

NATIONAL SENIOR CITIZENS CENTRE ACT, 2017

EXPLANATORY MEMORANDUM

This Act establishes the National Senior Citizens Centre in the country to cater for the needs of senior citizens.

NATIONAL SENIOR CITIZENS CENTRE ACT, 2017

Arrangement of Sections

Section:

1. Declaration of policy.
2. Establishment of the National Senior Citizens Centre.
3. Establishment and composition of Governing Board.
4. Tenure of office.
5. Cessation of membership.
6. Functions of the National Centre.
7. Functions of the Board.
8. Appointment of Director-General.
9. The Secretary and other staff of the National Centre.
10. Staff regulations.
11. Pensions.
12. Sources of funding.
13. Submission of estimates.
14. Power to accept gifts.
15. Exemption from tax.
16. Annual estimates, account and audit.
17. Annual report.
18. Disqualification.
19. Regulations.
20. Interpretation.
21. Citation.

NATIONAL SENIOR CITIZENS CENTRE ACT, 2017

A Bill

For

An Act to establish the National Senior Citizens Centre in the country to cater for the needs of senior citizens; and for related matters.

[] Commencement

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

PART I — DECLARATION OF POLICY, ESTABLISHMENT AND COMPOSITION, OF THE NATIONAL SENIOR CITIZENS CENTRE GOVERNING BOARD

1. In line with section 16 (2) (d) of the 1999 Constitution, it shall be a State policy to provide adequate social services and an improved quality of life for the elderly. Declaration of policy.
2. (1) There is established the National Senior Citizens Centre (in this Act referred to as "the National Centre"). Establishment of National Senior Citizens Centre.
 - (2) The National Centre —
 - (a) shall be a body corporate with perpetual succession; and
 - (b) may sue and be sued in its corporate name.
 - (3) The Headquarters of the National Centre shall be in the Federal Capital Territory, Abuja.
 - (4) There shall be established a senior citizens centre for any State that desires it.
3. (1) There is established for the management of the National Centre, the Senior Citizens Centre Governing Board (in this Act referred to as "the Board") which shall, subject to this Act, have general control of the National Centre. Establishment and composition of Governing Board.
 - (2) The Board shall consist of—
 - (a) a chairman;
 - (b) ten other members; and
 - (c) the Director-General of the Centre.
 - (3) The Chairman and other members of the Board shall —
 - (a) be appointed by the President; and
 - (b) be persons with proven integrity

- (4) The supplementary provisions contained in the Schedule to this Act shall have effect with respect to the proceedings of the Board. Schedule.
4. (1) The members of the Board appointed under section 3 (2) (a) and (b) of this Act shall hold office for a term of four years in the first instance and may be eligible for reappointment for another term of four years and no more. Tenure of office.
- (2) The members of the Board shall be paid such remuneration and allowances as the National Salaries Income and Wages Commission specify.
- (3) A member of the Board other than an ex-officio member may resign his appointment by a notice in writing under his hand, addressed to the appointing authority.
5. (1) A member of the Board ceases to hold office if he— Cessation of membership.
- (a) becomes of unsound mind;
 - (b) becomes bankrupt or makes a compromise with his creditors;
 - (c) is convicted of a felony or of any offence involving dishonesty; or
 - (d) is guilty of serious misconduct in relation to his duties.
- (2) A member of the Board may be removed from office by the President if the President is satisfied that it is not in the interest of the National Centre or public that the member should continue in office.
- (3) Where a vacancy occurs in the membership of the Board, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, and the successor shall represent the same interest and shall be appointed by the President.

PART II — FUNCTIONS OF THE NATIONAL CENTRE

6. The National Centre shall -

- Functions of the National Centre.
- (a) identify the needs, trainings, and opportunities of senior citizens in the country and be responsible for the provision of recreational, sports, educational, health and social programs and facilities designed for the full enjoyment and benefit of the senior citizens in the country as well as provide guidance and counseling for senior citizens;
 - (b) initiate, develop and implement productive activities and work schemes for senior citizens in order to provide income or otherwise supplement their earnings;
 - (c) promote and maintain linkages with state and local governments
- health care services, facilities, professional advice services, and

training;

- (d) keep records and statistics of senior citizens in the country as well as liaise with national, regional and international agencies involved in the provision of welfare and recreational activities for senior citizens; and
- (e) perform such other functions which are necessary to achieve out the purpose for which the Centres are established.

