

REPORT OF THE CONFERENCE COMMITTEE ON A BILL FOR AN ACT TO ENSURE FULL INTEGRATION OF PERSONS WITH DISABILITIES INTO THE SOCIETY AND ESTABLISH A NATIONAL COMMISSION AND VEST IT WITH THE RESPONSIBILITIES FOR THEIR EDUCATION, HEALTH CARE, SOCIAL, ECONOMIC AND CIVIL RIGHTS, 2018

1.0 INTRODUCTION

Following the consideration and the passage of the Bill for an Act to Ensure Full Integration of Persons with Disabilities into the Society and Establish a National Commission and Vest it with Responsibilities for their Education, Healthcare, Social, Economic and Civil Rights, 2016 by the Senate and the House of Representatives. The Bill was passed on Tuesday, 22nd November, 2016 by the Senate while the House of Representatives passed the Bill on Wednesday 18th, May 2016, with some differences particularly the arrangement of clauses. The two Chambers of the National Assembly set up a Conference Committee to reconcile areas of differences in the Bill.

2.0 MEMBERSHIP

2.1 SENATE

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|------|---------------------------|---|--------------------------------|
| i. | Senator Obinna J. Ogba | - | Chairman, Conference Committee |
| ii. | Senator Mallam A. Wakili | - | Member |
| iii. | Senator Kabiru G. Marafa | - | Member |
| iv. | Senator Danjuma Laah | - | Member |
| v. | Senator Andy E. Uba | - | Member, and |
| vi. | Senator Buhari Abdulfatai | - | Member |

HOUSE OF REPRESENTATIVES MEMBERS

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| i. | Hon. Orker-Jev Emmanuel Yisa | - | Chairman, (House of Representatives) |
| ii. | Hon. Aminu Shehu Shagari | - | Member |
| iii. | Hon. Lovette Idisi | - | Member |
| iv. | Hon. Uchenna Obiageli N. | - | Member |
| v. | Hon. Asabe Vilita Bashir | - | Member |
| vi. | Hon. Ayo Omidiran | - | Member |

3.0 CONFERENCE COMMITTEE ACTION

The Conference Committee met on Wednesday, 14th March, 2018 and harmonized the differences in the Bill as passed by both Chambers.

S/N	SENATE	HOUSE OF REPRESENTSTIVES	COMMITTEE RECOMMENDATION
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. <i>Penalty</i> (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; 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.	1. (1) No person with disability shall be discriminated against on the ground of his or her disability by any person or institution in any manner or circumstance whatsoever. (2) Any person in contravention of the provision of subsection (1) of this section is liable to: (a) if a corporate body, a minimum of ₦250,000 damages payable to the affected person with disability; and (b) if an individual, a minimum of ₦100,000 damages payable to the affected Person with disability, or 6 months imprisonment or both.	Senate version adopted
2.	PART II – AWARENESS The Federal Ministry of Information shall make provisions for promotion of awareness regarding- (a) the rights, respect and dignity of persons with disabilities; (b) the capabilities, achievements and contributions of persons with disabilities to the society.	2. (1) No person with disability shall be subjected to prejudices or harmful practices, including those based on sex, age or tradition, in any area of life. (2) Any person in contravention of subsection (1) of this section is liable to: (a) if a corporate body, a minimum of ₦250,000 damages payable to the affected person with disability; and (b) if an individual, a minimum of ₦100,	Senate version adopted

		000 damages payable to the affected person with disability or one year imprisonment, or both.	
3.	PART III – ACCESSIBILITY OF PHYSICAL STRUCTURE A person with disabilities shall have the right to access the physical environment and buildings on an equal basis with others.	PART II - AWARENESS 3. Every media house, institution or establishment, licensed to operate in Nigeria, shall make provisions in its programmes for: (a) awareness raising, regarding persons with disabilities, their rights, respect and dignity; (b) promotion of awareness of the capabilities, achievements and contributions of persons with disabilities to the society; (c) promotion of awareness-training programmes regarding persons with disabilities.	Senate version adopted
4.	A public building shall be constructed with the necessary accessibility aids such as lifts (where necessary), ramps and any other facility that shall make them accessible and usable to persons with disability.	PART III - ACCESSIBILITY OF PHYSICAL STRUCTURES 4. A person with disabilities shall have the right and necessary facilities to access the physical environment and buildings on an equal basis with others.	Senate version adopted
5.	Road side-walk, pedestrian crossing and all other special facilities as set out in the First Schedule made for public use shall be made accessible to and useable by persons with disabilities including those on wheelchairs and the visually impaired.	5. No public building shall be constructed without the necessary accessibility aids such as lift (where necessary), ramps and others that shall make them accessible and usable to persons with disabilities including those on wheelchairs.	Senate version adopted
6.	From the date of the commencement of this Bill, there shall be a transitory period of 5 years within which all public buildings and structures, whether immovable, movable or automobile, which were inaccessible to persons with disability shall be modified to be accessible to and usable by persons with disability including	6. A private house owner shall allow a person with disability lawfully occupying the private owner's house as a tenant to make such access related modifications to the building as would allow him access his apartment, provided he is acting in good faith and has given adequate notice to the private house owner.	Senate version adopted

