

# A BILL

## FOR

AN ACT TO PROVIDE CERTAIN RIGHTS AND PRIVILEGES FOR OLDER PERSONS IN ORDER TO ENSURE HEALTH AND ECONOMIC RELIEFS AND PROTECTION FOR THEIR SOCIAL AND CIVIL RIGHTS AND FOR OTHER RELATED MATTERS, 2019

*Sponsored by Senator Ezenwa Onyewuchi*

[ ] Commencement

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

1 PART I - PROHIBITION OF DISCRIMINATION AGAINST OLDER PERSONS

2 1.-(1) An Older Person shall not be discriminated against on the ground of his age or disability by any person or institution in any manner or circumstances whatsoever. Prohibition of discrimination and penalty

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4  
5 (2) Any person who contravenes subsection (1) of this Section commits an offence and shall be liable on conviction to, if the person is:

- 6 (a) a body corporate, a fine of N2,000,000.00; and
- 7 (b) an individual, a fine of N200,000.00 or 6 months imprisonment
- 8 or both.

9  
10 (3) Without prejudice to this Bill, any prosecution, conviction or otherwise of any person for any offence under this Bill, does not preclude the right the victim to maintain a civil action against any such person committing the offence or causing the injury.

11  
12  
13  
14 PART II - ORIENTATION

15 2. The Federal Ministry of Information shall make provisions for promotion of orientation and awareness regarding: Orientation and awareness

- 16 (a) the rights and respect for the inherent dignity of Older Persons;
- 17 (b) the capabilities, achievements and contributions of Older
- 18 Persons;
- 19

1 (c) respect for individual autonomy, including the freedom of Older  
2 Persons to make individual choices;

3 (d) respect for interdependence and caring relationships of Older  
4 Persons;

5 (e) respect for family relationships and intergenerational solidarity;

6 (f) respect for full and effective participation and inclusion in society;

7 (g) respect for an recognition of Older Persons as part of human and  
8 cultural diversity; and

9 (h) respect for ageing as an integral and continuous part of life.

10 (i) encouraging their families and the communities they live with to  
11 reaffirm the valued Nigerian tradition of caring for Older Persons;

12 PART III - RIGHTS AND PRIVILEGES OF OLDER PERSONS

Old age grants

13 **3.**-(1) States operating Social Protection Programmes shall be entitled  
14 to grants from the Federal Government.

15 (2) Older Persons shall be included in every National Action  
16 Programme on Income Generation of the State or Federal Government.

17 (3) Older Persons have the right to express their wishes and  
18 preferences regarding future health and long term care-related decisions and to  
19 have those expressions respected.

20 (4) Older Persons have the right to social protection, including  
21 income security without discrimination on the basis of age or gender.

22 (5) All elderly small-holder farmers shall be entitled to financial  
23 services accruing to other age groups.

24 (6) Equality, non and equal opportunity.

25 Discrimination against Older Persons on the basis of age is prohibited

Health and  
Long Term Care

26 **4.**-(1) Older Persons shall have the right to:

27 (a) enjoyment of the highest attainable standards of physical and  
28 mental health and long term care without discrimination on the basis of age,  
29 including public health, preventive medicine, palliative care and  
30 rehabilitation;

1 (b) the benefits of scientific progress and health and long term care-  
2 related research;

3 (c) self-determination in health and long term care-related matters  
4 and to make such decisions based on informed consent;

5 (d) dignity, privacy and autonomy in making health and long term  
6 care-related decisions;

7 (e) express their wishes and preferences regarding future health  
8 and long term care-related decisions and such decisions shall be respected;

9 (f) assistance and support in receiving, understanding and  
10 processing information in making informed health and long term care-  
11 related decisions.

