

**COMPULSORY TREATMENT AND CARE FOR VICTIMS OF GUNSHOTS ACT,
2017**

EXPLANATORY MEMORANDUM

This Act provides for the compulsory treatment and care for victims of gunshots.

**COMPULSORY TREATMENT AND CARE FOR VICTIMS OF GUNSHOTS ACT,
2017**

Arrangement of Sections

Section:

1. Right to treatment.
2. Duty to assist.
3. Notification of police.
4. Certificate of fitness.
5. Offence.
6. Relations to make statement.
7. Withholding information.
8. Protection of volunteer.
9. Persons guilty of the offence.
10. Duty to notify victim relations.
11. Offence of standing by.
12. Records.
13. Trial of a corporate body.
14. Restitution.
15. Interpretation.
16. Citation.

**COMPULSORY TREATMENT AND CARE FOR VICTIMS OF GUNSHOTS ACT,
2017**

A Bill

For

An Act to provide for the compulsory treatment and care for victims of gunshots; and for related matters.

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Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

1. As from the commencement of this Act, every hospital in Nigeria whether public or private shall accept or receive, for immediate and adequate treatment with or without police clearance, any person with a gunshot wound. Right to treatment.
2. (1) Every person, including security agents, shall render every possible assistance to any person with gunshot wounds and ensure that the person is taken to the nearest hospital for immediate treatment. Duty to assist.
(2) Accordingly-
 - (a) a person with a gunshot wound shall be received for immediate and adequate treatment by any hospital in Nigeria with or without initial monetary deposit, and
 - (b) a person with a gunshot wound shall not be subjected to inhuman and degrading treatment or torture by any person or authority including the police or other security agencies.
3. (1) A hospital that receives or accepts any person with a gunshot wound for treatment shall report the fact to the nearest police station within two hours of commencement of treatment. Notification of police.
(2) Upon receipt of the report under subsection (1) of this section, the police shall immediately commence investigation with a view to determining the circumstances under which the person was shot.
4. The police shall not invite any person with gunshot wounds from the hospital for the purposes of investigation unless the Chief Medical Director of the hospital certifies him fit and no longer in dire need of medicare. Certificate of fitness.
5. A hospital that fails to make a report as required under section 3 of this Act commits an offence and is liable on conviction to a fine of ₦100,000.00 and every doctor directly concerned with the treatment is equally liable on conviction to for a term of six months or a fine of ₦100,000.00 or imprisonment or both. Offence
6. A person who receives the report under section 3 (2) of this Act shall furnish or the hospital on demand, with background information on the victim as he may be compelled to incriminate the victim. Relations to make statement.
7. A person who fails, neglects or refuses to give the report required under section 6 of this Withholding information.

Act commits an offence and is liable on conviction, or a fine of ₦50,000.00 or imprisonment for a term of six month or both.

Protection of volunteer.

8. Every volunteer or helper of a victim of gunshots shall be treated with respect and shall not be subjected to unnecessary and embarrassing interrogation in their genuine attempt to save life.

9. A person who commits an offence under this Act which leads to or causes substantial physical, mental, emotional and psychological damage to the victim, commits an offence and is liable on conviction to imprisonment for a term of not more than 15 years and not less than five years without the option of fine.

Persons guilty of the offence.

10. A hospital that receives any person with gunshot wounds shall notify the family members or relations of the victim as far as they may ascertain within 24 hours of becoming aware of the victim's identity.

Duty to notify victim relations.

11. Any Person or authority including any police officer, other security agent or hospital who stands by and fails to perform his duty under this Act which results in the unnecessary death of any person with gunshot wounds commits an offence and is liable on conviction to a fine of ₦500,000.00 or imprisonment for a term of five years or both.

Offence of standing by.

12. A hospital or facility that takes or receives for treatment any person with gunshot wounds shall keep adequate record of the treatment.

Records.

13. A corporate body that commits an offence under this Act, the head of the corporate body shall be prosecuted in accordance with the provision of sections 11 and 14 of this Act.

Trial of a corporate body.

14. (1) In addition to any other penalty under this Act, the High Court shall order a person or corporate body convicted of an offence to make restitution to the victim by directing that person or corporate body to pay to the victim an amount equivalent to the loss sustained by the victim.

Restitution.

(2) An order of restitution may be enforced by the victim or by the prosecutor on behalf of the victim in the same manner as a judgment in a civil action.

15. In this Act -

Interpretation.


"court" means High Court of a State; and

"victim" means a person who sustains injuries as a result of gunshot, powder burn and other injuries arising out of or caused by the discharge of a firearm.

16. This Act may be cited as the Compulsory Treatment and Care of Victims of Gunshots Act, 2017.

Citation.

I, CERTIFY, IN ACCORDANCE WITH SECTION 2 (1) OF THE ACTS AUTHENTICATION ACT CAP. A2, LAWS OF THE FEDERATION OF NIGERIA 2004, THAT THIS IS A TRUE COPY OF THIS BILL PASSED BY BOTH HOUSES OF THE NATIONAL ASSEMBLY.



MOHAMMED ATABA SANI-OMOLORI
CLERK TO THE NATIONAL ASSEMBLY

14th DAY OF NOVEMBER, 2017

Schedule to the Compulsory Treatment and Care for Victims of Gunshots Bill, 2017

SHORT TITLE OF THE BILL	LONG TITLE OF THE BILL	SUMMARY OF THE CONTENTS OF THE BILL	DATE PASSED BY THE SENATE	DATE PASSED BY THE HOUSE OF REPRESENTATIVES
Compulsory Treatment and Care for Victims of Gunshots Act, 2017 Bill, 2017.	An Act to provide for the compulsory treatment and care for victims of gunshots; and for related matters.	This Bill provides for the compulsory treatment and care for victims of gunshots.	11 th July, 2017	7 th June, 2016

I certify that this Bill has been carefully compared by me with the decision reached by the National Assembly and found by me to be true and correct decision of the Houses and is in accordance with the provisions of the Acts Authentication Act Cap. A2, Laws of the Federation of Nigeria, 2004.


MOHAMMED ATABA SANI-OMOLORI

Clerk to the National Assembly

14th Day of November, 2017



MUHAMMADU BUHARI, GCFR

President of the Federal Republic of Nigeria

20 Day of November, 2017

December

I ASSENT