	those on wheelchairs.		
7.	(1) Before erecting any public structure, its plan shall be scrutinized by the relevant authority to ensure that the plan conforms with the building code. (2) No government or government agency, or body or individual responsible for the approval of building plans shall approve the plan of a public building if the plan does not make provision for accessibility facilities in line with building code. <i>Penalty</i> (3) Any officer or officers who approve(s) or direct(s) the approval of a building plan that contravenes the building code shall be liable to a fine of a minimum of N1, 000,000 or two years imprisonment or to both such fine and imprisonment.	7. Roads, side-walks, pedestrian crossing and all other facilities made for public use shall be made accessible to and usable by persons with disabilities including those on wheelchairs.	Senate version adopted
8.	(1) Subject to section 7, in the event of existence of a state of 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, he shall be liable to if-	8. From the date of the commencement of this Bill, there shall be a transitory period of 2 years within which all public buildings, roads, Pedestrian crossings and all other structures which were inaccessible to persons with disabilities shall be modified to be accessible to and usable by persons with disabilities including those on wheelchairs.	Senate version adopted

	(a) a corporate body, N10,000 damages payable to the affected person for each day of default; or (b) an individual, N5,000 damages payable to the affected person each day of default or 6 months imprisonment or both.		
9.	PART IV — ROAD TRANSPORTATION (1) 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; or (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.	9. (1) Before erecting any public building, its plan shall be scrutinized by the relevant authority in conjunction with the Commission to ensure that the plan conforms with relevant building codes. (2) No government or government agency, or body or individual responsible for the approval of building plan shall approve Plan of a public building if the plan does not make provision for accessibility facilities in line with relevant building codes. Penalty. (3) Any officer or officers who approves or directs the approval of a building plan that contravenes the building code provided for in section 93 (c) shall be personally liable to a fine of a minimum of ₦1,000,000 or two years imprisonment, or both.	House version adopted
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.	10. (1) Subject to section (8), in the event of existence of a state of 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	Senate version adopted

		this section but fails to comply, he shall be liable to: (a) if a corporate body, ₦10,000 damages payable to the affected person for each day of default; or (b) if an individual, ₦5,000 damages payable to the affected person each day of default or 6 month imprisonment or both.	
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.	PART IV - ROAD TRANSPORTATION 11. (1) Transport service providers shall make provisions for lifts, ramps and other accessibility aids to enhance the accessibility of their vehicles, parks and Bus Stops to persons with disabilities including those on wheelchairs. (2) Lifts, ramps and all other accessibility equipment in or for vehicles, and at parks or Bus Stops shall be maintained in operational condition. (3) There shall be regular and frequent maintenance of all accessibility aids and equipment, and defective ones shall be promptly repaired or replaced. (4) Before a person with disability boards or alights from a vehicle, the driver shall ensure that the vehicle completely pulls up. (5) When a person with disability intends to board a vehicle, all other intending passengers shall wait for him or her to board before them.	House version adopted
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	12. Wheelchairs, crutches, guide canes (for the blind), braces and any other mobility aid and appliance or assistive device used by a passenger with disability shall not be subject to charges, provided they are not carried in commercial quantities and for commercial purpose.	Senate version adopted

	necessary insignia. (3) A person, organisation 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.		
13.	PART V — SEAPORTS AND RAILWAYS (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.	13. Wheelchairs, crutches, guide canes (for the blind), braces and any other mobility aid and appliance or assistive device used by a person with disability on board a vehicle shall be off loaded before other luggage, and returned to the said person with disability before or as soon as he or she is ready to alight from the vehicle.	Senate version adopted
14.	The provisions of section 14 shall be subjected to the transitory provision contained in section (6)	14. A person with disability shall have the right to drive any vehicle provided that: (a) his or her disability is not proved to reasonably impede his ability to drive; or (b) the vehicle is so modified as to enable him or her safely drive it.	Senate version adopted
15.	PART VI — AIRPORT FACILITIES (1) All airlines operating in Nigeria	15. (1) At parking lots, suitable spaces shall be properly marked and reserved for persons with disabilities.	Senate version adopted

