

NATIONAL YOUTHS WELFARE SCHEME FUND
(ESTABLISHMENT) BILL, 2019
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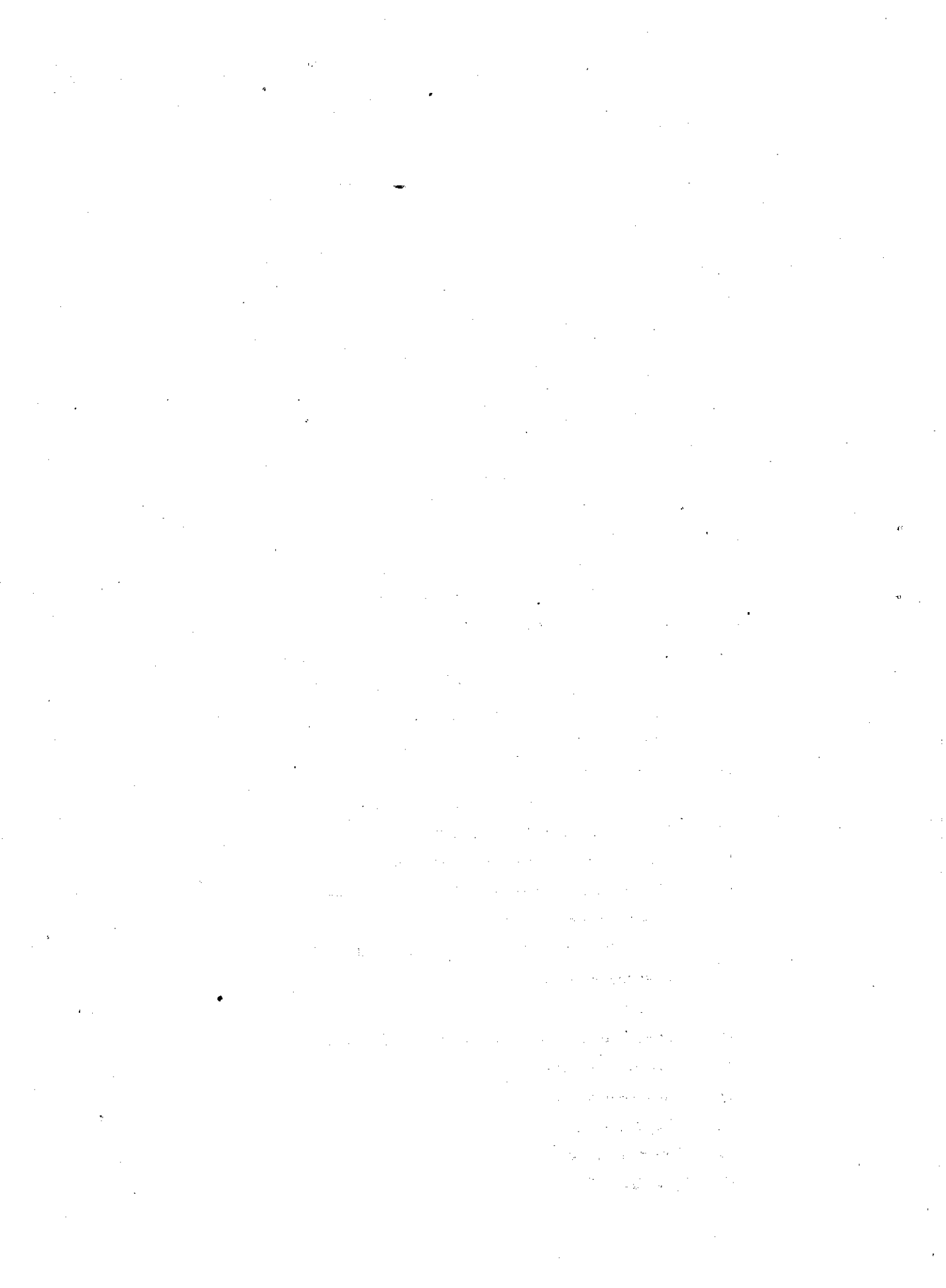
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A BILL

