

**DISCRIMINATION AGAINST  
PERSONS WITH DISABILITIES  
(PROHIBITION) LAW, 2020.**

**NO. 3 OF 2020**

**EKITI STATE OF NIGERIA**

**A LAW TO PROHIBIT DISCRIMINATION AGAINST PERSONS WITH DISABILITIES AND OTHER RELATED MATTERS, 2020.**

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**EKITI STATE OF NIGERIA**

*Commencement* { }

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

**PART I  
PROHIBITION OF DISCRIMINATION, AND AWARENESS  
PROGRAMMES**

**1. Prohibition of Discrimination and Penalty.**

- (1) A person with disability shall not be discriminated against on the ground of his disability by any person or institution in any manner or circumstance.
- (2) A person who contravenes subsection (1) commits an offence and is liable on conviction to, if the person is—
  - (a) a body corporate, a fine of ₦1,000,000.00 and
  - (b) an individual, a fine of ₦ 100,000 or six months imprisonment or both.
- (3) Notwithstanding the prosecution, conviction or otherwise of any person for any offence under this Law, the person against whom the crime or wrong is committed may maintain a civil action against the person committing the offence or causing the injury, without prejudice to any conviction or acquittal.

**2. Awareness Programmes.**

The State Ministry of Information shall make provisions for promotion of awareness regarding the-

- (a) rights, respect and dignity of persons with disabilities; and
- (b) capabilities, achievements and contributions of persons with disabilities to the society.

**PART II.**  
**ACCESSIBILITY OF PHYSICAL STRUCTURE.**

**Right of access to public premises.**

- 3 A person with disability has the right to access the physical environment and buildings on an equal basis with others.

**Accessibility aids in public buildings.**

4. A public building shall be constructed with the necessary accessibility aids such as lifts (where necessary), ramps and any other facility that shall make them accessible to and usable by persons with disabilities.

**Accessibility to roads side-walks and special facilities.**

**(First Schedule)**

5. Roadside-walks, pedestrian crossings and all other special facilities as set out in the First Schedule made for public use shall be made accessible to and usable by persons with disabilities including those on wheelchairs and the visually impaired.

**Transitory Period.**

6. From the date of the commencement of this Law, there shall be a transitory period of five years within which all public buildings and structures, whether immovable, movable or automobile, which were inaccessible to persons with disabilities shall be modified to be accessible to and usable by persons with disabilities including those on wheelchairs.

### **Building Plan.**

7. (1) Before erecting any public structure, its plan shall be scrutinized by the relevant authority to ensure that the plan conforms with the building code.
- (2) A government or government agency, body or individual responsible for the approval of building plans shall not approve the plan of a public building if the plan does not make provision for accessibility facilities in line with the building code.
- (3) An officer who approves or directs the approval of a building plan that contravenes the building code, commits an offence and is liable on conviction to a fine of at least ₦1,000,000.00 or a term of imprisonment of two years or both.

### **Complaint of inaccessibility.**

8. (1) Subject to Section 7 of this Law, in the event of the existence of a state of inaccessibility or barrier to access of a person with disability to an environment that he has a right or duty to access, he may, without prejudice to his right to seek redress in court, notify the relevant authority in charge of the environment, and the relevant authority in charge shall take immediate and necessary steps to remove the barrier and make the environment accessible to the person with disability.
- (2) A relevant authority in charge that receives the notice in subsection (1) but fails to comply, commits an offence and is liable on conviction, if it is-
  - (a) a corporate body, ₦10,000 damages payable to the affected person for each day of default, or
  - (b) an individual, ₦5,000 damages payable to the affected person for each day of default or six months imprisonment or both.

**PART III.**  
**ROAD TRANSPORTATION.**  
**Goods, Services and Facilities.**

9. (1) A person, who whether for payment or not, provides goods or services, or makes facilities available, shall not discriminate against a person with disability by-
- (a) refusing to provide those goods or services or make those facilities available to him;
  - (b) change the terms or conditions on which the provider provides those goods or services or makes those facilities available to him; or
  - (c) change the manner in which the provider provides those goods or services or makes those facilities available to him.

