



KANO STATE PERSONS WITH DISABILITY (AMENDMENT) LAW 2020 (1441 A.H)

A Law to make provisions for the amendment of the Kano State Persons with Disability Law 2018 (1439 A.H).

BE IT ENACTED by the Kano State House of Assembly as follows:

Citation and Commencement.

1. This Law may be cited as the Kano State Persons with Disability (Amendment) Law 2020 (1441 A.H) and shall come into operation on theDay of 2020..... (1441 A.H)

Amendment of the Principal law

2. The Kano State Persons with Disability Law 2018 (1439 A.H) (here-in-after referred to as the 'Principal Law') is hereby amended in the manner herein provided.

Substitution of the word "Board"

3. The Principal Law is hereby amended by substituting the word "Board" wherever it appears for the word "Commission".

Additional provisions

4. The principal Law is hereby amended by adding the following new sections immediately after Section 18 thereof thus

PART 4

ESTABLISHMENT OF THE COMMISSION FOR PERSONS WITH DISABILITES.

Establishment of the Commission for Persons with Disabilities

19 (1). *There is established in the State a Commission for Persons with Disability (in this Law referred to as "the Commission").*

(2). The Commission:

(a) Shall be a body corporate with perpetual succession and a common seal;

(b) may sue and be sued in its corporate name, and

(c) may acquire, hold and dispose of property, movable or immovable.

(3). The Commission shall be under the office of the Governor of the State.

membership of the Commission

20 (1). The Commission shall consist of:

(a) a part time chairman who shall be a person with disability and of proven integrity and a track record in administration and not below the rank of a Director;

(b) three persons with disability, one each from the senatorial zones in the State;

(c) a representative each from the following Ministries:

(i) Education;

(ii) Health;

(iii) Information and Internal Affairs;;

(iv) Women Affairs;

(v) works and Infrastructure;

(vi) Justice;

(vii) Finance.

(viii) Youth and Sports Development;

(ix) Housing and Transport;

(x) Culture and Tourism

(2) The Chairman and members (other than ex-officio) shall be appointed by the Governor subject to the confirmation of the State House of Assembly.

Proceedings of the Commission

21. The supplementary provisions set out in the second schedule to this Law shall have effect with respect to the proceedings of the Commission and the other manners contained in the schedule.

Tenure of office.

22. The Chairman and other members (other than ex-officio) shall each hold office:

(a) for a term of four years and may be re-appointed for a further term of four years and no more;

(b) on such terms and conditions as may be specified in their letter of appointment.

Cessation of office.

23 (1) A person ceases to hold office as a member of the Commission if he:

(a) becomes bankrupt; or compounds with his creditors;

(b) is convicted of a felony or any offence involving dishonesty or fraud;

(c) is disqualified of his professional qualification;

(d) is guilty of a serious misconduct in relation to his duties; or

(e) resigns his appointment by a letter addressed to the Governor.

(2) If a member of the Commission ceases to hold office for any reason whatsoever before the expiration of the term for which he is appointed, another person representing the same interest as that member shall be appointed to the commission for the unexpired term.

(3) A member of the Commission shall be removed by the Governor on the recommendations of the Commission if he is satisfied that it is not in the interest of the commission or the public that the member continues in that office.

Allowances of members 24. *Members of the Commission shall be paid such allowances and expenses as the Governor may direct.*

Other staff 25. (1) *There shall be other members of staff of the Commission whom shall be drawn from within the State Civil Service, Agencies and the Local Government Service either by way of posting, secondment or transfer of service.*
(2) *the terms and condition of service of the members of staff shall be as obtained in the Civil Service.*

(3) *Service in the Commission shall be approved service for the purposes of the pension law in force in the State.*

Powers of the Commission.

26. (1) *The Commission shall have power to:*

- (a) manage and superintend over the affairs of the Commission;*
- (b) make rules and regulations for the effective running of the Commission;*
- (c) employ, where necessary and expedient, staff of the commission on such remunerations or allowances as payable to persons working in the State;*
- (d) enter into contract as may be necessary or expedient for the discharge of its duties and ensure efficient performance of the functions of the Commission;*
- (e) receive, disburse and account for funds of the Commission;*
- (f) undertake or sponsor research where necessary for the performance of its functions;*

(g) train managerial, technical or other category of staff for the purpose of running the affairs of the Commission; and

(h) Co-opt any person who in the opinion of the Commission is so expedient in the discharge of its functions;

(2). The powers conferred on the Commission may be exercised by it or through any of its employees or agent authorized in that behalf by the Commission.

