

SUMMARY OF SOME GENDER RELATED BILLS IN THE 9TH ASSEMBLY

BACKGROUND

Since the inauguration of the 9th Assembly in June 2019, various Bills have been canvassed to improve on gender equality and inclusiveness in Nigeria. This Factsheet seeks to provide a summary of some of the existing Bills before the 9th Assembly that canvass for better gender representation to promote a more equitable society.

Details of the Bills as follows:

- A. Criminal Code Act (Amendment), Bill 2019 (SB 02)
- B. Sexual Offences Act (Amendment) Bill, 2019 (HB 191)
- C. Sexual Harassment in Tertiary Institutions Bill, 2019 (SB77)
- D. Gender and Equal Opportunities Bill (SB208)
- E. National Hospital for Women and Children Act (Amendment) Bill, 2019 (HB 197)

A. **CRIMINAL CODE ACT (AMENDMENT) BILL, 2019 (SB 02)**

Bill sponsor: Senator Oluremi Tinubu

Status of Bill: Passed

S/N	Highlighted Provision	Proposed Amendment	Remarks
1.	Section 218 Defilement of girls under thirteen	This seeks to remove a 2-month limitation period for prosecuting cases of unlawful carnal knowledge of girls under the age of thirteen years.	The removal of a 2-month limitation period for prosecuting cases of unlawful carnal knowledge of girls under thirteen may encourage the institution of more of such cases.

			There is also a similar amendment to section 221 of the Bill to remove the 2-month limitation period for the prosecution of unlawful carnal knowledge of a girl above thirteen years but below sixteen years and/or having unlawful carnal knowledge of a mentally challenged woman or girl.
2	Section 357 Definition of rape	<p>This amendment creates a new offence of impersonating a man's wife.</p> <p>It also seeks to expand the provision of rape to include the unlawful carnal knowledge of any person without consent. This is different from the current position where rape can only be committed against a female.</p>	Under extant law, rape can only be committed against a female. Also, only married women (not men) can be raped by someone who impersonates their spouse. This amendment however seeks to change this.

B. SEXUAL OFFENCES ACT (AMENDMENT) BILL, 2019 (HB 191)

Bill sponsor: Hon. Shina Abiola Peller

Status of Bill: First Reading

S/N	Highlighted Provision	Proposed Amendment	Remarks
1.	Section 7 Defilement of Children	<p>This seeks to delete sections 7(2), 7(3) and 7(4) of the Sexual Offences Act which penalises the offence of defilement committed against various age categories of children.</p> <p>For instance, under extant law, committing the offence of defilement against children aged</p> <p>(a)eleven years or less,</p>	<p>This provides one encompassing category for defilement.</p> <p>The language of the amendment "under eighteen years" also provides better clarity for who amounts to a child as opposed to extant provisions that appear to have erroneously defined a "child" up to the age of majority (18 years).</p>

		<p>(b)between twelve years and fifteen years</p> <p>and;</p> <p>(c) between sixteen years and eighteen years</p> <p>all carry a life imprisonment term.</p> <p>However, the amendment seeks to simplify this by providing for one age category for the defilement of all children under the age of eighteen years.</p> <p>Extant provisions for an imprisonment term for life for the offence of defilement are however replicated in the proposed amendment.</p>	
2	<p>Section 50</p> <p><i>Interpretation of Terms</i></p>	<p>The amendment defines a “child” as a person under the age of eighteen years. This is different from the position of the extant law which adopts the definition contained in the Infant Relief Act.</p>	<p>This amendment seeks to improve on extant provisions that equates the meaning of a child to the definition provided under the Infant Relief Act.</p> <p>As the Infant Relief Act merely prohibits the incapacity of infants to enter into contracts, the proposed amendment appears to incorporate a more suitable definition.</p>

