

Section 121 of the Constitu-  
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a superintendant of police:

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t for the arrest, of any person in  
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ndant of police to the institution  
as not been obtained.

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1 classes of licences to be issued;  
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s of this Law.

## CHAPTER 55

### HEALTH SERVICES MANAGEMENT BOARD

A LAW TO PROVIDE FOR THE MANAGEMENT OF HEALTH SERVICES IN  
THE STATE

KS 10 of  
1978,  
KSLN 22 of  
1983,  
KS 4 of  
1986.

[1 August 1977] Date of  
commence-  
ment.

#### PART I—PRELIMINARY

1. This Law may be cited as the Kano State Health Services  
Management Board Law.

Title and  
commence-  
ment.

2. In this Law, unless the context otherwise requires:—

Interpreta-  
tion.

“the Board” means the Kano State Health Services Manage-  
ment Board established by section 3;

“Chairman” means the Chairman of the Board;

“Commissioner” means the State Commissioner for the time  
being charged with responsibility for Health;

“functions” includes powers and duties;

“health services” includes hospitals, clinics, medical labora-  
tories, health centres, and other services relating to preventive  
or curative medical care provided by the State Government;

“meeting” means meeting of the Board;

“member” means member of the Board;

“the Governor” means the Governor of the State;

“the Minister” means the State Ministry of Health;

“the State” means the Kano State of Nigeria.

#### PART II—ESTABLISHMENT AND CONSTITUTION

3. There is hereby established for the proper management of  
all health services of the State Government, a board to be known  
as the Kano State Health Services Management Board.

Establis-  
ment of the  
Board.

Incorporation

4. The Board shall be a body corporate with perpetual succession and a common seal and with power to sue and be sued in its corporate name and to acquire, hold and dispose of any property whether movable or immovable.

Composition of the Board.

5.—(1) The Board shall consist of a part-time Chairman and ten other part-timer members to be appointed by the Governor.

Provided that the members shall include:—

- (a) a representative of the Ministry; and
- (b) a medical practitioner resident in the State.

(2) The members shall hold office on such terms and conditions as the Governor may approve.

Tenure of office.

(3) Without prejudice to subsection (2) the members (other than the ex-officio member) shall hold office for a period of three years and shall thereafter be eligible for re-appointment.

Vacation of office.

6.—(1) The office of a member (other than an ex-officio member) shall become vacant if:—

- (a) he dies;
- (b) he resigns his office by notice in writing addressed to the Commissioner;
- (c) there is passed by the Board a resolution declaring:—
  - (i) that he has become incapable by reason of mental or bodily infirmity of discharging his duties; or
  - (ii) that he has become unfit for membership of the Board by reason of his having contravened the provisions of this Law or any regulations made generally for the carrying into effect the purpose of this Law; or
  - (iii) that he has been absent from five consecutive meetings of the Board without the leave of the Chairman or the Board;
- (d) he is convicted of a criminal offence involving fraud, dishonesty or moral turpitude; or
- (e) his appointment is revoked by the Governor.

(2) So soon as may be after the term of office of a member has expired or his office has become vacant under the provisions of

this section, the Governor shall, by Order in Council, appoint another person in

7.—(1) At any meeting, the members present shall elect one of their number to preside at such meeting.

(2) The person lawfully presiding at such meeting shall be the original as well as a casting vote.

(3) Four members present at any meeting shall constitute a quorum.

(4) The Board shall meet at such times and places as the Board may deem expedient for the transaction of its business. Meetings shall be held at such places as the Chairman may decide:

Provided that the Board shall meet at least once in every quarter.

(5) The Chairman may at any time, and if requested in writing by a member, shall summon a special meeting of the Board at such time and place as he may determine, the date of such request.

(6) An ex-officio member may, in the absence of any member on his behalf at any meeting at which he is entitled to be present, if a representative has been appointed to the Board, he shall be entitled to exercise all the powers of a member.

8. Whenever the Board decides to appoint a person upon any particular matter, it may, if it thinks fit, appoint a person to be a member for such period as it may decide, and such person will have all the powers of a member save that he shall not have a vote in the question, and his presence at any meeting shall not count towards the quorum.

