

A BILL

FOR

AN ACT TO ESTABLISH THE NATIONAL HOSPITAL FOR WOMEN, IDEATO, IMO STATE TO SPECIALIZE IN THE PROMOTION OF REPRODUCTIVE AND MATERNAL HEALTH, THE RESEARCH, PREVENTION, SENSITIZATION AND TREATMENT OF OBSTETRICS FISTULA AND FOR RELATED MATTERS

Sponsored by Hon. Ikeagwuonu Ugochinyere

[] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 PART I - ESTABLISHMENT OF THE NATIONAL HOSPITAL FOR WOMEN,
2 IDEATO, IMO STATE AND THE BOARD OF MANAGEMENT

3 1.-(1) There shall be established a National Hospital for Women,
4 Ideato, Imo State (in this Bill referred to as "the Hospital").

Establishment of the National Hospital for Women, Ideato, Imo State

5 (2) The Hospital-

6 (a) shall be a body corporate;

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

8 (c) shall have perpetual succession and a common seal

9 2. There is hereby established for the management of the Hospital
10 a Board of Management (in this Act referred to as "Board") which shall be
11 constituted and have the functions and powers set out in this Act.

Establishment of the Boar of Management of the Hospital

12 3.-(1) The Board shall consist of-

Membership of the Board

13 (a) a chairman;

14 (b) the Chief Medical Director of the Hospital;

15 (c) the Director of Clinical Services;

16 (d) the Director of Administration;

17 (e) the Director of Finance;

18 (f) the Director of Research;

19 (g) the Director of Maintenance;

- 1 (h) a representative of the Federal Ministry of Health;
- 2 (i) a representative of the Federal Ministry of Women Affairs and
3 Social Development;
- 4 (j) a representative of the Family Support Trust Fund;
- 5 (k) a representative of the National Primary Health Care
6 Development Agency-NPHCDA;
- 7 (l) a representative of the National Association of Nigerian Nurses
8 and Midwives;
- 9 (m) a representative of the host community.
- 10 (2) The chairman and members of the Board, other than ex-officio
11 members, shall be-
- 12 (a) appointed by the President; and
- 13 (b) persons of proven integrity and ability.
- 14 (3) The supplementary provisions set out in the Schedule to this Act
15 shall have effect with respect to the proceedings of the Board and the other
16 matters contained therein.
- Tenure of office 17 **4.** Subject to the provisions of section 5 of this Act, a member of the
18 Board, other than ex-officio members, shall each hold office-
- 19 (a) for a term of three years in the first instance and may be re-
20 appointed for a more year;
- 21 (b) further term of three years and no more; and
- 22 (c) on such terms and conditions as may be specified in their letter of
23 appointment.
- Cessation of 24 **5.-(1)** Notwithstanding the provisions of section 4 of this Act a person
membership 25 shall cease to hold office as a member of the Board if-
- 26 (a) he becomes bankrupt, suspends payment or compounds with his
27 creditors; or
- 28 (b) he is convicted of a felony or any offence involving dishonesty or
29 fraud; or

1 (c) he becomes of unsound mind or is incapable of carrying out his
2 duties; or

3 (d) he is guilty of a serious misconduct in relation to his duties; or

4 (e) in the case of a person possessed of professional qualifications,
5 he is disqualified or suspended, other than at his own request, from
6 practicing his profession in any part of the world by an order of a competent
7 authority made in respect of that member; or

8 (f) he resigns his appointment by a letter addressed to the President.

9 (2) If a member of the Board ceases to hold office for any reason
10 whatsoever, before the expiration of the term for which he is appointed,
11 another person representing the same interest as that member shall be
12 appointed to the Board for the unexpired term.

13 (3) A member of the Board may be removed by the President if he is
14 satisfied that it is not in the interest of the Hospital or the interest of the
15 public that the member continues in office.

16 6. There shall be paid to every member of the Board such
17 allowances and expenses as the Federal Government may, from time to time,
18 direct.

Allowances of
members

19 PART II - FUNCTIONS AND POWERS OF THE BOARD, ETC.

20 7.-(1) The Board shall-

21 (a) equip, maintain and operate the Hospital so as to provide
22 facilities for diagnosis, curative, promotive and rehabilitative services in the
23 prevention and treatment of obstetric fistula;

24 (b) construct, equip, maintain and operate such training schools,
25 research Hospitals and similar institutions as the Board considers necessary
26 for providing the Hospital at all times with a proper staff of Hospital
27 technicians and nurses;

28 (c) construct, equip, maintain and operate such clinics, out-patient
29 departments,

30 (d) laboratories, research or experimental stations and other like

Functions of the
Board

1 institutions as the Board considers necessary for the efficient functioning of the
2 Hospital.

