



THE SENATE
FEDERAL REPUBLIC OF NIGERIA

**SPECIALISED NATIONAL DERMATOLOGY HOSPITAL BILL 2021
(SB. 631)**

A BILL
FOR
AN ACT TO PROVIDE FOR A SPECIALISED NATIONAL DERMATOLOGY HOSPITAL
(ESTABLISHMENT) BILL, AND A MANAGEMENT BOARD FOR THE HOSPITAL FOR
THE PURPOSE OF PROVIDING DERMATOLOGICAL TREATMENT, RESEARCH AND
TRAINING AND FOR OTHER RELATED MATTERS 2021

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SPECIALISED NATIONAL DERMATOLOGY HOSPITAL BILL 2021



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A BILL
FOR

AN ACT TO PROVIDE FOR A SPECIALISED NATIONAL DERMATOLOGY HOSPITAL (ESTABLISHMENT) BILL, AND A MANAGEMENT BOARD FOR THE HOSPITAL FOR THE PURPOSE OF PROVIDING DERMATOLOGICAL TREATMENT, RESEARCH AND TRAINING AND FOR OTHER RELATED MATTERS 2021
(SB. 631).

{ } Commencement.

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

1. (1) There is hereby established at Garkida, a Hospital by the name of Specialised National Dermatology Hospital (in this Bill referred to as "the Hospital").

Establishment of the Specialised National Dermatology Hospital.

(2) The hospital:

- (a) shall be a body corporate;
- (b) may sue and be sued in its corporate name;
- (c) shall have perpetual succession and a common seal.

(3) The Hospital shall be a national hospital, specialising in dermatology, with facilities for the training of dermatology personnel at all levels.

2. (1) The functions of the Hospital shall be to provide as part of the hospital and specialist services, services in connection with the diagnosis and treatment of diseases or defects of the skin, supply of appliances and other supplementary dermatological services.

Functions of the Hospital

(2) The Hospital shall have power to -

- (a) provide diagnostic, curative, promotive and rehabilitative dermatological services;
- (b) provide cosmetic dermatology, allergy service, all skin and hair treatment, employing the services of dermatologist and other medical practitioners;
- (c) provide facilities for the clinical training of dermatologist;
- (d) provide facilities for the training of dermatologist for the care and treatment of the skin, hair, nails and mucous membrane, cosmetic dermatology, and allergy service.
- (e) create facilities for research into all aspects of a wide range of dermatology treatments, including: Scalpel Surgery, Electrosurgery, Injections, Chemical Peels, and Pharmacovigilance.
- (f) develop new diagnostic and therapeutic dermatologic instruments and appliances better suited to the practice of dermatology in Nigeria.

(3) For the purposes of the discharge of its functions under the foregoing provisions of this section, the Hospital may-

- (a) arrange periodic conferences, seminars, study groups and like activities in dermatology;
- (b) advise the Government of the Federation or of a State on all matters relating to defects and prevention of diseases of the skin.
- (c) offer such assistance to hospitals or units in various parts of the Federation, as the Board may deem necessary;
- (d) do anything in connection with or incidental to the functions conferred on it by this Bill.

3. The Hospital shall be constituted as follows -

Constituent parts of the Hospital

- (a) management board;
- (b) an education committee;
- (c) the clinical and other departments of the Centre;
- (d) all members of the administrative, clinical and technical staff; and
- (e) all students of the Hospital

4. (1) There is hereby established for the Hospital, a board to be known as Specialized National

The Management Board

Dermatology Hospital Board (in this Bill referred to as "the Board"), which shall have general responsibility for the government of the Centre and shall consist of-

(a) the Chairman;

(b) the Director of Administration;

(c) four persons, broadly representative of the whole Federation and representing a variety of interest, who shall be appointed by the President;

(d) two persons appointed by the consultant staff of the hospital from among their number;

(e) Representative of Medical practitioners;

(f) Representative of the Federal Ministry of Health not below the rank of a Director;

(g) Representative of Dermatologists Association; and

(h) Representatives of Allied Health Professionals.

(2) The Chairman and other members who are not ex officio shall be appointed by the President.

