

**A BILL** EXECUTIVE  
**FOR**

AN ACT TO DOMESTICATE AND ENFORCE IN NIGERIA THE INTERNATIONAL CONVENTION AGAINST DOPING IN SPORT, ESTABLISH THE NIGERIA ANTI-DOPING CENTRE TO IMPLEMENT NIGERIA'S OBLIGATIONS TO THE WORLD ANTI-DOPING CODE, INTERNATIONAL STANDARDS AND FOR RELATED MATTERS

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria-

PART I - OBJECTIVES AND APPLICATION

- 1           **1.** The objectives of this Bill are to- Objectives
- 2           (a) domesticate the International Convention against Doping in
- 3           Sports, establish an independent body charged with the responsibility for the
- 4           implementation of the World Anti-Doping Code (lithe Code"), and
- 5           International Standards subscribed to by Nigeria;
- 6           (b) protect the rights of an athlete to participate in doping-free
- 7           sporting activities;
- 8           (c) promote fair and equal treatment of all athletes and their health;
- 9           (d) co-ordinate and harmonise effective sports anti-doping
- 10          programme at the national and international levels, with regard to detection,
- 11          deterrence and prevention of doping; and
- 12          (e) provide measures for the prevention and control of doping in
- 13          sports.
- 14          **2.**-(1) This Act apply to- Application
- 15          (a) Nigeria Anti-Doping Centre established under this Act;
- 16          (b) National Sport Federations in Nigeria; and
- 17          © a person, athlete and athlete support personnel, including a
- 18          protected person (as defined in the Code), who is a Nigerian or resides in

1 Nigeria, and who-

2 (i) is a member or licensee of any of the National Sports Federations in

3 Nigeria or any of its affiliate organisations, including clubs, teams,

4 associations or leagues,

5 (ii) participates in any capacity in any sporting event, competition and

6 any other activity organised, convened, authorised or recognised by any

7 National Federation in Nigeria or any of its affiliate organisations, including

8 clubs, teams, associations or leagues, wherever it is held,

9 (iii) by virtue of an accreditation, a license or contractual arrangement

10 or otherwise, is subject to the jurisdiction of the National Federation in Nigeria

11 or any of its affiliate organisations, including clubs, teams, associations or

12 leagues, for purposes of anti-doping,

13 (iv) participates in any capacity in any activity organised by an

14 organiser of a national event or national league that is not affiliated to the

15 National Federation, or

16 (v) is subject to the application of the Code, International Standards or

17 any Anti-Doping Rules and is present in Nigeria to compete, train or perform

18 other sporting activities.

19 (2) A person, including the National Sports Federation, within the

20 application of the Convention is deemed to have accepted to be bound by the

21 Code and Anti-Doping Rules made pursuant to this Act, and shall submit to the-

22 (a) authority of the Nigeria Anti-Doping Centre to enforce the Code

23 and Anti-Doping Rules; and

24 (b) jurisdiction of the Disciplinary Panel or Appeal Tribunal

25 established under this Act, to hear and determine cases and appeals brought

26 before the Panel or Tribunal in accordance with the Anti-Doping Rules, as a

27 condition of membership, accreditation or participation in the chosen sport.

28 PART II - INTERNATIONAL CONVENTION AGAINST DOPING IN SPORTS

Domestication  
and enforcement

29 3. As from the commencement of this Act, the provisions of the

30 International Convention Against Doping in Sport, which was done at Paris on

1 the 19th day of October, 2005 and signed by Nigeria on the 29th day of  
2 December, 2005 (lithe Convention"), shall-

- 3 (a) have the force of law in Nigeria;  
4 (b) be given full recognition and effect; and  
5 (c) be applied by all authorities and persons exercising legislative,  
6 executive and judicial powers.

7 **4.** Where there is any reservation or notification to the Anti-Doping  
8 Convention or any of its protocol made before or after the commencement of  
9 this Act, the reservation or notification shall be taken into consideration in  
10 the application and enforcement of this Act.

Reservations  
and notifications

11 PART III - ESTABLISHMENT OF THE NIGERIA ANTI-DOPING CENTRE

12 **5.** -(1) There is established in Nigeria, a Centre known as Nigeria  
13 Anti-Doping Centre (lithe Centre").

Establishment of  
Nigeria Ant-Doping  
Centre

14 (2) The Centre-

15 (a) shall be a body corporate with perpetual succession and a  
16 common seal;

17 (b) may sue and be sued in its corporate name; and

18 (c) may acquire, hold or dispose of any movable or immovable  
19 property and enter into a contract or any other transaction for the purpose of  
20 its functions under this Act.

21 (3) The Centre and any Committee established under it shall be  
22 independent in its operational decisions and activities from sports  
23 authorities and government, including any person who is at the same time  
24 involved in the management or operations of any national and International  
25 Sports Federations, National Sports Federations, Major Event Organisation,  
26 National Olympic Committee, National Paralympic Committee, or  
27 Ministry or other government department with responsibility for sports or  
28 anti-doping.