9. The validity of any proceedings of the Board shall not be affected by any vacancy amongst the members, or by the appointment of any member, or by the fact that a member authorized so to do has taken part

incorporate with perpetual succession power to sue and be sued in its name and dispose of any property

a part-time Chairman and ten members appointed by the Governor.

shall include:-

every; and

at least one in the State.

on such terms and conditions

(2) the members (other than the Chairman) shall hold office for a period of three years from the date of their appointment.

other than an ex-officio member.

in writing addressed to the

resolution declaring:-

incapable by reason of mental or physical infirmity of discharging his duties; or

for membership of the Board has contravened the provisions of the Law or the regulations made generally for the purpose of this Law; or

has been absent from five consecutive meetings without the leave of the Chairman or the

has committed a criminal offence involving fraud, dishonesty or breach of trust; or

appointed by the Governor.

term of office of a member shall be as provided under the provisions of

this section, the Governor shall subject to the provisions of this Law, appoint another person in his place.

7.—(1) At any meeting, the Chairman shall preside and if he is absent the members present shall elect one or their members to preside at such meeting. Presiding of meetings quorum etc.

(2) The person lawfully presiding at any meeting shall have an original as well as a casting vote.

(3) Four members present at any meeting shall form a quorum.

(4) The Board shall meet at such other times as the Board may deem expedient for the transaction of its business; and such meetings shall be held at such places and times and on such days as the Chairman may decide:

Provided that the Board shall meet at least once in every quarter.

(5) The Chairman may at any time convene a special meeting and if requested in writing by at least two members so to do, he shall summon a special meeting to be held within seven days from the date of such request.

(6) An ex-officio member may appoint a representative to act on his behalf at any meeting at which he is unable to be present. If a representative has been appointed and his appointment notified to the Board, he shall be entitled so to act and while so acting, shall have all the powers of a member.

8. Whenever the Board desires to obtain the advice of any person upon any particular matter, the Board may co-opt such person to be a member for such meeting or meetings as the Board may decide, and such person while so co-opted shall have all the power of a member save that he shall not be entitled to vote on any question, and his presence at any meeting shall not count towards the quorum. Co-option of members.

9. The validity of any proceedings of the Board shall not be affected by any vacancy amongst the members, or by any defect in the appointment of any member or by reason that a person not authorized so to do has taken part in such proceedings. Validity of proceedings.

Indemnity of members.

10. A member shall not be personally liable for any act or thing done or omitted to be done by him, in good faith, in the discharge of his functions under this Law.

Advisory Committee to the Board.

11.—(1) There shall be established by the Board, an advisory committee which shall consist of the following officers of the Ministry:—

- (a) the Chief Medical Officer;
- (b) the Chief Nursing Officer;
- (c) the Chief Pharmacist.

(2) The said advisory committee shall render to the Board necessary advice on such matters as the Board may from time to time direct.

Tenders and contracts.

12.—(1) Subject to this Law, the Board may enter into any contract with respect to all or any of the following matters:—

- (a) repairs and maintenance of hospitals; buildings, health centres, dispensaries and clinics and equipment;
- (b) supply of food to its establishments; and
- (c) services of contractors.

KS4 of 1986.

(2) Before entering into such contract the Board shall call for tenders.

(3) Without prejudice to the provisions of subsection (1), the Board may enter into all such contracts as it may deem necessary or expedient for the due performance of its functions under this Law or any other enactment.

Personal interest of members to be disclosed.

13. Any member who:—

- (a) has or claims any personal interests, by way of profits, remuneration or other benefits, in any contract entered into by the Board; or
  - (b) may appear to have such interest, with respect to any contract proposed by the Board,
- shall forthwith disclose such fact to the Board, and shall not without leave of the Board, vote upon any question relating to such contract.

14.—(1) The Board may upon terms and conditions determined by the Commissioner, appoint a person to be the Secretary of the Board.

(2) The Executive Secretary shall:—

- (a) be the chief executive of the Board;
- (b) carry out the policy of the Board;
- (c) keep the records of the proceedings of the Board;
- (d) perform such other duties as the Board may direct.