3 (2) The Board shall ensure that the standards of teaching provided at
4 all establishments under its control and the standards of treatment and care
5 provided for patients at those establishments do not fall below those usually
6 provided by similar establishments of international repute.

7 (3) Subject to this Bill, the Board shall perform such other functions
8 which in its opinion are calculated to facilitate the carrying out of its functions
9 under this Bill.

Powers of the
Board

10 **8.** The Board shall have power to-

11 (a) provide the general policies and guidelines relating to major
12 expansion;

13 (b) programmes of the Hospital;

14 (c) provide facilities for the training of medical students of associate
15 universities;

16 (d) manage and superintend the affairs of the Hospital;

17 (e) subject to the provisions of this Bill, make, alter and revoke rules
18 and regulations for carrying on the functions of the Hospital;

19 (f) fix terms and conditions of service, including remuneration of the
20 employees of the Hospital; and

21 (g) do such other things which in the opinion of the Board are
22 necessary to ensure the efficient performance of the functions of the Hospital.

23 PART III - STAFF OF THE HOSPITAL

Chief Medical
Director of the
Hospital

24 **9.**-(1) There shall be for the Hospital a Chief Medical Director who
25 shall be appointed by the President on the recommendation of the Board and on
26 such terms and conditions as may be specified in his letter of appointment or as
27 may be determined, from time to time, by the Government of the Federation.

28 (2) The Chief Medical Director shall-

29 (a) be the chief executive and accounting officer of the Hospital;

1 (b) be responsible to the Board for the day-to-day administration of
2 the Hospital;

3 (c) be appointed for a term of four years in the first instance and
4 may be reappointed for a further term of four years subject to satisfactory
5 performance;

6 (d) be a person who is an obstetrician and shall have been so
7 qualified for a period of not less than 15 years;

8 (e) have considerable administrative experience in matters of
9 health;

10 (f) hold a post-graduate specialist qualification obtained not less
11 than ten years prior to the appointment as Chief Medical Director.

12 **10.-(1)** The Board shall appoint for the Hospital-

13 (a) a Director of Administration, who shall-

14 (i) be responsible to the Chief Medical Director for the effective
15 functioning of all the administrative divisions of the Hospital;

16 (ii) conduct the correspondence of the Board and keep the records
17 of the Hospital; and

18 (iii) perform such other functions as the Board or the Chief Medical
19 Director, as the case may be, may, from time to time, assign to him;

20 (b) a Director of Clinical Services;

21 (c) a Director of Finance;

22 (d) a Director of Maintenance.

23 (e) a Director of Research.

24 (2) The Directors appointed under paragraphs (b), (c) (d) and (e) of
25 subsection (1) of this section shall each be responsible to the Chief Medical
26 Director for the effective running of the clinical services, the finance and
27 accounts, the co-ordination of the maintenance of the Hospital and research,
28 as the case may be.

29 (3) The Board shall appoint for the Hospital such number of
30 employees as may in the opinion of the Board be expedient and necessary

Appointment
of Directors and
other staff of the
Hospital

1 for the proper and efficient performance of the functions of the Hospital.

2 (4) Notwithstanding the provisions of subsections (1) and (2) of this
3 section the Board shall have power to appoint for the Hospital either directly or
4 on secondment from any public service in the Federation, such number of
5 employees as may, in the opinion of the Board, be required to assist the
6 Hospital in the discharge of any of its functions under this Act.

7 (5) Nothing in subsection (4) of this section shall preclude the Board
8 from appointing persons from outside the public service of the Federation or of
9 the State whenever it deems it necessary so to do.

10 (6) The terms and conditions of service (including remuneration,
11 allowances, benefits and pensions) of the employees of the Hospital shall be as
12 determined by the Board.

Service in the
Hospital to be
pensionable

13 **11.**-(1) Service in the Hospital shall be approved service for the
14 purposes of the Pensions Act.

15 (2) The officers and other persons employed in the Hospital shall be
16 entitled to pensions, gratuities and other retirement benefits as are enjoyed by
17 persons holding equivalent grades in the civil service of the Federation.

