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REPORT OF THE HOUSE COMMITTEE ON INFECTIOUS DISEASES AND HUMAN RIGHTS ON A BILL FOR AN ACT TO MAKE PROVISION FOR THE PREVENTION OF TUBERCULOSIS-BASED DISCRIMINATION AND PROTECT THE FUNDAMENTAL HUMAN RIGHTS AND DIGNITY OF PEOPLE LIVING WITH AND AFFECTED BY TUBERCULOSIS; AND FOR RELATED MATTERS (HB.2298)

Provisions of the Bill	Recommendations of the Committee
Long Title **A BILL FOR AN ACT TO MAKE PROVISION FOR THE PREVENTION OF TB-BASED DISCRIMINATION AND PROTECT THE FUNDAMENTAL HUMAN RIGHTS AND DIGNITY OF PEOPLE LIVING WITH AND AFFECTED BY TB; AND FOR RELATED MATTERS (HB.2298)**	***Long Title*** *A Bill for an Act to Make Provision for the Prevention OF TB-Based Discrimination and Protect the Fundamental Human Rights and Dignity of People Affected by TB and for Related Matters (HB.2298)*
Part I – OBJECTIVES **Objectives** **1.** The purpose of the Act is to protect the rights and dignity of people living and affected by TB- (a) eliminating all forms of discrimination based on TB status; (b) creating a supportive environment so that people diagnosed of TB are able to continue working under normal conditions for as long as they are medically fit to do so; (c) Promoting appropriate and effective ways of managing TB in the work place, community, institutions and other fields of human endeavor;	*ENACTED by the national Assembly of the Federal republic of Nigeria* **Part I – OBJECTIVES** **1. Objectives** *The purpose of the Act is to eliminate TB and uphold the rights and dignity of persons affected by TB by:* (a) *Designing and implementing comprehensive strategies for robust prevention measures, early diagnosis, effective treatment, and generous care and support;* (b) *Establishing enforceable rights of people affected by TB to life, health, nondiscrimination, privacy, liberty, and others and guaranteeing legal remedies for their violations;* (c) *Ensuring equitable access to TB prevention, diagnosis, treatment, care, and support services, with a particular focus on TB key and vulnerable populations, such as children, healthcare workers, migrants and other mobile populations, people living with HIV, diabetes, or other comorbidities affecting their immunity, prisoners*

(d) creating a safe and enabling working and learning environment for all persons; (e) Creating a balance between the rights and responsibilities of all persons in the society; and (f) Giving effect to human rights guaranteed in chapter 4 of the 1999 constitution of the Federal Republic of Nigeria, as amended, and obligations under international and regional human rights and other instruments.	*and other persons deprived of their liberty, rural populations, women, the urban poor, and other groups at heightened risk of TB;* (d) *Creating balance between the rights and responsibilities of all persons in the society, and giving effect to Fundamental Rights guaranteed in Chapter IV and Fundamental Objectives and Directive Principles of State Policy in Chapter II of the 1999 Constitution of the Federal Republic of Nigeria, as amended, as well as obligations under international and regional human rights law and other commitments;* (e) *Assuring institutional accountability and strengthening the public health response by fostering collaboration among government agencies, healthcare providers, civil society organizations, people affected by TB, and international partners;* (f) *Raising awareness and promoting education about TB to combat stigma and misinformation, thereby creating a supportive environment for people affected by TB;* (g) *Encouraging research, development, and innovation for new, more effective TB prevention, diagnosis, and treatment technologies and approaches;* (h) *Adopting global standards and best practices and developing locally relevant solutions; and* (i) *Mobilizing sustainable funding and resources for TB programs while ensuring their effective allocation and utilization to meet national TB elimination goals*
Application 2 -(1) This Act applies to all persons living with and affected by TB in Nigeria. (2) This Act applies to all employers of labor and employees in the public and private sectors including the Nigeria Armed forces, the Nigeria Police, State Security Services, other Para - military organizations, schools, hospitals and place of worship.	**2. Application—** *(1) This Act applies to all persons affected by TB in Nigeria.* *(2) This Act applies to all persons within the Federal Republic of Nigeria.*

PART II - PROTECTION OF THE RIGHTS OF PEOPLE LIVING WITH OR AFFECTED BY TB FROM DISCRIMINATION ON THE BASIS OF THEIR TB STATUS **Non - Discrimination on the basis of TB status** **3** -(1) People living with or affected by TB have right to freedom from discrimination on the basis of their real or perceived TB status concerning access to and conditional employment, conditions of employment, committing of employment, employment benefits, comprehensive health services, education, use of public facilities and other social services provided by the employer, individual, community, government or any other establishment (2) Individual, communities, institutions, employers and employees have a mutual responsibility to prevent TB - related stigma and discrimination in the society. (3) No culture, practice or tradition shall encourage practices that expose people to the risk of TB infection.	**Part II: National Plan for Tuberculosis Elimination** **3. Declaration of Policy** *The State shall:* (1) *Adopt a people-centred, rights-based approach to eliminating TB in Nigeria, working closely with civil society and people affected by TB;* (2) *Increase investments in TB prevention, diagnosis, treatment, care, and support services; and* (3) *Implement a multi-sectoral approach to TB elimination, involving all the relevant Ministries and Departments and including partnerships with international and private sector stakeholders.*
Protection of the rights of people living with TB **4** (1) Every individual, community, institution and employer shall take steps to protect the human rights of people living with or affected by TB by eliminating TB related discrimination in all settings, including employment, health and educational institutions, policies and practices. (2) Every individual, community, institution and employer shall take steps to promote equality of opportunity and treatment and non-discrimination on the basis of real or perceived TB status and TB related illness.	**4. Comprehensive National TB Elimination Plan** (1) *The Minister of Health and Social Welfare shall develop and adopt a National TB Elimination Plan in coordination with relevant stakeholders, including people affected by TB.* (2) *Among other things, this Plan shall include:* (a) *Explicit commitments and operational plans for a multi-sectoral, people-centred, rights-based TB response;* (b) *Targets and strategies for people-centred TB prevention, diagnosis, treatment, care, and support, including:*

	(i) *intellectual property and other availability or accessibility barriers;* (ii) *Vaccination and immunization;* (iii) *Surveillance, risk assessment, and disease mapping;* (iv) *Systematic screening, active case finding, and contact tracing;* (v) *Infection control and prevention in closed and congregate settings;* (vi) *Provision of free drugs for drug-sensitive and drug-resistant TB, including preventive treatment;* (vii) *Provision of free diagnostic services, prioritizing rapid molecular diagnostics; (vii) Community-based services;* (viii) *Psychosocial support during treatment, including professional and peer-to-peer counseling, nutrition support, transportation expenses, and other support as required;* (ix) *Alternative treatment strategies beyond directly observed therapy (DOT), including differentiated, people-centred care; and* (x) *Procedures to identify, procure, and integrate new, more effective prevention, testing, treatment, care, and support technologies as they become available, such as digital and artificial intelligence-based technologies, employing strategies to overcome integration, access, affordability, and implementation challenges.* (c) *Identification and targeted interventions to support TB key and vulnerable populations, such as children, healthcare workers, migrants and other mobile populations, people living with HIV, diabetes, or other comorbidities affecting their immunity, prisoners and other persons deprived of their liberty, rural populations, women, the urban poor, and other groups at heightened risk of TB;*

