



KOGI STATE OF NIGERIA

A

LAW

TO

**TO PROVIDE FOR THE ESTABLISHMENT OF
KOGI STATE YOUTH DEVELOPMENT
COMMISSION, IMPLEMENTATION OF
SUSTAINABLE YOUTH POLICY AND OTHER
MATTERS CONNECTED THEREWITH, 2018**

**KOGI STATE YOUTH DEVELOPMENT COMMISSION
(ESTABLISHMENT) LAW, 2018**

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A BILL FOR A LAW TO PROVIDE FOR THE ESTABLISHMENT OF KOGI STATE YOUTH DEVELOPMENT COMMISSION, IMPLEMENTATION OF A SUSTAINABLE YOUTH POLICY AND OTHER MATTERS CONNECTED THEREWITH, 2018.

ENACTED BY THE KOGI STATE HOUSE 01 ASSEMBLY AND BY THE AUTHORITY OF SAME AS FOLLOWS: *Enactment*

PART I
Preliminary

1. This Law may be cited as the Kogi State Youth Development Commission (Establishment) law, 2018. *Citation*
2. This Law shall come into operation on the _____ day of _____ 2018 *Commencement*
3. In this Law, unless the context otherwise requires, the following expressions have their meanings hereby assigned to them respectively: *Interpretations*

“Administrative Secretary” means the Secretary to the Commission appointed in line with Section 10 of this Law;

“Beneficiaries” mean young people who are between the ages of 18 and 35 resident in Kogi State and who are unemployed or underemployed and need to benefit from or participate in any programme, project or activity initiated or co-sponsored by the Commission;

“Chairman” means the Chairman of the Commission appointed under Section 6 of this Law;

“Commission” means the Kogi State Youth Development Commission established under Section 4 of this Law;

“Constitution” means the Constitution of the Federal Republic of Nigeria 1999, as amended;

“**Disability**” means a state of substantial impairment of the physical, visual, vocal, auditory, sensory or mental capabilities of a person at birth or by injury, sickness or its effect or congenital deficiency;

“**Functions**” include powers and duties;

“**Government**” means Kogi State Government;

“**Governor**” means the Governor of Kogi State;

“**House of Assembly**” means the Kogi State I-house of Assembly;

“**Local Governments**” mean all the 21 Local Government Areas of the State;

“**Member**” means a member of the Commission and includes the Chairman;

“**Projects**” include programmes and activities of the Commission intended for youth development and requiring participation of the beneficiaries;

“**State**” means Kogi State of Nigeria; and

“**Youth**” mean young people who are between the ages of 18 and 35, and are resident in the State.

PART II

Establishment and Composition of Kogi State Youth Development Commission

4. (1) There is hereby established the Kogi State Youth Development Commission (in this Law referred to as “the Commission) into which shall be paid all monies received as grants from private individuals and organizations, Local Governments, State, National and International Donor Agencies for the purpose of youth development.

***Establishment
of Commission***

- (2) The Commission:
- (a) Shall be a body corporate with perpetual succession;
 - (b) May sue and be sued in its corporate name;
 - (c) May acquire, hold and dispose of property whether moveable or immovable for the purpose of exercising its functions under this Law; and
 - (d) May enter into contracts and arrangements with persons, Organizations, Companies, Ministries, Departments and Agencies of Government, Educational Institutions, International and Local Donor Agencies, etc for discharge of its functions under this Law.
- (3) Subject to the supervision from the Office of the Governor, the Commission shall be independent, operate and manage its affairs as provided in this Law.

5. The Objectives of the Kogi State Youth Development Commission shall be to:

*Objectives of
the Commission*

- (a) help in the creation of jobs & economic development opportunities with the help of legally established, independent and recognized institutions;
- (b) attract counterpart funding from Federal Government and international Donor Agencies;
- (c) Empower the youth who shall stimulate economic growth, create more jobs and economic opportunities, be employers of labour, and pay taxes to government thereby making significant contribution to the Gross Domestic Product (GDP) of the State; and
- (d) Reduce youth restiveness and anti - social activities like armed robbery, kidnapping, stealing, prostitution etc.

6. (1) The Commission shall comprise of a full time Chairman, who shall have a minimum of 10 years post qualification experience in entrepreneurship and or knowledgeable in youth development matters, an Administrative Secretary, and twelve (12) other members who shall be persons of good character.

