

**THE SENATE
FEDERAL REPUBLIC OF NIGERIA
COMMITTEE ON PRIMARY HEALTHCARE AND
COMMUNICABLE DISEASES**

REPORT

ON

**A BILL FOR AN ACT TO PROVIDE FOR AN EFFECTIVE
NATIONAL FRAMEWORK FOR THE CONTROL OF
OUTBREAKS OF INFECTIOUS DISEASES AND OTHER
EVENTS ENDANGERING PUBLIC HEALTH AND REQUIRING
PUBLIC HEALTH EMERGENCY MEASURES AND FOR OTHER
RELATED MATTERS**

JANUARY, 2022

REPORT OF THE COMMITTEE ON PRIMARY HEALTHCARE AND COMMUNICABLE DISEASES ON A BILL FOR AN ACT TO PROVIDE FOR AN EFFECTIVE NATIONAL FRAMEWORK FOR THE CONTROL OF OUTBREAKS OF INFECTIOUS DISEASES AND OTHER EVENTS ENDANGERING PUBLIC HEALTH AND REQUIRING PUBLIC HEALTH EMERGENCY MEASURES AND FOR OTHER RELATED MATTERS (SB. 413)

1.0 INTRODUCTION

The Senate of the Federal Republic of Nigeria at its sitting on **Wednesday, 17th February, 2021**, read the Second time, a **Bill for an Act to Provide for an Effective National Framework for the Control of Outbreaks of Infectious Diseases and Other Events Endangering Public Health and Requiring Public Health Emergency Measures and For Other Related Matters (SB. 413)** and referred same to the Committee on Primary Healthcare and Communicable Diseases for further legislative action.

The member Bill was read at plenary for the first time on 30th June, 2020.

2.0 MEMBERSHIP OF THE COMMITTEE:

- | | | |
|----------------------------------|---|---------------|
| 1. Senator Chukwuka G. Utazi | - | Chairman |
| 2. Senator Sadiq Suleiman Umar | - | Vice Chairman |
| 3. Senator Yahaya O. Ibrahim | - | Member |
| 4. Senator Theodore Orji A. | - | Member |
| 5. Senator Mathew Urhogide | - | Member |
| 6. Senator Yaroe Binos Dauda | - | Member |
| 7. Senator Ibrahim Aliyu Danbaba | - | Member |

3.0 OBJECTIVES OF THE BILL

Mr. President, Distinguished Colleagues, the Bill seeks to establish an up-dated and comprehensive legislative framework providing for the norms, basis for the making of regulations, rules and guidelines and measures to be applied in the event of any outbreak of infectious and contagious diseases or public health event within or outside Nigeria.

It also provides the frame work that will necessitate a declaration by the appropriate authority of a public health emergency and to provide a sound basis for the measures and actions of the appropriate authorities during the period of the public health emergencies to control and contain the spread of infectious or contagious diseases or public health events.

Similarly, the Bill is to ensure a timely response, control and management of public health emergencies and proper coordination in the administration and management of public health during periods of public health emergencies with necessary checks and balances, accountability and control.

On the whole, the Bill comprises 8 parts, 60 clauses and 2 schedules as follows;

- i. Part One explains in great detail the objectives of the Bill;
- ii. Part Two deals with the declaration of public emergency and appointment of Task force;
- iii. Part Three deals with the general administration of public health emergency;
- iv. Part Four deals with the control of public health emergencies within Nigeria;
- v. Part Five deals with the prevention and control of spread of infectious diseases from an infected area outside Nigeria;
- vi. Part Six establishes enforcement: Powers of the Task force;
- vii. Part Seven explains Rights of persons: Healthcare providers and Infected persons; and
- viii. Part Eight deals with miscellaneous provisions.

4.0 METHODOLOGY

In order to carry out its assignment effectively, the Committee resolved to adopt the following legislative framework:

- i) The Committee placed advertisements in both print and electronic media for public awareness;
- ii) Conduct a Public Hearing in order to collate inputs from critical stakeholders and indeed the entire Nigerian people;
- iii) Received submissions from stakeholders;
- iv) Review the Bill as well as all the memoranda submitted by stakeholders during the public hearing;
- v) Examine other issues that the Committee consider germane to the successful conduct of the assignment;
- vi) Critically examined issues raised by Distinguished Senators during the Second Reading of the Bill; and
- vii) Consult widely on the justifications for passing the Bill into Law.

5.0 PUBLIC HEARING

The Committee on **Thursday, 6th May, 2021**, conducted a one-day Public Hearing to elicit views from stakeholders and the general public on the merits of the proposed Bill. The Public Hearing was declared open by the President of the Senate.

A total of seventeen (17) memoranda were received by the Committee while 15 stakeholders from all fields of health sectors including public, private, and civil organisations attended the session and made presentations.

The following government agencies/professional and civil organisations, made submissions and presentations:

- The Federal Ministry of Health;
- The Federal Ministry of Agriculture;
- Federal Ministry of Justice;
- Nigeria Centre for Disease Control (NCDC);
- National Agency for Food and Drug Administration and Control (NAFDAC);
- National Agency for the Control of AIDS (NACA);
- Veterinary Council of Nigeria;
- National Primary Healthcare Development Agency;
- Red Cross Society;
- Youth Initiative for Advocacy, Growth and Advancement (YIAGA)
- Nigeria Governors' Forum;
- National Association of Community Health Practitioners (NACHPN);
- Nigeria Infectious Diseases Society;
- Health Ethics and Law Consulting;
- Legislative Advocacy Initiative for sustainable Development (LISDEL); and
- Association of person living with disability.