12 (2) Public Hospitals shall establish geriatric wards/for Older  
13 Persons:

14 (i) such geriatric wards shall be for the exclusive use of Older  
15 Persons;

16 (ii) such wards shall be conspicuously labeled "Geriatric Ward"

17 (iii) geriatric wards may be used for other emergency purposes,  
18 after which they shall be reverted for exclusive geriatric purposes;

19 (iv) Primary Health Care Centres shall be modified to serve  
20 Geriatric Population.

21 (3) The Federal and State Ministries of Health and National Health  
22 Insurance Scheme (NHIS), shall institute a National Health Programme and  
23 shall provide an Integrated Health Service for Older Persons.

24 (4) Government shall encourage and create enabling environment  
25 for the establishment of DAY CARE Centres throughout the country.

26 (5) The Federal and State Ministries of Health shall train  
27 Community-Based Health Workers among Older Persons and Health  
28 Personnel to specialize in the geriatric care and health problems of Older  
29 Persons.

30 (6) NHIS shall design insurance product for coverage of the elderly

1 with sustainable funding options.

2 (7) Older Persons shall be entitled to the grant of fifty percent (50%)  
3 discount and exemption from the valued-added tax (VAT), on medical and  
4 dental services, diagnostic and laboratory fees in all private hospitals, medical  
5 facilities, outpatient clinics and home health care services, as determined by  
6 the National Health Insurance Scheme (NHIS).

7 (8) Medical and dental services, diagnostic and laboratory outfits and  
8 pharmaceutical outfits shall file documentations of discounted geriatric  
9 services to the Federal Inland Revenue Service (FIRS) in their tax returns for  
10 commensurate tax reliefs.

11 (9) All indigent Older Persons shall be covered by the National  
12 Health Insurance Programme.

13 (10) Social Safety Nets:

14 Social Safety assistance intended to cushion the effects of economics hocks,  
15 disasters and calamities shall be available for Older Persons.

16 The social safety assistance which shall include, but not limited to, food,  
17 medicines, and financial assistance for domicile repair, shall be sourced from  
18 National Emergency Management Agency (NEMA)/State Emergency  
19 Management Agency (SEMA)/Local Government Emergency Management  
20 Agency (LGEMA) and the National Commission for Refugees and Internally  
21 Displaced Persons (IDPs).

22 (11) To provide a comprehensive health care and rehabilitation  
23 system for disabled Older Persons, to foster their capacity to attain a more  
24 meaningful and productive ageing.

Additional  
Government  
Assistance

25 **5.** Indigent Older Persons shall be entitled to a monthly stipend  
26 amounting to not less than fifty percent (50%) of the national minimum wage,  
27 subject to review every five (5) years by the National Assembly.

28 (1) the social welfare units of Local Governments shall be  
29 responsible for the payments of the monthly stipends referred to in this Section  
30 in conjunction with an officer of the National Identity Management

1 Commission (NIMC) responsible for such disbursements.

2           **6.** Older Persons shall have the right to adequate standard of Adequate  
3 living, including the right to food, water, clothing and housing, and to Standard of Living  
4 improve their living conditions without discrimination on the basis of age.

5           PART IV - MOBILITY AND ACCESSIBILITY TO PHYSICAL STRUCTURES

6           **7.** An Older Person shall have right to safe and smooth movement Social Security  
7 on streets, walkways, gatherings and physical structures free of  
8 unreasonable physical contact from other persons.

9           **8.** Public buildings shall be constructed and provided with the  
10 necessary accessibility and mobility aids such as lifts for multi-level  
11 buildings, ramps, wheel chairs, automated or manual transportation carriers  
12 and any other facility that shall make such facilities conveniently accessible  
13 and usable by  
14 Older Persons.

15           **9.** Older Persons shall enjoy safe and convenient usage of side-  
16 walks, pedestrian crossings, pedestrian bridges etc including those with  
17 wheel chairs and the visually impaired.

