

NATIONAL HUMANITARIAN BUREAU (ESTABLISHMENT, ETC) BILL, 2019

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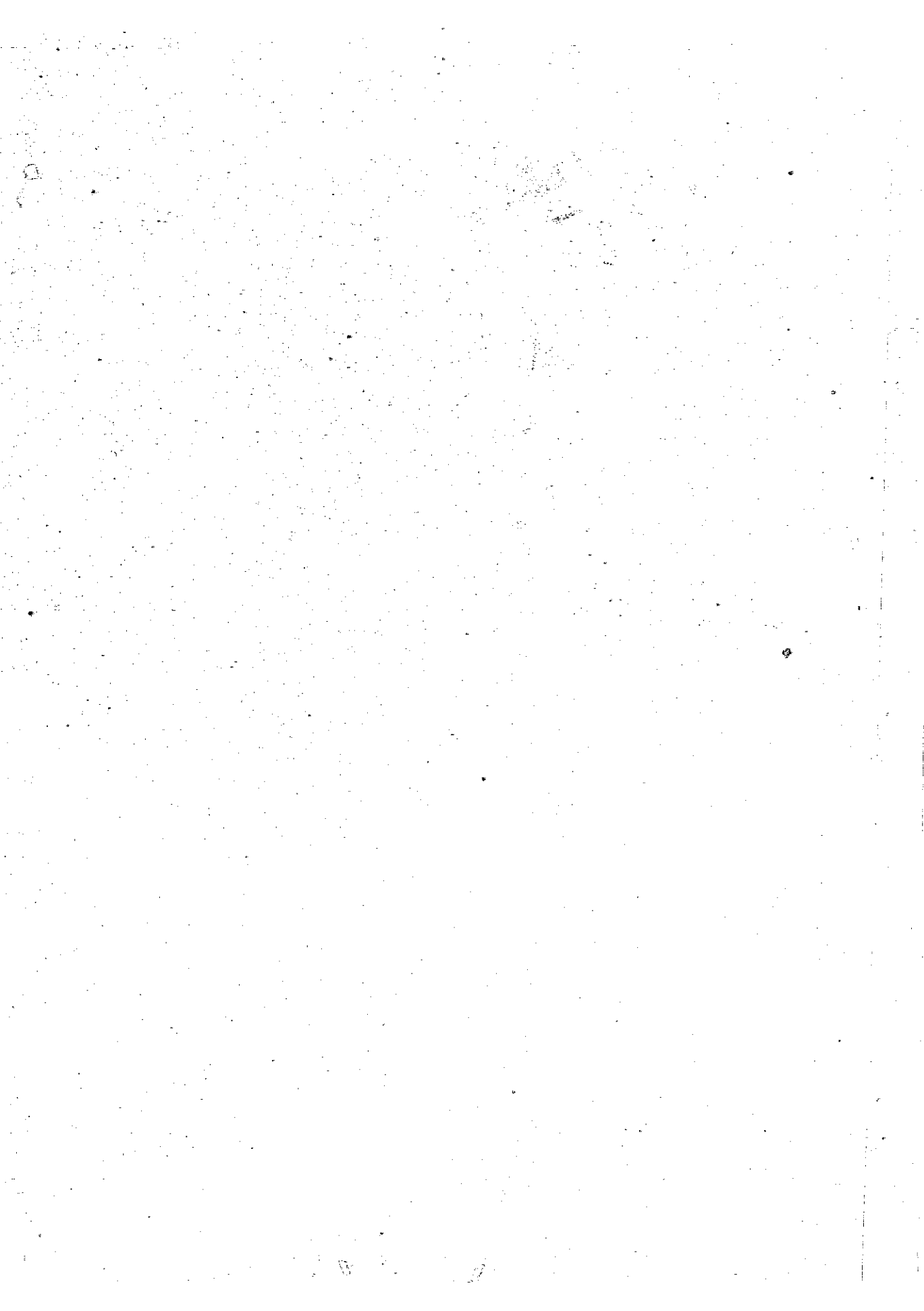
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A BILL