	(d) *Mandatory periodic training for healthcare workers on people-centred, gender- and culturally sensitive TB services delivery and non-stigmatizing care, including for TB key and vulnerable populations;* (e) *Permanent, funded mechanisms to facilitate the meaningful participation of civil society and people affected by TB in TB-related decision-making processes;* (f) *Community-led monitoring and other community-led activities; and* (g) *Collaboration with international organizations for technical and financial assistance.* (3) *The Minister of Health and Social Welfare shall review and update the National TB Elimination Plan every three to five years.*
Right to take affirmative action **5** -(1) No individual, community, institution, employer or employee shall discriminate, directly or indirectly, against any person in the society on the basis of he persons TB status or perception of same in employment, delivery of services and other benefits. (2) for the purpose of this Act, it is art unlawful to- (a) take affirmative action consistent with the purpose of this Act; or (b) distinguish, exclude or prefer any person on the basis of an inherent requirement of a job or any other services.	**5. National TB Guidelines** *(1) The Minister of Health and Social Welfare, with input from experts and other stakeholders, including people affected by TB, shall develop, promulgate, and implement national TB guidelines based on global standards and best practices, including those established by the World Health Organization and Stop TB Partnership, for:* (a) *TB prevention, diagnosis, treatment, care, and support;* (b) *Ethical and human rights-based clinical practices and public health interventions, such as systematic screening, active case finding, and contact tracing, and* (c) *Standard operation procedures for TB outbreaks during natural or man-made disasters.*

(3) Affirmative action in accordance with this Act shall include measures designed to- (a) ensure that people living with or affected by TB enjoy equality of opportunity and treatment in relation to employment and occupation. (b) identify and eliminate barrier which adversely affect people living with and affected by TB; and (c) further diversity (including gender diversity) in the society based on equal dignity and respect for all people. (4) Nothing in this section shall require an individual, community, employer or employee to engage in any act or omission concerning policies and or practices that would establish a barrier to the continued enjoyment of personal or constitutionally guaranteed rights on the basis of their real or perceived TB status.	
Acts amounting to discrimination **6.** It is an offence to discriminate against any person on the basis of their real or perceived TB status by- (a) denying or removing from such person any treatment, medication or any supporting and enabling facility for their functioning in the society. (b) refusal to accept and offer treatment by qualified medical personnel except in such cases when the special care or facilities specifically required for treatment of TB does not exist in that health facility; (c) failure to remove, eliminate or ameliorate any obstacle that unfairly limits or restricts such a person from enjoying equal opportunities or failing to take steps to reasonably accommodate the needs of such a person; (d) refusal to admit into school or not allowing them to continue in an educational institute; (e) denial of access to and use of religious or worship areas and services (f) denial of access to and use of communal places, residential spaces and other social facilities;	**6. Human Rights and Gender Action Plan for TB Care and Prevention in Nigeria** (1) *The Minister of Health and Social Welfare, with input from experts and other stakeholders, including people affected by TB, shall develop and adopt a costed Human Rights and Gender Action Plan for Tuberculosis Care and Prevention in Nigeria, noting the 2021-2025 draft plan, to operationalize a right-based, gender-sensitive TB response.* (2) *The Minister of Health and Social Welfare, with input from experts and other stakeholders, including people affected by TB, shall review and update the Human Rights and Gender Action Plan every three to five years.*

(g) depriving such persons of the rights to an elected or appointed public or private office or admission to a public or private function. (h) denial of access to credit, loans and insurance services so long as the person has disclosed, where required, in utmost good faith, his or her status to the insurance company or financial institution; (i) denial of access to any places of human endeavor; (j) prohibiting such persons from marrying anyone of their choice provided the latter's informed consent is obtained in a right frame of mind and he or she is informed about his or her partner's TB status: Provided that the status, nature or conduct of the person so concerned is not such as may expose other persons to the danger of contracting the virus.	
Provision of reasonable accommodation 7. An individual, community or employer shall provide reasonable accommodation to support people living with or affected by TB.	**7. TB Screening** (1) *An employer, healthcare facility, or relevant body may provide TB screening, in accordance with the National TB Guidelines and WHO recommendations, to any person who voluntarily requests it in the following circumstances:* *(a) as part of routine healthcare or occupational health services;* *(b) following an occupational exposure or incident that may increase the risk of TB; and* *(c) for the purpose of assessing eligibility for compensation following occupational exposure.* (2) *Any person who presents with a persistent cough lasting two weeks or more, or exhibits other symptoms consistent with active TB, shall be advised and counsel to undergo TB screening in accordance with national TB guidelines.* (3) *TB screening under this provision shall only be conducted under the following conditions:* (a) *the individual voluntarily requests the screening;*

	(b) *screening is conducted within a professional healthcare context, such as a healthcare worker-patient or employer-employee relationship; and* (c) *informed consent is obtained, with appropriate counseling provided in line with national guidelines.* (4) *Any voluntary disclosure of TB status during screening shall remain confidential and shall not be shared with any person or entity without the explicit consent of the individual. Where written consent is not possible, the employer or relevant body shall take all reasonable steps to ensure that the individual agrees to the disclosure before sharing any information.* (5) *No employer, institution, body or individual shall require a TB test as a precondition to an offer of employment, access to public or private services or opportunities, except where it is shown, on the certification of two competent medical authorities (working Independently) to the court that failure to take such a test or screening constitute a clear and present danger of TB transmission to others.* (6) *Employers may request TB screening for employees only under the following conditions:* *(a) when there is documented evidence of workplace exposure to infectious TB;* *(b) upon certification by a qualified medical professional that screening is necessary for infection control; or* *(d) when legally authorized by a court pursuant to this Act.* (7) *where screening identifies occupational TB exposure, employers shall provide full support, compensation, and accommodations as provided under the Employees' Compensation Act.*

	(8) *No educational Institution shall require TB testing as part of its routine medical testing requirements for admission requirements for admission accreditation of learners.* (9) *for the purpose of sub-clause(5) of this section, the compilation of the list of competent 'medical authorities shall be the responsibility of the ministry of health.* (10) *Employers and participation in voluntary TB screening shall not result in discrimination, stigmatization, or exclusion from employment, education, or other social services.*
Disclosure of TB status **8.**-(1) Prior to accessing any public or privately delivered services, employment and any other opportunity, no individual, institutions or bodies shall require a person to disclose his or her TB status or the status of any other person, by asking questions, orally or in writing, directly or indirectly. (2) Notwithstanding the provisions of this section, any partner in a marriage or co-habiting relationship has the right to be informed of his or her partners TB status in a situation where he or she considers himself or herself at risk of being infected by a partner.	***8. Notification of TB Cases*** (1) *All healthcare providers shall notify the Ministry of Health and Social Welfare through the NTBLCP of confirmed TB cases in compliance with national TB guidelines and with respect for the privacy and confidentiality of people with TB, ensuring the privacy and security of their personal data.* (2) *Failure to notify confirmed TB cases through the NTBLCP reporting structure shall constitute an offence in accordance with the provisions of this Act.*
TB testing **9.**-(1) No employer, institution, body or individual shall require a TB test as a precondition to an offer of employment, access to public or private services or opportunities, except where it is shown, on the certification of two competent medical authorities (working Independently) to the court that failure to take such a test constitute a clear and present danger of TB transmission to others.	***9 Regulation of TB Drugs*** (1) *All TB drugs shall be provided free of charge by the state.*