6.0 LEGISLATIVE ACTION

The Committee held several meetings, consultations and retreats in the course of processing this Bill and painstakingly analyzed the presentations made at the Public Hearing. Similarly, the Committee further carried out comprehensive reviews with emphasis on inputs made by the stakeholders before it came up with the final report prescribing amendments to a total of six (6) provisions as recommended by the stakeholders and accepted by the Committee. Other subsequent amendments relate to cross referencing as well as realignment of provisions as contained in the Bill.

The Committee also considered the provisions contained in the existing NCDC Act, Quarantine Act and Other Health Acts, principally to avoid conflicts with this Bill.

Specifically, the provisions that are consistent with the intendment of the Bill were retained and thirteen (13) new vital clauses were inserted and renumbered accordingly with a view to enhancing the scope and structure of the Bill.

The thirteen (13) new clauses inserted are 4, 7, 8, 9, 14, 21, 24, 28, 30, 31, 39, 44 and 52. This insertions were done to strengthen the Bill amongst other vital reasons.

For instance, clause 4, which deals with Public Health Emergency Area, was introduced to give coherence to the Bill and empower Mr. President, using his discretion to issue an order prohibiting the entry into Nigeria of any person or class of persons declared under subsection (1) as a public health emergency area;

Clause 7 provides the procedure for Terminating a public Emergency Order;
Clause 8 clarifies the responsibilities of State Government during Public Health Emergencies;

Clause 9 provides for designation of Isolation Centres, Quarantine Stations and make-shift Hospitals;

Clause 14 introduced to address animal Zoonotic diseases which may be the source of Public Health Emergencies;

Clause 21 gives effect to Change of Appropriate Authority from NCDC to the Task Force;

Clause 24 gives additional provision to Contact tracing measure;

Clause 28 was introduced to provide for a general duty care to Health Officers or Services during Public Health Emergencies;

Clause 30 provides for the general provision of power of the Task Force to implement and enforce public Health Emergencies;

Clause 31 is to ensure Nigeria compliance with International Health Regulations (IHR) standard;

Clause 39 provides for the Protection of Law Enforcement Officers; and

Clause 44 spelt out Right and Obligations of persons suspected of having Infectious diseases.

The six (6) amended clauses are 2,5,6, 15(b), 18(1), 42(1) while others were retained.

Details of the Committee action is contained in the attached Report.

7.0 OBSERVATIONS

Mr. President, Distinguished Colleagues, in line with the views canvassed by stakeholders and members of the public at the hearing sessions as well as subsequent analysis of the presentations vis-à-vis the provisions of the Bill, the Committee hereby observed as follows:

- i. that the intendment of the Bill is laudable and commendable as its passage by the Senate will address the challenges posed by any sudden outbreak of infectious diseases endangering public health in Nigeria ;
- ii. that all stakeholders were in total support of the passage of the Bill as there was no dissenting voice to the passage of the Bill; and
- iii. that the passage of this Bill will no doubt ensure timely response to the treatment and prevention of the spread of infectious diseases during the periods of public health emergencies;
- iv. That the Bill is not only timely, but desirable.

8.0 RECOMMENDATION

After a thorough evaluation and analysis of submissions on the proposed legislation, the Committee hereby recommends that:

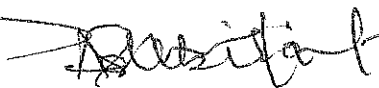
The Senate do Approve the Recommendations of the Committee on **A Bill for an Act to Provide for an effective national framework for the control of outbreaks of infectious diseases and other events endangering public health and requiring public health emergency measures and for other related matters (SB. 413)**

9.0 CONCLUSION

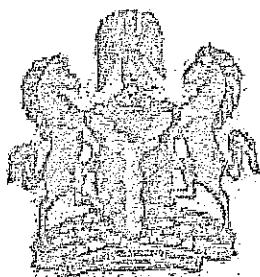
The Committee wishes to appreciate the entire Senate and its leadership for the opportunity and confidence reposed on us to serve in this capacity.



Senator Chukwuka G. Utazi
Chairman of the Committee



Adebisi Sherifat
Clerk of the Committee



THE SENATE
FEDERAL REPUBLIC OF NIGERIA
COMMITTEE ON PRIMARY HEALTHCARE AND COMMUNICABLE DISEASES

ENDORSEMENT SHEET

REPORT OF THE SENATE COMMITTEE ON PRIMARY HEALTHCARE AND COMMUNICABLE DISEASES ON A BILL FOR AN ACT TO PROVIDE FOR AN EFFECTIVE NATIONAL FRAMEWORK FOR THE CONTROL OF OUTBREAKS OF INFECTIOUS DISEASES ENDANGERING PUBLIC HEALTH DURING PERIODS OF PUBLIC HEALTH EMERGENCIES AND FOR OTHER RELATED MATTERS (SB 413)

S/N	NAMES	DESIGNATION	SIGN
1	Sen. Chukwuka G. Utazi	Chairman	
2	Sen. Umar Sadiq Suleiman	Vice Chairman	
3	Sen. Theodore Orji	Member	
4	Sen. Yaro Binos Dauda	Member	
5	Sen. Matthew Urhogide	Member	
6	Sen. Oloriegbe Yahaya Ibrahim	Member	
7	Sen. Ibrahim A. Danbaba	Member	