#### PART III—FUNCTIONS

15. It shall be the duty of the Board to carry out the Government policy on health services and to provide the health services provided by the State.

16. The Board shall have power:—

- (a) to make standing orders to regulate the conduct of its meetings, the custody of its records, and the keeping of its accounts, and the management of its property;
- (b) upon terms and conditions approved by the Board, to appoint and remunerate agents for any of its functions;
- (c) subject to the prior approval of the Board, to borrow money for its purposes, and to mortgage its property;
- (d) subject to terms and conditions approved by the Board, to appoint zonal health committees to perform any of its functions;
- (e) to operate its own bank account;
- (f) subject to terms and conditions approved by the Board, to employ and train its staff, and to exercise disciplinary control over such staff;
- (g) to do such other acts and things as may be necessary for carrying out any of its functions, or any other enactment.

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14.—(1) The Board may upon terms and conditions approved by the Commissioner, appoint a person to be the Executive Secretary of the Board. Executive Secretary.

(2) The Executive Secretary shall:-

- (a) be the chief executive of the Board;
- (b) carry out the policy of the Board;
- (c) keep the records of the proceedings of the Board; and
- (d) perform such other duties the Board may from time to time direct.

#### PART III—FUNCTIONS

15. It shall be the duty of the Board subject to the State Government policy on health services, to maintain and manage the health services provided by the State Government. Duties.

16. The Board shall have power:- Powers.

- (a) to make standing orders to regulate its own procedure, the conduct of its meetings, the custody of its common seal, the keeping of its accounts, and the award of contracts;
- (b) upon terms and conditions approved by the Commissioner, to appoint and remunerate agents and servants to carry out any of its functions;
- (c) subject to the prior approval of the Commissioner, to borrow money for its purposes, invest its funds, and dispose of its property;
- (d) subject to terms and conditions approved by the Commissioner to appoint zonal health services management committees to perform any of its functions in their respective zones;
- (e) to operate its own bank accounts;
- (f) subject to terms and conditions approved by the Commissioner, to employ and train its staff and dismiss and exercise disciplinary control over such staff; and
- (g) to do such other acts and things as may appear to the Board necessary for carrying out any of its functions under this Law, or any other enactment.

## PART IV—FUNDS AND ACCOUNTS

## Funds.

17. The funds of the Board shall consist of:—

- (a) grants and advances made by the State Government;
- (b) revenue accruing from its investments and property;
- (c) fees and charges received from its services; and
- (d) moneys accruing to the Board from any other source.

## Estimates.

18.—(1) The Board shall, not later than the 31st day of December of each year, prepare and submit for the approval of the Commissioner, estimates of its revenue and expenditure for the financial year next following and the Commissioner shall have power to approve the said estimates subject to such adjustments thereto as he may deem fit.

(2) Notwithstanding the provisions of subsection (1) the Ministry shall provide for the services of the Board during the 1977/78 financial year, such moneys as the Ministry may deem necessary.

Annual Account and Audit.  
KSLN 22 of 1983.

19. The Board shall keep proper accounts of its revenue and expenditure in respect of each financial year and shall as soon as may be after the end of that financial year cause the said accounts to be audited and reported upon as soon as may be after the end of the financial year to which the account relates by the Director of Audit.

Annual Report.  
KSLN 22 of 1983.

20.—(1) The Board shall as soon as may be after the end of each financial year submit to the Commissioner an annual report of its activities for that financial year.

(2) The said annual report shall include, a copy of the audited accounts of the Board for that financial year together with the auditors report thereon.

## PART V—MISCELLANEOUS

## Authentication of instrument.

21.—(1) Any contract or instrument which is entered into or executed by a person not being a body corporate, may not require to be under seal, may be entered into or executed on behalf of the Board by the Chairman or any person generally or specifically authorized in that behalf, by the Board.

(2) The fixing of the common seal of the Board shall be

authenticated by the signatures of the Clerk, the Permanent Secretary to the Board, or of those members of the Board specially authorized in that behalf, by the Board.

22. The Permanent Secretary or any other person authorized in that behalf by the Board, may at any time enter upon and inspect any establishment of the Board.