(3) The Chairman shall be a person of proven integrity, coupled with experience and outstanding ability in administration and professional or technical education.

(4) The members specified in paragraphs (b), (d), (e) and (f) of subsection (1) of this section, are hereafter referred to as "ex-officio members".

(5) The supplementary provisions in the Schedule to this Bill, shall have effect with respect to the constitution and proceedings of the Board and the education committee and the other matters therein mentioned.

5. (1) The Chairman and any other member of the Board (not being an ex-officio member), shall hold office for a period of three years and shall be eligible for re-appointment for a further period of three years:

Tenure of office of the Chairman and members of the Board

Provided that members of the Board appointed under paragraph (d) of section 4 (1) of this Act, shall hold office for two years and shall not be eligible for re-appointment.

(2) A member of the Board, other than an ex-officio member, shall be paid out of monies at the disposal of the Board such remuneration and allowances in accordance with scales approved from time to time by the President.

(3) In the event of the death or incapacity of the Chairman of the Board, or if for any reason other than effluxion of time, the office of the Chairman is vacant, the President shall, on the recommendation of the Minister, appoint another person as chairman for the residue of the term of the Chairman of the Board.

(4) The office of a member of the Board shall become vacant if-

(a) he previously resigns his office by notice in writing given to the Minister;

(b) the period of his appointment has expired; or

(c) there is passed by the Board, a resolution declaring-

(i) that he has become unfit for membership of the Board, by reason of the fact that he has become incapable by reason of mental or bodily infirmity of discharging his duties; or

(ii) that he has been absent from three consecutive meetings of the Board without leave of the Board; or

(iii) he has been convicted of an offence which involves moral turpitude.

(5) Soon after the office of a member becomes vacant, the authority by which he was appointed shall appoint another person in his place in accordance with the provisions of this Bill.

(6) Any member of the Board other than an ex-officio member may, by notice to the Board, resign his appointment.

5. (1) The Board shall be the governing body of the Hospital and shall be charged with the general control and superintendence of the policy, finances and property of the Hospital, including its public relations.

General duty of the Board

(2) Without prejudice to the generality of the foregoing, it shall be the duty of the Board to-

(a) construct, equip, maintain and operate the hospital, which is to provide comprehensive services, teaching and clinical research in dermatology;

(b) construct, equip, maintain and operate such training schools and similar institutions as the Board considers necessary, for providing the Hospital at all times with adequate and sufficiently qualified staff, including dermatologist, dermatological technicians, nurses and members of other allied professions and calling, relevant to the practice of dermatology;

(c) construct, equip, maintain and operate such clinics, units, out-patient departments, laboratories, research or experimental stations and other like institutions, as the Board may consider necessary for the efficient functioning of the Hospital.

(3) The duty of running the Hospital imposed by the foregoing subsection shall include, without prejudice to the extent of that duty apart from this subsection, the duty of providing proper courses of instruction for students; but the Board shall not have power to award degrees, however the Board shall not be prevented from arranging for students to attend courses at or take higher qualifications awarded by other institutions not controlled by the Board.

(4) The Board shall ensure that the standards of treatment and care for patients provided at all establishments controlled by the Board and the standards of training at those establishments, do not fall below those usually provided by similar establishments of internationally high repute.

(5) Subject to this Bill, the Board shall have power to do anything, which in its opinion, is calculated to facilitate the carrying out of its functions under this Bill.

The Board shall be responsible for laying down general policies and guidelines relating to the management of the affairs of the Hospital, including the management of the hospital and the provision of facilities relating to the training of all categories of dermatology personnel and it shall be the duty of the Director to execute such policies and to keep within such guidelines.

Powers of the Board in relation to management, etc., of the Hospital staff

(1) Subject to the provisions of this section, the Director shall be appointed or removed from his office by the President.

The Director

(2) The Director shall hold office for four years in the first instance and shall be eligible for reappointment for terms not exceeding three years, on each occasion.

(3) Subject to this section, the Director shall hold office on such terms as to emoluments and otherwise as may be specified in his letter of appointment.

