

A BILL

FOR

AN ACT TO PROVIDE MEASURES AIMED AT CREATING AND PROMOTING
COORDINATION IN YOUTH DEVELOPMENT AND FOR THAT PURPOSE
ESTABLISH THE NATIONAL YOUTH DEVELOPMENT COMMISSION AND FOR
RELATED MATTERS

Sponsored by Hon. Karu Simon Elisha

Co-Sponsors: Hon. Muda Lawai Umar

Hon. Kabir Ibrahim Tukura

*And all Members of the Young Parliamentarians Forum
of the 9th Assembly*

[] Commencement

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

1 1.-(1) There is hereby establish the Commission to be known as the Establishment
2 National Youth Development Commission. (in this Act referred to as the of Commission
3 Commission).

4 (2) The Fund shall be a body corporate 'with perpetual succession
5 and a common seal;

6 (3) May sue and be sued in its corporate name;

7 (4) May hold and dispose of property whether movable or
8 immovable.

9 2.-(1) The objects of the Commission are to:

Objects of
Commission

10 (a) develop the National Youth Development Policy and Strategy
11 for Nigeria;

12 (b) develop guidelines for the implementation of an national youth
13 development policy and make recommendations to the President;

14 (c) initiate, design, co-ordinate, evaluate and monitor all

1 programmes aimed at integrating the youth into the economy and society in
2 general;

3 (d) guide efforts and facilitate economic participation and
4 empowerment, and achievement of education and training;

5 (e) partner and assist organs of state, the private sector and non-
6 governmental organisations and community based organisations on initiatives
7 directed at attainment of employment and skills development;

8 (f) initiate programmes directed at poverty alleviation, urban and
9 rural development and the combating of crime, substance abuse and social
10 decay amongst youth;

11 (g) establish annual national priority programmes in respect of youth
12 development;

13 (h) promote a uniform approach by all organs of state, the private
14 sector and non-governmental organisations, to matters relating to or involving
15 youth development; and

16 (i) endeavour to promote the interest generally of the youth,
17 particularly young people with disabilities.

18 (2) Nothing contained in this Act precludes the Commission from
19 directly implementing any programme or intervention aimed at advancing its
20 objects in terms of this Act.

Principles of
youth development

21 3. Youth development interventions and programmes must be guided
22 by the following principles-

23 (a) recognition of the manner in which youth has been affected by the
24 imbalances of the past and the need to redress these imbalances through more
25 equitable policies, programmes and the allocation of resources; gender,
26 disability, the impact of sexism and the particular circumstances of young
27 women are recognised;

28 (c) creation of an environment which supports the continued
29 development and learning of youth;

30 (d) promotion of youth's participation in:

- (i) democratic processes;
- (ii) community and civic decision-making; and
- (iii) development at all levels;
- (e) recognition of youth development as an important mandate;
- (f) responsiveness to the needs, aspirations and challenges of youth

In a realistic and participatory manner;

- (g) recognition of the importance of cultural and spiritual diversity as a basis for youth development;

- (h) promotion of the value of sustainability in order to ensure that the needs of youth are met without compromising the ability of future generations to meet their own needs;

- (i) recognition in youth development initiatives of the peculiar needs of rural youth; and

- (j) transparency, accountability and accessibility.

4.-(1) The Commission must, in order to achieve its objects:

Functions of
Commission

- (a) establish competencies and capabilities in its operations including the following functional areas:

- (i) National Youth Service and Social Cohesion;
- (ii) Economic Participation;
- (iii) Policy, Research and Development;
- (iv) Governance, Training and Development;
- (v) Youth Advisory and Information Services; and
- (vi) National Youth Fund;
- (b) establish offices of the Commission at States and local levels and appoint the necessary personnel to those offices.

(2) The Commission may, in order to achieve its objects:

- (a) carry out or cause to be carried out any investigation that it deems necessary;
- (b) consider such recommendations, suggestions and requests concerning youth affairs as it may receive from any source; or

1 (c) conduct or cause to be conducted such research as it may deem
2 necessary.

