

A BILL

FOR

AN ACT TO PROVIDE FOR ESTABLISHMENT OF THE NATIONAL OBSTETRICS
FISTULA CENTRE, FOR THE TREATMENT, REHABILITATION, RE-
INTERGRATION. RESEARCH AND TRAINING, BABBAR-RUGA, KATSINA
STATE AND FOR RELATED MATTERS, 2024

Sponsored by Hon. Dalhatu Shehu

[] Commencement

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

1 **1.** There is established National Obstetrics Fistula Centre, Babbar-
2 Ruga, Katsina State (in this Bill referred to as "the Centre").

Establishment
of the National
Obstetrics Fistula
Centre, Babbar-
Ruga, Katsina State
and its functions

3 **2.** The Centre-

4 (a) shall be a body corporate with perpetual succession and a
5 common seal; and

6 (b) may sue and be sued in its corporate name.

7 **3.** The Centre shall-

Functions of the
Centre

8 (a) provide national leadership in Obstetrics Fistula research,
9 control and treatment;

10 (b) guide scientific improvements to Obstetrics Fistula prevention,
11 treatment and care;

12 (c) coordinate and liaise between the wide range of groups and
13 health care providers with an interest in Obstetrics Fistula;

14 (d) make recommendations to the Government about Obstetrics
15 Fistula policy and priorities;

16 (e) oversee a dedicated budget for research into Obstetrics Fistula;

17 (f) assist with the implementation of Government policies and
18 programmes in Obstetrics Fistula control;

19 (g) provide financial assistance, out of money appropriated by the

1 National Assembly, for research and treatment and for the implementation of
2 policies and programmes mentioned in paragraph (f) of this subsection.

3 **4.** The Centre may carry out such other activities as are necessary or
4 expedient for the full performance of any of the functions of the Centre under
5 this Bill.

Establishment
and membership
of the Board

6 **5.-(1)** There is established the National Obstetrics Fistula Centre
7 Board membership of the (in this Bill referred to as "the Board").

8 (2) The Board shall consist of-

9 (a) a chairman to be appointed by the President;

10 (b) a representative of the Ministry responsible for health matters;

11 (c) a representative each of-

12 (i) Pharmaceutical Council of Nigeria,

13 (ii) Medical and Dental Council of Nigeria, and

14 (iii) Nursing and Midwifery Council of Nigeria;

15 (d) eight persons with relevant qualifications and experience each to
16 represent-

17 (i) Urologists,

18 (ii) Medical Laboratory Scientists,

19 (iii) Physiotherapists,

20 (iv) Nigerian Cancer Society,

21 (v) Civil Society Organisations,

22 (vi) a Obstetrics Fistula survivor living free of Obstetrics Fistula for a
23 minimum of 5 years,

24 (vii) National Complementary and Alternative Medical Association,

25 and

26 (viii) National Association of Nigeria Traditional Medicine
27 Practitioners.

Tenure of office
members

28 **6.-(1)** The Medical Director of the Centre. Subject to the provision of
29 this Ten section, a member of the Board shall hold office for a term of four years

1 and may be eligible for re-appointment for a further term of four years and
2 no more.

3 (2) Notwithstanding the provisions of subsection (1) of this
4 section, the President may at any time remove a member from the Board. if
5 he is satisfied that it is not in the interest of the Centre or public that a
6 member continues in office.

7 (3) A member may, in writing under his hand addressed to the
8 Minister, resign at any time.

9 (4) The office of a member of the Board is vacant if-

10 (a) the term of his appointment has expired;

11 (b) he absents himself without leave of the Board from three
12 consecutive meetings of the Board and without reasonable excuse for so
13 doing;

14 (c) he is guilty of misconduct in his office as a member and a
15 resolution of the Board approves the termination of his membership; or

16 (d) he dies, resigns or is removed from office.

17 (5) Soon after the office of a member of the Board becomes vacant,
18 the authority by whom he was appointed shall appoint another person in his
19 place in accordance with the provisions of this Bill.

20 (6) Members of the Board, other than ex-Officio members, shall be
21 paid, out of the money, at the disposal of the Board, such remunerations and
22 allowances as the Minister may, with the approval of the President,
23 determine.

24 **Schedule**

25 **7.** The provisions contained in the Schedule to this Bill shall have effect with
26 respect to the proceedings of the Board and other matters contained in the
27 Schedule.