(4) The Director shall, in relation to the Board, take precedence before all other members of the Hospital, except the Chairman of the Board and any person for the time being acting as Chairman of the Board.

(5) Subject to this section, the Director shall be the chief executive officer of the Hospital and in addition to any other function conferred on him by this Bill, have the general function of directing the day-to-day activities of the Hospital.

(1) The senior members of the clinical, administrative and technical staff of the Hospital shall be appointed by the Board on the recommendation of a committee, to be known as the Appointments and Promotions Committee, set up under the provisions of paragraph 4 (3) of the Schedule to this Act.

Appointment, etc., of other staff

(2) The Board shall from among the officers appointed pursuant to subsection (1) of this section select, on the recommendation of the Director, a person to act both as the secretary to the Board and to the education committee.

(3) The power to appoint all other categories of staff to hold or act in offices in the Hospital (including power to make appointments on promotion and transfer and to confirm, dismiss or exercise other disciplinary control over persons holding or acting in such offices), shall be exercised by the Director acting on the recommendation of the Junior Staff Appointments and Promotions

Committee, constituted under paragraph 4 (4) of the Schedule to this Bill.

10. The Minister may give to the Board directions of a general character or relating generally to particular matters (but not to any individual person or case), with regard to the exercise by the Board of its functions under this Act, and it shall be the duty of the Board to comply with the directions, but no direction shall be given which is inconsistent with the duties of the Board under this Act. Power of the Minister to give directions
11. Finance and discipline Financial provisions
(1) The Board shall establish a fund into which it shall pay-
(a) such sums as may be provided, from time to time, by the Government of the Federation or of a State for the Hospital; and
(b) all sums accruing to the Hospital by way of fees, gifts, testamentary disposition, contributions from philanthropic persons or organisations or otherwise howsoever.
(2) Except with the approval of the Minister, the Hospital shall not have power to borrow money.
(3) The Board shall prepare and submit to the Minister, not later than 31 December in each financial year, an estimate of the income and expenditure of the Hospital during the next succeeding financial year.
(4) The Hospital shall keep proper accounts in respect of each financial year and proper records in relation to those accounts and shall cause its accounts to be audited as soon as may be, after the end of the financial year to which the accounts relate by a firm of auditors appointed, as respects that year, by the Board from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.
12. The Board may, with the approval of the Minister, prescribe the scale of fees chargeable for services provided by the Hospital. Fees for services
(1) The Hospital may accept gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organisation making the gift. Power to accept gifts
13. (2) The Board shall not accept any gift if the conditions attached by the person making the gift are inconsistent with the functions of the Board under this Bill. Discipline of students
(1) Subject to the provisions of this section, where it appears to the Director that any student of the Hospital has been guilty of misconduct, the Director may, without prejudice to any other disciplinary powers conferred on him by regulations, direct-
14. (a) that, the student shall not, during such period as may be specified in the direction, participate in such activities of the Hospital or make use of such facilities of the Hospital as may be so specified; or
(b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
(c) that the student be rusticated for such period as may be specified in the direction; or
(d) that the student be expelled from the Hospital.
(2) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, the student may, within the prescribed period and in the prescribed manner, appeal from the direction to the Board; and where such an appeal is brought, the Board shall, after causing inquiry to be made in the matter as the Board considers appropriate, either confirm or set aside the direction or modify it in such manner as the Board thinks fit.
(3) The fact that an appeal from a direction is brought in pursuance of the last foregoing subsection, shall not affect the operation of the direction while the appeal is pending.
(4) The Director may delegate his powers under this section to a disciplinary committee consisting of such members of the Hospital as he may nominate.
(5) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the Hospital otherwise than on the ground of misconduct.
(6) It is hereby declared that a direction under subsection (1) (a) of this section may be combined

with a direction under subsection (1) (b) of this section.

(7) Nothing in this section shall affect the provisions of any enactment relating to the discipline of medical practitioners, pharmacists, nurses or members of any other profession or calling.

15.

