

A BILL

FOR

AN ACT TO ESTABLISH A NATIONAL CENTRE FOR ELDERLY PERSONS (NCEP) TO SERVE THE NEEDS OF OLDER PEOPLE THROUGHOUT NIGERIA, IMPROVE THE QUALITY OF LIFE FOR ELDERLY PEOPLE BY PROMOTING THEIR SOCIAL INCLUSION, ENHANCING THEIR ECONOMIC SECURITY, ENSURING THEIR ACCESS TO ESSENTIAL HEALTHCARE SERVICES AND OTHER RELATED MATTERS

Sponsored by Hon. Murtak Umar Zakari

[] Commencement

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

- 1 **1.**-(1) There is established a Commission to be known as National Establishment
- 2 Commission for Elderly Persons (in this Bill referred to as "the of National
- 3 Commission"). Commission for
- 4 (2)The Commission- Elderly Persons
- 5 (a) shall be a body Corporate with perpetual succession and a
- 6 common seal and may sue and be sued in its corporate name; and
- 7 (b) acquire, hold, mortgage, purchase and deal with property,
- 8 whether movable or immovable, real or personal.
- 9 **2.**-(1)The Commission shall establish and maintain a fund from Financial
- 10 which shall be defrayed all expenditure incurred by the Commission. Provision
- 11 (2) There shall be paid and credited to the Commission established
- 12 pursuant to sub clause (1) of this Clause-
- 13 (a) statutory allocation from the Appropriation Act;
- 14 (b) 2% of the unclaimed deposits due to failure of the account
- 15 holders to provide bank verification number (BVI); and
- 16 (c) donations that are in line with the objectives of this Bill.

Objectives of the Bill	1	3. The objectives of this Bill include to-
	2	(a) establish the National Centre for Elderly Persons (NCEP);
	3	(b) promote Social Inclusion for Elderly Persons;
	4	(c) enhance Economic Security for Elderly Persons; and
	5	(d) ensure Access to Essential Healthcare Services for Elderly
	6	Persons.
Functions of the Commission	7	4. Some of the functions of the Commission include to-
	8	(a) promotes and supports the development of a network of high-
	9	quality, accessible nursing homes throughout Nigeria;
	10	(b) serve as a national voice for elderly Nigerians for their rights, and
	11	improved policies for their care, and work with related government agencies to
	12	ensure their needs are addressed;
	13	(c) develop and manage programmes that promote social inclusion
	14	and combat isolation among elderly Nigerians, which may include organising
	15	social events, facilitating volunteer opportunities, and connecting seniors with
	16	community resources;
	17	(d) play a crucial role in improving the economic security of older
	18	adults by providing financial literacy programmes, advocating for improved
	19	pension systems, and exploring ways to connect seniors with employment
	20	opportunities.
	21	(e) ensure elderly Nigerians have access to quality healthcare services
	22	through inter-agency networking and raising awareness about geriatric care,
	23	facilitating access to affordable medications, and promoting healthy aging
	24	initiatives;
	25	(f) serve as a valuable resource for research on aging issues in Nigeria
	26	by collecting data on the needs and challenges faced by elderly Nigerians; and
	27	(g) engage in any order activity related to the objectives of this Bill
	28	which may be assigned to the Commission from time to time.
Report	29	5. The Board shall no later than 31st October submit to the Minister an
	30	estimate of its expenditure and income during the next succeeding year.