Functions of the Commission.

27. The Commission shall:

(a) formulate and implement policies and guidelines as appropriate for the education and social development of persons with disabilities;

(b) prepare schemes designed to promote social welfare of persons with disabilities and the estimate of cost of implementing such schemes;

(c) promote and uplift the general social well-being of persons with disabilities by encouraging the public to change their attitude toward persons with disabilities;

(d) make available not less than 5% of the work force to qualified persons with disabilities;

(e) enlighten the public and encourage persons with disabilities in activities which will improve their conditions of life;

- (f) collect data and records on special education of persons with disabilities, which shall be a regular exercise so that the persons with disabilities are identified, and enumerated for planning and treatment;*
- (g) ensure that all facilities in each community all over the State shall be built or modified, where and when feasible, to accommodate the special needs of persons with disabilities;*
- (h) ensure the monitoring, evaluation and realization of government policy objectives on persons with disabilities;*
- (i) facilitate the procurement of scholarship awards for persons with disabilities up to university level;*
- (j) establish and promote inclusive schools, vocational and rehabilitation centres for the development of persons with disabilities;*
- (k) liase with the public and private sectors and other bodies to ensure that the peculiar interests of persons with disabilities are taken into consideration in every government policy, programme and activity;*
- (l) issue insignia of identification to persons with disabilities;*

(m) in collaboration with other relevant government agencies and professional bodies in the building industry, ensure compliance of public buildings codes and impose necessary sanctions and make appropriate orders;

(n) receive complaints of persons with disabilities on the violation of their rights;

(o) support an individual's right to seek redress in court, investigation, prosecution or sanctioning, in appropriate cases, the violation of the provision of this Law;

(p) ensure research, development and education on disability issues and disabled persons;

(q) collaborate with the media to make information available in accessible format for persons with disabilities; and

(r) procure assistive devices for all disability types

Appointment and duties of the Secretary of the Commission.

28 (1). *There shall be the Secretary for the Commission who shall be: -*

(a) not below the rank of a substantive director in the service and have such qualification and experience as appropriate for a person required to perform the functions of that office;

(b) the accounting officer of the Commission;

(2) *the Secretary shall subject to the general direction of the Commission be responsible for:*

(a) the day to day administration of the Commission;

(b) Keeping the books and proper records of the Commission.

PART 5

FINANCIAL PROVISIONS

Funds of the Commission.

29 (1). The Commission shall establish and maintain a fund into which shall be paid and credited:

(a) all subventions and budgetary allocations from the State Government; and

(b) such money as may be granted to the Commission by anybody or institution within or outside Nigeria; and

(c) all monies raised for the purpose of the Commission by way of gifts, loans, grant-in-aid or otherwise.

(2) The Commission shall defray all expenditures incurred by it including:

(a) cost of administration;

(b) payment of salaries, fees or other remuneration, allowances, pensions and gratuities payable to members and employees of the Commission; and

(c) anything done in connection with any of its functions.

Power to accept gifts.

30 (1) The Commission may accept gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift, provided such terms and conditions are not inconsistent with any prevailing law.

(2) The Commission shall not accept any gift if the conditions attached are inconsistent with the functions of the Commission under this Law.

Power to borrow

31. The Commission, with the approval of the Governor, may borrow such money as it may require to execute or complete some special projects of the Commission.

Annual estimate and expenditure

32. The commission shall prepare and submit to the Governor not later than the 30th day of September of each year, an estimate of income and expenditure of the commission for the next succeeding year.

Accounts and records

33 (1) The Commission shall:

(a) cause to be kept accounts and records of transaction and affairs of the Commission; and

(b) ensure that all payments out of its fund are correctly made and properly authorized.

(2) The Commission shall ensure that adequate control is maintained over the assets of, or in the custody of the Commission and over its incurring of liabilities.

Audit.

34. (1) The Auditor-General for the State shall:

(a) inspect and audit the account and records of financial transactions of the Commission;

(b) inspect records relating to assets of the Commission and to report on any irregularities disclosed by the inspection and audit.

(2). The Auditor or an officer authorized by him is entitled at all reasonable time to a full and free access to all account records, documents and papers of the commission relating directly or indirectly to the receipt or payment of money by the Commission or to the acquisition received custody or disposal of assets by the Commission.

Annual report.

