

NATIONAL COMMISSION FOR WOMEN ACT

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Supplementary provisions relating to the National Advisory Council

An Act to provide for the establishment of the National Commission for Women and for matters connected therewith.

[1992 No. 42.)

[7th December, 1989]

[Commencement.]

PART I

Establishment of the National Commission for Women

1. Establishment of the National Commission for Women

(1) There is hereby established a body to be known as the National Commission for Women (in this Act referred to as "the National Commission").

(2) The National Commission shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.

2. Objectives of the National Commission

The objectives of the National Commission shall be to-

- (a) promote the welfare of women in general;
- (b) carry out the aims and objectives which include the following-
 - (i) stimulating and motivating rural women towards achieving better living standards and sensitising the rest of the Nigerian populace to the problems of women;
 - (ii) educating rural women on simple hygiene, family planning, the importance of child-care and increased literacy rates;
 - (iii) mobilising women collectively in order to improve their general lot and ability to seek and achieve leadership roles in all spheres of society;
 - (iv) raising consciousness about the rights of women, the availability of opportunities and facilities, their social, political, and economic responsibilities;
 - (v) encouraging recreation and enriched family life; and education, business, the arts, crafts and agriculture;
 - (vi) inculcating the spirit of self-development, particularly in the fields of
- (c) promote the welfare of the child and initiate actions for the development of the child within the meaning of the International Convention on the Rights of the Child and the National Policy on the Rights of the Child;
- (d) promote the full utilisation of women in the development of human resources and bring about their acceptance as full participants in every phase of national development, with equal rights and corresponding obligations;
- (e) promote responsible motherhood and the maternal health of women;
- (f) stimulate actions to improve women's civic, political, cultural, social and economic education;

- (g) support the work of non-governmental organisations and play a co-ordinating role between Government and Nigerian women organisations;
- (h) encourage the sense and essence of co-operative societies and activities amongst women both in the urban and rural areas and stimulate in them creative entrepreneurship in the field of cottage industries and small-scale industries;
- (i) formulate and propagate moral values within the family unit and in the public generally and establish programmes with institutions and organisations to inculcate more education in women and children; and
- (j) work towards total elimination of all social and cultural practices tending to discriminate against and de-humanise womanhood.

3. Establishment, membership and functions of the National Advisory Council

(1) There is hereby established for the National Commission a National Advisory Council which shall consist of-

- (a) the spouse of the President, who shall be the chairperson; and
- (b) fourteen other persons to reflect a fair representation of a cross-section of national interests.

(2) The persons referred to in subsection (1) (b) of this section shall be appointed by the President.

(3) For the attainment of the objectives set out in section 2 of this Act, the National Advisory Council may, subject to the provisions of paragraph 6 of the Schedule to this Act, whenever it is expedient so to do, co-opt persons from Federal Ministries, Departments and other bodies to serve on the National Advisory Council.

(4) The National Advisory Council shall be charged with the responsibility of advising, guiding and monitoring the activities of the National Commission on National Policies and programmes pertaining to the objectives and functions of the National Commission and the Better Life Programme for Rural Women.

(5) The supplementary provisions set out in the Schedule to this Act shall have effect with respect to the proceedings of the National Advisory Council and the other matters contained therein.

[Schedule.]

4. Tenure of office

Subject to the provisions of this Act, a member of the National Advisory Council appointed under section 3 (1) (b) of this Act, other than an *ex-officio* member, shall hold office for a term of three years from the date of his appointment and shall be eligible for re-appointment for a further period of three years.

5. Removal from office

(1) The office of a member of the National Advisory Council shall become vacant if-

(a) she resigns her office by notice in writing under her hand addressed to the President;

(b) the President is satisfied that it is not in the interest of the National Commission or the interest of the public for the person appointed to continue in office.

(2) Where a vacancy occurs in the membership of the National Advisory Council, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of her predecessor, so however that the successor shall represent the same interest and shall be appointed by the President.