29 **6.**-(1) The functions of the Centre are, to-

30 (a) develop and implement internal policies, Anti-Doping Rules,

Functions of the  
Centre

- 1 systems and procedures against doping in sports;
- 2 (b) plan, implement, promote and monitor programmes aimed at
- 3 educating athletes and their parents or guardians, athlete support personnel, the
- 4 media and the general public on doping in sports;
- 5 (c) take measures to prevent doping in sporting activities;
- 6 (d) establish a national Registered Testing Pool (RTP) of national-
- 7 level athletes;
- 8 (e) co-ordinate doping tests, collect test samples and manage test
- 9 results in keeping with the international standards;
- 10 (f) test any athlete in Nigeria participating in any sporting activity;
- 11 (g) carry out investigations into anti-doping rule violations in respect
- 12 of any athlete, athlete support personnel and any other related person;
- 13 (h) notify any tested athlete and relevant anti-doping organisations of
- 14 the result of tests and investigations conducted in pursuance of this Act;
- 15 (i) enforce the Code, International Standards and regulations made
- 16 pursuant to this Act;
- 17 (j) provide direction for anti-doping programme of the Authority in
- 18 charge of sporting activities;
- 19 (k) implement the Anti-Doping Convention, its protocols ratified by
- 20 Nigeria and rules made pursuant to the Convention and its protocols;
- 21 (l) do all things as are necessary to ensure its compliance with the
- 22 implementation of the Code, International Standards and the Anti-Doping
- 23 Rules; and
- 24 (m) carry out such other function as is necessary or expedient for the
- 25 implementation of this Act or the Code.
- 26 (2) The Centre shall, in the performance of its functions under this
- 27 Act-
- 28 (a) be operationally independent, as required by the Code, impartial,
- 29 fair and act in the public interest; and
- 30 (b) develop appropriate procedures to-

- 1 (i) reflect the needs of athletes and protected persons,  
2 (ii) accommodate the challenges of persons with disabilities or  
3 other special concerns of athletes,  
4 (iii) accommodate gender sensitivity, and  
5 (iv) protect the right to privacy of athletes.

6 **7.** The Centre shall have power to-

Powers of the  
Centre

- 7 (a) formulate and implement guidelines made pursuant to the  
8 provisions of this Act;  
9 (b) establish a Registered Testing Pool for national-level athletes;  
10 (c) enter into reciprocal testing agreements with Anti-Doping  
11 Organisations on behalf of Nigeria;  
12 (d) liaise and collaborate with relevant establishments within and  
13 outside Nigeria in the implementation of its functions under this Act; and  
14 (e) exercise such other powers as may be necessary to give effect to  
15 the provisions of this Act.

16 **8.-(1)** There is established for the Centre, a Technical Board ("the  
17 Board").

Establishment  
of the Technical  
Board of the Centre

18 (2) The Chairperson of the Board and other members shall be  
19 appointed by the President on recommendation of the Secretary to the  
20 Government of the Federation.

21 (3) The Board shall consist of -

- 22 (a) the Chairperson, with not less than 12 years' experience in anti-  
23 doping and sports matters;  
24 (b) a legal practitioner with post call experience of not less than ten  
25 years;  
26 (c) a representative of the Authority in charge of sports;  
27 (d) a retired athlete; and  
28 (e) three other members of not less than ten years post qualification  
29 experience appointed by virtue of their knowledge and experience in anti-  
30 doping or sports matters.

1 (4) A person shall not be appointed as a member of the Board, where  
2 the person-

3 (a) is a member of or an official in a National Sport Federation, sport  
4 organisation or sport club;

5 (b) is associated in any way with any person who supplies goods or  
6 services to the Centre;

7 (c) is a practicing athlete or athlete support personnel;

8 (d) has been convicted or served a sentence of imprisonment for any  
9 offence;

10 (e) has served a sanction for an Anti-Doping Rule Violation within the  
11 previous five years or is serving life ban; or

12 (f) is bankrupt or insolvent.

13 (6) The supplementary provisions set out in the Schedule to this Act  
14 shall have effect with respect to the proceedings of the Board and the other  
15 matters in the Schedule.

Tenure of office  
of members of  
the Board

16 **9.** A member of the Board shall hold office-

17 (a) for a term of four years on a part time basis in the first instance and  
18 may be eligible for re-appointment on satisfactory performance for a further  
19 term of four years and no more; and

20 (b) on such other terms and conditions as may be specified in the letter  
21 of appointment.

Honorarium,  
allowances and  
benefits of the  
members of the  
Board

22 **10.** A member of the Board shall be paid such honorarium, allowances  
23 and benefits, as the Federal Government may, from time to time, approve.

