

CHAPTER K7 - KWARA STATE CHRISTIAN PILGRIMS WELFARE BOARD LAW

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KWARA STATE CHRISTIAN PILGRIMS WELFARE BOARD LAW

An Law to establish a board for the welfare of Christian pilgrims in the State.

[KWS 5 of 1991, No. 4 of 2006.]

[Date of commencement: 1st January, 1991]

PART I

Preliminary

1. Short title

This Law may be cited as the Kwara State Christian Pilgrims Welfare Board Law.

2.

[No. 4 of 2006.]

3. Interpretation

In this Law, unless the context otherwise requires—

"**financial year**" means the period of twelve months ending 31st December.

"**Foreign Exchange**" means monetary exchanges in relation to pilgrimage operations;

"**Government**" means the Government of Kwara State;

"**Governor**" means the Governor of Kwara State;

"**member**" means a member of the Board and includes the Chairman;

"**pilgrim**" means a person travelling to a sacred place as an act of Christian religious devotion;

"**pilgrimage**" means a Christian religious journey outside Nigeria;

"**passport**" means a passport issued for the purpose of pilgrimage and it includes a Nigeria International Passport and an Emergency Travelling Certificate;

"Secretary" means the Secretary as appointed under section 7 (1) of this Law;

"State" means Kwara State of Nigeria;

"the Board" means the Kwara State Christian Pilgrims Welfare Board established under the provisions of this Law;

"the Chairman" means the Chairman of the Board as appointed under section 5 (1) of this Law and it includes any one for the time being exercising the functions of the Chairman.

PART II

Establishment, Constitution and Functions of the Board

4. Establishment of the State Christian Pilgrims Welfare Board

(1) There is hereby established for the State a Christian Pilgrims Welfare Board.

(2) The Board shall be a body corporate with perpetual succession and a common seal and shall have power to sue and be sued in its corporate name.

(3) The board shall have power to hold and own moveable and immovable property.

5. Membership of the Board

(1) The Board shall consist of the following members:

- (a) a part-time Chairman;
- (b) two persons from each Senatorial District of the State; and
- (c) a representative of the Governor's Office.

[No. 4 of 2006.]

(2) The Chairman and other members shall be appointed by the Governor.

6. Tenure of office of members

The Chairman and the Board members shall hold office for a term of 3 years beginning from the date of their appointment and shall be eligible for reappointment at the expiration of such a term.

7. Secretary of the Board

(1) There shall be appointed by the Governor a secretary who shall have wide experience in Pilgrimage Affairs.

(2) The Secretary shall be the Chief Executive Officer of the Board and shall be responsible for the day to day administration of the Board and shall carry out the policies and decisions of the Board in accordance with the provisions of this Law.

(3) The Secretary shall especially be responsible for—

- (a) making arrangement for meetings of the Board;
- (b) implementation of the decisions of the Board;
- (c) arranging and supervising pilgrimage operations; and
- (d) any other duties that may be specifically assigned to him by the Board.

(4) There shall be other officers in the management of the Board as the Board may deem fit. The Board shall have power to appoint such officers and exercise disciplinary control over such officers.

(5) The power to exercise disciplinary control over the Secretary and to determine his terms and conditions of service and remuneration shall be vested in the Governor and shall also be subject to the provisions of this Law.

8. Power to co-opt

Where the Board desires to obtain the advice of any person upon any matter the Board may co-opt such person to be a member for such meetings as may be required, and the person whilst so co-opted shall have all the privileges of a member; save that they shall not be entitled to vote on any matter or count towards forming a quorum.

9. Temporary membership

Where a member is temporarily incapacitated from performing the functions of his office or is temporarily absent, the Governor may appoint any person to hold temporarily, the office held by such incapacitated or absent member during the period and all functions of such member under this Law shall devolve on the person so temporarily appointed.

