A BILL

FOR

AN ACT TO ENSURE FULL INTEGRATION OF PERSONS WITH DISABILITIES INTO THE SOCIETY AND TO ESTABLISH A NATIONAL COMMISSION FOR PERSONS WITH DISABILITIES AND VEST IT WITH THE RESPONSIBILITIES FOR THEIR EDUCATION, HEALTH CARE AND THE PROTECTION OF THEIR SOCIAL, ECONOMIC, CIVIL RIGHTS

Sponsored by Senator Francis Alimikhen

[ ] Commencement

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

1. PART I - PROHIBITION OF DISCRIMINATION AND HARMFUL TREATMENT

1.-(1) A person with disability shall not be discriminated against on the ground of his disability by any person or institution in any manner or circumstance whatsoever.

(2) A person who contravenes subsection (1) of this section commits an offence and is liable on conviction to, if the person is:

(a) a body corporate, a fine of N1,000,000.00; and

(b) an individual, a fine of N100,000 or 6 months imprisonment or both.

(3) Notwithstanding the prosecution, conviction or otherwise of any person for any offence under this Bill the person against whom any such crime or wrong is committed may maintain a civil action against any such person committing the offence or causing the injury, without prejudice to any conviction or acquittal.

2. PART II – AWARENESS

2. The Federal Ministry of Information shall make provisions for promotion of awareness regarding:
1 (a) the rights, respect and dignity of persons with disabilities,
2 (b) the capabilities, achievements and contributions of persons with
3 disabilities to the society.
4
5 PART III - ACCESSIBILITY OF PHYSICAL STRUCTURES
6
7 3. A person with disabilities shall have the right to access the physical
8 environment and buildings on an equal basis with others.
9
10 4. A public building shall be constructed with the necessary
11 accessibility aids such as lifts (where necessary), ramps and any other facility
12 that shall make them accessible and usable to in persons with disability.
13
14 5. Road side-walk, pedestrian crossing and all other facilities made
15 for public use shall be made accessible to and useable by persons with
16 disabilities including those on wheelchairs and the visually impaired.
17
18 6. From the date of the commencement of this Bill, there shall be a
19 transitory period of 5 years within which all public buildings and structures,
20 whether immovable, movable or automobile, which were inaccessible to
21 persons with disability shall be modified to be accessible to and usable by
22 persons with disability including those on wheelchairs.
23
24 7.- (1) Before erecting any public structure, its plan shall be
25 scrutinised by the relevant authority to ensure that the plan conforms with the
26 building code.
27
28 (2) No government or government agency, or body or individual
29 responsible for the approval of building plans shall approve the plan of a public
30 building if the plan does not make provision for accessibility facilities in line
31 with building code.
32
33 (3) Any officer or officers who approve(s) or direct(s) the approval of
34 a building plan that contravenes the building code shall be liable to a fine of a
35 minimum of N1,000,000 or two years imprisonment or to both such fine and
36 imprisonment.
37
38 8.- (1) Subject to section 7 in the event of existence of a state of
39 inaccessibility or barrier to access of a person with disability to the
environment that he or she has a right or duty to access, he may, without
prejudice to his or her right to seek redress in court. notify the relevant
authority in charge of the environment of the existence of the state of
inaccessibility or barrier to accessibility of the environment, and it shall be
the duty of the relevant authority in charge to take immediate and necessary
steps to remove the barrier and make the environment accessible to the
person with disability.

(2) If the relevant authority in charge receives the notice in
subsection (1) of this section but fails to comply, shall be liable to:

(a) if a corporate body, N10,000 damages payable to the affected
person for each day of default; or

(b) if an individual, N5,000 damages payable to the affected person
each day of default or 6 months imprisonment or both.

PART IV - ROAD TRANSPORTATION

9. It is unlawful for a person (the provider) who (whether for
payment or not) provides goods or services, or makes facilities available, to
discriminate against another person with disability:

(a) by refusing to provide those goods or services or make those
facilities available to him;

(b) on such terms or conditions on which the provider provides
those goods or services or makes those facilities available to him; or

(c) in a manner in which the provider provides those goods or
services or makes those facilities available to him.