3 (3) The Commission must, for purposes of subsection (3) and within
4 its available resources, amongst others:

5 (a) provide career guidance services;

6 (b) provide access to information regarding products and services of
7 the National Youth Fund;

8 (c) create and administer databases of employment opportunities;

9 (d) provide financial assistance to youths to enable them to further
10 their careers;

11 (e) provide financial assistance to small, micro and medium
12 enterprises, and cooperatives owned by youth;

13 (f) provide monitoring services aimed at empowering youths in the
14 economy;

15 (g) provide bridging programmes for youths to facilitate the transition
16 from school or training to the work environment;

17 (h) provide training regarding the concepts and principles of
18 entrepreneurship and business to youths;

19 (i) provide training relating to the personal development of youths;

20 (j) provide training and guidance relating to the establishing and
21 managing of businesses for youths;

22 (k) provide training for unemployed youths to enhance their life and
23 professional skills which would enable them to be integrated into the economy;

24 (l) provide opportunities for training, that will promote service to
25 communities and the nation at large; and

26 (m) provide such other services as may be necessary to achieve the
27 aim contemplated in subsection (3).

Reporting by
Commission

28 5.-(1) The Commission must, every three (3) years, submit to the
29 President a report on the status of youth.

1 (2) The Commission must annually submit to the President a report
2 on:

3 (i) the progress on the implementation of this Act;

4 (ii) the financial status of the Commission; and

5 (iii) any other matter relating to youth development.

6 (3) The President must table reports referred to in subsection (1) to
7 the National Assembly within a reasonable time.

8 6.-(1) Federal and state departments must:

9 (a) take national priorities in respect of youth development into
10 account in planning their activities; and

11 (b) submit, in the prescribed manner, annual reports to the
12 Commission regarding their implementation of youth development
13 priorities.

14 (2) The Commission must publish a report after it has been tabled
15 in the National Assembly.

16 (3) The Commission must lobby companies and close corporations
17 which employ more than twenty (20) employees, and civil society
18 organisations to implement youth development priorities established by it.

19 7.-(1) There is hereby established for the management of the affairs
20 of the Commission, a governing Board (in this Act referred to as "the
21 Board") which shall, subject to this Act, have general control of the
22 Commission.

23 (2) The Board shall consist of:

24 (a) chairman;

25 (b) 6 other members representing the six geopolitical zones; and

26 (c) One representative each of the following Federal Ministries and
27 bodies (not below the rank of a director) that is:

28 (i) Youths development;

29 (ii) Finance;

30 (iii) education;

Role of Federal
and State bodies,
companies and
civil society
organisations in
Youth Development

Control and
management
of the Commission

- 1 (iv) employment, labour and productivity;
- 2 (v) health;
- 3 (vi) National Youth Service Corps;
- 4 (vii) Organised Private Sector;
- 5 (viii) Civil Society Organisation;
- 6 (d) the Executive Director of the Commission.

7 (3) The Chairman and other members of the Board shall:

- 8 (a) be appointed by the President subject to the confirmation of the
- 9 Senate;
- 10 (b) be persons with proven integrity.

11 (4) The supplementary provisions contained in the Schedule to this
 12 Act shall have effect with respect to the proceedings of the Board and other
 13 matters mentioned therein.

Tenure of office

14 8.-(1) The members of the Board appointed under section 2 (2) (a) and
 15 (b) of this Act shall hold office for a period of 4 years in the first instance and
 16 may be eligible for reappointment for a further period of 4 years and no more.

17 (2) The members of the Board shall be paid such remuneration and
 18 allowances as the Revenue Mobilization Allocation and Fiscal Commission
 19 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 Minister and which resignation shall take effect only upon acknowledgment by
 23 the Minister.

Cessation of
membership

24 9.-(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 creditors;
- 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.

29 (2) A member of the Board may be removed from office by the
 30 President, if, he is satisfied that it is not in the interest of the Fund or the interest

1 of the public that the member should continue in office.

2 (3) Where a vacancy occurs in the membership of the Board, it
3 shall be filled by the appointment of a successor to hold office for the
4 remainder of the term of office of his predecessor, so however that the
5 successor shall represent the same interest and shall be appointed by the
6 President.