23.—(1) In any suit, the Board may be represented in Court by a State Counsel.

(2) For purposes of this section "suit" means any civil proceedings commenced by or against the Board in any manner as may be prescribed by the Board, but does not include criminal proceedings.

24. The Commissioner may give such directions as he may think fit in relation to the general or specific character with respect to the functions and its procedure and the Board's directions.

25.—(1) The Board may with the approval of the Minister make regulations to carry out the provisions of this Law and generally in relation to the health services of the State.

(2) Without prejudice to the generality of the foregoing, the Board may with the approval of the Minister do the following things:—

- (a) controlling or restricting the admission of any class of members of the public to any premises occupied or under the control of the Board;
- (b) regulating the hours during which the premises are open for the purposes for which and the members of the public or any person may have access to such premises;
- (c) for enduring the maintenance of the premises amongst members of the public;

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services; and  
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authenticated by the signatures of the Chairman and the Executive Secretary to the Board, or of those members generally or specifically authorized in that behalf, by the Board.

22. The Permanent Secretary of the Ministry or any other person authorized in that behalf by the Commissioner may at any time enter upon and inspect any establishment managed by the Board.

Official  
Visits.

23.—(1) In any suit, the Board may at any stage of proceedings' be represented in Court by a State Counsel.

Representa-  
tion in  
Court.

(2) For purposes of this section "suit" includes action and or any civil proceedings commenced by writ of summons or in such manner as may be prescribed by the Rules of Court but does not include criminal proceedings.

24. The Commissioner may give to the Board directions of a general or specific character with respect to the performance of its functions and its procedure and the Board shall comply with such directions.

Commis-  
sioner's  
directions.

25.—(1) The Board may with the approval of the Commis- sioner make regulations to carry into effect all or any of the provisions of this Law and generally for the proper administration of the health services of the State.

Regulations.

(2) Without prejudice to the generality of subsection (1), the Board may with the approval of the Commissioner make regula- tions:-

- (a) controlling or restricting the access of the public or of any class of members of the public to any premises vested in, occupied or under the control of, the Board or to any part of such premises;
- (b) regulating the hours during which, the means whereby, the purposes for which and the conditions subject to which, members of the public or any class of members of the public may have access to such premises or part thereof;
- (c) for enduring the maintenance of good order and discipline amongst members of the public at any time when upon such premises;

- (d) for preventing the unauthorized or improper use of or the wilful or negligent occasioning of damage to any property owned, vested in, occupied by or under the control of the Board;
- (e) for securing the proper, efficient and economic maintenance, management, organisation, administration and operation of State hospitals, clinics, health centres and other health establishments maintained by the Board; and
- (f) controlling the admission of patients to State hospitals maintained by the Board or attendance to any out-patient department of such hospitals.

Existing  
Staff.

26.—(1) All the existing staff of the Ministry who before the commencement of this Law, were working in any establishment to be maintained by the Board by virtue of this Law, shall upon the commencement of this Law, be deemed to have been transferred to the Board.

Cap. 106.

(2) For the purposes of the retiring benefits of the employees of the Board, service under the Board shall be deemed to be public service within the meaning of the Pension and Gratuities Law or any enactment replacing or modifying the said Law.

## CHAPTER

## HIDES AND

A LAW TO ENABLE REGULATIONS TO BE MADE FOR  
IMPROVING THE QUALITY OF HIDES AND SKINS  
AND CONTROLLING THE SALE

1. This Law may be cited as the

2. The Governor may make regulations for the purposes following:—

- (a) regulating the method of flaying hides and skins and providing for the payment of instructors;
- (b) regulating and restricting the transport of hides and skins and the dryness they shall possess;
- (c) providing for the inspection and generally controlling the sale of hides and skins;
- (d) generally for maintaining order in the tanning of hides and skins;
- (e) providing for the licensing of tanners and preparation of hides and skins;
- (f) prescribing the authorities who may cancel licences, the obligation of tanners to produce licences, the form of licences and the respect of them;
- (g) providing for the appointment of officers to carry out the provisions of this Law and investing them with the due execution of their duties for the purposes of this Law;