FOR

AN ACT TO ESTABLISH NATIONAL YOUTHS WELFARE SCHEME FUND TO MANAGE AND CO-ORDINATE YOUTHS WELFARE SERVICES TO REDUCE CHALLENGES IN GOVERNANCE AND SECURITY IN THE COUNTRY AND FOR RELATED MATTERS, 2019

Sponsored by Hon. Abbas Tajudeen

[] Commencement

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

PART I - ESTABLISHMENT OF THE FUND

1 1.-(1) There is established a fund to be known as the National Establishment
2 Youth Welfare Scheme Fund (in this bill referred to as "the Fund"). of the Fund

3 (2) The Fund:

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

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

7 (c) may hold and dispose property whether movable or immovable

8 PART II - ESTABLISHMENT AND COMPOSITION OF THE BOARD

9 2.-(1) There is hereby established for the Fund a governing Board Establishment of
10 (in this bill referred to as "the Board"). the Board

11 (2) The Board shall consist of:

12 (a) an Executive Chairman;

13 (b) a representative of the Secretary to the Government of the
14 Federation;

15 (c) six members each representing each of the six geo-political
16 zones of the country;

17 (d) the Permanent Secretary, Ministry of youths Development;

18 (e) the Permanent Secretary, Ministry of Labour and Productivity;

1 (f) the Permanent Secretary Federal Ministry of Justices;
2 (g) the Permanent Secretary, Federal Ministry of Finance;
3 (f) the Director-General, National Youth Service Commission
4 (3) The President, of the Federal Republic of Nigeria, may on the
5 recommendation of the Minister, appoint the Executive Chairman and the
6 members representing the six geo-political zones of the country.

Schedule

7 (4) The supplementary provision set out in the schedule to this Bill
8 shall have effect with respect to the proceedings of the Board.

Tenure

9 3.-(1) The Executive Chairman and the members representing the six
10 geo-political zones of the country may hold office for a term of 4 years and may
11 be eligible for, subject to satisfactory performance, re-appointed for further
12 term of four years and no more.

13 (2) The members of the Board shall be paid such remunerations and
14 allowances as the president may from time to time determine in line with the
15 provision of National Salaries and Wages Commission Act.

Registration,
Cessation or
Removal from
Membership of
the Board

16 4.-(1) A member of the Board mentioned under clause 3(2)
17 paragraphs (a) and (c) may resign his appointment by notice in writing
18 addressed to the President.

19 (2) A member of the Board may 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;
23 (d) is convicted of a felony or of any offence involving dishonesty;

24 and

25 (e) is guilty of serious misconduct in relation to the office.

26 (3) A member of the Board may be removed, at any time, from office
27 by the President on the recommendation of the Board, if the President is
28 satisfied that it is not in the interest of the Fund or the public that the member
29 should continue to hold office.

30 (4) Where vacancy exists in the membership of the Board, the

1 vacancy shall be filled by appointing a person representing the area where
2 the vacancy exists, to complete the remainder of the term of office of the
3 predecessor.

4 PART III - STRUCTURE OF THE FUND

5 5.-(1) The Fund shall be structured into departments, divisions and
6 units, the departments shall be headed by a Director in the service of the
7 Fund.

Structure of the
Fund

8 6.-(1) There is established for the Fund, a Management Committee
9 comprising all the Directors and the Executive Chairman of the Agency.

Establishment of
Management
Committee

10 (2) The Executive-Chairman of the Fund shall be the chairperson
11 of the Committee and Director in charge of human capital shall be the
12 Secretary of the Committee.

13 (3) The Management Committee shall be responsible for the
14 general administration of the Fund, particularly, in recruitment, promotion,
15 and discipline of members of staff of the Fund.