**Accessibility of Vehicles.**

10. (1) Government transport services providers shall make provisions for lifts, ramps and other accessibility aids to enhance the accessibility of their vehicles, parks and bus stop to persons with disabilities including those on wheelchairs.
- (2) Every public vehicle shall have functional audible and visual display of their destination within five years from the commencement of this Law.

**Provision of facilities to persons with disabilities.**

11. (1) Transport service providers shall make provisions for lifts, ramps and other accessibility aids to enhance the accessibility of their vehicles, parks and bus stops to persons with disabilities including those on wheelchairs.
- (2) Lifts, ramps and all other accessibility equipment in or for vehicles, and at parks or bus stops shall be maintained in operational condition.



- (3) There shall be regular and frequent maintenance of all accessibility aids and equipment, and defective ones shall be promptly repaired or replaced.
- (4) Before a person with disability boards or alights from a vehicle, the driver shall ensure that the vehicle comes to a stop.
- (5) When a person with disability intends to board a vehicle, all other intending passengers shall wait for him to board before them.

### **Reserved Spaces.**

12. (1) At public parking lots, suitable spaces shall be properly marked and Reserved for persons with disabilities.
- (2) For a person with disability to be entitled to the use of the reserved space in subsection (1), his cars shall be properly identified with the necessary insignia.
- (3) A person, organization or corporate body in control of a public parking lot who fails to provide for the reserved spaces in subsection (1), commits an offence and is liable on conviction to a fine of ₦1,000 for each day of default.
- (4) A person without disability who parks a vehicle in the reserved space in subsection (1), commits an offence and is liable on conviction to a fine of ₦5,000.00.
- (5) A person who intentionally obstructs the reserved space in subsection (1) commits an offence and is liable on conviction to a fine of ₦5,000.
- (6) Subsection (4) does not apply if a person with disability is a passenger in the vehicle.

## **PART IV RAILWAYS AND AIRPORT FACILITIES.**

### **Airports and Railways.**

13. (1) Airport facilities shall be made accessible to Persons with disabilities.
- (2) Railway stations, trains and facilities in the trains shall be made

accessible to persons with disabilities.

- (3) The transitory provision contained in Section 6 shall apply to the provisions of this Section.

#### **Assistive Service and Airlines.**

14. (1) All airlines operating in the State shall-
  - (a) ensure the accessibility of their aircraft to persons with disabilities;
  - (b) make available presentable and functional wheel chairs for the conveyance of persons with disabilities who need them to and from the aircraft;
  - (c) ensure that persons with disabilities are assisted to get on and off board in safety and reasonable comfort; and
  - (d) ensure that persons with disabilities are accorded priority while boarding and disembarking from the aircraft.
- (2) The airport shall make available for the conveyance of persons with disabilities who need presentable and functional assistive and protective devices to and from the aircraft.

#### **Special Safety briefing for Persons with Disabilities.**

15. Any general information shall be translated into the accessible format appropriate to the Persons with disability present.

### **PART V**

#### **LIBERTY, RIGHT TO EDUCATION, HEALTH AND FIRST CONSIDERATION IN QUEUES, ACCOMMODATION AND IN EMERGENCIES.**

##### **Prohibition of use of Persons with disabilities in soliciting for alms and penalty.**

16. (1) A person shall not-
  - (a) employ, use or involve a person with disability in begging;
  - (b) parade persons with disabilities in public with intention of soliciting for alms; or
  - (c) use condition of disability as a guise for the purpose of

begging in public.

- (2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine of ₦ 100,000 or six months imprisonment or both.

### **Right to Free Education.**

17. (1) A person with disability shall have an unfettered right to education without discrimination or segregation in any way.
- (2) A person with disability is entitled to free education to secondary school level.
- (3) The Agency shall provide educational assistive devices.

### **Inclusiveness of Education.**

18. (1) All public schools, whether primary, secondary or tertiary shall be inclusive of and accessible to persons with disabilities, and accordingly every school shall have:-
  - (a) at least a trained personnel to cater for the educational development of persons with disabilities; and
  - (b) special facilities for the effective education of persons with disabilities.
- (2) Braille, sign language and other skills for communicating with persons with disabilities shall form part of the curricula of primary, secondary and tertiary institutions.

