

A BILL

FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF NATIONAL AGENCY
FOR ALBINISM AND HYPO-PIGMENTATION (NAAH) AND FOR RELATED
MATTERS, 2019

Sponsored by Hon. Jude Ise-Idehen

[] Commencement

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

1 1.-(1) There is established a body to be known as the National
2 Agency for Albinism and Hypo-Pigmentation (in this Bill referred to as "the
3 Agency").

Establishment
of the National
Agency for
Albinism and
Hypo-Pigmentation

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

7 2.-(1) There is hereby established a National Co-ordination
8 Council, in this Bill referred to as the 'Council' which shall of consists of:

Establishment
and Membership
of the National
Coordination
Council

9 (a) Chairman;

10 (b) six other members, representing each of the six geopolitical
11 zones of the country;

12 (c) the Special Adviser to the President on Health matters as ex-
13 officio;

14 (d) the President of the National Association of Albinos;

15 (e) one representative of the Minister of Health, who shall not be
16 less than a Director as ex-officio;

17 (f) one representative of the Federal Ministry of Employment who
18 shall not be, less than a Director, as ex-officio;

19 (g) one representative of the Federal Ministry of Youth and Social
20 Development, who shall not be less than a Director as ex-officio;

1 (h) one representative of the Federal Ministry of Information and
2 Communications, who shall not be less than a Director, as ex-officio.

Membership of
the Council

3 3. Members shall be appointed by the President, Commander-in-
4 Chief of the Armed Forces, subject to the confirmation by the Senate.

Tenure of Office

5 4.-(1) The Chairman and members of the council, other than ex-
6 officio members, shall hold office for a term of four years in the first instance
7 and may be reappointed for further term of four years and no more.

8 (2) A person shall cease to hold office as a member if:

9 (a) he dies;

10 (b) he becomes bankrupt, suspend payments or commences proceedings with his
11 creditors;

12 (c) he is convicted by a court of law of a felony or any offence
13 involving dishonesty or fraud;

14 (d) he becomes of unsound mind, or incapable of carrying out his
15 duties;

16 (e) he resigns his appointment by a letter addressed to the President,
17 through the Chairman; or

18 (f) in the case of a qualified professional, he is disqualified or
19 suspended from practicing his profession in any part of the world by order of a
20 competent authority made in respect of that member.

21 (3) If a member ceases to hold office for any reason whatsoever, before
22 the expiration of the term for which he is appointed, another person
23 representing the same zone or the same interest as that member shall be
24 appointed to the council for his un-expired term

25 (4) A member may be removed by the President if he is satisfied that it
26 is not in the interest of the Agency or in the interest of the Public that the
27 member continues in office.

Emolument, etc.

28 5. The Chairman and members of the council shall be paid such
29 emoluments, allowances and benefits as the President may from time to time
30 approve in line with what obtains in the public service.

1 6. The Agency shall:

Functions of the
Agency

2 (a) co-ordinate various programmes and projects aimed at
3 improving the health, social and economic well-being of albinos;

4 (b) collaborate with other Agencies and Ministries of government,
5 development institutions and NGOs including the Albino Foundation to
6 meet funding gap in resources needed to address the challenges of albinism
7 and hypo-pigmentation;

8 (c) co-ordinate, monitor and advise on all social protection
9 activities of government related to albinism and hypo-pigmentation;

10 (d) maintain a data bank on all albinism and hypo-pigmentation
11 issues;

12 (e) maintain an outreach to International Donor Agencies and
13 Development Partners for the welfare of albinos in the country;

14 (f) co-ordinate and maintain relationship with the National
15 Albinism Research Centre that is to be setup at Ahmadu Bello University
16 Teaching Hospital, Zaria;

17 (g) collaborate with the Albino Foundation and to provide a
18 rallying point for albinos all over the country;

19 (h) create awareness on Albinism and Hypo-Pigmentation Bill as
20 government agency for catalyzing and mobilizing resources at all tiers of
21 government and throughout the country for the purpose of addressing the
22 challenges of the albinism in Nigeria.

23 7.-(1) The council shall have powers to:

Power of the
Council

24 (a) regulate all programmes and activities of the Albino
25 Foundation;

26 (b) relate with Community Based Organizations (CBO), Non-
27 Governmental Organizations (NGO's), International Donor Agencies (IDA)
28 and other major stakeholders to facilitate the development of the capacity/
29 and capabilities of Albinos as well as foster partnership among them;

30 (c) initiate and implement programmes geared towards the

1 integration of Albinos into the society;
2 (d) create strategies for mobilizing and synergising resources
3 throughout the economy for the purpose of addressing the challenges of
4 albinism and hypo-pigmentation in Nigeria;
5 (e) design strategies aimed at removing all forms of discrimination
6 against albinos in the country.