- 1 **6.**-(1) The Commission may accept gifts of land, money or other Power to accept
2 property upon such terms and conditions, if any, as may be specified by the gift
3 person or organization making the gift.
- 4 (2) The Commission shall not accept any gift if the conditions
5 attached by the person or organization making the gift are inconsistent with
6 the objectives of the Commission under this Bill.
- 7 **7.** The Board may, subject to the provisions of this Bill, make Operational
8 regulations for the operation of this Bill, the regulation shall in particular regulation
9 contain provisions-
- 10 (a) specifying the manner in which the asset of the Commission are
11 to be held and regulating the making of payment into and out of the
12 Commission; and
- 13 (b) requiring the keeping of proper accounts and records for the
14 purpose of the Commission in such form as may be specified in the
15 regulation.
- 16 **8.**-(1) There is established for the Commission a Board of Trustees Establishment
17 (in this Bill referred to as "The Board") which shall consist of - of the Board
- 18 (a) Chairman who shall-
- 19 (i) be a person with good knowledge in finance and administrative
20 matters;
- 21 (ii) have qualifications and experiences as are required to perform
22 the functions of the office;
- 23 (b) six persons, each person representing a geo-political zones;
- 24 (c) a representative from the following Ministries who shall not be
25 below the rank of a Director-
- 26 (i) Health,
27 (ii) Women Affairs, and
28 (iii) Finance;
- 29 (d) the Director-General, who shall be the Secretary to the Board.
- 30 (2)The members of the Board shall-

1 (a) be persons with considerable experience from both the public and
2 private sectors;

3 (b) be appointed by the President on the recommendation of the
4 Minister;

5 (c) each member other than ex-officio, hold office for a term of 4 years
6 in the first instance and may be eligible for reappointment for a further term of 4
7 years and no more; and

8 (d) be paid such remuneration and allowances as the President may,
9 from time to time determine.

10 (3) The Board of Trustees shall meet for the conduct of its ordinary
11 meetings 4 times in a calendar year.

12 (4) Notwithstanding the provision of sub clause (3), the Board may
13 meet to conduct such other business as exigency demands in line with the
14 supplementary provisions contained in the Schedule to this Bill shall have
15 effect with respect to the proceedings of the Board and other matters contained.

Resignation,
cessation or
removal from
membership
of the Board

16 9.-(1) A member of the Board appointed by the President other than
17 the ex-officio may resign his appointment by notice in writing addressed to the
18 President.

19 (2) A member of the Board shall cease membership if the member-

20 (a) lacks physical or mental capacity to perform his functions;

21 (b) becomes of unsound mind;

22 (c) becomes bankrupt; and

23 (d) is convicted of a felony, misconduct or of any offence involving
24 dishonesty

25 (3) A member of the Board may be removed from office by the
26 President if he is satisfied that it is not in the interest of the Commission or
27 public that the member should continue in that office.

28 (4) Where a vacancy occurs in the membership of the Board, it shall
29 be filled by the appointment of a successor to hold office for the remainder of

1 the term of office of his predecessor, so that the successor shall represent the
2 same interest.

3 **10.**-(1) The Board shall-

Functions of the
Board

- 4 (a) approve the programmes and projects of the Commission;
5 (b) manage and disburse the Funds accruing to the Commission;
6 (c) liaise with the appropriate Ministries or Bodies responsible for
7 the collection or safe keeping of the tax;
8 (d) receive requests and approve projects after due consideration;
9 (e) ensure disbursement of funds for the welfare of the elderly
10 persons;
11 (f) monitor and evaluate execution of the projects;
12 (g) invest funds in appropriate and safe securities;
13 (h) update the Federal Government on its activities and progress
14 through annual and audited reports;
15 (i) review progress and suggest improvement within the provisions
16 of this Bill;
17 (j) make and issue guidelines, from time to time, to all beneficiaries
18 on disbursement from the Commission on the use of monies received from
19 the Commission;
20 (k) generally to regulate the administration, application and
21 disbursement of monies from the Commission under this Bill; and
22 (l) do such other things as are necessary or incidental to the objects
23 of the Commission under this Bill or as may be assigned by the Federal
24 Government.

25 **11.**-(1) The Board shall administer the Funds accruing to the
26 Commission and disburse the amount in the Commission for the welfare of
27 the aged people.

Management
and administration
of the Commission

28 (2) The Board shall administer, manage and disburse the tax
29 impose by this Bill on the basis of-

- 30 (a) equality among the six geo-political zones of the Federation in

1 the case of special intervention; and

2 (b) equality among the States of the Federation in the case of regular
3 intervention.

