

NIGERIA CHRISTIAN PILGRIM COMMISSION ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Establishment of the National Christian Pilgrim Commission.
2. Composition of the Commission.
3. Functions of the Commission.
4. Tenure of Office of members of the Commission.
5. Cessation of membership.
6. Pilgrim Savings Scheme.
7. Secretary of the Commission.
8. Other employees of the Commission.
9. Remuneration and tenure of employees.
10. Pensions Act Cap. 346, L.F.N. 1990.
11. Financial provisions.
12. Register of pilgrims travel agencies.
13. Delegation of functions.
14. Report of pilgrimage by the Commission.
15. Power to defer pilgrimage in certain cases.
16. Set-off.
17. Transitional provisions.
18. Regulations.
19. Repeal.
20. Interpretation.
21. Citation.

An Act to re-organise the role of the Federal Government in the co-ordination of Christian pilgrim matters, the consequential repeal of the Nigerian Pilgrims Act, 1989 and to establish a National Pilgrim Commission that will license, regulate, perform oversight and supervisory functions over other bodies and agencies and for related matters.

[2007 No. 74.]

[28th May, 2007]

[Commencement.]

ENACTED by the National Assembly of the Federal Republic of Nigeria.

1. Establishment of the national Christian Pilgrim Commission

(1) There is established a body to be known as “the Nigeria Christian Pilgrim Commission” which shall be a body corporate with perpetual succession and a common seal.

(2) The Commission may sue and be sued in its corporate name, hold, acquire and dispose of any property, movable or immovable.

1. Composition of the Commission

(1) The Commission shall consist of-

(a) a Chairman;

(b) six other persons as members;

(c) a Secretary to the Commission

(d) a representative, from each of the following Federal Ministries and bodies (as an *ex officio* member)-

(i) Aviation;

(ii) Central Bank of Nigeria;

(iii) Foreign Affairs;

(iv) Health;

(v) Internal Affairs; and

(vi) Christian Association of Nigeria (CAN).

(2) The President shall, after due consultation, appoint persons of proven integrity as Chairman and members of the Commission

(3) The Chairman and 5 members of the Commission to serve on part-time basis.

(4) The Chairman and members of the Commission shall be paid such remuneration and allowances as the Revenue Mobilisation, Allocation and Fiscal Commission may from time to time determine.

(5) The supplementary provision contained in the Schedule to this Act may be applied to the proceedings of the Commission and its organs.

1. Functions of the Commission

The Commission shall-

(a) licence, regulate, supervise and perform oversight functions over organisations, associations (corporate or non-corporate) or similar bodies engaged in-

(i) organising and co-ordinating the movement of persons from Nigeria to Jerusalem and other Holy Sites;

(ii) the provision of accommodation, transportation and other services related to pilgrimage in Israel; and other Holy Sites;

(b) liaise and co-ordinate with the appropriate Government authorities or organs of the Federal Republic of Nigeria and Israel on the rules and regulations governing entry into and staying in Israel for the purposes of pilgrimage including all appropriate immigration, passport and related consular services;

(c) co-ordinate the provision of health, financial, security, customs, immigration and related services to persons proceeding to, or returning from, Israel, after pilgrimage;

(d) ensure the establishment and management of pilgrims camps and related facilities, equipments and such other necessary materials;

(e) establish or set up and maintain libraries of books and other relevant publications as well as cinematograph and other facilities of use to persons interested in or desirous of undertaking a pilgrimage, so however that the library shall open to the public upon and subject to any condition as to the use which the Commission may think fit to impose

(j) conduct campaigns on pilgrims, educative as well as religious, in all States of the Federation, and the Federal Capital Territory;

(g) appoint such number of medical practitioners and medical staff as it thinks fit;

(h) issue guidelines and rules that will ensure that the States Pilgrims Welfare Agencies provide appropriate welfare services and guides for pilgrims; and

(i) do such other things that are conducive or incidental to the discharge of the foregoing functions, provided that this subsection shall not be interpreted to be conferring any additional functions on the Commission.

4. Tenure of Office of members of the Commission

(1) The Chairman and members of the Commission shall hold Office for a term of five years, renewable for a further and final term of five years.

(2) The Chairman or any member of the Commission may resign his appointment by notice in writing under his hand, addressed to the President and the resignation shall take effect upon acknowledgment by the President.

(3) The Chairman or any members of the Commission may be removed from Office by the President, if the President is satisfied that it is not in the interest of the Commission or the public that the member should continue in Office.

(4) If the Chairman or any member of the Commission dies, resigns or otherwise vacates his Office before the expiration of the term for which he was appointed, the President may appoint another fit and proper person to complete the term.

