A BILL

FOR

AN TO PROVIDE MEASURES AIMED AT CREATING AND PROMOTING COORDINATION IN YOUTH DEVELOPMENT AND FOR THAT PURPOSE ESTABLISH THE NATIONAL YOUTH DEVELOPMENT AGENCY AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH

Sponsored by Senator T. Y. Kaura

[ ] Commencement

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

Interpretation

1. In this Act, unless the context otherwise indicates:

"Agency" means the National Youth Development Agency established by section 2;

"Board" means the Board of the Agency referred to in section 8;

"National Youth Development Policy" means the National Youth Development Policy of Nigeria referred to in section 3 (a);

"Financial year" means the period from 1 April in any year to 31 March in the next year;

"Members" means members of the Board appointed in terms of section 9;

"Prescribed" means prescribed by regulation in terms of section 19;

"Regulation" means any regulation made in terms of section 19;

"This Act" includes any regulation promulgated in terms of this Act;

"Youth" means persons between the ages of 14 and 35.

Establishment of Agency

2.-(1) There is hereby establish an Agency to be known as the National Youth Development Agency (in this Act referred to as the Agency)

(2) The Fund shall be a body corporate with perpetual succession and a common seal;

(3) May sue and be sued in its corporate name;

(4) May hold and dispose of property whether movable or immovable.

Objects of Agency

3.-(1) The objects of the Agency are to:

(a) develop the National Youth Development Policy and Strategy for Nigeria;

(b) develop guidelines for the implementation of an national youth development policy and make recommendations to the President;

(c) initiate, design, co-ordinate, evaluate and monitor all programmes aimed at integrating the youth into the economy and society in general;

(d) guide efforts and facilitate economic participation and empowerment, and achievement of education and training;

(e) partner and assist organs of state, the private sector and non-governmental organisations and community based organisations on initiatives directed at attainment of employment and skills development;

(f) initiate programmes directed at poverty alleviation, urban and rural development and the combating of crime, substance abuse and social decay amongst youth;

(g) establish annual national priority programmes in respect of youth development;

(h) promote a uniform approach by all organs of state, the private sector and non-governmental organisations, to matters relating to or involving youth development; and

(i) endeavour to promote the interest generally of the youth, particularly young people with disabilities.

(2) Nothing contained in this Act precludes the Agency from directly implementing any programme or intervention aimed at advancing its objects in terms of this Act.

Principles of youth development

4. Youth development interventions and programmes must be guided by the following principles:

(a) recognition of the manner in which youth has been affected by the

imbalances of the past and the need to redress these imbalances through more equitable policies, programmes and the allocation of resources;

(b) promotion of equal opportunity and equal treatment of youth and the promotion of a gender-inclusive approach to the development of youth, where the social influences of gender, disability, the impact of sexism and the particular circumstances of young women are recognised;

(c) creation of an environment which supports the continued development and learning of youth;

(d) promotion of youth I s participation in:

(i) democratic processes;

(ii) community and civic decision-making; and

(iii) development at all levels.

(e) recognition of youth development as an important mandate;

(f) responsiveness to the needs, aspirations and challenges of youth In a realistic and participatory manner;

(g) recognition of the importance of cultural and spiritual diversity as a basis for youth development;

(h) promotion of the value of sustainability in order to ensure that the needs of youth are met without compromising the ability of future generations to meet their own needs;

(i) recognition in youth development initiatives of the peculiar needs of rural youth; and

(j) transparency, accountability and accessibility.

Functions of Agency

5.-(1) The Agency must, in order to achieve its objects:

(a) establish competencies and capabilities in its operations including the following functional areas:

(i) National Youth Service and Social Cohesion;

(ii) Economic Participation;

(iii) Policy, Research and Development;

(iv) Governance, Training and Development;

(v) Youth Advisory and Information Services; and

(vi) National Youth Fund.

(b) establish offices of the Agency at States and local levels and appoint the necessary personnel to those offices.

(2) The Agency may, in order to achieve its objects:

(a) carry out or cause to be carried out any investigation that it deems necessary;

(b) consider such recommendations, suggestions and requests concerning youth affairs as it may receive from any source; or

(c) conduct or cause to be conducted such research as it may deem necessary.