(1) If it appears to the Board that there are reasons for believing that any person employed as a member of the clinical, administrative or technical staff of the Hospital, other than the Director, should be removed from his office or employment, the Board shall require the Director to--

Removal and discipline
of clinical,
administrative and
technical staff

(a) give notice of those reasons to the person in question;

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

(c) if the person in question so requests within the period of one month beginning with the date of the notice, make arrangements-

(i) for a committee to investigate the matter and to report on it to the Board.

(ii) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Board, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove him by a letter signed on the direction of the Board.

(2) The Director may, in a case of misconduct by a member of staff, which in the opinion of the Director is prejudicial to the interest of the Hospital, suspend any such member and any such suspension shall forthwith be reported to the Board.

(3) For good cause, any member of the staff may be suspended from his duties or his appointment may be terminated by the Board; and for the purposes of this section, "good cause" means-

(a) a conviction for any offence which the Board considers to be such as to render the person concerned unfit for the discharge of the functions of his office; or

(b) any physical or mental incapacity which the Board, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office; or

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

(d) conduct which the Board considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service.

(4) Any person suspended shall, subject to subsections (2) and (3) of this section, be on half pay and the Board shall before the expiration of a period of three months after the date of such suspension, consider the case against that person and come to a decision as to-

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

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

(c) whether to terminate the appointment of the person concerned, in which case such person will not be entitled to the proportion of his emoluments withheld during the period of suspension; or

(d) whether to take such lesser disciplinary action against such person (including the restoration of his emoluments that might have been withheld), as the Board may determine, and in any case where the Board, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall, before the expiration of a period of three months from such decision, come to a final determination in respect of the case concerning any such person.

(5) It shall be the duty of the person by whom a letter of removal is signed in pursuance of subsection (1) of this section, to use his best endeavours to cause a copy of the letter to be served

as soon as reasonably practicable on the person to whom it relates.

(6) Nothing in the foregoing provisions of this section shall prevent the Board from making regulations for the discipline of students and all other categories of employees of the Hospital, as the Board may prescribe.

(7) Regulations made under subsection (6) of this section, need not be published in the Federal Gazette, but the Board shall bring them to the notice of all affected persons in such manner as it may, from time to time, determine.

16. (1) If any junior staff is accused of misconduct or inefficiency, the Director may suspend him for not more than three months and forthwith shall direct the Junior Staff Appointments and Promotion Committee appointed under the provisions of paragraph 3 (b) of the Schedule to this Bill- [Schedule.] Discipline of junior staff

(a) to consider the case; and

(b) to make recommendations as to the appropriate action to be taken by the Director.

(2) In all cases under this section the officer shall be informed of the charge against him and shall be given reasonable opportunity to defend himself.

(3) The Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or downgrade the officer concerned.

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

17. Miscellaneous and supplementary Exclusion of discrimination account of religion, race, etc.

No person shall be required to satisfy requirements as to any of the following matters, that is to say, race (including ethnic grouping), sex, place of birth or of family origin, or religious or political persuasion, as a condition to becoming or continuing to be a student at the Hospital, the holder of any appointment or employment at the Hospital or a member of anybody established by virtue of this Bill; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the Hospital, by reference to any of those matters:

Provided that nothing in this section shall be construed as preventing the Hospital from imposing any disability or restriction on any of the aforementioned persons, where such person wilfully refuses or fails, on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto, is in the opinion of the Hospital reasonably justifiable in the national interest.

18. The Board shall prepare and submit to the President, through the Minister, not later than 30 June in each year, a report in such form as the Minister may direct on the activities of the Board during the immediately preceding year and shall include in such report a copy of the audited accounts of the Hospital for that year and of the auditors' report thereon. Annual reports

19. In this Bill, unless the context otherwise requires- Interpretation

"the Board" means the governing Board for the Hospital, appointed under section 4 (1) of this Bill; "the Hospital" means the Specialized National Dermatology Hospital., established under section 1 of this Bill;

"functions" includes powers and duties;

"the Minister" means the Minister charged with responsibility for health;

"student" means a person enrolled at an institution controlled by the Board, for the purpose of pursuing a course of instruction at the institution.

20. This Bill may be cited as the Specialised National Dermatology Hospital Bill 2021. Short Title

SCHEDULE

Section 4 (5).]