(2) No educational Institution shall require TB testing as part of its routine medical testing requirements for admission requirements for admission accreditation of learners. (3) for the purpose of subsection (1) of this section, the compilation of the list of competent 'medical authorities shall be the responsibility of the ministry of health (4) TB testing under this section shall be carried out with the informed and full consent of the person concerned in accordance with national guidelines on confidentiality and counseling. (5) Nothing in Subsection (1) of this section shall prevent the medical testing of person's fitness for work or any other responsibility as a precondition for an offer of employment and other responsibility as provided in an existing law.	(2) *The National Agency for Food and Drug Administration and Control (NAFDAC) shall ensure the quality and safety of TB drugs.* (3) *Over-the-counter sale of TB drugs without prescription in retail pharmacies shall be prohibited, and prescription and dispensing rights of TB drugs shall be restricted to accredited providers and facilities, including qualified private providers.*
Provision of testing on request **10.**-(1) An employer or relevant body may provide TB testing in compliance with the National TB counseling and testing guidelines to any Person who has requested a test in the following Circumstances- (a) As part of a health care service; (b) In the event of an occupational accident or other incidents carrying a risk of exposure to blood or other body fluids; and (c) For the purpose of applying for compensation following an occupational accident or other incidents involving a risk of exposure to blood or other body fluids. (2) The tests referred to in subsection (1) shall only take place within the following defined conditions- (a) at the instance of an individual who voluntary requests; (b) within the context of a health care worker and employee-patient relationship; and	**10. Provision of testing on request** **Delete**

(c) with informed consent and pre -and post - test counseling provided by the employer and other relevant bodies. (3) where a person chooses to voluntarily disclose his or her TB status to the employer, employees and relevant bodies, this information shall not be disclosed to other persons without the written consent of the person making such disclosure, provided that where such written consent is not possible the employer or body in receipt of the disclosure shall take all necessary steps to confirm that such person wishes to disclose his or her status.	
Prohibition of disclosure of status without consent **11.**-(1) No person shall, except with the written consent of the individual to whom the information relates, disclose any information relating to the TB status of that individual unless the disclosure is required by law. (2) for the purposes of section II, a person or institution shall be deemed to have breached confidentiality where an individual who receives information about another individual's TB positive status in the course of their relationship discloses such to a third party without the written consent of the TB positive employee	**11. TB Designated an Occupational Disease** (1) *TB shall be designated an occupational disease added to the List of Occupational Diseases in the First Schedule of the Employee's Compensation Act, 2010 (Cap. A1283).* (2) *In addition, employees who develop post-TB lung sequelae arising from occupational exposure shall be entitled to appropriate compensation and benefits under the Employee's Compensation Act, in recognition of the long-term impact on their health, productivity, and quality of life.*
Anonymous TB testing not precluded **12.**-(1) Nothing in the foregoing sections shall preclude anonymous unlinked surveillance or epidemiological TB testing provided that it is undertaken in accordance with ethical and legal principles regarding such research and the information obtained shall not be used to discriminate against individuals or group of persons. (2) Testing will not be considered anonymous if there is a reasonable possibility that a person's name or personal identifying features can be linked to the test.	**12. Funding and Appropriations** *The funds necessary to implement this Act shall be allocated through the Ministry of Health and Social Welfare and other relevant Ministries under the national budget.*

Confidentiality **13.**-(1) All persons living with TB or affected with TB shall have the right to protection of data with respect to their health and medical records. (2) A person who fails to comply with the provision of this section commit an offence and is liable on conviction to a fine of not less than N 500,000 for an individual and N 1 million for an institution or for a term not exceeding two years, or to both fine and imprisonment.	**13. Reporting Requirements** *The Minister of Health and Social Welfare shall submit an annual report to the National Assembly on the implementation and impact of this Act and detailing the progress and challenges in implementing the National TB Elimination Plan, including recommendations for improvements.*
Eligibility for social security, care and support benefits **14.**-(1) Subject to any existing law, the TB status of an employee shall not affect his or her eligibility for any occupational or other benefit scheme provided for employees. (2) where under any existing law the eligibility of a person for any occupational or other benefit scheme is condition upon a TB test, the conditions attached to TB, shall be the same as those applicable in respect of comparable chronic conditions (3) where an employee decides not to undergo TB testing for the purpose of subsection (2) no inferences concerning the TB status of the employee may be drawn from such exercise. (4) where an employee undergoes TB testing for the purpose of subsection (2) the employer shall not, unless the occupational or other benefit scheme is operated by the employer, be entitled to information concerning the TB status of the employee concerned. (5) Real or perceived TB status shall not be a cause for determination of employment	**PART III: RIGHTS OF PERSONS AFFECTED BY TUBERCULOSIS TB** **14. Legal Status and Enforceability of the Rights of Persons Affected by TB** *The rights established in this Act are legally enforceable by persons affected by TB or organizations representing them in courts of law and other adjudicatory or quasi-adjudicatory bodies that may be authorized to hear such claims.*
Occupationally acquired TB infection **15.** Every employer has a duty as far as is practicable to provide a safe workplace and this shall include ensuring that the risk of occupational exposure to TB is minimized.	**15. Right to Life** (1) *The right to life of every person affected by TB is inviolable.* (2) *The State shall guarantee timely and unimpeded access to life-saving healthcare services for persons with TB.*

	(3) *Any delay, denial, or withholding of TB care shall be considered a violation of this Act.*
Duty to provide safety procedure against occupational transmission **16.** Every employer engaged in business where there is a risk of occupational transmission of TB within the workplace shall ensure that it adopts a safety procedure that provides- (a) appropriate training awareness and education on the use of universal infection control measures so as to identify, deal with, and reduce the risk of TB transmission in the workplace (b) appropriate personal protective equipment and materials to protect employees from acquiring or transmitting TB (c) the steps to be taken following an occupational accident including the appropriate management of occupational exposure to TB and other blood borne pathogens, including access to post exposure prophylaxis. (d) the procedures to be followed in applying for compensation for occupational infection and (e) educate monitoring of occupational exposure to TB to ensure the requirements of possible compensation claims are met.	**16. Right to Dignity and Respect** (1) *Every person affected by TB has the right to be treated with dignity and respect.* (2) *No person affected by TB shall be subjected to stigmatization, humiliation, or coercion.* (3) *Healthcare facilities and providers shall be legally obligated to treat persons affected by TB with respect as autonomous individuals with inherent dignity.*
Report of occupationally acquired TB infections to the minister **17.**-(1) Every employer shall ensure that all occupationally acquired TB infections are reported to the Minister from the date of discovery. (2) it is an offence for an employer to fail to comply with the provisions of subsection (1) of this section or to knowingly or recklessly make any statement or produce any document that is false in any material particular unless such employer shows that he had taken all reasonable steps to ascertain the truth of the statement made or contained in any document so produced or to safety itself as to the geniuses of any such document. (3) An employer who contravenes subsection (2) of this section commits an offence and is liable on conviction to fine of not less than N250, 000. 00 or to imprisonment for a period not exceeding one year or to both such fine and imprisonment.	**17. Right to Health** (1) *Every person affected by TB has the right to enjoy the highest attainable standard of physical and mental health.* (2) *The State shall guarantee the availability, accessibility, acceptability, and quality of health facilities, goods, and services for TB, with special attention to TB key and vulnerable groups and prioritization of the most effective prevention, diagnostic, and treatment technologies.*