C. SEXUAL HARASSMENT IN TERTIARY INSTITUTIONS BILL, 2019 (SB. 77)

Bill sponsor: Senator Ovie Omo-Agege

Status of Bill: Passed

S/N	Highlighted Provision	Proposed Amendment	Remarks
1.	Clause 1 Objective of the Bill	<p>The Bill seeks to protect students from sexual harassment by educators in tertiary educational institutions and provide a means to redress such complaints.</p> <p>Educators are defined as persons who provide professional educational services in a tertiary educational institution or have authority over a student - clause 24</p>	The Bill intends to create learning opportunities for students in tertiary educational institutions in an atmosphere devoid of sexual harassment.
2	Clause 2 Relationship of Authority, Dependency and Trust	<p>This construes a relationship of authority, dependency and trust between an educator and student whenever an educator is involved in the full / part time academic training, teaching, supervision and education of a student. The relationship can also be implied in situations where the student depends directly or indirectly on the educator.</p> <p>Clause 3 of the Bill also prevents the exploitation of a student under this fiduciary duty for personal gain or immoral satisfaction.</p>	The construing of a relationship of authority, dependency and trust places a duty of care and responsibility on an educator.
3	Clause 4 Offences	<p>This provides for various offences that an educator can be guilty of violating.</p> <p>The offences include having sexual intercourse with a student/ prospective student, making sexual advances to a student or inducing another person to commit an act of sexual harassment.</p>	The penalties for acts of sexual harassment may provide deterrence if strictly implemented.

		<p>Other offences under clause 4 of the Bill extend to acts such as grabbing, hugging, kissing, rubbing, stroking, touching or pinching a body part of a student. They also include sending or displaying a sexually explicit or suggestive text, video, picture or pornographic message to a student, whistling, joking or making complimentary/ uncomplimentary remarks about a student’s physique or stalking a student.</p> <p>Clause 10 provides two categories of penalties for offenders:</p> <p>For instance, persons who have sexual intercourse with a student/prospective student, make sexual advances or induce another person to commit an act of sexual harassment, are liable to an imprisonment term of 14 years, a fine of 5 million naira or both.</p> <p>However, persons who commit offences such as displaying or sending naked or sexually explicit pictures, whistling, joking or making complimentary or uncomplimentary remarks or stalking of a student, are liable to an imprisonment term of 2 years, a fine of N1,000,000 or both.</p> <p>It is further not a defence that a student consented to the commission of an offence- clause 6. However, an exception is available to an educator and student that are legally married - clause 5</p>	
4	<p>Clause 8</p> <p><i>Filing of Sexual Harassment Complaint</i></p>	<p>This provides the procedure for filing a Sexual Harassment complaint.</p> <p>Under this procedure, a written sexual harassment petition may be filed by a student/his or her</p>	<p>The procedure for filing a Sexual Harassment complaint enables a petition to be filed by a victim of sexual harassment or those interested in his/her well-being.</p>

		<p>representative who may be a relative, guardian, lawyer, person interested in his/her well-being or even the Attorney-General.</p> <p>A copy of the written petition must then be sent to the administrative head of the tertiary institution, Secretary of the Independent Sexual Harassment Investigative Committee and Head of Department of the alleged offender for record purposes- clause 9.</p>	
5	<p>Clause 12</p> <p><i>Institutional Disciplinary Measures</i></p>	<p>This prevents the Sexual Harassment Bill from precluding a tertiary educational institution from pursuing its internal administrative discipline against students or staff after a final decision against an educator has been reached by its Independent Sexual Harassment Investigative Committee.</p> <p>A final decision by an Independent Sexual Harassment Investigative Committee shall not operate to bar criminal prosecution or civil proceedings in a court for sexual harassment.</p> <p>A Court must however have regard to the sanctions already imposed on the educator, when passing a sentence.</p>	<p>Internal proceedings of a tertiary educational institution does not prevent recourse to legal action in a Court of law.</p>
6	<p>Clause 13</p> <p><i>Independent Sexual Harassment Investigative Committee</i></p>	<p>This provides for the establishment of an Independent Sexual Harassment Prohibition Committee by the administrative head of a tertiary institution (that is Vice Chancellor of a University, Rector of a Polytechnic/ Monotechnic, Provost of a College of Education or Chief Executive Officer of a tertiary academic institution/ person acting in that capacity) in consultation with the institution's highest management body.</p>	<p>The marginal note of clause 13 describes the Committee that should be set up to investigate sexual harassment as <u>the Independent Sexual Harassment Investigative Committee</u> while the content of the provision describes the Committee as the <u>Sexual Harassment Prohibition Committee</u>. This conflict in nomenclature runs throughout the Bill. This should be rectified.</p>