Cessation of  
Membership of  
the Board

24 **11.** A member of the Board shall cease to hold office where -

25 (a) the term of office expires;

26 (b) the member resigns from office by a notice in writing to the  
27 President;

28 (c) in case of an ex-officio member, he ceases to hold the office on the  
29 basis of which he became a member;

30 (d) the member is removed from office;

- 1 (e) the member dies; or
- 2 (f) becomes ineligible pursuant to section 8(4) of this Act.
- 3 **12.** A person shall be removed as a member of the Board, where Removal from  
4 the person - the Board
- 5 (a) becomes bankrupt or makes a compromise with his creditors;
- 6 (b) is convicted of a felony or any offence involving dishonesty or  
7 fraud;
- 8 (c) becomes of unsound mind or is incapable of carrying out his  
9 duties;
- 10 (d) is guilty of a serious misconduct in relation to his duties;
- 11 (e) possesses professional qualification and he is disqualified or  
12 suspended from practicing his profession in Nigeria by an order of a  
13 competent authority;
- 14 (f) the President is satisfied that it is not in the interest of the Centre  
15 or of the public for the person appointed to continue in office; or
- 16 (g) becomes ineligible pursuant to section 8(4) of this Act.
- 17 **13.** Where a vacancy occurs in the membership of the Board due to Filing of vacancies  
18 the operations of the provisions of sections 11 and 12, or any other provision  
19 of this Act, the President shall appoint a successor on the recommendation of  
20 the Secretary to the Government of the Federation, who shall represent the  
21 same interest for the remainder of the term of office of the predecessor.
- 22 **14.-(1)** The Board shall- Functions and  
23 (a) formulate and provide general policy and strategic direction for Powers of the  
24 the Centre; Board
- 25 (b) advise the Authority in charge of sports on any matter relating  
26 to doping in sport;
- 27 (c) ensure that the Executive Secretary, officers and employees of  
28 the Centre comply with the Anti-Doping Rules, the Code and International  
29 Standards on anti-doping;
- 30 (d) approve Anti-Doping Rules developed by the Centre;

1 (e) monitor and ensure the implementation of the policies and  
2 programmes of the Centre; and

3 (f) perform such other functions as may be necessary and expedient to  
4 give effect to the provisions of this Act.

5 (2) The Board shall have power to-

6 (a) approve policies, ensure compliance with the Code, International  
7 Standards, Rules, regulations and procedures relating to the functions of the  
8 Centre;

9 (b) monitor and ensure the implementation of the policies and  
10 programmes of the Centre;

11 (c) in addition to the provisions of the Schedule to this Act, regulate its  
12 proceedings and make standing orders with respect to the holding of its  
13 meetings, notices to be given, the keeping of minutes of its proceedings and  
14 such other matters as it may, from time to time, determine; and

15 (h) exercise such other powers as may be necessary to give effect to  
16 the provisions of this Act.

17 PART IV - APPOINTMENT OF THE EXECUTIVE SECRETARY AND OTHER  
18 EMPLOYEES OF THE CENTRE

Appointment  
of the Executive  
Secretary of the  
Centre

19 **15.**-(1) There shall be for the Centre an Executive Secretary who shall  
20 be appointed by the President on the recommendation of the Secretary to the  
21 Government of the Federation, subject to the confirmation of the Senate.

22 (2) The Executive Secretary shall be the Accounting Officer of the  
23 Centre and shall be responsible for the-

24 (a) day-to-day administration of the Centre;

25 (b) direction, supervision and control of employees of the Centre;

26 (c) implementation of the functions of the Centre and the attainment  
27 of its goals; and

28 (d) execution of the policies and decisions of the Board.

29 (3) The Executive Secretary shall, in addition to relevant professional  
30 qualification, possess relevant working, management and anti-doping

1 experience of not less than 15 years.

2 (4) The Executive Secretary shall be the Secretary to the Board and  
3 in this regards shall-

4 (a) keep and secure corporate records of the Board and the Centre;

5 (b) provide secretariat for the Board meetings;

6 (c) be in custody of and exercise control over the seal of the Centre;

7 and

8 (d) perform such other duties as the Board may, from time to time,  
9 direct.

10 (5) A person shall not be appointed as an Executive Secretary  
11 where the person-

12 (a) is a member or official of a sports organisation, sports club or  
13 Sports Federation;

14 (b) is associated in any way with any person who supplies goods or  
15 services to the Centre or whose spouse or family member is so associated;

16 (c) is a practicing athlete or athlete support personnel; or

17 (d) has served a sanction for the violation of Anti-Doping Rule  
18 within the previous 10 years or is serving a life ban.

19 (6) The Executive Secretary shall hold office for a term of four  
20 years in the first instance, and may be eligible for re-appointment on  
21 satisfactory performance for a further term of four years and no more;

22 **16.-(1)** A person appointed as the Executive Secretary may be  
23 removed from office by the President, where the person-

Removal or  
resignation of the  
Executive Secretary

24 (a) becomes of unsound mind or is incapable of discharging the  
25 functions of the office, whether arising from infirmity of body, mind or any  
26 other cause;

27 (b) is convicted of a felony or any offence involving dishonesty or  
28 fraud;

29 (c) is disqualified or suspended by an order of a competent

1 authority from practicing the profession on the basis of which the person was  
2 appointed;

3 (d) engaging in acts that are prejudicial to the interest of the Centre or  
4 in conflict with the duties of the office;

5 (e) becomes a bankrupt; or

6 (f) is guilty of a serious misconduct in relation to the duties of the  
7 office.

8 (2) The Executive Secretary may resign from the appointment by  
9 giving at least one month's notice of intention to resign in writing to the  
10 President through the Secretary to the Government of the Federation.