(2) The other members of [lie Commission shall comprise of:

- a) A private sector leader;
- b) A finance expert;
- c) Youth Entrepreneur;
- d) A Civil Society representative;
- e) Representative of the Ministry of Youth and Sports;
- f) A Senior Legal Practitioner;
- g) A representative of the Ministry of Commerce and Industry;
- h) A representative of the Secretary to the State Government;
- i) A representative from the Office of the Head of Service;
- j) A gender expert;
- k) Representative of 11w National Youth Council Nigeria, Kogi State Chapter; and
- l) A representative of the Association of persons Living with disability

(3) The composition of membership in accordance with subsection (2) of this Section shall be on part time basis.

(4) Except the Ex-Officio members, the Governor shall appoint members of the Commission.

7. The Chairman, members of the Commission and the Administrative Secretary shall hold office for a single term of live (5) years. *Tenure of Office*

8. (1) The Chairman or a member of the Commission shall cease to hold office if he: *Removal from*

- (a) Resigns his appointment as a member of the Commission by a notice, under his hand, addressed to the Governor;
 - (b) Completes his term of office;
 - (c) Is incapacitated by illness or other cause from performing the functions of his office;
 - (d) Becomes bankrupt or makes a compromise with his creditors;
 - (e) Is convicted of a felony or of any offence involving dishonesty or corruption;
- (2) The Governor, if satisfied that it is not in the interest of the Commission or public for any member to continue in office, shall notify the member in writing to that effect.
- (3) In the event of a vacancy, the Governor shall appoint a replacement from the same area of interest the immediate past member is representing to complete the remaining term of office.
- (4) The Administrative Secretary may be removed from office
- (a) By the Governor; or
 - (b) If any circumstances arise which would require him to cease to hold office; or
 - (c) By the members of the Commission acting on an address supported by a two–third majority of membership of the Commission praying that he be so removed for inability to discharge the functions of the office either by infirmity of the mind or mental incapacity or misconduct.

9. As provided in Section 21 of this Law, the Commission shall have power to pay its members such remunerations and allowances as approved by the Governor. *Remuneration and Allowance*
10. (1) An Administrative Secretary (herein after referred to as “the Secretary”) shall be appointed by the Governor for the Commission through the Head of Service of the State. *Appointment of the Administrative Secretary*
- (2) The Secretary shall be an officer in the State Public Service not below the rank of a Director with experience in youth and empowerment related activities.
11. The Secretary shall be: *Duties of the Administrative Secretary*
- (a) The accounting officer of the Commission;
 - (b) Subject to the general direction of the Commission, responsible for the day today administration of the Commission;
 - (c) The convener of meetings whenever directed by the Chairman or demanded by a simple majority of the members of the Commission; and
 - (d) Responsible for keeping proper records and proceedings of the Commission.
12. (1) The staff of the Commission shall be public officers as defined in Section 318 of the Constitution. *Staff of the Commission*
- (2) The Commission shall have power to request for the transfer or secondment of persons from the State Public Service to the Commission if the services of such persons are needed for the discharge of its functions under this Law.
- (3) The Commission may, through the State Civil Service Commission, appoint such other category of employees as may appear to it expedient and necessary for the proper and efficient

performance of its functions under this law, but not without prior approval of the State Governor.

- (4) The Commission may make rules relating generally to the conditions of Service of employees under the Commission, and without prejudice to the generality of the forgoing, the rules may provide for:
 - (a) The appointment, promotion and disciplinary control of all employees of the Commission;
 - (b) Appeals by employees against disciplinary measures; and
 - (c) Such other matters to ensure the efficient performance of the functions of the Commission under this law.

13. Service in the Commission shall be Public Service for the purpose of this law and, accordingly, officers and other staff of the Commission shall, in respect of their services in the Commission, be entitled to such pension and retirement benefits as are prescribed in the State Pension Reform Law.

*Pension Reform
Law of the State*

14. The Commission shall be responsible for:

*Functions of the
Commission*

- (a) Seeking or Sourcing for counterpart funding to carry out its functions as provided under this law;
- (b) Receiving all monies and such properties (whether moveable or immovable) coming into the possession of the Commission;
- (c) Liaising with Ministries, Departments and Agencies to identify and execute youth related projects;
- (d) Setting guidelines for selection of beneficiaries;
- (e) Entering into contract on behalf of the Commission for the purpose of executing approved projects;
- (f) Hiring of staff and consultants for the Commission;
- (g) Disbursing funds to beneficiaries;

- (h) Exercising control over the management of the Commission with a view to ensuring accountability and proper utilization of the funds of the Commission for the purposes set out in this Law;
 - (i) Carrying out such other activities as are necessary for the purpose of achieving the objectives set out in this Law.
15. (1) The Commission may, subject to such conditions as it may deem fit, delegate any of its functions under Section 14 of this Law to:
- (a) Any of its members;
 - (b) Any of its committee;
 - (c) The Secretary.
- (2) No such delegation shall prevent the exercise by the Commission of any power vested in it by this Law.
- (3) Notwithstanding subsection (1) of this Section or any other provision of this law, the Commission shall not delegate any of its powers in respect of offices of the Chairman, the Secretary, and such other staff not below Grade Level 08.