		<p>The membership of the Sexual Harassment Prohibition Committee shall consist of seven (7) staff members and representatives of the Student Staff Union Government of the institution.</p> <p>This includes a Chairman not less than the rank of a senior lecturer or Deputy Director in the Federal civil service and Secretary not less than the rank of a lecturer or an Assistant Deputy Director in the Federal civil service.</p> <p>The membership of an Independent Sexual Harassment Prohibition Committee shall also at any material time consist of at least two students, two academic staff members of the institution, two non-academic staff members, a lawyer and at least three (3) females.</p> <p>The Chairman and Members of the Committee shall hold office not exceeding two years from the date of their appointment.</p> <p>Any five (5) members of an Independent Sexual Harassment Prohibition Committee shall form a quorum.</p> <p>Decisions of the Committee shall be by simple majority, in writing, signed by all the Members of the Committee that participated in the inquiry, sealed/stamped by the Committee's secretary and read openly to the parties of the petition.</p> <p>The Secretary of the Independent Sexual Harassment Committee shall communicate the final decision of the Committee within 7 days to all parties to a sexual harassment complaint whether or not they</p>	
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		<p>attended the Committee's proceedings.</p> <p>The Chairman of the Committee must also submit an annual report on sexual harassment complaints received and actions taken on them to the highest management body of the institution.</p> <p>The administrative head of a tertiary educational institution has the responsibility of providing the resources required for the Independent Sexual Harassment Investigative Committee to carry out its functions.</p>	
7	<p>Clause 14</p> <p><i>Institutional Disciplinary Procedure</i></p>	<p>This provides the procedure for complaining about a sexual harassment as follows:</p> <p>That a student complaining of sexual harassment/ his representative submit a written Sexual Harassment Complaint to the administrative head of the institution where the complaint arose</p> <p>-That the complaint specify the name and department, office or home address of the educator who is alleged to have committed an offence under this Bill- clause 14(1)</p> <p>- That the administrative head of the tertiary institution then transmit the Sexual Harassment Complaint received from students to an Independent Sexual Harassment Committee through its Chairman within fourteen (14) working days of its receipt -clause 14(3)</p>	<p>This provides the procedure for complaining about a sexual harassment and sanctions that the Independent Sexual Harassment Prohibition Committee can recommend where the allegations are substantiated.</p>

		<p>-That the Independent Sexual Harassment Committee take immediate steps to investigate, determine and reach a final written decision on the complaint within 45 working days from receipt clause 14(4)</p> <p>-That where the complaint of a student is proved, the Independent Sexual Harassment Prohibition Committee recommend any of the following sanctions to both the administrative head/highest management body of the institution for implementation:</p> <p>(a) the prosecution and dismissal of the educator and reasons for the dismissal in writing; or</p> <p>(b) a reduction in the rank of the educator and reasons for the reduction stated in writing; or</p> <p>(c) appropriate restitution for the student -clause 14(5)</p>	
8	<p>Clause 15</p> <p>Judicial Review</p>	<p>Judicial review by the High Court is available to an educator or student who is dissatisfied with the final decision of an Independent Sexual Harassment Prohibition Committee (wholly or in part).</p>	<p>Internal proceedings of a tertiary educational institution does not preclude a student or educator from instituting legal action in the High Court.</p>
9	<p>Clause 16</p> <p>Criminal Liability of Administrative Head</p>	<p>This makes it an offence for an administrative head to fail to refer a complaint to an institution's Independent Sexual Harassment Prohibition Committee within fourteen (14) working days of receiving a complaint against an educator from a student/ his or her representative.</p> <p>An administrative head who is guilty of this is liable on conviction to a fine of N5,000,000- clause 17</p>	<p>Creating a deadline for referral of complaints with a penalty for breach may encourage compliance.</p>