PART II

Functions

6. Special functions of the National Commission

Without prejudice to the provisions of section 2 of this Act, the functions of the National Commission shall be to-

(a) formulate policies and programmes, within the framework of National Development Plans, aimed at enhancing the position and development of women in the social, economic and political context;

(b) promote, develop and implement income generation and employment schemes through the grant of loans, establishment of home and cottage industries and, in particular, the acquisition of skills for the improvement of arts, crafts, food processing and such other vocational training of women within the context of their assessed needs and potentials;

(c) monitor and liaise with appropriate Government Ministries, Departments, bodies, non-governmental organisations and international bodies, including United Nations organs, on matters concerning women and development;

(d) monitor and submit reports to the President on-

(i) women education and counselling;

(ii) health of women and children; and

(iii) existing legislation concerning the status of women;

(e) devise ways and means of encouraging self-reliance in women;

(f) co-ordinate, structure and monitor the activities of women voluntary organisations, grant appropriate aid to such women voluntary organisations and evaluate their performance;

(g) conduct research and formulate plans aimed at improving the status of women and the attainment of policy objectives generally in relation to women; and

(h) carry out all other functions as are conducive to the objectives of the National Commission as stipulated in section 2 of this Act.

PART III

7. Appointment of the executive chairman, etc.

(1) There shall be appointed by the President for the National Commission an executive chairman.

(2) The executive chairman shall-

(a) be the chief executive and accounting officer of the National Commission; and

(b) be responsible for the day-to-day administration of the National Commission and develop ways and means of putting into effect the decisions and directions of the National

Advisory Council.

(3) The executive chairman shall hold office for a term of three years and shall be eligible for re-appointment for one further term of three years.

8. Director-General and other employees of the National Commission

(1) There shall be appointed for the National Commission, a Director-General who shall be appointed by the President and who shall have such qualifications and experience as are appropriate for a person required to perform the functions of that office under this Act.

(2) The Director-General shall, subject to the general direction of the National Advisory Council and the executive chairman-

(a) be responsible for keeping the books and proper records of the proceedings of the National Advisory Council; and

(b) be responsible-

(i) for the administration of the secretariat of the National Commission; and

(ii) for the direction and control of all other employees of the National Commission subject to the directions of the executive chairman.

(3) The National Commission shall have power-

(a) to employ either directly or on secondment from any public service in the Federation such number of employees as may, in the opinion of the National Commission, be required to assist the National Commission in the discharge of any of its functions under this Act; and

(b) to pay to persons so employed such remuneration (including allowances) as the National Commission may, after consultation with the Federal Civil Service Commission, determine.

9. Service in the National Commission to be pensionable

(1) Service in the National Commission shall be approved service for the purposes of the Pension Act.

[Cap. P4.]

(2) Employees of the National Commission shall be entitled to pensions gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation.

(3) Nothing in subsections (1) and (2) of this section or in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of pension and gratuity in respect of that office.

(4) For the purposes of the application of the provisions of the Pensions Act, any power exercisable thereunder by a Minister or other authority of the Government of the Federation, other than the power to make regulations under section 23 thereof, is hereby vested in and shall be exercisable by the National Commission and not by any other person or authority.

PART IV

10. Fund, etc.

(1) The National Commission shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the National Commission.

(2) There shall be paid or credited to the fund established in pursuance of subsection (1) of this section-

(a) such moneys as may be granted in each year to the National Commission by the Government of the Federation;

(b) all other moneys accruing to the National Commission from any other source approved by the Federal Government and which shall be reported and accounted for.

(3) The executive chairman shall prepare, not later than 30 September in each year, an estimate of the income and expenditure of the National Commission during the next succeeding year and when so prepared shall be submitted to the President.

(4) The accounts of the National Commission shall be audited by an auditor appointed by the National Commission from the list and in accordance with guidelines supplied by the Auditor-General for the Federation.

11. Annual report

The National Commission shall cause to be prepared and submitted to the President, not later than 30 July in each year a report on the activities of the National Commission during the immediately preceding year and shall include in the report the audited accounts of the National Commission and the Auditor-General's report thereon.

PART V

Establishment of State and Federal Capital Territory Commission, etc.

12. Establishment of State and Federal Capital Territory Commission for Women, etc.

There is hereby established for each State of the Federation and the Federal Capital Territory a State Commission for Women, respectively, each of which shall be charged with responsibility for-

- (a) carrying out the aims and objectives specified in section 2 (b) of this Act;
- (b) promoting and initiating actions for the development of the child specified in the International Convention and the National Policy referred to in section 2 (c) of this Act;
- (c) organising, undertaking and supervising all women programmes within the State or the Federal Capital Territory as the case may be;
- (d) rendering advice to the National Commission on any matter as may be referred to it, from time to time; and
- (e) performing such other duties as the National Commission may, from time to time, delegate to it.