18           **10.** There shall be a transitionary period of four (4) years from the Transitional  
19 commencement of this Act, within which all public buildings and structures  
20 whether temporary or permanent, rented, acquired or built, moveable,  
21 immoveable or automobile, which were inaccessible to Older Persons, shall  
22 be modified to be accessible and usable by Older Persons, including those  
23 with wheel chairs.

24           **11.-(1)** Building plans shall be scrutinized by the relevant Prohibition for  
25 authorities to ensure that all public building plans conform with the approval or non-  
26 intendment of this Act. complaint building  
code

27           (2) No government or government agency, body or individual  
28 responsible for the approval of building plans shall approve the plan of a  
29 public building if the plan does not make provision for accessibility facilities  
30 line with building codes that accommodate the needs and requirements of

1 Older Persons.

2 (3) Any officer who approves or directs the approval of any public  
3 building plan that contravenes the building code referred to in subsection (2) of  
4 this Section shall be liable to a fine of a minimum of N2,000,000 or two (2)  
5 years imprisonment or to both such fine and imprisonment.

6 **12.**-(1) Subject to Section 10, in the event of the existence of a state of  
7 inaccessibility or barrier to access of an Older Person to a public building or  
8 facility, he may, without prejudice to his or her right to seek redress in court,  
9 notify the relevant authority in charge of the environment, and it shall be the  
10 duty of the relevant authority in charge to take immediate and necessary steps  
11 to remove the barrier and make the environment accessible to Older Persons.

12 (2) If the relevant authority in charge receives the notice in Subsection  
13 (1) above but fails to comply, it shall be liable to:

14 (a) if a corporate body, N20,000.00 damages payable to the  
15 complainant for each day that the defaults continues, commencing 6 months  
16 from the date the complaint was lodged;

17 (b) if an individual, N10,000.00 payable to the complainant for each  
18 day that the default continues, commencing 6 months from the date that the  
19 complaint was lodged.

20 PART V - HOUSING

Right to adequate  
Housing

21 **13.**(1) Housing:

22 (1) An Older Person residing in a residential facility has, in addition to the  
23 rights he or she has in terms of the Bill of Rights or any other right she/she may  
24 have, the right to:

25 (a) adequate housing;

26 (b) choose on an equal basis with other persons, their place of  
27 residence, the persons with whom they may live, and they are not obliged to  
28 live in any particular living arrangement;

29 (c) security of statutory tenures, full terms of allocations and  
30 tenancies.

- 1 (d) appoint a representative to act on his or her behalf;
- 2 (e) have reasonable access to assistance and visitation;
- 3 (f) keep and use personal possessions;
- 4 (g) be informed about the financial status of the residential facility
- 5 and changes of management;
- 6 (h) participate in social, religious and community activities of
- 7 his/her choice;
- 8 (i) privacy;
- 9 (j) his/her own physician if he/she can afford it.
- 10 (2) In the monitoring of registered residential facilities, a Social
- 11 Worker in the employment of the Local Government may at any time, and
- 12 any Social Worker or person designated by the LG Chairman must if
- 13 requested to do so by the LG Chairman:
- 14 (a) visit and monitor Older Persons in order to ensure compliance
- 15 with this Act;
- 16 (b) interview any Older Person cared for or accommodated in such
- 17 a residential facility;
- 18 (c) either with or without the assistance of a health care provider,
- 19 enquire into the well-being of any such Older Person;
- 20 (d) direct any person who has in his/her possession or custody, any
- 21 book or document relating to such residential facility, to submit such book or
- 22 document to him/her for inspection;
- 23 (e) submit a report to the LG Chairman on the outcome of the
- 24 inspection;
- 25 (f) provide the operator for the residential facility with a report on
- 26 the findings of the inspection;
- 27 (3) The Federal/State/Local Government shall include in their
- 28 shelter programme the social housing needs of Older Persons, such as
- 29 establishment of housing units for the Ageing.
- 30 (4) With respect to ensuring support for services delivered to

1 Older Persons by any Third Party:

2 (a) Social Worker must open and maintain a register of all assets  
3 bought with Government funds and prescribe conditions for the management  
4 of such assets.

