

**HB. 18****FOR**

AN ACT TO AMEND THE NIGERIAN CHILDREN'S TRUST FUND TO FORMALLY SET-UP ITS OWN BOARD OF TRUSTEES, ESTABLISH STATE BRANCH OFFICES FOR THE PROPER ADMINISTRATION AND DISTRIBUTION OF WELFARE SERVICES AND RELIEF TO THE BENEFIT OF NIGERIAN CHILDREN IN NEED, AND PROVIDE FOR OTHER MATTERS CONNECTED THEREWITH

*Sponsored by HON. AROLE FANCY  
(Surulere II Federal Constituency)*

Commence-  
ment,

BE. IT ENACTED by the National Assembly of the Federal Republic of Nigeria—

1. The Nigerian Children's Trust Fund Act (in this Act referred to as Amendment

"the principal Act") is hereby amended as set out under this Act.

of Cap. N93  
LFN.

2. Section 2 of the principal Act is amended by substituting for **the** existing Amendment

**Establishment**  
of Board of  
Trustees,  
tenure of  
office, etc.

Section 1. section 2 thereof, the following new section 2 therefor, that is —

of

2.—(1) There shall be established a body to be known as the Board of Trustees of the Nigerian Children's Trust Fund (in this Act referred to as "the Board") which shall be a body corporate with perpetual succession and a common seal, and may sue or be sued in its corporate name.

(2) The Hoard shall consist

of—

(a) a Chairman; and

(b) twelve other members, four of whom shall be women.

(3) The members of the Hoard appointed pursuant to subsection (2) of this section shall be persons appearing to the President to be suitably qualified by reason of professional or academic or administrative qualifications or by their attainment in any field of human endeavour.

(4) Subject to subsection (5) of this section, a person appointed as a member of the Board shall hold office for four

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years and shall be eligible for re-appointment for one further period of four years, and no more.

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(5) The President shall appoint **the** members of the Board, and shall have power to terminate **the** appointment of any member on grounds of misbehaviour or inability to discharge the duties of his office by reason of physical or mental incapacity.

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(6) In appointing members of the Board under this Act, the principles of Federal character of Nigeria shall be applied.

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Federation, as

(7) The Board shall have its headquarters in the Federal Capital Territory, and branch office **in** each State of **the**

and when practicable .

12 3. There is inserted, immediately after the existing section 2 of the  
13 Principal Act, as amended, the following new section 2A, **thereon**, that is —

2A—(1) Subject to the provisions of section 27 of the Interpretation Act, the Board shall have power to regulate its proceedings and may make standing orders **for** that purpose and subject to any such standing orders and to subsection (2) of this

(a) any vacancy **in** its membership or the absence of any **member;**

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

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

(2) Without prejudice to its standing orders, **the** quorum at any meeting of the Hoard shall be the Chairman and four **other** members; but in the absence of the Chairman, the members

present shall elect of one of their number to preside, and references herein to Chairman shall be **construed**, accordingly.

(3) The Board may appoint one or more Committees to carry out on its behalf such functions as the Board may determine.

(4) The Board may co-opt persons who are not members of

1 the Board or any Committee thereof and such persons may  
 2 participate in the deliberations of the Board or any Committee  
 3 thereof, but shall not be entitled to vote on any matter at any  
 4 such deliberation of **the** Board or any Committee".

5 4. Section 3 of the principal Act is amended —

Amendment  
of Section 3.

6 (1) By substituting for the existing paragraphs (a) to (d) thereof,  
 the following new paragraphs (a) to (d) therefor, that is —

"(a) carry on a regular survey and assessment **of** the  
 financial and material requirements of Nigerian children for the purposes of  
 9 providing relief in respect of children who are in needy circumstances such as  
 10 —

11 (i) orphaned children whose parents have died of HIV/ AIDS infection,  
 12 accident, natural disaster, **communal conflict**,

{ *it* } abandoned, crippled, terminally ill and mentally  
 16 afflicted children,

17 { *iii* } sexually abused, molested, injured and neglected

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19 (iv) children or pupils whose parents can not pay their  
 20 school fees or provide food and shelter for them;