(3) The Agency must, for purposes of subsection (3) and within its available resources, amongst others:

(a) provide career guidance services;

(b) provide access to information regarding products and services of the National Youth Fund;

(c) create and administer databases of employment opportunities;

(d) provide financial assistance to youths to enable them to further their careers;

(e) provide financial assistance to small, micro and medium enterprises, and cooperatives owned by youth;

(f) provide monitoring services aimed at empowering youths in the economy;

(g) provide bridging programmes for youths to facilitate the transition from school or training to the work environment;

(h) provide training regarding the concepts and principles of entrepreneurship and business to youths;

(i) provide training relating to the personal development of youths;

(j) provide training and guidance relating to the establishing and managing of businesses for youths;

(k) provide training for unemployed youths to enhance their life and professional skills which would enable them to be integrated into the economy;

(l) provide opportunities for training, that will promote service to communities and the nation at large; and

(m) provide such other services as may be necessary to achieve the aim contemplated in subsection (3).

Reporting by Agency

6.-(1) The Agency must, every three (3) years, submit to the President a report on the status of youth.

(2) The Agency must annually submit to the President a report on:

(i) the progress on the implementation of this Act;

(ii) the financial status of the Agency; and

(iii) any other matter relating to youth development.

(3) The President must table reports referred to in subsection (1) to the National Assembly within a reasonable time.

Role of Federal and State Bodies, Companies and Civil Society Organisation in Youth Development

7.-(1) Federal and state departments must:

(a) take national priorities in respect of youth development into account in planning their activities; and

(b) submit, in the prescribed manner, annual reports to the Agency regarding their implementation of youth development priorities.

(2) The Agency must publish a report after it has been tabled in the National Assembly.

(3) The Agency must lobby companies and close corporations which employ more than twenty (20) employees, and civil society organisations to implement youth development priorities established by it.

Control and management of the Agency

8.-(1) There is hereby established for the management of the affairs of the Agency, a governing Board (in this Act referred to as "the Board ") which shall, subject to this Act, have general control of the Agency.

(2) The Board shall consist of:

(a) chairman;

(b) 6 other members representing the six geopolitical zones; and

(c) One representative each of the following Federal Ministries and bodies (not below the rank of a director) that is:

(i) Youths development

(ii) Finance;

(iii) education;

(iv) employment, labour and productivity;

(v) health;

(vi) National Youth Service Corps;

(vii) Organised Private Sector;

(viii) Civil Society Organisation.

(d) the Executive Director of the Agency.

(3) The Chairman and other members of the Board shall:

(a) be appointed by the President subject to the confirmation of the Senate;

(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 and other matters mentioned therein.

Tenure of office

9.-(1) The members of the Board appointed under section 2 (2) (a) and (b) of this Act shall hold office for a period of 4 years in the first instance and may be eligible for re appointment for a further period of 4 years and no more.

(2) The members of the Board shall be paid such remuneration and allowances as the Revenue Mobilization Allocation and Fiscal Commission may, from time to time, determine.

(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 Minister and which resignation shall take effect only upon acknowledgment by the Minister.

Cessation of membership

10.-(1) A member of the Board shall cease to hold office if:

(a) he becomes of unsound mind;

(b) he becomes bankrupt or makes a compromise with his creditors;

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

(d) he 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, he is satisfied that it is not in the interest of the Fund or the interest of the 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, so however that the successor shall represent the same interest and shall be appointed by the President.

Committees of Board

11.-(1) The Board may establish Committees, including the:

(a) Executive Management Committee;

(b) Credit Risk Committee;

(c) Human Resource and Remuneration Committee;

(d) Audit Committee; and

(e) Development Committee to assist in the performance of its functions.

(2) The Board must determine the composition, rules and procedures of committees established in terms of this section.

(3) The Board may invite persons who are not members of the Board to serve on any of its committees, but such persons may not be appointed as chairpersons of such committees.

(4) The Board may dissolve or reconstitute a committee as is necessary.

(5) Any decision taken by a committee established under this

section must be ratified by the Board.