13. Membership of the State Advisory Council

(1) There is hereby established for the State Commission a State Advisory Council which shall consist of-

- (a) the spouse of the Governor of the State as the State chairperson; and
- (b) ten other persons to reflect a fair representation of a cross-section of State interests.

(2) The persons referred to in paragraph (b) of subsection (1) of this section shall be appointed by the Governor of the State and shall hold office for a term of three

years and

shall be eligible for re-appointment for a further term of three years.

(3) The State Advisory Council shall be charged with responsibility for advising, guiding and monitoring the activities of the State Commission on such State policies and programmes as may be referred to it, from time to time.

14. Proceedings of the State Advisory Council

(1) The State Advisory Council shall have power to regulate its proceedings and may make standing orders for such purpose and subject to any such standing orders and to subsection (2) of this section, may function notwithstanding-

- (a) any vacancy in its membership; or
- (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) The quorum at any meeting of the State Advisory Council shall be five.

(3) The State Advisory Council shall meet at least two times in a year or at such other times as the chairperson of the State Advisory Council may, from time to time, determine so however that the State Advisory Council shall not meet more than four times in a year.

15. Removal from office

(1) The office of a member of the State Advisory Council shall become vacant if--

- (a) she resigns her office by notice in writing under her hand addressed to the Governor;
- (b) the Governor is satisfied that it is not in the interest of the State Commission or the interest of the public for the person appointed to continue in office.

(2) Where a vacancy occurs in the membership of the State Advisory Council it shall be filled by the appointment of a successor to hold office for the remainder of the

term of
office of her predecessor, so however that the successor shall represent the same
interest
and shall be appointed by the Governor.

16. Director-General and other employees of the State Commission

(1) There shall be appointed by the Governor of the State for the State Commission
a
Director-General who shall-

(a) be the chief executive and accounting officer of the
State Commission; and

(b) have such qualifications and experience as are appropriate for a
person re-
quired to perform the functions of that office under this Act.

(2) The Director-General shall, subject to the general direction of the State
Advisory
Council-

(a) be responsible for keeping the books and proper records or the
proceedings of
the State Advisory Council; and

(b) be the head of the secretariat of the State Commission
and be responsible for-

(i) the administration thereof; and

(ii) the direction and control of all other employees of the State
Commission, subject to the directions of the chairperson.

(3) The State Commission shall have power-

(a) to employ either directly or on secondment from any public service
in the Fed-
eration or the State such number of employees as may, in the opinion of the

State Commission, be required to assist the State Commission in the discharge
of any of its functions under this Act; and

(b) to pay to persons so employed such remuneration (including
allowances) as the

State Commission may, after consultation with the State Civil Service Commission, determine.

17. Establishment and membership of the Federal Capital Territory Advisory Council

(1) There is hereby established for the Federal Capital Territory Commission for Women, a Federal Capital Territory Advisory Council which shall be charged with the responsibility of monitoring and advising that branch on such policies and programmes as may be referred to it from time to time.

(2) The Federal Capital Territory Advisory Council established pursuant to subsection (1) of this section shall consist of-

(a) the spouse of the Minister of the Federal Capital Territory, Abuja as the chair-person; and

(b) eight other persons to be appointed by the Minister of the Federal Capital Territory to cover a fair representation of a cross-section of the Federal Capital Territory interests.

(3) The persons appointed under paragraph (b) of subsection (1) of this section shall hold office for a term of three years and may be re-appointed for a further term of three years.

(4) The provisions of sections 14 and 15 of this Act shall apply *mutatis mutandis* to the Federal Capital Territory Advisory Council.

18. Director and other employees of the Federal Capital Territory Commission for Women

(1) There shall be appointed for the Federal Capital Territory Commission for Women a Director who shall be appointed by the Minister of the Federal Capital Territory and shall have such qualifications and experience as are appropriate for a person required to perform the functions of that office under this Act.