10. No act or other proceedings of the Board shall be invalidated by reason of any vacancy among its members.

11. (1) A member may at any time resign his membership by sending a notice in writing under his hand to the Governor.

(2) If the Governor is satisfied that a member—

- (a) has been convicted of an offence involving fraud or dishonesty;
- (b) is incapacitated by physical or mental illness from performing his functions as a member;
- (c) has such financial or other interests in the operation of the Board

which is likely to affect prejudicially the discharge of his function as a member;

- (d) has become bankrupt or made arrangement with his creditors;
- (e) is otherwise unable or unfit to discharge his functions as a member;

or

- (f) has been absent from three consecutive meetings of the Board without any excuse,

the Governor may declare his office vacant and after receiving a written notification to that effect, the member shall cease to hold office.

12. Exception from liability

No member or employee of the Board shall be personally liable for any act, omission or default in the course of the operation of the Board and anything done in good faith.

13. Remuneration of members

There shall be paid out of the funds of the Board to each member of the Board not being an officer in the public service such remuneration, whether by way of salary or allowance as the Governor may determine.

PART III

Power and Functions of the Board

14. Powers and Functions of the Board

Subject to the provisions of this Law, the Board shall have power to—

- (a) appoint staff upon such salaries, allowances, terms and conditions as it may deem necessary for the proper and efficient discharge of its functions and exercise disciplinary control over them;
- (b) make necessary arrangements for the smooth pilgrimage and the well being of pilgrims registered with the Board;
- (c) register intending pilgrims within the State;
- (d) arrange for the issuance of passports to all registered intending pilgrims in consultation with the appropriate authorities;
- (e) arrange for foreign exchange facilities to all the pilgrims registered by the Board;
- (f) educate intending pilgrims with regards to the pilgrimage

- arrangements and policies;
- (g) arrange for the transportation of pilgrims from local government headquarters to the transit camp;
- (h) allocate seats to intending pilgrims and select and train pilgrims guides;
- (i) issue relevant documents and items to intending pilgrims registered with
 - the Board;
- (j) liaise with the National Council of Christian Pilgrims Welfare Boards regarding matters affecting the pilgrims of the State;
- (k) report to the State Government on all matters affecting the Board and advise the State Government appropriately;
- (l) collect pilgrimage fares or other fares payable by an intending pilgrim; and
- (m) take any other action incident to its powers which are necessary in the best interest of the pilgrims.

15. Delegation of powers

(1) The Board may with the approval of the Governor and subject to the provisions of this Law delegate any of its powers to any of its members.

(2) In the exercise of any power delegated under subsection (1) of this section the person to whom any power is delegated shall comply with any requirements or standards laid down by the Board; and nothing in this section shall preclude the Board from exercising the power notwithstanding any delegation under this section.

16. Appointment of committees

The Board may appoint one or more committees to advise or take any other actions as to the initiation, administration or any matter which the Board may undertake or in which it may participate, or for any other purposes, whether general or special relating to the functions of the Board which in the opinion of the Board would be better regulated or managed by means of a committee.

17. Power to make regulations

The Board may subject to the provisions of this Law and with the approval of the Governor make regulations for any of the following—

- (a) prescribing the general conditions and specifying offences and types

- of misconduct which may disqualify intending pilgrims from performing pilgrimage;
- (b) providing other general conditions that will enhance successful pilgrimage;
- (c) prescribing fees or charges in such case, as may be determined by the Board for its effective functions.

PART IV

Financial Provisions

18. Establishment of the Fund of the Board

(1) The Board shall establish and maintain a fund from which there shall be defrayed all expenditure incurred by the Board in pursuance of its functions as provided by this Law.