10	<p>Clause 18</p> <p><i>Liability for False Complaint</i></p>	<p>An Independent Sexual Harassment Investigative Committee may recommend sanctions such as the suspension or expulsion of a student where it finds the complaint against an educator to be false and malicious.</p> <p>Internal disciplinary action may also be taken against a student if an educator is discharged and acquitted on the ground that an allegation is false in court- clause 20</p> <p>The administrative head of a tertiary educational institution must implement the Committee's final decision within 7 working days.</p>	<p>A student may face suspension or expulsion if the complaint against an educator is found to be false and malicious by an Independent Sexual Harassment Investigative Committee.</p>
11	<p>Clause 21</p> <p><i>Protection of Students from Victimization</i></p>	<p>This mandates the administrative head of an institution to protect a student from victimization by either the educator who is complained against in his/her own institution or in a different institution.</p> <p>Educators or persons who victimize a student because of a Sexual Harassment complaint are liable to the same criminal sanctions, disciplinary punishment or damages as the educator whom the student originally complained against - clause 22.</p> <p>Clause 23 prevents the limitation period for commencement of actions against a public officer (three months from the date of the action complained about) from applying in sexual harassment cases in tertiary institutions.</p>	<p>An administrative head of a tertiary education institution is bound to protect a student who complains of sexual harassment from victimization internally and outside his institution.</p>

D. GENDER AND EQUAL OPPORTUNITY BILL (SB 208)

Bill sponsor: Senator Biodun Christine Olujimi

Status of Bill: First Reading

S/N	Highlighted Provision	Proposed Amendment	Remarks
1.	Clause 1 <i>Purpose of this Bill</i>	<p>The Bill seeks to give effect to chapters II and IV of the 1999 Constitution (as amended) which deals with the Fundamental Objectives of the Nigerian State, State Policy and Fundamental Rights respectively.</p> <p>It prohibits any form of discrimination through laws, regulations, administrative procedures, policies, guidelines, rules, customs or practices.</p> <p>Discrimination on the basis of gender, age or disability is strictly prohibited- clause 2(a)</p> <p>It also nullifies any law, regulation, custom or practice which constitutes discrimination- clause 2(b)</p>	<p>The Bill leans on international covenants such as the Convention on the Elimination of all Forms of Discrimination against Women, and the Protocol to the African Charter on the Rights of Women in Africa as providing a basis for its support.</p>
2	Clause 3 <i>Promotion of Equality, Full Development and Advancement of all Persons</i>	<p>This mandates every organ, agency of government, public and private institution, commercial or corporate body in Nigeria to take all appropriate measures to ensure the full development and advancement of all persons.</p> <p>It also highlights the need for young women and girls to exercise their human rights and fundamental freedoms free from discrimination on the basis of the equality of all persons.</p>	<p>This seeks to promote the attainment of equality of all persons in the public and private sphere.</p>

		<p>It also emphasises women’s equal rights to conclude contracts, administer property, undertake surety or recognisance on behalf of any person and prohibits the denial or limitation of any privilege due to her on the basis of her gender.</p>	
<p>3</p>	<p>Clause 4</p> <p>Adoption of Temporary Special Measures to Eliminate Discrimination</p>	<p>This mandates the adoption of temporary special measures by agencies, organs of government, public/ private institutions or corporate bodies as a means to accelerate equality of opportunity and treatment between men and women.</p> <p>Some of the temporary special measures identified under the Bill include:</p> <ul style="list-style-type: none"> - a minimum of 35 per cent of all offices, positions, or appointments reserved for women in the political and public sphere -a minimum of 35 percent of all offices, facilities, positions or appointments reserved for women in employment, credit or other economic spheres in public and private institutions -parity for boys and girls, men and women in educational placements and in the award of scholarships - parity in enrolment and retention of boys and girls in primary school enrolment - a minimum of 35 percent reserved for women in any other case <p>The time frame for the implementation of special measures is put at a period not less than 10 years nor more than 25 years -clause 4(ii).</p>	<p>It may require constitutional amendments for this to take effect. It has been argued that the proposed provision is discriminatory as the Constitution already affirms the equality of both genders in theory. Thus, there might be an imbalance between what the Bill appears to achieve in practical terms and the Constitution.</p> <p>It is also arguable that parity would be at least 50 percent and not the 35% given the similar population of males and females in the country.</p>