5 (b) LG Social Worker must be included for contact in case of  
6 emergency under 911 phone number.

7 (5) Long Term Care Facilities shall be provided with increased  
8 residential facilities, under Formal Boarding Institutions.

9 PART VI - ROAD TRANSPORTATION

Goods, services  
and facilities

10 **14.** It is unlawful for a person (the provider) who (whether for  
11 payment or not) provides goods or services, or makes facilities available, to  
12 discriminate against Older Person:

13 (a) by refusing to provide those goods or services or make those  
14 facilities available to him;

15 (b) on such terms or conditions on which the provider provides those  
16 goods or services or makes those facilities available to him; or

17 (c) in a manner in which the provider provides those goods or  
18 services or makes those facilities available to him.

Accessibility  
of vehicles

19 **15.-(1)** Government Transport services providers shall make  
20 provisions for lifts, ramps and other accessibility aids to enhance the  
21 accessibility of their vehicles, parks and bus-stop to persons for Older Persons  
22 including those on wheel chairs.

23 (2) Every public vehicle should have functional audible and visual  
24 display of their destination within four (4) years from the commencement of  
25 this Bill.

Waiver of charges  
on assistives

26 **16.** Wheelchairs, crutches, braces and any other mobility aid and  
27 appliance or assistive devices used by Older Persons shall not be subject to  
28 charges, provided they are not carried in commercial quantities and for  
29 commercial purposes.

Reserved  
spaces

30 **17.-(1)** At public parking lots, suitable spaces shall be properly

1 marked and reserved for Older Persons.

2 (2) For Older Persons to be entitled to the use of the reserved space  
3 in Subsection (1) of this Section, his car shall have been properly identified  
4 with the necessary insignia.

5 (3) A person, organization or corporate body in control of a public  
6 parking lot who fails to provide for the reserved spaces in Subsection (1) of  
7 this Section commits an offence and is liable on conviction to a fine of  
8 N5,000 for each day of default.

9 (4) A non-permitted person who parks a vehicle in the reserved  
10 space in Subsection (1) of this Section commits an offence and is liable on  
11 conviction to a fine of N5,000.

12 (5) A person who unlawfully obstructs the reserved space in  
13 subsection (1) of this Section commits an offence and is liable on conviction  
14 to a fine of N5,000.

15 (6) Subsection (4) of this Section does not apply if an Older Person  
16 is a passenger in the vehicle.

17 PART VII - SEAPORTS AND RAILWAYS

18 **18.**-(1) Seaports and facilities therein as well as vessels shall be Seaports and  
19 made accessible to and convenient for Older Persons. railways

20 (2) Railway stations, trains and facilities therein shall be made  
21 accessible to and convenient for Older Persons.

22 **19.** The provision of Section 14 shall be subjected to the transitory Transitory period  
23 provision contained in Section (8). for railway and  
seaports

24 PART VIII - AIRPORT FACILITIES

25 **20.**-(1) All airlines operating in Nigeria shall: Assistive service  
26 and airline

26 (a) ensure the accessibility of their aircraft to Older Persons;

27 (b) make available presentable and functional wheelchairs for the  
28 conveyance of Older Persons who need it to and from the aircraft;

29 (c) ensure that Older Persons are assisted to get on and off board in  
30 safety and reasonable comfort;

1 (d) ensure that Older Persons are accorded priority while boarding  
2 and disembarking from the aircraft.

3 (2) All airports shall make available for the conveyance of Older  
4 Persons who need it to and from the aircraft, a presentable and functional  
5 assistive and protective device.

Special safety  
briefing of Older  
Persons

6 **21.** Any general information shall be translated into the accessible  
7 format appropriate to the Older Persons present.