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

29 (a) erect, provide, equip and maintain research centres, training
30 schools with state of the art facilities as are necessarily suitable for the, or

Powers of the
Board

- 1 required for any of the objects of the Centre;
- 2 (b) encourage and provide for research at the Centre;
- 3 (c) accept gifts, legacies and donations which are consistent with the
- 4 objects of this Centre;
- 5 (d) enter into contract;
- 6 (e) acquire and hold movable and immovable property;
- 7 (f) with the approval of the Minister-
- 8 (i) and subject to the Land Use Act, sell, mortgage, transfer or
- 9 otherwise deal with movable or immovable property,
- 10 (ii) borrow, at interest on the security of land or movable property of
- 11 the Board, such money as the Board may require for the purpose of this Bill,
- 12 and
- 13 (iii) invest the funds of the Board as it deems fit; and
- 14 (g) Do anything which, in its opinion, may advance the objects for
- 15 which the Centre was established.
- 16 **9.-(1)** The President shall, on the recommendations of the Minister,
- 17 appoint a Medical Director of the Centre.
- 18 (2) A person shall not be qualified to be appointed as a Director
- 19 Gynecologist or Obstetrician unless the person is an with 10 years research
- 20 experience and preferably a Professor with administrative experience.
- 21 (3) The Board shall not exercise any disciplinary control over the
- 22 Director without the approval of the Minister.
- 23 (4) Subject to the provision of this Bill and the control of the Board
- 24 over the matters affecting finance of the centre, the Medical Director shall be
- 25 the Chief Executive of the Centre and shall be charged with the general
- 26 responsibility for the management and administration of the affairs of the
- 27 centre and in particular-
- 28 (a) direct and regulate the programme of work at the Centre;
- 29 (b) promote research within and outside the Centre;
- 30 (c) keep safe custody of all records of the Centre;

Medical Director
of the Centre

1 (d) demand and receive from any person attending training or
2 courses at the Centre, fees as the Board may determine;

3 (e) prepare and present to the Board annual and other reports on the
4 progress of work at the Centre and on the expenditure or liabilities of the
5 Centre;

6 (f) be responsible for the day-to-day running and management of
7 the Centre;

8 (g) exercise such powers and discharge such duties as may be
9 determined by the President;

10 (h) create a central online data base for statistical analysis to create
11 access by both public and private individuals with a view to attracting donor
12 agencies;

13 (i) establish a department of telemedicine for collaboration with
14 peers both within and outside the country; and

15 **10.**-(1) There shall be for the Centre an administrative secretary
16 who shall be appointed by the Board to discharge such duties as may be
17 assigned to him by the Board. Appointment of
Secretary and
other staff

18 (2) The Board may appoint such other staff for the Centre as it may
19 determine and pay to its staff such remunerations and allowances payable to
20 persons. on equivalent grade in the Civil Service of the Federation.

21 **11.**-(1) Service in the Centre shall be approved service for the
22 purposes of the Pension Reform Act. Pensionable
Service

23 (2) Officers and staff of the Centre are entitled to pensions,
24 gratuities and other retirement benefits as prescribed in the Pension Reform
25 Act, and nothing in this Bill shall prevent the appointment of a person to any
26 office on terms which preclude the grant of a pension or other retirement
27 benefit in respect of that office.

28 **12.**-(1) The Board shall establish and maintain a fund from which
29 shall be defrayed, with the Financial provisions, general or specified
30 approval of the Minister in any case, all expenditure incurred by the Board. Financial
Provisions

1 (2) There shall be paid and credited to the Fund established under
2 subsection (1)-

3 (a) such sums as may be provided by the Federal Government or a
4 State Government;

5 (b) all money raised for the general purposes of the Centre;

6 (c) all money accruing to the Board on behalf of the Centre by any
7 means, including grants -in- aid, endowments and donations; and

8 (d) all charges, dues and fees for services rendered by the Fund.

9 (3) The Board shall establish Public Private Partnership (PPP)
10 wherever possible for providing clinical services using PPP model to defray
11 costs and maximize efficiency.

Account and
Audit

12 **13.**-(1) The Board shall keep proper accounts in respect of each year
13 and proper records in Account and audit relation to those accounts and shall
14 cause to be prepared in each year-

15 (a) a statement showing the income and expenditure of the Centre for
16 immediate preceding year; and

17 (b) a statement of the assets and liabilities of the Centre as at the last
18 day of the immediate preceding year.

19 (2) The Board shall cause every statement prepared under this section
20 to be audited within. six months after the end of the year to which the statement
21 relates by auditors appointed from the list, and in accordance with the
22 guidelines, supplied by the Auditor-General for the Federation.