		<p>The measures shall however gradually discontinue when the objectives of equality of opportunity and treatment have been achieved.</p> <p>It is noteworthy that the said measures are not to be considered discrimination under the Bill or by any other law in force- clause 4(a)</p>	
4	<p>Clause 5</p> <p><i>Modification of Socio-Cultural Practices</i></p>	<p>This vests every organ or agency of government, public or private institution, commercial or corporate body, community or social entity including educational institutions with the responsibility of modifying social and cultural patterns to eliminate gender stereotypes, prejudices and customary practices that are based on the inferiority or the superiority of either of the sexes or ascribed roles for men and women.</p> <p>It further lists the ways to achieve the modification of the said social and cultural patterns.</p> <p>These include the adoption of appropriate teaching methods and curriculum that emphasise the promotion of equality of all sexes in all circumstances. Additionally, it mandates families to ensure that values, practices or other forms of upbringing of children, ward and young people in the family does not discriminate and promotes the common responsibility of men and women in the development of children.</p> <p>This clause further prohibits women from being subjected to inhuman, humiliating or degrading treatment-clause 4(iii) and entitles them to the guardianship and custody of her children after the death of her</p>	<p>This provision assumes that formal and informal educational practices in public and private spheres will improve on gender equality.</p>

		<p>husband and freedom to remarry the person of her choice.</p> <p>It further empowers a widow to a fair share in the inheritance of the property of her husband and the right to continue to live in the matrimonial house on the condition that she retains this right in a remarriage if the house belongs to her.</p>	
5	<p>Clause 6</p> <p><i>Elimination of Discrimination in Political and Public Life</i></p>	<p>This mandates the government, public and private institutions to take all appropriate measures to eliminate discrimination against women in political and public life and ensure that men and women have the right to participate fully in all political activities without any restriction, limitation or barriers.</p> <p>These include the right to vote and be voted for in all elections, the right to be eligible for election to all publicly elected offices, the right to participate in the formulation of government policy and be provided with the opportunity to represent the government, public or private institution, commercial or corporate body, in any official capacity.</p>	<p>This seeks to improve on the political participation of women.</p>
6	<p>Clause 7</p> <p><i>Elimination of Discrimination in Education</i></p>	<p>This seeks to eliminate discrimination in any form relating to education and calls on every organ or agency of government, public or private institution, commercial or corporate body to take all appropriate measures to eliminate discrimination against women in the field of education. Specifically, it guarantees equality in education for men and women in rural or urban areas, technical or professional fields and equality in access of both sexes to scholarships, bursaries, study grants, vocational and non-</p>	<p>This seeks to guarantee equal access to education by both genders.</p>

		academic activities such as sports and physical education.	
7	<p>Clause 8</p> <p><i>Elimination of Discrimination in Employment</i></p>	<p>This prohibits discrimination against women in the workplace and guarantees their right to equality of employment and the application of the same criteria for selection, promotion, assignment of responsibilities, social security and remuneration on an equal basis with men.</p> <p>It also seeks to protect health and safety rights in the workplace and prevents any regulation that restricts the period that an employee undertakes maternity leave.</p> <p>The right of a woman in employment to maternity leave or any such leave or concession relating to her maternity needs, shall not limit or restrict her right to equal treatment as provided under this section.</p>	<p>This guarantees the right of women to be employed on the same selection criteria as men.</p> <p>It also prohibits any regulation that restricts the period that an employee undertakes maternity leave.</p>
8	<p>Clause 9</p> <p><i>Elimination of Discrimination on Grounds of Marital Status</i></p>	<p>This prevents the discrimination of women on the grounds of marriage, marital or pregnancy status in the workplace.</p> <p>It also mandates the enforcement of maternity leave with pay/ comparable social benefits and other supporting social services that enable parents in employment to combine family obligations with work responsibilities and participation in public life.</p> <p>Additionally, it provides for special protection to women during pregnancy in types of work and practices harmful to them.</p>	<p>This prevents the discrimination of women on the grounds of marriage and provides for their special protection in workplaces during their period of pregnancy. It does not however go further to specifically elaborate on what the special protection entails.</p>

