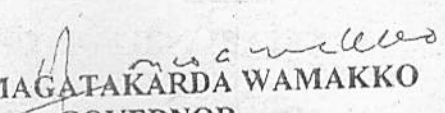


I ASSENT THIS 20th DAY OF May 2010


ALIYU MAGATAKARDA WAMAKKO
GOVERNOR
SOKOTO STATE OF NIGERIA

LAW No.4.....2010

**A LAW TO ESTABLISH PRIMARY HEALTH CARE
DEVELOPMENT AGENCY AND FOR RELATED
MATTERS.**

BE IT ENACTED by the House of Assembly of Sokoto State
of Nigeria as Follows:

PART I

PRELIMINARY

Citation & 1.
Commencement

This Law, may be cited as the Sokoto State Primary Health
Care Development Agency Law and shall come into operation
on the day of.....
2010.

Interpretation 2.

In this Law:

"Agency" means the Sokoto State Primary Health Care
Development Agency established under Section 3 of this Law;
"Board" Means the State Primary Health Care Development
Agency Governing Board established under Section 5 of this
Law;
"Commissioner" means the Commissioner charged with the
responsibility for matters relating to Health;
"Governor" means the Governor of the State;
"Local Government" means the Local Government Areas in the
State;
"Member" means Members of the Board and includes the
Chairman;
"State" means the Sokoto State of Nigeria.

PART II**ESTABLISHMENT OF THE AGENCY**

*Establishment
of the Agency*

3. (1) There is hereby established for the State, a body to be known as the Sokoto State Primary Health Care Development Agency.
- (2) The agency:
- (a) shall be a body corporate with perpetual succession and common seal
 - (b) may sue and be sued in its corporate name
 - (c) shall have power to acquire, hold or dispose of movable or immovable property.

PART III**POWERS AND FUNCTIONS OF THE AGENCY**

*Powers &
Functions of
the Agency*

4. The functions of the Agency shall be to:
- (a) review the existing health policies particularly with regards to their relevance in the development of primary health care particularly relating to primary healthcare facilities and propose changes where necessary;
 - (b) study health plans for primary health care at various levels under its supervisions to ensure their relevance to the National Health Policy;
 - (c) promote and monitor the implementation of plans at various levels of the State Primary Health Care Services;
 - (d) provide strategic technical support for the implementation of priority primary health care components as may be required or introduce new components for integration;
 - (e) mobilize resources nationally and internationally for the development of primary health care in support of the Agency's programmes;

- (f) ensure effective implementation of all primary health care activities as well as to ensure effective supervision and monitoring for the maintenance of minimum acceptable standard;
- (g) ensure effective community involvement or participation in all primary health care activities from inception to implementation stage;
- (h) strengthen referrals and linkages with other branches of the health sector especially in the area of maternal and child health, reproductive health care as well as other ailments with a view to significantly reduce morbidity and mortality;
- (i) develop sound database for effective planning, implementation and supervision of all primary healthcare activities in the State;
- (j) develop effective programme for training and re-training of all primary health care providers;
- (k) encourage effective collaboration with other sectors at all levels in the development and support of primary health care systems to avoid duplication and waste of resources;
- (l) take over and oversee the running of all primary health care facilities located in the State; except the local government Dispensaries and clinics, which shall be managed by the Local Government Councils in the State;
- (m) provide and maintain all infrastructure and equipment as well as employ and discipline staff of such facilities under its direct supervision;
- (n) ensure the implementation of all relevant policies with regards to facilities, equipment and staff under its care;
- (o) promote multi-sectoral and multi-disciplinary collaboration and encourage networking among various and relevant stakeholders;
- (p) do anything which in the opinion of the Board is designed to facilitate the carrying out of the activities of the Agency.