FOR

AN ACT TO ESTABLISH NATIONAL HUMANITARIAN BUREAU TO BE RESPONSIBLE FOR THE REGISTRATION AND MANAGEMENT OF THE VICTIMS OF CRISIS OR NATURAL DISASTER, INCLUDING GENERAL COORDINATION AND MONITORING OF THIS PEOPLE'S WELFARE AND ALLEVIATION OF THEIR SUFFERING AND FOR RELATED MATTERS

Sponsored by Hon. Raheem Olajide Jimoh

[] Commencement

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

1 1.-(1) There is hereby established a body to be known as the
2 National Humanitarian Bureau (in this Act referred to as "the Bureau"),
3 which shall have the functions assigned to it by the President of the Federal
4 Republic of Nigeria.

Establishment
of the National
Humanitarian
Bureau

5 (2) The Bureau shall be a body corporate with perpetual succession
6 and a common seal and may sue or be sued in its corporate name.

7 (3) The Bureau shall be removed from the core Civil Service.

8 2. The Bureau shall function and have power over the followings:

Functions and
powers of the
Bureau

9 (a) central planning and management of the nation's humanitarian
10 activities;

11 (b) researching and developing innovating ideas for the
12 maintenance of nation's less privileged people, including research and
13 development of the ideas to raise finance for humanitarian activities;

14 (c) has the Presidential mandate to lead and coordinate
15 international humanitarian disaster response;

16 (d) coordinating the allocation and disbursement of humanitarian
17 provisions from the Federal Government Ministries, Departments and
18 Agencies in collaboration with the Office of the Secretary to the

1 Government of the Federation;

2 (e) organising training for Nigerians in all aspects of humanitarian
3 activities and first aid related fields;

4 (f) advising the Federal Government on the humanitarian
5 establishment both inside and outside Nigeria, and generally on the
6 formulation of policies relating to the development of Nigeria Humanitarian
7 services; and

8 (g) carrying on such other humanitarian activities as may be
9 conducive to the discharge of the functions vested on the Bureau under
10 subsequent amendment to this Act by the National Assembly.

Establishment
and Composition
of the Board,
etc.

11 3.-(1) There is established for the Bureau a Governing Board (in this
12 Act referred to as the "Board").

13 (2) The proceedings of the Board shall be as set out in the Schedule.

14 (3) [(1)] The Board of the Bureau shall consist of the Chairman who
15 must possess Bachelor Degree certificate from a recognised University either
16 within or outside Nigeria or equivalent professional qualification in
17 Humanitarian Studies, to be appointed by the President, on the
18 recommendation of the Secretary to the Government of the Federation
19 alongside the following other members, that is:

20 (a) one representative each of the following Federal Ministries:

21 (i) Women Affairs and Social Development;

22 (ii) Health;

23 (iii) Budget and National Planning; and

24 (iv) Education;

25 (b) a representative of Nigerian Labour Congress (NLC);

26 (c) a representative of National Bureau of Statistics;

27 (d) a representative of the Central Bank of Nigeria;

28 (e) a representative of the Nigerian Bar Association;

29 (f) six persons to be appointed by the President of the Federal
30 Republic of Nigeria to reflect the Federal Character of Nigeria and subject to

1 the approval and, confirmation by the senate and must be persons who by
2 reason of their ability, experience, specialized knowledge on the
3 humanitarian services or of professional or business attainments, are in his
4 opinion, capable of making useful contributions to the work of the Bureau;

5 (g) Humanitarian General of National Humanitarian Bureau;

6 (h) a representative of the Office of Accountant-General for the
7 Federation;

8 (i) a representative of the Office of Auditor-General for the
9 Federation.

10 (2) Subject to sub-section 1 of this section, a person appointed as
11 the Chairman or member of the Board, shall hold office for three years and
12 shall be eligible for reappointment for one further period of three years.

13 (3) The supplementary provisions contained in the First Schedule
14 of this Act shall have effect with respect to the proceedings of the Board and
15 the other matters therein mentioned.

