

ISSN 0189-0174 Extraordinary

Lagos State of Nigeria Official Gazette

No. 23 IKEJA-27th July 2011 Vol. 44

Lagos State Government Notice No. 61

The followings are published as Supplement to this Gazette: Page

Law No.6 -- A Law to Establish the Lagos State Safety Commission and for connected matter
A81-88

Published by the Lagos State Government of Nigeria and Printed by the Lagos State Printing Corporation,
Obafemi Awolowo Way, Ikeja, Lagos. Nigeria. LSPC 248/82011/500 (161) LAGOS STATE SAFETY

COMMISSION

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Supplement to Lagos State of Nigeria Official Gazette Extraordinary No. 23, Vol. 44 of 27th July 2011 - Part A

ASSENTED TO AT IKEJA, THIS 26TH DAY OF JULY 2011.

MR AKINWUNMI AMBODE (SAN)
Governor of Lagos State

Law No.6 2011

Lagos State of Nigeria

A LAW TO ESTABLISH THE LAGOS STATE SAFETY COMMISSION AND FOR
CONNECTED MATTERS

(26th July 2011) Commencement.

THE LAGOS STATE HOUSE OF ASSEMBLY enacts as follows:

1. There is established under this Law a body to be known as the Lagos State Safety Commission (referred to in this Law as "the Commission").
 2. The Commission shall be a body corporate with perpetual succession, a common seal and shall have power to --
 - (a) Sue and be sued in its corporate name; and
 - (b) To acquire, hold or dispose of any movable or immovable property for the purpose of carrying out its functions under this Law.
 3. The Commission shall consist of Composition of the Commission. (a) A Chairman who is of proven integrity and knowledgeable in safety related matters;
 - (b) four (4) persons of proven integrity, knowledgeable in safety matters;
 - (c) The Director-General/Chief Executive Officer; and
 - (d) A representative of each of the following:
 - (i) Ministry of Commerce and Industry;
 - (ii) Lagos State Environmental Protection Agency;
 - (iii) Lagos State Emergency Management Agency;
- A82 2011 No.6 Lagos State Safety Commission Law
- (iv) Ministry of Health;

- (v) Ministry of Works and Infrastructure;
- (vi) Ministry of Physical Planning and Urban Development;
- (vii) Ministry of The Environment;
- (viii) Lagos State Fire Service; and
- (ix) Ministry of Transportation.

(2) The Chairman and members of the Commission with the exception of the Director-General/Chief Executive Officer shall be appointed by the Governor on part-time basis.

(3) The appointment of the Chairman, members and Director-General of the Board with the exception of the ex-officio members shall be subject to the approval of the House.

3. The Chairman and Members of the Commission with the exception of the ex-officio members, shall hold office for a term of four (4) years and may be re appointed for another term of four (4) years only.

4. The Chairman and members who are not ex-officio members shall be paid such remuneration and allowances as applicable in the Public Service.

5. The Chairman or any member of the Commission may be removed from Office by the Governor ~

i. if he is unable to discharge the functions of his Office whether arising from infirmity of mind or body;

ii. if he resigns his membership of the Commission in writing by a letter addressed to the Governor;

iii. in case of permanent incapacity or death;

iiii. if he has been convicted of an offence which involves moral turpitude;

v. if he becomes bankrupt or made a compromise with his creditors; or

vi. if he has been involved in any act that may be considered inimical to the interest of his Office or the State.

b) Lagos State Safety Commission Law 2011 No.6 A83

6. - (1) the meetings of the Commission shall be convened by the Chairman or by a simple majority of members.

(2) At any meeting of the Commission, the Chairman shall preside and in his absence any member of the Commission as the other members may elect from among themselves shall preside.

(3) The quorum for any meeting of the Commission shall be the Chairman and three (3) members.

(4) Any matter which comes before the Commission for decision shall be decided by the vote of a simple majority of the members present and in the event of equality of votes. The Chairman presiding shall have a casting vote.

(5) The validity of any meeting shall not be affected by reason of the existence of any vacancy in the Commission or any defect in the appointment of any member. Provided a quorum is formed.

7. The Commission shall have power to regulate its proceedings and may make standing orders for that purpose.

8. Where the Commission desires to obtain the advice or any special information from any person on any matter, the Commission may co-opt such person as a member and such person shall have the rights and privileges of a member, but shall not be entitled to vote on any issue or be counted towards a quorum.

9. The Commission shall

(a) Have responsibility as the policy formulating, advisory and regulatory body for the co-ordination of all Government ministries, agencies, parastatals, and all, relevant bodies on matters relating to: (i) Safety of lives and property at all levels; and

(ii) Other safety related issues;
Establishment of the Lagos State Safety Commission.
Remuneration and allowance

(b) Set safety standards for all sectors involved in socio-economic activities in the State;

(c) Be responsible for the issuance or withdrawal of overall safety Compliance Certificate at all levels where necessary;

(d) Encourage and promote capacity building of its staff and other appropriate individuals from public and private organizations;

(e) Promote safety culture through sustained public and institutional enlightenment strategies and programmes;

(f) Conduct and review risk assessment reports;

(g) Give out safety alerts and signals;

(h) Conduct investigations, research and evaluations on safety issues and make recommendations accordingly;

(i) Periodically review and update set. Standards;

(j) Maintain constant links with collaborating ministries, agencies, Local Government Councils and Local Council Development Areas;

(k) Register safety practitioners in the State; and

(l) Perform such other duties or functions as may be required to give effect to the provisions of this Law.
A 84 2011 No.6 Lagos State Safety Commission Law

