

**EKITI STATE SOCIAL PROTECTION  
LAW, 2020.**

**NO. 5 OF 2020**

**EKITI STATE OF NIGERIA**

**EKITI STATE SOCIAL PROTECTION LAW, 2020.**

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**A LAW TO ESTABLISH EKITI STATE SOCIAL PROTECTION SERVICES, THE SOCIAL PROTECTION COMMITTEE, AND FOR A COMPREHENSIVE FRAMEWORK OF STATE SOCIAL PROTECTION PROGRAMMES AND OTHER MATTERS CONNECTED THEREWITH.**

**NO. 5 OF 2020.**

**EKITI STATE OF NIGERIA**

*Commencement ( )*

*ENACTED by the Ekiti State House of Assembly as follows:*

**PART I.  
GENERAL PROVISIONS.**

**Establishment of Social Protection Services.**

1. It is hereby established the Ekiti State Social Protection Services hereinafter referred to as “State Social Protection Services” as stated in the First Schedule to this Law and the State shall to the extent of its means implement the services.

**Establishment the Committee.**

2. (1) It is hereby established a Committee to be known as “Ekiti State Social Protection Steering Committee” (referred to in this Law as “the Committee”).
- (2) The Committee:
- (a) shall be a body corporate with perpetual succession and common seal;
  - (b) may sue or be sued in its own name; and
  - (c) may acquire, hold and dispose of any property or interest in property, moveable or immovable for the purpose of carrying out its functions under this Law.
- (3) The Committee in exercise of its overall supervision for the management and control of the State social protection services shall have such power and duties as are conferred on it by this Law or by any other Law.

**Composition of the Committee.**

3. (1) The Committee shall consist of:
- (a) the Honourable Commissioner in the State Ministry of Budget and Economic Planning who shall be the Chairman;
  - (b) the Special Adviser on Social Investment who shall be the Vice Chairman;
  - (c) the Special Adviser on Development Partnership;
  - (d) the Permanent Secretary, Ministry of Budget and Economic Planning;

- (e) the Director, Multilateral Relations, Ministry of Budget and Economic Planning who shall serve as the Secretary of the Steering Committee;
  - (f) the Statistician General;
  - (g) the Permanent Secretary, Ministry of Health;
  - (h) the Permanent Secretary, Ministry of Infrastructure and Public Utilities;
  - (i) the Permanent Secretary, Ministry of Justice who shall be the Legal Adviser to the Steering Committee;
  - (j) the Permanent Secretary, Ministry of Employment and Productivity;
  - (k) the Permanent Secretary, Ministry of Agriculture;
  - (l) the Permanent Secretary, Ministry of Youths and Sport Development;
  - (m) the Permanent Secretary, Ministry of Women Affairs and Social Development;
  - (n) the Permanent Secretary, Ministry of Education;
  - (o) the Permanent Secretary, Ministry of Environment;
  - (p) the Permanent Secretary Ministry of Works and Transport;
  - (q) the Permanent Secretary, Ministry of Housing and Urban Development;
  - (r) two persons who shall be representatives of Coalition of Ekiti State Civil Society Organisations (COESCO) involved in Social Protection in the State;
  - (s) two representatives of Religious bodies;
  - (t) a representative of National Council of Women Societies (NCWS);
  - (u) a representative of People living with disabilities;
  - (v) a representative of Nigeria Union of Pensioners (Ekiti State Chapter);
  - (w) the State Commissioner of Police;
  - (x) a representative of the Council of Traditional Rulers and
  - (y) such other representative(s) of agencies rendering social protection programme in the State as shall be appointed by the steering committee.
- (2) The Chairman shall be responsible for the day to day running of the Committee and shall be assisted by the Vice Chairman.
- (3) Notwithstanding the provisions of subsection (1) of this Law, a member of Committee shall cease to hold office if:
- (a) the Chairperson ceases to be the Commissioner of the Ministry of Budget and Economic Planning.
  - (b) the Secretary ceases to be the Director, Multilateral Relations in the Ministry of Budget and Economic Planning.
  - (c) members other than the representative of Non-Government Organization cease to be employees of the MDAs they represent in the Committee.
  - (d) COESCO representatives cease to be members or COESCO withdraw their nomination to the Committee.