7 10.-(1) The Board may establish Committees, including the:

Committees of
Board

8 (a) Executive Management Committee;

9 (b) Credit Risk Committee;

10 (c) Human Resource and Remuneration Committee;

11 (d) Audit Committee; and

12 (e) Development Committee to assist in the performance of its
13 functions.

14 (2) The Board must determine the composition, rules and
15 procedures of committees established in terms of this section.

16 (3) The Board may invite persons who are not members of the
17 Board to serve on any of its committees, but such persons may not be
18 appointed as chairpersons of such committees.

19 (4) The Board may dissolve or reconstitute a committee as is
20 necessary.

21 (5) Any decision taken by a committee established under this
22 section must be ratified by the Board.

23 PART III - STAFF OF THE COMMISSION

24 11.-(1) There shall be appointed for the Fund an Executive Director
25 who shall be appointed by the President on the recommendation of the
26 Minister.

Appointment of
Executive Director,
etc.

27 (2) The Executive Director shall subject to the general control of
28 the Board:

29 (a) be responsible for the implementation of the decisions of the
30 Board and the day to day administration of the affairs of the Fund;

1 (b) be responsible for keeping proper records of the proceedings of
2 the Board; and

3 (c) be the head of the Board's secretariat and be responsible for the
4 administration thereof and the direction and control of all other employees of
5 the Commission with the approval of the Board.

6 (3) The Executive Director shall hold office for such period of time as
7 may be determined by his or her letter of appointment.

Other Staff of
the Commission

8 12.-(1) The Board shall have power to appoint either on transfer or on
9 secondment from any public service in the Federation, such number of
10 employees as may, in the opinion of the Board, be required to assist the Fund in
11 the discharge of any of its functions under this Act; and shall have power to pay
12 to persons so employed such remuneration (including allowances) as the
13 Board may, from time to time, determine.

14 (2) The terms and conditions of service (including terms and
15 conditions as to remuneration, allowance, pensions, gratuities and other
16 benefits) of the person employed by the Commission shall be as determined by
17 the Board from time to time.

Staff regulations

18 13.-(1) The Board may, subject to the provisions of this Act, make
19 staff regulations relating generally to the conditions of service of the
20 employees of the Commission and without prejudice to the generality of the
21 foregoing, such regulations may provide for:

22 (a) the appointment, promotion and disciplinary control (including
23 dismissal) of employees of the Fund; and

24 (b) appeals by such employees against dismissal or other disciplinary
25 measures and until such regulations are made, any instrument relating to the
26 conditions of service of officers in the Civil Service of the Federation shall be
27 applicable, with such modifications as may be necessary, to the employees of
28 the Fund.

29 (2) Staff regulations made under subsection (1) of this section shall
30 not have effect until approved by the President.

1 14. It is hereby declared that service in the Commission shall be Pensions
2 public service for the purposes of the Pensions Reform Act 2004 and,
3 accordingly, officers and other persons employed in the Fund shall, in
4 respect of their service in the Fund, be entitled to pension, gratuities and
5 other retirement benefits as are prescribed there under, so however that
6 nothing in this Act shall prevent the appointment of a person to any office on
7 terms which preclude the grant of a pension or gratuity in respect of that
8 office.

9 15.-(1) The funds of the Commission consist of: Funding and
10 (a) money appropriated by the National Assembly; investments
11 (b) interest on investments of the Commission;
12 (c) money lawfully received from any other source; and
13 (d) donations and contributions lawfully received by the
14 Commission from any other source.

15 (2) The Commission may invest any of its funds not immediately
16 required:

17 (a) subject to any investment policy
18 (b) in such manner as may be approved by the Minister of Finance.

19 16. The Board shall not later than 31st October submit to the Annual Estimate
20 National Assembly an estimate of its expenditure and income during the
21 next succeeding year.

22 17.-(1) The Board may accept gifts of land, money or other Power to accept
23 property upon such terms and conditions, if any, as may be specified by the gifts
24 person or organisation making the gift.

25 (2) The Board shall not accept any gift if the condition attached by
26 the person or organisation making the gift are inconsistent with the
27 objectives of the Fund under this Act.