(4) To protect the confidentiality of the infected employee, the report shall be sent directly from employer to a designated desk officer at the office of the relevant Minister.	
Provision of support **18.** An employer in whose workplace an employee becomes infected with TB shall provide the employee with reasonable support prior to sero-conversion and during . sero - conversion phases of the infection including costs of medical tests and supply of medicines and treatment for opportunistic infections.	**18. Right to Equality and Access to Justice** *Persons affected by TB are entitled to equal protection of the law and access to the justice system, regardless of their ability to pay, including to enforce their rights under this Act and appeal any decision restricting their rights, entitlements, or freedoms based on their health status.*
Compensation **19.**-(1) Subject to the provisions of subsection (2) of this section an employee or client who becomes infected with TB in the course of employment or receiving a service shall be entitled to compensation: provided that an employer or provider of service is not liable for TB infection arising from an act not done for the purpose of, and in connection with the employer's or service provider's business or trade.	**19. Freedom from Discrimination** ***(1) Right to Freedom from Discrimination*** *Every person affected by TB, including people with TB, TB survivors, and their family members and associates, has the right to be free from all forms of discrimination based on their TB status (actual or perceived), membership in any group, or any other characteristic, including but not limited to sex, gender, race, religion, ethnicity, age, disability, immigration status, social or economic status.*
(2) Notwithstanding the provisions of subsection (1) of this section, an employer or service provider shall not be liable to pay compensation under this Act if it is proved that the infection resulted from the willful act of self-injury or gross negligence of the employee or client.	***(2) Prohibition of Discrimination*** *Discrimination against persons affected by TB, whether direct or indirect, is prohibited in all settings, including healthcare, employment, education, housing, marriage, public facilities, public office, social services, financial services, and other places of human activity.*
(3) An employer or service provider shall take reasonable steps to assist employees or clients with the application for compensation benefits including- (a) providing information to affected employees or clients on the procedures that will need to be followed in order to qualify for a compensation claim; and	***(3) Obligations to Prevent Discrimination*** *Every individual, community, institution, and employer shall take reasonable steps to eliminate TB-related discrimination by:* (i) *providing equitable access to healthcare, education, employment, and social services;* (ii) *removing barriers that limit equal opportunity;*

(b) assisting with the collection of information which will assist in proving that employees or clients were occupationally exposed to TB infection.	(iii) *ensuring policies, practices, and workplace arrangements are inclusive and accommodating; and* (iv) *respecting the dignity and rights of persons affected by TB.* ***(4) Acts Amounting to Discrimination*** *It is an offence to discriminate against any person on the basis of their TB status (actual or perceived) by:* *(a) denying or withdrawing access to TB treatment, care, or any necessary supporting services;* *(b) refusing treatment or care except where specialized TB services are unavailable, in which case timely referral shall be made;* (c) *failing to reasonably accommodate needs or remove barriers that limit equal opportunity;* (d) *refusing admission into, or continuation in, educational institutions;* (e) *denying access to religious, communal, residential, workplace, or other social facilities;* (f) *excluding from eligibility for public or private office or participation in public or private functions;* (g) *denying access to financial services, including credit, loans, or insurance, where required disclosures have been made in good faith;* (h) *denying access to public spaces, services, or other places of economic or social activity;* (i) *restricting the right to marry or form a family, provided informed consent is obtained and appropriate counselling on TB prevention and care is offered.* ***(5) Cultural Practices*** *No culture, practice, or tradition shall encourage practices that expose people to the risk of TB infection or that promote TB-related stigma or discrimination.*

	Affirmative Action *(6) (a) No individual, community, institution, employer or employee shall discriminate, directly or indirectly, against any person in the society on the basis of the persons TB status or perception of same in employment, delivery of services and other benefits.* *(b) for the purpose of this Act, it is Act unlawful to –* (i) *take affirmative action consistent with the purpose of this Act; or* (ii) *distinguish, exclude or prefer any person on the basis of an inherent requirement of a job or any other services.* *(c) Affirmative action in accordance with this Act shall include measures designed to–* (i) *ensure that people affected by TB enjoy equality of opportunity and treatment in relation to employment and occupation.*\ (ii) *identify and eliminate barrier which adversely affect people affected by TB; and* (iii) *further diversity (including gender diversity) in the society based on equal dignity and respect for all people.* *(d) Nothing in this clause shall require an individual, community, employer or employee to engage in any act or omission concerning policies and or practices that would establish a barrier to the continued enjoyment of personal or constitutionally guaranteed rights on the basis of their real or perceived TB infection.*
Grievance procedures **20.** An employer shall ensure that the rights of employees living with or affected by TB, and the remedies available to them in the event of a breach of such rights are integrated into existing workplace grievance procedures.	**20. Right to Privacy and Confidentiality** (1) *Every person affected by TB has the right to privacy, and the health status of persons affected by TB is strictly confidential.* (a) *In accordance with Clause26 of the National Health Act, 2014 (Cap. A139), a healthcare worker may only share information about a person's TB status without the person's consent when*

	non-disclosure of the information represents a serious threat to public health, including when there is a highly probable risk of disease transmission and the healthcare worker has taken all reasonable steps to obtain the cooperation or consent of the person with TB without success. (b) *Under these narrowly defined circumstances, the information may only be shared with individuals directly at risk of contracting the disease from the person with TB.* (2) *Any misuse or unauthorized disclosure or sharing of the personal health information of persons affected by TB, electronically or otherwise, shall be unlawful.* (3) *The State shall establish stringent protocols for maintaining the confidentiality of health information and digital data collected or processed in clinical settings, digital adherence technologies, disease notification systems, or during public health interventions, such as systematic screening, active case finding, and contact tracing for TB.* (4) *The State shall ensure the physical infrastructure and operational procedures of health facilities are designed to protect the privacy and confidentiality of persons affected by TB, including by not revealing their health status through signs, procedures, or other administrative mechanisms.* (5) *for the purposes of this section, a person or institution shall be deemed to have breached confidentiality where an individual who receives information about another individual's TB status in the course of their relationship discloses such to a third party without the written consent of the person affected by TB or employee*