	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.	(2) For a person with disability to be entitled to the use of the reserved spaces in subsection (1) his or her car shall have been properly identified with the necessary insignia. <i>Penalty.</i> (3) Any person, organisation or corporate body in control of a public parking lot who fails to provide for the reserved space in subsection (1) shall be liable to a fine of ₦1,000 for each day of default. (4) Any person who is not a person with disability who parks a vehicle in the reserved space in subsection (1) of this section shall be liable to a fine of ₦5,000. (5) Any person who unlawfully obstructs the reserved space in subsection (1) of this section shall be liable to a fine of ₦5,000. (6) For subsection (4) it shall be a valid defence if a person with disability is a passenger in the vehicle.	
16.	Any general information shall be translated into the accessible format appropriate to the person with disability present.	PART V - SEAPORTS AND RAILWAYS 16. (1) Seaports and facilities therein as well as vessels shall be made accessible to persons' with disabilities. (2) Railway stations and facilities therein as well as trains shall be made accessible to persons with disabilities.	Senate version adopted
17.	PART VII — RIGHT TO FIRST CONSIDERATION IN QUEUES AND IN EMERGENCIES In all situations of risk, including situations of violence, emergencies and the occurrences of natural disasters, the government shall take all necessary steps to ensure the safety and protection of persons with disabilities taking cognizance of their peculiar vulnerability.	17. The provisions of section (16) shall be subject to the transitory provision contained in section (8).	Senate version adopted
18.	(1) In queues, person with	PART VI - AIRPORT FACILITIES	Senate version adopted

	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 N50, 000.00 or both.	18. 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.	
19.	PART VIII — LIBERTY (1) No person shall- (a) employ, use or involve a person with disability in begging; (b) parade persons with disabilities in public with intention of soliciting for alms; (c) use condition of disability as a guise for the purpose of begging in public. (2) A person who contravenes subsection (1) of this section commits an offence and is liable on conviction to 6 months imprisonment or a fine of N100, 000 or both.	19. Where a passenger with disability checks in his or her wheelchair or any other assistive device, the same shall be delivered to him or her at the aircraft side before disembarkment.	Senate version adopted
20.	PART IX — COMMUNAL LIFE (1) Every person with disability shall have an unfettered right to education without discrimination or segregation in any form. (2) Persons with disability shall be entitled to free education to secondary school level. (3) The Commission shall provide educational assistive devices.	20. Wheelchairs and other assistive devices used by a passenger with disability shall not be subject to carriage charge in any aircraft or any other vehicle.	Senate version adopted
21.	(1) All public schools, whether primary, secondary or tertiary shall be run to be inclusive of and accessible to persons with disabilities, accordingly every school shall have-	21. On board an aircraft or any other vehicle, aides or escorts of persons with disabilities shall be allowed to sit immediately adjacent to them.	Senate version adopted

	(a) at least a trained personnel to cater for the educational development of persons with disabilities; (b) special facilities for the effective education of persons with disabilities. (2) Braille, sign language and other skills for communicating with person with disabilities shall form part of the curricula of primary, secondary and tertiary institutions.		
22.	The education of special education personnel shall be highly subsidized.	22. A person with disability who can travel independently shall not be compelled to travel in the company of an aide or refused boarding because he is not accompanied by an aide.	Senate version adopted
23.	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.	23. (1) When stowed in cargo compartment, wheelchairs and other assistive devices shall be given priority over cargo and baggage, and shall be among first items to be unloaded. (2) Mobility aids or assistive devices shall be returned to their owners as closely as possible to the door of the aircraft or in accordance with whatever reasonable request made by the owner.	Senate version adopted
24.	(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 obtain a permanent Certificate of disability from the Commission.	PART VII - SEATING ARRANGEMENT IN VEHICLES, VESSELS, TRAINS AND AIRCRAFTS 24. (1) On board a vehicle, vessels, trains or aircrafts, the convenience and safety of a person with disability shall be the primary consideration in assigning him or her a seat. (2) In line with subsection (1), the following factors shall be considered in assigning seat to a person with disability: (a) ease of access; (b) ease of exit; and (c) non-disturbance by the movement of	Senate version adopted

		other passengers. (3) Preference of the person with disability shall override the application of this section.	
25.	(1) Every person with mental disability shall be entitled to free medical and health service in all public institutions. (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. <i>Unlawful procurement of certificate of disability</i> (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.	25. The provisions of sections 18 - 25 shall apply, with the necessary modification, to other means of transportation.	Senate version adopted
26.	Any public hospital where a person with communicational disabilities is medically attended to shall ensure provision for special communication	PART VIII - ACCESS TO TECHNOLOGY 26. Companies or persons whose services or products are technology based or technology related shall ensure that their goods and services are accessible to and usable by all categories of persons with disabilities.	Senate version adopted