7. (1) The Board shall be responsible for—

Functions of the Board.

- (a) ensuring effective administration of the Centres in providing basic welfare, and recreational facilities to the senior citizens in Nigeria;
- (b) maintaining buildings and facilities of the National Centre in good condition; and
- (c) carrying out such other activities as are necessary for carrying out of the functions set out in this Act.

(2) The Board shall also have power to carry out such activities as may appear to it to be necessary and incidental or conducive to the attainment of its objects under this Act.

(3) The Board may, subject to such conditions as it may impose, delegate any of the powers conferred on it by this Act (including power to appoint and exercise disciplinary control) to any of its committees or the Director-General of the National Centre, as the case may be.

(4) Nothing in this section shall preclude the Board from exercising any of the powers delegated under subsection (3).

PART III — STAFF OF THE NATIONAL CENTRE

8. (1) There shall be appointed for the National Centre a Director-General who shall be appointed by the President.

Appointment of Director-General.

(2) The Director-General shall, subject to the general control of the Board be —

(a) responsible for the implementation of the decisions of the Board and the day-to-day administration of the affairs of the National Centre;

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

(c) the head of the Board's Secretariat and responsible for the administration, direction and control of all staff of the Board.

(3) The Director-General shall hold office for a term of four years in the first instance and may be eligible for reappointment for another term of four years and no more.

9. (1) The Board shall appoint for the National Centre, a Secretary to the Board who shall perform the functions of keeping the record of proceedings and decisions of the Board and such other functions as the Board may direct.

The Secretary and other staff of the National Centre.

(2) The Board shall have power to —

(a) appoint, either on transfer or on secondment from any Public Service in the Federation, such number of employees as may, in the opinion of the Board, be required to assist the National Centre in the performance of any of its functions under this Act, and

(b) to pay to persons so employed such remuneration (including allowances) as the Board may determine.

(3) The terms and conditions of service, including terms and conditions as to remuneration, allowance, pensions, gratuities and other benefits of a person employed by the National Centre, shall be as determined by the Board.

10. (1) The Board may, subject to the provisions of this Act, make staff regulations relating generally to the conditions of service of the employees of the National Centre and without prejudice to the generality of the provisions of this Act, such regulations may provide for—

Staff regulations.

(a) the appointment, promotion and disciplinary control (including dismissal) of employees of the Centre; and

(b) appeals by staff against dismissal or other disciplinary measures.

(2) Until regulations are made for the National Centre, any instrument relating to the conditions of service of officers in the Civil Service of the Federation shall be applicable, with such modifications as may be necessary, to the employees of the National Centre.

(3) Staff regulations made under subsection (1) of this section shall not have effect until they are approved by the President.

11. Service in the National Centre shall be public service for the purposes of the Pensions Reform Act and officers and other persons employed in the National Centre shall, in respect of their service in the National Centre, be entitled to pension, gratuities and other retirement benefits as are prescribed by the Pensions Reform Act, but nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension or gratuity in respect of that office.

Pensions.

Act No. 4, 2014.

PART IV — FINANCIAL PROVISIONS

12. (1) There is established a fund for the National Centre into which shall be paid —

Sources of funding.

- (a) the take off grant for the National Centre;
- (b) annual subvention or allocation received from the Federal Government;
- (c) such money as may, from time to time, be granted to the Centre by the Government of the Federation, State or Local Government;
- (d) all subscription, fees and charges for services rendered by the Centre; and
- (e) all other assets which may, from time to time, accrue to the Centre.

(2) The Board may apply the proceeds of the Fund of the National Centre for -

- (a) the cost of administration of the Centre and the Board; and
- (b) the payment of salaries, fees and other remuneration, allowances, pension and gratuities payable to members or employees of the Centre or experts or professionals appointed by the Board.

13. The Board shall, not later than 31 October of each year submit to the National Assembly through the President an estimate of its expenditure and income during the next succeeding year. Submission of estimates.

14. (1) The Board 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.