10.- (1) Government Transport services providers shall make
provisions for lifts, ramps and other accessibility aids to enhance the
accessibility of their vehicles, parks and bus-stop to persons with disabilities
including those on wheel chairs.

(2) Every public vehicle should have functional audible and visual
display of their destination within 5 years from the commencement of this
Bill.
Waiver of charges on assistive devices

11. Wheelchairs, crutches, guide canes (for blind), braces and any other mobility aid and appliance or assistive devices used by a person with disability shall not be subject to charges, provided they are not carried in commercial quantities and for commercial purposes.

Reserved spaces

12.- (1) At public parking lots, suitable spaces shall be properly marked and reserved for persons with disabilities.

(2) For a person with disability to be entitled to the use of the reserved space in subsection (1) of this section, his car shall have been properly identified with the necessary insignia.

(3) A person, organization or corporate body in control of a public parking lot who fails to provide for the reserved spaces in subsection (1) of this section commits an offence and is liable on conviction to a fine of N1,000 for each day of default.

(4) A person without disability who parks a vehicle in the reserved space in subsection (1) of this section commits an offence and is liable on conviction to a fine of N5,000.

(5) A person who unlawfully obstructs the reserved space in subsection (1) of this section commits an offence and is liable on conviction to a fine of N5,000.

(6) Subsection (4) of this section does not apply if a person with disability is a passenger in the vehicle.

PART V - SEAPORTS AND RAILWAYS

13.- (1) Seaports and facilities therein as well as vessel shall be made accessible to person with disabilities.

(2) Railway stations, trains and facilities therein shall be made accessible to persons with disabilities.

Transitory period for railways and seaports

14. The provisions of section 14 shall be subjected to the transitory provision contained in Section (8).
PART VI - AIRPORT FACILITIES

15.-(1) All airlines operating in Nigeria shall:

(a) ensure the accessibility of their aircraft to persons with disabilities;

(b) make available presentable and functional wheelchairs for the conveyance of persons with disabilities who need it to and from the aircraft;

(c) ensure that persons with disabilities are assisted to get on and off board in safety and reasonable comfort;

(d) ensure that persons with disabilities are accorded priority while boarding and disembarking from the aircraft.

(2) All airports shall make available for the conveyance of persons with disabilities who need it to and from the aircraft, a presentable and functional assistive and protective device.

16. Any general information shall be translated into the accessible format appropriate to the person with disability present.

PART VII - RIGHT TO FIRST CONSIDERATION IN QUEUES AND IN EMERGENCIES

17. In all situations of risk, including situations of violence, emergencies and the occurrences of natural disasters:

(a) government shall take all necessary steps to ensure the safety and protection of persons with disabilities taking cognisance of their peculiar vulnerability.

18.-(1) In queues, persons with disabilities shall be given first consideration, and as much as possible should be attended to outside the queue.

(2) Any person in breach of this section shall be liable on conviction to 6 months imprisonment or fine of ₦50,000.00 or both.

PART VIII — LIBERTY

19.-(1) No person shall:

(a) Employ, use or involve a person with disability in begging;
1. (b) parade persons with disabilities in public with intention of
2. soliciting alms;
3. (c) use condition of disability as a guise for the purpose of begging in
4. public.
5. (2) A person who contravenes subsection (1) of this section commits
6. an offence and is liable on conviction to 6 months imprisonment or a fine of
7. N100,000 or both.

PART IX - COMMUNAL LIFE

Freedom of
movement

20. Persons with disabilities shall have the liberty of movement
10. within or out of the Country and freedom to choose their residence on an equal
11. basis with others.

Prohibition of
segregation

21. Except on medical grounds or in accordance with the provisions
13. of the Constitution of the Federal Republic of Nigeria, a person with disability
14. shall not be isolated or segregated from the community or compelled to live in a
15. particular area.

Right to fee
education

22.- (1) Every person with disability shall have an unfettered right to
17. education without discrimination or segregation in any form.
18. (2) Persons with disability shall be entitled to free education for
19. secondary school level. The Commission shall provide educational assistive
20. devices.