### **Subsidized education for special Education Personnel.**

19. The education of special education personnel shall be highly subsidized.

### **Appropriate Mode of Education for Persons with Disabilities.**

20. Government shall ensure that the education of persons with disabilities, particularly children, who are blind, deaf or with multiple disabilities, is delivered in the most appropriate language, mode and means of communication for the individual, and in environments which maximize

academic and social development.

#### **Free Health Care.**

21. (1) Government shall guarantee that persons with disabilities have unfettered access to adequate health care without discrimination on the basis of disability.
- (2) A person with mental disability shall be entitled to free medical and health service in all public institutions.

#### **Certificate of Disability.**

22. (1) A person with mental disability shall obtain a Permanent Certificate of Disability from the Agency.
- (2) If a doctor suspects disability in the course of treatment of a person who before was not a person with disability, the doctor may with the approval of the Agency, issue a Temporary Certificate of Disability which shall last for not longer than 180 days.
- (3) If the state of disability persists beyond 180 days, the Agency on the recommendation of a doctor, shall issue the person a Permanent Certificate of Disability which shall last for as long as the state of the disability persists.
- (4) A person issued with a Permanent Certificate of Disability is entitled to all rights and privileges under this Law.

#### **Unlawful Procurement of Certificate of Disability.**

23. A person who unlawfully issues or obtains a Certificate of Disability, commits an offence and is liable on conviction to a fine of ₦200,000 or imprisonment for a term of one year or both.

#### **Provision of Special communication at hospital.**

24. A public hospital where a person with communicational disabilities is medically attended to shall make provision for special communication.

#### **Situation of risk and humanitarian emergencies.**

25. In all situations of risk, violence, emergencies and the occurrences of

natural disasters, the Government shall take all necessary steps to ensure the safety and protection of persons with disabilities taking cognizance of their peculiar vulnerability.

#### **Service at queues.**

26. (1) In queues, persons with disabilities shall be given first consideration and, as much as possible, be attended to outside the queue.
- (2) A person who contravenes this section commits an offence and is liable on conviction to a fine of ₦50,000.00 or a term of six months imprisonment or both.

#### **Accommodation.**

27. If accommodation is being provided by schools for their students, Employers for their employees, service providers for their customers, organizations for their members, government for the people and in any other circumstance whatsoever, persons with disabilities shall be given first consideration.

### **PART VI.**

## **OPPORTUNITY FOR EMPLOYMENT AND PARTICIPATION IN POLITICS AND PUBLIC LIFE.**

#### **Equal Right to work.**

28. (1) A person with disability has the right to work on an equal basis with others and this includes the right to opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open.
- (2) A person who contravenes subsection (1), commits an offence and is liable on conviction to nominal damages of a minimum of ₦250,000 payable to the affected person with disability.
- (3) Where a company contravenes subsection (1):-
  - (a) the company commits an offence and is liable to nominal damages of a minimum of ₦500,000 payable to the affected person with disability; and
  - (b) any principal officer of the company involved in the violation

is liable to ₦50,000 damages payable to the affected person with disability.

### **Opportunity for Employment.**

29. All employers of labour in public organizations shall, as much as possible have persons with disabilities constituting at least 5% of their employment, but this quota shall not prevent the rest of people with disabilities from competing with other applicants for the same employment.

### **Participation in politics.**

30. (1) Persons with disabilities shall be encouraged to fully participate in politics and public life.
- (2) Government shall actively promote an environment in which persons with disabilities can effectively and fully participate in:-
- (a) the conduct of public affairs without discrimination;
  - (b) non-governmental organizations and associations concerned with the public and political life of the country; and
  - (c) activities and administration of political parties.

## **PART VII.**

### **ESTABLISHMENT OF THE STATE AGENCY FOR PERSONS WITH DISABILITIES.**

#### **Establishment of State Agency for Persons with Disabilities.**

31. (1) There is hereby established the State Agency for Persons with Disabilities (in this Law referred to as the “Agency” to be placed under the Office of the Governor.
- (2) The Agency:-
- (a) shall be a body corporate with perpetual succession and a common seal;
  - (b) may sue and be sued in its corporate name; and
  - (c) may acquire, hold and dispose of property, movable or immovable.