- (e) the Committee is not satisfied with the performance of any member, may request the MDAs or NGO they represent to substitute such member.

### **Functions and Responsibilities of the Committee.**

- 4. It shall be the responsibility of the Committee to:
  - (a) present timely annual report to the Governor and the State House of Assembly on the status of Social Protection Policy implementation in the State;
  - (b) ensure periodic review of the Ekiti State Social Protection Policy;
  - (c) ensure that sector actors prioritize social protection programmes in the State annual budget;
  - (d) work with the media on advocacy and mobilization activities; and
  - (e) preserve, promote and implement the social protection policy of the State.

### **The Committee Secretariat.**

- 5. (1) There shall be a Secretariat of the Committee which shall be in the department of Multilateral Relations in the Ministry of Budget and Economic Planning.

### **The Committee Secretary.**

- 6. (1) The Secretary of the Committee shall be a serving Director, Multilateral Relations in the Ministry of Budget and Economic Planning and the Secretariat of the Committee shall be in the Ministry.
- (2) The Secretary shall perform the following functions:
  - (a) provide general secretarial assistance to the Chairman and keep minutes of the meetings of the Committee;
  - (b) keep the list of members of the Committee;
  - (c) issue notices of meetings;
  - (d) disseminate decisions or recommendations of the Committee to members, MDAs and NGOs implementing social protection programmes and
  - (e) safely keep the common seal and other property of the Committee and such other functions that may be assigned to him/her by the Committee.

### **Allowance of Members.**

- 7. The Chairman and members of the Committee shall be paid sitting allowances and other approved out of pocket expenses subject to the Committee's budget.

### **Establishment of a Technical Working Group: Composition and Functions.**

- 8. (1) It is hereby established a committee to be known as the "Technical Working Group" hereafter referred to as the "TWG".

- (2) Membership of the “TWG” shall comprise of the officers drawn from relevant MDAs and non-governmental bodies implementing social protection programmes.
- (3) The “TWG” shall perform the following functions:
  - (a) develop guidelines and policy for the implementation of social protection programmes in the State;
  - (b) develop legal framework for the implementation of social protection programmes in the State;
  - (c) periodic monitoring of the implementation and strategies of the Ekiti State Social protection program;
  - (d) provide linkage and coordination of the programme in the various MDAs;
  - (e) design, maintain and operate a social protection management system that shall create a central registration on all beneficiaries of social protection programmes;
  - (f) use social protection international management system to track complementary initiatives;
  - (g) conduct overall monitoring, evaluation and review of the policy;
  - (h) coordinate development partner’s contribution to social protection in line with the State strategy;
  - (i) work with the media on advocacy and mobilization activity;
  - (j) promote effective inter-governmental collaboration in social protection programme and
  - (k) review the social protection policy and implementation framework within a given period.

## **PART II.**

### **OBJECTIVES AND PRINCIPLES OF SOCIAL PROTECTION.**

#### **Objectives of Social Protection.**

9. The objectives of this Law shall be to:-
  - (a) reduce poverty among the people vulnerable to being poor;
  - (b) empower the poor and people vulnerable to economic shocks;
  - (c) enhance human capital development to ensure a life of dignity;
  - (d) provide guiding principles for managing social protection projects and programmes;
  - (e) promote social cohesion, equity and growth inclusiveness
  - (f) ensure citizens have access to basic social services and infrastructure;
  - (g) provide social welfare and improve food security and nutrition;

- (h) ensure decent employment and sustainable livelihood;
- (i) protect individuals and households from shocks that can make them fall into extreme poverty; and
- (j) promote synergy and coordination among all social protection intervention agencies and Non-governmental organizations.

#### **Principles of Social Protection.**

10. The principles of social protection in the State shall be based on:
- (a) the principle of Universal basic needs;
  - (b) the principle of Citizenship;
  - (c) the principle of Inclusiveness;
  - (d) the principle of Child Sensitivity;
  - (e) the principle of equity;
  - (f) the principle of Human Rights and Access to Justice.