35. The Commission shall submit:

(a) *an annual report of its activities to the office of the Governor not later than 30th June of each financial year; and*

(b) *a copy of its audited accounts and a copy of the annual report to the State House of Assembly.*

PART 6

MISCELLANEOUS PROVISIONS

Service of documents 36. *A notice, summons or other documents required or authorized to be served upon the Commission under the provisions of this Law, any other law or enactment may be served by delivering it to the Secretary or by sending it by registered post addressing it to the Secretary at the head office of the Commission.*

Pre-action Notice 37. *Before any action is filed against the Commission, an intending plaintiff shall first serve on the Commission a one month written notice of his intention to file the action. The notice shall disclose:*

(a) the cause of action;

(b) the likely parties to the action; and

(c) the relief sought.

Responsibility of the Government 38. *For effective implementation of the provisions of this law, it shall be the responsibility of the State Government to ensure that:*

(a) communication services are accessible to Person with Disabilities, which shall include sign language interpretation and information in Braille;

(b) electronic media should provide sign language interpreter services for daily

newscast including programmes of State and National significance;

(c) indigenes with disabilities shall have access to quality and free education at all levels;

(d) persons with Disabilities are taken into consideration in the formulation and designs of educational employment and rehabilitation policies and programmes;

(e) it support financially, specialized educational and research institutions, centres and non-Governmental organizations that have the capacity and infrastructure to facilitate and promote research and development in areas that address the educational and rehabilitation needs of persons with Disabilities;

(f) persons with Disabilities are encourage through offers of scholarships to pursue programmes of studies in and outside the country who shall on return serve in the State for a period not less than five years after graduation;

(g) 2% of all employment opportunities are reserved and given to persons with Disabilities in both Public and private sector in the state without being discriminated against;

- (h) 2% of all the social investment and empowerment programme in the state shall be reserved for persons with Disabilities who have acquired formal or informal skills;*
- (i) Medical services are provided at subsidized rate or on insurance to Persons with Disabilities;*
- (j) Persons with Disabilities in Government service are considered in the allocation of Government Houses;*
- (k) Public building are accessible to persons with Disabilities;*
- (l) Counseling services and rehabilitation programmes are offered to Persons with Disabilities;*
- (m) Child supports are given to children of Persons with Disabilities;*
- (n) Public sports facilities are accessible to Persons with Disabilities and sport competitions are encouraged and of such persons organized alongside those of their peers without disabilities;*
- (o) Adult literacy programmes are provided for Persons with Disabilities who are not able to attend school early in life;*

(p) Persons with Disabilities should be provided with Public support rehabilitation services at school and employment ages.

(q) Community base vocational and technical rehabilitation centres be established in all the LGAs in the state for Persons with Disabilities;

(r) At least one vocational and technical training centre or school is established in each senatorial district of the state; and

(s) Retirement, preparation and retention of personnel to serve in various disability fields is carried out.

Reserve space.

39 (1) In addition to the provisions of section 37 hereof, where the Government provide public parking lots, suitable space shall be properly marked and reserved for persons with disabilities.

(2) For a person with disability to be entitled to the use of the reserved space in subsection (1) his car shall have been properly identified with necessary insignia.

(3) A person, organisation or corporate body in control of a public parking lot who fails to comply with the provision of subsection (1) of this section commits an offence and is liable on conviction to a fine of N1, 000.00 for each day of default.

(4) A person without disability who parks a vehicle in the reserved space in subsection (1), commits an offence and is liable on conviction to a fine of N5, 000.00.

(5) A person who intentionally obstructs the reserved space in subsection (1) commits an offence and is liable on conviction to a fine of N5, 000.00.

(6) Subsection (4) does not apply if a person with disability is a passenger in the vehicle.

Directive by the Governor.

40. The Governor may give to the Commission such directives of general or specific nature with respect to the performance of its functions as he may deem fit and the Commission shall comply with same.

AUTHENTICATION BY THE CLERK

This printed impression has been carefully compared by me with

Kano State Persons with Disability (Amendment) Law 2020 (1441AH),
which was passed by the State House of Assembly and found by me to be a true
and correctly printed copy of the said Law.

ABDULLAHI ALFA
Clerk/Permanent Secretary
Kano State House of Assembly

ASSENTED _____ **DAY OF** _____ **2020**

(_____ DAY OF _____ 1441 A.H)

DR. ABDULLAHI UMAR GANDUJE OFR
GOVERNOR
KANO STATE OF NIGERIA