16 PART IV - FUNCTIONS OF THE FUND

17 7.-(1) The Fund shall be responsible for:

Functions of the
Board

18 (a) implementation of the provision of this Bill;

19 (b) providing general guidelines and over all policy matters III
20 relation to the Fund;

21 (c) working out the possible required monetary details that will
22 enhance the welfare of the youths;

23 (d) monitoring the operation and evaluate the progress of the
24 scheme;

25 (e) liaising with the relevant stakeholders in determining the
26 projects and programmes of the Fund;

27 (f) working out the modalities needed to identify the youths that
28 will benefit from the funds of the Fund; and

29 (g) carrying out other activities that are incidental to the attainment
30 of its objectives under this Bill.

1 (2) Subject to the provisions of this Bill the Board shall:

2 (a) create departments for the Fund; and

3 (b) do anything which in its opinion is calculated to facilitate the
4 carrying out the objectives of the Fund.

5 (3) The Board shall not accept any gift, if the conditions attached by
6 the person or organization making the gift are inconsistent with the objectives
7 of the Fund under this Bill.

Eligibility

8 8.-(1) For a person to be eligible to benefit from the Fund, the person
9 shall:

10 (a) be a youth of between the ages of 18 and 35;

11 (b) provide a verifiable residential address;

12 (c) demonstrate the need to be assisted from the Fund;

13 (d) present a letter of attestation from his village or community leader
14 identifying the person as an indigene of the village; and

15 (e) provide any other thing that the fund may from time to time
16 request.

17 PART V - STAFF OF THE FUND

Appointment of
Secretary of the
Fund

18 9.-(1) There shall be appointed for the Fund, by the Board, from
19 within the service of the Fund, a Secretary for the Fund who shall qualify as a
20 legal practitioner and was so qualified for a period of not less than 15 years.

21 (2) The Secretary shall be:

22 (a) the legal adviser of the Fund and Secretary of all the Committees to
23 be established by the Management Committee; and

24 (b) answerable to the Executive Chairman of the Fund.

Other Staff of
the Fund

25 10.-(1) Other staff of the Fund shall be appointed by the Board
26 according to the procedure of appointment as stipulated by the Board.

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27 (2) The staff of the Fund shall be entitled to benefits under the pension
28 reform Act.

29 (3) Nothing in sub-clause (1) and (2) of this Bill shall prevent the
30 employment of a person to any office on temporary or permanent basis which

1 precludes the grant of pension.

2 11.-(1) The Board may subject to the provision of this Bill, make Staff Regulation
3 staff regulation relating generally to the condition of service, such
4 regulation may provide for the appointment, promotion, discipline and
5 appeals of the staff of the Agency.

6 PART VI - FINANCIAL PROVISIONS

7 12.-(1) The Fund shall establish and maintain funds which shall Establishment of
8 consists of: Funds for the
Fund

9 (a) all subventions and budgetary allocation from the federal
10 government;

11 (b) all funds, assets, resources, undertakings and such rights and
12 interests as the Fund may from time to time acquire;

13 (c) all sums accruing to the Fund, from time to time;

14 (d) gifts, donations and contributions from national and
15 internationals Institutions and philanthropists; and

16 (e) fees, if any, charged by the Fund for services rendered;

17 (f) A contribution of 0.05 of net earnings by both public and private
18 organisation.

19 13.-(1) The Fund shall manage and apply its funds in accordance Application and
20 with the general guidelines made by the Board, particularly on: Management of
the Funds

21 (a) youth welfare;

22 (b) cost of administration and payment of allowances to the staff of
23 the Fund;

24 (c) payment of salaries and other allowances for the staff of the
25 Fund;

26 (d) maintenance of any property vested in the Fund; and

27 (e) payment of the service fees payable for procurement and
28 consultancy services made for the benefits of the service of the Fund.

29 14. The Fund shall not later than 30th September each year or other Annual budget
30 date stipulated by law or policy, submit to the National Assembly an of the Fund

1 estimate of expenditure or income of the Fund as approved by the Board for the
2 next fiscal year for incorporation into the National Budget.