28 18. The Board shall be exempted from the payment of income tax Exemption
29 on any income accruing from investments made by the Board or otherwise from Tax
30 howsoever.

Annual estimates
account and
audit

1 19.-(1) The Board shall cause to be prepared not later than 30
2 September in each year an estimate of the expenditure and income of the Fund
3 during the next succeeding year and
4 when prepared, they shall be submitted to the Minister.

5 (2) The Board shall cause to be kept proper accounts of the Fund and
6 proper records in relation thereto and when certified by the Board, such
7 accounts shall be audited by auditors appointed by the Board from the list and
8 in accordance with the guidelines supplied by the Auditor General for the
9 Federation.

Annual report

10 20. The Board shall not later than three months before the end of each
11 year submit to the National Assembly a report on the activities and the
12 administration of the Board in relation to the Fund during the immediately
13 preceding year and shall include in such reports the auditor's report thereon.

Regulations

14 21. The President may, after consultation with the Board, make
15 regulations regarding:

16 (a) any matter which in terms of this Act may or must be prescribed;
17 (b) any action in order to promote compliance with this Act; and
18 (c) any ancillary or incidental administrative or procedural matter that
19 it is necessary to prescribe for the proper implementation or administration of
20 this Act.

Interpretation

21 22. In this Act, unless the context otherwise indicates:
22 "Commission" means the National Youth Development Commission
23 established by section 2;
24 "Board" means the Board of the Commission referred to in section 8;
25 "National Youth Development Policy" means the National Youth
26 Development Policy referred to in section 3(a);
27 "Financial Year" means the period from 1st April in any year to 31st March in
28 the next year;
29 "Members" means a member of the Board appointed in terms of section 9;
30 "Prescribed" means prescribed by regulation in terms of section 19;

1 "Regulation" means any regulation made in terms of section 19;

2 "This Act" includes any regulation promulgated in terms of this Act;

3 "Youth" means persons between the ages of 14 and 35.

4 23. This Bill may be cited as the National Youth Development Commission Bill, 2020. Citation

6 SCHEDULE

7 Section 2 (4)

8 SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

9 *Proceedings of the Board*

10 1.-(1) Subject to this Act and Section 27 of the Interpretation Act,
11 the Board may make standing orders regulating its proceedings or those of
12 any of its committees.

13 *(Cap. 123.)*

14 (2) The quorum of the Board shall be the chairman and seven other
15 members and the quorum of any committee shall be determined by the
16 Board.

17 2.-(1) The Board shall meet not less than two times in each year and
18 subject thereto, the Board shall meet whenever it is summoned by the
19 Chairman; and if the Chairman is required to do so by notice given to him by
20 not less than four other members, he shall summon a meeting of the Board,
21 to be held within fourteen days from the date on which the notice is given.

22 (2) At any meeting of the Board, the Chairman shall preside but if
23 he is absent, the members present at the meeting shall appoint one of their
24 members to preside at that meeting.

25 (3) Where the Board desires to obtain the advice of any person on a
26 particular matter the Board may co-opt him to the Board for such period as it
27 thinks fit; but a person who is in attendance by virtue of this subparagraph
28 shall not be entitled to vote at any meeting of the Board and shall not count
29 towards a quorum.

Committees

3.-(1) The Board may appoint one or more committees to carry out, on behalf of the Board some of its functions as the Board may determine.

(2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily members of the Board) as may be determined by the Board; and a person other than a member of the Board shall hold office on the committee in accordance with the terms of his appointment.

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

Miscellaneous

4.-(1) The fixing of the seal of the Commission shall be authenticated by the signature of the chairman or of any other person authorized generally or specially to act for that purpose by the Board.

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

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

5. The validity of any proceeding of the Board or of a Committee thereof shall not be adversely affected by any vacancy in the membership of the Board or Committee, or by any defect in the appointment of a member of the Board or of a Committee, or by reason that a person not entitled to do so took part in the proceedings of the Board or Committees.

EXPLANATORY MEMORANDUM

This Bill seeks to provide measures aimed at creating and promoting coordination in Youths in Nigeria and develop guidelines for the implementation of National Youth Development Policy and make recommendations to the President.