Inclusiveness
of education

23.- (1) All public schools, whether primary, secondary or tertiary
22. shall be run to be inclusive of and accessible to persons with disabilities,
23. accordingly every school shall have:
24. (a) at least a trained personnel to cater for the educational
25. development of persons with disabilities;
26. (b) special facilities for the effective education of persons with
27. disabilities.
28. (2) Braille, sign language and other skills for communicating with
29. person with disabilities shall form part of the curricula of primary, secondary
30. and tertiary institutions.
24. The education of special education personnel shall be highly subsidized.

25. Government shall ensure that the education of persons with disabilities, particularly children, who are blind, deaf or with multiple disabilities, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximizes academic and social development.

26.- (1) Government shall guarantee that persons with disabilities have unfettered access to adequate health care without discrimination on the basis of disability.

(2) A person with mental disability shall be entitled to free medical and health service in all public health institutions.

27.- (1) Every person with disability shall obtain a Permanent Certificate of disability from the Commission.

(2) Where a doctor suspects disability in the course of treatment of a person who hitherto was not a person with disability, the Doctor may with the approval of the Commission issue a Temporary Certificate of Disability which shall last for not longer than 180 days.

(3) If the state of disability persists beyond 180 days, the Commission on the recommendation of a doctor shall issue the person a Permanent Certificate of Disability, which shall last as long as the state of the disability persists.

(4) Any person issued with a Permanent Certificate of Disability, shall be entitled to all rights and privileges in this Bill.

(5) Any person who unlawfully issues or unlawfully obtains certificate of disability shall be liable to a fine of N200,000.00 or 1 year imprisonment or both.

28. Any public hospital where a person with communicational disabilities is medically attended to shall ensure provision for special communication.
29.- (1) Persons with disabilities shall have the right to work, on an equal basis with others; this includes the right to opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open.

(2) A person in breach of this section shall be liable on conviction to nominal damages of a minimum of N250,000.00 payable to the affected person with disability.

(3) Where a company is in breach of this section:
   (a) the company shall be liable to nominal damages of a minimum of N500,000 payable to the affected person with disability; and
   (b) any principal officer of the company involved in the violation shall be liable to N50,000 damages payable to the affected person with disability.

30. All employers of labour in public organisation shall as much as possible have person with disabilities constituting at least 5% of their employment.

PART XII - ADEQUATE STANDARD OF LIVING AND SOCIAL PROTECTION

31. Where accommodation is being provided by schools for their students, employers for their employees, service providers for their customers, organisations for their members, government for the people and in any other circumstance whatsoever, persons with disabilities shall be given first consideration.

PART XIII - PARTICIPATION IN POLITICS AND PUBLIC LIFE

32.- (1) Persons with disabilities shall be encouraged to fully participate in politics and public life.

(2) Government shall actively promote an environment in which persons with disabilities can effectively and fully participate in:
   (a) the conduct of public affairs without discrimination;
   (b) Non-governmental organizations and associations concerned with the public and political life of the country; and
(c) activities and administration of political parties.

PART XIV - ESTABLISHMENT OF THE COMMISSION

33.- (1) There is established a body to be known as the National Commission for persons with disability (in this Bill referred to as "the Commission") to be placed under the Presidency.

34.- (1) There is established a Governing Council for the Commission (in this Bill referred to as the "the Council") which shall conduct the affairs of the Commission.

(2) The Council shall consist of:

(a) a full-time Chairman;

(b) representatives from the Nigeria geopolitical zones who shall be persons with disability;

(c) a representative each from:

(i) Federal Ministry of Education;

(ii) Federal Ministry of Health;

(iii) Federal Ministry of Sports;

(iv) Federal Ministry of Women Affairs;

(v) Federal Ministry of Housing;

(vi) Federal Ministry of Transport;

(vii) Federal Ministry of Environment;

(viii) Federal Ministry of Labour and Productivity;

(ix) Federal Ministry of Justice;

(x) National Human Rights Commission and the National Planning Commission; and

(xi) 1 person from each geopolitical zone.

(3) The Chairman of the Council and representatives of the Nigeria geopolitical zones shall be appointed by the President subject to the confirmation of the Senate.