PART III - STAFF OF THE AGENCY

Appointment of Executive Director, etc.

12.-(1) There shall be appointed for the Fund an Executive Director who shall be appointed by the President on the recommendation of the Minister.

(2) The Executive Director shall subject to the general control of the Board:

(a) be responsible for the implementation of the decisions of the Board and the day to day administration of the affairs of the Fund;

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

(c) be the head of the Board I s secretariat and be responsible for the administration thereof and the direction and control of all other employees of the Agency with the approval of the Board.

(3) The Executive Director shall hold office for such period of time as may be determined by his or her letter of appointment.

Other Staff of the Agency

13.-(1) The Board shall have power to 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 Fund in the discharge of any of its functions under this Act; and shall have power to pay to persons so employed such remuneration (including allowances) as the Board may, from time to time, determine.

(2) The terms and conditions of service (including terms and conditions as to remuneration, allowance, pensions, gratuities and other benefits) of the person employed by the Agency shall be as determined by the Board from time to time.

Staff regulations

14.-(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 Agency and without prejudice to the generality of the foregoing, such regulations may provide for:

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

(b) appeals by such employees against dismissal or other disciplinary measures and until such regulations are made, 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 Fund.

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

Pensions

15. It is hereby declared that service in the Agency shall be public service for the purposes of the Pensions Reform Act 2004 and, accordingly, officers and other persons employed in the Fund shall, in respect of their service in the Fund, be entitled to pension, gratuities and other retirement benefits as are prescribed there under, so however that 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.

Funding and investments

16.-(1) The funds of the Agency consist of:

(a) money appropriated by the National Assembly;

(b) interest on investments of the Agency;

(c) money lawfully received from any other source; and

(d) donations and contributions lawfully received by the Agency from any other source.

(2) The Agency may invest any of its funds not immediately required:

(a) subject to any investment policy

(b) in such manner as may be approved by the Minister of Finance

Annual Estimate

17. The Board shall not later than 31 st October submit to the National Assembly an estimate of its expenditure and income during the next succeeding year

Power to accept gifts

18.-(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.

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

Exemption from Tax

19. The Board shall be exempted from the payment of income tax on any income accruing from investments made by the Board or otherwise howsoever.

Annual estimates account and audit

20.-(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 Fund during the next succeeding year and when prepared, they shall be submitted to the Minister.

(2) The Board shall cause to be kept proper accounts of the Fund and proper records in relation thereto 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

Annual report

21. The Board shall not later than three months before the end of each year submit to the National Assembly a report on the activities and the administration of the Board in relation to the Fund during the immediately preceding year and shall include in such reports the auditor's report thereon.

Regulations

22. The President may, after consultation with the Board, make regulations regarding:

(a) any matter which in terms of this Act mayor must be prescribed;

(b) any action in order to promote compliance with this Act; and

(c) any ancillary or incidental administrative or procedural matter that it is necessary to prescribe for the proper implementation or administration of this Act.

23. This Bill may be cited as the National Youth Development Agency Bill, 2015. Citation

SCHEDULE

Section 2 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Board

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.

[Cap. 123.]

(2) The quorum of the Board shall be the chairman and seven other members and the quorum of any committee shall be determined by the Board.

2.-(1) The shall Board meet not less than two times In each year and subject thereto, the Board 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 four other members, he shall summon a meeting of the Board, to be held within fourteen 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 their numbers 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 thinks fit; but a person who is in attendance by virtue of this subparagraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

3.-(1) The Board may appoint one or more committees to carry out, on behalf of the Board some of its functions as the Board may determine.

(2) A committee appointed 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 Agency shall be authenticated by the signature of the chairman or of any other person authorized 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 Agency by the chairman or any person generally or specially authorized to act for that purpose by the Board.

(3) Any document purporting to be a document duly executed under the seal of the Agency 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 thereof shall not be adversely affected by any vacancy in the membership of the Board or Committee, or by any defect in the appointment of a member of the Board or of a Committee, or by reason that a person not entitled to do so took part in the proceedings of the Board or Committees.

EXPLANATORY MEMORANDUM

The Bill seeks to provide measures aimed at creating and promoting coordination in Youths in Nigeria.