16 (4) The Board shall meet at least twice in a year for the discharge of
17 its duty.

18 (5) Appointment as a member of the Board shall be terminated if
19 the person:

20 (a) is unable to perform the functions of office by reason of
21 infirmity of body or mind;

22 (b) serves the appointing authority with a notice in writing of his
23 resignation;

24 (c) is convicted of a criminal offence;

25 (d) conducts himself or herself in a manner deemed by the
26 appointing authority to be inconsistent with the membership of the Board; or

27 (e) is in the opinion of other members of the Board not fit to remain
28 a member of the Board.

29 (6) Every member of the Board other than 1 Humanitarian General

1 shall be entitled to a sitting allowance to be determined by the appropriate
2 authority.

3 (7) The Board shall have power to:

4 (a) ensure the Bureau fulfils its mission and that the profile of the
5 Bureau is commensurate with its role towards ensuring peace and unity in the
6 country;

7 (b) advise government on the national humanitarian policy,
8 procedures, methods and regulations relating to the development of the
9 humanitarian sector;

10 (c) formulate and monitor the implementation of polices for more
11 effective coordination of the Humanitarian System;

12 (d) monitor the technical quality of official humanitarian activities
13 and promote adherence to good practice and international recommendation
14 and standards;

15 (e) formulate and monitor the implementation of policies pertaining
16 to the organization and management of the Bureau;

17 (f) appoint, promote and discipline senior staff of the Bureau, except
18 the Humanitarian-General;

19 (g) set guideline for recruitment, discipline and promotion of junior
20 staff;

21 (h) provide the President with a Quarterly Progress Report on
22 activities of the Bureau;

23 (i) review the structure of the Bureau as necessary and approve the
24 corporate plans, work plans and budgets of the Bureau.

25 4. Subject to this Act, the President may give to the Bureau and its
26 Board directions of a general character or relating generally to particular
27 matters (but not to any individual person or case), with regard to the exercise by
28 the Bureau or its Board of their power and functions under this Act, and it shall
29 be the duty of the Bureau and the Board to comply with the directions.

Power of the
President to
give directions

1 5.-(1) There shall be appointed by the President? on the
2 recommendation of the Secretary to the Government of the Federation, the
3 Humanitarian General of the Bureau, who shall be the Chief Executive
4 Officer of the Bureau and shall be responsible for the execution of the
5 policies of the Bureau and the day-to day running of the affairs of the
6 Bureau.

The appointment
of Humanitarian
General and other
members of Staff
of the Bureau

7 (2) The Board may, subject to such conditions as it may think fit,
8 delegate any of its powers associating to the appointment of, or the exercise
9 of disciplinary control (including dismissal) over, its employees to the
10 Humanitarian General or any other employee of the Bureau

11 (3) The Humanitarian-General shall:

12 (a) advise Federal Ministries, Agencies, States and Local
13 Governments on issues relating to their humanitarian activities;

14 (b) advise on the appropriate methods for collecting and
15 processing national data for humanitarian purposes and on the timing and
16 form of dissemination of these aids;

17 (c) represent Nigeria in international meeting or designate one or
18 more staff from the National Humanitarian Bureau;

19 (d) be a full member of and act as the Secretary to the Board and
20 any committees which the Board may establish;

21 (e) subject to the direction of the Board be responsible to the Board
22 for the administration and management of funds and property of the Bureau;

23 (f) carry out the policies of the Board;

24 (g) ensure that the Bureau is at all times positioned for effective and
25 efficient service delivery;

26 (h) be responsible for the supervision and discipline of the staff of
27 the Bureau;

28 (i) present to the Board for approval annual work programmes,
29 human resource development programme and any other programmes to
30 develop national statistics;

1 (j) present to the Board for approval budgets and audited accounts of
2 the Bureau; and

3 (k) perform any other functions and duties as may be assigned by the
4 Board;

5 (l) The Humanitarian-General may, in writing, delegate to any officer
6 of the Bureau any of his powers and duties under this Act and in respect of any
7 power or duty so delegated, a reference to the officer to whom the power or
8 duty is delegated may be made.