(2) The director shall, subject to the general direction of the Federal Capital Territory Advisory Council and the chairperson-

(a) be responsible for keeping the books and proper records of the proceedings of the Federal Capital Territory Advisory Council; and

(b) be the head of the secretariat of the Federal Capital Territory Commission for Women and be responsible-

(i) for the administration thereof; and

(ii) the direction and control of all other employees of the Federal Capital Territory Commission for Women subject to the directions of the Minister.

(3) The Minister shall have power-

(a) to employ either directly or on secondment from any public service in the Federation such number of employees as may, in the opinion of the Minister, be required to assist the Federal Capital Territory Commission for Women in the discharge of any of its functions under this Act; and

(b) to pay to persons so employed such remuneration (including allowances) as the Minister may, after consultation with the Federal Civil Service Commission, determine.

19. Establishment and membership of the Local Government Women Development Unit

(1) There is hereby established for each local government area in the Federation, a Local Government Women Development Unit for the furtherance of the objectives of the National Commission specified under this Act.

(2) The Local Government Women Development Unit established by subsection (1)

of this section shall consist of-

- (a) the spouse of the chairman of the local government;
- (b) seven other persons; and
- (c) a women development officer who shall be in charge of the Local Government Women Development Unit.

(3) The person referred to in paragraphs (b) and (c) of subsection (2) of this section shall be appointed by the chairman of the local government to reflect a fair representation of a cross-section of local interests.

(4) The Local Government Women Development Unit established by this section shall be charged with responsibility for-

- (a) carrying out the aims and objectives specified in section 2 of this Act;

- (b) promoting and initiating actions for the development of the child specified in the International Convention and the National Policy referred to in section 2 (c) of this Act;

- (c) organising, undertaking and supervising all women programmes within the local government area;

- (d) rendering advice to the National Commission on any matter as may be referred to it, from time to time; and

- (e) performing such other duties as the National Commission or the State Commission may, from time to time, delegate to it.

PART VI

General

20. Power of the President to give directives

The President may give to the National Commission directives of a general nature with respect to any of the functions of the National Commission and it shall be the duty of the

of the National Commission to comply with such directives or cause them to be complied with.

21. Power of Governor, Minister, etc., to give directives

(1) The Governor of a State may give to the State Commission for Women directives of a general nature with respect to any of the functions of the State Commission and it shall be the duty of the State Commission to comply with the directives or cause them to be complied with.

(2) The Minister of the Federal Capital Territory may give directives of a general nature to the Federal Capital Territory Commission for Women and it shall be the duty of the Federal Capital Territory Commission for Women to comply with such directives or cause them to be complied with.

(3) The chairman of a local government may give directives of a general nature to the Local Government Women Development Unit and it shall be the duty of the Local Government Women Development Unit to comply with such directives or cause them to be complied with.

22. Regulations

The National Commission acting through the National Advisory Council may, with the approval of the President, make regulations for carrying into effect the provisions of this Act.

23. Repeal of Cap. 246 L.F.N. 1990

The National Commission for Women Act is hereby repealed.

24. Savings and transfer of liabilities, staff, etc.

(1) Accordingly, the statutory functions, rights, interests, obligations and liabilities of the National Commission, existing before the commencement of this Act under any contract or instrument, or in law or in equity apart from any contract or instrument shall, by virtue of this Act, be deemed to have been assigned to and vested in the National Commission established by this Act.

(2) Any such contract or instrument as is mentioned in subsection (1) of this section, shall be of the same force and effect against or in favour of the National Commission established by this Act and shall be enforceable as fully and effectively as if instead of the National Commission existing before the commencement of this Act, the National Commission established by this Act has been named therein or had been a party thereto.

(3) The National Commission established by this Act shall be subject to all the obligations and liabilities to which the National Commission existing before the commencement of this Act was subject immediately before the commencement of this Act and all other persons shall have the same rights, powers and remedies against the National Commission established by this Act as they had against the National Commission existing before the commencement of this Act.

(4) Any proceeding or cause of action pending or existing immediately before the commencement of this Act, by or against the National Commission existing before the commencement of this Act in respect of any rights, interest, obligation or liability of the

National Commission existing before the commencement of this Act may be continued or as the case may be commenced and any determination of a court of law, tribunal or other authority or person may be enforced by or against the National Commission established by this Act to the same extent that such proceeding or cause of action or

determination

might have been continued, commenced or enforced by or against the National Commission existing before the commencement of this Act.