		The provisions of this section are to be reviewed as often as necessary to keep up with scientific and technological knowledge.	
9	<p>Clause 10</p> <p><i>Elimination of Discrimination in Health.</i></p>	<p>This mandates the provision of free and quality health care services, (including provision of all necessary medical, surgical, diagnostic, and pharmacological supplies) for all pregnant women within 2 years of delivery and children under the age of 12.</p> <p>There is also a provision for the grant of free services and adequate nutrition during pregnancy and lactation where necessary.</p> <p>It entitles every man or woman to receive the necessary material, medical, psychological and legal assistance they need through governmental and non-governmental agencies providing such assistance.</p>	The provision of free and quality health care services, for all pregnant women within 2 years of delivery and children under the age of 12 is laudable but will need corresponding budgetary provisions for its enforcement.
10	<p>Clause 11</p> <p><i>Elimination of Discrimination on Socio-Economic Grounds</i></p>	This compels government agencies and public institutions to eliminate discrimination against women in all areas of economic and social life. Specifically, to ensure the equality of men and women to family benefits, capital, recreational activities and cultural life.	This seeks to improve women's access to capital and social services.
11	<p>Clause 12</p> <p><i>The Rights of Persons in Rural Communities</i></p>	This mandates public or private bodies to apply the Bill's provisions to rural women. For instance, ensuring their access to economic opportunities, education, land /agrarian reform, resettlement schemes and in the identification, design and implementation of development projects at all levels.	This seeks to improve on the economic participation and contribution of rural women in society.

12	<p>Clause 13</p> <p><i>Rights in Matters Relating to Marriage and Family Life</i></p>	<p>This mandates public and private institutions to ensure equal rights between men and women in marriage and family life.</p>	<p>This guarantees equality between men and women in marriage and family life.</p>
13	<p>Clause 14</p> <p><i>Provisions Relating to Offences and Sentencing including Costs, Damages and Compensations</i></p>	<p>This sets out the liability for failure to adhere to the provisions of this Bill.</p> <p>This includes an imprisonment term not less than a year, a fine not less than Five Hundred Thousand Naira or both. It also entitles a person who suffers violation of his or her rights or becomes victim of any action or omission to fair and adequate compensation.</p> <p>Additionally, the court may order for exemplary damages, a public apology, a redress or restitution as may be appropriate in the circumstances.</p> <p>In the event a corporate body, agency, institution or community is liable, its Chief Executive Officer/ Head shall have the primary responsibility of the punishment imposed by the court.</p>	<p>This sets out various penalties for breaching the Bill's provisions.</p>
14	<p>Clause 15</p> <p><i>The Commission</i></p>	<p>This vests the National Human Rights Commission with powers to enforce and implement the provisions of the Bill.</p> <p>Some of the functions of the Commission in clause 16 include promoting gender equity, creating awareness for the implementation of full rights of men and women on equal terms, investigating and making application to the appropriate court or tribunal for an order of assessment of practices of any person, organ, body, institution, private or</p>	<p>This vests the National Human Rights Commission with the power to promote gender equality and enforce the Bill's provisions.</p>

		public organ, liaising with the Federal Character Commission and such other bodies relating to implementation of the Bill, preparing and submitting periodic reports on the state of implementation of the Bill and such other activities that are necessary for the giving of full effect to the provisions of this Bill.	
15	<p>Clause 17</p> <p><i>Legal Obligation to Give Information to the Commission</i></p>	<p>This gives an Officer of the National Human Rights Commission power to investigate an offence and compel a person to produce relevant material on an issue that might facilitate the investigation of a matter under the Bill.</p> <p>A person, representative of an organ, body, or institution can be summoned by the Commission to appear and produce all relevant information required under notice that is within his or her knowledge and available to him/her.</p> <p>Persons who wilfully refuse to appear in response to a written notice to attend are liable on conviction to an imprisonment term not exceeding one month or to pay a fine not exceeding fifty thousand Naira. Corporate bodies may nonetheless be fined up to Five Hundred Thousand Naira or subjected to a fine and imprisonment term- clause 19</p>	This compels persons to appear before the Commission and provide relevant information when summoned to do so.
16	<p>Clause 20</p> <p><i>Failure to Comply with Direction for Reversal of Discrimination</i></p>	The National Human Rights Commission is empowered to institute proceedings against an individual, community, institution, that fails to take any step to reverse any act of discrimination in Court.	This empowers the National Human Rights Commission to sue individuals, communities or institutions that fail to take adequate steps to reverse any act of discrimination in the High Court.