	(6) *Persons affected by TB have the right to file a legal claim and participate anonymously in all court or administrative proceedings using a court-appointed pseudonym.*
Workplace policies **21.**-(1) An employer employing five persons or more shall in consultation with the employees or their representatives, adopt a written workplace policy that is consistent with the National TB and workplace policy for its working environment; Provided that an organization in business as at the commencement of this Act; shall be required to adopt such policy within twelve months of the commencement of this Act, and for an organization established after commencement of this Act, within twelve months of commencement of business. (2) An employer shall lodge a copy of the organization's adopted TB workplace policy with the minister within one month of its adoption for approval. (3) Where a co-operation agreement between employers and employees' unions or representatives on TB workplace programming exists, an employer shall lodge a copy of such agreement with the minister within one month of its adoption. (4) Any employer who fails to comply with the provisions this section commits an offence and is liable on conviction- (a) In the case of subsection (1), to a fine ofN250,000 for the first year of default and Nl00,000 for each subsequent year or part thereof that the offence continues; (b) In the case of subsections (2) and (3) to a fine of NI 0,000 for every day or part thereof that the offence continues. (5) An employer who with intent to deceive, gives false information about the existence of a workplace policy or co-operation agreement commits an offence and is liable on conviction to a fine of N500,000.	**21. Right to Participation** (1) *Persons affected by TB have the right to participate in the TB response and TB-related decision-making processes as individuals or through their representatives in nongovernmental organizations, including during the formulation, implementation, monitoring, and evaluation of TB programs, policies, plans, guidelines, and other normative acts at all levels of governance.* (2) *Any deliberate exclusion of persons affected by TB or their representatives from these processes shall be unlawful.*

PART III - GENERAL OFFENCES **Threats, intimidation or offer of inducement** **22.**-(1) It is an offence under this Act to- (a)discriminate against any person or groups of persons who exercise any right under this Act. (b) threaten to or prevent any person from exercising any right under this Act. (c) favour or promise to favour any person in exchange for that person not exercising a right to formally report a contravention under this Act or participate in any proceeding under this Act. (2) Discrimination against any person under Subsection (1) (a) of this section includes, but is not limited to prejudicing anyone because of a past, present or anticipated disclosure of information that he or she is lawfully entitled to or required to give in any proceeding under this Act, exercising any right conferred by this Act or participating in any proceeding under this Act.	***22. Right to Information*** (1) *Every person affected by TB has the right to receive accurate, comprehensive, timely, and understandable information about TB disease and their diagnosis, treatment, and rights.* (2) *Healthcare providers must provide this information to persons affected by TB in clear, nontechnical terms in a language they understand.*
Penalty for non- compliance **23.** Subject to the provisions of this Act relating to other offences, any person or institution, who contravenes any of the provisions of this Act commits an offence and is liable on conviction to a fine of not less than N500,000 for individuals and N2,000,000 for organizations, or imprisonment for a period of not less than one year or to both such fine and imprisonment but in the case of an organization, the head or representatives of the board of the organization shall be held liable.	***23. Right to Liberty and Freedom from Arbitrary Detention*** (1) *Every person affected by TB has the right to liberty and to be free from arbitrary detention.* (2) *Involuntary isolation or hospitalization of a person with TB is a deprivation of liberty in all cases and is only permissible pursuant to a court order in accordance with this Act as a last resort under the following circumstances:* (a) *The court order is supported by accurate and precise medical evidence proving the person is contagious and poses a threat to the health of others, refuses appropriate treatment, is unable or unwilling to institute infection control measures in*

	the home, and all reasonable measures to initiate treatment and ensure adherence have been attempted and proven unsuccessful; (b) *The isolation or hospitalization is carried out in a medically appropriate setting for the shortest duration possible, and the person receives essential medical, nutritional, and social support; and* (c) *The person has the right to immediately appeal the order in a court of law.* (3) *Involuntary isolation or hospitalization of a person with TB shall never be instituted as a means of convenience or punishment, and it shall never occur in a prison or detention facility.* (4) *Violations of this Clause shall constitute a criminal offence punishable under this Act.*
PART IV - MONITORING AND LEGAL ENFORCEMENT **Ministers duty to ensure compliance** **24.**-(1) The Minister of Justice shall ensure compliance with, and enforce the provisions of this Act and, for that purpose, the Minister of Justice shall have the power to- (a) conduct an inquiry into any allegation of a contravention of this act. (b) make necessary recommendations to an institution or individual pursuant to an inquiry carried out under paragraph (a) of this section; and (c) commence criminal proceedings against anyone in a court of competent jurisdiction. (2) A person who has been affected by a contravention of this Act, or who has knowledge of a contravention of this Act shall have the right to petition the Minister of Justice.	**24. Right to Informed Consent** (1) *Every person affected by TB has the right to informed consent and to be free from nonconsensual medical examination or treatment.* (2) *Informed consent shall comprise sharing information about the risks and benefits of treatment, the risks of treatment non-adherence, and the side effects of all prescribed drugs with persons with TB before initiating their treatment and in a language they understand.* (3) *Forced, involuntary, or compulsory TB treatment, including during involuntary isolation or hospitalization, is strictly prohibited.*

(3) Subject to the provisions of section 25 of this Act, the Minister of Justice shall cause an inquiry to be instituted into the said contravention within two weeks of receiving the petition. (4) The procedure for an inquiry into a contravention under subsection (1) of this section shall be specified in the regulations made under this Act by the Minister of Justice after consultation with all affected parties' representatives provided that such regulations are adopted within twelve months of the commencement of this Act.	(4) *Violations of sub-clause (3) of this Clause shall constitute a criminal offence punishable under this Act.*
Recommendation based in inquiry **25.**-(1) Where at the conclusion of the inquiry, it is shown that there has been a contravention, the Minister of Justice may make a recommendation to the contravening individual or institution stating- (a) steps that must be taken to redress the contravention, which steps may include but shall not be limited to- (i) hiring or admitting the person adversely affected; (ii) reinstatement or reabsorbing of the affected person; (iii) restoration of benefits, entitlements or rights denied as a result of such contravention; (iv) payment of compensation or damages to the person affected by the contravention; (b) the period within which those steps must be taken; and (c) alternative recourse to be taken where the contravening person or institution refuses, fails or neglects to implement the recommendations. Provided that nothing in this section shall preclude the Minister of Justice from exercising power to commence criminal prosecution against the contravening person or institution under this paragraph.	**25. Freedom from Torture and Cruel, Inhuman, or Degrading Treatment or Punishment** (1) *Every person affected by TB has the right to be free from torture and other cruel, inhuman, or degrading treatment or punishment.* (2) *It is unlawful to subject any person affected by TB to cruel, inhuman, or degrading treatment or punishment in public or private schools, healthcare facilities, places of worship, or detention facilities, including those administered by the Nigerian Correctional Services, Nigeria Armed Forces, Nigeria Police Force, State Security Services, or other Para-Military Organizations.* (3) *The State shall provide safe, hygienic, and adequately resourced environments, free from overcrowding, with adequate ventilation and nutritious food, for all persons deprived of their liberty affected by TB, ensuring their dignity and well-being.*
Right of an individual or group to commerce a civil suit **26.**-(1) Nothing in this Act shall limit the personal right for an individual or group affected by a contravention of this Act to bring a civil action in court against any person or institution provided that whoever elects to do	**26. Freedom of Movement** *TB status shall not be used as grounds for restricting an individual's freedom of movement, choice of residence, or denying entry or re-entry into any territory or public space.*