(4) The Chairman and other members of the Council shall be persons of proven integrity, honour and ability with genuine concern for an
interest in the protection and integration of persons with disability.

35. The supplementary provisions set out in the schedule to this bill shall have effect with respect to the proceeding of the Council and the other matter contained therein.

36. Subject to section 37 of this Act, the Chairman and members of the Council shall each hold office:

(a) for a term of 4 years and may be re-appointed for a further term of 4 years and no more; and

(b) on such terms and conditions as may be specified in his letter of appointment.

37.-(1) A person shall cease to hold office as a member of the Council on the occurrences of any of the following:

(a) if he becomes bankrupt; or compounding with his creditors; or

(b) he is convicted of a felony or any offence involving dishonesty or fraud; or

(c) he is disqualified of his professional qualification;

(d) he is guilty of a serious misconduct in relation to his duties;

(e) he resigns his appointment by a letter addressed to the President.

(2) Where a member of the Council ceases to hold office for any reason whatsoever before the expiration of the term for which he is appointed, another person representing the same interest as that member shall be appointed to the Council for the unexpired term.

(3) A member of the council may be removed by the president on the recommendation of council if he is satisfied that it is not in the interest of the commission or the interest of the public that the member continue in office.

38. Members of the Council shall be paid allowances and expenses as the Government may direct from time to time.

39. The Council shall have power to:

(a) manage and superintend over the affairs of the Commission;

(b) make rules and regulations for the effective running of the
Commission;
(c) employ the staff of the Commission on such remuneration or allowance as payable to persons in similar organisation in the Country;
(d) enter into such contract as may be necessary or expedient for the discharge of its function and ensure efficient performance of the functions of the Commission; and
(e) receive, disburse and account for funds of the Commission.

PART XV - FUNCTIONS AND POWERS OF THE COMMISSION

40. The functions of the Commission shall be:
(a) to formulate and implement policies and guidelines as appropriate for the education and social development of persons with disability;
(b) to prepare schemes designed to promote social welfare of person with disability and the estimate of cost of implementing such schemes;
(c) to promote and uplift the general social well-being of persons with disability by encouraging the public to change their attitude toward person with disability;
(d) to make available not less than 5% of the work force to qualified persons with disability;
(e) to enlighten the public and encourage persons with disability;
(f) to collect data and records on special education of persons with disabilities, which shall be a regular exercise so that the persons with disability are identified, and enumerated for planning and treatment;
(g) to ensure that all facilities in each community all over the federation shall be built or modified (where and when feasible) to accommodate the special need of persons with disabilities;
(h) to ensure the monitoring, evaluation and realisation of government policy objectives on persons with disabilities;
(i) to facilitate the procurement of scholarship awards for persons
with disabilities up to university level;
(j) establishing and promoting inclusive schools, vocational and
rehabilitation centres for the development of persons with disabilities;
(k) liaising with the public and private sectors as well as other bodies
to ensure that the peculiar interests of person with disabilities are taken into
consideration in every government policy, programme and activity;
(1) issue insignia of identification of persons with disabilities;
(m) enforcement of compliance of public buildings codes and
imposing necessary sanctions and make appropriate orders;
(n) receiving of complaints of persons with disabilities on the
violation of their rights:
(o) support an individual's right to seek redress in court, investigation,
prosecution or sanctioning (in appropriate cases) the violation of the provision
of this Bill;
(p) ensuring research development and education on disability issues
and disable persons;
(q) to collaborate with the media to make information available in
accessible format for person with disabilities;
(r) procuring of assistive devices for all disability types.

41.- (1) The Commission has power to do any lawful thing, which will
facilitate carrying out of its functions and in particular may:
(a) sue and be sued in its corporate names;
(b) acquire, hold and manage movable and immovable property;
(c) enter into contract for the education and welfare of persons with
disability;
(d) purchase or acquire any assets, business or property considered
necessary or the proper conduct of its functions;
(e) sell, let, lease or dispose of any of its property;
(f) undertake or sponsor research where necessary for the
performance of its functions; and
(g) train managerial, technical or other category of staff for the purpose of running the affairs of the Commission.