Supplementary provisions relating to the Board, the Education Committee. etc.

Proceedings of the Board

1. Subject to the provisions of this Bill, the Board may make standing orders regulating the proceedings of the Board or any committee thereof.

2. The quorum of the Board shall be five, which shall include the Chairman and at least one other member, who is not an ex-officio member; and the quorum of any committee of the Board shall be determined by the Board.

3. (1) Subject to the provisions of any standing orders of the Board, the Board shall meet whenever it is summoned by the Chairman; and if the Chairman is required so to do by notice given to him by not less than five other members, he shall summon a meeting of the Board to be held within fourteen days of the date of the receipt by him of the notice.

2) At any meeting of the Board, the Chairman of the Board shall preside and if the Chairman is absent, the members present shall elect one of their number to preside at the meeting.

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

4) Notwithstanding anything in the foregoing provisions of this paragraph, the first meeting of the Board shall be summoned by the Minister, who may give such directions as he thinks fit as to the procedure which shall be followed at that meeting.

4. (1) The Board may appoint one or more committees to carry out on behalf of the Board such of its functions as the Board may determine, but a decision of a committee shall be of no effect until it is confirmed by the Board.

2) The education committee may appoint one or more committees to carry out on behalf of the education committee such of its functions as the education committee may determine, but a decision of a committee shall be of no effect until it is confirmed by the education committee.

3) Without prejudice to the generality of sub-paragraphs (1) and (2) of this Schedule, the Board shall appoint the following committees, that is-

(a) the Appointments and Promotions Committee, which shall-

(i) consist of not less than five members, including the Director, who shall be the chairman of the Committee;

(ii) be charged with the responsibility for making recommendations to the Board on the appointment and promotion of the clinical, administrative and technical staff of the Hospital and have a quorum of three members;

(b) the Junior Staff Appointments and Promotions Committee, which shall have the powers set out in section 19 of this Bill.

Employees of the Centre

5. Subject to this Bill, the Board shall have power-

(a) to pay the employees of the Hospital such remuneration and allowances as the Board may with the approval of the Minister determine;

(b) to pay any person appointed to a committee of the Board such remuneration (whether by way of fees or otherwise), in respect of the performance of his functions under this Bill and such travelling and subsistence allowances while on the business of the Board, as the Board may determine;

(c) to establish for the employees of the Hospital such superannuation scheme (whether contributory or not), as the Board may determine; and

(d) to give loans to its employees for purposes approved by the Board.

Miscellaneous

6. (1) The fixing of the seal of the Board shall be authenticated by the signature of the

Chairman or of some other member, authorised generally or specially by the Board for that purpose.

(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 Hospital by any person generally or specially authorised to act for that purpose by the Board or a committee of the Board.

(3) Any document purporting to be a document duly executed under the seal of the Hospital shall be received in evidence and

shall, unless the contrary is proved, be presumed to be so executed.

7. The validity of any proceedings of the Board or a committee thereof, shall not be 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 any other person on the committee.

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

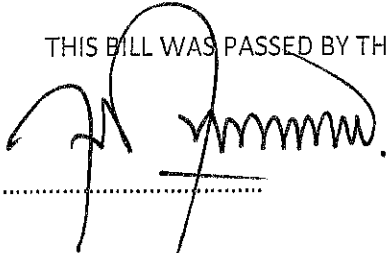
Education Committee

9. The provisions of this Schedule shall apply mutatis mutandis to the education committee; so that in relation to the quorum hereof, it shall be as may be determined by the education committee.

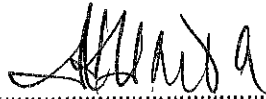
Explanatory Memorandum

This Bill seeks to establish a Specialised National Dermatology Hospital and a management board for the Hospital for the purpose of providing dermatological treatment, research and training and for other related matters.

THIS BILL WAS PASSED BY THE SENATE ON TUESDAY, 18TH MAY, 2021



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President,
Senate of the Federal Republic of Nigeria



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Clerk,
Senate of the Federal Republic of Nigeria