16		<p>The jurisdiction of the Court is outlined as the High Court of the Federal Capital Territory - clause 21</p> <p>The procedure for filing applications is the same with the procedure for bringing cases under the Fundamental Rights (Enforcement Procedure) Rules 2009 – clause 22.</p>	
17	<p>Clause 23</p> <p>Miscellaneous</p>	<p>This penalises any corporate officer who has committed an offence under this Bill with consent, connivance or neglect on the part of a director, manager, secretary, similar officer or person purporting to act in such capacity as liable to a fine of five hundred thousand naira, an imprisonment term not less than one year or to both an imprisonment term and fine on conviction.</p>	<p>This provides penalties for persons who have committed an offence under this Bill with either the consent, connivance or neglect on the part of a director, manager, secretary, similar officer or person purporting to act in such capacity.</p> <p>Offenders are liable to an imprisonment term and/or fine.</p>

E. NATIONAL HOSPITAL FOR WOMEN AND CHILDREN ACT (AMENDMENT) BILL, 2019 (HB 197)

Bill sponsor: Hon. Nkeiruka C. Onyejeocha

Status of Bill: First Reading

S/N	Highlighted Provision	Proposed Amendment	Remarks
1	Clause 3	<p>This seeks to amend section 1 of the National Hospital for Women and Children, Abuja Act to now read "National Hospital and Centre for Women and Children, Abuja".</p>	<p>Medical Centres are Health institutions that offer health services beyond basic clinical patient care. For instance, other than hospital services, they may offer medical schools, nursing schools, pharmaceuticals, rehabilitation facilities, testing procedures and other specialties.</p>

			<p>However, beyond the outer name change, this provision should have clarified which services other than clinical patient care and medical schools will be included as services provided by the proposed Centre.</p>
2	Clause 5	<p>This seeks to provide for Membership of the Board as follows:</p> <ul style="list-style-type: none"> (a) Chairman; (b) the Chief Medical Director of the Hospital (c) Federal Ministry of Health (d) The Nigerian Medical Association (e) The Society of Gynaecology and Obstetrics of Nigeria (f) The Pharmaceutical Society of Nigeria (g) The Paediatric Society of Nigeria (h) The National Association of Nigerian Nurses and Midwives <p>This seeks to amend section 3 (2) (a) of the principal Act so that the Chairman and Members of the Board, other than ex-officio members, shall be appointed by the President on the recommendation of the Minister of Health.</p>	<p>This seeks to reduce the Membership of the Board which is currently as follows:</p> <p>(l) The Board shall consist of- (a) a Chairman; (b) the Chief Medical Director of the Hospital; (c) the Director of Clinical Services; (d) the Director of Administration; (e) the Director of Finance; (f) the Director of Maintenance; (g) a representative each of the following, that is- (i) the President; (ii) the Federal Ministry of Health; (iii) the Federal Ministry of Women Affairs and Youth Development; (iv) the Federal Ministry of Works and Housing; (h) the National Planning Commission- (i) the Family Support Trust Fund; (ii) the Society of Gynaecology and Obstetrics of Nigeria; (iii) the Pharmaceutical Society of Nigeria; (iv) the Paediatric Association of Nigeria; (v) the National Association of Nigerian Nurses and Midwives; (i) one person to represent women interest; (j) one person to represent public interest.</p> <p>This seeks to include the input of the Minister of Health for the Chairmen and members of the Board. Under current provisions, the President is not bound to consult with the Minister with regards to their membership.</p>