### **PART III. FINANCIAL PROVISIONS.**

#### **Funds of the Committee.**

11. The sources of funds of the Committee shall be:-
- (a) budgeted allocation from the State government;
  - (b) aid from local and international donors;
  - (c) monies that may accrue to or vest in the Committee in the course of the executions of its functions under this Law;
  - (d) gifts, grants, donations or endowments as may be given to the Committee.

#### **ANNUAL BUDGET.**

12. (1) The Committee shall cause to be prepared estimates of the revenue and expenditure for every year at least three months before the commencement of each financial year in accordance with the Fiscal Responsibility Law of Ekiti State.
- (2) The annual estimates shall be provided after the proposed expenditure of the committee in the financial year concerned, and particularly for the:-
- (a) relevant expenditure of the Committee;
  - (b) maintenance of the secretariat of the Committee;
  - (c) maintenance, repair and replacement of the equipment and other movable property of the Committee;
  - (d) creation of such funds as may be required to meet unforeseen contingencies of the Committee.
- (3) The annual estimates shall be submitted to the Committee for approval before the commencement of the financial year to which they relate.

- (4) The Committee shall incur no expenditure except in accordance with the annual estimates approved under sub-section (3) above.
- (5) Notwithstanding the provision of sub-section 4 above, the Committee may in some extra-ordinary circumstances approve estimates not covered by sub-section (3) subject to the approval of the Governor.

**Audit.**

13. The account of the Committee shall be audited by the Auditor General of the State in accordance with the State Audit Law.

**Keeping of Account records.**

14. (1) The Committee shall cause to be kept the books and records of the income, expenditure, assets and liabilities of the Committee.  
(2) Within three months after the end of each financial year, the Committee shall submit to the Auditor-General of the State the accounts of the Committee together with:-
  - (a) a statement of income and expenditure during that year, and
  - (b) a statement of the assets and liabilities in the annual estimates.

**Power to co-opt.**

15. The Committee, subject to the approval of the Governor may co-opt professionals for the effective discharge of its functions.

**Meeting of the Committee and Procedure.**

16. (1) The Committee shall meet quarterly or whenever business requiring its attention warrants same or on the request of the Chairman of the Committee or 2/3 of members of the Committee.  
(2) The meeting shall be presided over by the Chairman or any other member delegated by him in his absence.  
(3) The quorum for meeting of the Committee shall be 2/3 of its composition.  
(4) The decisions of the Committee are by a simple majority of the members present and voting but if there is a tied vote, the Chairman or the Acting Chairman shall cast the decisive vote.  
(5) A majority decision of the members on any matter obtained by the Secretary in written correspondence shall be treated in all respects as though it were a decision of the Committee in an actual meeting unless any member has requested the submission of the matter to such meeting.

**Powers of the Committee.**

17. (1) The Committee may with the consent of the Governor, as approved by the State House of Assembly, borrow on such terms and conditions such sum of money as the



Committee may require in the exercise of the functions conferred on it under this Law.

- (2) The Committee shall be entitled to make rules for the enjoyment and implementation of the Social protection programmes.
- (3) The Committee shall have powers to extend its services Statewide and may establish offices at the local government level for that purpose.

**Limitation of suit against the Committee.**

18. (1) Notwithstanding the provision of any other Law, no cause of action shall be instituted against the Committee, any member of the Committee or any officer of the Committee in respect of any duty performed or any authority exercised or any alleged neglect or default in the performance of any duty or exercise of any authority in any court, unless such action is commenced within three (3) months after the act, neglect or default complained of.
- (2) In the case of a continuous damage or injury such action shall be within three months from the abatement of such damage or injury.
- (3) No suit shall be commenced against the Committee before the expiration of a period of one (1) month after written notice of intention to commence the suit shall have been served upon the Committee by the intending plaintiff or his agent, and the notice shall clearly and explicitly state the cause of action, the particulars of the claims, the name and place of abode of the intending plaintiff and the relief which he claims.

**Service of pre-action notice.**

19. The notice referred to in Section 17 (3) of this Law and any summons, notice or any other document required or authorized to be served upon the Committee under the provisions of this Law or any other enactment or Law may be served by delivering the same to the Chairman or the Secretary of the Committee or by sending it by registered post addressed to the Secretary at the Secretariat of the Committee.