18 (3) Nothing in subsections (1) and (2) of this section shall prevent the
19 appointment of a person to any office on terms which preclude the grant of
20 pension and gratuity in respect of that office.

21 (4) For the purposes of the application of the provisions of the
22 Pensions Act, any power exercisable thereunder by the Minister or other
23 authority of the Government of the Federation, other than the power to make
24 regulations under section 23 thereof, is hereby vested in and shall be
25 exercisable by the Board, and not by any other person or authority.

Establishment
of the Medical
Advisory
Committee, etc.

26 **12.**-(1) There shall be for the Hospital, a Medical Advisory
27 Committee which shall-

28 (a) consist of a chairman who shall be the Director, Clinical Services
29 and such;

1 (b) number of other members as may be determined from time to
2 time;

3 (c) be responsible to the Chief Medical Director for all the clinical
4 and training activities of the Hospital; and

5 (d) be appointed by the Board.

6 (2) Subject to this Act, the Board shall have power to appoint either
7 directly or on secondment and discipline consultants holding or acting in
8 any office in the Hospital; and any such appointment shall be made having
9 due regard to the approved personnel establishment of the Hospital.

10 (3) Notwithstanding anything to the contrary, the Board may, from
11 time to time, appoint consultants outside the Hospital to perform such
12 medical duties as the Board or the Chief Medical Director may assign to
13 such consultants.

14 PART IV - FINANCIAL PROVISIONS

15 **13.** There shall be established and maintained for the Hospital a Fund of the
16 fund into which shall be paid and credited- Hospital

17 (a) all subventions and budgetary allocation from the Government
18 of the Federation;

19 (b) all fees and funds accruing from the sale of drugs and other
20 services;

21 (c) all sums accruing to the Hospital by way of gifts, endowments,
22 bequests, grants or other contributions by persons and organizations;

23 (d) foreign aid and assistance from bilateral agencies; and

24 (e) all other sums which may, from time to time, accrue to the
25 Hospital.

26 **14.** The Hospital shall, from time to time, apply the funds at its Expenditure of
27 disposal to- the Hospital

28 (a) the cost of research, administration and maintenance of the
29 Hospital;

30 (b) publicize and promote the activities of the Hospital;

1 (c) pay allowances, expenses and other benefits of members of the
2 Board and committees of the Board;

3 (d) pay the salaries, allowances and benefits of employees of the
4 Hospital;

5 (e) pay other overhead allowances, benefits and other administrative
6 costs of the Hospital; and

7 (f) undertake such other activities as are connected with all or any of
8 the functions of the Hospital under this Bill.

Power to accept
gifts

9 **15.**-(1) The Hospital may accept gifts of land, money or other
10 property on such terms and conditions, if any, as may be specified by the person
11 or organization making the gift.

12 (2) The Hospital shall not accept any gift if the conditions attached by
13 the person or organization making the gift are inconsistent with the functions of
14 the Hospital under this Bill.

Annual estimates
and expenditure

15 **16.**-(1) The Board shall, not later than 30 September in each year,
16 submit to the President through the Secretary to the Government of the
17 Federation an estimate of the expenditure and income of the Hospital during
18 the next succeeding year.

19 (2) The Board shall cause to be kept proper accounts of the Hospital in
20 respect of each year and proper records in relation thereto and shall cause the
21 accounts to be audited not later than six months after the end of each year by
22 auditors appointed from the list and in accordance with the guidelines supplied
23 by the Auditor-General for the Federation.

Annual report

24 **17.** The Board shall prepare and submit to the President, not later than
25 30 June in each year, a report in such form as the President may direct on the
26 activities of the Hospital during the immediately preceding year, and shall
27 include in the report a copy of the audited accounts of the Hospital for that year
28 and the auditor's report thereon.

Power to borrow

29 **18.**-(1) The Hospital may, from time to time, borrow by overdraft or
30 otherwise such sums as it may require for the performance of its functions

1 under this Bill.

2 (2) The Hospital shall not, without the approval of the President,
3 borrow money which exceeds, at any time, the limit set by the President.

4 (3) Notwithstanding subsection (I) of this section, where the sum to
5 be borrowed is in foreign currency, the Hospital shall not borrow the sum
6 without the prior approval of the President.

7 **19.**-(1) The Hospital shall not pay income tax on any income
8 derived by the Hospital under this Act or accruing to it from any of its
9 investments. Exemption from tax

10 (2) Accordingly, the provisions of any enactment relating to the
11 taxation of companies or trust funds shall not apply to the Board of the
12 Hospital.