(2) The power conferred on the Commission may be exercised by it or through any of its employees or agent authorised in that behalf by the Commission.

(3) The Commission shall not be subjected to direction, control or suspension by any other authority or person in the performance of its function under this bill other than the President.

PART XVI - APPOINTMENT AND DUTIES OF THE EXECUTIVE SECRETARY AND OTHER STAFF

42.- (1) There shall be an Executive Secretary.

(2) The Executive Secretary shall:

(a) have such qualification and experience as appropriate for a person required to perform the functions of that office; and

(b) be responsible to the council for the execution of the policies and the administration of the daily affairs of the Commission.

43. The Executive Secretary may resign his office by writing under his hand to the President.

44. The Council shall appoint for the Commission such number of employees as may in the opinion of the Council be expedient and necessary for the proper and efficient performance of the function of the Commission.

45.- (1) The Council shall have power to appoint for the Commission either directly or by secondment from any public service in the federation, such number of employees as may, in the opinion of the Council be required to assist the Commission in the discharge of any of its function under this Bill.

(2) The person seconded under this section may elect to be transferred to the service of the commission, and any previous service he may have rendered in the public service shall count as service to the
Commission for the purpose of any pension subsequently payable by the Commission.

46. There shall be established in the head office of the Commission, such department as may be deemed necessary for the effective and efficient functioning of the Commission.

47. The staff of the Commission shall be entitled to pension, gratuity, and any other retirement benefit in accordance with the Pension Reform Act.

48.- (1) The Commission shall establish and maintain a fund herein referred to as a Fund into which money accruable to the Commission shall be paid and from which all the activities of the Commission shall be funded.

(2) The funds of the Commission shall be disbursed according to the approved formula.

(3) The Council shall cause the account of the Commission to be audited quarterly and shall be externally audited once every year.

49.- (1) The Commission may accept gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift, provided such terms and conditions are not inconsistent with any prevailing law.

(2) The Commission shall not accept any gift if the conditions attached are inconsistent with the functions of the Commission under this Bill.

50. The Commission may, from time to time borrow such sums as it may require to execute or complete some special projects of the Commission.

51.- (1) Cause to be kept accounts and records of transaction and affairs of the Commission and ensure that all payments out of its moneys are currently made and properly authorised.

(2) Ensure that adequate control is maintained over the assets of, or in the custody of, the Commission and over its incurring of liabilities.

52.- (1) The Auditor-General of the Federation shall:

(a) inspect and audit the account and records of financial transactions of the Commission;
(b) inspect records relating to assets of the Commission; and

c) draw the attention of the Secretary to the Government of the
Federation to any irregularities disclosed by the inspection and audit.

(2) The Auditor-General may dispense with all or any part of
detailed inspection and audit of any account or record referred to in
subsection (1).

(3) The Auditor or an officer authorised by him is entitled at all
reasonable time to a full and free access to all account records, documents
and papers of the Commission relating directly or indirectly to the receipt or
payment of money by the Commission or to the acquisition received,
custody or disposal of assets by the Commission.

53. The Commission shall submit to the Presidency through the
Secretary to the Government of the Federation not later than 30th June, of
each financial year and it shall include the copy of audited accounts of the
commission of that year and a copy of Auditors report on it.

54. The Commission may subject to the Land Use Act acquire any
land for the purpose of discharging its functions.

PART XVII - MISCELLANEOUS PROVISIONS

55. A notice, summons or other documents required or authorised
to be served upon the Commission under the provisions of this Bill or any
other law or enactment may be served by delivering it to the Executive
Secretary or by sending it by registered post and address it to the Executive
Secretary at the principal office of the Commission.

56. Any such money which may be the judgement of any court
awarded against the Commission shall be paid from the general reserved
fund of the Commission.

57. A member of the Council, the Executive Secretary, any officer
or employee of the Commission shall be indemnified against any
proceeding, whether civil or criminal, in which judgment is given in his
favour or in which is acquitted, if any such proceeding is brought against
him in his capacity as a member of the Council, the Executive, officer or the employee of the Commission.