**Restriction on execution against the property of the Committee.**

20. In any action or suit against the Committee, no execution or attachment or process in the nature thereof shall be issued against the Committee and any sum of money which may be awarded against the Committee shall be subject to any direction given by the court where notice to appeal has not been given by the Committee be paid from the general reserve fund of the Committee.

**Indemnity of members of the Committee.**

21. Every member or officer of the Committee for the time being shall be indemnified out of the assets of the Committee against any liability incurred by him in defending the Committee in any proceedings whether civil or criminal, if such proceeding is brought against him in his capacity as such member.

**PART IV.  
INTERPRETATION.**

**Interpretation.**

22. In this Law unless the context otherwise requires:-

“**Social protection**” means “a set of public and private policies programmes targeted at individuals and households to prevent and reduce poverty and socio-economic risks by alleviating poverty, deprivation and enhancing livelihood throughout their life cycles.”

“**Chairman**” means the Chairman of Committee.

“**Citizen**” means Citizen of Ekiti State.

“**Committee**” means the Ekiti State Social Protection Committee.

“**COESCO**” means Coalition of Ekiti State Civil Society Organisations.

“**NCWS**” means National Committee of Women Societies.

“**Member**” means a Member of the Committee.

“**Secretary**” means the Secretary of the Committee.

“**The State**” means Ekiti State of Nigeria.

“**Governor**” means The Governor of Ekiti State.

“**Focal officer**” means the contact person or representative of the MDA’s and non-governmental Organization implementing social protection programmes in the State.

“**NGO**” means Non-government Organization.

“**MDAs**” means Ministries, Department and Agencies.

“**TWG**” means Technical Working Group.

“**Residents**” means everybody living in Ekiti State

**Citation.**

23. This Law may be cited as Ekiti State Social Protection Law, 2020.

## **FIRST SCHEDULE**

### **SOCIAL PROTECTION INITIATIVES AND ACTIVITIES IN EKITI STATE.**

#### **1. MINISTRY OF HEALTH.**

- (a) Free health mission.

#### **2. PRIMARY HEALTH CARE DEVELOPMENT AGENCY.**

- (a) National Immunization Plus Days.
- (b) Maternal Neo-natal Tetanus Elimination.

#### **3. HOSPITAL MANAGEMENT BOARD.**

- (a) Deferral and Exemption (D&E): Deferral involves deferred payment of medical bill payable by employees in Ekiti State service who otherwise would not have assessed medical services due to lack of fund while Exemption involves removal of certain amount from the bill payable by employees in Ekiti State.

#### **4. STATE CASH TRANSFER OFFICE.**

- (a) National Cash Transfer Programme to vulnerable citizens.

#### **5. BUREAU OF PRODUCTIVITY AND EMPLOYMENT.**

- (a) Social Security Scheme: Monthly stipends to the Elderly Citizens in Ekiti State.
- (b) Capacity Building & Empowerment for the Artisans in the informal sector.

#### **6. MINISTRY OF COMMERCE.**

- (a) CBN/Micro, Small and Medium Enterprises (MSME) Development: This is with the objective of channelling long term, low interest funds to the MSME sector in the State through Participating Financial Institutions (PFIS) which include Microfinance Banks, etc. Sixty (60) percent of the fund is targeted at women entrepreneurs.

#### **7. MINISTRY OF WOMEN AFFAIRS.**

- (a) Support Programme for Girl Child Education.
- (b) Life Skill Acquisition training, Empowerment and Support for Orphan Vulnerable Children
- (c) Establishment and maintenance of Orphanage and vulnerable children's Home
- (d) Sponsorship of Visually Impaired People to the Nigeria Farm – craft Centre for the Blind to learn a trade.
- (e) Provision of Working tools mobility aids and assistive devices to persons with Disability.
- (f) Multiple Birth Trust Fund.
- (g) Vocational Training for out of school and full time house wives.
- (h) Training for women Farmers.

#### **8. HOME GROWN SCHOOL FEEDING OFFICE.**

- (a) Home grown school feeding programme for primary 1 – 3 pupils.