13 **20.** The Hospital shall not pay customs duty on or be restricted or
14 prohibited from importing any equipment, material, supply and any other
15 thing required by the Hospital for the purposes of this Bill. Exemption from customs duties, etc.

16 PART V - GENERAL

17 **21.**-(1) Notwithstanding anything to the contrary contained in any
18 other enactment, where it appears to the Board that any student of the
19 Hospital has been guilty of misconduct, the Board may, without prejudice to
20 any other disciplinary powers conferred on it by regulations, direct- Discipline of students

21 (a) that the student shall not, during such period as may be specified
22 in the direction, participate in such activities of the Hospital, or make use of
23 such facilities of the Hospital as may be so specified; or

24 (b) that the activities of the student shall, during such period as may
25 be specified in the direction, be restricted in such manner as may be so
26 specified; or

27 (c) that the student be rusticated for such period as may be specified
28 in the direction; or

29 (d) that the student be expelled from the Hospital.

30 (2) The fact that an appeal from a direction is brought in pursuance

1 of subsection (1) of this section shall not affect the operation of the direction
2 while the appeal is pending.

3 (3) The Board may delegate its powers under this section to a
4 disciplinary committee consisting of such members of the Hospital as the
5 Board may nominate.

6 (4) Nothing in this section shall be construed as preventing the
7 restriction or termination of student's activities at the Hospital otherwise than
8 on the ground of misconduct.

9 (5) A direction issued under subsection (1) (a) of this section may be
10 combined with a direction issued under subsection (1) (b) of this section.

11 (6) Nothing in this Bill shall affect the provisions of any enactment
12 relating to the discipline of medical practitioners, pharmacists, midwives,
13 nurses or members of any other profession or calling.

Removal and
discipline of
clinical,
administrative
and technical
staff

14 **22.**-(1) If it appears to the Board that there are reasons for believing
15 that any person employed as a member of the clinical, administrative or
16 technical staff of the Hospital, other than the Chief Medical Director, should be
17 removed from his office or employment, the Board shall require the Director of
18 Administration to-

19 (a) give notice of those reasons to the person in question;

20 (b) afford him an opportunity of making representations in person on
21 the matter to the Board; and

22 (c) if the person in question so requests within a period of 1 month
23 beginning with the date of the notice, make arrangements for-

24 (i) a committee to investigate the matter and report on it to the Board;
25 and

26 (ii) the person in question to be afforded an opportunity of appearing
27 before and being heard by an investigating committee set up with respect to the
28 matter, and if the Board, after considering the report of the investigating
29 committee, is satisfied that the person in question should be removed as

1 aforesaid, the Board may so remove him by a letter signed on the direction of
2 the Board.

3 (2) The Chief Medical Director may, in a case of misconduct by a
4 member of the staff which in the opinion of the Chief Medical Director is
5 prejudicial to the interest of the Hospital, suspend any such member and any
6 such suspension shall forthwith be reported to the Board.

7 (3) For good cause, any member of staff may be suspended from
8 his duties or his appointment may be terminated or he may be dismissed by
9 the Board and for the purposes of this section, "good cause" means-

10 (a) a conviction for any offence which the Board considers to be
11 such as to render the person concerned unfit for the discharge of the
12 functions of his office; or

13 (b) any physical or mental incapacity which the Board, after
14 obtaining medical advice, considers to be such as to render the person
15 concerned unfit to continue to hold his office; or

16 (c) conduct of a scandalous or other disgraceful nature which the
17 Board considers to be such as to render the person concerned unfit to
18 continue to hold his office or

19 (d) conduct which the Board considers to be such as to constitute a
20 failure or inability of the person concerned to discharge the functions of his
21 office or to comply with the terms and conditions of his service.

22 (4) Any person suspended shall, subject to subsections (2) and (3)
23 of this section be on half pay and the Board shall before the expiration of a
24 period of three months after the date of such suspension consider the case
25 against that , person and come to a decision as to-

26 (a) whether to continue the person's suspension and if so, on what
27 terms (including the proportion of his emoluments to be paid to him);

28 (b) whether to reinstate the person, in which case the Board shall
29 restore his full emoluments to him with effect from the date of suspension;

30 (c) whether to terminate the appointment of the person concerned,

1 in which case he shall not be entitled to the proportion of his emoluments
2 withheld during the period of suspension; or

3 (d) whether to take such lesser disciplinary action against the person
4 (including the restoration of his emoluments that might have been withheld), as
5 the Board may determine, and in any case where the Board, pursuant to this
6 section, decides to continue a person's suspension or decides to take further
7 disciplinary action against a person, the Board shall before the expiration of a
8 period of three months from such decision come to a final determination in
9 respect of the case concerning any such person.