58. The Executive Secretary may with the approval of the Governing Council engage persons with relevant knowledge to the function of the Commission to assist otherwise than on the basis of full time employment.

59. The governing council may make regulations for the purpose of carrying out or giving full effect to the provisions of the Bill.

60.-(1) To be entitled to the damages specifically provided in this Bill, it shall be sufficient for a plaintiff or claimant as the case may be, in a court proceeding, to prove the violation of the relevant section of this Bill without specific proof of damages.

(2) Nothing in this Bill shall prevent a court from accessing and awarding general and special damages in addition to the normal damages provided for in this Bill.

PART XVIII – INTERPRETATION

61. In this Act:

"Accessibility aid" includes any fixture and device that aids accessibility;

"Accommodation" (in the context of housing) include residential or business accommodation;

"Assistive Device" means any device that assist, increases or improves the functional capabilities of person with disabilities;

"Closed Captioning" is a term describing several systems developed to display text on a television or video screen to provide additional or interpretive information to viewers who wish to access it;

"Commission Agent" means the person who does work for another person as the agent of that other person and who is remunerated, whether in whole or in part by the Commission;

"Commission" means National Commission for people with Disability;

"Disable" means having a disability;

"Disability" includes long term physical, mental, intellectual or sensory
impairment which in interaction with various barriers may hinder full and
effective participation in society on equal basis with others;
"Discrimination" means differential treatment and its verbs and infinite
form (discriminate, to discriminate) have the corresponding signification;
"Document" includes any book register or other record of information,
however compiled, record or stored;
"Educational Authority" means a body of person(s) administering an
education institution;
"Educational Institution" means a school college, University or other
institution at which education or training is provided;
"Employee" includes applicant or prospective employee, Commission
agent, contract worker, independent contractor, or person applying to the
commission agent, contract worker or independent contractor;
"Employer" includes prospective employer, principal and a person who
engages or proposes to engage a commission agent, contract worker or
independent contractor;
"Employer of Labour" means "Employer" as interpreted by the workmen's
Compensation Act;
"Function" includes duty;
"Government employee" means a person who is appointed, employed or
engaged in the public service of, or by a public authority of the Federation, a
State, the Federal Capital Territory or a Local government, or holds an
administrative office;
"Person" includes natural, artificial, juristic or judicial persons, companies,
enterprises firms, organisations, association, government departments,
ministries, parastatals;
"Person with Disabilities" means:
(a) a person who has received preliminary or permanent certificate
of disability to have condition which is expected to continue permanently or
for a considerable length of time which can reasonably be expected, to limit
the person's functional ability substantially, but not limited to seeing, hearing,
thinking, ambulating, climbing, descending, lifting, grasping, rising, and
includes any related function or any limitation due to weakness or significantly
decreased endurance so that he cannot perform his everyday routine, living and
working without significantly increased hardship and vulnerability to
everyday obstacles and hazards;

(b) a person with long term physical, mental, intellectual or sensory
impairment which in interaction with various barriers may hinder their full and
effective participation in society on equal basis with others;

"President" means President and Commander in Chief of the Armed Forces of
the federal Republic of Nigeria;

"Premises" include a structure, building, aircraft, vehicle, train or vessel; a
place (whether enclosed or built on or not); and a part of any premises;

"Principal" means:

(a) in relation to Commission agent - a person for whom the
Commission agent does work as a Commission agent;

(b) in relation to contract worker - a person for whom the contract
worker does work under a contract between the employer of the contract
worker and the person;

"Public Building" means a building owned or used by government or
government agency or a building available for the use of members of the
public;

"Relative" in relation to a person, means a person who is related to the first
mentioned person by blood, marriage affinity or adoption;

"Subtitles Caption" means caption displayed at the bottom of a movie or
television screen that translate or transcribe the dialogue or narrative;

"Special Communication" means special means (including sign language
augmentative and alternative communication) of communicating with person
with speech or hearing disability;