Structure of
the Agency

7 8.-(1) The Agency shall be structured into such number of
8 departments as may be necessary for the effective discharge of its 1 functions.
9 In particular the structure of the Agency shall include the following three
10 directorates:

- 11 (a) Directorate of Finance and Administration (F&A)
12 (b) Directorate of Co-ordination and Programme; Development
13 (CPD);
14 (c) Directorate of Planning and Research (P&R);
15 (d) such other departments and units as may be determined by the
16 Agency.

17 (2) The Directorates shall be headed by Directors.

Staff of the
Agency

18 9.-(1) such other staff as may appear necessary for the efficient
19 performance of its functions under this Bill.

Functions of the
Director-General

20 (2) The Director-General shall be:

- 21 (a) the Accounting officer of the Agency;
22 (b) responsible for the execution of policies, programmes and the
23 day-to-day administration of the affairs of the Agency;
24 (c) responsible for liaison with International donors for the funding
25 activities of the Agency;
26 (e) responsible to the Chairman and council of the Agency.

Tenure of Office

27 (3) The Director-General shall hold office for a term of four years in
28 the first instance and may be reappointed for a further term of four years and no
29 more.

1 (4) The Agency shall appoint such officers and other employees as Other Staff of
the Agency
2 it may deem fit.

3 (5) Without prejudice to the generality of subsection 4 the Agency
4 shall have powers to appoint either on transfer secondment from
5 any Public Service in the Federation, such number of employees as may in
6 the opinion of the Agency, be required to assist the Agency, in the discharge
7 of any of its functions under this Bill and shall have the power to pay persons
8 so employed such remuneration (including allowances and benefits) as may
9 be determined by the National Salaries, Income and Wages Commission.

10 10.-(1) The Agency may, subject to the provisions of this Bill make Staff Regulations
11 staff regulations relating generally to the conditions of service of the
12 employees of the Agency and without prejudice to the generality of the
13 foregoing, such regulations may provide for:

14 (a) the appointment, promotion and disciplinary control (including
15 dismissal) of employees of the Agency); and

16 (b) appeals by such employees against dismissal or other
17 disciplinary measures and until such regulations are made; any instrument
18 relating to the conditions of service of officers in the Public Service of the
19 federation shall be applicable.

20 (2) Staff regulations made under Sub-Section (1) of this Section
21 shall not have effect until approved by the Agency and when so approved,
22 they need not be published in the federal gazette but the Agency shall
23 cause them to be brought to the notice of all affected persons in such manner
24 as it may from time to time, determine.

25 11.-(1) Service in the Agency shall be approved service for Pension
26 purposes of the Pension Reform Act, 2004 and accordingly, employees of
27 the Agency shall be entitled to Pension, gratuities and other retirement
28 benefits as are prescribed under the Pension Reform Act, 2004.

29 (2) Notwithstanding the provision of Sub-Section (1) of this
30 section, nothing in this Bill shall prevent the appointment of a person to any

1 office on the terms which precludes the grant of a pension, gratuity or other
2 retirement benefits in respect of that office.

Funds of the
Agency

3 12.-(1) The Agency shall establish and maintain a fund from which
4 shall be defrayed all expenditure incurred by the Agency.

5 (2) There shall be paid and credited to the fund established pursuant to
6 Sub-Section (1) of this Section:

7 (a) any allocation to the Agency from the Federation Account

8 (b) such monies as may, from time to time be granted or lent to the
9 Agency by the Federal Government or a State Government or a Local
10 Government Council;

11 (c) such money as may, from time to time, be granted or received
12 from:

13 (i) the organized private sector;

14 (ii) international or donor organizations and Non-governmental
15 organizations;

16 (iii) all monies raised for the purposes of the Agency by way of gift,
17 loan, grant-in-aid, testamentary disposition or otherwise;

18 (iv) all other assets that may, from time to time accrue, to the Agency.

Expenditure of
the Agency

19 13.-(1) The Agency shall from time to time, apply proceeds of the
20 fund:

21 (a) to the cost of administration of the Agency;

22 (b) for reimbursing members of the "Council" or any Committee
23 setup by the council for such expense as may authorized by the council in
24 accordance with the rates approved by the Federal Government;

25 (c) for the payment of salaries, fees, other remuneration or
26 allowances, pension and other recruitment benefits, payable to the employee of
27 the Agency;

28 (d) for the maintenance of any property acquired or vested in the
29 Agency;

30 (e) for and in connection with all or any of the functions of the Agency

1 under this Bill.

2 14.--(1) The council shall, not later than 30th September each year
3 submit to the National Assembly an estimate of the expenditure and income
4 of the Agency during the next preceding year.