27.	(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.	27. Television stations shall take steps to ensure that their video presentations are accompanied by close caption for the particular benefit of persons with hearing disabilities.	Senate version adopted
28.	All employers of labour in public organisation shall as much as possible have person with disabilities constituting at least 5% of their employment.	28. Telecommunication companies shall ensure that their services and products incorporates adequate assistive technology, particularly, but not limited to, telecommunications relay services to enhance the accessibility of their goods and services to persons with hearing and vocal disabilities.	Senate version adopted
29.	PART X — ADEQUATE STANDARD OF LIVING AND SOCIAL PROTECTION 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.	29. Within the transitory period provided in section (10), companies or persons whose services or products are technology-based or technology-related shall adopt assistive technologies in all their services and products.	Senate version adopted

30.	PART XI — PARTICIPATION IN POLITICS AND PUBLIC LIFE (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 IX - CHILDREN WITH DISABILITIES 30. (1) Parents and guardians of children with disabilities shall ensure that such children, both within and outside the home, are free from all forms of neglect, exploitation, violence and abuse, including their gender based aspects. (2) Government shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender and age sensitive assistance and support for persons with disabilities and their families and care-givers, including the provision of information and education on how to avoid, recognize and report instances of neglect, exploitation, violence and abuse. (3) In order to prevent the occurrence of all forms of exploitation, violence and abuse, all facilities and programmes designed to serve persons with disabilities shall be effectively monitored by the Commission. (4) Government shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self respect, dignity and autonomy of the persons and takes into account gender and age specific needs.	Senate version adopted
31.	PART XII — ESTABLISHMENT OF THE COMMISSION (1) There is hereby established a body to be known as the National Commission for persons with disability (in this Bill referred to as	31. Parents or guardians of children with disabilities shall ensure that such children get educated to at least the completion of secondary education.	Senate version adopted

	"the Commission") to be placed under the Presidency. (2) The Head Office of the Commission shall be situated in the Federal Capital Territory, Abuja.		
32.	(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 part time Chairman; (b) one person from each 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; (xi) one person from each Geo-political Zone; and (xii) Federal Ministry of Finance. (3) The Chairman of the Council and one representative each from the 6 geo-political zones of Nigeria, shall	32. (1) Children with disabilities shall be entitled to at least equal rights, treatment, recreation, maintenance and training with other children in the family. (2) No child shall be concealed, abandoned, neglected or segregated on the basis of his or her disability. (3) Children with disabilities shall be registered immediately after birth and shall have the right to: (a) a name; (b) acquire a nationality; (c) know and be cared for by, their parents; and (d) free and continual medical treatment in any public health institution.	Senate version adopted

	be appointed by the President subject to the confirmation of the Senate.		
33.	The supplementary provisions set out in the schedule to this bill shall have effect with respect to the proceedings of the Council and the other matter contained therein.	33. Any person in contravention of section 32 shall be liable to 6 months imprisonment.	Senate version adopted
34.	Subject to section 32 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.	34. Government shall undertake to provide early and comprehensive information, services and support to children with disabilities and their families.	Senate version adopted
35.	(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 compounds 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	35. (1) Subject to subsection (2), no child shall be separated from his parents on the basis of a disability of either the both parents. (2) For the purposes of medical treatment, rehabilitation, training or general improvement, a child with disability may be temporarily separated from his or her parents.	Senate version adopted

	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.		
36.	Members of the Council shall be paid allowances and expenses as the Government may direct from time to time.	36. The Commission shall, where the immediate family is unable to care for a child with disabilities, provide and sponsor alternative care within any reasonable family setting.	Senate version adopted
37.	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.	37. Children with disabilities shall have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.	Senate version adopted
38.	(1)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	38. In all matters concerning children with disabilities, the best interests of the child shall be the primary consideration.	Senate version adopted

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; (l) issue insignia of identification of		
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	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.		
39.	(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 for the proper conduct of its functions; (e) sell, let, lease or dispose of any of its property; (f) undertake or sponsor research	PART X - RIGHT TO LIFE AND PROTECTION 39. Persons with disabilities have the inherent right to life and are entitled to the effective enjoyment of this right on an equal basis with others.	Senate version adopted