8 PART IX - REBATES

Discounts

9 **22.**-(1) Older Persons shall be entitled to the grant of fifty percent  
10 (50%), in actual fare of land transportation travel in public and private  
11 facilities, buses, taxis and rail.

12 (2) Older Persons shall be entitled to the grant of fifty percent (50%),  
13 in actual transportation by sea shipping vessels and the like, based on actual  
14 fare and advanced booking;

15 (3) Public and private air transport establishments shall provide air  
16 fares and other transport facilities at discounted rates of fifty percent (50%) to  
17 Older Persons;

18 (4) Express lanes shall be provided for Older Persons, in all  
19 commercial and government establishments (wherever queues are required),  
20 in the absence thereof, priority shall be given to them.

21 (5) At least fifty percent (50%) discount, which shall be granted on  
22 the consumption of electricity, water, and telephone by the Older Persons  
23 Centre and residential care/group homes that are government-run or non-stock,  
24 non-profit domestic corporation organized and operated primarily for the purpose  
25 of promoting the well-being of abandoned, neglected, unattached, or homeless  
26 Older Persons.

27 (6) Older Persons shall be granted fifty percent (50%) discount, in the  
28 utilization of services in hotels and similar lodging establishments, restaurants  
29 and recreation centres.

30 (7) On admission fees charged by theatres, cinema houses and

1 concert halls, leisure and amusement, Older Persons shall be granted fifty  
2 percent (50%) discount of rates charged.

3 (8) All utility companies, hotels, holiday resorts referred to in  
4 subsections 5-7 of this Section shall file documentations of discounted  
5 geriatric services to the Federal Inland Revenue Service (FIRS) in their tax  
6 returns for commensurate tax reliefs.

7 PART X - RIGHT TO FIRST CONSIDERATION IN QUEUES AND IN  
8 EMERGENCIES

9 23. In all situations of risks, including situations of violence, Situation of risk  
10 emergencies and the occurrences of natural disasters: and humanitarian  
emergencies

11 (a) government shall take all necessary steps to ensure the safety  
12 and protection of Older Persons taking cognizance of their peculiar  
13 vulnerability.

14 24.-(1) In queues, Older Persons shall be given first consideration, Service of queues  
15 and as much as possible should be attended to outside the queue.

16 (2) Any person in breach of this Section shall be liable on  
17 conviction to 6 months imprisonment or fine of N50,000.00 or both.

18 PART XI - LIBERTY

19 25. -(1) No person shall: Penalty

20 (a) employ, use or involve an Older Person in begging:

21 (b) parade Older Persons in public with intention of soliciting  
22 alms;

23 (c) use condition of old age as a guise for the purpose of begging  
24 in public.

25 (d) Older Persons have a right to liberty and security of persons;

26 (e) Older Persons have a right to personal mobility with the greatest  
27 possible independence;

28 (2) A person who contravenes Subsection (1) of this Section  
29 commits an offence and is liable on conviction to 6 months imprisonment or  
30 a fine of N100,000.00 or both.

1 (3) Any person who suspects that an Older Person has been abused or  
2 suffers from abuse related injury, must immediately notify the Local  
3 Government Social Worker or a Police Officer, of his/her suspicion. Nothing  
4 in this Bill invalidate the existing Act prohibiting all forms of violence.

5 (4) Any conduct or lack of appropriate action, occurring within any  
6 relationship, where there is an expectation of trust, which causes harm or  
7 distress is likely to cause harm or distress to an Older Person constitutes abuse  
8 of an Older Person.

9 (5) For the purposes of Subsection (4) "abuse" includes physical,  
10 sexual, psychological, or economic abuse.

11 PART XII - COMMUNAL LIFE

Freedom of  
movement

12 **26.** Older Persons shall have the liberty of movement within or out of  
13 the country and freedom to choose their residence on an equal basis with  
14 others.