(2) The Board shall not accept any gift if the conditions attached by the person or organisation making the gift are inconsistent with the objectives of the Centre under this Act.

15. (1) The Board shall be exempted from the payment of income tax on any income accruing from investments made by the Board or otherwise. Exemption from tax.

16. (1) The Board shall cause to be prepared, not later than 30 September in each year, an estimate of the expenditure and income of the Centre during the next succeeding year and when prepared, they shall be submitted to the National Assembly. Annual estimates account and audit.

(2) The Board shall cause to be kept proper accounts of the National Centre and proper records in relation to the accounts and, when certified by the Board, such accounts shall be audited by auditors appointed by the Board from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation

17. (1) The Board shall, not later than three months before the end of each year, submit to the National Assembly an annual report of the National Centre during the immediately preceding year and shall include in such reports

the auditor's report thereon.

PART V — SUPPLEMENTAL

18. (1) A senior citizen who suffers from a contagious disease or who is mentally unfit or unsound and whose behaviour is inimical to other senior citizens as determined by the National Centre on the basis of an appropriate certification by a qualified government or private volunteer physician, may be denied the benefits provided in the National Centre. Disqualification.
- (2) The National Centre shall refer the senior citizen concerned to the appropriate government agency for the needed medical care or attention.
19. The Board may make such regulations as are necessary or expedient for giving full effect to the provisions of this Act. Regulations.
20. In this Act— Interpretation.
- "Board" means the National Senior Citizens Centre Governing Board established under section 1 (1) of this Act;
- "Director-General" means the Director-General appointed under section 8 (1) of this Act;
- "Minister" means the Minister charged with the responsibility for matters relating to women and social development;
- "National Centre" means the National Senior Citizens Centre established under section 2 (1) of this Act and refers to the places established under this Act with recreational, educational, health and social programs and facilities designed for the full enjoyment and benefit of the senior citizens in the country;
- "Secretary" means the Secretary to the Senior Board appointed under section 9 (1) of this Act;
- "senior citizen" means a person that is above the age of seventy years.
1. This Act may be cited as the National Senior Citizens Centre Act, 2017. Citation.

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Proceedings of the Council.

1. (1) Subject to this Act and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.
- (2) The quorum of the Board shall be the Chairman and seven other members while the quorum of the State board shall be the Chairman and two other members and the quorum of any committee of the Board shall be determined by the Board.
2. (1) The Board shall meet, at least two times in each year, 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 four other members, he shall summon a meeting of the Board, to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of them to preside at that meeting.
- (3) Where the Board desires to obtain the advice of any person on a particular matter the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this subparagraph is not entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

3. (1) The Board may set up one or more committees to carry out, on behalf of the Board such of its functions as the Board may determine.
- (2) A Committee set up 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 Centre shall be authenticated by the signature of the Chairman or of any other person authorised 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 Centre by the Chairman or any person generally or specially authorised to act for that purpose by the Board.
- (3) Any document purporting to be a document duly executed under the seal of the Centre

shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.

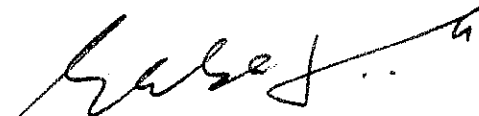
5. The validity of any proceeding of the Board or of a committee shall not be adversely affected by –

(a) any vacancy in the membership of the Board or committee;

(b) defect in the appointment of a member of the Board or committee; or

(c) reason that a person not entitled to do so took part in the proceedings of the Board or committees.

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


27th DAY OF DECEMBER, 2017

Schedule to the National Senior Citizens Centre 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 THE REPRESENTATIVES	ISSUED BY
National Senior Citizens Centre Bill, 2017	An Act to establish the National Senior Citizens Centre in the country to cater for the needs of senior citizens; and for related matters.	This Bill establishes the National Senior Citizens Centre in the country to cater for the needs of senior citizens.	13 th July, 2017	7 th June	16

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.


MOHAMMEDI ATABA SANI-OMORI
 Clerk to the National Assembly
 27th Day of December, 2017


MUHAMMADU BUHARI, GCF
 President of the Federal Republic of Niger
 24 Day of December, 2017
 January 2017

I ASSENT