3	Clause 7	<p>This seeks to amend section 8 of the Principal Act (which deals with the Hospital's functions) to include developing and maintaining affiliation with local and international health institutions.</p> <p>The aim of this amendment is to promote health services, research and training at the Hospital.</p>	<p>The addition of this provision supports/promotes a well-rounded health institution.</p>
4	Clause 11	<p>This seeks to amend section 16 of the Principal Act so that the Board submits the Hospital's Annual Estimates and Expenditure to the President through the Minister of Health.</p>	<p>Under current provisions the Hospital's Board submits the Annual Estimates and Expenditure of the Hospital to the President through the Secretary to the Government of the Federation.</p>
5	Clause 12	<p>This seeks to amend section 17 of the Principal Act so that the Board prepares and submits its annual report to the Minister no later than 30th June each year.</p>	<p>Under extant provisions, the Board prepares and submits its annual report to the President on 30th June, each year.</p>
6	Clause 25	<p>This seeks to delete section 25 of the Principal Act to empower the Minister of Health to give directive with regard to the exercise of its functions.</p>	<p>Under the current Act, it is the President that has powers to give directives to the Board.</p>
7	Explanatory Memorandum	<p>Provides that the Bill seeks to amend the National Hospital for Women and Children, Abuja (Establishment,etc) Act, Cap N44LFN2004, to remove the hospital from the supervision of the Presidency and place it under the Federal Ministry of Health for efficiency, effectiveness and other matters</p>	<p>The amendments to Sections 3(2), 16,17 and 25 indicate that there will be more supervision of the hospital and Centre by the Federal Ministry of Health if passed.</p>

Some Gender Bills Pending in the 9th National Assembly

Senate

Title

Criminal Code Act (Amendment), Bill 2019

Sponsor: Sen. Oluremi Tinubu (APC: Lagos)

- Removes 2 months limitation period for which cases must be instituted for the defilement of girls under the age of 13
- Defines rape to include the unlawful carnal knowledge of any person (male or female) with or without consent
- Penalises women who impersonate a man's wife as guilty of rape

Status: Third Reading

Title

Rape and Insurgency Victims Stigmatization (Prohibition) Bill

Sponsor: Sen. Mohammed Sani Musa (APC: Niger)

- Provides rehabilitation opportunities for victims of rape and insurgency and prohibits their stigmatization.

Status: Awaiting Committee Report

Title

Sexual Harassment in Tertiary Institutions Bill, 2019

Sponsor: Sen. Ovie Omo-Agege (APC:Delta)

- Protects students against sexual harassment in tertiary educational institutions
- Recognises that a male student could be victim

Status: Third Reading

Title

Gender and Equal Opportunity Bill

Sponsor: Sen. Biodun Christine Olujimi (PDP:Ekiti)

- Prohibits discrimination against any person
- Adopts temporary special measures that eliminate discrimination
- Gives the National Human Rights Commission power to enforce the Bill

Status: First Reading

House of Representatives

Title

Sexual Offences Act (Amendment) Bill, 2019

Sponsor: Hon. Shina Abiola Peller (APC: Oyo)

- Penalises any person (male or female) who commits an offence of defilement with a child under the age of 18 years as liable on conviction to imprisonment for life
- Defines a child as a person under the age of 18 years

Status: First Reading

Title

National Hospital for Women and Children Act (Amendment) Bill, 2019

Sponsor: Hon. Nkeiruka C. Onyejeocha (APC: Abia)

- Renames National Hospital to a National Hospital and Centre for Women and Children, Abuja

Status: First Reading





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About PLAC

Policy and Legal Advocacy Centre (PLAC) is a non-governmental organization committed to strengthening democratic governance and citizens' participation in Nigeria. PLAC works to enhance citizens' engagement with state institutions, and to promote transparency and accountability in policy and decision-making processes.

The main focus of PLAC's intervention in the democratic governance process is on building the capacity of the legislature and reforming the electoral process. Since its establishment, PLAC has grown into a leading institution with capacity to deliver cutting-edge research, policy analysis and advocacy. PLAC receives funding support from donors and other philanthropic sources.

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