- (3) The head office of the Agency shall be in the State Capital, Ado-Ekiti.

**Establishment and Membership of the Governing Board.**

32. (1) There is established a Governing Board for the Agency (in this Law referred to as the "the Board") which shall conduct the affairs of the Agency.
- (2) The Board shall consist of-
- (a) a part time Chairman who shall be a person with disability;
  - (b) one person with disability from each Senatorial District in the State;
  - (c) a representative each from the Ministry of –
    - (i) Education,
    - (ii) Health,
    - (iii) Sports,
    - (iv) Women Affairs,
    - (v) Housing,
    - (vi) Transport,
    - (vii) Environment,
    - (viii) Labour and Productivity,
    - (ix) Justice,
    - (x) Finance; and
  - (d) a representative each from the State Human Rights Commission and the State Planning Commission.
- (3) The Chairman of the Board and one representative each from the three Senatorial Districts in the State, shall be appointed by the Governor subject to the confirmation of the House of Assembly.

**Proceedings of the Board**

**(Second Schedule.)**

33. The supplementary provisions set out in the Second Schedule to this Law

shall have effect with respect to the proceedings of the Board and other matters contained in the Schedule.

#### **Tenure of Office.**

34. The Chairman and members of the Board shall each hold office:-
- (a) for a term of four years and may be re-appointed for a further term of four years and no more; and
  - (b) on such terms and conditions as may be specified in their letters of appointment.

#### **Cessation of Office.**

35. (1) A person ceases to hold office as a member of the Board if he-
- (a) has been absent from three consecutive meeting of the Board without permission;
  - (b) becomes bankrupt, or compounds with his creditors;
  - (c) is convicted of a felony or any offence involving dishonesty or fraud;
  - (d) is disqualified of his professional qualification;
  - (e) is guilty of a serious misconduct in relation to his duties; or
  - (f) resigns his appointment by a letter addressed to the Governor.
- (2) If a member of the Board ceases to hold office for any reason whatsoever before the expiration of the term for which he is appointed, another person representing the same interest as that member shall be appointed to the Board for the unexpired term.
- (3) A member of the Board shall be removed by the Governor on the recommendation of the Board if he is satisfied that it is not in the interest of the Agency or the public that the member continues in that office.



### **Allowance of members.**

36. Members of the Board shall be paid allowances and expenses as the Governor may direct.

### **Powers of the Board.**

37. The Board shall have power to-
- (a) Manage and superintend over the affairs of the Agency;
  - (b) make rules and regulations for the effective running of the Agency;
  - (c) establish and promote inclusive schools, vocational and rehabilitation centres for the development of persons with disabilities;
  - (d) liaise with the public and private sectors and other bodies to ensure that the peculiar interests of persons with disabilities are taken into consideration in every government policy, programme and activity;
  - (e) issue insignia of identification with persons with disabilities;
  - (f) in collaboration with other relevant government agencies and professional bodies in the building industry, enforce compliance of public buildings codes and impose necessary sanctions and make appropriate orders;
  - (g) receive complaints of persons with disabilities of the violation on the their rights;
  - (h) support an individual's right to seek redress in court, investigation, prosecution or sanctioning, in appropriate cases, the violation of the provisions of this Law;
  - (i) ensure research, development and education on disability issues and disabled persons;
  - (j) collaborate with the media to make information available in accessible format for persons with disabilities; and
  - (k) procure assistive devices for all disability types.

### **Powers of the Agency.**

38. (1) The Agency shall have power to:
- (a) enter into contract for the education and welfare of persons with disabilities;
  - (b) purchase or acquire any assets, business or property considered necessary for the proper conduct of its functions;
  - (c) sell, let, lease or dispose of any of its property;

- (d) undertake or sponsor research where necessary for the performance of its functions; and
  - (e) train managerial, technical or other category of staff for the purpose of running the affairs of the Agency.
- (2) The power conferred on the Agency may be exercised by it or through any of its employees or agent authorized in that behalf by the Agency.