PART IV

ESTABLISHMENT AND COMPOSITION
OF THE GOVERNING BOARD*Establishment of Board*

(1) There is hereby established for the Agency a Governing Board (in this law referred to as the Board) to be known as the Sokoto State Primary Health Care Development Agency Governing Board as the decision making body;

Composition of the Board

(2) The Board shall consist of:

- (i) A Chairman
- (ii) The Permanent Secretary Ministry of Health - Member
- (iii) The Permanent Secretary Ministry for Local Government and Community Development - Member
- (iv) The Permanent Secretary Ministry of Women Affairs - Member
- (v) The Permanent Secretary Ministry of Information - Member
- (vi) Permanent Secretary Ministry of Environment - Member
- (vii) One person each to represent the following:
 - (a) Community Health Practitioners Association of Nigeria - Member
 - (b) Nigerian Medical Association - Member
- (viii) Three Local Government Council Chairmen, one representing each Senatorial Zone to represent all the Local Government Chairmen in the State; - Members
- (ix) Five other members - Members
- (x) The Executive Secretary of the Agency - Secretary

Appointment of Chairman & Members of the Board

(3) The Governor shall appoint the Chairman of the Board and such other members on the recommendation of the Commissioner.

*Functions and
Powers of the
Board*

6.

The Board shall be responsible for:

- (a) the general policy for the administration of the Agency including appointment, promotion and disciplinary control of the staff of the Agency and the management of its property and funds;
- (b) making regulations for the appointment, promotion, discipline and transfer of the staff of the Agency;
- (c) the Board may appoint or constitute standing or adhoc Committees as the case may be, to perform any of its functions on its behalf;

*Establishment
of Inter-Agency
Technical
Committee*

7.

(1) There shall be for the Agency an Inter-Agency Technical Committee which shall consist of:

- i. Executive Secretary - Chairman
- ii. Representative of United Nations International Children Emergency Fund - Member
- iii. Representative of World Health Organisation - Member
- iv. Representative of United Nations Funds for Population Activities - Member
- v. Representative of United State Agency for International Development - Member
- vi. Director Public Health/Medical Services Ministry of Health Sokoto. - Member
- vii. Represent of National Primary Health Care Development Agency - Member
- viii. Representative of Ministry for Local Government - Member
- ix. Representative of Chief Medical Director, Usman Danfodiyo University Teaching Hospital - Member
- x. Representative of National Health Insurance Scheme - Member
- xi. Representative of Pharmaceutical Society of Nigeria - Member
- xii. Representative of Private Healthcare - Member

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- Providers
- xiii. Representative of Traditional/ - Member
Alternative Health Practitioners
 - xiv. Director Administration & Finance - Secretary

Power to co-opt

- (2) Notwithstanding the provision of subsection (1) of this Section, the Committee shall have the power to co-opt any other relevant partner in Primary Healthcare Sector

*Functions of the 8.
ter-Agency
Technical
Committee*

It shall be the function of the Committee to:

- i. Provide effective collaboration with other relevant stakeholders towards providing effective primary Health Care delivery in the State;
- ii. Organize, initiate and sponsor programmes for effective manpower development and creation of awareness to the general public;
- iii. Monitor and supervise the day-to-day activities of the Agency especially as it relate to the activities sponsored by the donor agencies;

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PART V

STAFF OF THE AGENCY

*Appointment
of the
Executive
Secretary*

- 9. (1) The Governor shall appoint a suitable person as the Executive Secretary of the Agency who shall have a good background in Public sector management.
- (2) The Executive Secretary shall be:-
 - (a) the Chief Executive Officer of the Agency;
 - (b) responsible for the day-to-day administration of the Agency;
 - (c) subject to the supervision of the Governor and answerable to the Board; and shall be the Secretary to the Board.

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*Tenure of
Office*

- (3) The Executive Secretary and members of the board other than ex-officio shall hold office in the first instance for a period of four years and may be re-appointed for a further period of four years and no more, on such terms and conditions as may be specified in his letter of appointment.
- (4) Notwithstanding the provisions of subsection (3) of this section, the Executive Secretary may be removed from office for inability to discharge the functions of his office whether arising from infirmity of mind or body or for any other cause which is likely to prejudice the discharge of his functions or for gross misconduct.

*Structure of
the Agency*

- (5) (i) There shall be for the Agency the following Departments.
- (a) Community Health Services;
 - (b) Diseases Control and Immunisation;
 - (c) Health Planning, Research and Statistics;
 - (d) Monitoring and Inspection;
 - (e) Admin and Finance;
- (ii) The Agency shall have the following units:
- (a) Essential Drugs Unit;
 - (b) Audit Unit;
 - (c) Public Relations Unit
 - (d) And such other departments and units as may be determined by the Board from time to time and approved by the Governor.

