustees and employees of the National
15 Council;

16 (c) to the costs of acquisition and upkeep of the properties and
17 premises belonging to the National Council; and

18 (d) for the payment of any other special benefits, fees and
19 allowances for and in connection with all or any of the functions of the
20 National Council as specified and directed under this Bill. Cap. 60 LFN.

21 (4) For the purposes of the Companies Income Tax Act any
22 donation made by any company in Nigeria to the National Council shall be a
23 deductible donation within the meaning of that Act.

24 (5) For the avoidance of any doubt, the Board of Trustees shall have
25 the responsibility of controlling and disbursing amounts from the Fund
26 established in accordance with this section.

27 (6) Without prejudice to the provisions of this Bill or any other law
28 in force in the Federation, the funds due to each Community Registration
29 Office, to which this Bill relates, shall be paid directly to their account at the
30 commencement of each financial year.

Power to accept
gifts and
testamentary
dispositions

1 15. The National Council may accept gifts of money, land,
2 testamentary disposition or other property, and upon such terms and
3 conditions, if any, as may be specified by the person or organization or
4 corporate body making the gift:

5 Provided that such gifts of money or other property are not inconsistent with
6 the objectives and functions of the National Council, specified under this Bill.

Borrowing and
investment power

7 16.-(1) The National Council may, with the consent or in accordance
8 with the general authority given by the National Assembly or the President,
9 borrow by way of loan or overdraft from any source, any money required by the
10 National Council to meet its obligations and its functions under this Bill, so
11 however that such consent or authority shall be required where the sum or
12 aggregate of the sums involved at any time does not exceed such amount as is,
13 for the time being, specified in relation to the National Council by the
14 Government of the Federation.

15 (2) The National Council may, subject to the provisions of this Bill,
16 and the conditions of trust in respect of funds held or any property owned,
17 invest any, but not all, of its funds with the same consent or general authority, in
18 such ventures and security as may be permitted by law.

Annual estimates,
account and audit

19 17.-(1) The Chairman of the National Council shall cause to be
20 prepared, not later than six -months before the end of each year, estimates of
21 recurrent and capital expenditure, and-

22 (1) The of the National Council during the next succeeding financial
23 year which shall be approved by the Board of Trustees of the National Council
24 and forwarded to the Office of the Minister.

25 (2) The Chairman shall keep proper accounts and records in relation
26 thereto, and shall prepare in respect of each financial year, a statement of
27 accounts in such form as the Board of Trustees of the National Council may
28 direct.

29 (3) The National Council shall as soon as may be after the end of the
30 financial year, cause its accounts to be audited by qualified auditors appointed

1 consider and report on any matter with which the National Council is
2 concerned.

3 (2) Every committee appointed under the foregoing provisions of
4 this paragraph shall be presided over by a member of the Board of Trustees
5 and shall be made up of such number of other persons, not necessarily
6 members of the Board of Trustees, as the National Council may determine in
7 each case.

8 (3) The quorum of any committee set up by the Board of Trustees
9 shall be as may be determined by the Board of Trustees.

10 6.-(1) Where standing orders made pursuant to paragraph 1 of this
11 Schedule provide for a committee of the National Council to consist of co-
12 opted persons who are not members of the Board of Trustees, the committee
13 may advise the Board of Trustees on any matter referred to it by the National
14 Council, and the members thereof may attend any meeting of the Board of
15 Trustees for that purpose.

16 (2) A decision of a committee of the Board of Trustees shall be of no
17 effect until it is confirmed by the Board of Trustees.

18 *Miscellaneous*

19 7. The fixing of the seal of the National Council shall be
20 authenticated by the signature of the Chairman, the Secretary or any other
21 person authorized generally or specifically to act for that purpose by the
22 Board of Trustees.

23 (7) Any contract or instrument which, if made or executed by a
24 person not being a body corporate, would not be required to be under seal
25 may be made or executed on behalf of the National Council by the Chairman
26 or by any other person generally or specially authorized to act for that
27 purpose by the Board of Trustees.

28 (8) Any document purporting to be a contract, instrument or either
29 document duly signed or sealed on behalf of the National Council shall be
30 received in evidence and shall, unless the contrary is provided, be presumed

1 without further proof to have been so signed or sealed.

2 (9) The validity of any proceedings of the Board of Trustees or of a
3 committee thereof shall be adversely affected -

4 (a) by any vacancy in the membership of the Board of Trustees or any
5 committee thereof;

6 (b) by any defect in the appointment of a member of the Board of
7 Trustees or any committee thereof; or

8 (c) by reason that a person not entitled to do so took part in the
9 proceedings of the Board of Trustees or committee.

10 11. Any member of the Board of Trustees or a committee thereof who
11 has a personal interest in any contract or arrangement entered into or proposed
12 to be considered by the Board of Trustees or committees thereof shall forthwith
13 disclose his interest to the Board of Trustees or the committee, and shall not
14 vote on any question relating to the contract or arrangement.

15 12. No member of the Board of Trustees shall be personally liable for
16 any act done or omission made in good faith while engaged on the business of
17 the National Council.

EXPLANATORY MEMORANDUM

This Bill seeks to establish a National Council to provide categorical public assistance and aid to widows, dependent children and orphans in the Federation, for the purposes of improving their living and health conditions to within reasonable minimum acceptable standard of decency.

The Bill further seeks to emphasize the fact that the economic and social benefits directed to be provided and rendered under this Bill are rights rather than privileges to the citizenry.