	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.		
40.	PART XIII – APPOINTMENT AND DUTIES OF THE EXECUTIVE SECRETARY AND OTHER STAFF (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; (b) be a person with disability. (c) be responsible to the council for the execution of the policies and the administration of the daily affairs of the Commission.	40. (1) In all situations of risk, including situations of violence, emergencies and the occurrence of natural disasters: (a) Government shall take all necessary steps to ensure the safety and protection of persons with disabilities taking cognizance of their peculiar vulnerability; (b) Individuals who are in the position shall accord persons with disabilities the maximum assistance within their ability.	Senate version adopted but clause 40 (2) (b) of the Senate version is deleted, because it contradicts the provisions of section 42 (1) (a) of the 1999 Constitution
41.	The Council shall appoint for the Commission such member 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.	41. (1) In queues, persons with disabilities shall be given first consideration, and as much as possible should be attended to outside the queue. <i>Penalty.</i> (2) Any person in breach of this section shall be liable to 6 months imprisonment or fine of ₦50,000 or both.	Senate version adopted

42.	(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.	PART XI - LIBERTY 42. Persons with disabilities, on an equal basis with others shall: (i) enjoy the right to. liberty and security of person; (ii) not be deprived of their liberty unlawfully or arbitrarily, and that the existence of a disability shall in no case justify a deprivation of liberty Freedom from torture or cruel, inhuman or degrading treatment or punishment.	Senate version adopted
43.	There shall be established in the head office of the Commission, such departments as may be deemed necessary for the effective and efficient functioning of the Commission.	43. (1) No person with disability shall be subjected to: (a) without his or her free consent, medical or scientific experimentation; or (b) torture, or cruel or inhuman or degrading treatment or punishment. <i>Penalty.</i> (2) Any person in contravention of this section shall be liable to payment of ₦100,000 damages to the affected person with disability.	Senate version adopted
44.	The staff of the Commission shall be entitled to pension, gratuity, and any other retirement benefit in accordance with the National Pension Reform Act No.4, 2014.	44. (1) No person shall employ, use or involve a person with disability in begging. <i>Penalty.</i> (2) Any person in contravention of subsection (1) of this section shall be liable to 6 months imprisonment or a fine of ₦50,000.	Senate version adopted
45.	(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	45. Every person with disability has a right to respect for his or her physical and mental integrity on an equal basis with others.	Senate version adopted

	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.		
46.	(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.	PART XII - COMMUNAL LIFE 46. Persons with disabilities shall have the liberty of movement within or out of the country, and freedom to choose their residence on an equal basis with others.	Senate version adopted
47.	The Commission may, from time to time borrow such sums as it may require to execute or complete some special projects of the Commission.	47. Persons with disabilities shall have the right to: (a) live in the community, with choices equal to others; (b) full enjoyment of their rights and full inclusion and participation in the community, including choosing their place of residence and where and with whom they live on an equal basis with others; (c) support services, including personal assistance necessary to support living and inclusion in the community.	Senate version adopted
48.	(1) The Commission shall 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) The Commission shall ensure	48. Except on medical ground or in accordance with the provisions of the Constitution of the Federal Republic of Nigeria, a person with disability shall not be isolated or segregated from the community or compelled to live in a particular area.	Senate version adopted

	that adequate control is maintained over the assets of, or in the custody of, the Commission and over its incurring of liabilities.		
49.	(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.	PART XIII - PERSONAL MOBILITY 49. (1) Government shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities. (2) Government shall: (a) provide mobility assistive devices for persons with disabilities at subsidized price or free for the indigent; (b) facilitate access by persons with disabilities to quality mobility aids, assistive devices, and other assistive technologies; (c) provide training in mobility skills to persons with disabilities and to specialist staff working with persons with disabilities; (d) encourage corporate bodies and individuals producing assistive devices and providing assistive technologies to take into account all aspects of mobility for persons with disabilities.	Senate version adopted
50.	The Commission shall submit an annual report of its activities to the Office of the Secretary to the Government of the Federation not later than 30th June of each financial year and it shall include a copy of its audited accounts and a copy of same report be submitted to the National Assembly.	PART XIV - FREEDOM OF EXPRESSION AND OPINION AND ACCESS TO INFORMATION 50. (1) Persons with disabilities shall have freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through any means of communication of their choice. (2) Governments and persons (whether natural or artificial) shall:	Senate version adopted