*Power of
Delegation*

PART III

Proceedings of the Commission

16. (1) The Commission shall meet for the conduct of its business at least 4 times in a calendar year and hold such other extraordinary meetings as may be deemed necessary.
- (2) Notwithstanding the provision of sub-section (L) of this Section, the Commission shall meet to conduct such other businesses as exigency demands.

*Meetings of the
Commission*

- (3) The Commission shall meet whenever it is summoned through the Secretary by the Chairman, or if the Chairman is required to do so we notice given to him by simple majority of Members of the Commission, he shall through the Secretary summon a meeting of the Commission to be held within 14 days 1mm the date in which the notice is given.
- (4) The Commission may make standing orders regulating its proceedings or any of its Committees.
17. (1) Seven (7) Members of the Commission including the Chairman shall constitute the quorum for meetings presided over by the Chairman; and
- (2) The quorum of any Committee of the Commission shall be as determined by the Commission.
18. Provisions of Section 17 of this Law notwithstanding, at any meeting of the Commission, the Chairman shall preside, but if absent, the members present at the meeting shall appoint one person from among themselves to preside over the meeting.
- (2) The Chairman or the member presiding shall have a deliberative vote at a meeting and where there is equality of votes, the Chairman or member presiding shall have a casting vote.
- (3) Questions put before the Commission at a meeting shall be decided by consensus and, where this is not possible, by a majority of the votes of the members present and voting.
19. Any member of the Commission who has a personal interest in any contract or transaction entered into or proposed to be considered by the Commission shall immediately declare his interest to the Commission and shall not vote on any deliberation relating to the contract or transaction.

Quorum of the Commission

Presiding Member

20. The validity of any proceeding of the Commission or a Committee thereof shall not be adversely affected by any defect in the appointment of a Member of the Commission or of a Committee or by reason that a person not entitled to do so took part in the proceeding of the Commission or Committee.
21. (1) The Commission shall, where the need arises, appoint one or more Committees to carry out, on its behalf, any of such functions as it may determine.
- (2) A Committee appointed under this Section may consist of such persons who are not necessarily Members of the Commission but the terms of this appointment shall be stipulated.
- (3) Nothing in this Section shall be construed as giving effect to the decision of a Committee until such decision shall have been con by the Commission.
22. (1) The Commission may, at any time in the execution of its function or in any circumstance where an expert advice is required on any particular matter, appoint an external body or co-opt individuals who are not its members for advice or to any of its meetings as the need requires.
- (2) Provided that such body or individuals, who are in attendance by virtue of subsection (1) of this Section, may take part in the deliberations of the Commission or any of its Committee hut shall not be entitled to any vote during the meeting of the Corn mission or any of its Committees.
- (3) The body or individuals shall not constitute quorum or be counted in any vote.

PART IV

financial Provisions

23. (1) There shall be paid to the Commission established by Law:
- (a) All monies accruing to the Commission by virtue o Section 4 of this Law;
 - (b) grants and subvention from Donor Agencies and/or International Organizations;
 - (c) Such fund as may, from time to time, be granted to the Commission by the Government;
 - (d) All such subventions, fees and charges paid to the Commission for services rendered; and
 - (e) All other assets which may, from time **to** time, accrue to the Commission.
- (2) The Commission shall make active efforts to attract counterpart funds outside of Government funding. This should include:
- (a) Giving incentives to Private Sector to invest in the programmes and projects of the Commission as part of their Corporate Social Responsibility;
 - (b) Inviting Bilateral and Multilateral Development Aid Agencies to invest in the programmes and projects of the Commission; and
 - (c) Encouraging spirited individuals to participate and invest in the programmes and projects of the Commission.
- (3) The Commission shall be managed in accordance with rules made by the Commission and without prejudice to the power to make regulations under Section 16 (4) of this Law; the rules shall in particular contain provisions:
- (a) Specifying the manner in which the assets of the Commission are to be held and regulating the making of payments into and out of the Commission; and

(b) Requiring the keeping of proper records and accounts of the Commission for the purposes of actualizing the objectives of this law and accountability in the use of the Commission's funds in such form as may be specified by the rules.