so shall communicate his or her decision to the Minister of Justice in writing alongside the petition (2) where an individual or group exercises the right to commence a civil suit under subsection (I) of this section and notifies the minister of justice accordingly, the Minister of Justice shall not conduct an inquiry under section 24.	
Civil remedies and sanctions of the court **27.** Notwithstanding the express provisions of this Act relating to the imposition of criminal sanctions, where the court decides that an individual or group has been unfairly discriminated against, the court may make any appropriate order that is just and equitable in the circumstances including- (a) payment of compensation to the affected person or group; (b) payment of damages to the affected person or group; (c) an order directing the individual or institution to take steps to prevent discrimination or other contraventions occurring in the future in respect of others; or (d) an order directing the deregistration of a corporate body or withdrawal of an individual professional license.	**27. Right to Food** (1) *Every person affected by TB has the right to adequate food and to be free from hunger and malnutrition.* (2) *The State shall ensure persons with TB undergoing treatment have adequate and nutritious food, including those deprived of their liberty in detention settings.* (3) *Failure to fulfill this obligation shall constitute a dereliction of duty by the responsible authorities.*
Constitutional right of redress. **28.** Nothing in this Act shall preclude a person living with or affected by TB from seeking redress against any person or institution for any breach of his or her constitutional rights in accordance with the provisions of section 42 of the 1999 constitution of the Federal Republic of Nigeria as amended.	**28. Right to Work** (1) *Every person affected by TB has the right to work.* (2) *This right includes the right to safe and healthy working conditions and workplace accommodations, such as leaves of absences, flexible hours, breaks, or job reassignments, in all public or private workplaces and under formal or informal employment arrangements.* (3) *In accordance with Clause19 of this Act, employment and workplace discrimination against persons affected by TB is prohibited, including denial of employment, refusal to hire, dismissal, demotion, and failure to provide accommodations.*

	(4) *Public or private employers who violate this Clause shall face punitive measures, including fines, suspension, or imprisonment.* (5) *In accordance with Clause10 of this Act and pursuant to the Employee's Compensation Act, 2010 (Cap. A1283), employers shall be held liable for TB infections contracted in occupational settings, and affected individuals shall be entitled to ongoing compensation and support.*
Liability of a legal person **29.** An individual or body corporate shall be liable for the Acts of its officers contravening the provisions of this Act, provided that nothing in this section shall exclude such officers from personal liability for their Acts.	**29. Right to Social Security** *Every person affected by TB has the right to social security and social protection, including economic and other support during treatment, periods of disability, or unemployment due to TB and financial compensation for treatment-related expenses.*
Interpretation **30.** In this Act- Admission means an act of allowing to enter, act or condition of being received or accepted in a position, institution, facility, profession, occupation office or appointment. "TB" means Tuberculosis; "adverse action" includes but is not limited to termination, refusal to hire, or admit, rehire, promote, or any other discrimination in the terms or condition of employment, admission, service provision, policies or practices based on an individual's real or perceived TB status; "correctional facilities" means a prison, institution, prison, remand homes, detention camps; "Court" means a court of competent jurisdiction; "discrimination" means discrimination as defined in section 42 of the 1999 constitution of the Federal Republic of Nigeria as amended and the international human rights instruments; "Employee" includes any person, other than an independent contractor his representatives and agent who-	**Part IV: Duties of Stakeholder** **30. State Duty to Protect, Respect, and Fulfill** (1) *The State has the duty to respect, protect, and fulfill the rights of persons affected by TB.* (2) *Among other things, this includes:* (a) *Allocating adequate resources to TB programs and ensuring universal access to healthcare;* (b) *Prosecuting violations of this Act, including acts of stigmatization, discrimination, or abuse against persons affected by TB; and* (c) *Enforcing accountability mechanisms to ensure compliance with this Act.* (d) *Allocate resources to train healthcare workers on cultural competence and the delivery of gender-sensitive care.* (e) *Targeted funding shall support initiatives addressing gender-related barriers to healthcare in rural and underserved areas.*

(a) works for another person or for the state and who receives, or is entitled to receive any remuneration; and has entered into or works under a contract (whether expressed, implied, oral or written) with an employer whether the is for manual labour, clerical work or for the discharge of administrative, executive, technical or professional functions including armed forces and uniformed services, and whether such contract is a contract of service or a contract personally to execute any work or labour; (b) is an apprentice; (c) is a volunteer; Job applicant or (d) is employed and "employment" shall have corresponding meanings; "Employer" means a person or association of person, bodies corporate or unincorporated employing one or more persons under a contract (whether express implied, oral or written) whether the contract is for manual labor, clerical work or for the discharge of administrative, executive, technical or professional functions and whether such contract is a contract of services or a contract personally to execute any work or labor and includes the private sector, Federal, state or local government of Nigeria and the legal Personal Representatives of a deceased employer; "Employment policy or practice" includes, but is not limited to- (a) Recruitment procedures, advertising and selection criteria; (b) Appointments and the appointment process; (c) Job classification and grading; (d) Remuneration, employment benefits, terms and conditions of employment; (e) Job assignment; (f) The working environment and facilities; (g) Employee assistance programs; (h) Training and development; (i) Performance evaluation systems; (j) Promotion; (k) Transfers; (l) Demotions; (m) Disciplinary measures other than dismissal; and	(3) *The State shall ensure adequate staffing of Primary Healthcare (PHC) facilities with trained personnel capable of delivering comprehensive TB services, including screening, diagnosis, treatment, counseling, and follow-up care.* (4) *The State shall ensure that PHC facilities are equipped with essential tools, diagnostics, and commodities necessary for effective TB management, including rapid molecular diagnostics, PPE, and infection prevention materials.* (5) *The Ministry of Health and Social Welfare shall ensure early identification, testing, and treatment of tuberculosis in children.* (6) *Childhood TB screening shall prioritize household contact tracing, symptom-based evaluation, and the use of child-appropriate diagnostic tools, including clinical assessment, chest X-ray, and molecular testing, as recommended by national TB guidelines.* (7) *The State shall prioritize the deployment of health workers to underserve and high-burden rural areas.*

(n) Dismissal; "Everyday" means every working day and excludes weekends and public holidays officially declared by the state or Federal Government; "Facility" means an institution designed, built or installed to serve a specific function affording a convenience or service, eg educational, transportation, research, rehabilitation, vocational, recreational, medical services, etc,; "TBCT" means Tuberculosis counseling and testing; TB means Tuberculosis; "TB Testing" includes any test, question, inquiry, direct analysis of the blood or other body fluid or any other means designed or which has the effect of enabling anyone to infer or determine the presence of TB or other antibodies to TB; "informed consent" means that consent which is given or obtained only after individual has been provided with information about what the test is, why it is necessary, the benefits, risks, alternatives and any possible social implications of the outcome, understands it and based on this has agreed to undertake the TB test; 'institution" means an organisation establishment, foundation, society devoted to the promotion of a particular cause or program especially one of a public, educational or charitable character; "Minister" means the minister in charge of labour and productivity or whosoever the office may, from time to time, designate; "people with TB" means persons who have tested postive to the virus Tuberculosis, even if they are asymptomatic and have no outward or manifest signs of illness; "people affected by TB" means persons who have not tested-positive to TB but who are direct relatives, associates or friends of persons living with TB in particular their children, spouses, partners, parents, siblings, and primary care providers; "reasonable accommodation" means any modification or adjustment to job description, school or workplace or institution that is reasonably practicable	