		(a) provide information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to the different kinds of disabilities timely and without additional cost; (b) accept and facilitate the use of sign languages, Braille, augmentative and alternative communication, and all other means, of special communication in all interactions.	
51.	The Commission may subject to the Land Use Act acquire any land for the purpose of discharging its functions.	PART XV - MARRIAGE, FAMILY AND PRIVACY 51. No person with disabilities, regardless of place of residence or living arrangements, shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence or other types of communication or to unlawful attacks on his or her honour and reputation.	Senate version adopted
52.	PART XIV — MISCELLANEOUS PROVISIONS 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.	PART XVI - EDUCATION 52. (1) Every person with disability shall have an unfettered right to education without discrimination or segregation in any form. (2) Persons with disabilities shall be entitled to free education at levels in all public educational institutions.	Senate version adopted
53.	Any such money which may be the judgment of any court awarded against the Commission shall be paid from the general reserved fund of the Commission.	53. (1) All schools whether pre-primary, primary, secondary or Inclusiveness of education tertiary, shall be run to be inclusive of and accessible to persons: (a) at least a trained personnel to cater for the educational development of persons with disabilities; (b) program for continued training of personnel catering for persons with disabilities;	Senate version adopted

		(c) special facilities for the effective education of persons with disabilities; (d) programs for cooperation and collaboration with relevant authorities, institutions or associations to ensure early and co-ordinate education of persons with disabilities. (2) Interaction and exchange between children with disabilities in special schools and children in ordinary schools shall be promoted.	
54.	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 judgement 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.	54. (1) Government shall establish inclusive vocational training centres in every local government area of the federation. (2) Free or at least subsidized continuing training shall be made available for professionals and staff in rehabilitation services.	Senate version adopted
55.	The governing council may make regulations for the purpose of carrying out or giving full effect to the provisions of the Bill.	55. The education of special education personnel shall be free or at least highly subsidized.	Senate version adopted
56.	(1) To be entitled to the damages specifically provided in this Bill, it shall be sufficient for a plaintiff 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.	56. 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.	Senate version adopted
57.	PART XV – INTERPRETATION In this Act-	PART XVII - HEALTH 57. (1) Government shall guarantee that persons with disabilities have unfettered	Senate version adopted

"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 which 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,	access to adequate health care without discrimination on the basis of disability. (2) Persons with disability shall: (a) be entitled to free medical and health service in all public health institutions; (b) receive assistive devices like crutches, wheelchairs, Braille machines, among others at government subsidized prices, or free. (3) Government shall: (a) subsidize assistive devises to make them affordable to persons with disabilities; (b) financially assist persons or corporate bodies dealing with assistive devices to ensure that they are made available to persons with disabilities at subsidized prices or free.	
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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		
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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		
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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;		
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		circumstances admit.	
	FIRST SCHEDULE 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. Stair-lifts 8. Elevators / Lifts 9. Windows 10. Entrance Doors 11. Drinking fountains and water coolers 12. Toilet facilities 13. Door protective and Re-opening Devices manoeuvring 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	59. Any hospital where a person with communicational disability is medically attended to shall ensure provision for special communication.	Senate version adopted
	SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL	60. The purchase, importation, transfer or gift of assistive devices or health materials to persons with disability shall	Senate version adopted

1.	<i>Proceedings of the Council</i> 1. (1) Subject to this bill and section 27 of the interpretation Act, the Council may make standing orders regulating its proceedings 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.	not be subject to any tax, duties, surcharges or any levies whatsoever.	
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.	61. 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.	Senate version adopted
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	62. (1) No employer or his agent or purported agent shall discriminate against a person with disability in any manner whatsoever and in particular but not limited to: (a) job application procedure; (b) the terms and conditions of employment; (c) denying the employee access or limiting the employee's access to opportunity for promotion,	Senate version adopted

	Council shall be of no effect until it is confirmed by the Council.	advancement, transfer or training, or to any other benefit associated with employment; (d) on the job training; (e) accommodation, where applicable; (f) employee compensation; (g) dismissal mainly on the ground of disability; or (h) subjecting the employee to any other detriment. <i>Penalty.</i> (2) Any person in breach of this section shall be personally liable to damages of ₦50,000 payable to the affected person with disability. (3) Where a company is in breach of this section: (a) the company shall be liable to ₦250,000 damages payable to the affected person with disability; and (b) any principal officer of the company involved in the violation shall be liable to ₦100,000 damages payable to the affected person with disability.	
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	63. (1) No person or corporate body shall subject a person with disability to slavery or servitude, forced or compulsory labour or undue disadvantage in any form. <i>Penalty.</i> (2) Any person in breach of this section shall be liable to ₦100,000 payable to the affected person with disability (3) Where a corporate body is in breach of this section - (a) it shall be liable to ₦500,000 payable to the affected person with disability; and (b) any principal officer involved in the violation shall be liable to ₦100,000 payable to the affected person with	Senate version adopted