Freedom from  
segregation

15 **27.** Except on medical grounds or in accordance with the provisions  
16 of the Constitution of the Federal Republic of Nigeria 1999 (as amended), an  
17 Older Person shall not be isolated or segregated from the community or  
18 compelled to live in a particular area.

Right to free  
education

19 **28.**-(1) Every Older Person shall have an unfettered right to education  
20 without discrimination or segregation in any form.

21 (2) Older Persons shall be entitled to free education to secondary  
22 school level.

23 (3) The Federal/State Ministries of Education and Local  
24 Governments in consultation with non-governmental organizations (NGOs),  
25 CSOs and CBOs for Older Persons, shall institute programmes that will ensure  
26 access to formal and informal education.

27 (4) Older Persons shall be entitled to educational assistance to pursue  
28 post-secondary, tertiary, post-tertiary, vocational and technical education, as  
29 well as short term courses for retooling in both public and private schools  
30 through provision of scholarships, grants, financial aids, subsidies and other

1 incentives to qualified Older Persons, including support for books, learning  
 2 materials, uniform allowances, to the extent feasible: provided that Older  
 3 Persons shall meet minimum admission requirement.

4 **29.**-(1) All public schools, whether primary, secondary or tertiary Inclusiveness  
of education  
 5 shall be run to be inclusive of an accessible to Older Persons, accordingly  
 6 every school shall have:

7 (a) at least a trained personnel to cater for the educational  
 8 development of Older Persons;

9 (b) special facilities for the effective education of Older Persons.

10 (2) Braille, sign language and other skills for communicating with  
 11 Older Persons shall form part of the curricula of primary, secondary and  
 12 tertiary institutions.

13 **30.** The education of special education personnel shall be highly Free education  
for special education  
personnel  
 14 subsidized.

15 **31.** Government shall ensure that the education of Older Persons, Appropriate mode  
of education for  
Older Persons  
 16 particularly, who are blind or deaf is delivered in the most appropriate  
 17 languages and modes and means of communication for the individual, and  
 18 in environments which maximizes academic and social development.

19 **32.** -(1) Government shall guarantee that Older Persons have Free health care  
 20 unfettered access to adequate health care without discrimination on the basis  
 21 of old age.

22 (2) A person with mental disability shall be entitled to free medical  
 23 and health service in all public health institutions.

24 **33.**-(1) Every Older Person shall obtain a Certificate of Old Age. Certificate of  
Old Age

25 (2) The National Identity Management Commission (NIMC) shall  
 26 issue Certificates of Old Age to Older Persons within sixty (60) days of  
 27 attaining the age of 65 years.

28 (3) Any person issued with a Certificate of Old Age, shall be  
 29 entitled to all rights and privileges in this Bill.

30 (4) Any person who unlawfully issues or unlawfully obtains

	1	Certificate of Old Age shall be liable to a fine of N200,000.00 or 1 year
	2	imprisonment or both.
Provision of special communication at hospitals	3	<b>34.</b> Any public hospital where a person with old age is medically
	4	attended to shall ensure provision for special communication.
Equal right to work	5	<b>35.</b> -(1) Older Persons shall have the right to work, on an equal basis
	6	with others this includes the right to opportunity to gain a living by work freely
	7	chosen or accepted in a labour market and work environment that is open.
	8	(2) A person in breach of this Section shall be liable on conviction to
	9	nominal damages of a minimum of N250,000.00 payable to the affected Old
	10	Person.
	11	(3) Where a company is in breach of this Section:
	12	(a) the company shall be liable to nominal damages of a minimum of
	13	N500,000.00 payable to the affected old person; and
	14	(b) any principal officer of the company involved in the violation
	15	shall be liable to N50,000 damages payable to the affected Older Person.
Job security	16	<b>36.</b> All employers of labour in public organization shall as much as
	17	possible have Older Persons constituting at least 5% of their employment.
	18	PART XIII - ADEQUATE STANDARD OF LIVING AND SOCIAL PROTECTION
Accommodation	19	<b>37.</b> Where accommodation is being provided by schools for their
	20	students, employers for their employees, service providers for their customers,
	21	organizations for their members, government for the people and in any other
	22	circumstance whatsoever, Older Persons shall be given first consideration.
	23	PART XIV - PARTICIPATION IN POLITICS AND PUBLIC LIFE
Participation in politics	24	<b>38.</b> -(1) Older Persons shall be encouraged to fully participate in
	25	politics and public life.
	26	(2) Government shall actively promote an environment in which
	27	Older Persons can effectively and fully participate:
	28	(a) the conduct of public affairs without discrimination;
	29	(b) Non-governmental organizations and associations concerned
	30	with the public and political life of the country; and