Appointment of  
other employees  
of the Centre

11 17.-(1) The Centre may appoint such competent professional,  
12 technical officers and administrative support employees, as may be necessary  
13 for the proper and efficient performance of its functions under this Act.

14 (2) Notwithstanding the provisions of subsection (1) of this section,  
15 the Centre may appoint an employee either directly or on secondment from the  
16 Public Service of the Federation to assist the Centre in the discharge of any of  
17 its functions under this Act.

18 (3) The terms and conditions of service, including remuneration,  
19 allowances and benefits of the employee of the Centre shall be as determined  
20 by the Board, in consultation with the National Salaries, Income and Wages  
21 Commission, subject to relevant existent laws.

22 (4) The employment, promotion and discipline of employees of the  
23 Centre shall be subject to such terms and conditions, as contained in the letters  
24 of appointment and prescribed under the Public Service Rules.

Service in the  
Centre

25 18.-(1) Service in the Centre shall be Public Service within the  
26 meaning of the Constitution of the Federal Republic of Nigeria.

27 (2) Service in the Centre shall be an approved Service under the  
28 Pension Reform Act, and an employee of the Centre shall, in respect of the  
29 service be entitled to pension and other retirement benefits as are prescribed in  
30 the Pension Reform Act.

1 (3) Nothing in this Act shall prevent the appointment of a person to  
2 an office on terms which precludes the grant of pension and other retirement  
3 benefits in respect of that office.

4 (4) For the purpose of the application of the provisions of the  
5 Pension Reform Act, any power exercisable by a Minister or other authority  
6 of the Government of the Federation, not being the power to make  
7 regulations, is hereby vested in and shall be exercisable by the Board.

8 19. The Centre, with the approval of the Board, may create  
9 additional departments or units as are necessary for the effective and  
10 efficient operationalisation and management of the Centre.

Creation of  
departments,  
units, etc.

11 PART V - INDEPENDENT ANTI-DOPING DISCIPLINARY PANEL

12 20.-(1) There is established for the purposes of this Act, an  
13 Independent Anti-Doping Disciplinary Panel ("the Panel"), which shall  
14 comply with the operational independence requirements prescribed in the  
15 Code.

Establishment  
of Independent  
Anti-Doping  
Disciplinary Panel

16 (2) The Panel shall comprise of membership as contained in the  
17 Anti-Doping Rules.

18 (3) Members shall be appointed taking into consideration their  
19 requisite anti-doping experience including legal, sports, medical or  
20 scientific expertise, with not less than 10 years post qualification  
21 experience.

22 (4) The Panel shall-

23 (a) receive and examine evidence relating to violations of the anti-  
24 doping rule;

25 (b) conduct disciplinary hearings relating to violations of the anti-  
26 doping rule referred to it by the Centre in accordance with the Code and  
27 relevant international standards;

28 (c) determine whether any violation of the anti-doping rule has  
29 occurred;

30 (d) impose appropriate sanctions, in accordance with the Anti-

1 Doping Rules; and

2 (e) perform any other function, as may be conferred on it by this Act,  
3 the Code, international standards, rules or any regulations made under this Act.

4 (5) Appeals against the decision of the Panel shall lie to the Anti-  
5 doping Appeal Tribunal established under this Act.

Power of the  
Panel to regulate  
to proceedings

6 **21.** Subject to the provisions of this Act, the Panel may make rules to  
7 regulate its proceedings.

8 PART VI - ANTI-DOPING APPEAL TRIBUNAL

Establishment  
of Anti-Doping  
Appeal Tribunal

9 **22.**-(1) There is established for the purposes of this Act, the Anti-  
10 Doping Appeal Tribunal (lithe Tribunal"), which shall comply with the  
11 operational and institutional independence requirements prescribed in the  
12 Code.

13 (2) The Tribunal shall comprise membership as contained in the Anti-  
14 Doping Rules.

15 (3) The Tribunal shall receive and determine appeals arising from the  
16 decisions of the Panel.

Appeal from the  
Panel to Anti-  
Doping Appeal  
Tribunal

17 **23.**-(1) A person who is dissatisfied with the decision of the Panel,  
18 may appeal to the Tribunal in accordance with the provisions of the Anti-  
19 Doping Rules.

20 (2) A person to whom subsection (1) of this section apply may  
21 include-

22 (a) an athlete or a person, who is the subject of the decision being  
23 appealed;

24 (b) the organisation or the National Anti-Doping Organisation of the  
25 person's country of residence or the country where the person is a national or  
26 license holder;

27 (c) relevant National Federation or International Federation;

28 (d) International Olympic Committee or the International Paralympic  
29 Committee;

1 (e) the Nigeria Olympic Committee or the Nigeria Paralympic  
2 Committee; or

3 (f) World Anti-Doping Agency.

4 (3) Subject to the relevant Articles of the Code, appeals against the  
5 decision of the Tribunal shall lie to the Court of Arbitration for Sport.

6 **24.** Subject to the provisions of this Act, the Tribunal may make  
7 rules to regulate its proceedings.