24. The Commission, subject to the approval of the governor, shall before the disbursement of the fund of the Commission to each of the programmes and projects earmarked and approved for the beneficiaries set aside in each year, an amount not exceeding Twenty five per cent (25%) of the total monies accruing to the Commission in the preceding year which shall be applied:

- (a) For the cost of administration and management of the Commission;
- (b) For the payment of remuneration and allowances, payable to members and employees of the Commission;
- (c) For the maintenance of any property acquired or vested in the Commission;
- (d) To pay generally for services rendered to the Commission;
- (e) for project monitoring; and
- (f) To meet all the needs of the Commission necessary for the due administration of the objective of this Law.

25. (1) The Commission shall cause to be prepared not later than 30th September in each financial year or any other date specified by any authority an estimate of the expenditure and income of the Commission during the next following financial year.

(2) Provided that the estimates under subsection (1) of this Section shall specify such expenditure required from the convenient, such income going to the government treasury, and such expenditure and income to be expended

and generated by the Commission being an independent body and in time with the provision of Section 24 of this

26. (1) The Commission shall be exempted from the payment of income tax on any income accruing from investments made by the Commission or otherwise howsoever.
- (2) Notwithstanding the provision of subsection (1) of this Section, members of the Commission and staff of the Commission shall be subject to the tax laws applicable in the State.

PART V

Transparency and Accountability Measures

27. The Commission shall cause to be kept proper accounts of the Commission and proper financial records in relation thereto and when certified by the Commission, the accounts shall be audited by auditors appointed by the Commission from the list and in accordance with the guidelines supplied by the State Auditor-General.
28. The Commission shall not later than the 5th working day of the new month publish on its website, every details of its activities and financial transactions for the preceding month.
29. The Commission shall, at the end of every three months of the financial year submit to the Governor and publish in its website its activities, financial transactions and the administration of the Commission in relation to its funding.
30. The Commission shall not later than 31st of May in each financial year, submit to the Governor and cause to be published of its website and in media a detailed report on its activities and administration, proposed work plan and audited financial reports and a copy of which shall be forwarded to the F-louse of Assembly.
31. (1) The Monitoring and Evaluation Team appointed by the Governor in accordance with the provisions of this law shall at least on an annual

basis undertake an independent assessment of the impact o the programmes and projects of the Commission on the beneficiaries in particular and the youth of the State in general.

(2) The Reports of the Impact Assessment conducted in line with subsection (1) of this Section shall he submitted to the Governor not later than the 15th of January of a new year.

32. (1) The Commission shall maintain a standard website where the quarterly and annual reports of activities, financial transactions and administration of the funds of the Commission shall be published.

(2) The website shall contain information on

(a) Membership of the Commission;

(b) Events;

(c) Reports;

(d) Statement of Accounts;

(e) Appointments employments;

(f) Contracts;

(g) List of beneficiaries; and

(h) Such other activities as the Governor may from time to time direct/or as deemed necessary by the Commission.

(3) The Commission shall be under obligation to spell out in the website the criteria to he used in the selection of beneficiaries at least one month before the selection is done.

(4) Neglect/or refusal by the Commission to publish information listed in subsection (2) of this Section shall be treated as a misconduct and officer responsible shall be penalized.

PART VI

Programmes and Projects of the Commission

33. (1) There shall be established by the Commission, a micro credit and franchise scheme for beneficiaries who are entrepreneurs and the Commission shall, subject to Section 39 and other provisions of this Law, be responsible for drawing up guidelines regarding:

- (a) Eligibility of applicants;
- (b) Duration of loans;
- (c) Mode of repayment; and
- (d) Applicants shall not be denied loans owing to inability to provide collaterals rather other measures shall be adopted to ensure repayment compliances.

(2) The Commission shall establish an incubation hub to:

- (a) Train beneficiaries in all aspect of businesses, including financial management, market research and validation, business processes patenting, product development, sales training;
- (b) Educate beneficiaries on how to network with other entrepreneurs and business development agencies;
- (c) Introduce beneficiaries to seed and early stage capital investment networks;
- (d) Help beneficiaries with access to information on national and international best practices in entrepreneurship; and
- (e) Facilitate peer group learning among beneficiaries.

34. (1) The Commission shall collaborate with other Government Agencies to undertake or sponsor research to determine areas of skills shortage, recruitment experiences, labour and skills requirements as well as

industry and employment trends in order to avoid skills mismatch among the youth in the State.

(2) The Commission shall establish and manage a database on youth demographics and statistics to help track all investments of governments at all levels for youth development and for effective planning, target setting, monitoring and evaluation.