1 (c) activities and administration of political parties.

2 PART XV - INTERPRETATION

3 **39.** In this Act:

Interpretation

4 "Accessibility aid" includes any fixture and device that aids accessibility;

5 "Accommodation" (in the context of housing) include residential or  
6 business accommodation;

7 "Assistive Device" means any device that assist, increases or improves the  
8 functional capabilities of Older Persons;

9 "Closed Captioning" is a term describing several systems developed to  
10 display text on a television or video screen to provide additional or  
11 interpretive information to viewers who wish to access it;

12 "Old Age" means any age above 65 years;

13 "Discrimination" means differential treatment and its verbs and infinite  
14 form (discriminate, to discriminate) have the corresponding signification;

15 "Document" includes any book register or other record of information,  
16 however compiled, record or stored;

17 "Educational Authority" means a body of person(s) administering an  
18 education institution;

19 "Employer" includes prospective employer, principal and a person who  
20 engages or proposes to engage a commission agent, contract worker or  
21 independent contractor;

22 "Employer of Labour" means "Employer" as interpreted by the workmen's  
23 Compensation Act;

24 "Economic Abuse" means:

25 (i) the deprivation of economic and financial resources to which  
26 an Older Person is entitled under any law;

27 (ii) the unreasonable deprivation of economic and financial  
28 resources which the Older Person requires out of necessity; or

29 (iii) the disposal of household effects or other property that belongs  
30 to the Older Person without the older person's consent.

- 1 "Function" includes duty;
- 2 "Government employee" means a person who is appointed, employed or  
3 engaged in the public service of, or by a public authority of the Federation, a  
4 State, the Federal Capital Territory or a Local Government, or holds an  
5 administrative office;
- 6 "Indigent Person" means any Older Person who is not on a pension, or income  
7 from any other Social Security/Service;
- 8 "Persons" includes natural, artificial, juristic or judicial persons, companies,  
9 enterprises firms, organizations, association, government departments,  
10 ministries, parastatals;
- 11 "Older Persons" means: a person who has received Certificate of Old Age from  
12 the National Identity Management Commission (NIMC);
- 13 "Physical Abuse" means an act or threat of physical violence towards an Older  
14 Persons;
- 15 "President" means President and Commander in Chief of the Armed Forces of  
16 the Federal Republic of Nigeria;
- 17 "Premises" includes a structure, building, aircraft, vehicle, train or vessel; a  
18 place (whether enclosed or built on or not); and a part of any premises;
- 19 "Psychological Abuse" means any pattern of degrading or humiliating conduct  
20 towards an Older Person; including:
- 21 (i) repeated insults, ridicule or name calling;
- 22 (ii) repeated threats to cause emotional pain; and
- 23 (iii) repeated invasion of an Older Person's privacy, liberty, integrity  
24 or security;
- 25 "Public Building" means a building owned or used by government or  
26 government agency or a building available for the use of members of the  
27 public;
- 28 "Sexual Abuse" means any conduct that violates the sexual integrity of an  
29 Older Person;
- 30 "Subtitles Caption" means caption displayed at the bottom of a movie or