Power of the  
Tribunal to regulate  
its proceedings

8 PART VII - FINANCIAL PROVISIONS

9 **25.** The Centre shall establish and maintain a Fund ("the Fund")  
10 into which shall be paid-

The Fund of the  
Centre

11 (a) take off grants by the Federal Government;

12 (b) subventions and budgetary allocation from the Federal  
13 Government;

14 (c) sums provided by a State Government for payment into the  
15 Fund;

16 (d) fees charged for services rendered by the Centre;

17 (e) all sums accruing to the Centre by way of gifts, testamentary  
18 dispositions, endowments or contributions from philanthropic persons or  
19 organisations;

20 (f) foreign aid or assistance from bilateral and multilateral  
21 Agencies; and

22 (g) any other source of fund as may accrue to the Centre, from time  
23 to time.

24 **26.** The Centre shall from time to time apply the Funds under this  
25 Act to-

Expenditure of  
the Centre

26 (a) meet the administrative and operating costs of the Centre;

27 (b) pay for the salaries, wages, fees, allowances, retirement  
28 benefits, and any other remuneration payable as appropriate to members of  
29 staff or agents of the Centre;

30 (c) purchase or acquire property and make other approved capital

1 expenditure, and to maintain any property acquired or purchased by the Centre;

2 (d) pay for other overhead allowances and benefits, charges and  
3 expenses of the Centre; and

4 (e) undertake any other activity in connection with any of the  
5 functions of the Centre or objectives of this Act.

Annua estimates

6 **27-(1)** The Centre shall not later than 30th September of each  
7 financial year, or any such time, as may be required under the Financial  
8 Regulations, prepare and submit to the Secretary to the Government of the  
9 Federation, an estimate of its income and expenditure for the next financial  
10 year for consideration and submission to the National Assembly.

11 (2) Notwithstanding the provisions of subsection (1) of this section,  
12 the Centre may, in a financial year, submit supplementary or adjusted  
13 statements of estimated income and expenditure through the Secretary to the  
14 Government of the Federation to the National Assembly.

Accounts and  
audit

15 **28.-(1)** The Centre shall keep proper accounts in respect of each year  
16 and proper records in relation to those accounts and shall cause its accounts to  
17 be audited within six months after the end of each year by auditors appointed in  
18 accordance with the guidelines by the Auditor-General of the Federation.

19 (2) The accounts of the Centre shall be audited not later than six  
20 months after the end of the year to which it relates by auditors appointed by the  
21 Centre from the list and in accordance with the guidelines by the Auditor-  
22 General of the Federation.

Annual Report

23 **29.-(1)** The Centre shall prepare and submit to the Secretary to the  
24 Government of the Federation, not later than 30th June in each year, a report on  
25 the activities of the Centre during the immediately preceding year, and shall  
26 include in such report a copy of the audited accounts of the Centre for that year  
27 and the auditor's report on it.

28 (2) The report referred to in subsection (1) of this section shall  
29 include-

30 (a) information on the activities of the Centre under review;

1 (b) a copy of the audited accounts of the Centre for the year  
2 together with the Auditor- General's report on the accounts of the Centre;  
3 and

4 (c) such other information as the Board may request.

5 (3) The Executive Secretary shall provide such information on the  
6 affairs of the Centre as the Secretary to the Government of the Federation  
7 may, from time to time, request.

8 **30.** The Centre may accept gift of land, money or other property on Power to accept  
gifts  
9 such terms and conditions, if any, as may be specified by the person or  
10 organisation making the gift, provided that the terms and conditions  
11 attached are not inconsistent with the functions and objectives of the Centre  
12 under this Act.

13 **31.** The financial year of the Centre shall commence from [st Financial year  
14 January of each year and end on 31st of December of the same year.

15 PART VIII - MISCELLANEOUS

16 **32.**-(1) The Centre may make Anti-Doping Rules, which shall be in Anti-Doping  
Rules  
17 accordance with the Code, to provide for-

18 (a) initiating, implementing or enforcing Doping Control;

19 (b) collection and analysis of samples;

20 (c) results management;

21 (d) therapeutic use exemptions;

22 (e) definition of anti-doping rule violations;

23 (f) collection and dissemination of information;

24 (g) conducting investigations;

25 (h) conducting hearing;

26 (i) proof of doping;

27 (j) application and implementation of decisions;

28 (k) confidentiality and reporting;

29 (l) punishment for Anti-doping Rule violations;

30 (m) the assessment of costs in disciplinary hearings;

- 1 (n) roles and responsibilities of athletes and other persons;
- 2 (0) any other process, procedure or requirement to give effect to the  
3 provisions of this Act and the Code.
- 4 (2) The Centre shall gazette and publish Anti-Doping Rules.
- 5 (3) Where expressions defined for the purposes of this Act or used in  
6 the Code are in the Anti-Doping Rules or in any other Regulations made under  
7 this Act, including, without limitation, the International Standards, the  
8 expressions shall have the same meaning assigned to it in the Code or the  
9 International Standards, as applicable.
- 10 (4) The Anti-Doping Rules shall be made pursuant to the applicable  
11 provisions of the Code or International Standards, as applicable, and  
12 interpreted in a manner that is consistent with applicable provisions of the  
13 Code and this Act, and in the event of a discrepancy between the Code or  
14 International Standard and this Act, the Code or International Standard shall  
15 prevail.
- 16 (5) All comments explaining various provisions of the Code may,  
17 where applicable, assist in the understanding and interpretation of the Anti-  
18 Doping Rules.
- 19 (6) The Anti-Doping Rules shall apply to all persons and National  
20 Federations as described in section 2 of this Act.
- 21 **33.**-(1) A person or organisation who-
- 22 (a) disobeys a summon by the Centre;
- 23 (b) fails to comply with a lawful order or direction of the Centre;
- 24 (c) presents to the Centre a false document or makes a false statement  
25 with the intention to deceive or mislead an investigation;
- 26 (d) intentionally hinders any person acting in the performance of any  
27 function or exercise of powers conferred by this Act;
- 28 (e) in any way interferes with the functioning or operations of the  
29 Centre; or
- 30 (f) violates the guidelines relating to confidentiality, public disclosure