"Special Facilities" means any provision whether movable or immovable that
will enhance easy access and enjoyment in public buildings by persons with
disability; significantly decreased endurance so that he cannot perform his
everyday routine, living and working without significantly increased
hardship and vulnerability to everyday obstacles and hazards;
"State" means each of the State of the Federation, and includes the Federal
Capital Territory;
"Student" in relation to an education institution, includes a candidate or
applicant for admission into that education institution;
"Undue hardship" means significant difficulty or expense, when considered
in light of such factor as:
   (a) the nature and cost of the accommodation needed to take care of
   a disabled person's special needs;
   (b) the overall financial resources of the facility or facilities
   involved in the provision of the reasonable accommodation; the number of
   persons employed at such facility;
   (c) the effect on expenses and resources or the impact otherwise of
   such accommodation upon the operation of the facility;
   (d) the overall finances of the person or organisation having to deal
   with person with disability, with the overall size of his or its business with
   respect to the number of its employees; the number, type, and location of its
   facilities; and
   (e) the type of operation or operations of such person or
   organisation, including the composition, structure and function of his or its
   workforce; the geographic, separateness, administrative, or fiscal
   relationship of the facility or facilities in question to such person or
   organisation.

62. This Bill may be cited as Discrimination Against Persons with Disabilities (Prohibition) Bill, 2015.
SCHEDULES

Section 18 (2)

SPECIAL FACILITIES

1. Wheel Chairs: Clear floors or ground space on wheel chairs, Wheel chair passage and turning space

2. Crutches, guide canes, etc.

3. Hearing Aid

4. Curb ramps

5. Ramps

6. Handrails, grab bars

7. Stain-shopping stairs

8. Elevators/Lifts

9. Windows

10. Entrance Doors

11. Drinking fountains and water coolers

12. Toilet facilities

13. Door protective and Re-opening Devices maneuvering entrances at Doors.

14. Parking spaces and passenger loading zones

15. Accessible routes including walk ways, halls, windows, aisles and spaces.

16. Alarm:

* Audible Alarms

* Visual Alarms

* Auxiliary Alarms

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Proceeding of the Council

1.- (1) Subject to this bill and section 27 of the interpretation Act, the Council may make standing orders regulating its proceeding or those of any of its Committees.
(2) The quorum of the Council shall be the Chairman or the person presiding at the meeting and five other members of the Council, one of whom shall be ex-officio member, and the quorum of any committee of the Council shall be as determined by the Council.

2.- (1) The Council 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 8 other members, he shall summon a meeting of the Council to be held within 14 days from the date on which the notice was given.

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

3.- (1) The council may appoint one or more Committees to carry out, on behalf of the Council such functions as the Council may determine.

(2) A Committee appointed under this paragraph shall consider such number of persons as may be determined by the Council and a person shall hold office in the Committee in accordance with the terms of his appointment.

(3) A decision of a Committee of the Council shall be of no effect until its confirmed by the Council.

4.- (1) The fixing of the seal of the Commission shall be authenticated by the signatures of the Chairman or any other member of the Council generally or specifically authorised by the Council to act for that purpose and the Executive Secretary.

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

(3) A 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 proceedings of the Councilor Committee shall
not be adversely affected by:
(a) a vacancy in the membership of the Councilor Committee;
(b) a defect in the appointment of a member of the Councilor
Committee; or
(c) reason that a person not entitled to do so took part in the
proceedings of the Councilor Committee.

FIRST SCHEDULE

Section 5

COMPLIANCE ORDER

Notice has been taken of the fact that your programme is not inclusive of
Disabilities Issues.
In particular: ..................................................
This contravenes section 5 of persons with disabilities Act, you are hereby
ordered to immediately comply with the said law.
Take note that if after 3 months from receipt of this order, you still remain in
default; your operational licence shall be withdrawn.

Signed

SECOND SCHEDULE

PART I - CERTIFICATE OF TEMPORARY DISABILITY

This is to certify that.................................................................of
.................................................................was examined by me.........................................on
this day of.............................................and found to be temporarily incapacitated.

Signed.
PART I - CERTIFICATE OF PERMANENT DISABILITY

This is to certify that.................................................................of
.................................................................was examined by me............................on
this day of.............................................and found to be permanently incapacitated.

Signed.