4 (3) The Board shall have power to give due consideration to the
5 peculiarities of each geo-political zone in the disbursement and management of
6 the tax imposed by this Bill among the Nigeria citizens and families in Nigeria
7 and in Diaspora.

8 (4) The Minister shall, on the recommendation of the Board and
9 subject to the approval by the President make guidelines for disbursement of
10 funds under this Bill.

Appointment
of Director-General
and other Staff

11 **12.**-(1) There shall be for the Commission an Director-General who
12 shall

13 (a) be appointed by the President on the recommendation of the
14 Minister;

15 (b) be the Chief Executive and Accounting Officer of the
16 Commission;

17 (c) be a person with good knowledge and cognate academic and
18 administrative experience in tertiary education;

19 (d) have qualifications and experience as are appropriate for a person
20 required to perform the functions of that office under this Bill; and

21 (e) hold office for a period of 4 years in the first instance and may be
22 eligible for reappointment for a further term of 4 years and no more; and

23 (f) on such terms and conditions as to emoluments, and conditions of
24 service as may be specified in his letter of appointment.

25 (2) The Director-General shall, subject to the general direction of the
26 Board, be responsible for-

27 (a) the day to day administration of the Commission;

28 (b) keeping the books and proper records of the proceedings of the
29 Board;

30 (c) the administration of the secretariat of the Board; and

1 (d) the general direction and control of all other employees of the
2 Commission.

3 (3) The Board shall have power to-

4 (a) employ either directly or on transfer or secondment from any
5 civil or public service in the Federation such number of employees as may,
6 in the opinion of the Board, be required to assist the Board and the Director-
7 General in the discharge of their functions under this Bill; and

8 (b) pay to persons so employed such remuneration including
9 allowance as the Board may, with the approval of the National Salaries,
10 Incomes and Wages Commission, determine.

11 13.-(1) Service in the Commission shall be approved service for
12 purposes of Pension.

Pension No. 2
of 2004

13 (2) Employees of the Commission shall be entitled to pension,
14 gratuity and other retirement benefits as are enjoyed by persons holding
15 equivalent grades in the Civil Service of the Federation.

16 (3) Notwithstanding the provisions of sub clause (1) or (2) of this
17 Bill, nothing in this Bill shall prevent the appointment of a person to any
18 office on terms which preclude the grant of pension and gratuity in respect of
19 that office.

20 (4) For the purposes of the application of the Pension Reform Act,
21 any power exercisable by a Minister or other authority of the Government of
22 the Federation, other than the power to make regulations under section 23
23 thereof, is vested in and shall be exercisable by the Board.

24 14.-(1) Subject to the provisions of this Bill, the provisions of the
25 Public Officers Protection Act shall apply in relation to any suit instituted
26 against any officer or employee of the Commission.

Limitation of
suits against the
Commission, etc.

27 (2) Notwithstanding anything contained in any other law or
28 enactment, no suit against any member of the Board, the Director-General or
29 any other officer or employee of the Commission for any act done in
30 pursuance or execution of the Bill or any other law or enactment, or of any

1 public duty or authority or in respect of any alleged neglect or default in the
2 execution of this Bill or such law or enactment, duty or authority, shall lie or be
3 instituted in any court unless-

4 (a) it is commenced within 3 months next after the act, neglect or
5 default complained of; or

6 (b) in the case of a continuation of damage or injury, within 6 months
7 next after the ceasing thereof.

8 (3) No suit shall be commenced against a member of the Board, the
9 Director-General, Officer or Employee of the Commission before the
10 expiration of a period of one month after written notice of intention to
11 commence the suit shall have been served upon the Commission by the
12 intending plaintiff or his agent.

13 (4) The notice referred to in sub clause (3) of this Clause shall clearly
14 and explicitly state the cause of action, the particulars of the claim, the name
15 and place of abode of the intending plaintiff and the relief which he claims.

Service of process

16 **15.** Any document, summons, notices, process or any other thing
17 required or authorized to be served on the Commission shall be served by
18 delivering same at the office of the Executive-Secretary of the Commission.