5. Cessation of membership

The Chairman or any member of the Commission shall cease to hold Office if-

(a) he becomes of unsound mind; or

(b) he becomes bankrupt or makes a compromise with his creditors; or

(c) he is convicted of a felony or of any offence involving dishonesty; or

(d) he is guilty of serious misconduct in relation to his duties.

6. Pilgrim Savings Scheme

The Commission may regulate/supervise the establishment of Pilgrim Savings Scheme by those who want to adopt the approach, and the Commission may set up a Board of Trustees, for the savings schemes, comprising of persons of high integrity who are not members of the Commission.

7. Secretary of the Commission

(1) There shall be an Administrative/Accounting Officer of the Commission to be known as the Secretary not below the rank of Director equivalent in the Federal Civil Service.

(2) The person to be appointed Secretary of the Commission shall possess such requisite qualifications as may be determined by the President and shall also be knowledgeable in Christian religious matters.

(3) The Secretary shall be the Administrative and Accounting Officer of the Commission and responsible to the Commission for the detailed administration and day to day management of the affairs of the Commission.

(4) Subject to the provisions of this section the Secretary shall hold office on such term as to emoluments and otherwise as the National Income, Salaries and Wages Commission may determine.

8. Other employees of the Commission

The Commission may appoint such other persons to be employees of the Commission as the Commission may determine to assist the Secretary in the discharge of the functions under this Act.

9. Remuneration and tenure of employees

The Commission shall determine the remuneration and allowances of employees in consultation with the National Income, Salaries and Wages Commission.

10. Pensions Act Cap. 346, L.F.N. 1990

(1) Service in the Commission shall be approved service for the purpose of the Pensions Act and, accordingly, officers and other persons employed in the Commission shall in respect of their service in the Commission be entitled to pensions, gratuities and other retirement benefits as are prescribed thereunder, so that nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of pensions and gratuity in respect of that Office.

(2) For the purpose of the application of the provisions of the Pensions Act, any power exercisable thereunder by a Minister or other authority of the Federal Government (not being power to make regulations under section 23 thereof) is hereby vested in and shall be exercised by the Commission and not by any other person or authority.

11. Financial provisions(1) The funds of the Commission shall consist of-(a) all such sums as may be charged by the Commission as fees, commission or dues for its services;(b) all

revenue accruing to or vested in the Commission by way of grants-in-aid or otherwise howsoever;

(c) any other moneys saved by the Commission such as proceeds from the operation of the Pilgrim Savings Scheme or borrowed pursuant to the provisions of this Act or any other enactment; and bequests, gifts and donations.

(2) In respect of the revenue of each financial year, the Commission shall, except in the case of the first pilgrimage after commencement of this Act, prepare and submit to the President not later than three months before every pilgrimage an estimate of its expenditure and income during the next succeeding financial year; provided that the Commission shall submit an advance estimate whenever it is requested to do so by the President.

(3) Subject to the prescribed rules, the Commission shall keep proper account and records in relation to its fund in accordance with the Public Accounts Rules and Guidelines issued by the Accountant-General of the Federation.(4) The Commission shall cause its accounts to be audited not later than six months after the end of each financial year to which the accounts relate and the auditors shall be appointed from a list of Auditors approved by the Auditor-General of the Federation.(5) The Commission shall open and operate bank accounts, and may take advances, borrow money or undertake financial transaction in accordance with extant financial regulation.

12. Register of pilgrims travel agencies(1) Persons experienced in the handling of pilgrimages within the meaning of this Act may apply to the Commission for licence to establish pilgrims travel agencies or if established as such by any means before the commencement of this Act they may apply for registration hereunder; and subject thereto no pilgrims travel agency shall be recognised by the Commission or be entitled to operate as an agency unless and until it is so registered under this Act.(2) Applications under subsection (1) of this section above for licences may be made in writing to the Chairman of the Commission for its approval and shall be in such form as the Commission may direct or approve.(3) Every applicant shall deposit with the Commission, in addition to any payment as a registration fee, an amount to be fixed from time to time by the Commission:Provided that if

the application is refused the amount deposited (but not the registration fee) shall be returned to the applicant.(4) The Secretary shall prepare, keep and maintain a register of every agency licensed by the Commission under this Act, and the register shall be kept in such form as the Commission may approve; and when so prepared the Secretary shall thereafter amend

it from time to time as the Commission may require, and save in respect of the first pilgrimage after the commencement of this Act, not later than six months before the commencement of a pilgrimage the Secretary shall, as directed by the Commission, publish the names and addresses of all agencies licensed for the purposes of the pilgrimage.

