

[SB. 301]

# A BILL

## FOR

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL INSTITUTE FOR CANCER RESEARCH AND TREATMENT TO OPERATE AS A NETWORK OF BREAST, CERVICAL, PROSTATE AND OTHER CANCER RELATED SCREENING AND TREATMENT CENTRES AND FOR CONNECTED PURPOSES

Sponsored by SENATOR JALO LAWAL ZARAMI  
(Yobe East)

[ ]

Commence-  
ment.

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

Establishment

1 1.—(1) There is hereby established the National Institute for Cancer  
2 Research and Treatment (in this Act referred to as the “Institute”) with its  
3 corporate headquarters located in Abuja and one center to be located in  
4 each of the six geopolitical zones.

of the Nation-  
al Institute for  
Cancer.

Establishment  
and compo-

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

7 (3) May hold and dispose of property whether movable or immovable.

8 2.—(1) There is hereby established for the institute a Governing Board  
9 (in this Act referred to as “the board”) charged with the administration of the  
10 institute.

sition of the  
Governing  
Board.

Function of  
the institute.

11 (2) The Board shall consist of the following as members —

12 (a) a chairman (who must be a person of distinction in one or more of the  
13 medical sciences);

14 (b) a representative of each of —

15 (i) the Federal Ministry of Health,

16 (ii) the Federal Ministry of Education,

17 (iii) the Federal Ministry of Women Affairs,

18 (iv) the Federal Ministry of information,

19 (v) the Federal Ministry of Finance,

(vi) the Nigerian Medical Association,

1 (vii) the National Association of Medical Laboratories Scientist;

2 (c) the Director General of the Institute.

3 (3) The chairman and members of the Board shall be appointed by the  
4 president subject to the recommendation of the Minister.

5 (4) Subject to subsection (5) of this section, a person appointed as  
6 member of the Board (not being an ex-officio member) shall hold office for  
7 four year and shall be eligible for re-appointment for one further period of  
8 four years.

9 (5) The President may terminate the appointment of a member of the  
10 Board (not being an ex-officio member) if satisfied that it is not in the interest  
11 of the Institute that the person concerned should continue in office.

12 (6) Any member of the Board (not being an ex-officio member) may by  
13 notice in writing under his hand addressed to the President resign his office.

14 (7) The supplementary provisions contained in the schedule to this Act  
15 shall have effect with respect to the proceedings of the Board and the other  
16 matter therein contained.

17 (8) Members of the Board shall be paid such allowances and  
18 remunerations as the revenue Mobilization, Allocation and Fiscal Commission  
19 may from time to time fix.

20 3.—(1) The functions of the Institute shall —

Appointment  
of Direc-

21 (a) operate as a network of breast, cervical and prostate cancers;

22 (b) support initiatives to reduce the burden of gynecologic cancer (i.e.  
23 cancers that are diagnosed in female reproductive organs, and include the  
24 uterus, ovaries, cervix, fallopian tubes vulva and vagina). Initiative to be  
25 supported include surveillance, screening (where recommended research,  
26 treatment, public and health care provider education and awareness to  
27 increase knowledge of incidence and mortality risk factors, symptoms and  
28 preventions strategies;

29 (c) support initiatives to reduce the burden of prostate cancer initiative  
30 to be supported include surveillance, screening (where recommended  
research; treatment, public healthcare provider education and awareness

National Institute for Cancer Research a Treatment  
(Network Centres Establishment, etc.)

---

- 1 to increase knowledge of incidence and mortality, risk factors, symptoms  
2 and prevention strategies;
- 3 (d) collate, analyze and publicize cancer data from every state on lung  
4 cancer, colorectal cancer, breast cancer cervical cancer and prostate cancer,  
5 such data will include estimated number of new cancer cases and cancer  
6 deaths, and the age-adjusted mortality for cancer deaths for each State;
- 7 (e) support the adoption of evidence-based cancer prevention approaches  
8 in primary care and health service sectors through creating partnership  
9 with federal and state ministries of health and national health organizations;
- 10 (f) develop effective strategies for communication risk prediction and  
11 perception to health professionals and patients and conducts periodic  
12 surveys of health care providers to evaluation cancer-related knowledge  
13 attitudes and practices;
- 14 (g) develop training course by primary care physicians throughout the state  
15 comprising the zone on how to improve the clinical skill in performing  
16 DRE;
- 17 (h) promote or undertake any activity that in the opinion of the board is  
18 calculated to help achieve the purpose of the institute.

19 (2) The Institute shall at all times carry out its functions and duties exercise  
20 its powers here under efficiently, effectively and in a non-discriminatory and  
21 transparent manner and in a way that is best calculated to ensure that there  
22 are provided throughout Nigeria, subject to the limitations specified this Act,  
23 cancer screening and treatment services, facilities and equipment on such  
24 terms and subject to such conditions as the institute may from time to time  
25 specify.