(2) The following sums shall be credited to the fund in subsection (1) above—

- (a) such sum as may be appropriated to the Board by an Appropriation Law the State;
- (b) all operational grants allocated by the Government to the Board Pilgrimage operations;
- (c) all monies paid to the Board by way of grants, donations, gifts, subsidizing fees, charges, (commissions, subscriptions) interests and royalties;
- (d) money earned or arising from sales of forms or any investments or other property whatsoever acquired or vested in the Board;
- (e) all monthly subventions allocated by the Government to the Board;
- (f) all other sums of money or property which may in any manner become payable to the Board in respect of any matter incidental to its powers or functions under this Law.

19. Bad debts

The Board may with the approval of the Governor write off bad debts and incidental losses.

20. Accounts

(1) The Board shall keep proper books of accounts in relation to all its financial transactions.

(2) The Board shall prepare in respect of each financial year a statement of accounts in such term as may be approved by the Governor.

(3) The said annual statement of accounts shall be a fair and accurate statement of the financial position, and of the results of the operations of the Board for the financial year to which it relates.

(4) The said annual statement of accounts shall be audited by an auditor or auditors to be appointed annually by the Governor's Office after due consultation with the Auditor-General of the State and the remuneration to be paid by the Board to the Auditor or Auditors so appointed shall be approved by the Governor's Office.

(5) As soon as the said annual statement of accounts has been audited as required by this Law, the Board shall forward to the Governor's Office, a copy of the auditor's report for onward transmission to the Governor.

(6) The said annual statement of accounts shall be audited not later than six months after the end of each financial year.

(7) The Board shall before the commencement of each financial year prepare annual estimates of revenue and expenditure and submit same to the Governor for approval, and the Governor shall have power to disallow or reduce the provision under any item in the estimate as he may consider necessary.

21. Pilgrimage Operation Report

The Board shall within 3 months after the end of each pilgrimage operation submit a report to the Governor.

PART V

Miscellaneous Provisions

22.

[No. 4 of 2006.]

23. Personal gratuities

The Board shall grant pensions and gratuities to the staff of the Board in accordance with any pensions law in operation in the State.

24. Meeting and procedure

(1) The Board shall hold such meetings as may be necessary for the due fulfilment of its function provided that the Board shall hold at least one meeting in each quarter of a year.

(2) At a meeting of the Board—

- (a) the Chairman shall if present be Chairman of the meeting;
- (b) if the Chairman is not present or the Office of the Chairman is vacant, the members who are present shall select one of the members to be the Chairman of the meeting.

(3) Every question at the meeting of the Board shall be determined by a majority of the vote of the members present and voting on the question and in the case of any equal division of votes, the Chairman of the meeting shall have a second or casting vote.

(4) Any three members of the Board may by notice in writing signed by them, request the Chairman to call a special meeting of the Board for the purpose set out in such notice and the Chairman shall thereupon call a special meeting.

[No. 4 of 2006.]

25. Quorum

The quorum of any meeting of the Board shall be two thirds of the total membership of the Board.

26. Common seal

(1) The Common Seal of the Board shall be authenticated by the Chairman or any member authorised by the Board to act in that behalf and the signature of the Secretary.

(2) Judicial notice shall be taken of the Common Seal of the Board and every document purporting to be an instrument made by the Board and to be sealed with the Common Seal of the Board shall be received in evidence and be deemed to be such an instrument without further proof unless the contrary is shown.

27. Standing orders

Subject to the provisions of this Law, the Board may make standing orders for the purpose of regulating its own proceedings.

28. Status of the present staff of the Board

(1) From the commencement date of this Law all existing staff of the Board who are

on the said date in the civil service of the State or local government service of the State shall be considered to be on secondment to the Board for a period not exceeding three months.

(2) During the period of secondment, any staff may apply in writing to the Board for transfer to the service of the Board.

(3) Any staff who has not applied for transfer in accordance with subsection (2) of this section or whose application has not been accepted and approved by the Board shall at the expiration of the period of secondment revert to the civil service or the local government service of the State.

CHAPTER K7

KWARA STATE CHRISTIAN PILGRIMS WELFARE BOARD LAW

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