	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.	disability.	
5.	The validity of any proceedings of the Council or Committee shall not be adversely affected by a- (a) a vacancy in the membership of the Council or Committee; or (b) a defect in the appointment of a member of the Council or Committee; (c) reason that a person not entitled to do so took part in the proceedings of the Council or Committee.	64. Government shall take steps to ensure the self reliance of persons with disabilities and accordingly give adequate assistance to persons with disabilities who desire to be self employed.	Senate version adopted
		65. (1) No employee shall be relieved of his employment on the ground of disability sustained during his employment. (2) An employer of labour whose employee sustained a disability during his employment shall: (a) retain and re train the employee to still be effective in the employment; or (b) pay him off with a sum that is not less than the aggregate value of his 48 months salary, if his disability is of such degree that permanently renders him unable to discharge his function or any other function that may be assigned to him in the employment; (c) in the case of paragraph (b), if the disability is sustained in the course of the employment, the employee's compensation shall not be less than the aggregate value of his 60 months salary.	Senate position adopted

		(3) Government should assist employers of persons with disabilities in providing the necessary facilities and enabling environment for the employee with disability to function maximally.	
		PART XVIII - ADEQUATE STANDARD OF LIVING AND SOCIAL PROTECTION 66. (1) All levels of government shall take appropriate steps to ensure that persons with disabilities have good standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions.	Senate position adopted
		67. All levels of government shall give special consideration to persons with disabilities in all welfare, social development, poverty in Government policies reduction and other programs.	Senate position adopted
		68. 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.	Senate position adopted
		PART XIX - PARTICIPATION IN POLITICS AND PUBLIC LIFE 69. Persons with disabilities shall be encouraged to fully participate in politics and public life directly or through freely chosen representatives.	Senate position adopted
		70. (1) The Electoral authority shall ensure that - (a) registration and voting procedures, facilities and materials are appropriate, accessible and easy to understand and use by persons with disabilities; (b) registration venues and polling	Senate position adopted

	stations are accessible to persons with disabilities. (2) Persons with disabilities shall have the right to vote in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government; (3) Persons with disabilities shall be unfettered in the exercise of their franchise, and to this end, where necessary, at their request, shall be allowed to be assisted in voting by a person of their own choice; (4) 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.	
	71. Political parties shall ensure that persons with disabilities vying for elective political offices receive maximum support from the party.	Senate position adopted
	PART XX - PARTICIPATION IN CULTURAL LIFE, RECREATION, LEISURE AND SPORT. 72. The right of persons with disabilities to take part on an equal basis with others in cultural life is hereby guaranteed, and accordingly government shall take all appropriate measures to ensure that persons with disabilities: (a) enjoy access to cultural materials in accessible formats; (b) enjoy access to television programmes, films, theatres and other	Senate position adopted

		cultural activities, in accessible formats; (c) enjoy access to places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services, and, as far as possible, enjoy access to monuments and sites of national cultural importance.	
		73. Government shall take appropriate measures to enable persons with disabilities to have the opportunity to develop and utilize their creative, artistic and intellectual potential, not only for their own benefits, but also for the enrichment of the society.	Senate position adopted
		74. Government shall take all appropriate steps, in accordance with international law, to ensure that intellectual property laws and practices do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials.	Senate position adopted
		75. Persons with disabilities shall be entitled, on an equal basis with others, to recognition and support of their specific cultural and linguistic identities, including sign languages and deaf culture.	Senate position adopted
		76. With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, government shall take appropriate measures: (a) to encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels; (b) to ensure that persons with disabilities have an opportunity to organize, develop and participate in disability specific sporting and recreational activities and, to this end- (i) encourage the provision, on an equal basis with others, of appropriate	Senate position adopted

		instruction, training and resources; ii) to ensure that persons with disabilities have access to sporting, recreational and tourism venues; and (iii) to ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system.	
		PART XXI - INTERPRETATION 77. (1) In this Bill, unless it is otherwise expressly provided: "Accommodation" (in the context of housing) includes residential or business accommodation; "Accommodation" (in the context of consideration to be extended to persons with disability) includes steps, measures, facilities and technology to facilitate their inclusion in various facets of life as envisaged by this Bill; "Auxiliary aid" means equipment (other than a palliative or therapeutic device) that provides assistance to a person with disability to alleviate the effects of the disability; "Club" includes an association (whether registered or not, incorporate or incorporated) of persons associated together for social, literacy, cultural, political, sporting, athletic or other purposes that provides and maintains its facilities, in whole or in part, from the funds of the association; "Commission agent" means a person who does work for another person as the agent of that other person and who is remunerated, whether in whole or in part; "Commission" means National	Senate position adopted