10 (5) It shall be the duty of the person by whom a letter of removal is
11 signed in pursuance of subsection (1) of this section to use his best endeavors to
12 cause a copy of the letter to be served as soon as reasonably practicable on the
13 person to whom it relates.

14 (6) Nothing in the foregoing provisions of this section shall preclude
15 the Board from making such regulations not inconsistent with the provisions of
16 this Bill for the discipline of students and all other categories of employees of
17 the Hospital as the Board may prescribe.

18 (7) Regulations made under subsection (6) of this section need not be
19 published in the Gazette but the Board shall cause them to be brought to the
20 notice of all affected persons in such manner as it may, from time to time,
21 determine.

Discipline of
junior staff

22 **23.-**(1) If any junior staff is accused of misconduct or inefficiency, the
23 Chief Medical Director may suspend them for not more than a period of 3
24 months and shall direct a committee to-

25 (a) consider the case; and

26 (b) make recommendations as to the appropriate action to be taken by
27 the Chief Medical Director.

28 (2) In all cases under this section of this Bill, the officer shall be
29 informed of the charge against him and given a reasonable opportunity to
30 defend himself.

- 1 "Hospital" means the National Hospital for Women Ideato, Imo State.
- 2 "junior staff" means staff of such grade as may be determined, from time to
3 time, by the Board;
- 4 "medical student" means a student whose course of instruction is-
- 5 (a) designed (either alone or in conjunction with other courses) to
6 enable him to qualify as a medical practitioner; or
- 7 (b) designed for the further training of medical practitioners;
- 8 "Minister" means the Minister charged with responsibility for matters relating
9 to health and "Ministry" shall be construed accordingly;
- 10 "student" means a person enrolled at an institution controlled by the Board for
11 the purpose of pursuing a course of instruction at the institution.
- 12 **27.** This Bill may be cited as the National Hospital for Women Ideato,
13 Imo State (Establishment, etc.) Bill, 2024.

Short title

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SCHEDULE

[Section 3 (3).]

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

Proceedings of the Board

1.-(1) Subject to this Bill and section 28 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.

(2) The quorum of the Board shall be the chairman or the person presiding at the meeting and 5 other members of the Board, 2 of whom shall be ex-officio members, and the quorum of any committee of the Board shall be as determined by the Board.

2.-(1) The Board shall meet whenever it is summoned by the chairman and if the chairman is required to do so by notice given to him by not less than 8 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.

(2) At any meeting of the Board, the chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their number to preside at the meeting.

(3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

3.-(1) The Board may appoint one or more committees to carry out, on behalf of the Board, such functions as the Board may determine.

(2) A committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.

1 (3) A decision of a committee of the Board shall be of no effect until it
2 is confirmed by the Board.

3 *Miscellaneous*

4 4.-(1) The fixing of the seal of the Hospital shall be authenticated by
5 the signatures of the Chairman, the Chief Medical Director or any person
6 generally or specifically authorised by the Board to act for that purpose.

7 (2) Any contract or instrument which, if made or executed by a person
8 not being a body corporate, would not be required to be under seal may be made
9 or executed on behalf of the Hospital by the Chief Medical Director or any
10 person generally or specifically authorised by the Board to act for that purpose.

11 (3) A document purporting to be a document duly executed under the
12 seal of the Hospital shall be received in evidence and shall, unless and until the
13 contrary is proved, be presumed to be so executed.

14 5. The validity of any proceedings of the Board or of a committee shall
15 not be adversely affected by-

16 (a) a vacancy in the membership of the Board or committee; or

17 (b) a defect in the appointment of a member of the Board or
18 committee;

19 (c) reason that a person not entitled to do so took part in the
20 proceedings of the Board or committee.

EXPLANATORY MEMORANDUM

This Bill seeks to establish the National Hospital for Women, Ideato, Imo State to specialize in the promotion of reproductive and maternal health, the research, prevention, sensitization and treatment of Obstetrics Fistula.