- 1 television screen that translate or transcribe the dialogue or narrative;
- 2 "Special Facilities" means any provision whether movable or immovable  
3 that will enhance easy access and enjoyment in public buildings by Older  
4 Persons, significantly decreased endurance so that he cannot perform his  
5 everyday' routine, living and working without significantly increased  
6 hardship and vulnerability to everyday obstacles and hazards;
- 7 "Student" in relation to an education institution, includes a candidate or  
8 application for admission into that education institution;
- 9 "Undue hardship" means significant difficulty or expense, when considered  
10 in light of such factor as:
- 11 (a) the nature and cost of the accommodation needed to take care  
12 of an Older Person's needs;
- 13 (b) the overall financial resources of the facility or facilities  
14 involved in the provision of the reasonable accommodation; the number of  
15 persons employed at such facility;
- 16 (c) the effect on expenses and resources or the impact otherwise of  
17 such accommodation upon the operation of the facility;
- 18 (d) the overall finances of the persons or organization having to  
19 deal with Older Persons, with overall size of his or its business with respect  
20 to the number of its employees; the number, type, and location of its  
21 facilities; and
- 22 (e) the type of operation or operations of such person or  
23 organization, including the composition, structure and function of his or its  
24 workforce; the geographic, separateness, administrative, or fiscal  
25 relationship of the facility or facilities in question to such person or  
26 organization.
- 27 **40.-(1)** Nothing in this Act shall invalidate the provisions of:
- 28 (a) Pensions Reform Act, 2004;
- 29 (b) National Health Insurance Scheme Act, 2004;
- 30 (c) National Social Insurance Trust Fund Act, 2004; or

1 (d) Provident Fund Act.

2 (2) Any other law in relation to any matter under this Bill shall be read  
3 in conformity with the provisions of this Bill, but this Bill shall not apply to any  
4 individual who is a beneficiary of any scheme established under the Act listed  
5 in subsection (1) including all Military, Para-Military or private pension  
6 schemes.

Citation

7 **41.** This Bill may be cited as Older Persons (Rights and Privileges)  
8 Bill, 2019.

EXPLANATORY MEMORANDUM

This Bill seeks to confer privileges and benefits on Older Persons that are aimed at enhancing their quality of life.

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- 1 SCHEDULES
- 2 *Section 18 (2)*
- 3 SPECIAL FACILITIES
- 4 1. Wheel Chairs: Clear floors or ground space on wheel chairs,  
5 wheel chair passage and turning space;
- 6 2. Crutches, guide canes, etc.
- 7 3. Hearing Aid
- 8 4. Curb ramps
- 9 5. Ramps
- 10 6. Handrails, grab bars
- 11 7. Stair-shopping stairs
- 12 8. Elevators/Lifts
- 13 9. Windows
- 14 10. Entrance Doors
- 15 11. Drinking fountains and water cookers
- 16 12. Toilet facilities
- 17 13. Door protective and re-opening devices maneuvering  
18 entrances at doors
- 19 14. Parking spaces and passenger loading zones
- 20 15. Accessible routes including walkways, halls, windows, aisles  
21 and spaces
- 22 16. Alarm:
- 23 (i) Audible alarms
- 24 (ii) Visual alarms
- 25 (iii) Auxiliary alarms

1 FIRST SCHEDULE

2 *Section 5*

3 COMPLIANCE ORDER

4 Notice has been taken of the fact that your programme is not inclusive of Older  
5 Persons issues.

6 In particular: .....

7 This contravenes Section 5 of Older Persons Act, you are hereby ordered to  
8 immediately comply with the said law.

9 Take note that if after 3 months from receipt of this order, you still remain in  
10 default; your operational licence shall be withdrawn.

11 Signed

12 PART I - CERTIFICATE OF OLD AGE

13 This is to certify that the birth record of .....

14 of .....was examined and found  
15 qualified to be an Older Person, in accordance with the Older Persons (Rights  
16 and Privileges) Bill, 2019