35. The Commission shall adopt the National Vocational Qualification as a strategy for skills development and facilitate the following skills training for the self–reliance and enhancement of employability of beneficiaries:

- (1) Artisanal Training
- (2) Professional Certification Training
- (3) Niche Sector Training
- (4) ICT Skills Training.

36. The Commission shall engage mass media and other effective means to create public awareness on youth related programmes and to re-orientate the youth. The Fund shall ensure that all the youth in the State, including those who are resident in rural areas, female youth and youth living with disability are made to be aware of the Commission’s programmes, projects and activities, and are reached by sensitization messages.

37. The Transition to Work Programmes of the Commission shall be:

- (1) Work Placement Programs; whereupon the Commission shall partner with the private sector to facilitate the placement of unemployed youth in temporary jobs lasting between 6 and 12 months in enabling the beneficiaries gain experience in workplace settings for improved chances at securing jobs;
- (2) Public Private Sector Partnership; whereat the Commission shall collaborate with government to forge a partnership with business

organizations within the State and beyond to offer internship opportunities to beneficiaries who are students of tertiary institutions as part of their Corporate Social Responsibility; and

(3) Career Development Counselling; in which the Commission shall support institutions and Civil Society Organisations that can provide sound career guidance and counselling services to youth across the State.

(4) Pursuant to the provisions of subsection (3) of this Section, Government shall strengthen all the Tertiary Institutions in the State with services of professional career counsellors

38. The Commission shall:

- (a) Organize and fund Youth Cooperatives in the Agricultural and technological Sector to create more jobs in the State economy; and
- (b) Encourage sports competition and recreational activities.

PART VII

General Provisions

39. (1) There shall be beneficiaries to each of the programmes, projects and activities of the Commission.
- (2) The beneficiaries shall be drawn from the categories of youth in the State.
- (3) The Commission shall be gender sensitive and comply with the 35% Affirmative Action policy in the choice of beneficiaries to its programmes, projects and activities.
- (4) The youth living with disabilities shall also constitute a minimum of 10% of the total number of the beneficiaries.
- (5) Nothing in subsections (3) and (4) of this Section restricts the involvement of female beneficiaries and youth living with disabilities to 35% and 10% respectively; the percentages shall be the minimum number of female beneficiaries and youth living with disabilities.
- (6) The percentages set aside for female beneficiaries and youth living with disabilities shall constitute the total number of beneficiaries given special consideration.
- (7) Noncompliance to the provision of subsections (3) and (4) of this Section under whatsoever pretext shall be considered as an offence of misconduct and shall accordingly be penalized.
- (8) Provided that it is established that female beneficiaries and youth living with disabilities who applied to participate or are available for the programmes, projects and activities of the Commission are below the required percentage.
- (9) Beneficiaries of the Commission's programmes or projects or activities shall at all times be drawn equally from all the Local Governments of the State.

40. (1) The Commission shall, at all times, ensure that Local Government spread on the basis of equality is strictly observed in the selection of beneficiaries and sitting of projects.
- (2) Where the number of beneficiaries or projects cannot go round the Local Governments, beneficiaries shall be selected or projects sited on the basis of equality of Federal Constituencies or Senatorial Districts as the case may be.
- (3) Notwithstanding the provisions of subsections 1 and 2 of this Section, the ethnic configuration of the State shall be considered in the selection of beneficiaries and sitting of projects to ensure equity and fairness.
41. Any member of the Commission or beneficiary who misappropriates funds for purposes other than that for which it was disbursed commits an offence and shall be liable on conviction to a fine of two (2) times the value of the disbursed funds and imprisonment of minimum term of 1 year or to a maximum term of 5 years.

The above printed impression has been carefully compared by me with the Bill that has been passed by the Kogi State House of Assembly and Found by me to be a true and correctly printed copy of the said Bill.

Shaibu, Matthew Ireya
Clerk of the House

I Assent/Withhold assent this _____ day of _____ 2021

Alha Yahaya Bello
Governor of Kogi State of Nigeria

SCHEDULE OF BILL

S/N	LONG TITLE OF THE BILL	SUMMARY OF CONTENTS OF THE BILL	DATE PASSED BY THE HOUSE
1	A Bill for a Law to provide for the Establishment of Kogi State Youth development Commission, Implementation of a Sustainable Youth Policy and Other Matters Connected Therewith, 2018		

SIGNATURE OF THE CLERK OF THE HOUSE
SHAIBU, MATTHEW IREYI

DATE: _____