Power to borrow
money

3 **15.** The Fund may, with the written approval of the Board and subject
4 to the guidelines and policy of the Federal Government, borrow such money
5 needed for the exercise of its function, provided that such borrowing shall be
6 made on the terms and condition that do not compromise the competence of the
7 Fund.

8 **PART VII - MISCELLANEOUS PROVISIONS**

Accounts and
Audit

9 **16.** The Board shall cause to be kept proper accounts of its Funds
10 audited by an External Auditors appointed by the Board from the list of
11 registered auditors in Nigeria, in accordance with the guidelines provided by
12 Auditor-General of the Federation.

Reports

13 **17.-(1)** The Management Committee shall submit to the Board
14 quarterly and annual reports of the activities of the Fund and the Board shall
15 submit to the President annual report of the activities of the Fund.

Procedure and
limitation of suit
against the Board

16 **18.-(1)** An Individual or corporate person who has a cause of action
17 against the Agency must:

18 (a) give the Fund three months notice of intention to commence an
19 action in writing disclosing the cause of action and relief sought and be served
20 at the principal office of the Fund; and

21 (b) any cause of action against the Fund for any claim must
22 commence within four years from the date the cause of action arose.

Service of process

23 **19.** Any document, summons, notices, process or any other thing
24 required or authorized to be served on the Fund shall be served by delivering
25 same at the office of the Executive Chairman of the Fund.

Indemnity of
Members

26 **20.** Every member of the Board, agents or employees of the Fund
27 shall be indemnified from the Funds of the Fund against any liability incurred
28 in defending any proceeding brought against the persons under this Clause, in
29 the person's capacity as member, agent or employee of the Fund.

1 21. The Board shall have power to make general regulations to give Regulations
2 full effect to the provisions of this Bill.

3 22. In this Bill: Interpretation
4 "Beneficiary" means a person entitled to benefit under this bill;
5 "Minister" Means the minister charged with the responsibility for youth
6 affairs;
7 "Youths" Means a young person not bellow the age of 17 years and not above
8 30 years of age who is unemployed.

9 23. This Bill may be cited as the National Youths Welfare Scheme Short Title
10 Fund (Establishment) Bill, 2019.

11 SCHEDULE

12 *Clause 2(4)*

13 SUPPLEMENTARY PROVISIONS RELATING TO THE FUND

14 *Proceedings of the Board*

15 1.-(1) Subject to the provisions of this Bill and other applicable
16 laws, the Board may make standing orders regulating its proceedings.

17 (2) The Board shall meet whenever summoned by the Chairman, or
18 if required to do so, by at least 8 members of the Board and shall meet for a
19 minimum of 4 times in a year.

20 (3) The Chairman shall preside over the meetings of the Board and
21 in his absence, the Members of the Board shall nominate one person
22 amongst themselves to act as the Chairmen for that meeting.

23 *Committees*

24 2.-(1) The Management Committee may appoint sub-committees
25 to carry out, on its behalf, such functions that the Committee shall
26 legitimately carryout.

27 (2) The decision of the sub-committee appointed under paragraph
28 2(1) shall have no effect until it is approved by the Management Committee.

29 *Miscellaneous*

30 3.-(1) The Secretary of the Board shall be the custodian of the seal

1 of the Board.

2 (2) Fixing of the common seal of the Board shall be authenticated by
3 the signature of the Chairman of the Board or some other persons authorized to
4 do so.

5 (3) Any contract or instrument, which if made or executed by a person
6 not being a body corporate, shall not be required to be made under seal, shall be
7 executed on behalf of the Board by the Commandant-General or any other
8 person authorized to do so.

9 (4) Where the Board desires to obtain an expert opinion from a person
10 not being a member of the Board, the Board may co-opt such person for such
11 period the Board may determine, but the co-opted person shall not have the
12 right to vote or to count in forming a quorum.

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

EXPLANATORY MEMORANDUM

This Bill seeks to establish National Youths Welfare Scheme Fund to manage and co-ordinate the welfare of unemployed youths to reduce the challenges of governance and security in Nigeria.