9 (4) The Board may deem it necessary to appoint such other persons as
10 it may determine as employees of the Bureau to assist the Humanitarian
11 General in the discharge of his duties.

Application of
Pensions Act

12 6.-(1) The Federal Civil Service Commission may, by order published
13 in the Federal Gazette, declare the office of the Humanitarian General or of any
14 other employee of the Bureau to be a pensionable office for the purposes of the
15 Pensions Act.

16 (2) Subject to sub-sections (3) and (4) of this section, the Pensions Act
17 shall, in its application by virtue of sub-section (1) of this section to any office,
18 have effect as if the office were in the Public Service of the Federation within
19 the meaning of the 1999 Constitution of the Federal Republic of Nigeria.

20 (3) For the purposes of the application of the provisions of the
21 Pensions Act and in accordance with this section:

22 (a) the power under subsection 4 (2) of that Act shall be exercisable
23 by the Bureau and not by any other authority.

24 (4) Nothing in the foregoing provisions shall prevent the appointment
25 of a person to any office on terms which preclude the granting of a pension or
26 gratuity in respect of service in that office.

Financial
provisions

27 7.-(1) The Bureau shall establish and maintain a fund from which
28 shall be covered all expenditure incurred by the Bureau.

29 (2) There shall be paid or credited to the fund established in pursuance
30 of this section:

1 (a) such moneys as may be granted in each financial year to the
 2 Bureau by the Federal Government through annual budgetary provision;
 3 (b) all fees and charges for services rendered by the Bureau; and
 4 (c) all other sums accruing to the Bureau from any other legitimate
 5 source.

6 8.-(1) The Bureau shall be liable to prepare, not later than 30
 7 September in each year, an estimate of the proposed expenditure and income
 8 of the Bureau during the next succeeding financial year and when so
 9 prepared, it shall be submitted to the Minister who shall thereafter forward
 10 to the Ministry of Budget and National Planning for approval.

Annual estimates,
 accounts and audit

11 (2) The Bureau shall keep proper accounts and proper records in
 12 relation thereto and the accounts shall be audited, as soon as may be, after
 13 the end of each financial year by auditors appointed from the list and in
 14 accordance with the guidelines supplied by the Auditor-General for the
 15 Federation and the fees of the auditors and the expenses of the audit
 16 generally, shall be paid from the funds of the Bureau.

17 9. It is obligatory bound on the Bureau to prepare and submit to the
 18 Minister not later than 30 November in each financial year, a report in such
 19 form as the Minister may direct on the activities of the Bureau during the
 20 immediately preceding financial year and the Bureau shall include in such a
 21 report a copy of its audited accounts for that year and auditors' report
 22 thereon.

Annual reports

23 10. The President may make regulations generally for carrying
 24 into effect the provisions of this Bill and the due administration thereof.

Regulations

25 11. In this Bill, unless the context otherwise requires:

Interpretation

26 "Bureau" means the National Humanitarian Bureau, established pursuant to
 27 section 1 to this Bill;

28 "Board" means the Governing Board of the National Humanitarian Bureau,
 29 established pursuant to section 3(1) to this Bill;

30 "Chairman" means the Chairman of the Governing Board, appointed

1 pursuant to section 3(3)1 of this Bill;
2 "Member" means any member of the Board and includes the chairman;
3 "Humanitarian General" means the Chief Executive Officer of the National
4 Humanitarian Bureau;
5 "President" means the President of the Federal Republic of Nigeria; and
6 "Recommending Authority" means the Secretary to the Government of the
7 Federation.

Short title

8 **12.** This Bill may be cited as the National Humanitarian Bureau Bill,
9 2019.