*Other Staff
of the
Agency*

10. (1) The Board may with the approval of the Governor may from time to time appoint other staff of the Agency as it may require for the proper and efficient performance of its functions.

- (2) The Staff of the Agency may be drawn from within the service of the state through posting, transfer of service or secondment.

Discipline 11.

- (1) The Agency shall have power to exercise disciplinary

Control over its staff as it may deem necessary for the discharge of its functions under this Law and in accordance with the Civil Service Rules operating in the State.

*Source
Funds*

- (2) The terms and conditions of service of the employees of the Agency shall be as determined by the Board on the recommendation of the Civil Service Commission.

*Pension and
Gratuity*

- (3) Service in the Agency shall be the approved service in the State for the purpose of the pension law. Accordingly, employees of the Agency, shall in respect of their service in the Agency, be entitled to pensions, gratuities and other retirement benefits as prescribed in the mainstream civil service.

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- (4) Notwithstanding the provisions of subsection (3) of this section, the Agency may appoint a person to any office on terms which preclude grant of a pension, gratuity or other retirement benefits.

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PART VI

ESTABLISHMENT OF PRIMARY HEALTH CARE ZONES

*Establishment
of Zonal
Offices*

12. There is established for the Agency one zonal office in each Senatorial District in the State for effective discharge of its function as follows:

(a) Zone 'A' with Headquarters at Wamakko, comprising Sokoto North, Sokoto South, Binji, Tangaza, Gudu, Silame and Kware.

(b) Zone 'B' with Headquarters at Gwadabawa comprising Gada, Illela, Wurno, Rabah, Isah, Goronyo and Sabon Birni.

(c) Zone 'C' with Headquarters at Tambuwal comprising of Dange Shuni, Tureta, Bodinga, Shagari, Yabo and Kebbe.

PART VII

FINANCIAL PROVISIONS

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| <i>Source of Funds</i> | 13. | <p>(1) The Board shall be jointly funded by the State and the Local Governments on a ratio to be determined by the Governor.</p> <p>(2) The Board shall have the right and power to source for funds from non-governmental organizations and other Donor Agencies</p> |
| <i>Account</i> | 14. | <p>(1) The Board shall keep proper record of accounts in relation to all transactions of the Agency.</p> <p>(2) The Board shall at the end of each year submit to the Governor through the Commissioner of Health an annual report of its activities for that financial year, and shall include in such report a copy of the audited accounts of the Agency.</p> |
| <i>Credit Facility, Gift and Investment</i> | 15. | <p>(1) The Agency may with the approval of the Governor seek for credit facility and accept gifts 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 or donation.</p> <p>(2) Notwithstanding the provisions of subsection (1) of this section, the Agency shall not accept any gift if the conditions attached by the person or organization making the gift are inconsistent with the functions of the Agency under this Law.</p> <p>(3) The Agency may subject to the provisions of this Law and the condition of any trust created in respect of any property, invest all or any securities as may from time to time be approved by the Board.</p> |

PART VIII**PROCEEDINGS OF THE BOARD***Meetings*

16. (1) The Board may meet at such time and place as the Chairman may direct. Provided that; the Board shall meet at least three times in a year

(2) At any meeting of the Board, the Chairman shall preside and in his absence, the members present shall select one of their members to preside.

Standing Orders

(3) The Board may make standing orders for the proper conduct of its business and the regulation of its proceedings or any of those of its Committees.

Quorum

17. At any meeting of the Agency, the one half of the board members shall form a quorum

Power to Co-opt

18. Whenever upon any special occasion the Board of any Committee set up by the Board desires to obtain the advice of or any information from any person on any particular matter, such person may be co-opted as a member of that particular meeting save that the person so co-opted shall not be entitled to vote on any question or counts towards a quorum.

Voting

19. (1) Every question at any meeting shall be determined by a majority of the members present and each member shall have a single vote, but in the case of equality of votes, the Chairman shall have a casting vote.

(2) The Board may make standing orders not inconsistent with the provisions of this Law governing its own procedure and in particular with regards to the holding of meetings, the procedure thereof and keeping of minutes thereof, the custody, production and inspection of such minutes, and the opening, keeping, closing and auditing of accounts.

Validity of Proceeding

20. No act or proceedings of the Board thereof shall be invalid by reason of defect in the appointment of a person purporting to be a member or vacancy among members.

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