1 and privacy, commits an offence and liable on conviction, to a fine of  
2 N500,000 or imprisonment for a term of three months or both.

3 (2) A person or organization who-

4 (a) unlawfully transports or transfers prohibited substances or  
5 prohibited methods;

6 (b) buys, sells, stocks or transports substances in an unlawful  
7 manner; or

8 (c) administers, attempts to administer or causes an athlete to use  
9 prohibited substances or methods, commits an offence and liable on  
10 conviction to a fine of ~J 1,000,000 or imprisonment for a term of three years  
11 or both.

12 (3) A medical practitioner or any other health related professional  
13 who-

14 (a) prescribes or dispenses prohibited substances or methods to an  
15 athlete with the intent of doping and without a therapeutic use exemption;

16 (b) unlawfully administers prohibited substances or methods to an  
17 athlete without a therapeutic use exemption; or

18 (c) aids, abets or in any way encourages the unlawful use of  
19 prohibited substances or prohibited methods in sport, commits an offence  
20 and liable on conviction to a fine of N500,000 or to imprisonment for a term  
21 of one year or to both such fine and imprisonment, and may have his or her  
22 professional license revoked for a period of not less than one year.

23 (4) A body corporate which commits an offence under this section  
24 shall, in addition to the fine-

25 (a) be liable to be de-registered by the Corporate Affairs  
26 Commission;

27 (b) prohibited from its reconstitution or incorporation under any  
28 form or guise; and

29 (c) its Directors shall be liable to prosecution

30 (5) The imposition of any penalty provided for in this section shall

1 not have any impact on the application of consequences provided for in the  
2 Code and Anti-Doping Rules for any anti-doping rule violation and shall not be  
3 considered as a justification to reduce or not impose any sanction provided for  
4 in the Code and Anti-Doping Rules.

Limitation of  
suit against the  
Centre

5 **34.**-(1) Subject to the provisions of this Act, the provisions of the  
6 Public Officers Protection Act shall apply to any suit instituted against the  
7 Centre, an officer or employee of the Centre.

8 (2) A suit shall not lie or be instituted in any court against the Centre, a  
9 member of the Board or any principal officer or employee of the Centre for an  
10 action carried out in pursuance to the execution of this Act, any enactment or of  
11 any public duty in respect of any alleged neglect or default in the execution of  
12 this Act, any other enactment or law, duty or authority, unless it is commenced-

13 (a) within three months of such act, neglect or default complained  
14 thereof; or

15 (b) in the case of a continuation of damages or injury, within six  
16 months after the cessation of the act, neglect or default.

17 (3) A suit shall not be commenced against the Centre, any principal  
18 officer or employee of the Centre before the expiration of a period of one month  
19 after written notice of the intention to commence the suit has been served on the  
20 Centre by the intending plaintiff or the plaintiff's agent.

21 (4) The notice referred to in subsection (3) of this section shall clearly  
22 state the cause of action, particulars of the claim, the name and place of abode  
23 of the intending plaintiff and the relief sought.

Service of court  
process

24 **35.** A notice, summons or other document required or authorized to  
25 be served on the Centre under the provisions of this Act or any other law may be  
26 served by delivering it to the Executive Secretary or by sending it by registered  
27 post and addressed to the Executive Secretary at the principal office of the  
28 Centre.

Restriction of  
execution against  
the property of  
the Centre

29 **36.**-(1) In any action against the Centre, no execution or attachment  
30 process in any nature thereof shall be issued against the Centre-

1 (a) without the consent of the Attorney - General of the Federation  
2 and Minister of Justice; and

3 (b) unless at least three months' notice of the intention to execute or  
4 attach has been given to the Centre.

5 (2) Any sums of money which by the judgment of any court is  
6 awarded against the Centre shall, subject to any direction given by the court  
7 where notice of appeal against the judgment has not been given, be paid  
8 from the Fund of the Centre established under Part VII of this Act.

9 **37.** The Executive Secretary, a member of the Board or any officer  
10 or employee of the Centre shall be indemnified out of the assets of the Centre  
11 against any liability incurred in defending any proceeding, whether civil or  
12 criminal, where-

Indemnity of  
officials of the  
Centre

13 (a) the proceeding is brought against him in his capacity as  
14 Executive Secretary, member of the Board, officer or employee of the  
15 Centre; and

16 (b) the act complained of is not ultra vires his powers.