#### **9. MINISTRY OF AGRIC AND NATURAL RESOURCES.**

- (a) EKSG/BOA Collaboration Programme.
- (b) Fadama III Additional Financing.
- (c) Youth Commercial Agriculture (YCAD) Programme.
- (d) Growth Enhancement Scheme (GES): This involves provision of farm inputs to farmers at subsidized rate.
- (e) Peasant Farmers Development Programme (PFD).

#### **10. STATE PENSION COMMISSION.**

- (a) Payment of Monthly pension and Gratuity (Contributory).

#### **11. MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY.**

- (a) Free Education for Special Pupils and Students.
- (b) Government Free Jamb Programme.
- (c) Bursary Award and scholarship for undergraduates.
- (d) Free WAEC/NECO Registration.
- (e) Education Fee Waiver.

#### **12. MICRO-CREDIT AGENCY.**

- (a) Poverty Alleviation/ Empowerment.

**13. SDGs.**

- (a) Village Health Workers Scheme.
- (b) Agricultural Based Grants to Agric. Based Cooperative Society.
- (c) Digital Training for Youth Empowerment.

**14. YESSO.**

- (a) Generation of Single Register for the Poor and Vulnerable in the State.

**15. JOB CREATION AND EMPLOYMENT AGENCY.**

- (a) Youth Public Work Fare Employment Scheme.
- (b) Skill for Job.

**16. MINISTRY OF JUSTICE.**

- (a) Prosecutions of the Offenders of Child Labour, violence against women and stigmatization of people living with AIDs.
- (b). Establishment of Child Rights Law.

**17. OFFICE OF THE PUBLIC DEFENDER.**

- (a) Free legal aid services for Indigent persons.

**18. EKCSDA.**

**Safety Net Support/ Gender and Vulnerable Group Component:**

**1. Education**

- (a) Special school materials e.g. specialized books, desks, wheel chairs, brails, hearing aids, etc
- (b) Fee waiver program for orphans and vulnerable children managed as revolving fund by GPMC.
- (c) Building: construction or rehabilitation of classrooms, dormitories or hostels for people with special needs and/or vulnerable children.
- (d) Provision of school bus for people with special needs.

**2. Health.**

- (a) Drug revolving fund, fee waiver program managed by GPMC.
- (b) Group wheel chairs provision system.
- (c) Nutritional support/food aid for people living with HIV /AIDS.
- (d) Revolving fund scheme.
- (e) Construction or rehabilitation of health centres, or special needs facilities e.g. for autistic patients.

**3. Social-Economic.**

- (a) Construction and equipping skill acquisition centre like mat weaving, bag weaving, craft making, etc
- (b) Specialized market stalls and shops.
- (c) Group owned and managed mobility and haulage services e.g. motorcycles/tricycles to carry farm produce to market and passenger services to expand income generation ability of the vulnerable group.
- (d) Group income generating activities by specialized Gender and Vulnerable Group (start –up or top up only).

**4. Environment/Natural Resources.**

- (a) Group horticultural and Nursery production systems.
- (b) Planting/protection of identified plant species and other locally-appropriate trees for soil stabilization.

**5. Community Housing.**

- (a) Group managed provision of housing units to vulnerable individuals.
- (b) Group managed rehabilitation and renovation of shelters for poor and vulnerable groups in communities.

**19. EKSACA.**

- (a) Care and Support to the People Living with HIV (PLHIV).
- (b) Provision of integrated comprehensive social support (as defined by national guidelines) to OVC.
- (c) Training and Empowerment of older VCs (especially girls) to mitigate the impact of HIV/AIDS.

## SECOND SCHEDULE

### Ekiti State Social Protection Policy Measures.

#### A. Education and Health Services.

##### 1. Education.

**Policy Measure 1:** Provision of Learning materials, uniforms and free shuttle school buses to poor households and children living with disabilities.

**Policy Objective:** To increase enrolment, retention and completion for school age pupils and students as well as people living with disabilities.

**Policy Measure 2:** Provision of early childhood development centers with early childhood facilities.

**Policy Objective:** To provide a place for mothers to keep their children while engaging in economic activities and early child development.