10. The Commission shall have power to - Commission.

(a) Clearly define and set safety standards for all ministries and agencies of Government;

(b) Foster and maintain effective interaction, networking and collaboration on safety issues with relevant Government agencies;

(c) Formulate and adopt safety policies, procedures to ensure enforcement and compliance with all relevant laws, bye-laws and regulations on safety in the State at all levels;

(d) Make recommendations towards the review or development of legislation on safety especially in areas of overlapping functions of relevant government agencies

(e) Formulate, maintain and periodically update harmonized safety policies in the State;

(f) Act as may be necessary to improve any condition which it would have done if the Commission had been the Enforcing Authority for the purpose of ensuring safety;

(g) Carry out its preventive functions as provided under this Law and ensure that safety recommendations are carried out at all levels, including those obtained from the processes set out in Schedule 1;

(h) Appoint consultants when required to enable the Commission carry out the objectives of this Law;

(i) establish Directorates within the Commission to carry out its functions under the provisions of this Law;

(j) Formulate policies, guidelines and decisions in safety related matters; and

Tenure of office of members

Cessation of Office of members

Meetings, Quorum and Voting.

(k) Co-ordinate and monitor the activities of relevant Organizations involved in safety services in the State.

11. There shall be appointed for the Commission a Director-General/Chief Executive Officer Who shall:

(i) Be a person of proven ability and integrity with relevant professional skills and fifteen (15) Years cognate experience in the field of Safety;

(ii) Be appointed by the Governor;

(iii) Report directly to the Commission.

12. The Director-General shall be the Chief Accounting Officer and shall (a) Be responsible for the day to day administration, organization and control of the Commission;

(b) Seek for assistance and collaboration with local, federal and international organizations; and

(c) Perform such other duties as may be assigned to him by the Commission from time To time.

A 85 2011 No.6 Lagos Slate Safety Commission Law

13. A Secretary shall be appointed from among the staff who shall be responsible to the Commission and shall perform such duties as may be specifically assigned by the Commission.

14. - (1) the Commission may, subject to the approval of the Head of Service

(a) Request for the deployment of staff from the State Civil Service to the Commission; and

(b) employ subject to the approval of the Governor such other category of professional and non-professional staff including competent consultants as may be required on such terms, conditions and on such remunerations and allowances as are applicable in the State Public Service for the due and proper performance of its functions under this Law.

15. A duly authorized officer of the Commission shall have power to enter and inspect facilities in order to ensure compliance with the provisions of this Law pursuant to regulations made under this Law.

16. The Commission shall (a) Keep proper accounts and records of its transactions in such form as the Auditor-General may direct in conformity with standard accounting practices; and (b) Prepare at the end of each financial year, statements of accounts which shall be audited annually by a firm of external auditors provided Proceedings.

Functions of the Commission Power to Coopt. from the list approved by the Auditor-General.

17. The Commission shall in accordance with the State's administrative guidelines prepare and submit to the Governor through the Executive Council not later than 31st December in each year, a report of its activities and operation with a certified copy of its accounts.

18. The Commission shall prepare and submit to the Ministry of Economic Planning and Budget its proposed annual estimates of revenue and expenditure for the period commencing from the 1st of January and ending on 31st December of the year in accordance with the call circular.

19. Subject to the Regulation Approval Law Cap. R5, Vol. 6 of 200), the Commission may make regulations for carrying into effect the purpose of this Law including practical safety standard.

20.-(1) Any Corporate body who contravenes the provisions of this Law shall be guilty of an offence and be liable on conviction to a fine of Two Hundred and Fifty Thousand Naira (₦250,000.00).

(2) Any person in charge of the affairs of a Corporate body who fails to discharge his duties under the provisions of this Law or the Regulations made there under is guilty of an offence and be liable on conviction to a fee of One Hundred and Fifty Thousand Naira (₦150,000.00). (3) Any individual who contravenes or fails to comply with any of the provisions of this Law shall be guilty of an offence and liable to a fine of One Hundred Thousand Naira (₦100,000.00). A 86 2011 No.6 Lagos Slate Safety Commission Law

21. The Special Offences Court established under the Special Offences Court Law, Cap. S. 9, Vol. 7, Laws of Lagos State of Nigeria, 2004 shall have jurisdiction to try any person who violates any provisions of this Law and impose prescribed Penalty.

22. In this Law, unless the context otherwise requires "Commission" means the Lagos State Safety Commission established under this Law;

"Governor" means the Governor of Lagos State;

"Government agencies" means Ministries, Departments, Agencies, Parastatals, Local Government Councils and Local Government Council Areas;

"House of Assembly" means Lagos State House of Assembly;

Powers of the Commission

"Safety" means conditions of being safe from harm, risk and danger and minimizing risk.

23. This Law may be cited as the Lagos State Safety Commission Law and shall come into force on the 26th day of July 2011.

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

A. T.OLATUNJI Clerk of the House of Assembly
A 87 2011 No.6 Lagos Slate Safety Commission Law

SCHEDULE 1

Section 10(g)

PREVENTIVE FUNCTIONS

The Commission shall undertake the preventive functions through:

1. Inspections;
2. Investigation of complaints;
3. Public enlightenment/awareness creation;
4. Training, seminar and workshops;

5. Prescribing personal protection equipment as appropriate;
6. Hazard/risk assessment and control;
7. Ensuring compliance with set standards;
8. Equipment maintenance and modernization;
9. Enlightenment campaigns on procedure for handling and storage of toxic chemicals; and

Appointment of the Director General/Chief Executive Officer

Duties of the Director General/Chief Executive Officer

10. Environmental control.

Secretary to the Commission

Staff of the Commission