21 (b) make grants from the Fund set up under this Act to  
 22 voluntary organisations in the Federation concerned **with** the  
 23 upkeep and care **of** children affected by any of the  
 24 circumstances described under paragraph (a) of tills section;

25 ■ (r) organise and implement programmes and projects for  
 26 the protection and enhancement of the talents and abilities **of**  
 27 children, and in this regard establish, as and when practicable,  
 28 Shelter Base Centres for children in each State of the  
 29 Federation and such other parts of Nigeria as the need may  
 30 warrant;

14 riot, etc., 31 (d) devise ways and

means of organizing charity shows,

exhibitions and such other similar events as the Board may deem **fit** for the purposes of generating additional funds for the implementation of the welfare programmes specified under this Act;

(2) By deleting the existing paragraph (e) thereof.

(3) By renumbering the existing paragraph (f) thereof as paragraph (e) thereof.

Amendment  
of Section 4.

5. Section 4 of the Principal Act is amended by substituting for the  
9 existing

10 **Power of the** section 4 thereof, the following new section 4 therefor, that is —  
11 **Minister to** 4. Subject to the provisions of this Act, the Minister may give  
12 **give** to the Board directions of a general nature with regard to the I  
13 **directions.** exercise of the functions of the **Board** under this act, and it shall be  
the duty of the Board to comply with any such directions".

Amendment  
of Section 5.

15 existing section 5 thereof, the following new section 5 therefor, that is —

16 6. Section 5 of the principal Act is amended by  
17 **Appointment** substituting for the  
18 **of Secretary**  
19 **and other**  
20 **staff.**

5.—(1) There shall be appointed for the Board, a Secretary who  
shall —

20 (a) not be below the rank of a Permanent Secretary in  
21 the  
Civil Service of the Federation;

(b) be responsible for the day to day management and  
operations of the Fund;

22 (c) be appointed by the President on such terms and  
23 conditions as may be specified in his letter of appointment.

24 (2) The Board may appoint such number of other persons  
25 to be employees of the Board, and notwithstanding this last  
26 foregoing provision of this subsection, employees of the Board  
27 may be appointed by way of transfer or secondment from any of  
28 the public service of the Federation.

29 (3) The Board, in relation to any employee thereof, shall  
30 have power —

31 (a) to exercise disciplinary control (including dismissal)

1 over such employees; and  
 2 (b) With the prior approval of the Federal Civil Service  
 Commission, to determine the remuneration and allowances  
 (and in appropriate cases, pensions, gratuities and other  
 terminal benefits) to be paid to such employees and such  
 other conditions of service of the employees as it may think  
**appropriate .**

87. Section 7 of the principal Act is amended in subsection (1), by  
 9 substituting for the "fine of N5,000)" appearing thereof, the "fine of  
 N200,000"  
 10therefor.

Amendment  
of Section 7.

11 8. Section 10 of the principal Act is amended by substituting for  
 12 the  
 13 Annual report. existing section 10 thereof, the following new section 10 . therefor, that  
 14 is —

Amendment  
of Section 10.

15 10. The Board shall prepare and submit to the President and the National  
 16 Assembly, through the Minister, not later than the last day of June in each  
 17 financial year, a report in such form as the Minister may direct on the activities of  
 18 the Board during the preceding Financial year, and shall include in such report a  
 19 copy of the audited accounts of the Fund for that year, and the auditor's report  
 20thereon".

Amendment  
of Section 11.

9. Section 11 of the principal Act is amended, by inserting in alphabetical  
 21 order the interpretation of the following words and expressions, that is —

22 "Minister" means the Minister of the Government of the Federation  
 23 responsible for matters relating to youth development and social welfare".

Consequential  
amendment.

24 10. The following words and expressions appearing in the (principal Act  
 25 are hereby consequentially amended, that is —

26 (1) There is substituted for the words "Executive Chairman", the word  
 27 "Chairman".

28 (2) Consequently, wherever the words "Executive Chairman" appears in  
 29 the principal Act there shall be substituted the word "Chairman".

30 (3) There is substituted for the words "Secretary/Treasurer", the word  
 31 "Secretary".