Annual budget
of the Commission

19 **16.** The Commission shall not later than 30th September each year or
20 other date stipulated by law or policy, submit to the National Assembly an
21 estimate of expenditure or income of the Commission as approved by the
22 Board for the next fiscal year for incorporation into the National budget.

Power to borrow
money

23 **17.** The Commission may, with the written approval of the Board and
24 subject to the guidelines and policy of the Federal Government, borrow such
25 money needed for the exercise of its function, provided that such borrowing
26 shall be made on the terms and condition that do not compromise the
27 competence of the Commission.

Restriction on
execution against
property of the
Commission

28 **18.-(1)** In any action or suit against the Commission, no execution or
29 attachment of process in the nature thereof shall be issued against the
30 Commission.

1 (2) Any sum of money which may, by the judgment of any court,
2 be awarded against the Commission shall, subject to any direction given by
3 the court where notice of appeal of the said judgment has been given, be paid
4 from the general reserve fund of the Commission.

5 **19.** Every member of the Board, agents or employees of the
6 Commission shall be indemnified from fund of the Commission against any
7 liability incurred in defending any proceeding brought against the persons
8 under this Bill, in the person's capacity as member, agent or employee of the
9 Commission.

Indemnity of
members, etc.

10 **20.** The Head Office of the Commission shall be situated in the
11 Federal Capital Territory, Abuja.

Head Office of
the Commission

12 **21.** The Minister may, on the recommendation of the Board and
13 subject to the approval of the President, make regulations generally for the
14 purposes of this Bill.

General
Regulations

15 **22.** In this Bill-
16 "Elderly" means a person above the age of 60 years;
17 "Minister" means the Minister responsible for Health and social welfare;
18 "The Service" means the Federal Inland Revenue Service established under
19 the Federal Inland Revenue Service (Establishment) Act, 2007;

Interpretation

20 **23.** This Bill may be cited as the National Commission for Elderly
21 Persons Bill, 2024.

Citation

1 SCHEDULE

2 *Clause 8(4)*

3 SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION

4 *Proceedings of the Board*5 1.-(1) Subject to the provisions of this Bill and other applicable laws,
6 the Board may make standing orders regulating its proceedings.7 (2) The Board shall meet whenever summoned by the Chairman, or if
8 required to do so, by at least 8 members of the Board and shall meet for a
9 minimum of 4 times in a year.10 (3) The Chairman shall preside over the meetings of the Board and in
11 his absence, the members of the Board shall appoint one person, from among
12 themselves, to act as the Chairmen for that meeting.13 *Committees*14 2.-(1) The Board may appoint committees or sub-committees to carry
15 out, on its behalf, such functions that the Committee shall legitimately
16 carryout.17 (2) The decision of the sub-committee appointed under paragraph
18 2(1) shall have no effect until it is approved by the Main Committee.19 *Miscellaneous*20 3.-(1) The Secretary of the Board shall be the custodian of the seal of
21 the Board.22 (2) Fixing of the common seal of the Board shall be authenticated by
23 the signature of the Chairman of the Board or some other persons authorized to
24 do so.25 (3) Any contract or instrument, which if made or executed by a person
26 not being a body corporate, shall not be required to be made under seal, shall be
27 executed on behalf of the Board by the Managing Director of the Commission
28 or any other person authorized to do so.29 (4) Where the Board desires to obtain an expert opinion from a person
30 not being a member of the Board, the Board may co-opt such person for such

1 period the Board may determine, but the co-opted person shall not have the
2 right to vote or to count in forming a quorum.

3 (5) The validity of any proceeding of the Board or of a committee
4 shall not be adversely affected by any vacancy in the membership of the
5 Board or Committee or by any defect in the appointment of a member of the
6 Board.

EXPLANATORY MEMORANDUM

This Bill seeks to establish a National Centre for Elderly Persons (NCEP) to serve the needs of older people throughout Nigeria, improve the quality of life for elderly people by promoting their social inclusion, enhancing their economic security, and ensuring their access to essential healthcare services.