(5) All assets, funds, resources and other movable or immovable property which, immediately before the commencement of this Act, were vested in the National Commission existing before the commencement of this Act shall by virtue of this Act and without further assurance, be vested in the National Commission established by this Act.

(6) Any person who immediately before the coming into force of this Act is the holder or any office in the National Commission existing before the commencement of this Act shall, on the commencement of this Act, continue in office and be deemed to have been appointed to his office by the National Commission established by this Act unless the authority by which the person was appointed terminates the appointment.

25. Interpretation

In this Act, unless the context otherwise requires-

"local government" includes an area council in the Federal Capital Territory;

"Minister" means the Minister of the Federal Capital Territory, Abuja;

"National Commission" means the National Commission for Women established by section I of this Act.

26. Short title

This Act may be cited as the National Commission for Women Act.

SCHEDULE

[Section 3 (5).]

Supplementary provisions relating to the National Advisory Council

Proceedings

1. Subject to this Act and section 27 of the Interpretation Act, the National Advisory Council may make standing orders regulating the proceedings of the National Advisory Council or any committee thereof.

[Cap. [23.]

2. The National Advisory Council shall meet at least four times in a year and at such other times as the chairperson may, from time to time, determine and in any case, shall not meet more than six times in a year.

3. The National Advisory Council shall meet with the State Advisory Councils, the Federal Capital Territory Advisory Council and the executive chairman of the National Commission

any vacancy in the membership of the National Advisory Council; or

any defeat in the appointment of a member of the National Advisory Council; or reason that a person not entitled to do so took part in the proceedings of the National Advisory Council.

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to deliberate on general and specific issues relating to the objectives and functions of the National Commission.

4. Every meeting of the National Advisory Council shall be presided over by the chairperson of the National Advisory Council and if the chairperson is unable to attend any particular meeting, a member may be appointed by the members present to act as chairperson for that particular meeting.

5. A quorum at a meeting of the National Advisory Council shall consist of eight members.

6. Where standing orders made under paragraph I of this Schedule provide for the National Advisory Council to co-opt persons who are not members of the National Advisory Council,

such persons may advise the National Advisory Council on any matter referred to them by the National Advisory Council, but shall not be entitled to vote at a meeting of the National Advisory Council or count towards a quorum.

Committees

7. Subject to its standing orders, the National Advisory Council may appoint such number of standing and *ad-hoc* committees as it thinks fit to consider and report on any matter with which the National Advisory Council is concerned.

8. Every committee appointed under paragraph 7 of this Schedule shall be presided over by a member of the National Advisory Council and shall be made up of such number of persons, not necessarily members of the National Advisory Council, as the National Advisory Council may determine in each case.

9. The quorum of any committee set up by the National Advisory Council shall be as may be determined by the National Advisory Council.

10. Where standing orders made pursuant to paragraph I of this Schedule provide for a committee of the National Advisory Council to consist of or to co-opt persons who are not members of the National Advisory Council, the committee may advise the National Advisory Council on any matter referred to it by the National Advisory Council.

11. A decision of a committee shall be of no effect until it is confirmed by the National Advisory Council.

Miscellaneous

12. The fixing of the seal of the National Commission shall be authenticated by the signature of the executive chairman and of any other person authorised in that behalf by the National Advisory Council.

13. Any contract or instrument which, if made or executed by any person not being a body corporate would not be required to be under seal, may be made or executed on behalf of the National Commission by any person generally or specially authorised to act for that purpose by the National Advisory Council.

14. Any document purporting to be a contract, instrument or other document duly signed or sealed on behalf of the National Advisory Council shall be received in evidence and shall, unless the contrary is proved, be presumed to have been so signed and sealed.

15. The validity of any proceedings of the National Advisory Council shall not be adversely affected by-

- (a) any vacancy in the membership of the National Advisory Council; or
- (b) any defeat in the appointment of a member of the National Advisory Council; or
- (c) reason that a person not entitled to do so took part in the proceedings of the National Advisory Council.

SUBSIDIARY LEGISLATION

No Subsidiary Legislation