Annual estimates

23 **14.** The Board shall-

24 (1) cause to be prepared, not later than 1st June in each year, an
25 estimate of the expenditure necessary to can)' out the Programme approved by
26 the Board during the immediate preceding year; and

27 (2) not later than 31st October in each year, submit to the Minister the
28 estimate of expenditure and that of its income during the next succeeding year.

Annual report

29 **15.** The Board shall prepare and submit to the Minister, once every
30 year, a report, in such form as the Minister may direct, on the activities of the

1 Board during the immediate preceding year, and shall include in the report a
2 copy of the audited accounts of the Center for that year and the auditor's
3 report.

4 **16.** The Minister may give directives of a general nature with Power to give
directives
5 regard to the carrying out the objects of the Centre under this Bill and the
6 Centre shall comply with such directive.

7 **17.** The Board may, with the approval of the Minister, make Regulations
8 regulations generally for bringing into effect the provisions of this Act and
9 due administration of the Centre.

10 **18.** In this Act- Interpretation
11 "Board" means the National Obstetrics Fistula Centre, Babbar-Ruga,
12 Katsina State Board established under section 3 (1) of this Bill;
13 "Obstetrics Fistula"-

14 (a) means the uncontrolled growth of the cells in the human body
15 and the ability of these cells to migrate from the original site and spread to
16 distant sites; and

17 (b) includes skin cancer, lung cancer, colon cancer, and prostate
18 cancer (in men), cancer of the kidneys, ovaries, uterus, pancreas, bladder,
19 rectum, and blood and lymph node.cancer (leukemias and lymphomas);

20 "Medical Director" means the Director of the Centre appointed under section
21 5 (1) of this Bill;

22 "Centre" means the National Obstetrics Fistula Centre, Babbar -
23 Ruga,Katsina State established under section 1 (1) of this Bill;

24 "Minister" means the Minister charged with the responsibility for matters
25 relating to health; "power" includes duties and functions.

26 **19.** This Bill may be cited as the National Obstetrics Fistula Centre, Citation
27 Babbar-Ruga, Katsina State (Establishment) Bill, 2024.

1 SCHEDULE

2 *Section 3 (7)*

3 *Proceedings of the Board, etc*

4 Subject to this Bill and section 27 of the Interpretation Act, the Board
5 may make standing orders to regulate proceedings or that of any committee.

6 (1) The Board shall meet, at least two times in every year, for the
7 performance of its functions under this Bill and at such times and places as the
8 Chairman may appoint.

9 (2) The Chairman shall, if required to do so by notice in writing by at
10 least five other members, call a special "meeting of the Board to be held within
11 28 days from the date on which the notice is given,

12 (3) Any notice given under subparagraph (2) shall state the matters to
13 be discussed at the special meeting and any matter not so stated shall not be.
14 discussed at the meeting.

15 (4) At every meeting of the Board, the Chairman shall preside and, in
16 his absence, the members present shall appoint one of them to preside at that
17 meeting.

18 The quorum of the Board shall be four and the quorum of any committee of the
19 Board shall be determined the Board.

20 Minutes of every meeting of the Board shall be regularly entered in a book to be
21 kept for the purpose and all, after approval by members, be signed by the
22 Chairman at the next meeting.

23 The Board may act notwithstanding-

24 (a) any vacancy in its membership; or

25 (b) any defect in the appointment of a member; or

26 (c) that a person not entitled to do so took part in the proceedings.

27 The seal of the Board shall not be used or affixed, to any document except in
28 pursuance of a resolution duly passed at a properly constituted meeting of the
29 Board.

30 (I) The fixing of the seal of the Board shall be authenticated by the

1 signature of the Chairman, the Director or any other member authorized
2 generally or specifically to act for that purpose by the Board.

3 (2) Any contract or instrument, which if made or executed by a
4 person not being a body corporate would be required to be under seal, may
5 be made or executed on behalf of the Board by' any person generally or
6 specially authorised to act for that purpose by the Board.

7 (3) Any document purporting to be document duly executed under
8 the seal of the Board shall be received in evidence and shall, unless the
9 contrary is proved, be presumed to be so executed.

10 Members of the Board who are not public officers shall be paid, out of the
11 money at the disposal of the card, such traveling and other allowances in
12 accordance with such scales as may be approved by the minister.

13 Any member of the Board or a committee who has a personal interest in any
14 contract or arrangement entered to or proposed to be considered by the
15 Board or committee shall disclose his interest to the Board or committee and
16 shall not vote on any question relating to such contract or arrangement.

EXPLANATORY MEMORANDUM

This Bill seeks to provide for establishment of the National Obstetrics Fisula
Centre, Babbar-Ruga, Katsina State.