**Policy Measure 3:** Provision of education-based cash transfer for poor people and hard to reach households.

**Policy Objective:** To ensure Pupils from poor and hard to reach households have access to education.

**Policy Measure 4:** Provision of incentives (cash and kind) to core subject teachers in rural areas.

**Policy Objective:** To retain teachers that teach core subjects in the rural areas.

**Policy Measure 5:** Provide scholarship award for the poor and outstanding students admitted to tertiary institutions.

**Policy Objective:** To encourage poor and outstanding students to further education.

**Policy Measure 6:** Create jobs for young graduates through knowledge hub.

**Policy Objective:** To increase the productivity of youths and earn incomes through the knowledge hub.

## **2. Health.**

**Policy Measure 7:** Free health care services (with provision of devices) for pregnant women, lactating mothers, children under 5, the aged (people over 65 years old), people living with disabilities and people living with HIV.

**Policy Objective :** Increase access to Healthcare services for specific Vulnerable groups.

**Policy Measure 8:** Provide Universal access to Health Insurance Scheme (HIS) or Community Based Health Insurance Scheme (CBHI) or other social health insurance schemes.

**Policy Objective:** To ensure universal healthcare coverage.

## **B. Social Welfare and Child Protection.**

**Policy Measure 9:** Provision of Health services, psycho-social support and counseling to widows, survivors of abuse, gender-based violence, persons living with disabilities, teenage pregnancy and child labour.

**Policy Objective:** To promote the welfare and healthy development of these groups of persons.

## **C. Livelihood Enhancement.**

**Policy Measure 10:** Provision of technical assistance, training, inputs such as hybrid seedlings, agro-chemicals and working tools to peasant farmers.

**Policy Objective:** To provide source of livelihood and earning capacity for intended beneficiaries.

**Policy Measure 11:** Provision of land through the Land Bank Programme for the poor and vulnerable peasant farmers.

**Policy Objective:** To make land available for cultivation to enable the poor and vulnerable peasant farmers to generate income.

**Policy Measure 12:** Provision of cash-based labour-intensive programs for unskilled and unemployed youths.

**Policy Objective:** To engage the young demographic for productivity and self-reliance.

**Policy Measure 13:** Provision for starter kits and seed money to unemployed youths going into entrepreneurship skills.



**Policy Objective:** To empower young people to go into entrepreneurship.

**Policy Measure 14:** Expansion of the existing anchor borrower program through the Youth Commercial Agriculture Development (YCAD) Programme.

**Policy Objective:** To ensure youths involvement in agriculture.

**Policy Measure 15:** Create marketing channels for agricultural products through government buy-back scheme and provision of adequate storage facilities for the products.

**Policy Objective:** To create marketing channels/storage facilities for agricultural products.

#### **D. Social Assistance.**

**Policy Measure 16:** Cash transfer to the indigent elderly.

**Policy Objective:** To ensure a life of dignity for the elderly

#### **E. Legislation and Regulation.**

**Policy Measure 17:** Provide a legal framework including means of identification of beneficiaries for social protection programmes.

**Policy Objective:** To strengthen existing Laws on social protection of Ekiti State.

#### **F. Traditional Family and Community Support.**

**Policy Measure 18:** Provide support for family and community-based mechanisms and systems for the intended beneficiaries to respond to shocks and extreme poverty.

**Policy Objective:** To strengthen community solidarity, resources and assets to respond to shocks and extreme poverty.

**Policy Measure 19:** Provision of health, psycho-social support and empowerment for the families of poor people with multiple birth.

**Policy Objective:** To promote welfare and healthy development for the families of multiple birth.

This printed impression has been carefully compared by me with the Bill, which has been passed by the Ekiti State House of Assembly and found by me to be a true copy of the said Bill.

.....  
**MR. TOLA ESAN**  
*Clerk of the House of Assembly*

.....  
**RT. HON. FUNMINIYI AFUYE**  
*Speaker of the House*

**Governor's Assent**  
**I hereby signify my assent to this Bill**

**DR. JOHN KAYODE FAYEMI**  
**Executive Governor of Ekiti State**

**MADE AT ADO EKITI THIS ..... DAY OF .....2020**