

A BILL

FOR

AM ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE
NIGERIA AIDS COMMISSION FOR THE PREVENTION AND CONTROL OF THE AIDS
EPIDEMIC AND RELATED MATTERS

Sponsor: HON. GHAU UMAR NA'ABBA

Commence-
ment

- 1 ENACTED by the National Assembly of the Federal Republic of Nigeria —
- 2 **This Act may** be cited as the Nigeria Aids Commission Act, 2001.
- 3 In this Act, unless otherwise stated "Aids" means the Acquired Immune
- 4 Deficiency Syndrome.
- 5 "Commission" means the Nigeria Aids Commission established under
- 6 this Act.
- 7 "Donor Support Group" includes any bilateral international agency
- 8 supporting the National Aids Control Programmes in Nigeria
- 9 "Shareholders" includes all citizens and bodies/organisations involved
- 10 in the looking for cure, provision of palliative care, and awareness campaign.
- 11 1. There is hereby established a Commission to be known as the Nigeria
- 12 Aids Commission. The Commission shall be a body corporate with perpetual
- 13 succession and a common seal, and in its name capable of:
- 14 (i) Acquiring and holding property;
- 15 (ii) Suing and being sued ; and
- 16 2. Appointments into the Commission shall be made from:
- 17 (i) Representative of Youths ;
- 18 ii) Health Practitioners;
- 19 (iii) Research Institutions ;
- 20 (iv) People living with HTV/AIIs;
- 21 (v) Non Governmental Organisations/Community Based Organisations
- 22 involved with HIV/AIDS;
- 23 (vi) Ministry of Defence;
- 24 (vii) Representative of Women.

- 1 3. Appointment shall reflect the Federal Character of Nigeria.
- 2 4. Notwithstanding all the above, at least seven (7) members of the
3 Commission shall be appointed from outside Government Institutions.
- 4 5. The Commission shall consist of the following:
- 5 (0 The Chairman, who shall be the President of the Federal Republic or
6 his representative;
- 7 (ii) The Director-General of the Commission who shall be the Chief
8 Executive;
- 9 (iii) The Secretary of the Commission who shall be the Accounting Officer.
10 of the Commission and shall keep all records.
- 11 6. There shall be for the Commission a management board comprising of:
- 12 i The Director-General who shall be the Chief Executive;
- 13 (ii) The Secretary of the Commission ;
- 14 (iii) Heads of Departments of the Commission;
- 15 (IV) Persons outside the Commission who shall be co-opted to perform
16 specified functions.
- 17 6. The Commission shall have the powers to appoint specialist/technical
18 Committees on terms, which it shall determine to handle specific sectors or
19 Matters.
- 20 7. The Staff of the Commission shall hold office on such terms and
21 conditions as the Commission may determine:
- 22 (a) The functions of the management shall be :
- 23 (0 To ensure the implementation of the decisions and programmes of
24 the commission;
- 25 (ii) to advise the Commission on all matters relating to the Commission's
26 objectives under this Act and;
- 27 (in) to perform such other functions as they relate to the' prevention
28 and control of the HIV/ AIDS epidemic as the Commission may direct;
- 29 (IV) to co-ordinate the activities of all Committees established by the
30 Commission in respect to the fulfilment of their mandate.
- 31 8. The Chairman of the Commission shall preside over all meetings of the

1 Commission and shall in between Commission's meetings be responsible for
2 the supervision of the management board.

3 9. The functions of the Commission shall be to :

4 (a) Oversee the functions and power of the Commission ;

5 (b) Plan and co-ordinate AIDS prevention and control activities
6 throughout Nigeria and in particular to.

7 (i) Formulate policy and establish programme priorities for the control
8 of the AIDS epidemic and management throughout the country;

9 (ii) Ensure planning and co-ordination of AIDS control policies and
10 programmes;

11 (ii) Identify obstacles to the implementation of AIDS control policies
12 and programmes and ensure the implementation and attainment of
13 programme activities and targets ;

14 (iv) Mobilize, expedite and monitor resources for the AIDS control
15 programmes and activities;

16 (v) Disseminate information on the AIDS epidemic and its consequences
17 in Nigeria and on the programme activities for its control;

18 (vi) Supervise all activities related to the control of the AIDS epidemic
19 in Nigeria and in particular regarding:

20 (o) Health-Care and counselling of AIDS patients ;

21 (b) The welfare of bereaved orphans and survivors of AIDS victims ;

22 (c) The provision of medical supplies and equipment;

23 (d) The handling of socio-economic, culture and legal issues related
24 to the MDS epidemic, and;

25 (c) Biomedical research and surveillance into the AIDS epidemic
26 and methods of it's prevention and control;

T (i) To gather and collect data and statistics on the incidence and
28 occurrences of AIDS in Nigeria;

29 (ii) Engage in and sponsor research for cure and vaccine ;

30 (iii) Perform such other functions relating to the prevention or control of
31 the AIDS epidemic in Nigeria, as the Commission may deem necessary;

1 (x) In performing its functions the Commission shall have the powers
2 to prohibit use, advertisements and distribution of drugs, vaccines, or
3 any substances as outlined above ;

4 (xi) in pursuance of this duty the Commission shall take all measures
5 That are deemed reasonable.

6 10. All Commissioners shall be on part-time basis.

7 11. All Commissioners including the Chairman shall work for a fixed term
8 of five (5) years, which may be renewed.

9 12. The Commission shall in the performance of its function under this
10 Act:

H (i) be responsible to the President;

12 (ii) Submit progress reports on its activities every three months to the
13 President and the National Assembly;

14 (in) Formulate a policy programme to be presented to the Government of
15 the Federation;

16 (iv) Be advised by a Committee of technical experts selected by the AIDS
17 control implementations in the various sectors of the National AIDS control
18 programme as may from time to time be determined by the President and the
19 National Assembly.

20 13. PROCEDURE OF THE COMMISSION—Subject to the provisions of this;
21 section the commission may regulate it's own procedure.

22 (i) The Chairman of the Commission shall preside at all meetings and in
23 his absence any member shall be elected to preside for the purposes of that
24 meeting;

25 (ii) The quorum of the Commission shall be one-third of the members and
26 every question shall be decided by a majority of the members present and
27 voting ;

28 (iii) The Commission may co-opt any person whose attendance at the
29 Commission may be necessary- to attend any of it's meetings in an advisory
30 Capacity but such person shall not be entitled to vote.

- 1 **14. FUNDS OF THE COMMISSION—The funds of the Commission shall consist**
2 **of such sums as may be provided by:**
3 **(i Ttie appropriation Acts of the year;**
4 **(ii) Donor support groups within or outside Nigeria;**
5 **(iii) Any other person's or organisation :**
6 **(a) the expenditure of the Commission shall be a charge on the**
7 **consolidated fund;**
g **(b) The Commission shall be a self-accounting body and shall in its**
9 **financial matters deal directly with the Ministry of Finance.**

EXPLANATORY MEMORANDUM

This Bill seeks to establish the Nigerian AIDS Commission as the main body charged with setting national standards and goals and the co-ordination and regulation of groups and campaigns for control of the HIV/AIDS epidemic.