	Commission for people with disability; "Disabled" means having a disability; "Discrimination" means differential treatment, and its verbs and infinite form (discriminate, to discriminate) have the corresponding signification; "Document" includes any books, register or other record of information, however compiled, recorded or stored; "Educational authority" means a body of person(s) administrating an educational 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 be 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; "Employment agency" means any persons who, or body that, whether for payment or not, assist persons to find employment or other work or assists employers to find employees or workers; "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; "Instrumentality of a State" means a body or authority established for a public purpose by a Law of a State and includes	
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		a Local Government body; "Minister" means the Minister responsible for running the affairs of the commission as the President may direct; "Person" includes natural, artificial, juristic or juridical persons, companies, enterprises, firms, organisations, association, government departments, ministries, parastatals; "Person with disability" means 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; "President" means President and Commander in Chief of the Armed Forces of the Federal Republic of Nigeria; "Premises" include a structure, building, aircraft, vehicle 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 any building	
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		where entry to members of the public is not restricted; "Relative" in relation to a person, means a person who is related to the first mentioned person by blood, marriage affinity or adoption; "Special Facilities" means any provision whether movable or immovable that will enhance easy access and enjoyment in public buildings by persons with disability; "State" means each of the States 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. (2) This Bill includes any regulation made hereunder- "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 persons 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	
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		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.	
		78. This Bill may be cited as Nigerians with Disabilities Bill, 2016.	Senate version adopted
		SCHEDULE SPECIAL FACILITIES	Senate version adopted
		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. Stair shopping stairs	
		8. Elevators/Lifts	
		9. Windows	
		10. Entrance Doors	
		11. Drinking fountains and water cookers	
		12. Toilet facilities Door Protective and Re opening Devices Maneuvering entrances at Doors	
		13. Parking spaces and passenger loading zones	
		14. Accessible routes including walk ways, halls, windows, aisles and spaces	
		15. Alarm- Audible Alarms;	

		Visual Alarms; Auxiliary Alarms.	
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4.0 RECOMMENDATION

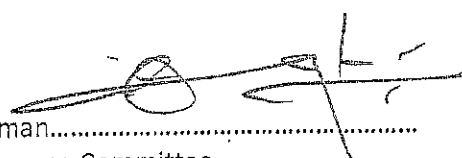
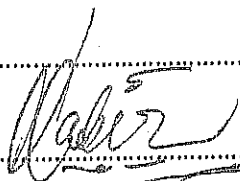
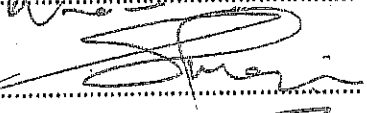
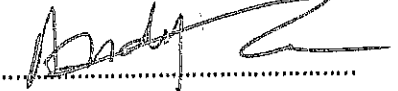
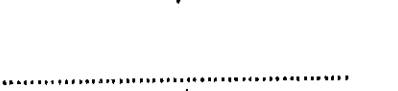
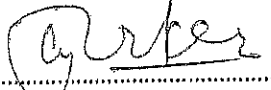
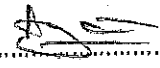
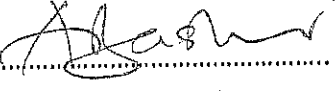
After due consideration of the Bill as passed by the two Chambers, the Conference Committee adopted Senate version, except clauses 9 and 11 where it adopted the House Version.

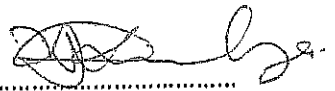
5.0 CONCLUSION

The Conference Committee wishes to express its gratitude to the leadership of the Senate and the House of Representatives for the opportunity to serve.

Signature Page

Conference Committee Members on Persons with Disabilities (Establishment, etc) Bill, (SB. 022) 2016

- | | | | |
|-----|------------------------------|---|---|
| 1. | Senator Obinna J. Ogba | - | Chairman..... 
Conference Committee |
| 2. | Senator Mallam A. Wakili | - | Member.....  |
| 3. | Senator Kabiru G. Marafa | - | Member.....  |
| 4. | Senator Danjuma Laah | - | Member.....  |
| 5. | Senator Andy E. Uba | - | Member.....  |
| 6. | Senator Buhari Abdulfatai | - | Member..... |
| 7. | Hon. Orker-Jev Emmanuel Yisa | - | Chairman..... 
House Committee on Rules and Business |
| 8. | Hon. Aminu Shehu Shagari | - | Member.....  |
| 9. | Hon. Lovette Idisi | - | Member..... |
| 10. | Hon. Uchenna Obiageli N. | - | Member..... |
| 11. | Hon. Asabe Vilita Bashir | - | Member.....  |
| 12. | Hon. Ayo Omidiran | - | Member..... |

Yakubu Mohammed Argungu - Clerk, Conference Committee.....

Salisu Abdullahi Mohammed - Clerk,
House Committee on Rules and Business.....