and will enable a person living with TB to have access to, participate or advance in his or her chosen endeavor; "Sero-conversion" means the development of TB antibodies; when people develop antibodies to TB, the sero-conversion" goes from antibody-negative to antibody-positive. It may take from as little as from one week to several months or more after infection with TB for antibodies to the virus to develop. After antibodies to TB appear in the blood, a person should test positive on antibody test; "Society" means the totality of Nigeria, i.e., a group of people sharing the same geographical or virtual territory subject to the same political authority; and "workplace" includes all places where workers need to be or to go by reason of their work and which are under the direct or indirect control of the employer.	
	31. Access to Scientific Advancements (1) *The State shall prioritize investments in research and ensure equitable access to new TB technologies, including diagnostics, treatments, and preventive tools, including those developed through research and clinical trials.* (2) *Denial or delay in providing access to these advancements for people affected by TB shall be a violation of this Act.*
	32. Duties of Healthcare Providers (1) *Healthcare providers shall deliver people-centred, gender- and culturally sensitive TB services and non-stigmatizing care, including for TB key and vulnerable populations.* (2) *Healthcare workers shall undergo mandatory periodic training to meet their duty under sub-clause(1) of this Clause-in accordance with Clause5(2)(d) of this Act.*

	(3) *Healthcare providers shall have the right to be treated with dignity, right to a safe and supportive working environment, including access to adequate protective equipment, occupational health services, and the necessary training and information required to deliver quality, non-stigmatizing TB services.*
	33. Duties of Employers (1) *Employers shall adopt supportive policies and practices to ensure stigma free workplaces and provide accommodations, when necessary, for people affected by TB in accordance with Clause28 of this Act.* (2) *Employers shall ensure appropriate care and compensation for employees who develop post-TB lung disease arising from occupational exposure, in accordance with the Employees' Compensation Act and other applicable laws.* (3) *Every employer has a duty as far as is practicable to provide a safe workplace and this shall include ensuring that the risk of occupational exposure to TB is minimized.* (4) *Every employer engaged in business where there is a risk of occupational transmission of TB within the workplace shall ensure that it adopts a safety procedure that provides* (a) *appropriate training awareness and education on the use of universal infection control measures so as to identify, deal with, and reduce the risk of TB transmission in the workplace* b) ?/ (b) *appropriate personal protective equipment and materials to protect employees from acquiring or transmitting TB*

	(c) *the steps to be taken following an occupational accident including the appropriate management of occupational exposure to TB.* (d) *the procedures to be followed in applying for compensation for occupational infection and* (e) *educate monitoring of occupational exposure to TB to ensure the requirements of possible compensation claims are met.* (5) *Every employer shall ensure that all occupationally acquired TB infections are reported to the Minister from the date of discovery.* (6) *An employer shall ensure that the rights of employees living with or affected by TB, and the remedies available to them in the event of a breach of such rights are integrated into existing workplace grievance procedures.* (7) *An employer employing five persons or more shall in consultation with the employees or their representatives, adopt a written workplace policy that is consistent with the National TB and workplace policy for its working environment;* (8) *it is an offence for an employer to fail to comply with the provisions of sub-clause (1) of this clause or to knowingly or recklessly make any statement or produce any document that is false in any material particular unless such employer shows that he had taken all reasonable steps to ascertain the truth of the statement made or contained in any document so produced or to safety itself as to the geniuses of any such document.*
	34. Duties of Educational Institutions (1) *Educational institutions at all levels, both public and private, shall adopt inclusive policies to support students affected by TB, including uninterrupted access to education with necessary*

	accommodations during and after treatment, support awareness creation campaigns, screening and testing within their institution. (2) *TB anti-stigma programs shall be integrated into health education curricula at all educational levels in accordance with Clause38 of this Act.*
	35. Duties of Persons Affected by TB *(1) Persons affected by TB shall:* (i) *seek timely diagnosis, treatment, and care in accordance with national TB guidelines;* (ii) *adhere to treatment and follow-up requirements to support cure, prevent drug resistance, and reduce transmission;* (iii) *provide accurate and relevant health information to healthcare providers for effective management of their condition;* (iv) *take reasonable measures to prevent the spread of TB, including following infection prevention guidance provided by healthcare workers; and* (v) *respect the rights, safety, and dignity of healthcare providers and other persons during the course of care and support.*
	Part V: Awareness and Advocacy **36. Public Education Campaigns** *The Ministry of Health and Social Welfare, working with people affected by TB and civil society organizations, shall organize and fund campaigns at the national and local levels to raise awareness about TB disease, prevention, and treatment and to combat TB-related stigma and discrimination.*

	37. Civil Society and Community-Based Interventions *The Ministry of Health and Social Welfare shall establish a permanent, funded mechanism, in accordance with Clause-5(2)(e) of this Act, to empower civil society and community-based organizations, including those comprised of people affected by TB, to participate in TB-related making processes and deliver TB prevention and treatment education, anti-stigma programming, and support services, such as peer-to-peer support groups and counseling services.*
	38. Integration into Educational Curricula (1) *TB education modules, including anti-stigma materials, shall be developed in collaboration with people affected by TB and incorporated into primary, secondary, and tertiary health education curricula.* (2) *Medical Schools and allied health institutions shall intensify training in TB prevention, diagnosis, treatment, care, and support.*
	Part VI: Prohibition and Penalties **39. Prohibited Acts** (1) *Denying any person affected by TB access to quality services, employment, education, or public facilities or any form of violations of the rights or omission of obligation contained in this Act is prohibited.* (2) *It is an offence under this Act to- discriminate against any person or groups of persons who exercise any right under this Act. threaten to or prevent any person from exercising any right under this Act. favour or promise to favour any person in exchange for that person not exercising a right to formally report a contravention under this Act or participate in any proceeding under this Act.* (3) *Discrimination against any person under Sub-clause (1)(a) of this clause includes, but is not limited to prejudicing anyone because of a past, present or anticipated disclosure of information that he*

	or she is lawfully entitled to or required to give in any proceeding under this Act, exercising any right conferred by this Act or participating in any proceeding under this Act.
	40. Penalties (1) *Subject to the provisions of this Act relating to offences, any person or institution who contravenes any of the provisions of this Act commits an offence and is liable on conviction to any or all of the following punishments:* (a) *Fine of not less than N500,000 for individuals and N2,000,000 for organizations;* (b) *Imprisonment for a term not less than Six (6) months period but not exceeding one* (c) *year; and* (d) *Restitution to the affected individual, including damages for emotional distress.* (2) *In the case of an organization, the head or representatives of the board of the organization will be held responsible.* (3) *Repeat offenders shall face severe penalties.*
	Part VII: Compliance and Enforcement **41. Enforcement Inquiries** (1) *The Minister of Justice shall ensure compliance with and enforce the provisions of this Act and, for that purpose, shall have the power to:* (a) *Conduct an inquiry into any allegation of contravention of this Act:* (b) *Make necessary recommendations to any persons, public or private institution pursuant to an inquiry carried out under paragraph (a) of this subsection; and*