17 **38.**-(1) Every-

Obligation of  
secrecy

18 (a) member of the Board;

19 (b) officer, employee and agent of the Centre;

20 (c) expert or professional retained by the Centre to assist in its  
21 investigations and deliberations; and

22 (d) person having to perform a duty or is engaged in the  
23 administrations of this Act, the Anti-Doping Rules or any other Regulations  
24 made under this Act, shall have regard and deal with all matters within their  
25 knowledge in the course of carrying out their duties as secret and  
26 confidential, subject to the provisions of this Act.

27 (2) Except as provided in the Anti-Doping Rules or any other  
28 Regulations made under this Act, every member of the Panel, and Appeal  
29 Tribunal, shall have regard and deal with information, books, records or  
30 other document coming to his knowledge in the performance of his

1 functions as confidential.

2 (3) A member of the Panel or Appeal Tribunal shall not serve on any  
3 hearing, where there is a conflict of interest or personal interest in the outcome  
4 of the decision.

5 (4) A person who was previously engaged for an official duty under  
6 this Act, the Anti-Doping Rules or any Regulations made under this Act, shall  
7 maintain, after the termination of such duty, the secrecy and confidentiality of  
8 all information, books, records or other documents relating to the functions of  
9 the Centre.

10 (5) A Person to whom information is communicated under this Act,  
11 the Anti-Doping Rules or any Regulations made under this Act, shall have  
12 regard and deal with such information as secret and confidential, save as and to  
13 the extent otherwise provided in this Act or any other law.

14 (6) A person referred to under subsections (1) to (5) of this section,  
15 having possession of or control over any information, book, record or other  
16 document, who at any time communicates or attempts to communicate any of  
17 the information or anything contained in such book, record or document to a  
18 person, other than-

19 (a) an investigative authority, in accordance with applicable law; or

20 (b) pursuant to a court order, commits an offence and is liable on  
21 summary conviction by a Magistrate Court to a fine not exceeding N500,000.

22 (7) Obligation as to secrecy or other restriction on the disclosure of  
23 information imposed by any law or otherwise, shall not prevent the Centre or  
24 its officers, who are duly authorised, from disclosing information to any Anti-  
25 Doping Organisation.

The seal of the  
Centre

26 **39.**-(1) The seal of the Centre shall be administered and signed by the  
27 Executive Secretary and the Legal Adviser of the Centre or any person  
28 delegated in such capacity to do so.

29 (2) A contract or instrument which, if made or executed by a person  
30 not being a body corporate, would not be required to be under seal may be made

1 or executed on behalf of the Centre by the person authorised by the Centre.

2           **40.**-(1) Subject to the provisions of this Act, the Executive  
3 Secretary of the existing Centre or Committee prior to the coming into effect  
4 of this Act is deemed to have been transferred to the Centre established  
5 under this Act under the same conditions as Executive Secretary.

Transitional and  
Savings provisions

6           (2) Any person who immediately before the commencement of this  
7 Act was a staff of the Centre or Committee shall continue in office and be  
8 deemed to have been appointed under this Act for the purpose of pension.

9           (3) Properties held immediately before the commencement of this  
10 Act on behalf of the Centre by any person shall, by virtue of this Act, be  
11 vested in the Centre established under this Act.

12           (4) The Centre established under this Act shall be subject to all the  
13 obligations and liabilities to which the Nigeria Anti-Doping Centre or  
14 National Anti-Doping Committee was subject to immediately before the  
15 commencement of this Act and all other persons shall have the same rights,  
16 powers and remedies against the Centre established by this Act as they had  
17 against the Centre or Committee immediately before the commencement of  
18 this Act.

19           (5) Any proceeding or cause of action pending or existing  
20 immediately before the commencement of this Act by or against the Centre  
21 or Committee in respect of any right, interest, obligation or liability of the  
22 Centre or the Committee may be continued or commenced, as the case may  
23 be, and any determination of a court of law, tribunal or other commission,  
24 authority or person may be enforced by or against the Centre established  
25 under this Act to the same extent that such proceeding, cause of action or  
26 determination might have been continued, commenced or enforced by or  
27 against the Centre or Committee as if this Act had not been made.

28           (6) As from the commencement of this Act, any disciplinary  
29 proceeding pending or existing against any employee of the Centre or  
30 Committee shall be continued and completed by the Centre established