Annual Estimates
and Expenditure

5 (2) The Agency shall keep proper account in respect of each
6 financial year and shall cause the accounts to be audited not later than six (6)
7 months after the end of each financial year by auditors appointed from the
8 list of qualified auditors recognized and in accordance with guidelines
9 supplied by the Auditor-General of the Federation.

10 15.--(1) The Agency shall submit to the National Assembly not later
11 than 30th June each year, a report, in such form as the National Assembly
12 may direct in the activities of the Agency during the immediate preceding
13 year, and shall include in the report a copy of the audited accounts of the
14 Agency for the financial year and the auditor's report therein.

Annual Report

15 16. The Agency may with consent of the President, borrow on
16 such terms and conditions as the Agency may determine, such money
17 required for the carrying out its functions.

Power to borrow

18 17.--(1) The Agency may accept any gift, grant or donation from
19 any person upon such terms and conditions specified by the person making
20 the gift, grant or donation.

Gift to the Agency

21 (2) The Agency shall not accept any gift, grant under subsection (1)
22 of this section if the conditions attached hereto are inconsistent with the
23 functions of the Agency under this Bill.

24 18.--(1) A notice, summons or other documents required or
25 authorized to be served upon the Agency under the provisions of this Act or
26 any other law or enactment may be served delivering it to the Director-
27 General or by sending it by registered post and addressed to the Director-
28 General at the Principal Officer of the Agency (2) Any sum of money which
29 may by the judgment of any court be awarded against the Agency shall,
30 subject to any direction given by court where notice of appeal of the said

Service of
Documents

1 judgment has been given, be paid from the fund of the Agency.

Indemnity of
Officers 2 19.-(1) A member of the Agency or the Director-General or any
3 officer or employee of the Agency shall be indemnified out of the assets of the
4 Agency against any liability incurred by him in defending and proceeding,
5 whether civil or criminal, if the proceeding is brought against him in his
6 capacity as a member, Director-General, officer or other employee of the
7 Agency.

Power to give
directive 8 20. The President, may through the Director-General give such
9 directives of a general nature or relating generally to matters of policy with
10 regard to the exercise of its or his functions as he may consider necessary and
11 the Agency or the co-ordination council shall comply with the directives if they
12 are not inconsistent with its functions as prescribed under this Bill.

Regulations 13 21. The Agency may, with the approval of Mr. President make such
14 regulations as in its opinion are necessary or expedient for giving full effect to
15 the provisions of this Act and for the administration of its provisions.

Interpretation 16 22. In this Bill, under the context otherwise requires:
17 "Agency" means the National Agency for Albino and hypo-pigmentation;
18 "Council" means the National Co-ordination Council;
19 "President" means the President Commander-in-Chief of the Armed Forces of
20 the Federation Republic of Nigeria;
21 "Public Service" has the meaning assigned to it in the 1999 Constitution (as
22 amended).

Short title 23 23. This Bill may be cited as the National Agency for Albinism and
24 Hypo-Pigmentation (Establishment) Bill. 2019.

25 SCHEDULE
26 SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL ETC.
27 *Proceeding of the Council*
28 1.-(1) Subject to this Act and section 27 of the interpretation Act, the
29 council may make standing order regulating its proceedings, or those of any of
30 its committees.

1 (2) The quorum of the Council shall be the Chairman or the person
2 presiding at the meeting and eight other members of the council and the
3 quorum of any committee of the council shall be determined by the council.

4 2.-(1) The council shall meet not less than five times in each year
5 and subject thereto, the council shall meet whenever it is summoned by the
6 Chairman and if the Chairman is required to do so by notice given to him by
7 not less than four other members, he shall summon a meeting of the council
8 to be held within 26 days from the date on which the notice is given.

9 (2) At any meeting of the council, the Chairman shall preside but if
10 he is absent, the members present at the meeting shall appoint one of their
11 members to preside at the meeting.

12 (3) Where the council desires to obtain the advice of any person on a
13 particular matter, the council may co-opt him to the council for such period
14 as it deems fits, but a person who is in attendance by virtue of this sub
15 paragraph shall not be entitled to vote at any meeting of the council and shall
16 not count towards a quorum.

17 *Committees*

18 3.-(1) The council may appoint one or more committees to carry
19 out on behalf of the committee such functions as the council may determine.

20 (2) A committee appointed under this paragraph shall consist of
21 such number of persons as may be determined by the council and a person
22 shall hold office on the committee in accordance with the terms of his
23 appointment.

24 (3) A decision of a committee shall be of no effect until it is
25 confirmed by the council.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Agency for Albinism and Hypo-Pigmentation for purposes of co-ordinating various programmes and projects aimed at improving the health, social and economic well-being of albinos, in addition to address the challenge of albinism in Nigeria.