	(c) *Commence criminal proceedings against any person in a Court of competent jurisdiction.* (2) *Any person affected by the contravention of any provision of this Act or anyone acting on behalf of such person so affected shall have the right to petition the Minister of Justice.* (3) *Subject to the provisions of this Section, the Minister of Justice shall institute an inquiry into a contravention of this Act within fourteen (14) days of receiving the petition.* (4) *The procedure for an inquiry into a contravention of this Act under subclause (1) of this Clause shall be specified in the regulations made under this Act by the Minister of Justice after consultation with all affected parties' representatives provided that such regulations are adopted within twelve (12) months of the commencement of this Act.*
	42. Redress (1) *Where, at the conclusion of an inquiry under Clause41, it is shown that there has been a contravention of this Act, the Minister of Justice may make a recommendation to the contravening individual or institution, stating:* (a) *Steps that must be taken to redress the contravention, which steps may include but shall not be limited to—* (i) *Hiring or admitting the person adversely affected;* (ii) *Reinstating or reabsorbing the affected person;* (iii) *Restoration of benefits, entitlements or rights denied as a result of such contravention; and* (iv) *Payment of compensation or damages to the person affected by the contravention.* (b) *The period within which those steps must be taken; and* (c) *Alternative recourse to be taken where the contravening person or institution refuses, fails, or neglects to implement the recommendations.*

	(2) *Nothing in this Clause shall preclude the Minister of Justice from exercising power to commence criminal prosecution against the contravening person or institution under this Act.*
	43. Individual and Group Enforcement (1) *Nothing in this Act shall limit the personal right of any person or group of persons affected by any contravention of this Act to bring a civil action in court against any person or institution for any breach of his or her constitutional rights in accordance with the provisions of clause42 of the 1999 constitution of the Federal Republic of Nigeria as amended.* (2) *This Clause reaffirms Clause13 of this Act, establishing that the rights in Part II are legally enforceable by persons affected by TB or organizations representing them in courts of law and other adjudicatory or quasi-adjudicatory bodies as may be authorized to hear such claims.* (3) *Whoever exercises the right to commence a civil action in court under subclause (1) of this Clause shall communicate his or her decision to the Minister of Justice in writing alongside the petition. However, the failure to do so shall not impact the civil action in any way.* (4) *Where an individual or group exercises the right to commence a civil suit under subclause (1) of this Section, the Minister of Justice shall not conduct an inquiry under Clause 42.*
	44. Individual and Group Remedies *(1) Where a Court decides that the rights or entitlements of any person or group of persons under this Act have been violated or denied, the Court may make any appropriate order that is just and equitable in the circumstances, including, but not limited to, the following remedies:*

	(i) *Payment of compensation to the affected person or group of persons;* (ii) *Payment of damages to the affected person or group of persons;* (iii) *Restitution of the affected person or group of persons, such as hiring or admitting the person adversely affected, reinstating or reabsorbing the affected persons, or restoring specific benefits or entitlements;* (iv) *An injunction ordering the violating parties to immediately cease all contravening actions;* (v) *A prospective order directing the contravening parties to take steps to prevent violations or other contraventions from occurring in the future;* (vi) *An order directing the deregistration of a corporate body or withdrawal of an individual professional licence;* (vii) *A declaratory order that defines the scope or content of the rights and duties established in this Act; or* (viii) *A structural order requiring systemic changes to public or private institutions to remedy widespread or recurring violations of this Act.*
	Part VIII: Miscellaneous Provisions **45. Interpretation** *In this Act –* ***"Admission"*** *means the act of allowing entry into, or being accepted in, a position, institution, facility, profession, occupation, office, or appointment.* ***"Active TB disease"*** *means a contagious, symptomatic form of TB caused by Mycobacterium tuberculosis, in which the bacteria are multiplying, causing symptoms and potentially transmitting the disease to others.*

	*"**Adverse action**" means includes termination, refusal to hire, rehire, promote, admit, or any other form of discrimination in the terms or conditions of employment, admission, or service provision based on an individual's real or perceived TB status.* *"**Court**" means a court of competent jurisdiction.* *"**Correctional facilities**" means Prisons, remand homes, detention camps, or similar institutions.* *"**Discrimination**" means any unfair, unjust, or prejudicial treatment of an individual based on their actual or perceived TB status, including denial of services, employment, education, benefits, opportunities, or other unequal treatment that violates their dignity or rights.* *"**Employee**" means any person, other than an independent contractor, who:* *(a) works for another person or the State and receives or is entitled to receive remuneration under a contract of service;* *(b) is an apprentice; or* *(c) is a volunteer.* *"**Employment**" means any work performed by an employee for an employer under a contract of service or other arrangement covered by this Act, and "employ" shall have the corresponding meaning.* *"**Employer**" means person, association, body corporate or unincorporated, employing one or more persons under a contract of service or for personally executing work, including private sector and all levels of government.*

	"Employment policy or practice" *means Includes recruitment, selection, appointments, job classification, remuneration, benefits, working conditions, job assignment, training, performance evaluation, promotion, transfers, demotions, disciplinary measures, and dismissal.* ***"Facility"*** *means an institution designed to provide specific services, e.g., educational, transportation, research, rehabilitation, vocational, recreational, medical, or other services.* ***"Informed consent"*** *means Consent given only after the individual has been provided with clear information about the purpose, procedure, benefits, risks, alternatives, and possible social implications of TB screening or treatment, and has voluntarily agreed to proceed.* ***"Minister"*** *means the minister in charge of Health and Social Welfare, or any person designated to act in that office.* ***"People with TB"*** *means Persons diagnosed with active TB disease.* ***"People affected by TB"*** *means Persons who have had TB (TB survivors), or who are close contacts, caregivers, or family members of people with TB, as well as members of TB key and vulnerable populations.* ***"Society"*** *means the totality of Nigeria, including groups of people sharing the same geographical or virtual territory under the same political authority.* ***"Stigma"*** *means Negative beliefs, attitudes, or actions directed at individuals based on their actual or perceived TB status.* ***"TB key and vulnerable populations"*** *means Groups at increased risk of TB infection, disease, or poor outcomes due to social, economic,*

	biological, or structural factors, including children, healthcare workers, migrants and mobile populations, people with comorbidities affecting immunity, prisoners, rural populations, women, urban poor, and other groups at heightened risk. ***"TB status"** means a person's TB status includes whether they have or are perceived to have TB, are a TB survivor, or are a known family member or associate of a person with TB or a TB survivor.* ***"Tuberculosis (TB)"** means an infectious disease caused by Mycobacterium tuberculosis, primarily affecting the lungs (pulmonary TB) but also other organs (extrapulmonary TB).* ***"Workplace"** means any place where workers are required to be or go by reason of their work, under the direct or indirect control of the employer.*
Citation **31.** This Bill may be cited as the TB (Anti-Discrimination) Bill, 2025.	**Citation** ***46.** This Bill may be cited as the TB (Anti-Discrimination) Bill, 2026.*
EXPLANATORY MEMORANDUM This Bill seeks to makes provisions for the prevention of TB -based discrimination and protects the fundamental human rights and dignity of people living with and affected by TB in Nigeria.	**EXPLANATORY MEMORANDUM** Retained.