	1	under this Act.
Power to give directives	2	<b>41.</b> -(1) The Board may, from time to time, give general policy
	3	guidelines provided that such guidelines is not inconsistent with provisions of
	4	the Anti-Doping Rules or Code.
	5	(2) The Executive Secretary shall ensure compliance with any policy
	6	guidelines or directive given to it by the Board pursuant to subsection (1) of this
	7	section where such does not pose any conflict to international regulations
Regulations	8	<b>42.</b> -(1) The Board may make Regulations for the purpose of giving
	9	full effect to the provisions of this Act.
	10	(2) The contravention of any regulation issued in accordance with the
	11	provisions of this Act shall constitute an offence punishable as prescribed in
	12	that regulation.
Commencement	13	<b>43. Interpretation</b>
	14	In this Act -
	15	"Authority in charge of Sports" means the body responsible for sports
	16	administration at the Federal level in Nigeria;
	17	"Board" means the Technical Board of the Centre established under section 8
	18	of this Act;
	19	"Centre" means Nigeria Anti-Doping Centre established under section 5 of this
	20	Act as the National Anti-Doping Organisation of Nigeria ("NADO") and
	21	responsible for carrying out the functions of NADO as enshrined in the World
	22	Anti-Doping Code ("Code") in accordance with the various international
	23	standards set up by the World Anti-Doping Agency,;
	24	"Code" means the World Anti-Doping Code and any amendments to the Code
	25	adopted by the World Anti-Doping Agency from time to time;
	26	"Convention" means the United Nations Educational, Scientific and Cultural
	27	Organisation International Convention Against Doping in Sport;
	28	"Disciplinary Panel" means the independent Anti-Doping Disciplinary Panel
	29	established under this Act;
	30	"Executive Secretary" means the Executive Secretary of the Centre appointed

1 under this Act;

2 "Panel" means the Anti-Doping Disciplinary Panel established under this  
3 Act;

4 "President" means the President and Commander-in Chief of the Armed  
5 Forces of the Federal Republic of Nigeria;

6 "RTP" means Registered Testing Pool; and

7 "Tribunal" means the Anti-Doping Appeal Tribunal established under this  
8 Act.

9 **44.** This Bill may be cited as the Nigeria Anti-Doping Bill, 2024. Short title

## 1 SCHEDULE

2 *[Section 8(5)]*3 SUPPLEMENTARY PROVISIONS RELATING TO THE PROCEEDINGS OF THE  
4 TECHNICAL BOARD AND OTHER MATTERS5 *Meetings of the Technical Board*

6 1.-(1) Subject to the provisions of section 27 of the Interpretation Act  
7 (which provides for the decisions of a statutory body to be taken by a majority  
8 of the members of the body and for the person presiding to have a second or  
9 casting vote), the Board may make standing orders regulating the proceedings  
10 of the Board and of its committee.

11 (2) The Board shall meet at least once a quarter at such times and  
12 places as the Chairman may determine.

13 (3) The quorum for a meeting of the Board five, which shall include  
14 the Chairman and the Executive Secretary, and the quorum of a committee of  
15 the Board shall be determined by the Board.

16 (4) The Chairman shall, at any time, where five members request in  
17 writing, convene an emergency meeting of the Board, provided that not less  
18 than forty-eight hours' notice is given to members for the meeting.

19 (5) Where the Chairman is absent, the members present at the meeting  
20 shall appoint one of the members to preside.

21 (6) Where the Board desires to obtain the advice of any person on a  
22 particular matter, the Board may co-opt the person to the Board for such period  
23 as it deems fit, but the person who is in attendance by virtue of this paragraph  
24 shall not be entitled to vote at any meeting of the Board and shall not count  
25 towards the required quorum as contemplated by paragraph (2) of this  
26 Schedule.

27 (7) The minutes of the meeting of the Board shall be recorded and  
28 signed by the Chairman or the person who presided at the meeting, after  
29 confirmation by the Board.

30 (8) The validity of a proceeding of the Board shall not be affected by-

- 1 (a) a vacancy in its membership;  
2 (b) a defect in the appointment or qualification of a member; or  
3 (c) reason that a person not entitled to do so took part in  
4 proceedings of the Board.

5 *Disclosure of interest by members*

6 2.-(1) A member who has a direct or an indirect personal interest in  
7 the outcome of the deliberations of a meeting of the Board in relation to a  
8 matter shall-

- 9 (a) disclose the nature of the interest at that meeting;  
10 (b) withdraw from the deliberations of the Board in respect of the  
11 matter; and  
12 (c) not vote on the matter.

13 (2) The disclosure of the interest shall be recorded in the minutes of  
14 the meeting.

15 (3) A member who contravenes the provisions of sub-paragraph (1)  
16 of this paragraph may be removed from office.

17 *Seal of the Centre*

18 3.-(1) The application of the common seal of the Centre shall be  
19 authenticated by the signature of the Chairman or the Executive Secretary  
20 on behalf of the Center

21 (2) A document bearing the imprint of the seal of the Center is  
22 deemed to be properly sealed unless the contrary is proved.

23 *Committees*

24 4.-(1) Without prejudice to other provisions of this Act, the Board  
25 may appoint such number of committees as it considers necessary to carry  
26 out, on its behalf, such of its functions as the Board may determine.

27 (2) A committee appointed under this paragraph shall consist of  
28 such number of persons as the Board may determine, and not more than one-  
29 third of those persons may be appointed, who are not members of the Board.

30 (3) A person who is not a member of the Board shall hold office on

- 1 the committee in accordance with his letter of appointment.
- 2 (4) A decision of a committee appointed under this paragraph shall be
- 3 of no effect until it is confirmed by the Board.

EXPLANATORY MEMORANDUM

*(This Memorandum does not form part of the above Act but is intended to explain its purport).*

This Bill seeks to domesticate and enforce the International Convention Against Doping in Sport and establish the Nigeria Anti-Doping Centre.