**Control of the Agency.**

39. The Agency shall not be subject to a direction, control or suspension by any other authority or person in the performance of its functions under this Law except the Governor.

**PART VIII.  
APPOINTMENT AND DUTIES OF THE EXECUTIVE SECRETARY  
AND OTHER STAFF.**

**Appointment and duties of the Executive Secretary of the Agency.**

40. (1) There shall be an Executive Secretary for the Agency who Shall:-
- (a) have such qualification and experience as appropriate for a person required to perform the functions of that office;
  - (b) be a person with disability; and
  - (c) be responsible to the Board for the execution of the policies and administration of the daily affairs of the Agency.

**Staff of the Agency and their remuneration.**

41. The Board shall appoint for the Agency such number of employees as may, in the opinion of the Board be expedient and necessary for the proper and efficient performance of the functions of the Agency.

**Appointment and Secondment from Public Service.**

42. (1) The Board may appoint for the Agency, either directly or by secondment from any Public Service of the State, such number of employees as may, in the opinion of the Board, be required to

assist the Agency in the performance of any of its functions under this Law.

- (2) The person seconded under this section, may elect to be transferred to the service of the Agency, and any previous service the person may have rendered in the Public Service shall count as service to the Agency for the purpose of any pension subsequently payable by the Agency.

#### **Structure of the Agency.**

43. There shall be established, in the head office of the Agency, such departments as may be deemed necessary for the effective and efficient functioning of the Agency.

#### **Pension and Gratuity.**

44. The staff of the Agency are entitled to pension, gratuity, and any other retirement benefit in accordance with the Pension Reform Act, No. 4 of 2014.

#### **Funds of the Agency.**

45. (1) The Agency shall establish and maintain a fund into which shall be paid and credited
  - (a) all subventions and budgetary allocations from the State Government; and
  - (b) such money as may be granted to the Agency by anybody or institution within or outside Nigeria.
- (2) The Agency shall defray all expenditures incurred by it including
  - (a) cost of administration;
  - (b) payment of salaries, fees, or other remuneration, allowances, pensions and gratuities payable to members and employees of the Agency; and
  - (c) anything done in connection with any of its functions.

#### **Power to accept gifts.**

46. (1) The Agency may accept gift 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, provided such terms and conditions are not inconsistent with any prevailing Law.

- (2) The Agency shall not accept any gift if the conditions attached are inconsistent with the functions of the Agency under this Law.

#### **Power to borrow.**

47. The Agency may borrow such money as it may require to execute or complete some special projects of the Agency.

#### **Annual Estimate and Expenditure.**

48. (1) The Agency shall:-
  - (a) cause to be kept accounts and records of transaction and affairs of the Agency; and
  - (b) ensure that all payments out of its fund are correctly made and properly authorised.
- (2) The Agency shall ensure that adequate control is maintained over the assets of, or in the custody of the Agency and over its incurring of liabilities.

#### **Audit.**

49. (1) The State Auditor-General shall:-
  - (a) inspect and audit the account and records of financial transactions of the Agency;
  - (b) inspect records relating to assets of the Agency; and
  - (c) draw the attention of the Secretary to the Government of the State to any irregularities disclosed by the inspection and audit.
- (2) The State Auditor-General may dispense with all or any part of detailed inspection and audit of any account or record referred to in subsection (1).
- (3) The State Auditor-General or an officer authorized by him is entitled at all reasonable time to a full and free access to all account records, documents and papers of the Agency relating directly or indirectly to the receipt or payment of money by the

Agency or to the acquisition received, custody or disposal of assets by the Agency.

### **Annual Report.**

50. The Agency shall submit-
- (a) an annual report of its activities to the office of the Secretary to the State Government not later than 30th June of each financial year; and
  - (b) a copy of its audited accounts and a copy of the annual report to the State House of Assembly.

### **Power to acquire Land.**

51. The Agency may, subject to the Land Use Act, acquire any Land for the purpose of performing its functions.

## **PART IX . MISCELLANEOUS PROVISIONS**

### **Service of Documents.**

52. A notice, summons or other documents required or authorized to be served upon the Agency under the provisions of this Law, any other law or enactment may be served by delivering it to the Executive Secretary or by sending it by registered post and addressing it to the Executive Secretary at the head office of the Agency.