- 26 4.—(1) There shall be for the Institute a Director-General who shall be—  
27 (a) appointed by the President of the Federal Republic of Nigeria;  
28 (b) a university professor or his equivalent with a strong research and  
29 programming experience in cancer and other cancer related diseases;  
30 (c) Chief Executive of the Institute and shall be responsible to the Board  
for the day-to-day management of the affairs of the Institute;

tor-General  
and other  
staff.

Directorates.

National Institute for Cancer Research a Treatment  
(Network Centres Establishment, etc.)

---

1 (d) hold office on such terms and conditions as to emolument, conditions  
2 of service as may be specified in his letter of appoint;

3 (e) there may be appointed, from time to time, by the Board such staff  
4 as may be required for the purpose of the efficient performance of the  
5 functions conferred on the Institute pursuant to provisions of this Act.

6 5. There shall be established in the Institute the following Directorates

Fund. 7 —

8 (a) the Directorate of Training;

9 (b) the Directorate of Research and Statistics

10 (c) the Directorate of Policy, Strategic Planning Inter-sectorial Co  
11 ordinations;

12 (d) the Directorate of Community Relations and Social Advocacy; and

13 (e) the Directorate of service Delivery and Treatments Surveillance.

14 (1) Service in the Institute shall be subject to the provisions of the  
15 Pension Reform Act, and accordingly, officers and employees of the Institute  
16 shall be entitled to pensions and other retirement benefits as are prescribed  
17 under the Pension Reform Act.

18 (2) Nothing in subsection (1) of this section shall prevent the  
19 appointment of a person to any office on terms, which preclude the grant of  
20 pension and gratuity in respect of that office.

Power to 21 6.—(1) The institute shall establish and maintain a fund from which all  
borrow. 22 expenditure incurred by the Institute shall be defrayed.

23 (2) The fund shall comprise funds derived from but not limited to —

24 (a) such monies as may be appropriated to the Institute from time by the  
25 National Assembly;

26 (b) fees charged by the Institute network of Breast Cervical and prostate  
27 cancers center for screening or treatment services under this Act;

28 (c) such sums representing a percentage of the annual profit of companies  
29 in the organized private sector as the Government of the Federation may  
30 direct;

(d) gifts, loans, grants aids, etc.; and

National Institute for Cancer Research a Treatment  
(Network Centres Establishment, etc.)

---

- 1 (e) all other assets that may from time to time accrue to the Institute.
- 2 7.—(1) The Institute may, with the consent of the Ministry of Finance,  
3 borrow such money as the Institute may require in the exercise of its function  
4 under this Act. Annual esti-  
5 mates.
- 6 (2) The Institute may accept gifts or grants of money or aids or other  
7 property from National, bilateral and multi-lateral organizations and upon  
8 such terms and conditions if any, as may be agreed upon by the donor and  
9 the Institute provided that such gifts are not in consistent with the objectives  
10 and function of this Act.
- 11 8.—(1) The Institute shall not later then 30th June in each financial  
12 year prepare and present to the president through the Minister for approval  
13 a statement of estimated income and expenditure for the following financial  
14 year. Accounts  
15 Audits.
- 16 (2) Subject to subsections (1) of this section the Institute shall apply the  
17 proceeds of the Institute's fund—
- 18 (a) to meet, the administrative and operating cost of the Institute;  
19 (b) for the Salaries, wages, fees and other allowances, retiring benefits such  
20 as pensions and gratuities, and any other remunerations payable to the  
21 Director and staff of the Institute;  
22 (c) for the purchase or acquisition of properly or other equipment and  
23 other capital expenditure and for investment in the Institute;  
24 (d) for purpose of investment;  
25 (e) for or in connection with all or any of the future of the Institute under  
26 this Act.
- 27 9. The Institute shall keep proper records of its accounts in respect of  
28 each year and shall cause its accounts to be audited within 6 months from the  
29 end of each financial year by auditors whose appointment shall be approved  
30 by the board and shall be subject to reappointment on annual basis provided  
that such auditors are the lists of auditors approved from time to time by the  
Auditor-General of the Federation. Annual  
Report.
- 10.—(1) The Institute shall prepare and submit to the National Assembly,

National Institute for Cancer Research a Treatment  
(Network Centres Establishment, etc.)