13. Delegation of functions

(1) The Commission may in respect of a pilgrimage delegate any of its functions in section 3 of this Act to the Authority charged with the responsibility for the general care and welfare of pilgrims in any of the States of the Federation and the Federal Capital Territory if satisfied that it is in the interest of the pilgrims to do so.

(2) Where the Commission delegates its functions under subsection (1) of this section, it shall be subject to any conditions which the Commission may reasonably impose, and the agency shall be deemed to have applied for and been granted a licence under this Act and the provisions as to registration shall have effect accordingly.

14. Report of pilgrimage by the Commission

The Commission shall not later than three months after pilgrimage prepare and submit to the President a report on the pilgrimage for each year.

15. Power to defer pilgrimage in certain cases

Where the Commission is satisfied that a person has committed an offence or misconduct specified by the Commission in the regulations made pursuant to section 18 of this Act, the Commission may, disqualify that person from undertaking any pilgrimage organised or supervised by the Commission pursuant to this Act and the disqualification shall have effect for such period as the Commission may specify.

16. Set-off

If a State at any time defaults in the payment to the Commission of any amount due from the State to the Commission under this Act, the Commission shall notify the President of the default, and thereafter the Federal Government may set off the amount in respect of which default is made in or towards the payment of any sum due from the Federal Government to such State and the Federal Government shall pay any sum so set off to the Commission.

17. Transitional provisions

The Commission may, pending the licensing of private travel agencies or pilgrims agencies under section 3 (I) of this Act, continue with the existing arrangements for the provision of accommodation and transportation service to pilgrims.

18. Regulations

(1) The Commission may make regulation generally for the purpose of carrying into effect the provisions of this Act including-

(a) provisions on matters relating to recruitment, deployment, posting, training secondment, discipline and the general welfare of staff;

(b) specifying offences and types of misconduct, whether committed in Nigeria or elsewhere, that would disqualify a person from undertaking any pilgrimage organised or supervised by the Commission;

(c) providing for Forms for use under this Act and for the particulars to be included in applications to the Commission for licences (including notification of any change) by Agencies and evidence if required to be produced in support;

(d) providing for the fees to be paid to the Commission in respect of the issue or renewal of licences;

(e) prescribing in respect of every pilgrims travel agency registered under this Act-

(i) a suitable standard of performance which the agency is obliged to maintain in connection with the provision of services to pilgrims;

(ii) the form and nature of compensation to which any person is entitled who is affected by the failure of an Agency in meeting the prescribed standard of performance;

(iii) a procedure by which complaints against an Agency may be dealt with effectively, justly and expeditiously; and

(iv) providing for any other matter or thing failing to be prescribed by the Commission in respect of Agencies.

(2) Any regulation prescribing compensation under subsection (1) (e) (ii) of this section shall apply without prejudice to any other remedy that may be available in respect of the act or omission which constitutes the failure described in that subsection.

(3) Regulations may also provide for the exclusion or removal as the case may be from the register of names of Agencies which fail to pay licence fees, or renewal of licence fees.

(4) Regulations when made shall be published in the Federal *Gazette* and in such other manner as the Commission may direct.

19. Repeal

Subject to section 6 of the Interpretation Act, the Nigerian Pilgrims Commission Act is repealed and the assets and liabilities of the Commission established by the said Act are hereby transferred to the Commission established by this Act.

20. Interpretation

In this Act-

“Agency” means a Pilgrims Welfare Board or Agency of any of the States in the Federation including a Pilgrims Agency licensed under this Act;

“Chairman” or “member” means the persons so appointed by the President pursuant to section 2 (2) of this Act;

“Commission” means the body established under section 1 of this Act;

“corporate” or “corporation” means any association of persons incorporated under the Companies and Allied Matters Act or a body established by an Act of the National Assembly or by law of a House of Assembly of a State;

“function” includes duties;

“non-corporate” means any group or body of persons that is not incorporated;

“person” means without derogating from the definition in the Interpretation Act, any natural person or group of persons;

“President” means the President and Commander-in-Chief of the Nigerian Armed Forces of the Federal Republic of Nigeria;

“Secretary” means the Administrative and Accounting Officer of the Commission; and

“State” means any State Government, or organ of such a State Government, of the Federal Republic of Nigeria.

IT IS DECLARED in this Act-

(a) any reference to the singular shall include the plural and *vice versa*; and

(b) any reference to a male person shall include reference to a female person and *vice versa*.

21. Citation

This Act may be cited as the Nigeria Christian Pilgrim Commission Act, 2007.

SUBSIDIARY LEGISLATION

No Subsidiary Legislation