### **Payment of judgment debt .**

53. Any such money which may be the judgment of any court awarded against the Agency shall be paid from the Fund of the Agency.

### **Indemnity of Officers.**

54. A member of the Board, the Executive Secretary, any officer or employee of the Agency shall be indemnified against any proceeding, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted, if any such proceeding is brought against him in his capacity as a member of the Board, the Executive Secretary, officer or the employee of the Agency.

### **Waivers of proof of special damages.**

55. (1) To be entitled to the damages specifically provided in this Law, it

shall be sufficient for a plaintiff or claimant, as the case may be, in a Court proceeding to prove the violation of the relevant section of this Law without specific proof of damages.

- (2) Nothing in this Law shall prevent a court from accessing and awarding general and special damages in addition to the normal damages provided for in this Law.

### **Regulations.**

56. The Board may make regulations for the purpose of carrying out or giving full effect to the provisions of this Law.

## **PART X. INTERPRETATION Interpretation.**

57. In this Law:-

“**accessibility aid**” includes any fixture and device that aids accessibility;

“**accommodation**” in the context of housing, includes residential or business accommodation;

“**assistive device**” means any device that assists, increases or improves the functional capabilities of persons with disabilities.

“**Agency**” means State Agency for People with Disabilities established under this Law;

“**Agency agent**” means the person who does work for the Agency as its agent and who is remunerated, whether in whole or in part by the Agency;

“**disabled**” means having a disability;

“**disability**” includes long term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder full and effective participation in society on equal basis with others;

“**discrimination**” means differential treatment and its verbs and infinite form, discriminate, to discriminate have the corresponding signification;

“**document**” include any book register or other record of information,

however compiled, record or stored.

**“educational authority”** means a body of persons administering an education institution;

**“educational institution”** means a school college, university or other institution at which education or training is provided;

**“employee”** include applicant or prospective employee, agency agent, contract worker, independent contractor, or person applying to the Agency agent, contract worker or independent contractor;

**“employer”** includes prospective employer, principal and a person who engages or proposes to engage an Agency agent, contract worker or independent contractor;

**“employer of labour”** means employer as interpreted by the Employee’s Compensation Act, No. 13, 2010.

**“function”** includes duty;

**“government employee”** means a person who is appointed, employed or engaged in the public service of, or by a public authority of the Federation, a State, the Federal Capital Territory or a local government, or holds an administrative office;

**“House of Assembly”** means Ekiti State House of Assembly.

**“person”** includes natural, artificial, juristic or judicial persons, companies, enterprises firms, organizations, association, government departments, ministries, parastatals;

**“person with disabilities”** means:-

- (a) a person who has received Temporary or Permanent Certificate of Disability to have condition which is expressed to continue permanently or for a considerable length of time which can reasonably be expected to limit the person’s functional ability substantially, but not limited to seeing, hearing, thinking, ambulating, climbing, descending, lifting, grasping, rising and includes any related function or any limitation due to weakness or significantly decreased endurance so that he cannot perform his everyday routine, living and working without significantly increased hardship

- and vulnerability to everyday obstacles and hazards; and
- (b) a person with long term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder their full and effective participation in society on equal basis with others;

“**premises**” includes a structure, building, aircraft, vehicle, train or vessel; a place (whether) enclosed or built on or not) and a part of premises;

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

“**public building**” means a building owned or used by the government agency or a building available for the use of members of the public;

“**relative**” in relation to a person, means a person who is related to the first mentioned person by blood, marriage affinity or adoption;

“**special communication**” means special means (including sign language augmentative and alternative communication) of communicating with person with speech or hearing disability;

“special facilities” means any provision whether movable or immovable that enhances easy access and enjoyment in public buildings by persons with disabilities significantly decreased endurance so that he cannot perform his everyday routing, living and working without significantly increased hardship and vulnerability to everyday obstacles and hazards;

“**student**” in relation to an education institution, includes a candidate or applicant for admission into that education institution;

“**undue hardship**” means significant difficulty or expense, when considered in light of such factors as:-

- (a) the nature and cost of the accommodation needed to take care of a disabled person’s special needs;
- (b) the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation and the number of persons employed at such facility;
- (c) the overall finances of the person or organization having to deal with person with disability, with the overall size of his or its business with respect to the number of its employees, the number, type, and location of its facilities; and
- (d) the type of operation or operations of such person or organization, including the composition, structure and function of his or its workforce; the geographic, separateness,



administrative, or fiscal relationship of the facility or facilities in question to such person or organization.