---

Procedure in respect to suits against	1 2 3 4	through the Ministry not later then 6 months after the end of each financial year a report on the activities of the institute for the preceding financial year and shall include there in the Institute's audited accounts for the years under review together with the auditor's report thereon.
	5 6 7	(2) Year, submit supplementary or adjusted statements of estimated income and expenditure through the Minister to the President for approval by the National Assembly.
the Institu- tion.	8 9 10	11. No suite shall be commenced against the Institute before the expiration of a period of one month after written notice of intending plaintiff or his agent; and the notice shall clearly and explicitly state —
Limitation of suite against	11 12 13 14	(a) the cause of action; (b) the particulars of claim; (c) the name and place of abode of the intending plaintiff; and (d) the relief that he claim.
the Institute. Notice.	15 16 17 18 19 20 21 22 23 24	12.—(1) Subject to the provisions of this Act, the provisions of the Public Officer's Protection Act shall apply in relation to suit instituted against any officer or employee of the Institute.
	25 26 27 28	(2) Notwithstanding anything contained in any other law enactment, no suit against any member of the Board, Director General or any other office or employee of the Institute for any act done in pursuance or execution of this Act or any other law or enactment, or any public duty or authority or in respect of any alleged neglect or default in the execution of this Act or such law or enactment. Duty or authority, shall lie or be Instituted in any court unless— (a) it is commenced within three months next after the act, neglect or default complained of; (b) in the case of a continuation of damage or injury, within six months next after the ceasing thereof.
Indemnity of officers.	29 30	13.—(1) in any action or suit against the Institute, no execution or attachment of process in the nature thereof shall be issued against the Institute unless not less than three months notice of the intention to execute

National Institute for Cancer Research a Treatment  
(Network Centres Establishment, etc.)

---

1 or attach has been given to the Institute.

2 (2) Any sum of money which may by the judgment of any court be  
3 awarded against the Institute shall, subject to any direction given by court  
4 where notice of appeal of the said judgment has been given, be paid from  
5 the fund of the Institute.

6 14. Any member of the Board, the Director-General, any officer or  
7 employee of the Institute shall be indemnified out of the assets of the Institute  
8 against any proceeding, whether civil or criminal, in which judgment is given  
9 in his favor or in which he is acquitted, if any such proceeding is brought  
10 against him in his capacity as a member of the Board, the Director-General,  
11 officer or employee of the Institute.

Service of  
documents.

12 15. The notice referred to in section 13 of this Act and any summons,  
13 notice or other document required or authorized to be served upon the  
14 Institute under the provisions of this Act or any other enactment or law may  
15 be served by delivering the same to the Director-general of the institute, or  
16 by sending registered post addressed to the Director-General at the principal  
17 office the Institute.

Directives.

18 16. The President may give the Board directions of a general character  
19 or relating generally to matters of policy with regard to the exercise by the  
20 Board of its functions under this Act, and it shall be the duty of the Board to  
21 comply with such directions.

Staff Regula-  
tions.

22 17.—(1) The Board may subject to the provision of this Act, make staff  
23 regulations relating generally to the conditions of service of the employees of  
24 the Institute, such regulations may provide employees of the Institute, such  
25 regulations may provide for—

Interpreta-  
tions.

26 (a) the appointment, promotion and disciplinary control (including  
27 dismissal) of employees of the Institute;

28 (b) appeals by such employees against dismissal or other disciplinary  
29 measure and until such regulations are made, any instruction relating to  
30 the condition of service of officers in the Civil Service of the Federation  
shall be applicable, with such modifications as may be necessary, to the

National Institute for Cancer Research a Treatment  
(Network Centres Establishment, etc.)

---

1 employees of the Institute.

2 18. Staff regulations made under Section 17 shall not have effect until  
3 approved by the President and when so approved they shall not be published  
4 in Federal Gazette, but the Board shall cause them to be brought to the notice  
5 of all affected persons in such a manner as it may, from time determined.

6 19. In this Act unless the context otherwise requires —

7 “Cancer” means any various types of malignant neoplasm’s that invade  
8 tissues, may spread to several sites are likely to secure after attempted  
9 removed, and may cause death if not adequately treated;

Citation.

10 “screening” means examination of a group of individuals without symptoms  
11 of a disease to detect those with a high likelihood of having the disease,  
12 typically by inexpensive diagnostic test;

13 “Breast” means female organ or milk secretion including mammary gland;

14 “Cervical” means chest milk like organ surrounding the urethra in the male,  
15 and is source of seminal fluid secreted during ejaculation;

16 “Incidence” means the number of specified new events occurring in a  
17 specified time period, among a specified population;

18 “Mortality” means the number of fatal outcomes (deaths) that are  
19 attributable to a particular disease condition without a particular time  
20 period;

21 “Institute” means the National Institute for Cancer Research and treatment;

22 “Zonal Center” means a center established by law in each geopolitical  
23 zones of Nigeria.

24 20. This Act may be cited as the National Institute for Cancer Research  
25 a Treatment (Network Centres Establishment, etc.) Bill, 2006.

26

EXPLANATORY MEMORANDUM

This Bill seeks to provide among other things, the establishment of a



National Institute for Cancer Research a Treatment  
(Network Centres Establishment, etc.)

---

National Institute for Cancer, which will operate as a network of breast, Cervical prostate and other Cancer related screening and treatment center.

It also seeks to establish a network of Breast, Cervical, Prostrate and other Cancer screening, and treatment centers in six geopolitical zones and responsible for screening referral, treatment for breast cervical, prostate and other cancer.

It further seeks to provide for the collection of analysis, interpretation and publication of cancer related incidence, prevalence and mortality data from all the State of the Federation and to provide development of public education and public policy related to cancer, and advising government on cancer related issues.