10 FIRST SCHEDULE

11 *[Section 3]*

12 SUPPLEMENTARY PROVISIONS RELATING TO THE GOVERNING BOARD

13 *Proceedings of the Board*

14 1. Subject to this Act and to section 27 of the Interpretation Act
15 (which provides for the decisions of a statutory body to be taken by a majority
16 of the members of the body and for the person presiding to have a second or
17 casting vote), the Board may make standing orders regulating the proceedings
18 of the members of any committee thereof.

19 2. The quorum of the Board shall be one-third of the Bureau
20 Members, that is, the Chairman and four other members, and the quorum of any
21 committee of the Board shall be determined by the Board.

22 3. The President may appoint one of the members of the Board to be
23 the Deputy Chairman of the Board for such period as the Secretary to the
24 Government of the Federation may determine, so however that a Deputy
25 Chairman who ceases to be a member of the Board shall also cease to be deputy
26 chairman.

27 4. At any time while the Office of the Chairman either is vacant or the
28 Chairman is, in the opinion of the Board, permanently or temporarily unable to
29 perform the functions of his Office, the Deputy Chairman shall perform those

1 functions, and references in this Schedule to the Chairman, shall be
2 construed accordingly.

3 5.-(1) Subject to the provisions of any standing orders of the Board,
4 the Board shall meet at the headquarter of the Bureau whenever it is
5 summoned by the Chairman; and if the Chairman is required to do so by
6 notice given to him by not less than three other members he shall summon a
7 meeting of the Board to be held within fourteen days from the date on which
8 the notice is given.

9 (2) At any meeting of the Board, the Chairman or in his absence,
10 the Deputy Chairman shall preside, but if both are absent, the members
11 present at the meeting shall appoint one of their colleagues to preside at that
12 meeting.

13 (3) Notwithstanding anything in the foregoing provisions of this
14 paragraph, the first meeting of the Board shall be summoned by the
15 Secretary to the Government of the Federation.

16 6.-(1) Where the Board desires to obtain the advice of any person
17 on a particular matter, the Board may co-opt him as a member for such
18 period as it thinks fit, but a person who is a member by virtue of this sub-
19 paragraph shall not be entitled to vote or count towards a quorum.

20 Committee

21 7.-(1) The Board may appoint one or more committees to carry out
22 on behalf of the Board such of its functions as the Board may determine.

23 (2) A committee appointed by the Board shall consist of the number
24 of persons determined by the Board, and not more than one-third of the
25 entire members of the Board; and a person other than a member of the Board
26 shall hold office on the committee in accordance with the terms of his
27 appointment.

28 (3) A decision of a committee of the Board shall be of no effect until
29 it is ratified by the Board.

1 *Miscellaneous*

2 8.-(1) The fixing of the seal of the Board shall be authenticated by the
3 signature of the Chairman or of some other member authorised generally or
4 specially to act for that purpose by the Board.

5 (2) Any contract or instrument which, if made or executed by a person
6 not being a body corporate, would not be required to be under seal, may be
7 made or executed on behalf of the Board by any person generally or specially
8 authorised to act for that purpose by the Board.

9 (3) Any document purporting to be a document duly executed under
10 the seal of the Board, shall be received in evidence and shall, unless the
11 contrary is proved, be presumed to be so executed.

12 9. Members of the Board who are not public officers, shall be paid out
13 of the moneys at the disposal of the Bureau such remuneration, fees or
14 allowances in accordance with such scales as may be approved. from time to
15 time, by the President.

16 10. Any member of the Board, and any person holding office on a
17 committee of the Board, who has a personal interest in any contract or
18 arrangement entered into or proposed to be entered into by the Board or
19 Committee, shall forthwith disclose his interest to the Board or Committee and
20 shall not vote on any question relating to the contract or arrangement.

21 **SECOND SCHEDULE**

22 *Head Office of the Bureau*

23 The Head Office of the Bureau shall be in Abuja with field offices located in
24 each geo-political zone of the Federal Republic of Nigeria.

EXPLANATORY MEMORANDUM

This Bill seeks to establish National Humanitarian Bureau to be responsible for the registration and management of the victims of crisis or natural disaster, including general coordination and monitoring of this people's welfare and alleviation of their suffering.