**Citation.**

58. This Law maybe cited as the Discrimination Against Persons with Disabilities (Prohibition) Law, 2020.

## **First Schedule**

### **Section 5.**

#### **Special facilities.**

1. Wheelchairs, clear floors or ground space on wheelchairs, wheelchair passage and turning space.
2. Crutches, guide canes etc
3. Hearing Aid.
4. Curb ramps
5. Ramps.
6. Handrails, grabbars.
7. Stain-shopping stairs.
8. Elevators or Lifts.
9. Windows.
10. Entrance doors.
11. Drinking fountain sand water coolers.
12. Toilet facilities.
13. Door protective and re-opening devices maneuvering entrance sat doors.
14. Parking spaces and passenger loading zones.
15. Accessible routes including walkways, halls, windows, aisles and spaces.
16. Alarm.

(a) audible alarms;

(b) visual alarms; and

(c) auxiliary alarms

(d) vacancy in the membership of the Board or Committee;

(e) defect in the appointment of a member of the Board or Committee; or

(f) reason that a person not entitled to do so took part in the proceedings of the Board or Committee.

## **Second Schedule.**

### **Section 33.**

#### **SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD**

##### *Proceedings of the Board*

**Cap.I23, LFN, 2004**

1. (1) Subject to this Law and Section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its Committees.
- (2) The quorum of the Board shall be the Chairman or the person presiding at the meeting and five other members of the Board, one of whom shall be an ex-officio member, and the quorum of any committee of the Board shall be as determined by the Board.
2. (1) The Board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by at least eight other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice was given.
- (2) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Council for such period as it deems fit, but a person who is in attendance by virtue of this paragraph is not entitled to vote at any meeting of the and shall not count towards a quorum.
3. (1) The Board may set up one or more committees to perform, on behalf of the Board, such functions as the Board may determine.
- (2) A committee set up under paragraph (1) shall consider such number of persons as may be determined by the Board and a person shall hold office in the Committee in accordance with the terms of his appointment.

- (3) A decision of a committee of the Board is of no effect until it is confirmed by the Board.
4.
  - (1) The affixing of the seal of the Agency shall be authenticated by the signatures of the Chairman, Executive Secretary or any other member of the Board generally or specifically authorized by the Board to act for that purpose.
  - (2) A contractor instrument, which if made or executed by any person not being a body corporate would not be required to be under seal, may be executed on behalf of the Agency by the Executive Secretary or any person generally authorized by the Board to act for that purpose.
  - (3) A document purporting to be a document duly executed under the seal of the shall be received in evidence and shall, unless the contrary is proved, be presumed to be so executed.
5. Validity of any proceeding of the Board or Committee shall not be adversely affected by the form or manner done.

**FORM 1 (Section 7)**  
**COMPLIANCE ORDER**

Notice has been taken of the fact that your Programme is not inclusive of Disabilities Issues.

In particular:

, ..

This contravenes Section 7 of Discrimination Against Persons with Disabilities (Prohibition) Law, you are hereby ordered to immediately comply with the Law.

Take note that if, after three months from receipt of this order, you still remain in default, your operational license shall be withdrawn.

Signed

**FORM 2. (Section 22 (1))**  
**CERTIFICATE OF PERMANENT DISABILITY.**

This is to certify that -----of-----  
----- was examined by me-----on  
this day of -----and found to be permanently incapacitated.

Signed

**Section 22 (2)**

**CERTIFICATE OF TEMPORARY DISABILITY**

This is to certify that -----of-----  
-----was examined by me -----  
-----on this day of----- and found to be  
temporary incapacitated.

Signed.